

## Equality Impact Assessment (EIA) Form

*Please read EIA guidelines when completing this form*

### 1. Name of Service Area/Directorate

<b>Name of Head of Service for area being assessed</b>	Gill Cox, Head of Looked After Children
<b>Directorate</b>	Children and Families

Individual(s) completing this assessment	Name	Job Title
	Sandra Griffiths	Commissioning Officer
	Gill Cox	Head of Service for Looked After Children
<b>Date assessment completed</b>	09/01/2019	

### 2. What is being assessed

Activity being assessed (eg. policy, procedure, document, service redesign, strategy etc.)	West Midlands Regional Foster Care Framework
What is the aim, purpose and/or intended outcomes of this activity?	<p>The current foster care framework (led by Sandwell Children's Trust), which Herefordshire joined in April 2016, expires in March 2020 with no further option to renew.</p> <p>Sandwell Children's Trust has taken the lead on behalf of the region on a re-procurement exercise for a new framework which will go live on 1 April 2020. The other 13 councils have been involved the development of the new framework and are intending to join this framework.</p> <p>The regional framework supports the council to secure, so far as is reasonably practicable, foster care provision for looked after children, within or beyond the region, which will meet the needs of the child/young person. Successful providers include locally, regionally and nationally based agencies. However, in line with the council's sufficiency duty, placements for individuals will be sought with providers offering options within 20 miles of home. This will help ensure that, where appropriate, looked after children are able to remain in their local community, maintain their education and stay in contact with their family</p> <p>Prior to and during the life of the framework, there will be robust quality assurance processes in place to ensure providers deliver a quality service and meet the needs of the children placed</p> <p>The framework's terms and conditions (contract) will reflect the provider's responsibility to comply with the Equality Act 2010 or subsequent equality legislation and all other relevant anti-discriminatory legislation. Provider's will also operate an equality policy for the duration of the arrangement (3 years with option to extend for up to a further 1 year) and ensure that their recruitment, employment and equality policies comply with all statutory obligations.</p>

	<p>Placement options will be sourced based on the provider's ability to meet the child's needs; as assessed by social care. All options will be considered, with the preferred option being identified based on a matching exercise undertaken by social care to decide which placement offer will best meet the child's assessed needs. Any specific equality issues are highlighted in the needs assessment and reflected in an individual placement agreement (which forms part of the contract) that is signed by the provider and Council.</p> <p>As a result of ongoing planned improvements in early help, safeguarding and looked after children's services and improving capacity within the in-house fostering service, it is anticipated the council will safely reduce its number of looked after children and become less reliant on purchasing agency foster care placements.</p>			
Name of lead for activity	Gill Cox			
Who will be affected by the development and implementation of this activity?	x <input type="checkbox"/> x <input type="checkbox"/>	Service Users Patients Carers Visitors	x <input type="checkbox"/> <input type="checkbox"/>	Staff Communities Other _____
Is this:	x Review of an existing activity <input type="checkbox"/> New activity <input type="checkbox"/> Planning to withdraw or reduce a service, activity or presence?			
What information and evidence have you reviewed to help inform this assessment? (name sources, eg demographic information for services/staff groups affected, complaints etc.	<p>Information reviewed to inform this assessment;</p> <ol style="list-style-type: none"> <li>The council's statutory duty in regards accommodation looked after children;</li> <li>foster care reports,</li> <li>procedure for use of agency foster care</li> <li>contract terms and conditions</li> </ol> <p>Councils have a duty to make arrangements for the accommodation and care of children for whom it has a responsibility, pursuant to Sections 20 - 23 and 31 of the Children Act 1989</p> <p>Section 22G of the Children Act 1989 ('the 1989 Act') requires local authorities to take steps that secure, so far as reasonably practicable, sufficient accommodation within the authority's area which meets the needs of children that the local authority are looking after, and whose circumstances are such that it would be consistent with their welfare for them to be provided with accommodation that is in the local authority's area ('the sufficiency duty').</p> <p>The sufficiency duty requires local authorities to do more than simply ensure that accommodation be 'sufficient' in terms of the number of beds provided. They must have regard to the benefits of securing a range of accommodation through a number of providers. The accommodation must also meet the needs of children.</p> <p>Whilst Herefordshire Council's aim is to place the majority of children with its in-house foster carers to ensure they can be placed locally and to manage cost, insufficient in-house capacity results in the necessity to place with independent foster care agencies.</p> <p>Where it is in the best interests of the child, placements are sought within Herefordshire to maintain links with their local communities, schools and families. Preferred providers may also be able to offer placements outside of Herefordshire.</p> <p>All placements are subject to Head of Service or higher management approval.</p>			

	<p>The West Midlands councils have developed procedures to monitor and review providers to ensure any changes or issues raised about a provider's ability to maintain a quality service are assessed. If the provider is rated inadequate by Ofsted and/ or a council has concerns about a framework provider, this is communicated to all participating councils and jointly monitored.</p> <p>On a regional level, all councils who join the framework work in partnership with Sandwell Children's Trust, to monitor the contract and work together with the relevant provider(s) to resolve any issues.</p> <p>The contract states all fostering agencies must have processes in place to ensure all involved (young person, their carers, family, social workers and others who support the young person) know how to make a complaint about a placement and these will be followed up by the appropriate person/team.</p> <p>On an individual placement level, any specific equality needs are reflected in an individual's care plan and looked after children have the right for an impartial advocate to act on their behalf. The child's social worker and independent reviewing officer also have oversight of the placement and can raise any concerns/issues, including around equality, at any time and these will be examined by the appropriate team or service. Issues will also be escalated to regional level and regulatory authorities wherever appropriate.</p> <p>All of this supports to ensure any issues regarding the child's placement is addressed raised and resolved in a timely manner.</p>
Summary of engagement or consultation undertaken (eg. who and how have you engaged with, or why do you believe this is not required)	Independent agency foster care providers have been involved in pre-tender supplier engagement events and their views have supported the development of the new framework.
Summary of relevant findings	The council is under no obligation to use a specific provider. Placements will be made based on the provider's ability to meet the individual child's assessed needs, as identified by their social worker.

#### 4. The impact of this activity

Please consider the potential impact of this activity (during development and implementation) on each of the equality groups outlined below. **Please tick one or more impact box below for each Equality Group and explain your rationale.** Please note it is possible for the potential impact to be both positive and negative within the same equality group and this should be recorded. Remember to consider the impact on staff, public, patients, carers etc. in these equality groups.

Equality Group	Potential <u>positive</u> impact	Potential <u>neutral</u> impact	Potential <u>negative</u> impact	Please explain your reasons for any potential positive, neutral or negative impact identified
Age	✓			<p>The framework providers have foster cares who are registered to support children aged from birth up to their 18<sup>th</sup> birthday. Matching will ensure that the age of the child is a key consideration in placing with appropriate foster carers.</p> <p>There is also the possibility some children with remain with their foster carers under staying put arrangement, after their 18<sup>th</sup> birthday, when they cease being looked after.</p>
Disability	✓			The contract stipulates when considering a placement for a child with disabilities, the Provider and the council's children's

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				<p>social care team will jointly assess whether there is a need for specific support, equipment or adaptations and will agree arrangements for the provision and ongoing maintenance of those items.</p> <p>Providers must ensure the carers with whom the child is matched have the required training and experience to support the individual's needs and the home is appropriately adapted.</p>
<b>Gender Reassignment</b>	✓			By being placed with carers who have the relevant training and experience to meet the individual child's needs, helps to build positive relationships. This provides the young person with someone who they can talk to about such issues, which can have a positive impact in helping the young person to come to terms with or address such issues
<b>Marriage &amp; Civil Partnerships</b>	✓			Building and maintaining the relationship the young person has with their carer, can support the child in developing skills required to live happy, healthy and financially secure successfully lives as adults
<b>Pregnancy &amp; Maternity</b>	✓			<p>The contract stipulates children are to have "access to information about personal relationships and sexual health commensurate with their age and understanding, and is supported to access specialist services if required".</p> <p>Foster carers can also provide parent and baby placements. Building and maintaining the relationship the parent (or parent-to-be) has with their carer, can support the parent in developing skills required so they can successfully (and independently) support their child to thrive.</p>
<b>Race</b> (including Travelling Communities and people of other nationalities)		✓		<p>The contract stipulates the Provider will ensure that its staff and foster carers positively embrace the concept of diversity in society and encourage all children placed with them to understand and respect different cultures and lifestyles. Children must be supported to understand their cultural background and is able to feel secure and proud of their identity. They must also have access to and takes part in a variety of social, sporting and cultural activities to support the development of their life skills, appropriate to their individual needs.</p> <p>The Provider will ensure that the child's first language is acknowledged and respected in the foster placement and that they are supported to use this wherever possible</p> <p>Whilst providers recruit carers to meet the specific requirements of looked after children; achieving an ethnic match has not always been successful.</p> <p>The Fostering Network report (2019) that 90% of foster carers state their ethnicity as White British; The limited number of foster carers from ethnic minority groups, means that they are ultimately in high demand.</p>

<b>Equality Group</b>	<b>Potential positive impact</b>	<b>Potential neutral impact</b>	<b>Potential negative impact</b>	<b>Please explain your reasons for any potential positive, neutral or negative impact identified</b>
<b>Religion &amp; Belief</b>		✓		<p>The referral information on which the providers identify whether they have a suitable match for consideration, states whether the young person requests a foster carer of the same sex, religion and/or belief. However whilst every possible effort is made to match with carers of the same religion or belief, this is may not always be achievable for various reasons including lack of availability of foster carers who meet the requirements.</p> <p>Children have the right to follow their chosen religion and must be supported to ensure this happens. The contract stipulates the Provider will ensure that the child's religion is acknowledged and respected in the foster placement and that they are supported to follow their faith.</p>
<b>Sex</b>		✓		<p>As of end December 2019, 54% (193 of 357) of the LAC population was male and 46% (164) female.</p> <p>The Fostering Network report (2019) states most foster carers are female (83%) and aged between 45 and 54 with the majority (90%) of all carers who responded reporting their ethnicity as white British.</p> <p>The referral information on which the providers identify whether they have a suitable match for consideration, states whether the young person requests a foster carer of the same sex, religion and/or belief. Whilst it may be challenging to identify male carers who are main carer, every effort will be taken to achieve this.</p>
<b>Sexual Orientation</b>	✓			<p>Identifying the best match and building a positive relationship with their foster carer, supports to provide the young person with someone whom they have the confidence talk to about such issues. Having a relationship with a trusted adult can have a positive impact on the young person and support them to recognise and acknowledge their own feelings.</p>
<b>Other Vulnerable and Disadvantaged Groups</b> (eg. carers, care leavers, homeless, social/ economic deprivation, etc)	✓			<p>The Council has the same goals for the children it looks after as those of every good parent and takes seriously its moral and legal responsibility for enabling the children in its care to experience happy and fulfilled lives.</p> <p>All possible action is taken to ensure children are placed with foster carers who have the relevant training and experience to meet the individual child's needs.</p>
<b>Health Inequalities</b> (any preventable, unfair & unjust differences in health status between groups, populations)	✓			<p>The Council has the same goals for the children it looks after as those of every good parent; to see our young people flourish, to enjoy good health, to be safe and happy, to do well at school and to grow towards adulthood equipped to lead independent lives and to make their way as happy, healthy, successful and financially secure adults.</p> <p>The contract stipulates the provider will work to achieve positive health outcomes for the child. This includes ensuring</p>

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or individuals that arise from the unequal distribution of social, environmental & economic conditions within societies)				<p>they have encouraged to adopt a healthy lifestyle, and has access to information about health issues that allows them to make informed choices as they grow up</p> <p>Young people placed with framework providers are supported by the council's LAC Health Service, which means their health outcomes are being monitored</p>

<b>What actions will you take to mitigate any potential negative impacts?</b>	<b>Risk identified</b>	<b>Actions required to reduce/ eliminate negative impact</b>	<b>Who will lead on the action?</b>	<b>Timeframe</b>
	Children's specific needs are not comprehensively described by their social worker in the placement referral and matching process	<ul style="list-style-type: none"> <li>Review and update the placement search process for agency foster care placements to ensure compliancy with the new arrangement.</li> <li>Review matching processes to ensure suitable matching and placement plans to ensure</li> <li>Review communication processes to ensure providers and carers are clear on how the child's equality needs are to be met through their placement and care plans.</li> <li>Robust monitoring of referrals and placements to ensure arrangement is meeting sufficiency needs.</li> </ul>	<ul style="list-style-type: none"> <li>Placements Team Manager supported by Commissioning officer</li> <li>Placements manager supported by Commissioning officer</li> </ul>	<p>April 2020</p> <p>April 2020 and continual thereafter</p>

## 5. Monitoring and review

<b>How will you monitor these actions?</b>	Individual placements will be monitored by child's social worker and through the LAC review process. The in-house placements team may also undertake additional checks and enquiries regarding equality issues on a provider/carer based on risks that may be identified. Where appropriate, issues can be escalated to be addressed jointly at a regional level.
<b>When will you review this EIA?</b> (eg in a service redesign, this EIA should be revisited regularly throughout the design & implementation)	April 2021 or earlier if any issues or concerns are identified.

## 6. Equality Statement

- All public bodies have a statutory duty under the Equality Act 2010 to set out arrangements to assess and consult on how their policies and functions impact on the 9 protected characteristics.
- Herefordshire Council will challenge discrimination, promote equality, respect human rights, and design and implement services, policies and measures that meet the diverse needs of our service, and population, ensuring that none are placed at a disadvantage over others.
- All staff are expected to deliver services and provide services and care in a manner which respects the individuality of service users, patients, carers etc., and as such treat them and members of the workforce respectfully, paying due regard to the 9 protected characteristics.

<b>Signature of person completing EIA</b>	Sandra Griffiths, Commissioning Officer
<b>Date signed</b>	09/01/2020