

# Equality Analysis (EIA) Form

## A) Description

**Name of service, function, policy (or other) being assessed**

Children's Rights and Advocacy

**Directorate or organisation responsible (and service, if it is a policy)**

Childrens wellbeing

**Date of assessment**

12/03/2018

**Names and job titles of people carrying out the assessment**

Sandra Griffiths – Commissioning officer

Gill Cox - Head of looked after children

Carol Trachonitis - Corporate Customer Information and Equality Manager

**Accountable person**

Sandra Griffiths – Commissioning officer

**What are the aims or main purpose of the service, function or policy? What does it provide and how does it provide it?**

The council has a statutory duty to provide an effective advocacy service for looked after children and care leavers aged up to 21 years, who are making or intending to make a complaint under the Children Act 1989. The Children and Social Work Act 2017 is being implemented from 1st April 2018 and raises the age of care leaver support to 25 for all young people.

The service must be child and young person led and provide information and support to empower them to take control of their lives and ensure their views are heard directly or through representation.

This service has been outsourced since 2012, and when the current contract ceases on 31 July 2018, we are seeking approval for the service to be incorporated within the economy, communities and corporate directorate's corporate customer information and equality team. As a result the service will be managed outside of operational services, which ensures that the advocacy service's independence is maintained.

The service would be integrated into existing equality services and widen participation throughout the council. The feedback from children and young people about the effectiveness of the help, care and support they receive will inform not only the advocacy service but also development of social care services. This will therefore support the corporate parenting strategy, CYPP, and Health & wellbeing plan.

### **Location or any other relevant information**

County wide

### **List any key policies or procedures to be reviewed as part of this assessment.**

Details of advocacy provider will need to be updated on all relevant policies and procedures

### **Who is intended to benefit from the service, function or policy?**

The regulations state advocacy must be provided to looked after children, and care leavers aged up to 21 years. The Children and Social Work Act 2017 is being implemented from 1st April 2018 and raises the age of care leaver support to 25 for all young people.

The service will also support children with disabilities, children in need and those subject to child protection processes, which although not a statutory duty, promotes equality.

### **Who are the stakeholders? What is their interest?**

Children, young people and the council. The interest for all stakeholders is to ensure children and young people's views are heard in processes where decisions are made about their welfare. Feedback acquired from the advocacy service will also support the development of social care services.

## **B) Partnerships and Procurement**

If you contract out services or work in partnership with other organisations, Herefordshire Council remains responsible for ensuring that the quality of provision/delivery meets the requirements of the Equality Act 2010, ie.

- Eliminates unlawful discrimination, harassment and victimisation
- Advances equality of opportunity between different groups
- Fosters good relations between different groups

What information do you give to the partner/contractor in order to ensure that they meet the requirements of the Act? What information do you monitor from the partner/contractor in order to ensure that they meet the requirements of the Act?

Not applicable, as the service will be managed under council policies.

### **Are there any concerns at this stage that indicate the possibility of inequalities/negative impacts? For example: complaints, comments, research, and outcomes of a scrutiny review. Please describe:**

It is important children and young people who refer to, and use the advocacy service are confident of its independence from the operational children's social care service, or an individual, who their complaint is against. The following will be in place to support this;

- the service being managed outside of children's wellbeing directorate.
- ensure no one who has an interest in the subject of the complaint, and therefore in its outcome, will be involved in the service management or delivery.

If demand for the service exceeds capacity, the non-statutory work could be delivered in different ways, including child protection plans identifying who is the 'trusted adult' for the child, and they could have a specific role within the conference to represent the child's views. Children also have access to MOMO (Mind of my own), an app that enables them to express their views to their social worker's and IRO's, and for these to be evidenced.

## C) Information

### **What information (monitoring or consultation data) have you got and what is it telling you?**

Since April 2015 up to 31 December 2017, advocacy has supported an average of 135 cases per annum, of which 40% have related to statutory work. The gender breakdown within the LAC population has remained fairly constant at nearly 50/50. Of the young people who accessed advocacy from April 2015 to March 2017, 55% were female. However so far this year, 54% have been males. It could be assumed this increase is partly due to the unaccompanied asylum seeking children (UASC) cohort being predominantly male.

Based on the analysed data, it is estimated up to 55 LAC/care-leaver cases will require statutory advocacy support per year:

- 85% of cases are expected to be 'standard', requiring 5 hours support each
- 15% are expected to be complex, requiring 10 hours of support each.
- total demand for statutory duty work would be in the region of 320 hours per year, equating to 0.2 FTE.

Up to 100 CIN/CP (non-statutory) cases per year are expected to require 9 hours of non-statutory support, which equates to 900 hours or 0.55 FTE

Therefore the minimum recommend staffing level for statutory and non-statutory work would be 0.8fte, which would allow for some slight growth in demand.

The view is that more children and young people would request a service if it were promoted more effectively and the minimum recommended staffing level for statutory and non-statutory work would allow for some slight growth in demand.

If demand exceeded capacity, there would be the flexibility for non-statutory work to be provided in different ways, such as the young person identifying a trusted adult who they want to represent their views.

During the same period, the advocacy service has supported 22 disabled young people, of which approx. 40% with emotional/behavioural difficulties and 35% with communication difficulties. It is important to ensure the advocacy service has the skills and knowledge to support children with disabilities. This could be supported by advocates utilising expertise within the authority and accessing training, where applicable.

## D) Assessment/Analysis

**Describe your key findings (eg. negative, positive or neutral impacts - actual or potential). Also your assessment of risk.**

Strand/community	Impact
Children and Young People	Positive: Looked after children and care leavers have access to an independent children's rights and advocacy service
Children and Young People	Potential: The level of demand may exceed capacity within the service. However advocacy for non-statutory provision could be provided in different ways; including the young person identifying a trusted adult to represent their views.

## E) Consultation

**Did you carry out any consultation?**

Yes  No

**Who was consulted?**

Feedback from children and young people who have accessed the service in the 3 months up to December 2017 included;

- what I thought about was talked about at the meeting and they listened to what I wanted them to know
- I got the chance to say what I wanted and I understood what this meeting was about, what is happening and the plan feels more personal to me and my life
- advocate coming in and listening to me made a lot of difference

**Describe other research, studies or information used to assist with the assessment and your key findings.**

Legal services have advised that to be compliant with regulations and Ombudsman there must be very clear separation between the advocacy service and the operational social care teams. If the service is located within the ECC directorate, its independence would be maintained.

Ensuring children and young people are confident advocates are independent of CWB is important. This will be a key consideration when promoting the service and children will be involved in designing marketing material.

**Do you use diversity monitoring categories? Yes  No**

*(if No you should use this as an action as we are required by law to monitor diversity categories)*

**If yes, which categories?**

- Age
- Disability
- Gender Reassignment
- Marriage & Civil Partnership
- Pregnancy & Maternity
- Race
- Religion & Belief
- Sex
- Sexual Orientation

**What do you do with the diversity monitoring data you gather? Is this information published? And if so, where?**

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The data collected pertains exclusively to children and young people and is used to tailor the support and care provided for them. The data is not published.

Whilst data on ethnicity has been recorded, there has been no consistency in the categories used, which makes analysing it difficult. However going forward, this will be in line with local authority data recording requirements.

In 2016/17, 92% of the LAC population was identified as white british. However over 50% of those who accessed the service identified as other than white british.

## F) Conclusions

	<b>Action/objective/target OR justification</b>	<b>Resources required</b>	<b>Timescale</b>	<b>I/R/S/J</b>
a)	Update details of advocacy provider on all relevant policies, procedures and contracts, to ensure they are accurate.	Staffing in social care	By 01/08/18	S
b)	Branding and marketing of the service, to ensure service users are aware of its independence from social care operational services. Service users could be involved in designing a logo	Staffing and materials	Ongoing	S
c)	Robust monitoring of referrals and cases to ensure sufficient capacity to meet demand. If capacity exceeds demand, some elements of non-statutory work can be delivered differently.	Staffing	Ongoing	S
d)				

**(I)** Taking immediate effect.

**(R)** Recommended to Council/Directors through a Committee or other Report\*.

**(S)** Added to the Service Plan.

**(J)** To be brought to the attention of the Equality Manager.

\*Summarise your findings in the report. Make the full assessment available for further information.

NB: Make sure your final document is suitable for publishing in the public domain.