

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


### What is Equality Impact Analysis?

The Equality Act 2010 seeks to eliminate discrimination and meet the positive promotion aspects of equality legislation. An Equality Impact Analysis uses equality information and the results of engagement with groups to understand the actual or the potential effects of change or key decisions on our workforce and the general public. Completing this analysis will assist Members and officers to identify practical steps to address any negative effects and to highlight positive interventions.

### Section 1 - Ownership

This section identifies the individual(s) responsible for identifying the potential positive and negative impacts from developing and implementing the spending reductions. There will be a number of potential positive and negative internal impacts which should be undertaken and monitored by the person responsible for implementing the proposed reductions

<b>Title:</b>	Equality Impact Assessment on the proposed changes to funding / spending reductions in the voluntary sector				
<b>Service impacted by proposed spending review</b>	The Children's Society – Advocacy Service and Missing Service.				
<b>Date Created</b>	22/12/15	<b>Review Date:</b>	22/02/2016	<b>Version:</b>	1
<b>Author:</b>	Deborah Redknapp				

<b>Person completing EIA:</b> Deborah Redknapp	
<b>Signed:</b> 	<b>Date:</b> 23/12/15
<b>Person supervising EIA:</b> Tim Aldridge	
<b>Signed:</b> Tim Aldridge	<b>Date:</b> 05/01/2015

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### Section 2 - Potential Issues

<b>Key Issues:</b>	<b>Impacts on:</b>	<b>Mitigating Action Taken:</b>
Missing Service – It is the intention to de-commission this service from the Children’s Society	Missing children and young people identified as at risk of absconding, Social Care, the police, families and carers.	The missing service will be brought in-house and will be provided by the Early Help team.
Advocacy - It is the intention to de-commission this service from the Children’s Society	Children and young people	The Advocacy service will be brought in-house and will be provided by the Early Help team
Advocacy to support young people who may make a complaint against the council will be best provided from a third party organisation	Children and young people	Advocacy to support young people who would like to make a complaint against the council to be commissioned from a third party organisation.
The provision of advocacy to looked after children is a statutory duty for the local authority	Looked after children, Social Care	The Advocacy service will be brought in-house and will be provided by the Early Help team

### Section 3 - Potential Workforce Issues

Whilst there are possible redundancies in the Children’s Society service, the Children’s Society is a large national organisation and there are likely to be opportunities for those affected in other areas of provision. The organisation has an annual turnover of over £45 million, spending £28 million on services to children. The Children’s Society raised over £23 million through fundraising in 2014/15.

The Council’s Early Help Service will be undergoing a re-organisation from January 2016. The new structure will include a dedicated team to provide advocacy and participation work, plus three posts responsible for conducting return home interviews,

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and supporting young people who go missing. These new roles will provide opportunities for existing staff members to develop new skill sets.

Protected Characteristics	Description of Issue	Date Raised	Mitigating Actions	Action Status	Open/Closed	Owner
Age						
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
Children's Society	11/09/15	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	
Children's Society	25/09/15	Letter of termination & questionnaire sent	Questionnaire was completed	Clarification questions raised.	completed	closed	MM
Children's Society	26/10/15	Clarification questions required.	Further clarifications were raised in a couple of areas	No further action	completed	closed	MM

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Children's Society	26/10/15	Meeting and additional questionnaire	<p>Missing: The Children's Society welcomed the engagement with the local authority and the opportunity to discuss various options. The Children's Society informed commissioners that current staffing issues have had an impact on services and they were covering the service within existing resources. They also highlighted concerns about the missing process and delays in gaining information to enable them to carry out timely missing interviews.</p> <p>Advocacy: Discussion took place about how to maximise the existing resource so as to advocate on behalf as many young people as possible.</p>	<p>To review the exchange of information process to remove barriers.</p> <p>The Children's Society to recruit a new staff member.</p> <p>The Children's Society to review the advocacy process.</p> <p>The Children's Society to help young people manage one issue and then discharge.</p>	completed	Closed	GJ/HH
Social Care	Nov / Dec 2015	Discussion regarding changes to current provision	<p>Missing. Concerns have been raised about the lack of return home interviews being carried out by the commissioned service in their entirety and within 72 hours. It was agreed that the Early Help service could provide this service in house and provide continuity of care across a wider workforce. This will be strengthened by in-house training and a close working relationship with social workers. Some of the barriers that have existed will be removed such as all children's services having access to the Children's Case Management (CCM) system, joint training and a shared process.</p> <p>Advocacy: The existing commissioned advocacy service has limited capacity to meet the demands of the service. This has created waiting time for young people. By bringing the service in house, the Early Help team will be</p>	<p>Review Early Help structure to meet the demands for missing and advocacy</p> <p>For those young people who need an advocate for times when a complaint against the council is made an independent organisation will be sourced.</p>	completed	Closed  Open	DH  DR

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			<p>able to offer a seamless service and have greater capacity to meet the service demands.</p> <p>The missing service and advocacy will be met from existing resources and topped up from the from the remaining voluntary sector budget. This will create better value for money provision.</p>				
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Existing and potential future service users would be considered a hard-to-reach group in terms of consultation and engagement. One role of the new participation team will be to consult service users about how they would like to receive a service going forward.

### 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.

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- 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.
- 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)

We project an improvement in the service provided to young people by bringing elements of these services in-house. Through more rigorous performance management, closer links with referring teams, a shared database and use of local knowledge, we expect to deliver a more responsive, successful and higher-volume service than has been achieved to date.

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Sexual Orientation						
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### Section 6: Data Sources

Data used	How has this information informed your decision
Contract monitoring data	<p>Missing: Q1 and Q2 data for missing children indicates that return home interviews are conducted on circa 20% of missing children against a target of 70%.</p> <p>.</p> <p>Advocacy: The service is meeting its required numbers but the capacity does not meet the service demands.</p> <p>Through bringing the service in-house we will increase the capacity and also improve the communication between the provider and the referring social worker. The Early Help team will use the same case management system (CCM), minimising potential delays and information-sharing difficulties. The Early Help service is part of the same management team as Children’s social care – monitoring of performance can take place on a more frequent basis with rapid response to concerns. Providing this service through a local team enables the use of local knowledge to assist in developing strategies to engage with the young people.</p>