

Annex A

EIA Title	Termination of the Section 75 arrangement between Surrey County Council and Surrey and Borders Partnership NHS Foundation Trust					
Did you use the EIA Screening Tool? (Please tick or specify)	Yes (Please attach upon submission)		No	х		

1. Explaining the matter being assessed

Commissioning and delivery of mental health services following the termination of the S75 agreement.

Surrey County Council Adult Social Care (SCC ASC) and Surrey and Borders Partnership NHS Foundation Trust (SABP) currently work in partnership under a S75 agreement (Health Act 2000) which formalises the integrated provision and commissioning of mental health services for adults (aged 18 and over) with mental health and/or substance misuse needs and their carers. This agreement has been in place since 2012.

What policy, function or service change are you assessing?

At present mental health adult social care is provided within the secondary mental health services of SABP only. (**Secondary care** simply means being taken care of by someone who has particular expertise in whatever problem a patient is having. It's where most people go when they have a health problem that can't be dealt with in primary care because it needs more specialised knowledge, skill or equipment than the GP has. It's often provided in a hospital. The GP will decide what kind of specialist the patient needs to see and contact them on the patient's behalf to get them an appointment – this is called a 'referral')

On 11 April 2019 SABP were formally notified of SCC's intention to terminate this agreement.

The transfer of staff and cases commenced on 11 November and was concluded on 2 December 2019.

Why does this EIA need to be completed?

The termination of the S75 agreement represents a significant change. Whilst there is no changes to the terms and conditions of workers, it substantially changes the management of staff by re-assigning them to SCC and ensuring a (re) focus on ASC statutory duties and strategic priorities. It will also entail the re-allocation of approximately 1,500 cases from SABP to either ASC management exclusively or to joint management between ASC and SABP. An EIA is necessary to ensure that any changes made are assessed against the needs and requirements of all those with protected characteristics. It should be noted that terms and conditions of employment are unaffected.

SCC has little data with regards to social care performance under the current S75 arrangements. To ensure equity of access to adult social care services for people (aged 18 and over) with mental health and/or substance misuse needs and

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their carers, we must have in place robust protocols and processes for recording, information governance and information sharing. We need to ensure SCC has access to quality data and assurance that all statutory responsibilities are being fulfilled for this group of people with protected characteristics around disability (mental health, substance misuse) and their carers. The mental health social work service returning to Council Adult Social Care policies and protocols, which are informed by the Council's Equalities Policies, Strategy and Steering group facilitates more accurate data collection of demographics including characteristics under the Equalities Act (2010) with particular reference to those receiving adult social care for mental health problems.

Nationally there are a number of reasons why we are making this change, and why, therefore an EIA is required. These include:

- Review of the Mental Health Act
- New National Framework for Community Mental Health Support, Care & Treatment for Adults and Older Adults
- NHS Five Year Forward View and 10 year plan
- Development of Integrated Care Systems

Locally, there are also a number of strategic initiatives and challenges that underpin this approach:

- Care Act implementation from April 2015
- Local Government Association Review of Department
- Social Care Institute for Excellence Improvement Plans
- A.D.A.S.S. Review (South East Region) of Social Work in Mental Health
- Current Section 75 Arrangements
- SABP Transformation Programme

Individuals and carers referred to integrated mental health services do not consistently receive an assessment of their social care needs. Therefore, individuals and carers who have eligible social care needs and protected characteristics may not be having their needs met. The prevention and wellbeing provisions within the Care Act are also not consistently being considered or provided for individuals nor carers within the service.

Currently, of the approximately 6,000 clients supported by SABP, only 25% have eligible social care needs – as confirmed through a desk top review exercise conducted by our mental health staff. We estimate, therefore, that around 75% of our available staff care and support are being directed to work that does not come within our statutory responsibilities under the Care Act.

The termination of the S75 agreement will enable social care staff to focus on social care statutory responsibilities resulting



in people with mental health needs and their carers to have more equitable access to social care services: Protected groups will benefit from better quality and personalised assessments and support plans that promote independence and wellbeing. National statistics indicate that one in four people will experience a diagnosable mental health condition in any given year. With the right advice, guidance and information, at the right time, in line with the wellbeing principles of the Care Act people experiencing mental health problems are usually able to make full recoveries. By terminating the S75 agreement we will be able to offer a more holistic service meeting both mental and physical health requirements. The following groups are potentially affected by proposed changes to the delivery of mental health social care: Working age adults being supported by the community mental health recovery services (CMHRSs); early intervention in psychosis services (EIIP); the approved mental health professional (AMHP) service; the enabling independence service Who is affected by the proposals outlined above? (EIS) and the move to independence team. People with substance misuse needs Clients of forensic teams and other specialist services Older adults with mental health needs Prisoners Carers/Family members of the above SCC staff working in mental health SABP staff Primary health care providers Voluntary, community and private sector organisations working within Mental Health Everyone gets the health and social care support and How does your service information they need at the right time and place proposal support the Communities are welcoming and supportive of those most outcomes in the Community in need and people feel able to contribute to community Vision for Surrey 2030? life County Wide Χ Runnymede Elmbridge Spelthorne Are there any specific geographies in Surrey where **Epsom and Ewell** Surrey Heath this will make an impact? Guildford Tandridge (Please tick or specify) Mole Valley Waverley Reigate and Banstead Woking Not Applicable County Divisions (please specify if appropriate):

Our own, internal, analysis of performance highlights disparities in performance between locality teams and mental health teams that *suggest* that there is scope, once teams return to ASC, to drive up performance. Though we recognise that this is not a like for like comparison we can see in the key area of reviews/assessments, for example, a significant disparity in performance:

- Reviews <u>MH Team</u> % of open cases reviewed / assessed in the last 12 months – 32%
- Reviews <u>ASC Team</u> % of open cases reviewed / assessed in the last 12 months – 71%

National data shows there is a considerably higher prevalence of mental health problems among the population than those diagnosed or receiving treatment – in large part due to the stigma that can make it harder for people to seek help from services.

Mental illness has wide-reaching effects on people's education, employment, physical health, and relationships. Although many effective mental health interventions are available, people often do not seek the help they need due to the various types of stigma that still surround mental illness. Often the stigma that surrounds mental health can make it harder for people to seek help from services, hence the importance of widely available self-help information and antistigma interventions.

Briefly list what evidence you have gathered on the impact of your proposals?

Nationally there has been a rise in detentions under the MH Act and Surrey is in line with this national picture.

Care Quality Commission carried out a study to try to understand and explain trends within mental health.

Key points include:

- Equal access to mental health social care is hindered by its location in secondary care where workforce is focussed on secondary health care outcomes
- Dilution of basic social work practice resulting in mental health social care no longer being equitable with other client groups in terms of quality and service delivery
- Underuse of preventative and community resources has resulted in an over reliance on costly residential and institutional care, minimising resilience
- Significant challenges in delivering on the duties of the Care Act (2014) and Mental Health Act (1983)
- Financial efficacy with growing demand

Recent research entitled *Mental Health Integration Past*, *Present and Past* was published by Emad Lilo (national AMHP lead) in February 2016. The research involved use of a comprehensive survey of a range of professionals, and interviews with local and national leaders across England



involved in both mental health provision and social care. Data returned by 108 of the 148 councils in England showed that 55% have section 75 agreements, which involve some degree of integration of their social workers in NHS mental health, while 45% do not. 12 English local authorities have terminated agreements or allowed them to lapse. That amounts to 12% of the 55% of local authorities with agreements in place. Underpinning this change is the conviction that social workers deployed within mental health community teams are not always focussed on social work, and that those teams do not prioritise the statutory duties placed on local authorities by the Care Act 2014. (Lilo *et al* 2014)

The main challenges and areas of concern are:

- The delivery of social care in mental health is no longer equitable to other client groups in terms of access and quality
- A dilution of basic social work practice coupled with exclusive focus on secondary health care outcomes
- A subsequent underuse of preventative and community resources has resulted in overreliance on costly residential and institutional care, minimizing resilience
- Significant challenges delivering on the duties of the Care Act (2014)
- Inability to obtain performance data
- Inability to manage the budget
- · Limited identification and assessment of carers
- Increasing demand from an ageing population

These issues affect all of the groups listed below and appertain to mental health clients across the full demographic range.

Dr Karen Lind has been leading work for ADASS across 60 councils and 6,000 social workers to look at better social work in mental health, she is also finishing a thematic review for ADASS across authorities in the South East.

In her regional report some of the key messages, relevant to this EIA. are:

- Evidence of role drift, loss of social work identity and poor experiences.
- Concerns about the NHS management capacity, oversight, use and targeting of the SW resource away from the delivery of statutory functions especially the Care Act.
- Difficulties with devolved governance and reporting on performance.
- Lack of confidence in the current CMHT model as a mechanism for delivering preventative and community centred care.
- Aspirations to align the MHSW resource with transformations towards strength based services.
- Cost pressures and efficiencies
- Unsustainable AMHP arrangement



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2. Service Users / Residents

There are 10 protected characteristics to consider in your proposal. These are:

- 1. Age including younger and older people
- 2. Disability
- 3. Gender reassignment No Impact +/-
- 4. Pregnancy and maternity No Impact +/-
- 5. Race including ethnic or national origins, colour or nationality
- 6. Religion or belief including lack of belief No Impact +/-
- 7. Sex No Impact +/-
- 8. Sexual orientation No Impact +/-
- 9. Marriage/civil partnerships No Impact +/-
- 10. Carers protected by association

Though not included in the Equality Act 2010, Surrey County Council recognises that socio-economic disadvantage is a significant contributor to inequality across the County and therefore regards this as an additional factor.

Therefore, if relevant, you will need to include information on this. Please refer to the EIA guidance if you are unclear as to what this is.

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AGE

What information (data) do you have on affected service users/residents with this characteristic?

Details on the service users/residents that could be affected. Try and be as specific as possible.

In scope for this review are mental health services for both working aged adults and older adults

Impacts (Please tick or specify)	Positive		N	egative		Both	
Impacts identified Supporting eviden		nce		u maximise nimise negative	When will this be implemented by?	()W/DOF	
What impacts have you identified?		What are you basir on?	ng this	Actions to menhance imp	•	Due date	Who is responsible for this?

What other changes is the council planning/already in place that may affect the same groups of residents? Are there any dependencies decisions makers need to be aware of

Any negative impacts that cannot be mitigated? Please identify impact and explain why

Identifies negative impacts that can't be mitigated, together with evidence.

You will need to repeat the box below (copy and paste) for each of the protected characteristics likely to be impacted.



DISABILITY

What information (data) do you have on affected service users/residents with this characteristic?

Details on the service users/residents that could be affected. Try and be as specific as possible.

Based on the Adult Psychiatric Morbidity Survey (2007) and Office for National Statistics (ONS) mid-year 2012 resident population estimates, there are an estimated 211,949 people aged 16+ in Surrey who meet the criteria or who screened positive for one or more psychiatric conditions (46% male, 54% female). Of these, 25,802 are estimated to have 3 or more conditions (43% male, 57% female). The projected rise in the adult population in Surrey and the ageing population is likely to lead to an increase in the prevalence of mental health problems and in turn increased use of services.

(from SCC ACWC MHS report 2017)

Impacts (Please tick or specify)	Positive	x	N	egative	x	Both	
Impacts identif	fied	Supporting evider	pporting evidence		How will you maximise positive/minimise negative impacts?		Owner
What impacts hidentified?	ave you	What are you basin	What are you basing this		Actions to mitigate or enhance impacts		Who is responsible for this?
· · · · · · · · · · · · · · · · · · ·	athe capacity of to meet demand be a delay in als receiving ments or of between social	At this stage the im these changes in to the number of refer difficult to anticipate project has inbuilt repoints that will assemble whether changes a required to meet de Greater consistency quality of social care	erms of rals is e. The eview ess re emand.	referrals.		1/04/20	Liz Uliasz – Deputy Director

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By placing Mental Health back in a locality team setting we are better able to place an emphasis on addressing both mental and physical health in a holistic fashion.

Ability to address mental health needs for people with a physical disability which may be have had an impact on their health and wellbeing e.g. social isolation, anxiety, depression.

assessment and support to people with mental health and social care needs as only trained ASC staff will be completing these assessments.

Enhanced social care outcomes for people with mental health social care support needs as the service user will be offered personalised support to meet need in a more flexible way that is outcome and recovery focussed.

Improved assurance re safeguarding responses – more robust oversight and ownership of safeguarding cases and costed packages

Those living with both a mental and physical disability should receive a more streamlined approach to having social care needs met with improved signposting to relevant services such as equipment and adaptations

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Improved recording and use of SCC systems will ensure better performance data to support service improvements - e.g. the systems and processes support the ability to report on the total number of Mental Health service.

Individuals/carers will get a comparable social care assessment as those referred directly to adult social care locality teams.

Improved access to adult social care and outcomes for individuals and carers

The provisions within the Care Act will be consistently applied, including the prevention and wellbeing aspects of the Care Act, for individuals and carers within the mental health service.

Surrey has a slightly higher excess mortality rate in adults with serious mental illness. Poor mental health can lead to a poor lifestyle and increased risk taking behaviours such as excessive drinking, smoking, poor nutrition and lack of exercise. These are risk factors for serious physical illness, particularly coronary heart disease and cancers. The prevalence of these modifiable risk factors is much higher for people with mental health problems and increases with the severity of the

mental health problem.

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People with common and more serious mental health needs have lower life expectancy and a 0.7 and 3.6 times higher mortality rate (respectively), than those without mental health needs. People with schizophrenia and bipolar disorder die an average 15-20 years earlier than the general population they have 4.1 times overall risk of dying prematurely; have 3 times the risk of dying from Coronary Heart Disease (CHD) and a 10 fold increase in respiratory disease deaths.

People with 1 long term condition are two to three times more likely to develop depression; people with 3 or longer term conditions are seven times more likely. (Source: JSNA). Increasing evidence suggests that people with disabilities experience poorer levels of health than the general population (WHO 2011

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World Report on Disability). Currently, of the approximately 6,000 clients supported by SABP, only 25% have eligible social care needs - as confirmed through a desk top review exercise conducted by our mental health staff. We estimate, therefore, that around 75% of our available staff care and support are being directed to work that does not come within our statutory responsibilities under the Care Act. Once staff are re-assigned to SCC this will ensure a (re) focus on ASC statutory duties and strategic priorities. The local independent mental health network. which is the independent voice of people with mental health needs and their carers, has been involved from the start and endorsed the approach to review the s75 agreement

to enable social care staff



to focus on social care functions and duties under the Care Act.		

What other changes is the council planning/already in place that may affect the same groups of residents? Are there any dependencies decisions makers need to be aware of

There are a number of initiatives that will directly, and indirectly impact upon mental health staff. These include – but are not limited to – practice improvement, strength based practice, the restructure of reablement services and the review of Accommodation with Care & Support.

Any negative impacts that cannot be mitigated? Please identify impact and explain why

Identifies negative impacts that can't be mitigated, together with evidence.

RACE

What information (data) do you have on affected service users/residents with this characteristic?

Details on the service users/residents that could be affected. Try and be as specific as possible.

Routine use of SCC recording and monitoring systems should ensure that the needs of the BME community are better captured, understood and responded to.

Impacts (Please tick or specify)	Positive	x	Negative			Both	
Impacts identif	fied	Supporting evider	ıce	How will yo positive/minimpacts?	u maximise nimise negative	When will this be implemented by	()Whor

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What impacts have you identified?	What are you basing this on?	Actions to mitigate or enhance impacts	Due date	Who is responsible for this?
National data suggests that rates of mental health disability vary by ethnicity. Currently – in part due to the delegation of service provision to SABP – we lack detailed, localised, data upon which to base any remedial action in this regard. We anticipate, however, that as this data becomes available we will be able to tailor services accordingly and to do this as part of a coordinated action plan.	The Data visualisation shows that Black males are more likely to be diagnosed with a psychotic disorder; Asian Females are more likely to be diagnosed with a common mental health disorder (CMD) and white females and other mixed and multiple ethnic groups are more likely to experience suicidal thoughts. The majority of the Surrey adult population (83.5%) reported their ethnic group as "White British" in the 2011 Census; other white ethnic groups; "Irish, "Gypsy or Irish Traveller" and "Other White" (6.9%), then "Indian" (1.8%) followed by Pakistani (1.0%). Surrey has a significantly lower than England percentage of mixed/multiple 2.08.2.25, Asian or Asian/British 5.6 vs 7.8, Black of Black/British 1.1 vs 3.5 and other ethnic groups	Processes will be put in place to capture this data.	N/A	N/A

What other changes is the council planning/already in place that may affect the same groups of residents? Are there any dependencies decisions makers need to be aware of



If so, please detail your awareness of whether this will exacerbate impacts for those with protected characteristics?

Any negative impacts that cannot be mitigated? Please identify impact and explain why

Identifies negative impacts that can't be mitigated, together with evidence.

CARERS

What information (data) do you have on affected service users/residents with this characteristic?

Details on the service users/residents that could be affected. Try and be as specific as possible.

Carers for those having access to mental health services.

Impacts (Please tick or specify)	Positive	x	N	egative		Both	
Impacts identi	cts identified Supporting evidence		How will yo positive/minimpacts?	u maximise nimise negative	When will this be implemented by	()Whor	
What impacts hidentified?	ave you			Actions to m	•	Due date	Who is responsible for this?
Greater Care A should mean th more accessible including acces assessments.	at services are e to carers	Surrey has a signif higher percentage carers of clients with mental health probreceiving communitatives – advice of	of th lems ty				

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Routine use of SCC recording monitoring systems should ensure that needs and trends relating more specifically to carers are better captured, understood and responded to.	information. Surrey has a significantly higher rate (per 100 000) of assessments for carers of adults with a mental health condition than England (76.7 vs 64.3) and the fifth highest rate among its 15 CIPFA nearest neighbors (CIPFA range: 5.4 – 184.7) (Surreyi Joint Strategic Needs Assessment)		

What other changes is the council planning/already in place that may affect the same groups of residents? Are there any dependencies decisions makers need to be aware of

If so, please detail your awareness of whether this will exacerbate impacts for those with protected characteristics?

Any negative impacts that cannot be mitigated? Please identify impact and explain why

Identifies negative impacts that can't be mitigated, together with evidence.

3. Staff

ALL



What information do you have on the affected staff with this characteristic?

Please include data or evidence to detail how a policy/service/function change could impact on staff with this characteristic. Try and be as specific as possible.

Impac	cts	Positive		N	legative		Both	
Impac	cts identif	ïed	Supporting evidence	•	How will yo positive/mir impacts?	u maximise nimise negative	When will this be implemented by?	Owner
include transforetaini special identite. Cleare – work care retrainin suppolegisla social. The resyster will recommend to the retraining suppolegisla social.	led in the vormational ing their malism and party er roles an kers able tresponsibilities will be investive frame care eview plant of ASC duce any ouplicative frame and for ASC duce any ouplicative in the extension for ASC duce any outline and the extension for ASC	rs will be more vider ASC I journey whilst pental health professional and responsibilities to focus on social ities restment in staff relopment to work within the ework of adult as to move to one recording which current confusion recording in two	There may be some lead of uncertainty for staff during any change process which may casome staff to suffer an or stress. Possible negative imports of change on wider staff retention and staff more than the support capacity and impact resources required to fulfil other tasks. Potential for duplication work of social care and health staff	ause nxiety act aff rale. rease in on nired	means that S processes w adhered to in sickness etc ensure cons SCC staff in supervision a monitoring. Staff referen as well as a engagement Frontline sta managers re	ill be routinely negard to leave, It will also istency with other terms of and performance ce group set up series of staff events. If and/or senior presented on seven project	Due date	Liz Uliasz – Deputy Director

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•	Clearer process for line management and supervision Social Care staff to lead on roles outlined by the Professional Capability Framework for social workers in mental health services. Social workers will not be expected to undertake roles for which they have not received training or where the function is not a requirement of their professional role.	Potential loss of skills for individual workers if their roles are narrowed Those on long term sick or maternity leave may feel remote from the communications and discussions taking place and may not adequately be consulted.	As far as is practicable we have worked with teams and individuals to ensure all reasonable adjustments required to workplaces are met.	
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What other changes is the council planning that may affect the same groups of staff? Are there any dependencies decisions makers need to be aware of

If so, please detail your awareness of whether this will exacerbate impacts for those with protected characteristics?

Any negative impacts that cannot be mitigated? Please identify impact and explain why

Identifies negative impacts that can't be mitigated, together with evidence.

You will need to repeat the box below (copy and paste) for each of the protected characteristics likely to be impacted.



4. Amendments to the proposals

CHANGE	REASON FOR CHANGE
What changes have you made as a result of this EIA?	Why have these changes been made?
None to date	

5. Recommendation

Based your assessment, please indicate which course of action you are recommending to decision makers. You should explain your recommendation in the in the blank box below.

Outcome Number	Description	Tick
Outcome One	No major change to the policy/service/function required. This EIA has not identified any potential for discrimination or negative impact, and all opportunities to promote equality have been undertaken	X
Outcome Two	Adjust the policy/service/function to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?	
Outcome Three	Continue the policy/service/function despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are: • Sufficient plans to stop or minimise the negative impact • Mitigating actions for any remaining negative impacts plans to monitor the actual impact.	
Outcome Four	Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination (For guidance on what is unlawful discrimination, refer to the Equality and Human Rights Commission's guidance and Codes of Practice on the Equality Act concerning employment, goods and services and equal pay, available here).	
Please use the box on the right to explain the rationale for your recommendation	The is no requirement for any major change as we are bringing services for mental health back into ASC, providing us with great scope to monitor and manage any impacts that might arise. Our assessment to date has not identified any significant potential for discrimination.	ater r



6a. Version Control

Version Number	Purpose/Change	Author	Date
V.2	Changes made following attendance at DEG	Patrick Lines	30/09/19
V.3	Changes made following attendance at DEG – 16/12	Patrick Lines	18/12/19

The above provides historical data about each update made to the Equality Impact Assessment. Please do include the name of the author, date and notes about changes made – so that you are able to refer back to what changes have been made throughout this iterative process. For further information, please see the EIA Guidance document on version control.

6b. Approval

	Name	Date approved	
Approved by*	Head of Service – Jana Burton	28/11/19	
	Executive Director	N/A	
	Cabinet Member	N/A	
	Directorate Equality Group		

EIA Author	Patrick Lines	
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^{*}Secure approval from the appropriate level of management based on nature of issue and scale of change being assessed.

6c. EIA Team

Name	Job Title	Organisation	Team Role

If you would like this information in large print, Braille, on CD or in another language please contact us on:

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