

Equality & Human Rights Impact Assessment (EHRIA)

This Equality and Human Rights Impact Assessment (EHRIA) will enable you to assess the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service** for equality and human rights implications.

Undertaking this assessment will help you to identify whether or not this policy/ practice/ procedure/ function/ service** may have an adverse impact on a particular community or group of people. It will ultimately ensure that as an Authority we do not discriminate and we are able to promote equality, diversity and human rights.

Before completing this form please refer to the EHRIA [guidance](#), for further information about undertaking and completing the assessment. For further advice and guidance, please contact your [Departmental Equalities Group](#) or equality@leics.gov.uk

***Please note: The term 'policy' will be used throughout this assessment as shorthand for policy, practice, procedure, function or service.*

Key Details	
Name of policy being assessed:	Children and Family Services – A Policy & Practice Framework (March 2016)
Department and section:	Children & Family Services Department
Name of lead officer/ job title and others completing this assessment:	Moira O'Hagan Head of Strategy Brian Greenwood Principal Social Worker
Contact telephone numbers:	0116 3055233
Name of officer/s responsible for implementing this policy:	Moira O'Hagan
Date EHRIA assessment started:	26/4/16
Date EHRIA assessment completed:	4/5/16

Section 1: Defining the policy

Section 1: Defining the policy

You should begin this assessment by defining and outlining the scope of this policy. You should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights, as outlined in Leicestershire County Council's Equality Strategy.

1	<p>What is new or changed in this policy? <i>What has changed and why?</i></p> <p>This is a new policy setting out a practice framework to guide and support the implementation of a consistent approach to working directly with children, young people and their families. This builds from work within the department to create a clear vision and ethos will support ongoing work with regard to practice development. The development of a framework is based on actual practice and experience from a range of teams and services within the department</p>
2	<p>Does this relate to any other policy within your department, the Council or with other partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i></p> <p>This policy relates directly to the Children and Family Services Departmental philosophy which is based on the following:</p> <ul style="list-style-type: none"> ❖ Children must be protected from harm and neglect and children's safety remains our priority. For a small minority of children and young people, we know that it will not be safe for them to live with their families. Children and young people who are living away from their families need stability and permanence in their lives. Current departmental policy sets out our principles in this matter: 'All children have a right to experience family life, and wherever it is consistent with their health and welfare this should be with their own families (LCC Permanence Policy 2013 Revised 2016). ❖ The Munro Review of Child Protection (2011) highlighted the importance of building resilience and reducing risk for families. We know that for the vast majority of children, growing up in their family networks and being close to their own communities is far better for them than living with strangers. In Leicestershire we want to work with families in ways that ensure more and more children can live within their own support networks and communities. ❖ Children need to receive the right help, at the right time. This means providing the lowest level of intervention necessary to meet need, working with families to help them resolve their issues and support them to get back on track as quickly as possible. ❖ The department will work with the child's wider family and their supportive networks and connections to help families do their best for their children and achieve the changes that will work for them in the longer term. The strengths, skills and knowledge of families and their networks will help build solutions and support the family's capacity to change and keep children safe. ❖ We know from both national research and our own practice experience that the children living in families who are isolated with few or poor social networks are at higher risk of poor outcomes, of neglect, abuse, and poor mental health. Helping parents identify and seek support at the earliest point from within their neighbourhood or naturally occurring networks can help strengthen families and support parents when

	they are struggling or feel overwhelmed. Working in this way helps to build solutions owned by families, providing greater safety for children and young people.										
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>It is the intention to introduce and embed a consistent approach to practice across the department. All teams undertaking direct work with children, young people and their families will be supported to adopt the approach in their work. Therefore all those referred to teams within the department will be affected by this.</p> <p>In developing the framework the goals are to;</p> <ul style="list-style-type: none"> Identify and adopt a clear methodology for working with families across the continuum of services across the department. Harness the families' strengths as well as identifying concerns, risks or worries and developing shared goals and clear plans to create change. Be explicit and consistent in the way we make decisions – we must be able to show our analysis and evidence our rationale for all decisions taken including how we have taken into account the family's views. Ensure that practice is compassionate and based on <u>working with</u> families to help them change – not <u>doing to</u> families. The plan for achieving change is the family's plan. They describe the steps they will take to improve their situation. Enable practitioners to engage successfully with all families – even when there is denial of harm, or families are wary or fearful of professionals. <p>The work for the Children & Family Services Department covers children, young people and families who represent all of the protected characteristics, Recent needs analysis work contributing to the JSNA evidences our understanding of local needs in relation to children, young people and their families. It is important to note that in some situations we are working with an individual particularly identified with one or more of the protected characteristics (for example in relation to age or disability)</p> <p>It is our view that the roll out of a practice framework will support the development of high quality practice in face to face work with families. Using a strength based model for intervention will increase the chances of successfully engaging with vulnerable families, This approach will also be helpful in ensuring that the responsibility for change rests with the family and their wider network. This means any plan created will have a far greater chance of succeeding, and thereby achieving positive outcomes for children and young people.</p> <p>Currently different teams take different approaches in their work. Over time, embedding the practice approach across a broader range of teams will extend the positive impact for children and their families engaged with the department A consistent approach will promote a shared methodology to quality assurance and scrutiny which will help drive up standards and quality of care provided for all children, including the most vulnerable.</p>										
	<p>4 Will this policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? (Please tick and explain how)</p> <table border="1"> <thead> <tr> <th></th> <th>Yes</th> <th>No</th> <th>How?</th> </tr> </thead> <tbody> <tr> <td>Eliminate unlawful discrimination, harassment and victimisation</td> <td style="text-align: center;">✓</td> <td></td> <td>We know from research (Jutte et al 2014) and our own practice experience that the children living in families who are isolated with few or poor social networks are at higher risk of poor outcomes, of neglect, abuse, and poor mental health. Working</td> </tr> </tbody> </table>					Yes	No	How?	Eliminate unlawful discrimination, harassment and victimisation	✓	
	Yes	No	How?								
Eliminate unlawful discrimination, harassment and victimisation	✓		We know from research (Jutte et al 2014) and our own practice experience that the children living in families who are isolated with few or poor social networks are at higher risk of poor outcomes, of neglect, abuse, and poor mental health. Working								

				in this way helps to build solutions owned by families, providing greater safety for children and young people.
	Advance equality of opportunity between different groups	✓		Helping parents identify and seek support at the earliest point from within their neighbourhood or naturally occurring networks can help strengthen families and support parents when they are struggling or feel overwhelmed.
	Foster good relations between different groups	✓		As above

Section 2: Equality and Human Rights Impact Assessment (EHRIA) Screening

Section 2: Equality and Human Rights Impact Assessment Screening

The purpose of this section of the assessment is to help you decide if a full EHRIA is required.

If you have already identified that a full EHRIA is needed for this policy/ practice/ procedure/ function/ service, either via service planning processes or other means, then please go straight to [Section 3](#) on Page 7 of this document.

Section 2

A: Research and Consultation

		Yes	No*
5.	Have the target groups been consulted about the following?		
	a) their current needs and aspirations and what is important to them;	✓	
	b) any potential impact of this change on them (positive and negative, intended and unintended);	✓	
	c) potential barriers they may face		
6.	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?	✓	
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?	✓	

It should be noted that Leicestershire has been one of ten Local Authorities taking part in the England Innovation Project. Recent surveys and interviews with parents and

young people experiencing the approach adopted in direct work and in case conferences have provided clear feedback on the impact. For example the recent audit of case conferences (see below)



Summary CC Audit
2015.ppt

8. *If you answered 'no' to the question above, please use the space below to outline what consultation you are planning to undertake, or why you do not consider it to be necessary.

N/A

Section 2

B: Monitoring Impact

9.	Are there systems set up to:	Yes	No
	a) monitor impact (positive and negative, intended and unintended) for different groups;	✓	
	b) enable open feedback and suggestions from different communities	✓	

Existing systems routinely monitor the impact of interventions on children and families; primarily through systems of audit and practice observations. The process embedded within the approach itself seeks open feedback to capture the voice of young people and their carers. In addition specific routes for feedback are routinely offered to young people and families from different communities such as 'pop up' events, complaints & compliments processes, appreciative inquiry, for example.

Note: If no to Question 8, you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.

Section 2

C: Potential Impact

10.	Use the table below to specify if any individuals or community groups who identify with any of the ' protected characteristics ' may <u>potentially</u> be affected by this policy and describe any positive and negative impacts, including any barriers.		
	Yes	No	Comments
Age	✓		As referenced in section 3, the department works with a wide range of children and young people across the full age range (pre-birth to 19/25). The practice frameworks provides tools and processes which ensure that the views and experiences of children regardless of issues such as age or development can be captured and influence the

			work & decision making.
Disability	✓		The practice framework provides tools and processes which ensure that the views and experiences of children regardless of ability can be captured and influence the work & decision making.
Gender Reassignment	✓		The desired outcome of this practice framework is that services provided are inclusive and can provide an appropriate level of service for those with additional needs regardless of the assignment of gender
Marriage and Civil Partnership	✓		Regardless of relationship status (including that of parents or other family members), children's needs are central to decision making.
Pregnancy and Maternity	✓		Direct work within department teams is targeted at those with additional needs. Therefore young people, or those more vulnerable in society, who are expecting children will be supported.
Race	✓		Regardless of race, children's needs are central to decision making.
Religion or Belief	✓		Regardless of religion or belief, children's needs are central to decision making.
Sex	✓		Regardless of children's sex, children's needs are central to decision making.
Sexual Orientation	✓		As above. The desired outcome is that services are inclusive and can provide an appropriate level of service for those with additional needs regardless of sexual orientation.
Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	✓		Services are provided for those families with additional needs and existing risk factors. Priority groups have been identified through the needs assessment and set out in the departmental commissioning strategy.

	Community Cohesion	✓		Current activity within services supports community cohesion. The approach described in the practice framework places significant emphasis on the strengths of networks and communities.
11.	<p>Are the human rights of individuals <u>potentially</u> affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? (Please tick)</p> <p>Explain why you consider that any particular article in the Human Rights Act may apply to your policy/ practice/ function or procedure and how the human rights of individuals are likely to be affected below: [NB. Include positive and negative impacts as well as barriers in benefiting from the above proposal]</p>			
		Yes	No	Comments
Part 1: The Convention- Rights and Freedoms				
	Article 2: Right to life		✓	
	Article 3: Right not to be tortured or treated in an inhuman or degrading way		✓	
	Article 4: Right not to be subjected to slavery/ forced labour		✓	
	Article 5: Right to liberty and security		✓	
	Article 6: Right to a fair trial		✓	
	Article 7: No punishment without law		✓	
	Article 8: Right to respect for private and family life	✓		Working in the way set out in the framework will help to build solutions owned by families, providing greater safety, stability and success for children and young people.
	Article 9: Right to freedom of thought, conscience and religion		✓	
	Article 10: Right to freedom of expression	✓		The practice frameworks provides tools and processes which ensure that the views of children, young people and their families can be captured and directly influence the work & decision making.
	Article 11: Right to freedom of assembly and association		✓	

	Article 12: Right to marry		✓	
	Article 14: Right not to be discriminated against	✓		Children's needs are central to decision making within the practice framework.
Part 2: The First Protocol				
	Article 1: Protection of property/ peaceful enjoyment		✓	
	Article 2: Right to education		✓	
	Article 3: Right to free elections		✓	
Section 2				
D: Decision				
12.	Is there evidence or any other reason to suggest that:	Yes	No	Unknown
	a) this policy could have a different affect or adverse impact on any section of the community;		✓	
	b) any section of the community may face barriers in benefiting from the proposal		✓	
13.	Based on the answers to the questions above, what is the likely impact of this policy			
	No Impact <input type="checkbox"/>	Positive Impact <input checked="" type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input type="checkbox"/>
Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.				
14.	Is an EHRIA report required?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	

Section 2: Completion of EHRIA Screening

Upon completion of the screening section of this assessment, you should have identified whether an EHRIA Report is required for further investigation of the impacts of this policy.

Option 1: If you identified that an EHRIA Report is required, continue to [Section 3](#) on Page 7 of this document to complete.

Option 2: If there are no equality, diversity or human rights impacts identified and an

EHRIA report is not required, continue to [Section 4](#) on Page 14 of this document to complete.

Section 3: Equality and Human Rights Impact Assessment (EHRIA) Report

Section 3: Equality and Human Rights Impact Assessment Report

This part of the assessment will help you to think thoroughly about the impact of this policy and to critically examine whether it is likely to have a positive or negative impact on different groups within our diverse community. It is also to identify any barriers that may detrimentally affect under-represented communities or groups, who may be disadvantaged by the way in which we carry out our business.

Using the information gathered either within the EHRIA Screening or independently of this process, this EHRIA Report should be used to consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights as outlined in Leicestershire County Council's Equality Strategy.

Section 3

A: Research and Consultation

When considering the target groups it is important to think about whether new data needs to be collected or whether there is any existing research that can be utilised.

15. Based on the gaps identified either in the EHRIA Screening or independently of this process, how have you now explored the following and what does this information/data tell you about each of the diverse groups?
- a) current needs and aspirations and what is important to individuals and community groups (including human rights);
 - b) likely impacts (positive and negative, intended and unintended) to individuals and community groups (including human rights);
 - c) likely barriers that individuals and community groups may face (including human rights)

16.	Is any further research, data collection or evidence required to fill any gaps in your understanding of the potential or known affects of the policy on target groups?
<p>When considering who is affected by this proposed policy, it is important to think about consulting with and involving a range of service users, staff or other stakeholders who may be affected as part of the proposal.</p>	
17.	Based on the gaps identified either in the EHRIA Screening or independently of this process, <u>how</u> have you further consulted with those affected on the likely impact and <u>what</u> does this consultation tell you about each of the diverse groups?
18.	Is any further consultation required to fill any gaps in your understanding of the potential or known effects of the policy on target groups?

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Section 3

B: Recognised Impact

19. Based on any evidence and findings, use the table below to specify if any individuals or community groups who identify with any 'protected characteristics' are likely be affected by this policy. Describe any positive and negative impacts, including what barriers these individuals or groups may face.

	Comments
Age	
Disability	
Gender Reassignment	
Marriage and Civil Partnership	
Pregnancy and Maternity	
Race	
Religion or Belief	
Sex	
Sexual Orientation	
Other groups e.g. rural isolation, deprivation,	

	health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	
	Community Cohesion	

20.	Based on any evidence and findings, use the table below to specify if any particular Articles in the Human Rights Act are <u>likely</u> apply to your policy. Are the human rights of any individuals or community groups affected by this proposal? Is there an impact on human rights for any of the protected characteristics?	
		Comments
	Part 1: The Convention- Rights and Freedoms	
	Article 2: Right to life	
	Article 3: Right not to be tortured or treated in an inhuman or degrading way	
	Article 4: Right not to be subjected to slavery/ forced labour	
	Article 5: Right to liberty and security	
	Article 6: Right to a fair trial	
	Article 7: No punishment without law	
	Article 8: Right to respect for private and family life	
	Article 9: Right to freedom of thought, conscience and religion	
	Article 10: Right to freedom of expression	
	Article 11: Right to freedom of assembly and association	
	Article 12: Right to marry	
Article 14: Right not to be		

	discriminated against	
	Part 2: The First Protocol	
	Article 1: Protection of property/ peaceful enjoyment	
	Article 2: Right to education	
	Article 3: Right to free elections	
Section 3		
C: Mitigating and Assessing the Impact		
Taking into account the research, data, consultation and information you have reviewed and/or carried out as part of this EHRIA, it is now essential to assess the impact of the policy.		
21.	If you consider there to be actual or potential adverse impact or discrimination, please outline this below. State whether it is justifiable or legitimate and give reasons.	
N.B.		
i) If you have identified adverse impact or discrimination that is <u>illegal</u> , you are required to take action to remedy this immediately.		
ii) If you have identified adverse impact or discrimination that is <u>justifiable or legitimate</u> , you will need to consider what actions can be taken to mitigate its effect on those groups of people.		
22.	Where there are potential barriers, negative impacts identified and/or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.	
	a) include any relevant research and consultations findings which highlight the best way in which to minimise negative impact or discrimination	
	b) consider what barriers you can remove, whether reasonable adjustments may be necessary, and how any unmet needs that you have identified can be addressed	
	c) if you are not addressing any negative impacts (including human rights) or	

	potential barriers identified for a particular group, please explain why
Section 3	
D: Making a decision	
23.	Summarise your findings and give an overview as to whether the policy will meet Leicestershire County Council's responsibilities in relation to equality, diversity, community cohesion and human rights.

Section 3	
E: Monitoring, evaluation & review of your policy	
24.	Are there processes in place to review the findings of this EHRIA and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?
25.	How will the recommendations of this assessment be built into wider planning and review processes? <i>e.g. policy reviews, annual plans and use of performance management systems</i>

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**Section 3:
F: Equality and human rights improvement plan**

Please list all the equality objectives, actions and targets that result from the Equality and Human Rights Impact Assessment (EHRIA) (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Objective	Action	Target	Officer Responsible	By when

Section 4: Sign off and scrutiny

Upon completion, the Lead Officer completing this assessment is required to sign the document in the section below.

It is required that this Equality and Human Rights Impact Assessment (EHRIA) is scrutinised by your [Departmental Equalities Group](#) and signed off by the Chair of the Group.

Once scrutiny and sign off has taken place, a depersonalised version of this EHRIA should be published on Leicestershire County Council's website. Please send a copy of this form to louisa.jordan@leics.gov.uk, Members Secretariat, in the Chief Executive's department for publishing.

Section 4

A: Sign Off and Scrutiny

Confirm, as appropriate, which elements of the EHRIA have been completed and are required for sign off and scrutiny.

Equality and Human Rights Assessment Screening

Equality and Human Rights Assessment Report

1st Authorised Signature (EHRIA Lead Officer): Michelle Reynolds

Date: 08.06.16



2nd Authorised Signature (DEG Chair):



Date: 08.06.16