

1. Topic of assessment

EIA title:	The provision of mental health advocacy services, Independent Mental Health Advocacy Services (IMHA) and advocacy for substance misuse
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EIA author:	Martyn Munro – Senior Public Health Lead Jane Bremner, Assistant senior manager commissioning adult social care
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2. Approval

	Name	Date approved
Approved by¹		

3. Quality control

Version number	V2.0DRAFT	EIA completed	
Date saved		EIA published	

4. EIA team

Name	Job title (if applicable)	Organisation	Role
Martyn Munro	Senior Public Health Lead	Surrey County Council	Project lead
Jane Bremner	Assistant Senior Manager	Surrey County Council	Project lead

¹ Refer to earlier guidance for details on getting approval for your EIA.

5. Explaining the matter being assessed

<p>What policy, function or service is being introduced or reviewed?</p>	<p>Surrey County Council (Adult Social Care and Public Health) have been commissioning advocacy for people with mental health problems who access secondary mental health services, Independent Mental Health Advocacy (IMHA) services for qualifying patients under the Mental Health Act 1983 and for people who access substance misuse treatment services. From April 2013 Surrey County Council have the responsibility for commissioning IMHA; this is a transferred responsibility from NHS.</p> <p>In 2011/12, a co-designed joint commissioning strategy for advocacy was developed which has guided our commissioning intentions for provision of advocacy for people with differing needs. The countywide advocacy service which arose from this commissioning strategy provides advocacy services for a range of people with differing needs, including those who access primary care or the voluntary sector for their mental health needs</p> <p>As a result of this commissioning strategy, independent mental health advocacy (IMHA) and general advocacy for people who access secondary mental health services remained a separate service. The qualitative data indicated that IMHA services and general mental health advocacy services for people who use secondary mental health services should be seamless. Guidance for commissioning IMHA services also states these services should complement and work with non-statutory mental health advocacy.</p> <p>The joint commissioning strategy is accompanied by an EIA; this EIA builds on that work and ensures the current round of commissioning and procurement has comprehensively assessed the impact on equalities.</p>
<p>What proposals are you assessing?</p>	<p>We are looking to contract with one lead provider to deliver a range of advocacy services in Surrey outlined in the specification:</p> <ul style="list-style-type: none"> • Advocacy for people who access secondary care mental health services, such as community mental health recovery services • Independent Mental Health Advocacy, to help qualifying patients understand the legal provisions to which they are subject to under the Mental Health Act 1983, and the rights and safeguards they are entitled to, and to help them exercise their rights through supporting participation in decision-making • Advocacy for people who access substance misuse treatment services

Who is affected by the proposals outlined above?	Adults with mental health problems who access secondary mental health services, Independent Mental Health Advocacy (IMHA) services for qualifying patients under the Mental Health Act 1983, those with differing needs, including those who access primary care or the voluntary sector for their mental health needs. People who access the Surrey Substance Misuse Treatment system.
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6. Sources of information

Engagement carried out
<p>The service specification has been informed by the following processes:</p> <ul style="list-style-type: none"> - In 2011/12, a co-designed joint commissioning strategy for advocacy was developed which has guided our commissioning intentions for provision of advocacy for people with differing needs. The countywide advocacy service which arose from this commissioning strategy provides advocacy services for a range of people with differing needs, including those who access primary care or the voluntary sector for their mental health needs - A substance misuse advocacy needs assessment conducted during August and September 2013 which indicates an evolving change in the needs of service users and those advocacy resources may need to be expanded to a wider spectrum of those accessing the substance misuse treatment system. - Distilling findings from Joint Strategic Needs Assessment; - The proposal has been worked through with colleagues within the Adult and Social Care, Public Health team and Supporting People and co-ordinated by Surrey County Council procurement. - Engagement with mental health stakeholder groups and the Substance Misuse Service User Involvement team
Data used
<p>The following data sets were used:</p> <ul style="list-style-type: none"> - Adult provider quarterly performance reports (green report); - Adult Alcohol provider quarterly performance report (purple report); - Diagnostic Outcomes Monitoring Executive Summary (DOMES); - Contract performance management framework for the current contract; - Service user involvement and feedback; - Service user consultation; - National Treatment Agency commissioning guidance (Joint Strategic Needs Assessment support pack for commissioners); - Drug Treatment Monitoring Unit Adult profiles; - Joint commissioning strategy for advocacy - Surrey Joint Strategic Needs Assessment.

7. Impact of the new/amended policy, service or function

7a. Impact of the proposals on residents and service users with protected characteristics

Protected characteristic ²	Potential positive impacts	Potential negative impacts	Evidence
<p>Page 14</p> <p>Age</p>	<p>The Adult Advocacy Service will respond positively to the needs of all groups who have a protected characteristic within the Equality Act 2010. These characteristics include race, religion or belief, sexual orientation, pregnancy and maternity, age, disability, gender and gender identity.</p> <p>The Service Provider is expected to engage with these groups through all necessary means to ensure inclusion is in a positive and meaningful way.</p> <p>It is anticipated that the re-tendering of the current contract will have a positive impact on all groups by ensuring continuity of services.</p>	<p>No evidence of changes to services to disproportionately affect this group.</p>	<p>In delivering the Adult Advocacy Service Service, the Service Provider will be “exercising public functions” for the purposes of section 149(2) of the Equality Act 2010. As such, the Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1) of that Act and to deliver the Services accordingly. The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees.</p> <p>In the delivery of any services commissioned on behalf of Surrey County Council, the Service Provider must demonstrate awareness and be responsive to the accessibility and needs of groups described above either in services or attempting to access services. This will be monitored quarterly.</p>
<p>Disability</p>	<p>As above as identified in “Age”.</p> <p>People with mental health problems who require IMHA or access secondary mental</p>	<p>No evidence of changes to services to disproportionately affect this group.</p>	<p>As above as identified in “Age”.</p> <p>Accessibility relates to (but is not limited to); physical and mental impairment, communication needs, those with either a hearing or sight impairment, translation / interpretation if English is not a first language.</p>

² More information on the definitions of these groups can be found [here](#).

	health services will have equity of access to advocacy services regardless of where they live in Surrey.		
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 15</p> <p style="text-align: center;">Gender reassignment</p>	<p>As above identified in “Age”.</p> <p>No data is formally collected though there is the facility to record free text on Health and Personal History details.</p>	<p>No evidence of changes to services to disproportionately affect this group.</p> <p>It is however expected of the new service to promote itself and deliver interventions in a way which enables transgender clients to be more confident in accessing the service.</p>	<p>In delivering Adult Advocacy the Service Provider will be “exercising public functions” for the purposes of section 149(2) of the Equality Act 2010. As such, the Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1) of that Act and to deliver the Services accordingly. The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees.</p> <p>In the delivery of any services commissioned on behalf of Surrey County Council, the Service Provider must demonstrate awareness and be responsive to the accessibility and needs of groups described above either in services or attempting to access services.</p> <p>Several studies show that drug prevention and treatment services need to be more accurately attuned to the needs of the Transgender population. For this to happen, more evidence is required so that the appropriate service provision can be commissioned. Specifically, qualitative data on recreational drug use (e.g. use not solely relating to ‘addiction’), on the different drugs used by Transgender groups, and evidence relating to inhibiting factors for those who do not access services are required in order to better understand service</p>

			needs.
Pregnancy and maternity	<p>As above identified in “Age”.</p> <p>No data is formally collected though there is the facility to record free text on Health and Personal History details</p>	<p>No evidence of changes to services to disproportionately affect this group.</p>	<p>In delivering the Adult Advocacy the Service Provider will be “exercising public functions” for the purposes of section 149(2) of the Equality Act 2010. As such, the Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1) of that Act and to deliver the Services accordingly. The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees.</p> <p>In the delivery of any services commissioned on behalf of Surrey County Council, the Service Provider must demonstrate awareness and be responsive to the accessibility and needs of groups described above either in services or attempting to access services.</p>
Race	<p>As above identified in “Age”.</p> <p>No data is formally collected though there is the facility to record free text on Health and Personal History details</p>	<p>No evidence of changes to services to disproportionately affect this group.</p> <p>Assess local needs and stimulate innovative solutions to meet the needs of ethnic population.</p>	<p>Evidence shows that services which are culturally and ethnically aware provide better treatment outcomes for their clients.</p> <p>The service will be expected to deliver interventions in a way which improve the engagement and retention in treatment of Black and Minority Ethnic people.</p>
Religion and belief	<p>As above identified in “Age”.</p>	<p>No evidence that changes to services will disproportionately affect those of a specific religious background / belief.</p>	<p>In delivering the Adult Advocacy the Service Provider will be “exercising public functions” for the purposes of section 149(2) of the Equality Act 2010. As such, the Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1) of that Act and to deliver the Services accordingly.</p>

			<p>The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees.</p> <p>In the delivery of any services commissioned on behalf of Surrey County Council, the Service Provider must demonstrate awareness and be responsive to the accessibility and needs of groups described above either in services or attempting to access services.</p>
Page 17	Sex	As above identified in "Age".	<p>No evidence of changes to services to disproportionately affect Male or Female clients.</p> <p>In delivering the Adult Advocacy the Service Provider will be "exercising public functions" for the purposes of section 149(2) of the Equality Act 2010. As such, the Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1) of that Act and to deliver the Services accordingly. The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees.</p> <p>In the delivery of any services commissioned on behalf of Surrey County Council, the Service Provider must demonstrate awareness and be responsive to the accessibility and needs of groups described above either in services or attempting to access services.</p>
	Sexual orientation	As above identified in "Age".	<p>No evidence of changes to services to disproportionately affect sexual orientation.</p> <p>In delivering the Adult Advocacy the Service Provider will be "exercising public functions" for the purposes of section 149(2) of the Equality Act 2010. As such, the Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1)</p>

			<p>of that Act and to deliver the Services accordingly. The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees.</p> <p>In the delivery of any services commissioned on behalf of Surrey County Council, the Service Provider must demonstrate awareness and be responsive to the accessibility and needs of groups described above either in services or attempting to access services.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 18</p> <p>Marriage and civil partnerships</p>	<p>As above identified in "Age".</p>	<p>No evidence of changes to services to disproportionately affect marital status.</p>	<p>All persons, irrespective of race, gender, disability, age, ethnicity, religion or sexual orientation should be able to secure access to the same substance misuse treatment services as the rest of the population.</p> <p>In delivering the Adult Advocacy the Service Provider will be "exercising public functions" for the purposes of section 149(2) of the Equality Act 2010. As such, the Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1) of that Act and to deliver the Services accordingly. The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees.</p> <p>In the delivery of any services commissioned on behalf of Surrey County Council, the Service Provider must demonstrate awareness and be responsive to the accessibility and needs of groups described above either in services or attempting to access services.</p>

7b. Impact of the proposals on staff with protected characteristics

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
Age	Non-discriminatory workplace	None	In delivering the Adult Advocacy the Service Provider will be “exercising public functions” for the purposes of section 149(2) of the Equality Act 2010. As such, the Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1) of that Act and to deliver the Services accordingly. The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees.
Disability	Non-discriminatory workplace	None	In delivering the Adult Advocacy the Service Provider will be “exercising public functions” for the purposes of section 149(2) of the Equality Act 2010. As such, the Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1) of that Act and to deliver the Services accordingly. The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees.
Gender reassignment	Non-discriminatory workplace	None	In delivering the Adult Advocacy the Service Provider will be “exercising public functions” for the purposes of section 149(2) of the Equality Act 2010. As such, the Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1) of that Act and to deliver the Services accordingly. The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees.
Pregnancy and maternity	Non-discriminatory workplace	None	In delivering the Adult Advocacy the Service Provider will be “exercising public functions” for the purposes of section 149(2) of the Equality Act 2010. As such, the

			Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1) of that Act and to deliver the Services accordingly. The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees.
Race	Non-discriminatory workplace	None	In delivering the Adult Advocacy the Service Provider will be “exercising public functions” for the purposes of section 149(2) of the Equality Act 2010. As such, the Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1) of that Act and to deliver the Services accordingly. The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees.
Religion and belief	Non-discriminatory workplace	None	In delivering the Adult Advocacy the Service Provider will be “exercising public functions” for the purposes of section 149(2) of the Equality Act 2010. As such, the Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1) of that Act and to deliver the Services accordingly. The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees
Sex	Non-discriminatory workplace	None	In delivering the Adult Advocacy the Service Provider will be “exercising public functions” for the purposes of section 149(2) of the Equality Act 2010. As such, the Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1) of that Act and to deliver the Services accordingly. The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees.

<p>Sexual orientation</p>	<p>Non-discriminatory workplace</p>	<p>None</p>	<p>In delivering the Adult Advocacy the Service Provider will be “exercising public functions” for the purposes of section 149(2) of the Equality Act 2010. As such, the Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1) of that Act and to deliver the Services accordingly. The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees.</p>
<p>Marriage and civil partnerships</p>	<p>Non-discriminatory workplace</p>		<p>In delivering the Adult Advocacy the Service Provider will be “exercising public functions” for the purposes of section 149(2) of the Equality Act 2010. As such, the Service Provider is required to pay due regard to the Public Sector Equality Duty under section 149(1) of that Act and to deliver the Services accordingly. The Equality Act 2010 relates to service users and employees. The Service Provider has responsibilities as a provider to service users and as an employer to its employees.</p>

8. Amendments to the proposals

Change	Reason for change
N/A	N/A

9. Action plan

Potential impact (positive or negative)	Action needed to maximise positive impact or mitigate negative impact	By when	Owner
It is not envisaged that there will be a negative impact resulting from the re-tendering of adult advocacy provision	Quality and innovation measures as part of the contract and extension negotiation enable targeted responses to identified needs.	April 2014 – March 2017	Jane Bremner/Martyn Munro

10. Potential negative impacts that cannot be mitigated

Potential negative impact	Protected characteristic(s) that could be affected
None	

11. Summary of key impacts and actions

Information and engagement underpinning equalities analysis	<p>The service change has come about as a result of the following analysis :</p> <ul style="list-style-type: none"> - quarterly performance reviews undertaken by Adult Social and Public Health with the current providers; - engagement with service users; - review of best practice working with statistical neighbours and through liaison with Public Health
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	<p>England Regional representative;</p> <ul style="list-style-type: none"> - Distilling findings from Joint Strategic Needs Assessment; - the proposal has also been worked through with colleagues within the Public Health team, Adult and Social Care and Supporting People and co-ordinated by Surrey County Council procurement.
<p>Key impacts (positive and/or negative) on people with protected characteristics</p>	<p>Positive impact for all categories with a particular emphasis on :</p> <ul style="list-style-type: none"> - Gender - Sexual orientation targeting the needs of Lesbian, Gay, Bisexual individuals - Transgender individuals - Race <p>There are no foreseeable negative impacts as a result of the re-tendering of the contract.</p>
<p>Changes you have made to the proposal as a result of the EIA</p>	None
<p>Key mitigating actions planned to address any outstanding negative impacts</p>	N/A
<p>Potential negative impacts that cannot be mitigated</p>	N/A

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