

Equality Impact Analysis Record Form 2022 – Derbyshire County Council

Introduction and context

Policy/ Service under development/ review	Internal Fostering Service – Full Allowances Review				
Department/ Corporate	Children’s Services				
Lead officer	Robert Hayward				
EIA Team:	Luke Impey, Steve Cordingley, Sophie James				
Date analysis commenced:	September 2022	Date completed:	19 July 2023	Date approved:	15 August 2023

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

What is the purpose of the service, policy or function?
<ul style="list-style-type: none">• Derbyshire County Council (DCC) Fostering Service recruits, maintains and supports foster carers to provide foster homes to children and young people in care in Derbyshire.• Foster carer allowances are to cover the cost of caring for a child in care, including food, clothing, toiletries, travel, festivities, and other expenses incurred.• Allowances are also made to recognise foster carers time, skill and experience.• Foster carers are registered self-employed, HMRC identify specific qualifying care relief.• National minimum standards are set by the Department for Education (DfE) and inspected by Ofsted within the inspecting local authority children’s services inspection (ILACS).• National minimum allowances are published every financial year, though DCC allowances are identified and set by Derbyshire.

Are there any proposals to change these?

- The Fostering Modernisation Programme (FMP) / Fostering Development Plan (FDP) between 2022 and 2025 is reviewing current Fostering Service provision with the aim of ensuring 'Fostering and placement sufficiency/futureproof Specialist Services through alignment and modernisation of services developing a new therapeutic Fostering Service' [Children Services Strategy 2022/-2025]
- Any agreed changes to the current allowances will impact on:
 - Marketing, recruitment, and retention of Foster Carers
 - Recognition of the costs to raise a child in care within the fostering service
- Interdependencies with commissioned places through independent fostering agencies (IFA's) and children's residential placements
- Fostering is a critical role within the early help, sufficiency of places, children in care residential options, ensuring best outcomes for children

Key changes to the current framework include:

- Increase in many rates to align with D2N2 and ensure competitive
- Clarification of rate calculations
- Removal of historical / legacy influence that creates confusion
- Clarity and uniform use of language
- Improved transparency of framework
- No change to the weekly fostering allowance, recently impacted by annual uplift
- Change in what's currently identified as 'fostering skills allowance', reflect regional partners and change to per child rather than per household allocation
- Re-introduction of annual reward following annual review

Draft framework comparator to current



Enc. 2 for Appendix
3 Fostering allowan

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?

- [Want to foster? - Derbyshire County Council](#) - 24/03/23: "...foster carers come from a variety of different backgrounds and can be married or single, young or older, in work or not. You might be in a civil partnership, straight, gay, trans or bisexual."
- Anyone can apply to be a Foster Carer.

Foster Carer Register extract (26/06/2023)

Team allocations

	Households	Placements
Contract care team	38	67
North team	72	126
High Peak team	33	51
South team	64	101
Disability team	47	85

Gender

	Main carer	Secondary Carer
Male	15	187
Female	245	10
Unknown		1

Ethnicity

	Main carer	Secondary Carer
White British	248	187
White Irish	2	4
White & Asian	2	
White & Black Caribbean	1	1
Indian	1	1

African	1	
Other white	2	1
Other black	1	
Other ethnic	1	1
Refused	1	
Not yet gained		3

Registered to care for

1 child / young person - 109

2 child / young person - 110

3 child / young person - 40

Please detail the sources for the above information

Foster carer register

Derbyshire County Council Website

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.?

Wider FMP / FDP Consultation:

- Foster Carer's Council, Autumn 2022 and Spring Term 2023
- Foster Carer's focus groups, November 2022 – March 2023
- Foster Carers FMP survey via Fostering Bulletin, November 2022
- Foster Carer Annual Survey, March 2023
- Fostering Service team meetings
- D2N2 fostering group
- Initial 'Allowance focus group', March 2023, attendance 14

Summary:

Title	FMP Consultation	FMP Survey	Fostering Annual Survey	Allowance focus group
Date	November 2022– March 2023	November 2022	March 2023	March 2023
Attending Foster Carers	13	37 completed	102 completed	14
Foster carers representing	mainstream carer, disability carer, contract carer, short break carer High Peak & North Dales, South, County Wide	Anonymous results	Anonymous results	mainstream carer, disability carer, contract carer, short break carer High Peak & North Dales, South, County Wide
Pay related comments	Yes	referenced by 29%	Referenced by All. 54.9% said doesn't cover costs	Yes
Cost of living impact	Yes	referenced by 4%	Yes	Yes

Combined results:

<ul style="list-style-type: none"> • Weekly allowance • Skills allowance • Skills payment – rates and per child not household • Allowance too low • Not comparable to other LAs/IFAs • Contract care rates – second child etc • Short Break allowances • Holiday allowance rates / eligibility criteria 	<ul style="list-style-type: none"> • Introductory payment when start • Refer a friend payment • Annual review bonus • Long Service Bonus • Retirement – pension 	<ul style="list-style-type: none"> • Support in leaving care • Council tax exemption • Pay for coffee and chat • Trips for children • Free school meals • Pocket money appropriate rates (can be taken for granted) • Mileage • Cost of a car • Baby Costs • Nursery costs • Cost of Living • Rising cost of gas and electricity for heating
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- Complex Pay Structure
- Foster Carers Undervalued

Allowances specific consultation

- Full Allowance foster carer consultation, 3 consultation meetings, May – June 2023
- Foster carer team service 'Allowances', round 1 – 22 & 24 May, round 2 7 June 2023
- Foster Carer Council, extraordinary meeting, June 2023
- CIC bowling trip 26/02/2023

Summary:

Title	Full allowance meeting 1	Full allowance meeting 2	Full allowance meeting 3	Foster Carer Council	Team allowance focus group 1	Team allowance focus group 2
Date	16 May	24 May	20 June	21 June	22 & 24 May	7 June
Attending Foster Carers	Invited 27	Invited 27	Invited 27	Invited 41	All Teams	All Teams
Foster carers representing	mainstream carer, disability carer, contract carer, short break carer	mainstream carer, disability carer, contract carer, short break carer	mainstream carer, disability carer, contract carer, short break carer		mainstream carer, disability carer, contract carer, High Peak & North Dales, South Friends and family	disability carer, High Peak & North Dales,

Combined results:

Foster Carer comments	Team focus group comments	Foster carer council comments
<ul style="list-style-type: none"> • Lack of consistency between SB and Contract Care 	<ul style="list-style-type: none"> • Clarity of handbook • Mileage rates confirmed for F&F 	<ul style="list-style-type: none"> • Council tax exemption being reviewed within corporate parent board

<ul style="list-style-type: none"> • More effort required to maintain foster carers • Tax thresholds and any increases • Clarity on all allowances • Speed of claims – furniture, short breaks, emergency • Mileage and clothing can be claimed online which speeds up process can this be offered elsewhere • The amount of payment chasing is frustrating • Improve incentives to attend and support marketing events • Festivities and birthday payments can be delayed [highlighted these are automatic payments] • Mobile phone allowance for children? policy would need to be investigated 	<ul style="list-style-type: none"> • F&F placements that do not continue to due to allowances • Reg 24 payments confused and delayed due to budget within locality not fostering (creates significant email traffic) • Different locality teams' application of handbook • Placement planning meetings and need for standardised budget allocations • School uniform and a one-off allowance rather than very year? • Delays in property extensions • Fostering team member who can support and understand allowances • Contract care half rate • Feedback from other LA's where increased rates was IFA foster carers returning to LA • Streamline allowances process where possible • Clear and consistent message with any communications • Simplify handbook • Consider other items – childcare • Pocket money – develop independence • Lengthy processes – CA4 • Difference in FC team procedures with funding forms [vary' s SSW time involved] MOSAIC? 	<ul style="list-style-type: none"> • Free school meals • Role of foundation level banding • Discussed uniform and clothing allowances • Discussed tea coffee and chat re-imbursments • Changed out of hours placements proposals
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	<ul style="list-style-type: none"> • FC forms online – IPAD issues • How to check carers have claimed all annual allowances that are self-claimed? 	
<p>Childs voice collected via children’s participation team (including bowling event 26/02/2023) includes comments regards being part of a family, move visits with birth parents, playing outside, having fun, having to move so often, and pocket money. Pocket money will be developed into greater clarity within support documentation and guides.</p>		
<p>If there is insufficient information to determine likely impact, what information is needed and how will it be obtained in the future?</p>		
<p>Impact will be over two phases Phase 1 (before September cabinet papers) – delivery of new framework and new allowance structure. Phase 2 (post September cabinet paper) – process and procedure development which will be delivered within communication plan and materials for sector and workforce.</p>		

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	<p>Improved transparency of allowances framework</p> <p>Ensure all foster carers receive all appropriate allowances across Derbyshire</p>	<p>New framework which will require additional support to ensure understanding and implementation</p>	<p>Removal of legacy allowances to improve transparency</p> <p>Improved collaboration across the D2N2</p> <p>Recruitment of foster carers</p>
(Please describe)	<p>New framework will improve clarity and transparency of all allowances appropriate to all foster carers, children and young people.</p> <p>The new framework will be supported with a communication plan to staff and foster carers to ensure implementation and understanding of new rates and framework, which provides an opportunity to remove a few legacy payments.</p> <p>Removal of legacy allowances from previous allowance frameworks will not result in any foster carer receiving reduced total allowances.</p> <p>D2N2 provides a regional collaboration opportunity.</p> <p>Who can foster for Derbyshire, as per policy, reflected in Derbyshire.gov.uk , “We don't look for a particular type of person. Just like parents, foster carers come from a variety of different backgrounds and can be married or single, young or older, in work or not. You might be in a civil partnership, straight, gay, trans or bisexual.”</p> <p>National Minimum Standards</p> <p>[Page 29] 13.5) Checks are carried out in line with regulation 26 and prospective foster carers understand why identity checks, relationship status and health checks, personal references and enquiries are undertaken about them and why enhanced CRB checks are made on them and adult members of their household.</p>		
Age			<p>Age of the child is relevant for some of the allowances within the framework which reflects the national minimum standards, based upon the costs of raising a child in care.</p>

Protected Characteristic or Group	Positive impact	Negative impact	No impact
(Please describe)	<p>The current age profile of foster carers in Derbyshire is 21 – 76 (26/06/2023)</p> <p>Recruitment statement “21 is the youngest age that we consider for fostering for Derbyshire, but we don’t have any upper age limits.”</p> <p>No legal limit is set, Derbyshire along with other local, regional and national agencies and services identify 21 inline with the law for adoption. Any decision of application by a young person aged between 18-20 would not be based solely on age.</p>		
Disability			No impact
(Please describe)	<p>Foster carers need to be physically and psychologically fit enough to care for children and meet their needs. Medical information is only one part of the assessment process. There is nothing in the fostering regulations or standards that would direct a fostering service to turn down an application based on any named illness, disability, past or current medication or treatment.</p>		
Gender re-assignment			No impact
(Please describe)			
Marriage & civil partnership¹			No impact
(Please describe)			
Pregnancy & maternity			No impact
(Please describe)			
Race & ethnicity			No impact

¹ 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
(Please describe)			
Religion/ belief²			No impact
(Please describe)			
Sex or gender³			No impact
(Please describe)			
Sexual orientation			No impact
(Please describe)			
Human Rights			No Impact
(Please describe)			
Armed Forces personnel/ households			No impact
(Please describe)			
Users of British Sign Languages			No Impact
(Please describe)			
DCC Employees			No Impact
(Please describe)			

² Under EA 2010 – must also consider non-religious belief

³ 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

<i>Protected Characteristic or Group</i>	<i>Positive impact</i>	<i>Negative impact</i>	<i>No impact</i>
Community and Voluntary sector organisations working with protected characteristic groups			No Impact
(Please describe)			
Other not listed above			No Impact
(Please describe)			

Part 4. Summary of main findings

Action plan will identify communication plan and ensure all protected groups have accessible materials to understand the new allowances framework.

Consultation groups provided significant input and engagement to deliver and guide the new framework.

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
Communication plan	<p>Engage with corporate communication team</p> <p>Share developing materials with foster carer focus group to ensure transparent and understandable</p> <p>Deliver outcomes over two phases, phase 1 – agree framework, phase 2 – process and procedure change</p> <p>Key communication documents via new framework model, glossary</p>	<p>Immediate</p> <p>Within foster carer council for one year following implementation</p> <p>Phase 1 – up to September 2023 Phase 2 – September to December 2023</p> <p>Cabinet – 21 September 2023 phase 2 – September to December 2023</p>	<p>Head of service, fostering board meeting</p> <p>Head of service at termly foster carer council meeting</p> <p>Head of service, fostering board meeting</p> <p>Head of service, fostering board meeting</p>
Protected payments from legacy framework change	<p>Impacts 5 foster carers, new rates are greater than current protected fostering skills allowance rate</p>	<p>Immediate, discussion with foster carers regards potential impact and change which could result in agreeing to terminate current contract and move over to new rates</p> <p>Implementation of new framework – finalise and agree mitigation</p>	<p>Head of service</p> <p>Head of service</p>
Link care 0-4 age group, due to alignment to the weekly fostering allowance rather	<p>This impacts only 1 link care foster carer currently, based upon current and historical</p>	<p>Immediately upon implementation</p>	<p>Head of service</p> <p>Finance</p>

Issue identified	Action required to reduce impact/ mitigate	Timescale and responsibility	Monitoring and review arrangements
<p>than a 0-10 age band, a reduction in rate currently £447.32 to £421.47</p> <p>Impacts 1 foster carer in the 2022/2023 financial year</p>	<p>data the carer will be impacted by an estimated £80 per year until 05/2026 if care is maintained at current levels. Note £80 will reduce with each annual inflation linked rise which will impact on the weekly fostering allowance element.</p> <p>Note these foster carers also will receive the significant increase in skills allowance in the fostering professional fee which is also paid pro rata.</p>	<p>Finance to calculate and supplement allowance until child becomes 5 (06/2026) or child no longer attends</p>	

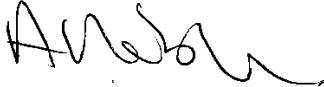
Date and outcome of any Cabinet/ Cabinet Member or Council Report to which this was attached and their decision:

15 June 2023, Full Cabinet, Fostering annual allowance increase

21 September 2023, Full Cabinet, Fostering Allowances Review

Checklist for EIA

Action/ checks	Date	Name
1 st draft agreed		

Consultation completed		
2 nd 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	15 August 2023	
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		