

| HEALTH AND WELLBEING BOARD | | | |
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| Report Title | Local Account 2016/17 | | |
| Contributors | Executive Director for Community Services | Item No. | 10b |
| Class | Part 1 | Date: | 27 April 2017 |

Reasons for Lateness and Urgency

This report was not available for the original dispatch due to availability of a key officer. The report is urgent and cannot wait until the next meeting of the Health and Wellbeing Board on 6th July 2017 because it is good practice for the Local Account to be published in-year.

Where a report is received less than 5 clear days before the date of the meeting at which the matter is being considered, then under the Local Government Act 1972 Section 100(b)(4) the Chair of the Committee can take the matter as a matter of urgency if he/she is satisfied that there are special circumstances requiring it to be treated as a matter of urgency. These special circumstances have to be specified in the minutes of the meeting.

1. Purpose

- 1.1 This report introduces the Adult Social Care Local Account for 2016/17. It sets out the background and context for the attached Local Account.

2. Recommendation

- 2.1 Members of the Health and Wellbeing Board are recommended to approve the Local Account for 2016/17.

3. Policy Context

- 3.1 In 2011, the Department of Health recommended that all local authorities publish an annual Local Account to tell people what their adult social care department is doing. The Local Account explains how much the Council spends, what it spends money on, what it is doing and how it plans to improve services in the future.

4. Background

- 4.1 The Local Account gives people an opportunity to read about the Council's achievements through the year and priorities going forward. It supports a regular cycle of self-assessment, consultation and review to enable the Council to deliver high quality services to residents who have care or support needs

5. Financial implications

- 5.1 Financial implications and detail is included in the body of the Local Account on page X.

6. Legal implications

- 6.1 Members of the Board are reminded that under Section 195 Health and Social Care Act 2012, Health and Wellbeing Boards are under a duty to encourage integrated working between the persons who arrange for health and social care services in the area.

7. Crime and Disorder Implications

- 7.1 There are no Crime and Disorder implications

8. Equalities Implications

- 8.1 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 8.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 8.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does

not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act- codes-of-practice-and-technical-guidance/>

8.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

8.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

9. Environmental Implications

9.1 There are no environmental implications.