

## 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.

Please refer to the EHRIA [guidance](#) before completing this form. If you need any further information about undertaking and completing the assessment, 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>	Care Placement Strategy
<b>Department and section:</b>	Children and Families – Commissioning and Planning
<b>Name of lead officer/ job title and others completing this assessment:</b>	Liz Perfect – Head of Commissioning and Planning
<b>Contact telephone numbers:</b>	0116 305 4814
<b>Name of officer/s responsible for implementing this policy:</b>	
<b>Date EHRIA assessment started:</b>	09/06/2018
<b>Date EHRIA assessment completed:</b>	15/08/2018

# Section 1: Defining the policy

## Section 1: Defining the policy

You should begin this assessment by defining and outlining the scope of the 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](#).

<p>1</p>	<p>What is new or changed in the policy? <i>What has changed and why?</i></p> <p>The Leicestershire Children and Families Service Care Placement Strategy work is necessary to determine what services may be necessary to meet the needs of children, both on the edge of care and in care, and how permanence for children and young people can be achieved at an earlier stage in the child's journey.</p> <p>Leicestershire County Council Children and Family Service is reviewing pathways of care and ensuring both internal and external services have a shared understanding of the needs of vulnerable children and are able to offer flexible responsive services that work towards improved outcomes for children and families in Leicestershire. We are ambitious for our children and young people and are developing and leading services that will make a difference to their outcomes</p> <p>The Strategy acknowledges the need to co-invest, co-produce and co-deliver services with Partner organisations to optimise outcomes for young people and ensure efficiencies in costs are achieved where possible.</p> <p>The Care Placement Strategy offers an understanding of other CFS Strategies and ensures a "golden thread", identifying the overall pathway of services that vulnerable young people may require as well as ensuring that all services are focused on outcomes, prevention and permanence.</p> <p>The Care Placement Strategy is a strategic document which sets out the</p> <ul style="list-style-type: none"> <li>• Interdependencies to this strategy</li> <li>• CFS Departmental Vision</li> <li>• CFS Departmental Priorities</li> <li>• Care Placement Strategy Key Principles</li> <li>• Care Placement Strategy Approach</li> <li>• Governance and Oversight</li> <li>• Success Criteria</li> </ul>
<p>2</p>	<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 Care Placement Strategy is aligned to :</p>

	<ul style="list-style-type: none"> <li>• Corporate Strategic Plan</li> <li>• Edge of Care Strategy</li> <li>• Children and Families Departmental Plan 2017 – 20</li> <li>• Children &amp; Families Partnership Plan 2018 – 21</li> <li>• Care Planning and Decision Making Guidance 2018</li> <li>• Fostering Recruitment and Retention Strategy 2017 – 2021</li> <li>• Permanence and Adoption Strategy 2017 – 2021</li> <li>• Commissioning Strategy 2018- 2021</li> </ul>										
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>The target group is children and families in Leicestershire</p> <p>The intended change or outcome is improved pathways of care, improved outcomes and improved service delivery models.</p>										
4	<p>Will the policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? <b>(Please tick and explain how)</b></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 rowspan="3">x</td> <td rowspan="3"></td> <td rowspan="3">The Strategy aims to ensure all people are treated fairly and promotes consistent and joined-up approaches to the delivery of information and services for children, young people and families. In doing so it will support the elimination of unlawful discrimination, harassment and victimisation whilst helping to advance quality of opportunity and good relations between different groups.</td> </tr> <tr> <td>Advance equality of opportunity between different groups</td> </tr> <tr> <td>Foster good relations between different groups</td> </tr> </tbody> </table>		Yes	No	How?	Eliminate unlawful discrimination, harassment and victimisation	x		The Strategy aims to ensure all people are treated fairly and promotes consistent and joined-up approaches to the delivery of information and services for children, young people and families. In doing so it will support the elimination of unlawful discrimination, harassment and victimisation whilst helping to advance quality of opportunity and good relations between different groups.	Advance equality of opportunity between different groups	Foster good relations between different groups
	Yes	No	How?								
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## 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 a 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

5.	Have the target groups been consulted	Yes	No*
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	<p>about the following?</p> <p>a) their current needs and aspirations and what is important to them;</p> <p>b) any potential impact of this change on them (positive and negative, intended and unintended);</p> <p>c) potential barriers they may face</p>	<p>Yes – LCC has actively sought feedback from children and young people across Leicestershire on all services that are outlined in this Strategy. Consultation activity has included reviewing existing feedback from children and young people and carrying out additional direct consultation with targeted cohorts, including Children in Care and children with SEND and their families through focus groups and community events (from January to March 2018).</p>
6.	<p>If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?</p>	
7.	<p>Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?</p>	<p>The content of the strategy has also been discussed with the provider market in relation to developing a shared value base in delivering Childrens services.</p> <p>It has been developed as part of a Strategic Project Board chaired by the Director of Childrens Services and the views of key stakeholders and other organisations locally are also represented.</p>
8.	<p>*If you answered 'no' to the questions above, please use the space below to outline either what consultation you are planning to undertake or why you do not consider it to be necessary.</p>	
	<p>N/A</p>	

<b>Section 2</b>		
<b>B: Monitoring Impact</b>		
9.	Are there systems set up to:	
		<b>Yes</b>
		<b>No</b>
	<p>a) monitor impact (positive and negative, intended and unintended) for different groups;</p> <p>b) enable open feedback and suggestions from different communities</p>	<p>Yes - Success will be measured in a number of ways:</p> <p>a)</p> <ul style="list-style-type: none"> <li>• Proportion of children and young people supported to remain within their families, if not with a parent/carer(s) then within the wider family</li> <li>• Resilience to enable this to happen without the need for ongoing services</li> <li>• Reduction in the number of</li> </ul>

		<p>children and young people admitted to care /Timely achievement of permanence</p> <ul style="list-style-type: none"> <li>• Where children have been returned to the home, this is sustained and number of repeat admissions is reduced</li> <li>• Improved assessments and SMART care planning subject to robust management oversight and challenge is evidenced</li> <li>• Well informed workforce with the skills and knowledge to be able to work with and support children and young people who have suffered profound neglect, physical, sexual and emotional harm, have poor attachments and whose needs have been unmet</li> <li>• Alternative permanence option is established earlier and uncertainty for children is reduced for children who cannot return home</li> <li>• Tracking mechanisms developed to form an understanding of what works and what other services need to be developed</li> </ul> <p>b)</p> <ul style="list-style-type: none"> <li>• Children and families voice is heard and is evident in the design and delivery of services</li> <li>• Children and young people will continue to give feedback on the services that they receive in order for us to do better</li> <li>• Families will continue to give feedback on the services that they receive in order for us to do better</li> </ul>
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**Note: If no to Question 9, 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 ' <a href="#">protected characteristics</a> ' may <b>potentially</b> be affected by the policy and describe any positive and negative impacts, including any barriers.		
	Yes	No	Comments
Age	x		The aim of the strategy is to improve outcomes for children

			and young people aged 0 – 19 (25), in particular vulnerable children including those on the edge of care, in care, leaving care, with disabilities and with complex challenging behaviour. Therefore, there is the potential for all children and young people to experience a positive impact as a result of the strategy.
	<b>Disability</b>	<b>x</b>	The aim of the strategy is to improve outcomes for children and young people aged 0 – 19 (25), in particular those with disabilities and with complex challenging behaviour. Therefore, there is the potential for children and young people with a disability to experience a positive impact as a result of the strategy as it will seek to recognise their interests and improve integrated care and support for this cohort.
	<b>Gender Reassignment</b>	<b>x</b>	The aim of the strategy is to improve outcomes for children and young people aged 0 – 19 (25), in particular those with disabilities and with complex challenging behaviour. Therefore, there is the potential for children and young people in this cohort, who have gone through or are going through gender reassignment, to experience a positive impact as a result of this strategy as it will seek to recognise their interests and improve integrated care and support.
	<b>Marriage and Civil Partnership</b>	<b>x</b>	The aim of the strategy is to improve outcomes for children and young people aged 0 – 19 (25), in particular vulnerable children including those on the edge of care, in care, leaving care, with disabilities and with complex challenging behaviour, and their families. Therefore, there is the potential for individuals in this cohort to experience a positive impact as

				a result of the strategy as it will seek to recognise their interests, improve integrated care and support and promote stability and reunification.
	<b>Pregnancy and Maternity</b>	<b>x</b>		The aim of the strategy is to improve outcomes for children and young people aged 0 – 19 (25), in particular vulnerable children such as where unborn babies need safeguarding due to factors associated with the trilogy of risk (alcohol, drugs and domestic abuse). Therefore, there is the potential for babies and expectant mothers to experience a positive impact as a result.
	<b>Race</b>	<b>x</b>		The aim of the strategy is to improve outcomes for children and young people aged 0 – 19 (25), in particular vulnerable children including those on the edge of care, in care, leaving care, with disabilities and with complex challenging behaviour. Therefore, there is the potential for children and young people from all racial backgrounds to experience a positive impact as a result of the strategy as it will seek to recognise their interests.
	<b>Religion or Belief</b>	<b>x</b>		The aim of the strategy is to improve outcomes for children and young people aged 0 – 19 (25), in particular vulnerable children including those on the edge of care, in care, leaving care, with disabilities and with complex challenging behaviour. Therefore, there is the potential for children and young people off all religious backgrounds to experience a positive impact as a result of the strategy as it will seek to recognise their interests.
	<b>Sex</b>	<b>x</b>		The aim of the strategy is to improve outcomes for children and young people aged 0 – 19 (25), in particular vulnerable children including those on the edge of care, in care, leaving

				care, with disabilities and with complex challenging behaviour. Therefore, there is the potential for children and young people from all genders to experience a positive impact as a result of the strategy as it will seek to recognise their interests..
	<b>Sexual Orientation</b>	<b>x</b>		The aim of the strategy is to improve outcomes for children and young people aged 0 – 19 (25), in particular vulnerable children including those on the edge of care, in care, leaving care, with disabilities and with complex challenging behaviour. Therefore, there is the potential for young people of any orientation to experience a positive impact as a result of the strategy as it will seek to recognise their interests.
	<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>		The aim of the strategy is to improve outcomes for children and young people aged 0 – 19 (25), in particular vulnerable children including those on the edge of care, in care, leaving care, with disabilities and with complex challenging behaviour. Therefore, there is the potential for children and young people from these disadvantaged groups to experience a positive impact as a result of the strategy as it will seek to as it will seek to recognise their interests and improve the integration of health, care and education services across Leicestershire.
	<b>Community Cohesion</b>	<b>x</b>		The aim of the strategy is to improve outcomes for children and young people aged 0 – 19 (25), in particular vulnerable children including those on the edge of care, in care, leaving care, with disabilities and with complex challenging behaviour. Therefore, there is the potential for children and young people to experience a positive impact as a result of the strategy as it



				strives to secure stability and permanence for them.
11.	<p>Are the human rights of individuals <b><i>potentially</i></b> 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 the 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>		Focus areas of the strategy include the safeguarding of unborn babies, children and young people.
	<b>Article 3: Right not to be tortured or treated in an inhuman or degrading way</b>		<b>X</b>	
	<b>Article 4: Right not to be subjected to slavery/ forced labour</b>		<b>X</b>	
	<b>Article 5: Right to liberty and security</b>		<b>X</b>	
	<b>Article 6: Right to a fair trial</b>		<b>X</b>	
	<b>Article 7: No punishment without law</b>		<b>X</b>	
	<b>Article 8: Right to respect for private and family life</b>	<b>X</b>		The strategy has the potential to support services to better understand the balance needed between providing support to families and enabling them to have a family life and for this to be private.
	<b>Article 9: Right to freedom of thought, conscience and religion</b>		<b>X</b>	
	<b>Article 10: Right to freedom of expression</b>		<b>X</b>	
	<b>Article 11: Right to freedom of assembly and association</b>		<b>X</b>	
	<b>Article 12: Right to marry</b>		<b>X</b>	
	<b>Article 14: Right not to be discriminated against</b>		<b>X</b>	
<b>Part 2: The First Protocol</b>				

	<b>Article 1: Protection of property/ peaceful enjoyment</b>		<b>X</b>	
	<b>Article 2: Right to education</b>	<b>X</b>		The strategy has the potential to support our most vulnerable children and young people to engage and benefit from education through enabling services to have a better understanding of their individual needs.
	<b>Article 3: Right to free elections</b>		<b>X</b>	

**Section 2**

**D: Decision**

<b>13.</b>	Is there evidence or any other reason to suggest that:	<b>Yes</b>	<b>No</b>	<b>Unknown</b>
	a) the 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 the 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"/>
<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"/>	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.

**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.

# 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 the policy and to critically examine whether it is **likely** to have a positive or negative impact on different groups within our diverse communities. It should also identify any barriers that may adversely affect under-represented communities or groups that 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><b>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.</b></p>	
17.	Based on the gaps identified either in the EHRIA Screening or independently of this process, <b>how</b> have you further consulted with those affected on the likely impact and <b>what</b> 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* to be affected by this policy. Describe any positive and negative impacts, including what barriers these individuals or groups may face.

	Comments
<b>Age</b>	
<b>Disability</b>	
<b>Gender Reassignment</b>	
<b>Marriage and Civil Partnership</b>	
<b>Pregnancy and Maternity</b>	
<b>Race</b>	
<b>Religion or Belief</b>	
<b>Sex</b>	
<b>Sexual Orientation</b>	
<b>Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or</b>	

	<b>disadvantaged communities</b>	
	<b>Community Cohesion</b>	

<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 <i>likely</i> to apply to the 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>Article 3: Right not to be tortured or treated in an inhuman or degrading way</b>	
	<b>Article 4: Right not to be subjected to slavery/ forced labour</b>	
	<b>Article 5: Right to liberty and security</b>	
	<b>Article 6: Right to a fair trial</b>	
	<b>Article 7: No punishment without law</b>	
	<b>Article 8: Right to respect for private and family life</b>	
	<b>Article 9: Right to freedom of thought, conscience and religion</b>	
	<b>Article 10: Right to freedom of expression</b>	
	<b>Article 11: Right to freedom of assembly and association</b>	
	<b>Article 12: Right to marry</b>	
	<b>Article 14: Right not to be discriminated against</b>	
	<b>Part 2: The First Protocol</b>	
<b>Article 1: Protection of property/</b>		

	<b>peaceful enjoyment</b>	
	<b>Article 2: Right to education</b>	
	<b>Article 3: Right to free elections</b>	

**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.

NB:

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

**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 the Digital Services Team via [web@leics.gov.uk](mailto:web@leics.gov.uk) 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): .....

Date: .....

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

Date: .....