# **Equality Impact Analysis Record Form 2022 – Derbyshire County Council**

#### Introduction and context

Policy/ Service under develo	Establishment of an Edge of Care and Prevention service				
Department/ Corporate		Children's Services			
Lead officer		Carol Cammiss, Executive Director of Children's Services			
EIA Team:					
Date analysis commenced:	1 <sup>st</sup> Feb 2023	Date completed:	22 <sup>nd</sup> April 2023	Date approved:	

#### Part 1. About the service/ policy or function and the reason for the EIA

#### What is the purpose of the service, policy or function?

The proposal is to seek Cabinet approval to create an Edge of Care and Prevention service within children's services, specifically focused on delivering edge of care and prevention support, as part of the Council's strategic objective to improve outcomes for children and young people through early intervention and prevention. The proposed Edge of Care and Prevention service is not a substitute for statutory safeguarding services and support. Rather the service aims to improve the conditions for children and young people who would otherwise come into or remain in care, and in so doing, improve the likelihood of better outcomes for these children and young people in the longer term.

#### Are there any proposals to change these?

The proposed service is a new service, which will incorporate the existing Preventing Family Breakdown (PFB) team and establish additional supporting functions to enhance the capacity and effectiveness of that service, and deliver additional support to children, young people and families.

### Part 2. Supporting evidence about impact

What is presently known about how the current service or policy impacts upon people with a protected characteristic, people from disadvantaged communities, armed forces personnel and other groups outlined in the Council's guidance for EIAs?

The intended beneficiaries of this service are vulnerable children and young people whose circumstances are such that, with appropriate early intervention and preventative support, they may not need to come into or remain in the care system. These children and young people could each have very different and specific circumstances, and the cohort intended to benefit from support may include children and young people with protected characteristics under the Equality Act 2010.

Analysis of Placement spend, and placement allocations carried out in January 2023 showed that children and young people from Black and Minority Ethnic Groups are over-represented in the care system, compared with White British children and young people (93.7% of Derbyshire's population are White British, yet 86% of the Children in Care population in Derbyshire are White British). The service aims to help keep children and young people safely with their families and connected to their wider communities, it will carry out targeted work with at-risk-of-care groups to achieve this. This could result in having a positive impact on the ethnicity profile of children and young people in Care in Derbyshire, and bring the profile of children and young people who need to come into the Care system more into line with the overall demographic profile of the County.

Under the Equality Act 2010, disability is a protected characteristic. An internal review of service data demonstrates that for some children and young people there are some intersectional relationships between social care vulnerability and risk of coming into the care system, and Special Educational Needs and Disabilities (SEND). Rates of exclusion from school are higher on average for children and young people with SEND; and this can heighten their vulnerability, and as a result, their risk of coming into the care system. The Edge of Care and Prevention service will help to support these children and young people through early help and intervention. In doing this, the service aims to have a positive differential impact Equalities and for children and young people with protected characteristics under the Equality Act 2010.

There are also relevant points to note about the proposed service in relation to potential impact on Age and Sex or Gender, which are covered in the sections below. There is a gap in the data for our understanding of the number of children in care in respect of their sexual orientation, sexuality and gender identity. As part of the new service data gathering will be developed to ensure we are monitoring these factors effectively to ensure consideration of additional needs or considerations regarding access to or impact of the service provision.

In terms of Age impact, the proposed service is designed to support children and young people in the County, particularly those whose circumstances make them more vulnerable to poor outcomes, and/or worse outcomes than their peers. This does mean that vulnerable older people are not targeted for support through this service, meaning that the service intends to deliver a positive differential impact on outcomes for children and young people in the County. However, the support provided by the proposed service will also include delivery of support to families, including parents and carers, which could help to balance the impact on the Age protected characteristic. Internal placement data analysis carried out in January 2023 showed that the highest proportion of children in care are young people aged 14+. The focus of the

service and support offered – based on reviews of data relating to vulnerability and needs of children and young people in Derbyshire – indicates that some vulnerable children aged 10-12 could benefit from enhanced support of the kind proposed to offer through the new service, in order to reduce the likelihood of coming into care from age 13 and thereby improve the prognosis for better life outcomes in the longer term. Consultation with professionals has brought to light that there could be a range of significant benefits arising from targeted support for vulnerable children and young people aged 10-12, as support for older children in care can have limited impact on improved outcomes in the longer-term. As with the issue relating to the over-representation of boys in the Care system, there is a possibility that the criteria for accessing support may apply more to some children and young people at certain ages than others, which could potentially mean that some children and young people of particular ages (e.g. 10-12) are more likely to receive support than children of other ages. The age profile of the children and young people receiving support from the proposed service will be closely monitored once the service is operational, and any differential impacts reported to governance groups such as the Strategy Delivery Board within Children's Services (chaired by the Executive Director for Children's Services) with any issues flagged for discussion.

In terms of Sex or Gender impact, it is worth noting that boys are over-represented in the care system: the internal Placements Analysis completed in January 2023 showed that there are 33% more male placements (566) than female placements (424). The proposed Edge of Care and Prevention service aims to support children and young people to remain with their families and outside the care system whenever it is safe and in their best interests to do so; given the over-representation of boys in the care system it is possible that vulnerable male children and young people may also be over-represented in the overall group of children and young people eligible for support from the service. This will be closely monitored once the service is operational, and any differential impacts reported to governance groups such as the Strategy Delivery Board within Children's Services (chaired by the Executive Director for Children's Services) with any issues flagged for discussion.

The implementation and delivery of the service will require additional employees and staff recruitment for the service will follow the fair processes as per the Public Sector Equality Duty. Posts will be advertised in accessible formats and locations; selection will be undertaken according to Derbyshire's policies and procedures.

The service will be available to all eligible children and families within Derbyshire County. Service performance and evaluation will set out a demographic and characteristic profile of the children, young people and families supported by the service – in order to help determine the scale and type of impact on Equalities made by the service once it goes live.

#### Please detail the sources for the above information

- Chesterfield Financial Review, June 2022 (internal to DCC)
- Placements Analysis, January 2023 (internal to DCC)
- 2021 Census dataset

- NSPCC research overview relating to children in care (<u>Looked after children | NSPCC Learning</u>)
- Community Care: overview of research into backgrounds of children coming into care (Children in poorest areas '10 times more likely to enter care' (communitycare.co.uk)

Is consultation planned/ has consultation take place? If Yes, what is this telling us about the likely impact on the protected characteristic and other communities/ groups etc.?

A staff reference group has been involved and engaged in the review work underpinning design of the proposed service, and the design process itself. Feedback from children and families to existing services has also been incorporated into the work to design the service. Formal consultation may be required with existing staff in the Preventing Family Breakdown service as there will be a change in expectations for working hours to allow for a more flexible service. HR advice is being sought to enable this is done according to statutory requirements. Partner agencies are being consulted and engaged in development with the model starting with an Early Intervention and Prevention-focused partnership event on 21st April, and further consultation and engagement in development and implementation of the model will follow that event. Further consultation with children and families as well as community groups is also planned as part of the implementation phase, and particular attention will be paid to the inclusion of any potentially disadvantaged groups or representatives. If there is insufficient information to determine likely impact, what information is needed and how will it be obtained in the future?

Access to support provided by the proposed Edge of Care and Prevention service will be contingent on satisfaction of criteria relating to levels of need in relation to thresholds for support. The process of assessing eligibility for support will generate data relating to the needs and the circumstances of individual children. For those who are eligible, the impact of support offered on outcomes will be tracked and monitored through the service. This approach will enable the service managers to determine which interventions are delivering a beneficial impact, and which if any are less successful, to enable the support to be tailored appropriately to the needs of the child as far as possible. This record-keeping and service monitoring will also help the service to review its impact on outcomes for any children and young people with protected characteristics under the Equality Act.

As the service is being developed there is planned engagement with voluntary and community groups, there will be particular focus on the local groups that may represent the specific needs of disadvantaged communities and where this may be different across Derbyshire as well as those representing the needs of specific protected characteristics such as LGBTQ+ groups.

The Strategy Delivery Board (SBD), Chaired by the Executive Director for Children's Services, which has been established to steer the delivery of the Children's Services Strategy 2022-25 and flagship projects and programmes within the strategy (including the Edge of Care and Prevention Service) will undertake formal quarterly reviews of performance of the service, which will enable the Board to determine what types of impact the Edge of Care and Prevention service is having, including the impacts on children and young people with protected characteristics under the Equality Act 2010. Updates to Members and members of the Corporate Management Team on service performance will include a section on Equality Impact and impact on children and young people with protected characteristics.

### Part 3. Analysing and assessing the impact by equality Protected Characteristic group

Use the information, customer feedback and other evidence to determine upon whom the policy/ service and any proposed changes will impact upon and how, highlighting where these have a negative, positive or no impact, including where this could constitute unfair treatment, limit access, or result in additional inequality or disadvantage, hardship, or exclusion.

For any identified negative potential impact, you must provide details of any action or options which could mitigate against this, and in serious cases, you should highlight where the Council would be advised not to proceed with a new or changing policy or service, including any proposals which are being considered.

Please use your action plan towards the rear of this document to record the action and the monitoring that will take place to deliver or identify appropriate mitigation.

Protected Characteristic or Group	Positive impact	Negative impact	No impact
All protected characteristics			
(Please describe)	Please see the specific example	s of potential impact on protected ch	naracteristics below.
Age	Anticipated positive impact	Potential negative impact	
(Please describe)	circumstances make them more does mean that vulnerable olde service intends to deliver a post County. However, the support princluding parents and carers, we internal placement data analysis care are young people aged 14 relating to vulnerability and need	vulnerable to poor outcomes, and/or people are not targeted for suppositive differential impact on outcome ovided by the proposed service will a which could help to balance the imposed carried out in January 2023 showed +. The focus of the service and supposed so children and young people in De	ole in the County, particularly those whose or worse outcomes than their peers. This rt through this service, meaning that the es for children and young people in the elso include delivery of support to families, eact on the Age protected characteristic. It that the highest proportion of children in apport offered – based on reviews of data erbyshire – indicates that some vulnerable proposed to offer through the new service,

Protected Characteristic	Positive impact	Negative impact	No impact
Disability (Please describe)	life outcomes in the longer term range of significant benefits arising 12, as support for older children with the issue relating to the own criteria for accessing support may which could potentially mean the likely to receive support than chewill be the inclusion of siblings for an exclusionary factor. The age service will be closely monitore governance groups such as the Director for Children's Services)  Anticipated positive impact  Under the Equality Act 2010,	in Consultation with professionals had ing from targeted support for vulneratin care can have limited impact on inter-representation of boys in the Carly apply more to some children and yeart some children and young people ildren of other ages. As the service or support and intervention which will profile of the children and young people donce the service is operational, Strategy Delivery Board within Child with any issues flagged for discussional disability is a protected characteristic.	thereby improve the prognosis for better as brought to light that there could be a able children and young people aged 10-mproved outcomes in the longer-term. As are system, there is a possibility that the young people at certain ages than others, of particular ages (e.g. 10-12) are more will be working with whole families there ensure that age of children in itself is not ople receiving support from the proposed and any differential impacts reported to dren's Services (chaired by the Executive on.
	Disabilities (SEND). Rates of exc SEND; and this can heighten the Edge of Care and Prevention se and intervention. In doing this, the and young people with protected initial review will be carried out to Educational Needs or Disabilities tailored to meet their needs. The proposed service will be closel reported to governance groups s	clusion from school are higher on aver vulnerability, and as a result, their rvice will help to support these child e service aims to have a positive different characteristics under the Equality estimate the proportion of potential to see (SEND), in order to assess the experiment of children and young peoply monitored once the service is of	
Gender re-assignment			No specific anticipated impact
(Please describe)		•	tic. Service monitoring and management re can be no compulsion to provide this

Protected Characteristic or Group	Positive impact	Negative impact	No impact	
	information) as part of the process for accessing support. Assuming Equality data is shared by the service user, any children, young people or families in receipt of support with this protected characteristic will be identified through this process and it will be possible from that point to consider any particular needs or requirements that might apply, as well as to track impact on outcomes for individuals with this protected characteristic. Appropriate training will be provided to the team for awareness raising and where children and young people or parents/carers are identified as requiring specific support, appropriate advice and information will be sought from relevant agencies or representative groups.			
Marriage & civil partnership <sup>1</sup>			No specific anticipated impact	
(Please describe)	This protected characteristic doe Prevention service.	es not apply to the scope or mission	of the proposed Edge of Care and	
Pregnancy & maternity			No specific anticipated impact	
(Please describe)	Other than to say that it is possible that some of the parents who may receive support directly or indirectly through the proposed service may be pregnant, there is no specific intended impact on this protected characteristic. Service monitoring and management will seek to capture Equality data as far as possible (accepting there can be no compulsion to provide this information) as part of the process for accessing support. Assuming Equality data is shared, anyone in receipt of support with this protected characteristic will be identified through this process and it will be possible from that point to consider any particular needs or requirements that might apply, as well as to track impact on outcomes for individuals with this protected characteristic. For staff within the service Derbyshire's policies will be followed for anyone who is or becomes pregnant, or requires any form of parental/carers leave.			
Race & ethnicity	Potential positive impact	Potential negative impact		
(Please describe)	Analysis of Placement spend and placement allocations carried out in January 2023 showed that children and young people from Black and Minority Ethnic Groups are over-represented in the care system, compared with White British children and young people (93.7% of Derbyshire's population are White British, however 86% of the Children in Care population in Derbyshire are White British). National research highlights the potential discrimination or disadvantage that those from certain ethnic groups may experience which may affect the likelihood of coming into care. For example the disproportionality within the criminal justice system towards			

<sup>&</sup>lt;sup>1</sup> Under EA 2010 – someone in a CP must not be treated less favourably than a married person

Protected Characteristic or Group	Positive impact	Negative impact	No impact
Or Group	making exclusion more likely. To overrepresented, the service will discrimination or unfair practices. Derbyshire highlights the diversity the local communities and engage early help). The service will ensure children will not necessarily requivelibeing. Where support is required network the team will work with of data and outcomes. The service will carry out targeted work with impact on the ethnicity profile of children and young people who reprofile of the County. Recruitments	o mitigate the risk of those from the all work with partner agencies and are not influencing decision making by of the population across the count ge with those relevant to the locality sure the use of interpreters where ruire this service as they need to be uired to prevent a placement breaked the young person with a culturally suce aims to help keep children and you at-risk-of-care groups to achieve the first come into the Care system ment to the service will attempt to respects of disproportionality, adultification.	ch affect how their behaviours are viewed se potentially disadvantage groups being review their own practice to ensure that for services. The 2021 census data within the service will review the needs of a (alongside other services such as within needed. Unaccompanied asylum seeking placed in care to ensure their safety and down or a potential move to a connected ensitive approach and ensure monitoring oung people safely with their families and his. This could result in having a positive re in Derbyshire and bring the profile of hore into line with the overall demographic effect the diversity within the county and cation and awareness raising regarding
Religion/ belief <sup>2</sup>			No specific anticipated impact
(Please describe)	There is no specific anticipated impact on this protected characteristic. Service monitoring and management will seek to capture Equality data as far as possible (accepting there can be no compulsion to provide this information) as part of the process for accessing support. Assuming Equality data is shared by the service user, any children, young people or families in receipt of support with this protected characteristic will be identified through this process and it will be possible from that point to consider any particular needs or requirements that might apply, as well as to track impact on outcomes for individuals with this protected characteristic.		
Sex or gender <sup>3</sup>	Potential positive impact	Potential negative impact	
(Please describe)	Analysis completed in January	2023 showed that there are 33% m	the care system: the internal Placements nore male placements (566) than female vice aims to support children and young

Under EA 2010 – must also consider non-religious belief
 Sex and gender can be used at different times depending upon whether you are referring to the EA 2010 and the different duties which exist

Protected Characteristic or Group	Positive impact	Negative impact	No impact
	to do so; given the over-represe and young people may also be of support from the service. If this receiving support could be that f of over-representation. However impact, in that a greater number monitored once the service is o	ntation of boys in the care system it over-represented in the overall group proved to be the case, the positive of ewer boys come into the care system, this could also arguably be an exter of boys would receive support of perational, and any differential impartition of the could receive support of the cou	enever it is safe and in their best interests is possible that vulnerable male children of children and young people eligible for differential impact of more boys than girls m, which could help to address the issue ample of a potential negative differential compared with girls. This will be closely acts reported to governance groups such by the Executive Director for Children's
Sexual orientation			No specific anticipated impact
(Please describe)	will seek to capture Equality da information) as part of the procuser, any children, young peopidentified through this process requirements that might apply, characteristic. Staff recruitment regarding the required awareness	ta as far as possible (accepting the ess for accessing support. Assumin le or families in receipt of support and it will be possible from that possible as well as to track impact on outcomill follow the appropriate process	tic. Service monitoring and management are can be no compulsion to provide this g Equality data is shared by the service with this protected characteristic will be point to consider any particular needs or comes for individuals with this protected es and training will be given to all staff cific needs and vulnerabilities for children th LGBTQ+ groups.
Human Rights			No specific anticipated impact
(Please describe)	and in their best interests to do people and families, there is no management will seek to captur provide this information) as part service user, any children, young be identified through this process	so, which could be argued speaks specific likely impact on this protect re Equality data as far as possible (a of the process for accessing support g people or families in receipt of sup ss and it will be possible from that p	rain with their families wherever it is safe to the human rights of children, young ed characteristic. Service monitoring and accepting there can be no compulsion to . Assuming Equality data is shared by the sport with this protected characteristic will coint to consider any particular needs or comes for individuals with this protected

Protected Characteristic or Group	Positive impact	Negative impact	No impact	
Armed Forces personnel/ households			No specific anticipated impact	
(Please describe)	There is no specific potential impact on this protected characteristic. Service monitoring and management will seek to capture Equality data as far as possible (accepting there can be no compulsion to provide this information) as part of the process for accessing support. Assuming Equality data is shared by the service user, any children, young people or families in receipt of support with this protected characteristic will be identified through this process and it will be possible from that point to consider any particular needs or requirements that might apply, as well as to track impact on outcomes for individuals with this protected characteristic.			
Users of British Sign Languages			No specific anticipated impact	
(Please describe)	There is no specific likely impact on this protected characteristic. Service monitoring and management will seek to capture Equality data as far as possible (accepting there can be no compulsion to provide this information) as part of the process for accessing support. Assuming Equality data is shared by the service user, any children, young people or families in receipt of support with this protected characteristic will be identified through this process and it will be possible from that point to consider any particular needs or requirements that might apply, as well as to track impact on outcomes for individuals with this protected characteristic.			
DCC Employees	Potential positive impact in terms of development opportunities	Potential changes to working hours subject to review and consultation		
(Please describe)	Overall the proposed Edge of Care and Prevention service represents an opportunity for future staff development, with the creation of new roles and enhanced support functions. A staff reference group has been involved and engaged in the review work underpinning design of the proposed service, and the design process itself. Formal consultation may be required with existing staff in the Preventing Family Breakdown service as there will be a change in expectations for working hours to allow for a more flexible service. HR advice is being sought to enable this is done according to statutory requirements.  The existing terms and conditions for current staff in the Preventing Family Breakdown team will need			
			es are followed. The existing job roles of e requirements of the service for flexible	

Protected Characteristic or Group	Positive impact	Negative impact	No impact	
	hours. A considerable amount of recruitment activity will be required for the posts to be filled. This will be prioritised by the appropriate managers within Childrens services with some limited consultancy support already commissioned from within the Children's Services budget. Recruitment for the service will follow the fair processes as per the Public Sector Equality Duty.			
Community and Voluntary sector organisations working with protected characteristic groups			No specific likely impact	
(Please describe)	In the first instance, the proposed new service will consist of staff employed directly by the local authority. As the model is being developed there is the potential to work in partnership with statutory partners, and community and voluntary sector organisations – for example, those working with vulnerable children and young people and/or in the area of family support or representing particular groups. Opportunities for partnership working with community and voluntary sector organisations, and subsequent potential impact on groups with protected characteristics, will be progressed as part of the implementation and delivery of the service.			
Other not listed above	N/A	N/A	N/A	
(Please describe)				

## Part 4. Summary of main findings

Overall the proposed Edge of Care and Prevention service aims to make a positive differential impact on several groups with protected characteristics under the Equality Act 2010. Some of these intended positive differential impacts sit alongside potential negative differential impacts which need to be closely monitored. Overall impact on Equality groups and characteristics will be monitored closely once the service becomes operational, with any issues flagged for discussion and decision to the Strategy Delivery Board (Chaired by the Executive Director of Children's Services). Members and other governance groups such as the Corporate Management Team will also be supplied with Equality Impact data as part of updates on the functioning and delivery of the service.

## Are there any recommendations for changes to proposals?

No

# Part 5. Proposed Equality Action Plan

Please complete this Action Plan to outline any mitigation you intend to take.

Issue identified	Action required to reduce impact/ mitigate	Timescale and responsibility	Monitoring and review arrangements
Ensuring that the proposed service can assess the impact of its delivery on groups with protected characteristics including Sex or Gender, Age, and Ethnicity	Capture Equality monitoring data and information relating to beneficiaries from the service as far as possible, for the purposes of monitoring Equality Impact once the service is operational	From October 2023	<ul> <li>Monthly review of Equality Impact data within the service as part of operational management</li> <li>Quarterly updates on Equality Impact to Strategy Delivery Board</li> </ul>
Ensuring that the proposed service can assess the impact of its delivery on people with disabilities (e.g. children and young people with SEND)	Carry out an initial review prior to service go-live to estimate the proportion of potential beneficiaries from the service with Special Educational Needs or Disabilities (SEND), in order to assess the extent to which the service may need to be tailored to meet their needs.	July – September 2023	Report on outcomes of the review to be delivered to the Strategy Delivery Board prior to go-live in October 2023
	Capture Equality monitoring data and information relating to beneficiaries from the service as far as possible, for the purposes of monitoring Equality Impact once the service is operational	From October 2023	<ul> <li>Monthly review of Equality Impact data within the service as part of operational management</li> <li>Quarterly updates on Equality Impact to Strategy Delivery Board</li> </ul>

Issue identified	Action required to reduce impact/ mitigate	Timescale and responsibility	Monitoring and review arrangements
Ensure that staff are appropriately engaged and consulted on development and implementation of the proposed service	Continue to work with staff reference group to shape design of the proposed service Working closely with HR colleagues to ensure appropriate staff consultation and recruitment processes are followed	Currently underway, concluding with proposed go- live in October 2023	<ul> <li>Quarterly updates on progress and flagging any issues for discussion and decision with the Strategy Delivery Board</li> </ul>
The potential gaps in information about particular characteristics such as gender and identity.	As part of Children's services development plan to ensure data gathering and monitoring. To work with relevant community groups to ensure understanding and actions are informed.	From October 2023	<ul> <li>Quarterly updates on progress and flagging any issues for discussion and decision with the Strategy Delivery Board</li> </ul>

## Date and outcome of any Cabinet/ Cabinet Member or Council Report to which this was attached and their decision:

This EIA will be attached to a report submitted to 15<sup>th</sup> June 2023 Cabinet.

## **Checklist for EIA**

Action/ checks	Date	Name
1 <sup>st</sup> draft agreed		
Consultation completed		
2 <sup>nd</sup> draft agreed		
Forwarded to Policy & Research		

Comments received from Policy & Research	
Forwarded to HR	
Comments received from HR	
Forwarded to Legal Services	
Comments received from Legal Services	
EIA revised in light of above (if applicable)	
Signed off by DMT/ Senior Officer/ CMT	
Authorised for Cabinet or another committee	
Uploaded to Derbyshire Democracy site	
Decision noted	
Final copy forwarded to Policy for uploading to website	
Monitoring and review after 6/12 months	