

EQUALITY IMPACT ASSESSMENT RECORD

Title of policy/ practice/ strategy/ legislation etc.	ILF Transition Fund How grant funding can be used. TF02
Is this new policy or revision to an existing policy?	New Policy

Screening

Policy Aim

This policy gives clarification to applicants on how an ILF Transition Fund grant may be used, and it outlines the outcomes that young disabled people in transition may use the grant to meet.

The policy is underpinned by the principle of maximising choice, equality and enhancing cultural diversity. The policy states the nature of support that the grant will and will not meet, based on prioritisation decisions taken by a co-production working group that developed the new ILF Transition Fund. As some applicants may require additional support to manage their grant, the policy sets out support options which will be considered. The policy also confirms arrangements to be put in place to enable ILF Scotland to exercise sound financial governance of public money.

The ILF Transition Fund was developed through an extensive process of co-production which included a range of stakeholders with experience and knowledge of disability from an individual and service provider perspective. The options appraisal exercise provided the opportunity to assess where the use of new funding would have the most impact on addressing under representation and increasing participation. This process was also informed by data drawn from the use of the current ILF award fund. There was consensus that young disabled people, aged 16 to 21 years, who are in transition from child to adulthood are a key group where under representation is a significant barrier on opportunity and

Address: ILF Scotland, Denholm House, Almondvale Business Park, Almondvale Way, Livingston EH54 6GA
Tel: 0300 200 2022 **Email:** enquiries@ilf.scot **Web:** www.independentlivingfund.scot **Twitter:** @ILFScotland

participation. This age group have also had little access to the ILF award fund to date. It is intended, therefore, to take positive action permissible within the 2010 Equality Act to use ILF Transition Fund resources to address the under-representation of young people aged 16-21 years with disabilities which we consider is a proportionate use of resources available to ILF Scotland.

Who will it affect?

The target group will be young disabled people aged 16-21 years in transition from childhood to adulthood and will be open to all protected characteristic groups provided the age eligibility criteria is met. It can be demonstrated that young disabled people have a limited profile in the allocation of historical ILF award funding, as it closed to new applicants in 2010, and this new ILF Transition Fund should help to address this imbalance. It also targets those individuals that do not qualify for support from statutory agencies as they do not meet the eligibility threshold. Young disabled people may encounter many cultural and diversity barriers in accessing employment, further education, constructing adult relationships and actively participating in their community. The ILF Transition Fund is designed to enable these barriers to be overcome.

Disabled people outside the age band will be excluded at this stage. Individuals with additional protected characteristics will have equal access to ILF Transition Fund grants where they meet the age and eligibility criteria.

What might prevent the desired outcomes being achieved?

As the ILF Transition Fund is limited, it is necessary to ensure the resource is targeted to advance equality at a critical life stage, in this instance moving from childhood to adulthood. If the intended use of a limited resource was not specified, it would not be possible to manage expectations from statutory agencies and disabled people beyond the targeted age group.

The approach taken is underpinned by creating the opportunity for young disabled people to set out, in a plan, the outcomes important to them. It is acknowledged that some applicants may

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need clarity and support to achieve this and arrangements are in place to respond to requests.

Public information and stakeholder consultation has and continues to be an integral part of this policy formulation and implementation. Person centered and equality/diversity training has been provided for key ILF Scotland staff and application and internal processes to deliver the ILF Transition Fund have involved disabled people and their representative organisations.

As the ILF Transition Fund begins to be implemented, project management arrangements will enable the capture of any operational issues identified and ensure these are quickly addressed.

Accessibility requirements have been considered. Applicants who require alternative formats will be able to request this at any stage of application. Careful consideration will be given to ensuring public information is widely distributed to agencies supporting various young disabled people with dual or multiple protected characteristics.

Stage 1: Framing

Results of framing exercise

A formal co-production group met on six occasions. The group included representatives from: Disabled Peoples Organisations; COSLA; Social Work Scotland; Carers; Voluntary Sector; Scottish Government; and ILF Scotland. This group identified issues for disabled people and the funding of their care and support. The group established consensus that the additional funding to be made available to ILF Scotland should be a broad discretionary fund to support disabled people to live independently particularly at critical life stages. The group preferred that in the first instance the fund would have a narrower focus than this broad general aim of the fund. They identified that current unmet need was particularly significant for younger disabled people who are in transition and who may have a level of need below that which would be eligible for statutory support. An additional consideration was the profile of existing ILF Scotland awards being exclusively to individuals over the age of 21 years. The ILF Transition Fund is in some part seen as providing the opportunity to address this imbalance. In their assessment, the group considered available evidence for this policy, including the examination of all submissions received by the Scottish Government in its public consultation exercise on the future of the ILF in Scotland post closure of the UK ILF. ILF Scotland drafted a set of criteria in co-production, so that the needs of this particular group were prioritised for this funding in the first instance, with a view to widening the focus as additional funds become available and/or as priorities change.

Extent/Level of EQIA required

The existing ILF Fund is only for disabled people. The Minister decided that a new fund should be created, and asked for a recommendation to be made as to how use of this new fund should be prioritised. The co-production group screened options in the initial stages of developing the new fund, and set the broad parameters for the new fund. On the basis of screening for each protected characteristic against these parameters, only the age

eligibility criteria will require a full EQIA as impact will be minimal in other areas.

Stage 2: Data and evidence gathering, involvement and consultation

Include here the results of your evidence gathering (including framing exercise), including qualitative and quantitative data and the source of that information, whether national statistics, surveys or consultations with relevant equality groups.

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
AGE	6 meetings of the co-production working group and 12 public consultation meetings around Scotland were held and recorded. A set of options appraisal parameters were produced to inform decision making. A service mapping exercise was completed. This data provided evidence where the funds should be targeted. Analytical data was produced by SG to inform decision making in relation to this characteristic.	Co-production group, and public consultation events.	

<p>DISABILITY</p>	<p>Engagement activity consistently identified young disabled people as a priority for the additional funds. In particular, it was identified that there was a growing group of young disabled people who, although having significant need, received little or no formal support post-school due to ever tightening eligibility criteria for social care.</p>	<p>Co-production group and engagement events.</p>	<p>Clear evidence of the scale of potential demand on the ILF Transition Fund was limited given the complexities of disability identification, including disability benefit eligibility, and application of SDS legislation. This will be monitored as the ILF Transition Fund is implemented and corrective action taken if required.</p>
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SEX	We have specifically ensured the associated documents are de-gendered and application is not based on sex. Gender is identified in an equalities monitoring section of the application but does not influence the evaluation of applications.	Co-production group	ILF Scotland will monitor applications to the fund. If this data highlights gender specific issues, we will work co-jointly with partner organisations to assess how ILF Scotland should take appropriate action to address this.
PREGNANCY AND MATERNITY	Our policies are gender neutral and are flexible to allow for changes in circumstances.	Co-production Group	We will cross reference with gender data collected so that impact on this protected characteristic is fully assessed if identified.

<p>GENDER REASSIGNMENT</p>	<p>Our policies are gender neutral and are flexible to allow for changes in circumstances.</p>	<p>Qualitative data will be captured on a voluntary basis through equality monitoring returns requested from successful recipients. We will review how we could capture the same information from all applications for future.</p>	<p>We intend to ask successful applicants to complete an anonymous equality monitoring form when application is agreed to inform our intelligence on gender reassignment.</p>
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<p>SEXUAL ORIENTATION</p>	<p>Our policies have been screened and discriminate in terms of sexual orientation. Eligibility is not based on sexual orientation. This information is identified in an equalities monitoring section of the application but does not influence the evaluation of applications.</p>	<p>Co-production group.</p> <p>Qualitative data will be captured on a voluntary basis through equality monitoring returns requested from successful recipients. We will review how we could capture the same information from all applications for future.</p>	<p>ILF Scotland Policies.</p>
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<p>RACE</p>	<p>Our policies have been screened and discriminate in terms of race. This is identified in an equalities monitoring section of the application but does not influence the evaluation of applications.</p>	<p>Qualitative data will be captured on a voluntary basis through equality monitoring returns requested from successful recipients. We will review how we could capture the same information from all applications for future.</p>	<p>We are aware that there was a limited ethnic profile in the historical award fund which may be linked to the fact that very few ethnic communities access statutory services. We will ensure our application arrangements are responsive to requests from ethnic minorities, including Asylum Seekers who have Leave to Remain. This will include access to different languages and translation services if required.</p>
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<p>RELIGION OR BELIEF</p>	<p>Our policies and guidance allow for circumstances which require support based on cultural or religious belief. This is identified in the equalities monitoring section of the application but does not influence the evaluation of applications.</p>	<p>Qualitative data will be captured on a voluntary basis through equality monitoring returns requested from successful recipients. We will review how we could capture the same information from all applications for future.</p>	
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<p>MARRIAGE AND CIVIL PARTNERSHIP (the Scottish Government does not require assessment against this protected characteristic unless the policy or practice relates to work, for example HR policies and practices - refer to Definitions of Protected Characteristics document for details).</p>	<p>This policy doesn't base eligibility on marriage or civil partnership.</p>		
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Stage 3: Assessing the impacts and identifying opportunities to promote equality

Having considered the data and evidence you have gathered, this section requires you to consider the potential impacts – negative and positive – that your policy might have on each of the protected characteristics. It is important to remember the duty is also a positive one – that we must explore whether the policy offers the opportunity to promote equality and/or foster good relations.

Do you think that the policy impacts on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	Applications will be accepted from young disabled people at a critical life stage who are transitioning between child and adulthood and may not	Institutionalised barriers may be significant and include access to housing, employment, social relationship, transport and education. The grant will not provide the answer to all issues young		This policy is intended to maximise the choice and control applicants are able to exercise over their grant by empowering the applicant to define what outcomes they want to achieve specifically in relation to inclusion and participation . It will provide applicants with funding which may be used to tackle barriers encountered by disabled people for example in education, employment, community. Applicants will be able to access clear advice at the outset about acceptable use of funding, support mechanisms available to manage the grant.

	be eligible or in receipt of support for this transition.	disabled people might face.		The policy will clarify from the outset what types of support will not be funded for example, any illegal or discriminatory activity; activity which exposes the applicants or others to unacceptable risk.
Advancing equality of opportunity	Young disabled people aged between 16-21 years will be given priority to limited funding in the first instance.	Targeting of 16-21 year olds will result in disabled people outside this age group being excluded in the first tranche.		The grant will enhance choice and control options for young disabled people.

<p>Promoting good relations among and between different age groups</p>	<p>Prioritising support to young disabled people who are acknowledge to be under-represented is intended to demonstrate an on-going commitment to equality for under - represented groups.</p>	<p>Disabled people not in the initial age group may feel excluded.</p>		<p>Communication and consultation with disabled communities and organisations has demonstrated support for initial targeting of young disabled people given their under representation.</p>
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Do you think that the policy impacts disabled people?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	Young disabled people are part of a protected characteristic group who are widely acknowledged to be under-represented.	Funding restraints will not enable grant funding to extend to disabled people of all age groups.		This policy impacts positively on the targeted young disabled people. It will empower young disabled people to challenge barriers and cultural or diversity issues which may present barriers.

<p>Advancing equality of opportunity</p>	<p>Using a limited resource for the target group will rebalance, to some extent, societal barriers facing some young disabled people.</p>	<p>Disabled people outside the targeted age group will not be eligible for this stage of funding.</p>		<p>Young disabled people are a protected characteristic group who are widely acknowledged to be under-represented. Grant funding is intended to advance equality of opportunity.</p>
<p>Promoting good relations among and between disabled and non-disabled people</p>	<p>Confirming an on-going commitment to disability equality will make disabled people feel valued.</p>	<p>Entrenched attitudes articulated by non-disabled people will still require to be challenged.</p>		<p>Without on-going financial investment and realistic targeting of limited resources, young disabled people's rights as expressed in the 2010 Equality Act will not be advanced.</p>

Do you think that the policy impacts on men and women in different ways?

Sex	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			None.	As applications are open to men and women possible unlawful discrimination is avoided provided the age criteria is met.
Advancing equality of opportunity			None	No distinction will be made between male and female applicants. Data monitoring will be analysed for any unintended preferential treatment of applicants or funding of gender related activities.
Promoting good relations between men and women			None	It is not expected that this policy will contribute to the promotion of good relationship between men and women.

Do you think that the policy impacts on women because of pregnancy and maternity?

Pregnancy and Maternity	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination				Applicants who are pregnant or have parental responsibilities will have the opportunity within their plan to define the impact of these responsibilities upon the outcomes they want to achieve. Where successful applications are made by pregnant women, adjustment will be made to enable pregnant woman to utilise funding in the best way to achieve outcomes.
Advancing equality of opportunity				Pregnancy will not be a barrier to the use of funding when awarded.

Promoting good relations				Ensuring equal access to pregnant or individuals with parental responsibilities will reconfirm a commitment to equality principles.
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Do you think your policy impacts on transgender people?

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination				Sexual definition is not an obstacle where the individual meets the eligibility criteria.
Advancing equality of opportunity				Transgender people will have the same equality of access where they are young disabled people aged 16-21 years and have met the same grant conditions. Careful consideration will be given to ensuring public information is widely distributed to agencies supporting young disabled people with this characteristic.

<p>Promoting good relations</p>				<p>Promoting equal access to other protected groups who meet the age eligibility criteria will foster good relations for those with protected group status. Access to grant funds will also be extended to individuals with dual or multiple protected characteristics on the same basis as our protected groups.</p>
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Do you think that the policy impacts on people because of their sexual orientation?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination		None	None	Sexual orientation is not a factor where individual are young disabled people between 16-21 years of age. As above, grant conditions and use will apply equally to all groups with protected characteristics
Advancing equality of opportunity				People of any sexual orientation will have the same equality of access where they are young disabled people aged 16-21 years and have met the same grant conditions. Careful consideration will be given to ensuring public information is widely distributed to agencies supporting young disabled people with this characteristic.
Promoting good relations				Access will also be extended to individuals with dual protected characteristics.

Do you think the policy impacts on people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			None.	Where the applicant is a young disabled person aged 16-21, race is not a barrier to application.
Advancing equality of opportunity	Applications will be open to Asylum Seekers with Leave to Remain advancing opportunities available within the current ILF fund.			Applicants will be considered from Asylum Seekers with Leave to Remain. This acknowledges individuals in this position have the same citizenship rights as other citizens in Scotland. Where an application is received where Leave to Remain may be due for review, this will be assessed to ensure in the intervening period, eligibility will be maintained until the end of the grant period. Careful consideration will be given to ensuring public information is widely distributed to agencies supporting young disabled people with this characteristic.

Promoting good race relations				Membership of a specific race will not be a barrier to access provided age criteria is met.
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Do you think the policy impacts on people because of their religion or belief?

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			None.	Religion is not a barrier to application provided age eligibility criteria is met.
Advancing equality of opportunity			None	Religion is not a barrier to application provided age eligibility criteria is met.
Promoting good relations			None	It is not expected that this policy will contribute to the promotion of good relations between religions.

Do you think the policy impacts on people because of their marriage or civil partnership?

Marriage and Civil Partnership	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination				Not relevant - applications are invited from individuals who are not employed by ILF Scotland who in any case would not meet the age eligibility criteria.

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

If, following the impact analysis, you think you have identified any unlawful discrimination – direct or indirect - you must consider and set out what action will be undertaken to mitigate the negative impact.

Have positive or negative impacts been identified for any of the equality groups?	Yes - eligibility criteria which is restricted to young disabled people. If this criteria is not met then application cannot be accepted and policy TF02 will not apply.
Is the policy directly or indirectly discriminatory under the Equality Act 2010?	Not specifically. See policy TF02 for reasons above.
If the policy is indirectly discriminatory, how is it justified under the relevant legislation?	No as above.
If not justified, what mitigating action will be undertaken?	No as above.

Describing how Equality Impact Analysis has shaped the policy making process

This policy has been developed through a genuine process of co-production, which set out to determine how to maximize the impact of available resource to achieve independent living for disabled people. All policy decisions around eligibility were taken within this context. The overall aim of this policy is to state eligibility criteria for a new funding stream for disabled young people. These criteria were determined following careful analysis of options and wide engagement with stakeholders. Following implementation, there will be careful monitoring and evaluation of impact, with a view to developing policy and broadening access beyond the initial target group of 16-21 year old disabled people.

The process followed has resulted in policy decisions being made that are intended to produce better outcomes both for disabled people and their communities. The ILF Transition Fund will support activity that is enabling disabled people to be active and participating members of their communities, benefiting both disabled people and those with whom they will engage as a result of this policy development.

Monitoring and Review

Strathclyde University Disability Resource Centre has been commissioned to undertake independent review and evaluation of the impact of this policy and of the new ILF Transition Fund generally. This will commence immediately on implementation of the policy in November 2017. The application process will capture quantitative data to support this qualitative evaluation and successful recipients will be requested to complete a voluntary, anonymous equality monitoring return.

Stage 5 - Authorisation of EQIA

Please confirm that:

- ◆ This Equality Impact Assessment has informed the development of this policy:

Yes

- ◆ Opportunities to promote equality in respect of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation have been considered, i.e.:

- Eliminating unlawful discrimination, harassment, victimisation;
- Removing or minimising any barriers and/or disadvantages;
- Taking steps which assist with promoting equality and meeting people's different needs;
- Encouraging participation (e.g. in public life)
- Fostering good relations, tackling prejudice and promoting understanding.

Yes

- ◆ If the Marriage and Civil Partnership protected characteristic applies to this policy, the Equality Impact Assessment has also assessed against the duty to eliminate unlawful discrimination, harassment and victimisation in respect of this protected characteristic:

Not applicable X

Declaration

I am satisfied with the equality impact assessment that has been undertaken for Policy TF02.

Name: Margaret Wheatley

Position: Head of Policy

Authorisation date: 10th november 2017