

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:	Young Carer Services from April 2015 onwards
Department and section:	Early Help, Children and Family Services
Name of lead officer/ job title and others completing this assessment:	Stuart Cross – Youth Work Manager, Early Help Amy Lewis – Young Carers Project Officer
Contact telephone numbers:	Stuart Cross - 0116 3056338 Amy Lewis – 0116 3056939
Name of officer/s responsible for implementing this policy:	Stuart Cross
Date EHRIA assessment started:	7 th November 2014
Date EHRIA assessment completed:	3 rd December 2014

Section 1: Defining the policy

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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 Care Act 2014 and Children and Families Act 2014, which become law in April 2015, signify a strengthening of support and recognition for young carers in the UK. Both Acts address the needs of young carers, including a duty on both Adults and Childrens Services with regards to this group.</p> <p>The main changes being brought in by the legislation are as follows:</p> <p><u>The Children and Families Act</u> Amendments to Section 17 of the Children Act 1989 to:</p> <ul style="list-style-type: none">• Extend the right to an assessment of needs for all young carers under the age of 18, regardless of who they care for, what type of care they provide or how often they provide it• Assessment is due on request or on appearance of need• Local authority teams (both adults and children's) have to ensure young carer are identified• Whole family approach – assessments of young carers to include an assessment of the person they care for and any other relevant wider family network• Engage proactively with other agencies, such as Schools, engaging in prevention work to reduce need for local authority young carer support <p><u>The Care Act</u> Amendments to Section 17 of the Children Act 1989, as shown above will work with provisions in the Care Act 2014 so as to apply equally to both children's and adults services. For example:</p> <ul style="list-style-type: none">• Guidance for the Care Act reinforces the 'whole family approach'. When assessing an adult needing care, if it appears that a child is involved in this care, the young carer's wellbeing, welfare, education and development must be considered. Young carers should not be left with inappropriate levels of caring.• Adult services must identify young carers in the household, and make provision for that child/young person to receive a young carers assessment via children's services.• The transition of young carers reaching adulthood are also now included. If he/she is likely to have needs for support as a carer post 18, an assessment by adult services prior to their 18th birthday should take place, to ensure a smooth transfer from children's services to adult services support.
2	Does this relate to any other policy within your department, the Council or with other

	<p>partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i></p> <ul style="list-style-type: none"> • Carers Strategy: Supporting the Health and Wellbeing of Carers 2012-15 (local authority and health joint strategy) and EIA 2012 Carers Strategy: Supporting the Health and Wellbeing of Carers 2012-15 (local authority and health joint strategy) • EIA 2005 - Strategy for the Identification of Young Carers • EHRIA 2014 – Joint Carers Policy, young carers aspects – (Adults and Communities. Children and Young People’s Service) 														
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>The young carer support offer, as outlined in the new legislation, has the potential to affect any child/young person aged 18 or under.</p> <p>Outcomes – The Care Act and The Children and Family Act make specific reference to ‘young carers’ for the first time in English legislation. This represents a positive impact for young carers, as such recognition in law will contribute to less young carers remaining ‘under the radar’ of services.</p> <p>Specifically, previously unknown young carers will be proactively identified by the local authority (regardless of whether their initial contact is with children’s or adult services). They will be recognised as having a ‘caring role’, if appropriate, assessed to ascertain their needs as a young carers and sufficient support put in place, ensuring inappropriate and/or excessive young caring does not continue.</p>														
4	<p>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>Y</td> <td></td> <td> <p>Those with caring responsibilities are identified as having one of the additional ‘protective characteristics’ in the Equality Act. This policy’s aim is to positively impact on this group.</p> <p>In reviewing policies, services and procedures in preparation for changes brought about by the incoming legislation, it has been possible to consider different groups of young carers (both engaged and currently unidentified), who are likely to benefit from the proposed changes, who might be adversely affected and what mitigating actions are required to enable them to access support.</p> <p>In general terms, the outcomes for young carers are enhanced by the changes in legislation.</p> </td> </tr> <tr> <td>Advance equality</td> <td></td> <td></td> <td>As above.</td> </tr> </tbody> </table>				Yes	No	How?	Eliminate unlawful discrimination, harassment and victimisation	Y		<p>Those with caring responsibilities are identified as having one of the additional ‘protective characteristics’ in the Equality Act. This policy’s aim is to positively impact on this group.</p> <p>In reviewing policies, services and procedures in preparation for changes brought about by the incoming legislation, it has been possible to consider different groups of young carers (both engaged and currently unidentified), who are likely to benefit from the proposed changes, who might be adversely affected and what mitigating actions are required to enable them to access support.</p> <p>In general terms, the outcomes for young carers are enhanced by the changes in legislation.</p>	Advance equality			As above.
	Yes	No	How?												
Eliminate unlawful discrimination, harassment and victimisation	Y		<p>Those with caring responsibilities are identified as having one of the additional ‘protective characteristics’ in the Equality Act. This policy’s aim is to positively impact on this group.</p> <p>In reviewing policies, services and procedures in preparation for changes brought about by the incoming legislation, it has been possible to consider different groups of young carers (both engaged and currently unidentified), who are likely to benefit from the proposed changes, who might be adversely affected and what mitigating actions are required to enable them to access support.</p> <p>In general terms, the outcomes for young carers are enhanced by the changes in legislation.</p>												
Advance equality			As above.												

	of opportunity between different groups	Y		
	Foster good relations between different groups	Y		As above. The balance of needs between young carers, the person they care for and any other relevant members of the young carers wider support network are addressed, eg. in assessment, using a whole family approach

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

Section 2: Equality and Human Rights 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;	X	
	b) any potential impact of this change on them (positive and negative, intended and unintended);		X*
	c) potential barriers they may face	X	
6.	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?	X	
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?		X*
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.		
	*Changes are being introduced in legislation and represent a positive impact for young carers. No services are being reduced. Extensive consultation has been undertaken on a national level, facilitated by the Carer Trust with young carers, young adult carers and their families. The relevance of this national consultation to		

	local policy has been considered and as a result, there is no need for further local consultation.
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Section 2

B: Monitoring Impact

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

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

9.	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
	Age	X		Currently, when young carers turn 18, support from Children's services ceases, often leaving a significant 'drop' in support, with no handover/introduction to adult carer services. The Care Act will require young carers to undergo a 'transitions' assessment by adult services prior to their 18 th birthday. This represents a positive impact for young carers 16+ who will benefit from a managed transition to adult carer support, tailored to their individual needs at this stage in their lives.
	Disability	X		National research has found that young carers are 1.5 times more likely than their peers to have a special educational need or a disability ¹ There is currently no local data on this issue, however the enhanced duties in the Act increases the likelihood of more young cares being identified and being supported in both their caring role and regards their own disability.
	Gender Reassignment		X	

¹ http://www.childrenssociety.org.uk/sites/default/files/tcs/report_hidden-from-view_young-carers_final.pdf

	Marriage and Civil Partnership		X	
	Pregnancy and Maternity	X		There is potential for a teenage parent to be a mutual carer, also looking after a relative. There is poor data in this area, however, it is likely that this group will positively benefit from more awareness of young caring, as brought about by the Act.
	Race	X		Nationally young carers have been found to be 1.5 more likely than their peers to be from black, Asian or minority ethnic communities and are twice as likely not to speak English as their first language ² . In Leicestershire 6% of young carers receiving support in 2013/14 were from BME communities. Broadly children/young people from BME communities are under-represented as recipients of local authority services. It is reasonable to suggest that a positive impact will be seen for young carers from BME backgrounds resulting from changes in the Act, due to an increase in awareness, identification, assessment and subsequent support.
	Religion or Belief	X		Work is required national and locally on understanding the impact of religion or belief on the caring role, however it is reasonable to suggest that a positive impact will be seen for young carers from all religious backgrounds or belief systems, due to an increase in awareness, identification, assessment and subsequent support of all young carers.
	Sex	X		Locally and nationally young carers are equally likely to be boys or girls. For example for 2013/14 in Leicestershire 56% of young carers receiving services were female, 44% male. Therefore young carers of both genders will potentially benefit from the positive impacts of the new legislation as more proactive identification is likely to result in better support.
	Sexual Orientation	X		Work is required national and locally on understanding the impact of sexual orientation on the caring role, however it is reasonable to suggest that a positive impact will be seen for young carers regardless of sexual orientation, due to an increase in awareness, identification, assessment and subsequent support of all young carers.
	Other groups e.g. rural	X		Young carers living in rurally isolated communities are often less likely to be in

² http://www.childrenssociety.org.uk/sites/default/files/tcs/report_hidden-from-view_young-carers_final.pdf

	isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities			receipt of services, particular peer support, due to lack of transport/access, linked to the illness/disability of the cared-for person and/or financial constraints. Young carers are also often living in poverty. Nationally, the average annual income for families with a young carer is £5000 less than families who do not have a young carer. ³ Through better recognition and identification, these young carers are more likely to be supported and as such, benefit positively from the new legislation.
	Community Cohesion	X		As more young carers and their families are identified it is likely that they will be signposted to support within their local community. By engaging in activities/services in their area, the stigma associated and felt by many families where there is a disability will potentially be reduced, representing a positive impact on community cohesion as a result of the new legislation.
10.	<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		X	
	Article 3: Right not to be tortured or treated in an inhuman or degrading way		X	
	Article 4: Right not to be subjected to slavery/ forced labour		X	
	Article 5: Right to liberty and security		X	
	Article 6: Right to a fair trial		X	
	Article 7: No punishment without law		X	
	Article 8: Right to respect for private and family life	X		Both legislation makes reference to 'whole family assessment' The balance of needs between young carers, the person they care

³ http://www.childrenssociety.org.uk/sites/default/files/tcs/report_hidden-from-view_young-carers_final.pdf

				for and any other relevant members of the young carers wider support network are to be addressed. Encouraging positive outcomes for family cohesion/life
	Article 9: Right to freedom of thought, conscience and religion		X	
	Article 10: Right to freedom of expression		X	
	Article 11: Right to freedom of assembly and association		X	
	Article 12: Right to marry		X	
	Article 14: Right not to be discriminated against	X		The term 'young carer' appears for the first time in UK legislation. The recognition and strengthening of support in the Acts, highlights young carers status as a vulnerable group and what provision is required. The helps reduce the likelihood of being discriminated against because of their caring responsibilities
Part 2: The First Protocol				
	Article 1: Protection of property/ peaceful enjoyment		X	
	Article 2: Right to education	X		Young carers assessment makes provision for this matter (ie the young person wishes to participate in education)
	Article 3: Right to free elections		X	
Section 2				
D: Decision				
11.	Is there evidence or any other reason to suggest that:		Yes	No
	a) this policy could have a different affect or adverse impact on any section of the community;			X
	b) any section of the community may face barriers in benefiting from the proposal			X
12.	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.				
13.	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 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

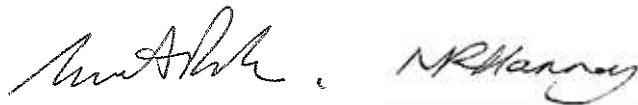
1st Authorised Signature (EHRIA Lead Officer):

Date:

2nd Authorised Signature (DEG Chair):

Date:

DEG chair (joint signatory)



14/01/2015