

Equality impact assessment form

Directorate: **People's Services**

Service area: **QA service: CYP**

Name of policy, strategy, review or function being assessed: **CYP
Children's Social Care Procedures**

Date of assessment: **01/02/2018**

Name of Director/Head of Service signing it off: **Jasmine Nembhard-Francis**

Decision of Cabinet, Personnel Committee or Chief Officer Group

Date published on website



Derby City Council



Equality impact assessment – please read this section first before you do the assessment

This is our equality impact assessment form to help you equality check what you are doing when you are about to produce a new policy, review an older one, write a strategy or plan or review your services and functions. In fact you need to do an equality impact assessment whenever a decision is needed that affects people and **before** that decision is made.

So why do we need to do equality impact assessments? Although the law does not require us to do them now, the courts still place significant weight on the existence of some form of documentary evidence of compliance with the **Public Sector Equality Duty** when determining judicial review cases. This method helps us to make our decisions fairly, taking into account any equality implications, so yes we still need to do them.

The Public Sector Equality Duty is part of the Equality Act 2010 and this Duty requires us as a public body to have '**due regard**' to eliminating discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act. It requires us to advance equality of opportunity and foster good relations between people who share a '**relevant protected characteristic**' and people who don't.

Having 'due regard' means:

- removing or minimising disadvantages suffered by people due to their protected characteristics
- taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- encouraging people with certain protected characteristics to participate in public life or in other activities where the participation is disproportionately low.

The protected characteristics are:

- age
- disability
- gender identity
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

This completed form should be attached to any Chief Officer Group, Cabinet or Personnel Committee report to help elected members make their decisions by taking the equality implications into account. Equality impact assessments **must be done before** decisions are made. Include the Cabinet or Personnel Committee's decision on the front sheet when you know it.

You'll find that doing these assessments will help you to:

- understand your customers' and communities needs

- develop service improvements
- improve service satisfaction
- demonstrate that you have been fair and open and considered equality when working on re-structuring
- make sure you pay due regard to the requirements of the Public Sector Equality Duty.

Don't do the form by yourself, get a small team together and make sure you include key people in the team such as representatives from our Diversity Forums and employee networks and you could invite trade union representatives too – the more knowledge around the table the better. You also need to decide how and who you will consult with to help inform the equality impact assessment. Our Lead on Equality and Diversity can help with useful contacts – we have a team of people who are used to doing these assessments and can help with information on barriers facing particular groups and remedies to overcome these barriers.

You'll need to pull together all the information you can about how what you are assessing affects different groups of people and then examine this information to check whether some people will be negatively or positively affected. Then you'll need to look at ways of lessening any negative effects or making the service more accessible – this is where your assessment team is very useful and you can also use the wider community. Against every negative impact you will need to complete the mitigation section to explain how you will lessen the impact.

Agree an equality action plan with your assessment team, setting targets for dealing with any negative effects or gaps in information you may have found. Set up a way of monitoring these actions to make sure they are done and include them in your service business plans.

When you have completed the assessment, get it signed by your Head of Service or Service Director and **send it to our Lead on Equality and Diversity for checking and to publish on our website**. It is a public document so must not contain any jargon and be easy to understand.

Remember, we need to do these assessments as part of our everyday business, so we get our equality responsibilities right and stay within the law – Equality Act 2010.

Equality groups and protected characteristics

These are the equality groups of people we need to think about when we are doing equality impact assessments and these people can be our customers or our employees and job applicants...

- Age equality – the effects on younger and older people
- Disability equality – the effects on the whole range of disabled people, including Deaf people, hearing impaired people, visually impaired people, people with mental health issues, people with learning difficulties and people with physical impairments
- Gender identity – the effects on trans people
- Marriage and civil partnership equality
- Pregnancy and maternity equality - women who are pregnant or who have recently had a baby, including breast feeding mothers

- Race equality – the effects on minority ethnic communities, including newer communities, gypsies and travellers and the Roma community
- Religion and belief or non-belief equality – the effects on religious and cultural communities, customers and employees
- Sex equality – the effects on both men and women and boys and girls
- Sexual Orientation equality – the effects on lesbians, gay men and bisexual people

Contact for help

Ann Webster – Lead on Equality and Diversity

ann.webster@derby.gov.uk

Tel 01332 643722 Minicom 01332 640666 Mobile 07812301144

The form

We use the term ‘policy’ as shorthand on this form for the full range of policies, practices, plans, reviews, activities and procedures.

Policies will usually fall into three main categories...

- Organisational policies and functions, such as recruitment, complaints procedures, re-structures
- Key decisions such as allocating funding to voluntary organisations, budget setting
- Policies that set criteria or guidelines for others to use, such as criteria about school admissions, procurement methods, disabled facilities grants, on street parking bays

If in doubt – it’s better and safer to do an Equality Impact Assessment than not to bother! You never know when we may get a legal challenge and someone applies for Judicial Review.

What’s the name of the policy you are assessing?

Children’s Social Care Procedures: <http://derbycsc.proceduresonline.com/index.html>

The assessment team

Team leader’s name and job title – Nelly Anderton-Pope (QA Officer/Policy Development Officer)

Other team members

Name	Job title	Organisation	Area of expertise
Jasmine Nembhard-Francis	HoS QA	DCC	Children’s Social Care
Lucy Edwards	Policy Consultant	Tri.x	Policy and statutory governance

Name	Job title	Organisation	Area of expertise
Policy authors	DHoS/HoS/SD	DCC	Children's Social Care

Step 1 – setting the scene

Make sure you have clear aims and objectives on what you are impact assessing – this way you keep to the purpose of the assessment and are less likely to get side tracked.

1 What are the main aims, objectives and purpose of the policy? How does it fit in with the wider aims of the Council and wider Derby Plan? Include here any links to the Council Plan, Derby Plan or your Directorate Service Plan.

This online manual contains the policies, procedures and guidance for Derby City Children's Social Care. These procedures set out the framework within which Children's Social Care work with children, young people and their families. It is underpinned by a range of legislation including, but not limited to:

- Children Acts 1989 and 2004;
- Children (Leaving Care) Act 2000;
- Care Standards Act 2000;
- United Nations Convention on the Rights of The Child;
- Human Rights Act 1998;
- Adoption and Children Act 2002;
- Data Protection Act 1998;
- Children and Young Person's Act 2008;
- Children and Families Act 2014
- Equality Act 2010.

The policy framework also has regard to and is consistent with a range of government guidance, particularly the principles set out in Working Together to Safeguard Children, 2015.

Safeguarding and promoting the welfare of children will always be at the centre of the work Local Authorities and their partners undertake with children and their families. The child's needs are paramount, and the needs and wishes of each child, be they a baby or infant, or an older child, should be put first, so that every child receives the support they need. These procedures underpin how those services are facilitated and delivered. It is important that procedures are there to support good practice in an increasingly complex legislative framework. Our procedures have clarity and authority in areas where there is a clear statutory obligation, yet also encourage creativity and best practice.

*it is to note that the Derby and Derbyshire SCBs Procedures Manual should be read alongside these procedures as it contains guidance for all practitioners on a range of topics including CSE, Trafficking / Modern Slavery, Children who are Missing and FGM.

2 Who delivers/will deliver the policy, including any consultation on it and any outside organisations who deliver under procurement arrangements?

Derby City Council commission the support of tri.x to host the online manual of procedures.

tri.x provide a suite of chapters which are the building blocks of our online procedures. These can be adapted to suit local need and additional content added, which is formatted by tri.x; to create an online procedure. Tri.x share their experience and expertise to produce a resource which supports practice, managerial oversight, and compliance with statutory requirements.

All of our Children Services procedures are reviewed and updated twice per year. Through their team of consultants and network of customers, tri.x are able to stay abreast of changes in legislation and best practice guidance. They then share this knowledge and expertise with our internal QA team to ensure that local knowledge is incorporated into the procedures and they remain appropriate to the local authority.

3 Who are the main customers, users, partners, employees or groups affected by this proposal?

All staff working within the local authority are expected to use these procedures, supporting their understanding and application of the services offered to children and families by ensuring:

- Good practice
- Helping to establish a professional and effective organisation
- Providing consistency amongst staff, and therefore between parents and children
- Preventing ambiguity about how particular situations/issues should be handled in the service
- Promoting more efficient and effective delivery of service

Partner agencies, as well as families will be affected by these procedures by being in receipt of the services governed by these guidelines.

Step 2 – collecting information and assessing impact

4 Who have you consulted and engaged with so far about this policy, and what did they tell you? Who else do you plan to consult with? – tell us here how you did this consultation and how you made it accessible for the equality groups, such as accessible locations, interpreters and translations, accessible documents.

Consultation with tri.x:

As the template procedures are drawn primarily from legislation, statutory guidance and regulations which government departments will have already considered from an equalities perspective when drawing them, then it’s possible on this basis to conclude that the content of the procedures will give ‘due regard’ to eliminating discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Equalities Act 2010.

Workforce Learning and Development

Consultation via team meetings and development workshops allow the team to express the requirements of our workforce, and new staff, in accessing procedures. As a result of this, procedures were ‘mobile device’ enabled in 2017 to allow for easier access by staff.

HoS and Specialist Directors

Managers and directors are consulted throughout the year on new and emerging needs within our local authority, and in those who use these services. Governance is applied through various methods; Performance Improvement Board, Scrutiny, Corporate Parenting Board, to name a few.

5 Using the skills and knowledge in your assessment team, and from any consultation you have done, what do you already know about the equality impact of the policy on particular groups? Also, use any other information you know about such as any customer feedback, surveys, national research or data. Indicate by a tick for each protected characteristic group whether this is a negative or a positive impact. If it’s negative, fill in the mitigation section as well to explain how you are going to lessen the impact.

Age

What do you already know?	Positive impact	Negative impact	Mitigation
<p>These procedures are to keep children and young people, in receipt of early help or safeguarding, safe. Children and young people are more vulnerable than other people because of their young age and dependence on adults, so they have specific rights to protect them.</p> <p>The effective use of these procedures will ensure that children at risk of, or subject to abuse/neglect will be identified as early as possible, and supported within a consistent framework which guides good practice. This is with a view to</p>	x		.

What do you already know?	Positive impact	Negative impact	Mitigation
reduce risk			
<p>Participation of children and young people in decisions about their lives is an essential part of growing up and, if done well, it enhances children's safety and well-being and improves services designed to support and protect them. In the world of social care participation work often take place in complex and emotionally charged situations. To be done well it requires a commitment at all levels of the organisation.</p> <p>Derby City Council will ensure that systems are in place to support formal consultation with young people's groups and will seek to aggregate individual issues and concerns so that managers may consider the impact that current services have on young people. This information may be used to inform future developments to procedures.</p> <p>Derby City Council seeks to consider gender identity, diversity, culture, race, sexual orientation, language, religion and belief, disability, delayed speech, low confidence and trust in all its interactions with both children and adults.</p> <p>Every member of our staff is committed to seeking and recording the views of every child they work with. They will also record the decisions that are made and the influence that the views of the child/young person have had on those decisions.</p> <p>This is clear and explicitly regarded throughout children's social care procedures, and individual procedures can be found pertaining to individual</p>	x		•

What do you already know?	Positive impact	Negative impact	Mitigation
<p>issues, for example:</p> <ul style="list-style-type: none"> • 3.4 disabled children • 2.5 UASC • 2.13 Young carers <p>6.6 Health and Wellbeing</p>			

Disability

What do you already know?	Positive impact	Negative impact	Mitigation
<p>Disabled children are recognised to be significantly more at risk than non-disabled children.</p> <p>Disabled parents – we will provide reasonable adjustments for disabled parents to access our service, including putting documents into other formats as required and providing BSL interpreters if needed.</p> <p>All children and young people have the right to be safe and secure, protected from harm and neglect, and to live in an environment that enables them to develop to their full physical, mental, spiritual, moral and social potential. This includes being safe from a range of concerns. When they need help to achieve these outcomes it should be available in a timely way and delivered through effective interventions; as guided by these procedures. Specific guidance relating to disabled children can be found in 3.4 of the procedures; addressing concerns around accessibility and suitability of</p>	x		

What do you already know?	Positive impact	Negative impact	Mitigation
universal and specialist services			
<p>Members of the workforce using these procedures may also be more vulnerable as a result of being a disabled person</p> <p>All supervision arrangements must comply with Derby Council's Equality, Dignity and Respect Policy. The supervision standards, policy and procedure may be taken into account in conjunction with other Departmental policies in cases of a disciplinary, capability or grievance nature. These policies include:</p> <ul style="list-style-type: none"> • Human resources; • Equality, Dignity and Respect Policy; • Managing individual capability; • Code of conduct; • Whistleblowing policy. <p>Supervisors and supervisees have a joint responsibility to constructively contribute to the supervisory process and must be familiar with this policy and procedure</p>	x		

Gender identity- trans

What do you already know?	Positive impact	Negative impact	Mitigation
Some children experience anxiety and other forms of distress associated with the difference or incongruence between their assigned sex classified at birth and the gender characteristics and behaviours they identify with. This in turn may make them more vulnerable.	x		

What do you already know?	Positive impact	Negative impact	Mitigation
<p>Procedures are explicit that carers must adopt a non-judgemental attitude toward children, particularly as they mature and develop an awareness of their bodies and sexuality</p> <p>Carers must adopt the same approach to children who explore or are confused about their gender or sexual identity or who have decided to embrace a particular lifestyle (so long as it is not abusive or illegal).</p> <p>Children who are confused about their sexual identity or gender or who indicate they have a preference must be afforded equal access to accurate information, education and support to enable them to move forward positively. As necessary this must be addressed in Placement Plans.</p> <p>Where necessary we will consult with Derbyshire LGBT+for their expert advice</p>			

Marriage and Civil Partnership

What do you already know?	Positive impact	Negative impact	Mitigation
N/A			

Pregnancy and maternity

What do you already know?	Positive impact	Negative impact	Mitigation
<p>Unborn babies, and their mothers, are often identified to be at risk.</p> <p>There is provision within these procedures to guide staff in working with vulnerable mothers and unborn babies at various levels of need; including referral to the pre-birth protocol (DSCB manual).</p>	x		

<p>Members of the workforce using these procedures may also be more vulnerable as a result of pregnancy.</p> <p>All supervision arrangements must comply with Derby Council's Equality Dignity and Respect Policy. The supervision standards, policy and procedure may be taken into account in conjunction with other Departmental policies in cases of a disciplinary, capability or grievance nature. These policies include:</p> <ul style="list-style-type: none"> • Human resources; • Equality, Dignity and Respect Policy • Managing individual capability; • Code of conduct; • Whistleblowing policy. <p>Supervisors and supervisees have a joint responsibility to constructively contribute to the supervisory process and must be familiar with this policy and procedure</p>	x		
---	---	--	--

Race

What do you already know?	Positive impact	Negative impact	Mitigation
<p>Participation of children and young people in decisions about their lives is an essential part of growing up and, if done well, it enhances children's safety and well-being and improves services designed to support and protect them. In the world of social care participation work often take place in complex and emotionally charged situations. To be done well it requires a commitment at all levels of the organisation.</p> <p>Derby City Council will ensure that systems are in place to</p>	x		<ul style="list-style-type: none"> •

<p>support formal consultation with young people's groups and will seek to aggregate individual issues and concerns so that managers may consider the impact that current services have on young people. This information may be used to inform future developments to procedures. Derby City Council seeks to consider gender identity, religion and belief, diversity, culture, race, sexual orientation, language, disability, delayed speech, low confidence and trust in all its interactions with both children and adults.</p> <p>Every member of our staff is committed to seeking and recording the views of every child they work with. They will also record the decisions that are made and the influence that the views of the child/young person have had on those decisions.</p> <p>This is clear and explicitly regarded throughout children's social care procedures, and individual procedures can be found pertaining to individual issues, for example:</p> <ul style="list-style-type: none"> • 3.4 disabled children • 2.5 UASC • 2.13 Young carers <p>6.6 Health and Wellbeing</p>			
--	--	--	--

Religion or belief or none

What do you already know?	Positive impact	Negative impact	Mitigation
<p>Derby City Council seeks to consider gender identity, religion and belief, diversity, culture, race, sexual orientation, language, disability, delayed speech, low confidence and trust in all its interactions with both children and adults.</p> <p>Every member of our staff is</p>	x		

<p>committed to seeking and recording the views of every child they work with. They will also record the decisions that are made and the influence that the views of the child/young person have had on those decisions.</p> <p>This is clear and explicitly regarded throughout children's social care procedures, and individual procedures can be found pertaining to individual issues, for example:</p> <ul style="list-style-type: none"> • 3.4 disabled children • 2.5 UASC • 2.13 Young carers <p>6.6 Health and Wellbeing</p>			
---	--	--	--

Sex

What do you already know?	Positive impact	Negative impact	Mitigation
<p>Derby City Council seeks to consider gender identity, religion and belief, diversity, culture, race, sexual orientation, language, disability, delayed speech, low confidence and trust in all its interactions with both children and adults.</p> <p>Every member of our staff is committed to seeking and recording the views of every child they work with. They will also record the decisions that are made and the influence that the views of the child/young person have had on those decisions.</p> <p>This is clear and explicitly regarded throughout children's social care procedures, and individual procedures can be found pertaining to individual issues, for example:</p> <ul style="list-style-type: none"> • 3.4 disabled children • 2.5 UASC • 2.13 Young carers <p>6.6 Health and Wellbeing</p>	<p>x</p>		

Sexual orientation

What do you already know?	Positive impact	Negative impact	Mitigation
<p>Derby City Council seeks to consider gender identity, religion and belief, diversity, culture, race, sexual orientation, language, disability, delayed speech, low confidence and trust in all its interactions with both children and adults.</p> <p>Every member of our staff is committed to seeking and recording the views of every child they work with. They will also record the decisions that are made and the influence that the views of the child/young person have had on those decisions.</p> <p>This is clear and explicitly regarded throughout children's social care procedures, and individual procedures can be found pertaining to individual issues, for example:</p> <ul style="list-style-type: none"> • 3.4 disabled children • 2.5 UASC • 2.13 Young carers <p>6.6 Health and Wellbeing</p>	<p>x</p>		

Important - For any of the equality groups you don't have any information about, then make it an equality action at the end of this assessment to find out. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later. You can get lots of information on reports done from organisations' websites such as the Equality and Human Rights Commission, Stonewall, Press for Change, Joseph Rowntree Trust and so on. Please don't put down that the impact affects 'everyone the same' – it never does!

6 From the information you have collected, how are you going to lessen any negative impact on any of the equality groups? How are you going to fill any gaps in information you have discovered?

There is a statutory duty for children to be protected and safeguarded. The effective use of these procedures, as a direct follow up from the respective policies, which have already been assessed as EIA neutral, will ensure that there is no foreseeable negative impact on any of the equality groups.

Step 3 – deciding on the outcome

7 What outcome does this assessment suggest you take? – You might find more than one applies. Please also tell us why you have come to this decision?

Outcome 1	X	No major change needed – the EIA hasn't identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken
Outcome 2		Adjust the policy to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?
Outcome 3		Continue the policy despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are: <ul style="list-style-type: none"> • sufficient plans to stop or minimise the negative impact • mitigating actions for any remaining negative impacts • plans to monitor the actual impact.
Outcome 4		Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination

Our Assessment team has agreed Outcome number(s)

Outcome number one: No major change needed – the EIA hasn't identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken

Why did you come to this decision?

1. As these procedures follow on from policies, which have already been assessed as EIA neutral, then we make sure our procedures are suitable too.
2. Template procedures are drawn primarily from legislation, statutory guidance and regulations which government departments will have already considered from an equalities perspective when drawing them.
3. Additional factors which pertain to equality groups have been explicitly referenced within the procedures, which follow on from statutory guidance and governance.

If you have decided on **Outcome 3**, then please tell us here the justification for continuing with the policy. You also need to make sure that there are actions in the Equality Action Plan to lessen the effect of the negative impact. This is really important and may face a legal challenge in the future.

If you have decided on **Outcome 4** then if the proposal continues, without any mitigating actions, it may be likely that we will face a legal challenge and possibly a Judicial Review on the process - it is really important that the equality impact assessment is done thoroughly, as this is what the Judge will consider.

Step 4 – equality action plan – setting targets and monitoring

8 Fill in this table with the equality actions you have come up with during the assessment. Indicate how you plan to monitor the equality impact of the proposals, once they have been implemented.

Equality Action Plan –setting targets and monitoring

Age

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements
Not applicable – please see above.			

Disability

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements
Not applicable – please see above.			

Gender identity - trans

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements
Not applicable – please see above.			

Marriage and Civil Partnership

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements
Not applicable – please see above.			

Pregnancy and maternity

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements
Not applicable – please see above.			

Race

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements
Not applicable – please see above.			

Religion or belief or none

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements
Not applicable – please see above.			

Sex

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements
Not applicable – please see above.			

Sexual orientation

What are we going to do to advance equality	What difference will it make	When will we do it and who will lead	Monitoring arrangements
Not applicable – please see above.			

We can give you this information in any other way, style or language that will help you access it. Please contact us on: 01332 643722
Minicom: 01332 640666

Polish

Aby ułatwić Państwu dostęp do tych informacji, możemy je Państwu przekazać w innym formacie, stylu lub języku.

Prosimy o kontakt: **01332 643722** Tel. tekstowy: 01332 640666

Punjabi

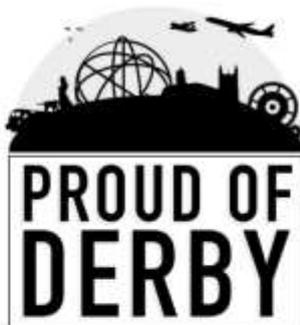
ਇਹ ਜਾਣਕਾਰੀ ਅਸੀਂ ਤੁਹਾਨੂੰ ਕਿਸੇ ਵੀ ਹੋਰ ਤਰੀਕੇ ਨਾਲ, ਕਿਸੇ ਵੀ ਹੋਰ ਰੂਪ ਜਾਂ ਬੋਲੀ ਵਿੱਚ ਦੇ ਸਕਦੇ ਹਾਂ, ਜਿਹੜੀ ਇਸ ਤੱਕ ਪਹੁੰਚ ਕਰਨ ਵਿੱਚ ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਕਰ ਸਕਦੀ ਹੋਵੇ। ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਟੈਲੀਫੋਨ **01332 643722** ਮਿਨੀਕਮ 01332 640666 ਤੇ ਸੰਪਰਕ ਕਰੋ।

Slovakian

Túto informáciu vám môžeme poskytnúť iným spôsobom, štýlom alebo v inom jazyku, ktorý vám pomôže k jej sprístupneniu. Skontaktujte nás prosím na tel.č: 01332 643722 Minicom 01332 640666

Urdu

یہ معلومات ہم آپ کو کسی دیگر ایسے طریقے، انداز اور زبان میں مہیا کر سکتے ہیں جو اس تک رسائی میں آپ کی مدد کرے۔ براہ کرم **01332 643722** منی کام 01332 640666 پر ہم سے رابطہ کریں۔



Derby City Council