

Complete Agenda



Democratic Service
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

To: Members of the Care Scrutiny Committee

22/11/2021

Dear Member,

CARE SCRUTINY COMMITTEE – 25 NOVEMBER 2021 LATE APPENDIX

I enclose late appendix in respect of the following item:

1. AUTISM STRATEGY

2 - 9

Appendix 1 – Equality Impact Assessment

Yours sincerely,

Members Support Officer

Agenda Item 5

Assessing the Impact on Protected Characteristics, the Welsh Language and Socio-Economic Disadvantage

For help to complete this form see the *How to Undertake an Equality Impact Assessment* leaflet. You are also welcome to contact Delyth Gadlys Williams, Policy and Equality Officer on ext. 32708 or DelythGadlysWilliams@gwynedd.llyw.cymru for further assistance.

The Council's is required (under the Equality Act 2010) to consider the effect any change in policy or procedure (or the creation of a new policy or procedure), has on people with protected equality characteristics. The Council also has a general duty to ensure fairness and foster good relations. A timely Equality Impact Assessment must be undertaken before making any decision on any relevant change (i.e. which has an effect on people with protected characteristics).

The Council is also required, under the requirements of the Welsh Language Standards (Section 44 of the Welsh Language (Wales) Measure 2011) to consider the effect of a change in any policy or procedure (or the creation of a new policy or procedure), in its opportunities for people to use Welsh and to ensure that Welsh is not treated less favourably than English. This document therefore ensures that these decisions protect and promote the use of the Welsh language.

From April 1st 2021 the Council has a duty to have due regard to tackling socio-economic disadvantage in strategic decisions.

1) Details

1.1. What is the name of the policy / service in question?

Autism Plan

1.2 What is the purpose of the policy / service that is being created or amended? What changes are being considered?

The Code of Practice on the Delivery of Autism Services sets out the duties related to the social services functions of local authorities about the range and quality of services that should be available in their local areas for autistic children, young people and adults and their families and/or carers.

The Code highlights the duties placed on local authorities, local health boards and NHS Trusts to ensure that autism awareness training is included in general equality and diversity training programmes offered for all staff working in health and social care.

Section 3 of the Code highlights the importance of raising awareness of autism in the community. To create a society inclusive of autistic people, there needs to be an understanding of the autism condition across the community.

The purpose of the plan is to implement the Code of Practice on a local level.

1.3 Who is responsible for this assessment?

Aled Gibbard

1.4 When did you commence the assessment? Which version is this?

November 2021. Version 1.0. This is an assessment of the overall plan. Further assessments will be undertaken when planning to implement different aspects and when revising the plan.

2) Action

2.1 Who are the stakeholders or partners you need to work with to undertake this assessment?

The plan has been developed following input and meetings with other professional stakeholders, including the health board and the regional and national autism service.

2.2 What measures have you taken to engage with people with equality characteristics, regarding the Welsh language or with communities (either of place or of need) that live with socio-economic disadvantage?

As part of the development of the Code of Practice prior to its implementation, consultation was undertaken with groups representing people with protected characteristics on a national level.

2.3 What was the result of the engagement?

The above consultation has highlighted some areas where there is either a lack of current research and information. This has been recognised on a national level.

2.4 On the basis of what other evidence are you operating?

The plan is being implemented on the basis of needing to develop better local information e.g. it is estimated there are 30,000 autistic people in Wales (1 in every 100), however we do not have current data, and how that might inform us in relation to anyone who has protected characteristics.

2.5 Are there any gaps in the evidence that needs to be collected?

There are gaps in the data available locally and one of the aims of the plan is to gain a fuller understanding of the needs of autistic people within the County.

3) Identifying the Impact

3.1 The Council must give due regard to the effect any changes will have on people with the equality characteristics noted below. What impact will the new policy/service or the proposed changes in the policy or service have on people with these characteristics?

Characteristics	What type of impact? *	In what way? What is the evidence?
Race (including nationality)	Positive	The Code will provide a positive impact on people from black Asian and minority ethnic communities or who are asylum seekers and refugees as support for autistic people and their parents/ carers in ethnic minority communities has been a key element of the work carried out by the National Autism Team (funded by the Welsh Government). For example: they have been providing specific information and support for Ethnic minority communities on their Covid-19 newpage.
Disability	Positive	The Code of Practice highlights the requirement in the Equality Act 2010, which places a legal duty on service

		providers and those providing goods and facilities to make reasonable adjustments for autistic people so they are not at a disadvantage compared to people without autism. Reasonable adjustments are therefore required to be made for autistic people on a case by case basis.
Sex	Male - none Female - positive	<p><i>Male:</i> Evidence suggests that males can be up to four times more likely to be diagnosed with autism than females. The reasons for this are varied, but may be linked to studies which show that females are more able to mask ASC symptoms through mirroring behaviour etc. The differential impact of autism in girls has been raised as a concern and this is well known amongst clinicians. For this reason, it is not expected that the Code will have a differential impact on males.</p> <p><i>Female:</i> The rate of autism diagnosis in girls and women has historically been much lower than for boys and men. Although the research is limited, evidence and anecdotal clinical evidence suggests that the disparity in diagnostic rates is caused by a number of factors. These include the way girls and women present themselves, they are often more able to mask behaviour through observing and mimicking others around them. It is also suggested that standard diagnostic tools are more tailored towards recognising classic autism more commonly seen in boys and men, whereas girls and women's presentation of autism may be more subtle making it more difficult to diagnose. It is important that professionals understand how autistic girls and women may present differently and that they can have different support needs. For example girls may appear to be more able to sustain social relationships but in reality experience exhaustion when trying to adapt their own behaviour to mirror that of others and what is seen as more acceptable. Additionally, there are significant life milestones where women may require more individual support such as, during puberty and pregnancy. Therefore the Code of Practice is expected to have a positive impact on females.</p>
Age	Positive	The term 'people' within the code refers to children, young people and adults. The Code recognises all individuals, irrespective of age.
Sexual orientation	none	There is increasing literature linking autism with gender identity/dysphoria, with a higher incidence of autistic people reporting a psychological identity with a gender other than the one they were born with. The Welsh Government has recognised the need to improve gender identity services in Wales and have established the All-Wales Gender Identity Partnership Group to provide

		advice. The Welsh Gender Team is based in St David's Hospital in Cardiff. Any information from this service may be used to inform any subsequent iterations of the Code.
Religion or belief (or non-belief)	None	There is no evidence to suggest that the Code would have a positive or negative impact on individuals because of their religion or belief or lack of belief.
Gender reassignment	None	There is a lack of evidence to show how the presence of autism can impact on people who are transgender. The Welsh Government have stated that further work is required in this area and that the Code of Practice will be evaluated within 2 years and addressed through the delivery plan for the Code of Practice.
Pregnancy and maternity	Positive	A National Perinatal working group has been established which will consider the key themes and suggested solutions to address the barriers with regard to autistic women and maternity services.
Marriage and civil partnership	None	No known negative impacts on marriage and Civil Partnership.
The Welsh language	Positive	Some autistic people are unable to speak or have limited speech while other autistic people have very good language skills. Autistic people whose first language is Welsh will be offered a service in the language of their choice.
Socio-Economic Disadvantage	None	There are no known negative impacts on protected groups and those living in low income households.

* Delete as appropriate

3.2 The Council has a duty under the 2010 Equality Act to contribute positively to a fairer society by promoting equality and good relations in its activities regarding the following characteristics – age, gender, sexual orientation, religion, race, gender reassignment, disability and pregnancy and maternity. The Council must give due attention to the way any change affects these duties.

General Duties of the Equality Act	Does it have an impact?*	In what way? What is the evidence?
Abolishing illegal discrimination, harassment and victimisation	Yes / No	The plan does not discriminate between different characteristics. The intention of the plan is to raise awareness and provide a better service to autistic people and therefore meet a range of needs, taking into account of other individual characteristics in the process.

Promoting equal opportunities	Yes / No	The plan identifies the need to meet a range of different needs, and to offer support according to these needs. It also includes the duty to assess the care and support needs of vulnerable groups, and meet their needs accordingly. The work done in producing the Code has already identified the need to promote equality for autistic women and to provide for ethnic minority groups (see 3.1)
Encouraging good relationships	Yes / No	Encourage good relationships between autistic people and the wider community by raising awareness and providing training.

* to be deleted as appropriate

3.3 How does your proposal ensure that you work in accordance with the requirements of the Welsh Language Standards (Welsh Language (Wales) Measure 2011), to ensure that the Welsh language is not treated less favourably than English and that you seize every opportunity to promote the Welsh language (beyond providing services bilingually) and increase opportunities to use and learn the language in the community?

65% of Gwynedd's population are Welsh speakers and the Council operates a Language Policy that ensures that " it is possible for all the county's citizens can use the Council's service through the medium of Welsh and English, and that positive steps will be taken to ensure that the language choice of the service user will be noted and respected at all times. To ensure that this policy can be operated across the whole county, and that individuals can receive a Welsh Language service should they wish so (in accordance with the Welsh Language (Wales) Measure 2011) the Welsh Language has to be a consideration when recruiting and developing services. It should be noted that an Welsh speaker appointed to a post should also be able to provide that service in English also.

3.4 What other measures or changes could you include to strengthen or change the policy / practice in order to have a positive impact on people's opportunities to use the Welsh language, and to reduce or prevent any adverse effects that the policy / practice may have on the Welsh language?

3.5 How does the proposal show that you have had due regard to the need to address inequality caused by socio-economic disadvantage? (Note that this is about closing inequality gaps rather than just improving outcomes for everyone)?

Autistic people can be disadvantaged in the workforce. The National Autism Team have developed specific information to raise awareness and improve employer skills in order to support autistic staff more efficiently.

3.6 What other measures or changes might you include to strengthen or change the policy / practice to show that you have had due regard to the need to reduce disproportionate outcomes as a result of socio-economic disadvantage, in accordance with the Socio-Economic Act?

The information referred to in 3.5 above needs to be widely known to local employers.

4) Analysing the Results

4.1 Is the policy therefore likely to have a significant, positive impact on any of the above and what is the reason for this?

Consistent with the Code of Practice the plan aims to ensure that consideration is given to the needs of autistic people when providing services and that equal opportunity is provided to everyone. On a local level we will consider any other individual characteristics when implementing the plan.

4.2 Is the policy therefore likely to have a significant, negative impact on any of the above and what is the reason for this?

The plan should not have a negative effect on any of the protected characteristics.

4.3 What should be done?

Choose one of the following:

Continue with the policy / service as it is robust	x
Adapt the policy to delete any barriers	
Suspend and delete the policy as the detrimental impacts are too big	
Continue with the policy as any detrimental impact can be justified	

No further action at this time because it is too soon to decide, or there is insufficient evidence	

4.4 If continuing with the project, what steps will you take to reduce or mitigate any negative impacts?

We do not expect any negative effects and will monitor(see below) and address any negative issues that arise.

4.5 If you are not taking any further action to delete or reduce the negative impacts, explain why here.

Not relevant

5) Monitoring

5.1 What steps will you take to monitor the impact and effectiveness of the policy or service (action plan)?

The plan will be monitored through a local Autism Board, and it is an expectation of the Code of Practice that the plan be reviewed on an annual basis. We intend to undertake further impact assessments when revising the plan in order to better understand the detail of the impact.