

## 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](mailto:equality@leics.gov.uk)

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

<b>Key Details</b>	
<b>Name of policy being assessed:</b>	16 plus accommodation
<b>Department and section:</b>	Children and Family Services Department
<b>Name of lead officer/ job title and others completing this assessment:</b>	Chris Nerini Head of Strategy Angie Lymer-Cox Service Manager-Placements
<b>Contact telephone numbers:</b>	Angie Lymer-Cox 0116 305 4732
<b>Name of officer/s responsible for implementing this policy:</b>	Chris Nerini - Head of Strategy Angie Lymer-Cox Service Manager Placements
<b>Date EHRIA assessment started:</b>	18/9/15 Due to the recent commissioning and Procurement exercise for 16 plus accommodation and the recent VCS review this EHRIA is being utilised as meets the same agenda.
<b>Date EHRIA assessment completed:</b>	18/9/15. Alterations have been made to reflect

any differences to the previous 16 Plus commissioning exercise.

## 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>The Children and Families Department commission three contracts which are due to come to an end in June 2016.</p> <p>Catch 22 which is a provision of 10 flats which are supported Bacca and Youth Shelter which are resources for Unaccompanied Asylum Seeking Children and Beaumaris and Daneshill which provide emergency accommodation. There will be a proposal to DMT that all contracts end as stated and only the resource for UASC is recommissioned in the Leicester area. It is currently in Loughborough.</p> <p>The Children and Family Services Department now has an opportunity to consider future commissioning requirements for housing and housing related support for 16 and 17 year olds and Unaccompanied Young people</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>The resources are only for the use of Leicestershire Social Care Services. Including Placements service, YOS, Strengthening families.</p> <p>Children in Care Pledge; <a href="http://www.leics.gov.uk/index/social_services/children_young_people/children_looked_after/lac_services_for/corporate_parenting/pledge.htm">www.leics.gov.uk/index/social_services/children_young_people/children_looked_after/lac_services_for/corporate_parenting/pledge.htm</a></p> <p>The Care Leavers Charter: <a href="https://www.gov.uk/government/publications/care-leavers-charter">https://www.gov.uk/government/publications/care-leavers-charter</a></p>
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>The affected group are care leavers, homeless teenagers assessed as being in need of a social care service, young offenders, looked after young people.</p>
4	<p>Will this policy meet the Equality Act 2010 requirements to have due regard to the need to</p>

meet any of the following aspects? (Please tick and explain how)			
	Yes	No	How?
Eliminate unlawful discrimination, harassment and victimisation	X		The commission process has involved the key stakeholders for the provision to ensure there is no discrimination against vulnerable groups identified in these contracts. Views of service users have been gathered in a previous procurement exercise of the same resources.
Advance equality of opportunity between different groups	X		Young people using the resources being commissioned currently are able to access the resources based on need identified through assessment to ensure they are placed effectively. A new contract which will meet the needs of the same group of young people will ensure through a panel the young people are not disadvantaged when accessing resources.
Foster good relations between different groups	X		The consultation has provided clear, transparent and open communication with all stakeholders, partners and some service users to ensure their voices are heard in line with the requirements of the Local Authority Public Sector Equality Duty.

## 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.

<b>Section 2</b>			
<b>A: Research and Consultation</b>			
<b>5.</b>	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	<b>Yes</b>	<b>No*</b>
		Yes	
		Yes	
		Yes	
<b>6.</b>	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?	N/A	
<b>7.</b>	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?	Yes	
<b>8.</b>	*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.		

<b>Section 2</b>			
<b>B: Monitoring Impact</b>			
<b>9.</b>	Are there systems set up to:  a) monitor impact (positive and negative, intended and unintended) for different groups;  b) enable open feedback and suggestions from different communities	<b>Yes</b>	<b>No</b>
		Standard contract monitoring procedures will exist for any new service provision. There is an obligation within this monitoring to record and receive any complaints and commendations with regard to service delivery and feedback from service users will be a key element of the contract monitoring process	
		<b>Yes</b>	

**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 potentially be affected by this policy and describe any positive and negative impacts, including any barriers.

	Yes	No	Comments
<b>Age</b>	X		These resources provide accommodation till the age of 18. On occasion just over to allow for the correct housing resource to be in place,
<b>Disability</b>	X		The services provided through the existing contracts are not specifically commissioned to provide services to this group of young people; however some of the young people requiring accommodation are deemed vulnerable and may have a range of special needs including mental health and learning disabilities. As some of the young people requiring support have additional needs these will be addressed through any re-commissioning and procurement process.
<b>Gender Reassignment</b>		X	The services provided through the current contracts are not specifically commissioned to provide services to this group of young people. It may be that the young people have additional needs and these will be addressed through any re-commissioning and procurement process.
<b>Marriage and Civil Partnership</b>		X	The services provided through the current contracts are not specifically commissioned to provide services to young people who may be married or in a civil partnership.
<b>Pregnancy and Maternity</b>	X		Young women are able to use the resources currently commissioned.
<b>Race</b>		X	All services are open to all people, regardless of their race. The existing services do not therefore discriminate against YP by race, nor do the contracts and agreements include specific clauses to protect this protected characteristic
<b>Religion or Belief</b>		x	All services are open to all people, regardless of their religion or belief. Current contract monitoring information for

				the services does not include details about the religion or beliefs of YP. However, it is accepted that a person's decision to access the services might be affected by religion or beliefs
	<b>Sex</b>		<b>x</b>	All of the resources are open to all young people.
	<b>Sexual Orientation</b>	<b>X</b>		Current contract monitoring information for the service does not include detail about the sexual orientation of YP, however, it is accepted that a person's decision to access the services might be affected by their sexual orientation (such as social exclusion). Some of the services provided may be to young people that are lesbian, gay, and bi-sexual or transgender, however all services are accessible to CYP regardless of their sexual orientation.
	<b>Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities</b>	<b>X</b>		It has been identified that the provision for Asylum seeking children is placed in the wrong area. Young people in those resources have to travel to Leicester the main city in Leicestershire to see friends of their own community and access ESOL courses. Loughborough college do not provide ESOL courses.
	<b>Community Cohesion</b>	<b>X</b>		It is critical young people feel a part of their community hence the need to ensure provision is in the correct localities and towns.
<b>11.</b>	<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? <b>(Please tick)</b></p> <p>Explain why you consider that any particular <a href="#">article in the Human Rights Act</a> 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>			
		<b>Yes</b>	<b>No</b>	<b>Comments</b>
	<b>Part 1: The Convention- Rights and Freedoms</b>			
	<b>Article 2: Right to life</b>	<b>X</b>		Young people aged have the same right as others to feel safe and secure and able to live their life with choice about the future path

			with effective support and guidance.
<b>Article 3: Right not to be tortured or treated in an inhuman or degrading way</b>	<b>X</b>		The consultation has considered and taken into consideration services providing support to children in care who may have experienced abuse or neglect, and especially those seeking asylum Keeping children and young people safe is a Departmental priority
<b>Article 4: Right not to be subjected to slavery/ forced labour</b>		<b>X</b>	N/A
<b>Article 5: Right to liberty and security</b>	<b>X</b>		Providers of new provision for services that include accommodation and support to be re-commissioned will be expected to include risk assessments as part of any support process for those children and young people most vulnerable including those who may be identified as Offenders or at risk of engaging in anti-social behaviour.
<b>Article 6: Right to a fair trial</b>	<b>X</b>		The right to have the correct representations and voice as part of this review has been identified as a priority within the consultation process completed and future consultation with target groups.
<b>Article 7: No punishment without law</b>		<b>X</b>	N/A
<b>Article 8: Right to respect for private and family life</b>	<b>X</b>		The provision of resources will be commissioned on the basis we want young people to respect an value in their communities and by those individuals who work with them
<b>Article 9: Right to freedom of thought, conscience and religion</b>	<b>X</b>		The Consultation has included the support needs of young people that may be Unaccompanied Asylum Seeking Children, leaving care, or that will require their religious and cultural needs to be considered.
<b>Article 10: Right to freedom of expression</b>		<b>X</b>	N/A
<b>Article 11: Right to freedom of assembly and association</b>		<b>X</b>	N/A
<b>Article 12: Right to marry</b>		<b>X</b>	N/A
<b>Article 14: Right not to be discriminated against</b>	<b>X</b>		The review has given consideration and due regard to the Public Sector Equality Duty
<b>Part 2: The First Protocol</b>			
<b>Article 1: Protection of property/ peaceful enjoyment</b>		<b>X</b>	N/A
<b>Article 2: Right to education</b>		<b>X</b>	N/A

	<b>Article 3: Right to free elections</b>		<b>X</b>	N/A
<b>Section 2</b>				
<b>D: Decision</b>				
<b>12.</b>	Is there evidence or any other reason to suggest that:	<b>Yes</b>	<b>No</b>	<b>Unknown</b>
	a) this policy could have a different affect or adverse impact on any section of the community;		<b>X</b>	
	b) any section of the community may face barriers in benefiting from the proposal		<b>X</b>	
<b>13.</b>	Based on the answers to the questions above, what is the likely impact of this policy			
	The loss of resources for emergency accommodation and flats for care leavers means less resource. But the impact is unknown as current new contracts may meet the need			
	No Impact <input type="checkbox"/>	Positive Impact <input type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input checked="" type="checkbox"/>
<b>Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.</b>				
<b>14.</b>	Is an EHRIA report required?	Yes <input type="checkbox"/> Y	No <input 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)

As part of the strategic review of these services it is becoming clear that further work will be required to mitigate action with key stakeholders.

- 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?

Locally, work has commenced to review the existing provision for this group of young people as part of the preparation and planning for future service development and provision. The discussions so far have included representation from the Youth Offending Service (YOS) and social care staff, including the Placement Commissioning service. The meetings have been held over a 3 month period between the 8<sup>th</sup> October 2014 and 23<sup>rd</sup> December 2014 for the recent procurement of Adullam and there has been an analysis meeting and a planning meeting in the last two month's with the same stakeholder group including Strengthening families.

Young people who use the resources have been asked to share their views and

opinions regarding the services provided to enable effective commissioning in the future.

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.

**17.** Based on the gaps identified either in the EHRIA Screening or independently of this process, how have you further consulted with those affected on the likely impact and what does this consultation tell you about each of the diverse groups?

A significant number of young people have responded directly to the consultation in respect of the impact of funding changes. Those using the service have clearly stated that the services supported them to avoid being homeless and enabled them to be independent. The evidence from that review has fed into what works for young people in terms of current provision and will be used in any review.

**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?

No

### 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
<b>Age</b>	See section 2 Table 10
<b>Disability</b>	See section 2 Table 10
<b>Gender Reassignment</b>	See section 2 Table 10
<b>Marriage and Civil Partnership</b>	See section 2 Table 10

<b>Pregnancy and Maternity</b>	See section 2 Table 10
<b>Race</b>	See section 2 Table 10
<b>Religion or Belief</b>	See section 2 Table 10
<b>Sex</b>	See section 2 Table 10
<b>Sexual Orientation</b>	See section 2 Table 10
<b>Other groups</b> e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	See section 2 Table 10
<b>Community Cohesion</b>	See section 2 Table 10

<b>20.</b>	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?	
		<b>Comments</b>
<b>Part 1: The Convention- Rights and Freedoms</b>		
<b>Article 2: Right to life</b>	<b>See section 2 Table 11</b>	
<b>Article 3: Right not to be tortured or treated in an inhuman or degrading way</b>	<b>See section 2 Table 11</b>	
<b>Article 4: Right not to be subjected to slavery/ forced</b>	<b>See section 2 Table 11</b>	

	<b>labour</b>	
	<b>Article 5: Right to liberty and security</b>	<b>See section 2 Table 11</b>
	<b>Article 6: Right to a fair trial</b>	<b>See section 2 Table 11</b>
	<b>Article 7: No punishment without law</b>	<b>See section 2 Table 11</b>
	<b>Article 8: Right to respect for private and family life</b>	<b>See section 2 Table 11</b>
	<b>Article 9: Right to freedom of thought, conscience and religion</b>	<b>See section 2 Table 11</b>
	<b>Article 10: Right to freedom of expression</b>	<b>See section 2 Table 11</b>
	<b>Article 11: Right to freedom of assembly and association</b>	<b>See section 2 Table 11</b>
	<b>Article 12: Right to marry</b>	<b>See section 2 Table 11</b>
	<b>Article 14: Right not to be discriminated against</b>	<b>See section 2 Table 11</b>
	<b>Part 2: The First Protocol</b>	
	<b>Article 1: Protection of property/ peaceful enjoyment</b>	<b>See section 2 Table 11</b>
	<b>Article 2: Right to education</b>	<b>See section 2 Table 11</b>
	<b>Article 3: Right to free elections</b>	<b>See section 2 Table 11</b>
<b>Section 3</b>		
<b>C: Mitigating and Assessing the Impact</b>		
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.		
<b>21.</b>	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.	
<p>It is anticipated that there may be an adverse impact as a result of a reduction in funding but that this will be across the board and not specific to any one of the protected characteristics.</p> <p>A positive impact of the potential changes will be the needs of the UASC young people will be better met in Leicester where the communities are more diverse than areas of Leicestershire.</p> <p>Young people in emergency accommodation will also know that this is part of their plan and the accommodation is of a good standard with support on site whilst assessments take place.</p>		

N.B.

i) If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.

ii) If you have identified adverse impact or discrimination that is justifiable or legitimate, 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

The effects of any reduction in provision is believed to be mitigated through a new contract catering for the client group affected by the reduction.

### 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.

The process of the consultation has enabled groups and individuals who may be adversely affected by the changes to discuss current provision and what works well. The recent procurement exercise and the current stakeholder discussions have given a clear view of what works for young people and the potential options as we go forward.

### 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?

The current recently commissioned service will provide resources for the client group affected by the ending of the contracts except for the asylum seekers. This will be reviewed through contract monitoring.

- 25.** How will the recommendations of this assessment be built into wider planning and

review processes?

*e.g. policy reviews, annual plans and use of performance management systems*

The services will be specifically commissioned to ensure that the needs of this group of young people are being met. Through this process and the development of the new performance management systems, including clear outcomes for delivery, we will ensure that appropriate and relevant data is collated and used to inform the needs assessment going forward to ensure continuous improvement and flexibility to deliver as the populations may change.

**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.

<b>Equality Objective</b>	<b>Action</b>	<b>Target</b>	<b>Officer Responsible</b>	<b>By when</b>
Ensuring good quality accommodation for vulnerable young people	Procurement of accommodation which ensure the needs of UASC are met	Ensuring UASC have culturally appropriate resources which meets their needs	Angie Lymer-Cox/Joss Longman	By June 2016
Monitoring the impact of the new Adullam contract on the provision of emergency accommodation	To quickly assess whether emergency placements have been made to the Adullam provision	Those in need of emergency accommodation have their needs met	Angie Lymer-Cox/Joss Longman	End of November 2015
Ensuring views of all services users and key stakeholders feed into the commissioning cycle	A meeting was held with key stakeholders. Questionnaires were formulated and completed with young people in 16 + resources. A questionnaire is being distributed to the UASC young people in the	To ensure the voice of all stakeholders is heard	Angie Lymer-Cox	Partly completed

	current provision to gain their view's.			
Ensure DEG is aware of the commissioning cycle and any equality impact which may arise through an update in six months	To take a brief report back to DGE in six months in terms of quality assurance	O enable the monitoring of equality issues in the commissioning process	Angie Lymer-Cox	March 2016



## 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](mailto: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**

1<sup>st</sup> Authorised Signature (EHRIA Lead Officer):

Angie Lymer-Cox.....

Date: 18/9/15.....

2<sup>nd</sup> Authorised Signature (DEG Chair): ..... Neil Hanney



04.11.15