

This **Impact Assessment (IA)** toolkit, incorporates a range of legislative requirements that support effective decision making and ensure compliance with all relevant legislation. **Draft versions of the assessment should be watermarked as “Draft” and retained for completeness. However, only the final version will be made publicly available. Draft versions may be provided to regulators if appropriate. In line with Council policy IAs should be retained for 7 years.**

### Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011

This specifies that the Council must have due regard to:

- **Eliminate** discrimination, harassment and victimisation
- **Advance** equality of opportunity between people who share a relevant protected characteristic and those who do not;
- **Foster** good relations between people who share a protected characteristic and those who do not.

And must:

- Remove or minimise disadvantages experienced by people due to their protected characteristics
- Take steps to meet the needs of people from protected groups.
- Encourage people with protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

The Act describes fostering good relations as tackling prejudice and promoting understanding between people who share a protected characteristic and those who do not. Meeting the duty may involve treating some people more favourably than others, as long as this does not contravene other provisions within the Act.

### Wellbeing of Future Generations (Wales) Act 2015

The Wellbeing of Future Generations Act will from April 2016 require all public bodies to demonstrate that we are improving social, economic, environmental and cultural wellbeing, whilst also looking to the future, planning for the long term and ensuring that we don't compromise the ability of future generations to be able to do the same. This is called sustainable development.

The Act sets out 7 Wellbeing Goals:

- **A Prosperous Wales**
- **A Resilient Wales**
- **A Healthier Wales**
- **A More Equal Wales**
- **A Wales of Cohesive Communities**
- **A Wales of Vibrant Culture and Thriving Welsh Language**
- **A Globally Responsible Wales**

We have to demonstrate how we are contributing to all of these goals and following the 5 **Sustainable Development principles**:  
Long term. Integration. Collaboration. Involvement and Prevention

### Welsh Language (Wales) Measure 2011

- Gives the Welsh language **official status** in Wales
- Establishes the principle that the Welsh language should be treated **no less favourably** than the English language
- Requires public authorities to **comply with standards** relating to Welsh language provision

The Policy Making Standards relate to assessing the impact of policies and decisions on opportunities for persons to use the Welsh language, and on treating the Welsh language no less favourably than the English language. The Council must therefore consider the Welsh Language when we are developing policies and strategies or when considering new ways of providing services.

**Integrated Risk Assessment (Legislative Frameworks)** - Whilst there is no formal legislation which stipulates that we must formally manage our risks, it is good practice to undertake risk management which is a process that aims to help assess, evaluate and take action on risks with a view to increasing the probability of success and reducing the likelihood of failure to ensure that 'business as usual' is maintained, and which should be regularly monitored to ensure control of our identified risks where required. The outputs from effective risk management include compliance, assurance and **enhanced decision making**. These outputs provide benefits by way of improvements in the efficiency of our operations, successful delivery of our change projects and the efficacy of our corporate objectives.

**Risk management** should be a continuous process that supports the development and implementation of our corporate planning and budget setting processes. Plans typically focus on a desired future, which is underpinned by a set of reasonable assumptions. However, each of these assumptions carries a level of uncertainty and risk. Using identified risks in the both the corporate planning and budget setting processes will ensure that we make informed decisions based on the current level of risk, and are fully aware of how the risks could either have a negative impact on our ability to deliver our objectives, or how we can exploit opportunities and take advantage of these. Achieving our targeted performance is dependent upon the ability to manage our risks. As we move towards becoming a commissioning council we need to become more intelligent about the risks which we take in order that we can sustain our services with a continually reducing budget. Equally important we must be aware of the risks to avoid to ensure we protect our customers, reputation and financial stability.

The implementation of suitable risk responses should also form part of our corporate planning process, to provide appropriate mitigating controls to our risks based upon the impact and probability identified in the risk assessment process. Risk Management is high on the agenda of Cabinet and Management Team who view the **Risk Register** on a quarterly basis, along with Audit Committee and the Scrutiny Committees. The monitoring process is also embedded in Quarterly Performance Review meetings to ensure that Portfolio Holders are aware of risks within their respective areas.

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



### Guidance

#### Who can see the Document?

Draft versions of the assessment should be watermarked as “Draft” and retained for completeness, however only the final version will be publically available. Therefore, draft versions would not normally be subject to Freedom of Information requests, unless specifically requested. However, draft versions may be provided to regulators if appropriate. In line with Council policy, IAs should be retained for 7 years.

#### Due Regard

When completing the IA, services are required to show ‘due regard’. ‘Due regard’ is a legal term that requires proportionality and relevance. Brown’s Principles are often used in court to determine whether a public body has shown ‘due regard’ to legislation. Public bodies should ensure:

<b>Brown Principle</b>	<b>Requirement</b>
<b>Knowledge</b>	The decision makers must be aware of their duty to have ‘due regard’ to the requirements identified in the assessment, the majority of which are covered by statutory legislation
<b>Sufficient information</b>	The decision maker must consider what information he or she has and what further information may be needed in order to give proper consideration to the IA.
<b>Timeliness</b>	The IA must be completed before and at the time that a particular proposal is under consideration or decision is taken – that is, in the development of proposal, and in making a final decision. A public body cannot satisfy the Duty by justifying a decision after it has been taken.
<b>Real consideration (Decision making)</b>	Consideration of the requirements identified in the assessment must form an integral part of the decision-making process. The IA is not a matter of box-ticking; it must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision
<b>Accountability(No delegation)</b>	Public bodies are responsible for ensuring that any third parties which exercise functions on their behalf are capable of complying with the IA, are required to comply with it, and that they do so in practice. It is a requirement where the legislative aspects cannot be delegated
<b>Monitoring and review</b>	Services must have regard to the aims of the IA not only when a proposal is developed and decided upon, but also when it is implemented and reviewed. Monitoring the impact is certainly good practice and is a continuing duty under some statutory legislation (e.g. equalities)

#### UN Convention on the Rights of the Child

The Convention gives rights to everyone under the age of 18, which include the right to be treated fairly and to be protected from discrimination; that organisations act for the best interest of the child; the right to life, survival and development; and the right to be heard. These rights must be given due regard when completing this assessment.

#### Evidence

Evidence should be a mixture of both quantitative and qualitative data, therefore the consideration of performance indicators, statistical data and engagement and communication feedback. Arrangements for capturing service and performance data should be disaggregated across protected characteristics and Welsh speakers where pragmatically possible. Giving foresight to this requirement will ensure services have access to current quantitative data when considering a proposal.

#### Consultation and engagement (involvement)

With reference to engagement and consultation the council has signed up to the [National Principles for Public Engagement in Wales](#) which a service should have due regard to. There has also been an increase over recent years in legal challenges made to consultation exercises. How well a consultation exercise is conducted has been the focus of a number of Judicial Reviews. [The Gunning Principles](#) are used by courts to determine how well a public body has ran its consultation/engagement activities. Services should also familiarise themselves with these principles when seeking to engage stakeholders and get advice and support from the Corporate Engagement officers.

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



### Impact upon the processing of personal data

The General Data Protection Regulations mandated the need to undertake Data Protection Impact Assessment, (DPIA) where use of personal data is likely to result in a high risk to the rights and freedoms in relation to individuals and their information. The type of processing of personal information that will require a DPIA is when systematic and extensive profiling or automated decision making is taking place, where special category information or information in respect of criminal offence data is being used, implementation of CCTV, use of new technologies, using biometric or genetic data, using location of individual's data, or delivering on-line services to children. It is considered good practice to undertake a DPIA when major projects which require the use of personal data are being considered, in order to meet the Council's obligations to implement the principles of data protection and safeguard the individual's rights and freedoms. This is data protection by design and default.

The DPIA screening questions and template are available from the Data Protection Officer ([Information.compliance@powys.gov.uk](mailto:Information.compliance@powys.gov.uk)) and more information can be found on intranet page 8408.

### General notes

- **Blank boxes, if appropriate are good (don't complete boxes for the sake of it)! When completing the impact assessment, it is likely you will encounter evidence / data gaps which make it difficult for a service to substantiate its judgement. It is important that at each point, the IA is providing an honest judgement. Therefore, if gaps exist, please state that. Mitigating actions should include steps to close such gaps where possible and at each iteration of the IA, the evidence should be appropriately complete, enabling each judgement to be substantiated.**
- *If you start a row finish it. If appropriate you can use the same answer in more than one place.*
- *The purpose of the IA is to provide a single assessment. This approach is likely to be sufficient for about 80% of our proposals. The Pareto principle is likely to apply and you will determine that on more complex issues, additional work may be required to demonstrate due regard, in particular in the field of Welsh language and Equality impact assessment. However, that will be a matter of judgement for the service.*

### Judgement

*Based on the analysis completed for each criteria, please provide an assessment result:*

- **Unknown**                      *insufficient evidence to substantiate any judgement on impacts of the proposal*
- **Very Poor**                    *the proposal significantly undermines this aspect*
- **Poor**                              *the proposal undermines this aspect*
- **Neutral:**                        *proposal neither undermines or contributes to this aspect or is not applicable*
- **Good:**                            *the proposal makes a positive contribution to this aspect*
- **Very Good:**                    *the proposal makes a close to optimal contribution to this aspect*

*Impact – this is the judgement made on the available evidence. The 'Impact after mitigation' is the shift in judgement when additional work or evidence gathering is done to improve the potential impact. If additional work is not likely to improve the judgement then it may not have been either, sufficiently thought through, or worth doing.*

### **Additional steps (What work will be done to better contribute to positive or mitigate any negative impacts?)**

*This is basically as the question asks; what work will be done to improve the potential impact, are there opportunities to collaborate? Only indicate additional steps that the service has every intention of doing and that are likely to have a positive effect on the judgement (ie the difference between the inherent judgement and the residual judgement).*

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



<b>Service Area</b>	Adult Social Care	<b>Head of Service</b>	Dylan Owen	<b>Director</b>	Alison Bulman	<b>Portfolio Holder</b>	Stephen Hayes
<b>Proposal</b>	To develop Extra Care Housing at three sites in Powys						
<b>Outline Summary</b>							
<p>This Impact Assessment is to be read in conjunction with the Cabinet report about how the Council intends to work with partner housing associations to secure the development of extra care housing schemes across the county. The development of extra care housing will:</p> <ul style="list-style-type: none"> <li>improve the range of accommodation options available to older people across the county, in accordance with Vision 2025</li> <li>reduce the Council's reliance on the provision of residential care for vulnerable older people, in time enabling the Council to close residential care homes, generating revenue savings</li> <li>provide significant investment in the communities where extra care housing is proposed.</li> </ul> <p>These developments are integral to the Health and Social Care aspects of the Council's Vision 2025 strategic plan.</p>							

1. Version Control (services should consider the impact assessment early in the development process and continually evaluate)

*Services are encouraged to begin the IA as early in the process of developing a proposal as possible. The IA can be strengthened as time progresses, helping shape the proposal. Version control will provide a useful audit trail of how the IA has developed. Draft versions of the assessment should be retained for completeness, however only the final version will be publically available. Draft versions may be provided to regulators if appropriate. In line with Council policy IAs should be retained for 7 years.*

Version	Author	Job Title	Date
1.0	Dylan Owen	Head of Commissioning	19 April 2019

2. Profile of savings delivery (if applicable)

2018-19	2019-20	2020-21	2021-22	2022-23	TOTAL
£	N/A	N/A	N/A	N/A	N/A

3. Consultation requirements

*Services should seek to engage stakeholders when assessing the impact of changes to service provision. Advice and support is available from the Corporate Engagement officers*

Consultation Requirement	Consultation deadline/or justification for no consultation
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**Cyngor Sir Powys County Council**  
**Impact Assessment (IA)**

*The integrated approach to support effective decision making*



No consultation required (please provide justification)	Consultation on extra developments undertaken for strategy development in 2017. No negative impact on the public anticipated.
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4. Impact on Other Service Areas

<b>Does the proposal have potential to impact on another service area? (Have you considered the implications on Health &amp; Safety, Corporate Parenting and Data Protection?) PLEASE ENSURE YOU INFORM / ENGAGE ANY AFFECTED SERVICE AREAS AT THE EARLIEST OPPORTUNITY</b>
n/a.

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



5. How does your proposal impact on the council's strategic vision?

Council Priority	How does the proposal impact on this priority?	<u>IMPACT</u> Unknown Very Poor Poor Neutral Good Very Good	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Unknown Very Poor Poor Neutral Good Very Good
<p><b>The Economy</b>  <b>We will develop a vibrant economy</b></p> <ul style="list-style-type: none"> <li>• <i>New business start-ups and relocations will increase</i></li> <li>• <i>Skilled employment opportunities will increase</i></li> <li>• <i>A greater supply and mix of suitable work space to support employment</i></li> <li>• <i>More job opportunities and apprenticeships for young people</i></li> <li>• <i>Local businesses benefit from good advice and support that help them thrive</i></li> <li>• <i>Regulation supports business and communities and is proportionate</i></li> <li>• <i>Powys is established as an innovation base for learning, skills and research for;</i> <ul style="list-style-type: none"> <li>○ <i>Farming and land-use innovation</i></li> <li>○ <i>Health and Care</i></li> <li>○ <i>Rural teacher training accreditation</i></li> </ul> </li> <li>• <i>The economically active population will increase</i></li> <li>• <i>Tourism and leisure based activity and attractions will increase</i></li> <li>• <i>Local consortia competing for public sector contracts will increase</i></li> <li>• <i>Council priorities are used to develop new industries and supply chains</i></li> <li>• <i>There is significant investment in accessible and community based lifetime accommodation</i></li> </ul>	<p><i>Would enable the development of extra care across POWYSL with all associated benefits of employment, accommodation provision and short term employment for the development of the scheme</i></p>	<p><i>Very Good</i></p>	<p><i>n/a</i></p>	<p><i>Very Good</i></p>

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



<p><b>Health and Care</b>  <b>We will lead the way in effective, integrated rural health and care</b>  <b>Our focus on well-being means:</b></p> <ul style="list-style-type: none"> <li>• We focus on what matters to the individual</li> <li>• Young people, adults and families are able to create the foundations of good health throughout their life</li> <li>• We focus on safeguarding and supporting vulnerable people</li> <li>• The physical environment helps people maintain their health and well-being</li> <li>• There is an increasing supply of housing with care</li> </ul> <p><b>Early help and support means:</b></p> <ul style="list-style-type: none"> <li>• Technology enables people to self-care and remain independent</li> <li>• We ensure the maximum positive impact within the first 1,000 days of a child's life</li> <li>• A sufficient supply of appropriate placements for Looked After Children</li> <li>• Community role modelling is focused on basic life skills and money management</li> </ul> <p><b>Joined up services means:</b></p> <ul style="list-style-type: none"> <li>• Positive and co-productive partnerships</li> <li>• Significant investment in integrated health and care facilities and infrastructures</li> <li>• Health and Care teams work seamlessly with people, getting things right first time</li> <li>• Young people, adults and families have a fully integrated experience of health and care</li> <li>• Accessible and equitable services fit around people's busy lives</li> </ul> <p><b>Tackling the big diseases (cancer, circulatory diseases, mental health, respiratory diseases)</b></p>	<p><i>The provision of extra care would meet the Health and Care Strategy for Powys and would have a significant positive impact on the health, care and wellbeing of the population of Powys.</i></p>	<p><i>Very Good</i></p>	<p><i>n/a</i></p>	<p><i>Very Good</i></p>
<p><b>Learning and Skills</b>  <b>We will strengthen learning and skills</b></p> <ul style="list-style-type: none"> <li>• School leavers have the right qualifications to progress</li> <li>• Access to education provision and good career advice is equitable</li> <li>• Working in partnership with schools, colleges, universities and businesses will improve career opportunities</li> <li>• High quality teaching and learning environments embrace new technology for the population</li> <li>• Pupils have access to remote/alternative learning opportunities</li> <li>• Early years provision is helping families to return to meaningful employment</li> </ul>	<p><i>Could enable increased job opportunities for care and support</i></p>	<p><i>Good</i></p>	<p><i>n/a</i></p>	<p><i>Good</i></p>

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



<p><b>Residents and Communities</b></p> <p><b>We will support our residents and communities</b></p> <ul style="list-style-type: none"> <li>• Residents take responsibility for their actions and support one another</li> <li>• Communities have access to a choice of both affordable and market housing</li> <li>• Communities have access to services that allow all to flourish and enjoy life</li> <li>• Communities have an active role in the design and delivery of the services they need</li> </ul>	<p><i>Will create affordable accommodation options with care in Powys.</i></p>	<p>Very Good</p>	<p>n/a</p>	<p>Very Good</p>
<p><b>Source of Outline Evidence to support judgement</b></p>				
<ul style="list-style-type: none"> <li>• Health and Care Strategy</li> <li>• Housing Strategy</li> <li>• Vision 2025</li> </ul>				

### **Additional Links and Information**

- Further information on the council's priorities can be viewed in the Corporate Improvement Plan on intranet page [7679](#)

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



6. How does your proposal impact on the Welsh Assembly's well-being goals?

Well-being Goal	How does the proposal contribute to this goal?	<u>IMPACT</u> Unknown Very Poor Poor Neutral Good Very Good	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Unknown Very Poor Poor Neutral Good Very Good	Source of Outline Evidence to support judgement
<p><b>A prosperous Wales:</b>                      An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.</p>	<ul style="list-style-type: none"> <li>• <i>Enable energy efficient accommodation</i></li> <li>• <i>Local procurement</i></li> </ul>	Very Good	n/a	Very Good	
<p><b>A resilient Wales:</b>                      A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).</p>	<ul style="list-style-type: none"> <li>• <i>Will enable sensitive development to the environment</i></li> <li>• <i>Will provide the local community with communal areas to congregate</i></li> </ul>	Good	n/a	good	

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



<p><b>A healthier Wales:</b> A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</p> <p><b>Public Health (Wales) Act, 2017:</b> Part 6 of the Act requires for public bodies to undertake a health impact assessment to assess the likely effect of a proposed action or decision on the physical or mental health of the people of Wales.</p> <p><a href="http://www.legislation.gov.uk/anaw/2017/2/contents/enacted">http://www.legislation.gov.uk/anaw/2017/2/contents/enacted</a></p>	<ul style="list-style-type: none"> <li>• <i>Extra care would improve access to support and care services</i></li> <li>• <i>Will require commissioning of care services</i></li> <li>• <i>Living environment will be designed for wellbeing and positive health outcomes</i></li> </ul>	<p>Very Good</p>	<p>n/a</p>	<p>Very Good</p>	<ul style="list-style-type: none"> <li>• <i>Health and Care Strategy</i></li> <li>• <i>Vision 2025</i></li> </ul>
<p><b>A Wales of cohesive communities:</b> Attractive, viable, safe and well-connected communities.</p>	<ul style="list-style-type: none"> <li>• <i>Will improve and enhance community cohesion and integration</i></li> <li>• <i>Community involvement will be central to design</i></li> </ul>	<p>Very Good</p>	<p>n/a</p>	<p>Very Good</p>	

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



<p><b>A globally responsible Wales:</b> A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p> <p><b>Human Rights</b> - is about being proactive in:</p> <ul style="list-style-type: none"> <li>• Empowering people using public services to understand, claim and enjoy their human rights</li> <li>• Increasing the ability and accountability of those delivering public services to respect, protect and fulfil human rights duties</li> <li>• Deepening our understanding of the relationships between rights-holders and duty-holders in order to help bridge the gaps between them</li> <li>• Creating the conditions under which all people can live in dignity and develop their full potential</li> </ul> <p><b>UN Convention on the Rights of the Child</b> The Convention gives rights to everyone under the age of 18, which include the right to be treated fairly and to be protected from discrimination; that organisations act for the best interest of the child; the right to life, survival and development; and the right to be heard.</p>	<ul style="list-style-type: none"> <li>• All procurement will follow ethical practices and will aim to support the Powys pound.</li> <li>• Extra care will support people to live independently in the community and support individuals' freedoms.</li> </ul>	<p>Very Good</p>	<p>n/a</p>	<p>Very Good</p>	
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# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



**A Wales of vibrant culture and thriving Welsh language:** A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.

*The Welsh language and culture are an integral part of our communities, and contribute to the rich heritage of the county. The two main principles of the Welsh Language Measure are that in Wales:*

- *The Welsh Language should be treated no less favourably than the English language.*
- *That persons should be able to live their lives through the medium of Welsh if they choose to do so.*

*This section of the template is designed to assist in the analysis of gathered data and evidence, to determine the impact on the Welsh language, culture and heritage, and to identify any areas for improvement, in order to ensure the opportunities for people who choose to live their lives and access services through the medium of Welsh are not inferior to what is afforded to those choosing to do so in English.*

<p><b>Opportunities for persons to use the Welsh language, and treating the Welsh language no less favourably than the English language</b></p> <p><i>The Council has a duty to ensure that people can access services through the medium of Welsh wherever they are within the county, and that services provided in Welsh are not inferior to that provided in English. Opportunities to use the Welsh language in official and social spheres must be promoted and protected. Consideration should be given to the impact of policies and decisions on the sustainability of Welsh speaking communities.</i></p>	<ul style="list-style-type: none"> <li>• <i>Extra care will provide opportunities for local people in Wales to live in their community.</i></li> <li>• <i>The development of the scheme will create employment for local people which is not seasonal and will be of value and permanent.</i></li> <li>• <i>The commissioning of care and support will place Welsh language requirements upon the care provider.</i></li> </ul>	<p>Good</p>	<p>n/a</p>	<p>Good</p>	
<p><b>Opportunities to promote the Welsh language.</b></p> <p><i>The Council must take opportunities to promote the Welsh language and services provided through the medium of Welsh.</i></p>	<p>n/a</p>	<p>n/a</p>	<p>n/a</p>	<p>n/a</p>	

**A more equal Wales:** A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



*Equality is about making sure people are treated fairly. It is not about “treating everyone the same” but recognising everyone’s needs are met in different ways. This means you should determine whether a policy will assist or inhibit your ability to eliminate discrimination; advance equality; and foster good relations. Listed below are the 9 protected characteristics.*

*This section of the template is designed to assist in the analysis of gathered data and evidence, to determine the impact on Equality, and to identify any areas for improvement. By taking into account the general duty this will enable the authority to demonstrate that we are making decisions in a fair, transparent and accountable way. When assessing impact you should look at diversity within, as well as between the groups e.g. Disabled people with different impairments.*

<p><b>Age</b></p> <p><i>Where age is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).</i></p>	<p><i>Extra care has a purpose of supporting older people and people with disabilities and will have a significantly positive impact for age and disability related issues.</i></p>	<p>Very Good</p>	<ul style="list-style-type: none"> <li>• n/a</li> </ul>	<p>Very Good</p>	
<p><b>Disability</b></p> <p><i>A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities</i></p>					
<p><b>Gender reassignment</b></p> <p><i>People who change their gender from the one assigned at birth (A person who is proposing to undergo, are undergoing, have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex)</i></p>					
<p><b>Marriage or civil partnership</b></p> <p><i>Being in a marriage or civil partnership</i></p>					
<p><b>Race</b></p> <p><i>Being a particular colour, ethnic origin, national origin or nationality</i></p>					
<p><b>Religion or belief</b></p> <p><i>Having a recognised religion or belief or a lack of belief</i></p>					

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



<p><b>Sex</b></p> <p><i>Being male or female</i></p>					
<p><b>Sexual Orientation</b></p> <p><i>How people feel as well as act, in respect of people of the same sex, people of the opposite sex, or both sexes</i></p>					
<p><b>Pregnancy and Maternity</b></p> <p><i>Pregnancy is the condition of being pregnant or expecting a baby.</i></p> <p><i>Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.</i></p>					

### Additional Links and Information

For more detailed explanations of the 9 protected characteristics please click on the following links

- <http://www.equalityhumanrights.com/private-and-public-sector-guidance/guidance-all/protected-characteristics>
- <http://www.equalityadvisoryservice.com/app/help/session/L3RpbWUvMTQ0MjMyODAyOC9zaWQvSHQ1VUt4d20%3D>

The Equality and Human Rights Commission is responsible for enforcing equality law and has a website full of information and good practice

- <http://www.equalityhumanrights.com/>
- Assessing Impact and the Equality Duty - A Guide for Listed Public Authorities in Wales
- <http://www.equalityhumanrights.com/publication/assessing-impact-and-equality-duty-guide-listed-public-authorities-wales>
- Equality impact assessments – advice and guidance
- <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-impact-assessments>
- The Essential Guide to the Public Sector Equality Duty An overview for listed public authorities in Wales  
[http://www.equalityhumanrights.com/sites/default/files/uploads/Wales/PDFs/1.\\_psed\\_wales\\_essential\\_guide.pdf](http://www.equalityhumanrights.com/sites/default/files/uploads/Wales/PDFs/1._psed_wales_essential_guide.pdf)
- Case studies
- <http://www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/public-sector-equality-duty/case-studies>

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



UN convention on the rights of people with disabilities

- <https://www.equalityhumanrights.com/en/our-human-rights-work/monitoring-and-promoting-un-treaties/un-convention-rights-persons-disabilities>

Children's Rights Wales.

- <http://www.childrensrights.wales/>

EIA Practice hub by the NHS sponsored by WG and WLGA.

- <http://www.eiapractice.wales.nhs.uk/home>

Good Practice Guidance for Equality and Human Rights Impact Assessments and Scrutinising Changes to Community Services in Wales. Older People's Commissioner for Wales

- [http://www.olderpeoplewales.com/en/Publications/pub-story/16-02-16/Section\\_12\\_Guidance\\_Equality\\_and\\_Human\\_Rights\\_Assessments\\_Scrutiny.aspx](http://www.olderpeoplewales.com/en/Publications/pub-story/16-02-16/Section_12_Guidance_Equality_and_Human_Rights_Assessments_Scrutiny.aspx)

Powys County Councils Strategic Equality Plan aims to make sure that we meet everybody's needs and tackle disadvantages. The plan was adopted in 2012 and is currently being reviewed. The plan sets out ten objectives for improvement.

- <http://www.powys.gov.uk/en/equalities/equalities-and-fairness-at-the-council/>

Powys statistics

- <http://www.powys.gov.uk/en/statistics/view-statistics-about-your-area/>, as well as Business Intelligence
- <http://intranet.powys.gov.uk/index.php?id=7294&L=>

United Nations - Human rights are the basic rights and freedoms that belong to every person, regardless of age, sex, race, sexual orientation nationality, socio-economic group or any other status.

- <http://www.un.org/en/index.html>

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



7. How does your proposal impact on the council's other key guiding principles?

Principle	How does the proposal impact on this principle?	IMPACT Unknown Very Poor Poor Neutral Good Very Good	What will be done to better contribute to positive or mitigate any negative impacts?	IMPACT AFTER MITIGATION Unknown Very Poor Poor Neutral Good Very Good	Source of Outline Evidence to support judgement
<b>Sustainable Development Principle</b>					
<i>The simultaneous improvement of the social, economic, environmental and cultural well-being of communities in Powys and beyond, both now and in the future, using the ways of working below.</i>					
<p><b>Long Term:</b> <i>Looking to the long term so that we do not compromise the ability of future generations to meet their own needs.</i></p>	<i>The Market Position Statement provided a gap analysis up to 2035 and beyond</i>	Very Good	n/a	Very Good	<ul style="list-style-type: none"> <li>Market Position Statement</li> </ul>
<p><b>Collaboration:</b> <i>Working with others in a collaborative way to find shared sustainable solutions.</i></p>	<i>The Market Position Statement was developed with the Powys Teaching Health Board</i>	Very Good	n/a	Very Good	<ul style="list-style-type: none"> <li>Health and Care Strategy</li> </ul>
<p><b>Involvement:</b> <i>Involving a diversity of the population in the decisions that affect them.</i></p> <p><i>Stakeholder Communication and Engagement: Ensuring the views and voices of the stakeholders who will be impacted by a proposal are sought, heard and used to inform and influence decisions made.</i></p>	<ul style="list-style-type: none"> <li>A wider ranging consultation was undertaken with the public when developing the Market Position Statement and the Health and Care Strategy</li> </ul>	Very Good	n/a	Very Good	<ul style="list-style-type: none"> <li>Market Position Statement</li> </ul>
<p><b>Prevention:</b> <i>Understanding the root causes of issues to prevent them from occurring.</i></p>	<i>Extra Care will support people to live in their community without the need for domiciliary care or residential/nursing care.</i>	Very Good	n/a	Very Good	Wellbeing Assessment
<p><b>Integration:</b> <i>Taking an integrated approach so that public bodies look at all the well-being goals in deciding on their well-being objectives.</i></p>	<ul style="list-style-type: none"> <li>The Market Position Statement for the extra care scheme was developed in partnership with the Powys Teaching Health Board</li> </ul>	Very Good	n/a	Very Good	<ul style="list-style-type: none"> <li>Market Position Statement</li> <li>Health and Care Strategy</li> </ul>

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



<p><b>Preventing Poverty:</b> Prevention, including helping people into work and mitigating the impact of poverty.</p> <p><i>Reducing poverty, especially persistent poverty amongst some of our poorest people and communities, and reducing the likelihood that people will become poor. Improvements in educational and health outcomes can influence poverty strongly over the longer term.</i></p>	<p><i>Individuals living at extra care are supported financially through the housing benefit system to live sustainably.</i></p>	<p><i>Very Good</i></p>	<p><i>n/a</i></p>	<p><i>Very Good</i></p>	
<p><b>Unpaid Carers:</b> Ensuring that unpaid carers views are sought and taken into account</p>	<p><i>Provides support to unpaid carers in knowing that their loved ones are living in appropriate and safe accommodation</i></p>	<p><i>Very Good</i></p>	<p><i>n/a</i></p>	<p><i>Very Good</i></p>	
<p><b>Safeguarding:</b> Preventing and responding to abuse and neglect of children, young people and adults with health and social care needs who can't protect themselves.</p>	<p><i>Extra care provides safe accommodation with support from wardens and carers on site.</i></p>	<p><i>Very Good</i></p>	<p><i>n/a</i></p>	<p><i>Very Good</i></p>	
<p><b>Impact on Powys County Council workforce</b></p>	<p><i>Additional post will be created for the development of extra care</i></p>	<p><i>Good</i></p>	<p><i>Consideration of providing care in-house as an option, rather than commissioning externally.</i></p>	<p><i>Very Good</i></p>	

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



8. What is the impact of this proposal on our communities?

Severity of Impact on Communities	Scale of impact	Overall Impact
<i>Provision of appropriate accommodation to the community is positive.</i>	<i>Will enable approximately 60 individuals to live independently in the community.</i>	<i>Positive impact.</i>
Mitigation		

Severity of Impact	Impact	Scale / Level
<ul style="list-style-type: none"> <li>Insignificant disruption to communities – no loss of customer service</li> <li>No impact on service delivery</li> </ul>	Low	1
<ul style="list-style-type: none"> <li>Some disruption to communities</li> <li>Withdrawal of non-statutory service</li> <li>Little impact on service delivery</li> </ul>	Medium	2
<ul style="list-style-type: none"> <li>Noticeable disruption to communities</li> <li>Noticeable impact / partial failure to deliver statutory services</li> </ul>	High	3
<ul style="list-style-type: none"> <li>Major disruption to our communities (loss of statutory service for greater than 48 hours, but less than 7 days)</li> <li>Non delivery of statutory services</li> </ul>	Catastrophic	4

Definition	Probability	Scale / Level
<i>Impact on small group within the community</i>	<i>Low Risk</i>	<i>1</i>
<i>Impact on the community</i>	<i>Medium Risk</i>	<i>2</i>
<i>Significant impact on a particular disadvantaged group</i>	<i>High Risk</i>	<i>3</i>
<i>Major impact on communities / group</i>	<i>Very High Risk</i>	<i>4</i>

### Impact Rating

<b>SCALE</b>	<b>Very High (4)</b>	Medium (4)	High (8)	High (12)	Very High (16)
	<b>High (3)</b>	Medium (3)	Medium (6)	High (9)	High (12)
	<b>Medium (2)</b>	Low (2)	Medium (4)	Medium (6)	High (8)
	<b>Low (1)</b>	Low (1)	Low (2)	Medium (3)	Medium (4)
		<b>Low (1)</b>	<b>Medium (2)</b>	<b>High (3)</b>	<b>Catastrophic (4)</b>
<b>SEVERITY</b>					

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



9. How likely are you to successfully implement the proposed change?

**I.e. what is the risk of not delivering this proposal?**

Impact on Service / Council	Risk to delivery of the Proposal	Inherent Risk
<i>Risk of not delivering would mean that there would not be sufficient appropriate housing for older people in Powys.</i>	<i>This benefit hinges upon delivery of the proposal.</i>	<i>9 High</i>
Mitigation		

Risk Impact (Severity)	Impact	Scale / Level
<ul style="list-style-type: none"> <li><i>Insignificant disruption on internal business – no loss of customer service</i></li> <li><i>No impact on achieving corporate objectives</i></li> </ul>	<i>Low</i>	<i>1</i>
<ul style="list-style-type: none"> <li><i>Some disruption on internal business only – no loss of customer service</i></li> <li><i>Withdrawal of non-statutory service</i></li> <li><i>Little impact on achieving corporate objectives</i></li> </ul>	<i>Medium</i>	<i>2</i>
<ul style="list-style-type: none"> <li><i>Noticeable disruption to PCC – would affect customers</i></li> <li><i>Noticeable impact / partial failure to achieving statutory requirements or corporate objectives</i></li> </ul>	<i>High</i>	<i>3</i>
<ul style="list-style-type: none"> <li><i>Major disruption to PCC – serious damage to organisation’s ability to service customers (loss of statutory service for greater than 48 hours, but less than 7 days)</i></li> <li><i>Non delivery of statutory requirements or corporate objectives</i></li> </ul>	<i>Catastrophic</i>	<i>4</i>

Definition	Probability	Scale / Level
<i>Easily achieved within existing arrangements</i>	<i>Low Risk</i>	<i>1</i>
<i>Stretching but achievable within existing arrangements</i>	<i>Medium Risk</i>	<i>2</i>
<i>Difficult to achieve within existing arrangements</i>	<i>High Risk</i>	<i>3</i>
<i>Extremely difficult / unlikely to achieve within existing arrangements</i>	<i>Very High Risk</i>	<i>4</i>

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

The integrated approach to support effective decision making



### Risk Rating

<b>PROBABILITY</b>	<b>Very High (4)</b>	Medium (4)	High (8)	High (12)	Very High (16)
	<b>High (3)</b>	Medium (3)	Medium (6)	High (9)	High (12)
	<b>Medium (2)</b>	Low (2)	Medium (4)	Medium (6)	High (8)
	<b>Low (1)</b>	Low (1)	Low (2)	Medium (3)	Medium (4)
		<b>Low (1)</b>	<b>Medium (2)</b>	<b>High (3)</b>	<b>Catastrophic (4)</b>
<b>IMPACT</b>					

What are the risks to service delivery or the council following implementation of this proposal? (To be included within project risk register)

Description of risks			
Risk Identified	Inherent Risk Rating	Mitigation	Residual Risk Rating
What are the risks to the Service or Council following implementation of the Proposal?	What is the inherent level of risk before mitigation?	What mitigation are you going to implement to reduce the level of risk to the Service or Council to an acceptable level?	What is the residual level of risk post-mitigation?
<b>Negative risks are very low. The impact of extra care development is positive.</b>	Risk rating (Impact X Probability) (Refer to matrix below for guidance)	n/a	Risk rating (Impact X Probability) (Refer to matrix below for guidance)
<b>Overall judgement (to be included in project risk register)</b>			
Based on the <b>WHOLE</b> assessment (sections 1 – 7), what is the risk to the Service or Council following implementation of the Proposal? (Please refer to the Corporate Risk Assessment Matrix below)			
<b>Very High Risk</b>	<b>High Risk</b>	<b>Medium Risk</b>	<b>Low Risk</b>
			X

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

The integrated approach to support effective decision making

### Risk Assessment Matrix

#### 1. Impact:

RISK CATEGORY	RISK TYPE	RISK IMPACT (Severity)			
		Low	Medium	High	Catastrophic
FINANCIAL	<b>Financial</b>				
	Reinstatement following loss / compensation & costs / economic losses / bad lending / VAT errors / fraud / fines	<£250,000	£250 - £750k	£750k - £2m	>£2m
HAZARD	<b>Casualty</b>				
	Employee &/or Public Injury / ill-health	Minor Injuries / temporary ill-health	Ill health / disabling injuries	Single fatality	Multiple fatalities
	<b>Environmental</b>				
	Recovery/remediation time	< 1 week	1 week – 1 month	1 - 12 months	> 1 year / recovery impossible
	<b>Hazard</b>				
	Maladministration / Improvement notice / legal proceedings / Enforcement notice	Low	Medium	High	Catastrophic
OPERATIONAL	<b>Operational</b>				
	Prevention of service efficiency	Low	Medium	High	Catastrophic
	<b>Procurement / Contract / Project Failure</b>				
	Additional costs / cost over-run / delays to completion	Greater of 5% or £250k	Greater of 5-25% or £250- £70k	Greater of 25 - 50% or £70k - £2m	Greater of 50 – 100% or > £2m
	<b>Service Provision (Interruption)</b>				
	Health / Education / Key Service	1- 6 days < 1 month	1 week– 1 month 1-3 months	1 – 6 months 3 - 12 months	> 6 months > 1 year
	Support / Administration / Leisure				
STRATEGIC	<b>Reputation</b>				
	Adverse / critical comment / Ombudsman Investigation / ICO Investigation	Ward/Village	Local Media	Welsh Media	National Media
	Prosecution/punishments			Disqualification	Imprisonment
	<b>Strategic</b>				
	Failure to achieve corporate objectives	Low	Medium	High	Catastrophic

#### 2. Probability:

PROBABILITY	Definition
Low	Not likely to happen or may happen once every 20 years
Medium	Possible or may happen within 10 years
High	Likely or may happen once a year
Very High	Certain or happens several times a year

#### 3. Risk Profile:

PROBABILITY	Very High (4)	Medium (4)	High (8)	High (12)	Very High (16)
	High (3)	Medium (3)	Medium (6)	High (9)	High (12)
	Medium (2)	Low (2)	Medium (4)	Medium (6)	High (8)
	Low (1)	Low (1)	Low (2)	Medium (3)	Medium (4)
	Low (1)	Medium (2)	High (3)	Catastrophic (4)	
<b>IMPACT</b>					

PCC: Impact Assessment Toolkit (Oct 2017)

# Cyngor Sir Powys County Council

## Impact Assessment (IA)

*The integrated approach to support effective decision making*



10. Overall Summary and Judgement of this Impact Assessment?

<b>Outline Assessment (to be inserted in cabinet report)</b>	<b>Cabinet Report Reference:</b>	
<p><i>Provision of extra care to a community has significant long term benefits and very few risks to the community, stakeholders or the Council.</i></p>		

11. Is there additional evidence to support the Impact Assessment (IA)?

<b>What additional evidence and data has informed the development of your proposal?</b>
<p><i>The Welsh Government's position paper 2018 on Extra Care.</i></p>

12. On-going monitoring arrangements?

<b>What arrangements will be put in place to monitor the impact over time?</b>
<p><i>A project board will be convened regularly as governance for the developments.</i></p>
<b>Please state when this Impact Assessment will be reviewed.</b>
<p><i>April 2020</i></p>

13. Sign Off

Position	Name	Signature	Date
<b>Service Manager:</b>			
<b>Head of Service:</b>	Dylan Owen		19 April 2019
<b>Director:</b>	Alison Bulman		19 April 2019
<b>Portfolio Holder:</b>	Councillor Stephen Hayes		19 April 2019

14. Governance

*Who needs to make this decision?*

<b>Decision to be made by</b>	Cabinet	<b>Date required</b>	21 May 2019
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**It is advised that no formal decision is made unless an impact assessment has been completed to the satisfaction of the above and that sufficient evidence is available to substantiate any judgements made in the impact assessment. It is the ultimate responsibility of the Strategic Director and Portfolio Holder to ensure the correct ownership and accountability is sustained.**