

The **public sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with section 17 of the Crime and Disorder Act and will enable the Council to better understand the potential impact of the budget proposals and consider mitigating action.

Outcome	People in Southampton Live Safe, Healthy, Independent Lives.
Code	SHIL 8 (i)
Name or Brief Description of Proposal	Cease funding contribution for appropriate adult scheme.
Brief Service Profile	
<p>The service provides persons acting as an Appropriate Adult (AA) for children and young people (in the absence of the parent, guardian or, if the juvenile is in the care of a local authority or voluntary organisation, a person representing that authority or organisation, or a Social Worker) and mentally vulnerable adults (in the absence of a relative, guardian or other person responsible for their care) held in custody at a police station.</p> <p>The service will also provide AA for children or vulnerable adults who are victims or witnesses required at the police station; and to provide AA support for Unaccompanied Asylum Seeking Children who are requiring an age assessment to be undertaken by Children’s Services in situations where the age of the child is in dispute.</p> <p>The service was re-commissioned in collaboration with Hampshire County Council, Southampton City Council, Portsmouth City Council, Isle of Wight Council and Hampshire Constabulary following a recent procurement process.</p> <p>The contract start date was 01/07/2016 and end date 30/06/2019. The annual contract value is £300,000 with Southampton contribution from Children’s Services £23,000 (indicative) and Adult Services £39,960 (maximum).</p>	
Summary of Impact and Issues	
The provision of an Appropriate Adult service is non statutory for adults aged 18 and over.	

There is a statutory requirement upon Youth Offending Teams to provide Appropriate Adults for those up to the age of 18. Hampshire Constabulary have so far declined to provide a contribution towards the adult element of this service due to predicted financial reductions and a view that the vulnerable individuals within custody fall within the responsibility of Local Authorities.

Risks identified prior to procurement included:

1. Despite no statutory requirement on any organisation this area of work must be picked up. If the council cease to fund then the current model within the Southampton suite will not be financially viable. The current commissioning allows a person to be present in the custody suite during core hours and has reduced the cost of the model compared to the alternative of spot purchasing the support when needed. Withdrawal of this post will require Hampshire County Council to spot purchase for their residents within the suite and also for us to spot purchase the statutory element for Southampton (children's resource) this may impact on our budget for the children's element as the spot purchase rate is significantly higher than the current model. Hampshire Constabulary will need a resource and so may have to fund provision within Southampton either through their operational budgets or with Office of Police and Crime Commissioners (OPCC) monies. This will present a cost or resource pressure within their custody teams which has the potential to increase the amount of time officers spend sourcing AAs. In order to meet this shortfall it is possible, in line with the current approach, that the Constabulary and OPCC will top slice or reduce the various grants which they currently contribute towards functions of the council.
2. There is a potential risk that this pressure will be passed on to the council's operational teams as this work must be covered and many people will fall within the councils eligibility criteria and already be allocated.
3. At present Hampshire Constabulary would like to make changes to the service but are unable as they are not party to the contract. Through funding in part or entirely the Constabulary will be able to have more say over the service they want, potentially reducing delays in custody, which may give them benefits to commissioning directly that cannot be achieved through local authorities. If Southampton withdraw completely and the Police or OPCC fund in its entirety then other local authorities might follow and this would increase the cost to Hampshire Constabulary and they might be less likely to fund in Southampton; asking for part funding might be a more achievable option.
4. Having no commissioned AA service is likely to lead to delays in the sourcing of AAs by police officers, increasing the length of time vulnerable adults spend detained within Southampton. It is highly likely that there will be associated risks with extended detention and reduced outcomes relating to health and wellbeing. This is at a time when there are well documented issues nationally in relation to vulnerable people being held in police cells and some high profile serious incidents.

<p>5. Damage in relationship between SCC, Hampshire Constabulary, the other local authorities and the OPCC and reputational damage.</p> <p>6. Hampshire Constabulary may potentially withdraw other funding streams, from the council in order to meet demand of AA provision.</p> <p>7. A report commissioned by home office and completed by the National Appropriate Adult Network is likely to suggest AAs becoming a statutory requirement however, after talking to reports author, it is highly unlikely this request will be supported by Home Office due to the cost involved.</p>	
Potential Positive Impacts	
<p>Recommence negotiations with OPCC and Hampshire Constabulary to seek a contribution towards these services.</p>	
Responsible Service Manager	Katy Bartolomeo
Date	13 November 2016
Approved by Senior Manager	Carole Binns
Date	13 November 2016

Impact Assessment	Details of Impact	Possible Solutions
Age	<p>No service would be available for adults aged 18 years and over.</p> <p>This will result in people of working age spending longer in police cells.</p> <p>Children would have to wait longer in custody for an appropriate adult to arrive as currently there is one permanently situated in the custody suite in core hours to work with all ages and this would be withdrawn. The spot purchased route will cause delays.</p>	<p>Work with Hampshire Constabulary (HC) to develop joint solutions.</p>
Disability	<p>The service safeguards the rights and needs of vulnerable individuals, which may impact individuals across all of the protected characteristics, including those with learning and mental disabilities. This is likely to lead to a reduction in</p>	<p>Work with HC to develop joint solutions.</p>

	the wellbeing of vulnerable adults.	
Gender Reassignment	As above - no additional negative impacts identified.	
Marriage and Civil Partnership	As above - no additional negative impacts identified.	
Pregnancy and Maternity	As above - no additional negative impacts identified.	
Race	As above, in addition there is some evidence that people from Black and Minority Ethnic (BME) communities are more heavily represented in arrest figures and therefore vulnerable people from BME communities could be disproportionately affected.	Work with HC to develop joint solutions.
Religion or Belief	As above - no additional negative impacts identified.	
Sex	As above - no additional negative impacts identified.	
Sexual Orientation	As above - no additional negative impacts identified.	
Community Safety	As above - no additional negative impacts identified.	
Poverty	As above - no additional negative impacts identified.	
Other Significant Impacts	<p>Individuals may fall within the eligibility criteria of the council and responsibility for covering some of this work may fall to the council's operational teams, increasing pressure on those services.</p> <p>The current model of having a worker based in the custody suite for core hours, works out significantly cheaper than the spot purchase rate and so the statutory function for children's could be higher than the current budget and cause a cost pressure there.</p>	