

Voluntary Sector Spending Review Equality Impact Analysis, Issue Log & Action Plan

Signed:



Date: 22/12/15

Section 2- Potential Issues

Key Issues:	Impacts on:	Mitigating Action Taken:
The service will be part of a generic young carers service	Young carers – less targeted to specific group i.e. aged 8	A young carers service will be re-commissioned to include all young carers and can be matched to service users' needs within the available resources
Location of service may change (from My Place) + travelling distance	Young carers / families	Provider will be required to locate the service in close proximity to the majority of young carers' home addresses within the available resources
The contribution from Barnardos may be at risk (£28K)	Reduced resources and capacity	The current Barnardos service is valued at £60K and this attracts an additional £28K from Barnardos' core funding. We are expecting to go out to tender with a budget of circa £57K and Barnardos will be invited to bid for the service. If Barnardos is successful it is expected that the additional resource will continue for the time being.
Reduced level of service i.e. Young Carers assessments, individual case work and family case work will be provided by the Council's Early Help team rather than the young carers support service	The level of capacity and expertise needed	The Early Help team will undertake the young carers assessments and any preventive interventions that are required by the family should they meet the Early Help criteria. This is especially pertinent to young people caring as a consequence of substance misuse, mental health issues etc. so as to prevent family breakdown.

Section 3 - Potential Workforce Issues

Early Help Team: The Early Help team may require training to enable them adequately to complete the young carers assessments.

Voluntary Sector Spending Review Equality Impact Analysis, Issue Log & Action Plan

Barnardos Staff: The Barnardos staff team is made up of employed staff and volunteers. If 50% of paid employed staff time is spent on this contract they will be subject to TUPE as part of the tender process and will therefore be protected. Additionally Barnardos is a national charity that has circa 8381 employees (2015 annual report) and more than 16000 volunteers so it is expected that existing staff who would prefer to remain with Barnardos could be redeployed within the Barnardos organisation.

Protected Characteristics	Description of Issue	Date Raised	Mitigating Actions	Action Status	Open/Closed	Owner
Age	The demographic breakdown of Barnardos staff (employed and volunteers) is as follows: Staff who have a disability - 2 The age range of staff working with young carers includes those aged 18-30 (3), 30-50 (2) and over 50 (3) The ethnicity of the staff – 3 Black African, 1 of mixed ethnicity and 4 White British					
Disability						
Sex						
Gender Reassignment						
Marriage & Civil Partnership						
Pregnancy & Maternity						
Race						
Religion or Belief						
Sexual Orientation						

Section 4 - Communication and Engagement Activity

Target Audience	Date	Activity	Summary of Feedback	Actions Raised	Action Status	Open/Closed	Owner
Barnardos	11/09/2015	Initial information and consultation meeting	Providers were anxious about the outcome of the review (i.e. decommissioning) but welcomed the opportunity to describe their service in detail and the level of engagement.	No further action	completed	closed	
		Letter of	Questionnaire was completed	Clarification	completed	closed	VB

Voluntary Sector Spending Review Equality Impact Analysis, Issue Log & Action Plan

Barnardos	1/10/2015	termination questionnaire		questions raised.			
Barnardos	22/10/2015	Clarification	Further clarifications were raised in a couple of areas	No further action	completed	closed	VB
Barnardos	22/10/2015	Meeting and additional questionnaire	The issue was raised about the additional funding from Barnardos	Barnardos was asked to present a plan for a scaled down service omitting the family intervention and 121 support elements. Barbados has been reluctant to undertake this task due to concerns for staff.	Due to concerns raised we have decided not to pursue this action	Closed	VB
Young carers / families	09/11/2015	Visit to the service and engagement with the young carers and separately with family members present.	<p>Engagement with young carers and parents. The key points that came from the engagement were the following :</p> <p>Young people talked about being teased at school for having a sibling or parent with a disability and it was good to meet with other young people who face the same issues.</p> <p>“I like coming to club and mixing with children who may have similar problems or worries as me”</p> <p>Parents mentioned not being isolated and have managed to build friendship</p>	The points raised will be incorporated into the service specification for the tender.	Service specification to be written and agreed	Open	VB

Voluntary Sector Spending Review Equality Impact Analysis, Issue Log & Action Plan

			<p>with other parents in a similar position</p> <p>Location was also important so they can transport the children to the club</p> <p>Young people would like the club to happen weekly instead of monthly</p>				
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Section 5 - Service Delivery Impacts and Issues

Due regard – Brown principles

These principles have been taken from the Equality and Human Rights Commission’s paper on making fair financial decisions (Equality and Human Rights Commission, 2012).

Case law sets out broad principles about what public authorities need to do to have due regard to the aims set out in the general equality duties. These are sometimes referred to as the 'Brown principles' and set out how courts interpret the duties. They are not additional legal requirements but form part of the Public Sector Equality Duty as contained in section 149 of the Equality Act 2010.

Under the duty, local authorities must, in the exercise of their functions have due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not.

In summary, the Brown principles say that:

- Decision-makers must be made aware of their duty to have 'due regard' and to the aims of the duty.
- Due regard is fulfilled before and at the time a particular policy or proposal that will or might affect people with protected characteristics is under consideration, as well as at the time a decision is taken.

Voluntary Sector Spending Review Equality Impact Analysis, Issue Log & Action Plan

- Due regard involves a conscious approach and state of mind. A body subject to the duty cannot satisfy the duty by justifying a decision after it has been taken. Attempts to justify a decision as being consistent with the exercise of the duty, when it was not considered before the decision, are not enough to discharge the duty. General regard to the issue of equality is not enough to comply with the duty.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty has to be integrated within the discharge of the public functions of the body subject to the duty. It is not a question of 'ticking boxes'.
- The duty cannot be delegated and will always remain on the body subject to it.
- It is good practice for those exercising public functions to keep an accurate record showing that they had actually considered the general equality duty and pondered relevant questions. If records are not kept it may make it more difficult, evidentially, for a public authority to persuade a court that it has fulfilled the duty imposed by the equality duties.

Potential Service delivery impacts (Positive and Negative)

The service will be re-commissioned as part of a generic young carers support service

Protected Characteristics	Description of Issue	Date Raised	Mitigating Actions	Action Status	Open/Closed	Owner
Age	The current young carers services are commissioned by a number of factors including age (8+)	September 2015	All young cares, irrespective of age, will have access to the newly commissioned young carers support.	Service specification to be finalised.	open	VB
Disability	Ensuring the service is in close proximity to the young carer's home so that a parent with a disability can manage transport.	VB	This will be a quality question that will be raised and scored during the tender. We will investigate with the new provider a location for continuity of provision	Establishing the likelihood of succession planning at the new location.	open	VB
Sex						
Gender Reassignment						

Voluntary Sector Spending Review Equality Impact Analysis, Issue Log & Action Plan

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Pregnancy & Maternity						
Race						
Religion or Belief						
Sexual Orientation						

Section 6 - Data Sources

Data used	How has this information informed your decision
Contract monitoring data	The Barnardos Young Carers service is commissioned to provide a flexible range of functions and activities and the Quarter 2 data indicates that the service is meeting all of its targets in terms of numbers of young carers engaging with the various services. Almost half of the young carers being supported are receiving individual case work which could be offered by the Early Help team should they meet the Early Help criteria.
Feedback from engagement exercise	Will be used to develop the new service specification