

Budget options: initial equality impact assessment

The London Borough of Bexley is in the process of looking at its budget options for 2019 onwards. EIAs are a useful tool to help us fulfil our duties under the Equality Act and to understand the impact of any service changes that we may make. They allow us to understand the impact of our actions on the different equalities groups and consider any actions that we could take to mitigate the negative impacts of our actions or take new actions to address equalities issues.

This stage of the EIA process is not a full EIA but it to help us assess the potential overall rather than detailed impact of a range of options available to Bexley. If it is decided to progress any of these options further then a fuller EIA will be needed before a final decision can be made including possibly consulting with service users and the wider community.

1 Service affected

Please detail what service this assessment is for.

2 Relevance to equality

You need to make clear if the policy/function is highly relevant, relevant or not relevant to equality. To determine relevance to equality you need to complete the 'Determining Equality Relevance Checklist at the start of this document.

3 Potential savings

Please detail the savings/changes to budget that you are proposing.

4 Policy/service proposal

Here you are asked to briefly provide information about the policy/service being assessed and what changes you wish to make. If you have links to more detailed documentation then include them. Specify the aims and objectives of the policy/service (e.g. you may be amending a service to find cost efficiencies) as well as who you think the main beneficiaries are.

You will need to detail the following:

Profile of the service including its purpose, how and where the service is delivered and who uses it.

The specific changes that you are proposing and what these changes will deliver

Why you are proposing this change. This may not just be linked to savings: Is there a solid business case for this in respect of service and equalities outcomes. Please detail

How will this change support our wider objectives such as the Corporate Plan or directorate business plans?

5 Impact on equalities groups

You will need to detail the likely impact of your proposals on each equalities group including service users and potential service users.

The act states that a public authority must, in the exercise of its functions, have due regard to the following three aims of the duty:

- **Eliminate unlawful discrimination**, harassment and victimisation and other conduct prohibited by the Act
- **Advance equality of opportunity** between people who share a protected characteristic and those whose do not - The Act explains that having 'due regard' for advancing equality involves:
 - Removing or minimising the disadvantages suffered by people due to their protected characteristics
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

- **Foster good relations** between people who share a protected characteristic and those who do not (this involves tackling prejudice and promoting understanding between different groups e.g. tackling intergenerational conflict)

You must have regard to these in your assessment.

You will need to detail how each of the individual equalities groups are affected by your changes including both service and non-service users.

If you have previously undertaken an EIA include a link if possible and refer to your previous findings as you develop your current equality analysis.

You will need to list what the policy/service does, how important this is for each equalities group if known, and the impact on service users and on the wider community of your proposed changes. There may be gaps in what you know but you must acknowledge this and suggest how you can fill this gap.

For some groups some services are vital such as transport and disability. You will need to include an assessment of how important the service is to the different equalities groups in respect of our equalities duties and in terms of major detrimental impacts. For example if cuts to a service will have or are likely to have a major negative impact on particular equalities groups or our duties under the equality act, or delivering services in a new way has a major positive impact, this must be detailed.

At this stage any proposal is just for consideration and may not be taken forward but please bear the following in mind:

- It is generally considered insufficient to say a cut or a reduction in service is universal and therefore affects all users equally unless this can be demonstrated with evidence - thought must be given to how proposals might specifically affect those already disadvantaged and how, despite making cuts/reductions/changes to services, the proposals still aim to advance equality of opportunity.
- Case law indicated that reducing the number of sites a service is delivered from will most likely have an indirectly discriminatory impact on the disabled, the elderly and women
- The duty to have 'due regard' about the equality impact of a proposal to change services is very high where there is a known impact on a group that share a protected characteristic – i.e. if a department is planning to change a service where service users belong to a group known to be disadvantaged (e.g. reductions in service to disabled residents or the elderly) it must undertake a thorough equality analysis.

6 Evidence of impacts

At this stage you are not being asked to complete a full EQIA. However the form asks you to list what evidence (quantitative or qualitative) you have in order to make a judgement about the potential impact of your proposal and how this policy can best be delivered. If a service has lots of relevant evidence this will help us assess the likely impact of each option. We would like you to include generic evidence (e.g. information about the geographical location of service delivery sites and the general population served) as specific evidence with regards to each protected characteristic.

When considering the delivery of a frontline service you are trying to understand the following:

- Who lives in our borough (and where)
- Who uses the service and who doesn't
- Why do some groups not use the service

You may not have local evidence for each protected characteristic, but this isn't necessarily a problem.

But please bear in mind that:

- If your EIA contains little data or evidence of impact (including if you are predicting no impact) it is at risk of being considered inadequate should the local authority be challenged
- If your EIA fails to identify obvious negative impacts, the courts (should the local authority be challenged), are likely to find that the authority has not complied with the PSED

As such it will help of you are clear about where you have gaps in your information, why this is and how you plan to meet those gaps in the future. For some characteristics where data is sparse or difficult to obtain (for example service users may be reluctant to disclose their sexuality) you may need to rely on national or regional equality information instead. If you are unsure about what evidence is available or have any questions contact xxx.

Types of evidence could include:

- *Census ward profiles and other demographics*
- *Service monitoring reports*
- *Equalities Monitoring Who uses our services? Who doesn't?*
- *Other EIAs – Is there a previous EIA that you can refer to including external EIAs? .*
- *Customer Satisfaction data preferably aggregated by protected characteristic*
- *User complaints/Feedback preferably aggregated by protected characteristic*
- *Survey data – including local or national information as evidence on customer views*
- *National/Regional/Local Research –research by other organisations on user views and /or support for proposals.*
- *Known equalities issues*
- *Consultation exercises*
- *Staff surveys*
- *Contract monitoring*

There is no explicit legal requirement under the General Equality Duty to engage with people who share protected characteristics. The General Duty only requires public authorities to have an adequate evidence base for their decision-making and engagement can assist in developing that evidence base.

However if your policy is highly relevant to particular equalities groups then it is likely you will want to engage interested parties if you are proposing changes to an existing service. How will you do this?

7 Possible Mitigating Actions

At this stage we are not expecting you to have fully identified all negative impacts and how we could possibly address them. However it would help in the decision making process to have some idea about how we could do this.

In taking any proposal for savings forward a service will need to identify who will deliver these mitigating actions and what the timeframe is. It is possible however that in some circumstances you will be unable to (due to financial constraints) to mitigate some negative impacts.

However where possible please detail the negative impact by each equality group and how you think, even in broad terms, how they could possibly be addressed.

Draft equality impact assessment

1 Service affected

Looked after children and their families

2 Relevance to equality

You need to make clear if the policy/function is highly relevant, relevant or not relevant to equality. To determine relevance to equality you need to complete the 'Determining Equality Relevance Checklist' at the start of this document.

Please detail which groups are most affected.

- Highly relevant
- Young people aged 18 years and below.

3 Potential savings

Please detail the proposed savings to budget that you are hoping to make.
How will this be achieved?

On-going net revenue savings against 2019/20 budget

	2019/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000
Gross revenue saving/additional income (-)	350	350	350	350
Additional revenue cost (+)	0	0	0	0
Net revenue saving (-)/cost(+)	350	350	350	350

4 Policy/service proposal

You will need to detail the following:

Please provide a profile of the service including its purpose, how and where the service is delivered and who uses it.

Sometimes, children and young people are not able to live with their families, whether for long or short periods, or sometimes permanently. When this happens, we as the local authority have a duty to look after them, to keep them safe and to promote their well being. We are trying hard to serve our looked after children and care leavers and to support them as well as any good parent would. When children become looked after, we do not want them to become more disadvantaged.

Our guiding principles are that children and young people come into and remain looked after only when it is right for them and in their best interests. Similarly our looked after children and young people are in the right place (foster care, residential, adoption, returning home etc) all the time.

The reunification and rapid response service wants to make sure that where possible and when in their best interests, children and young people can safely and happily return to their families. We will support this return home through a range of social work interventions. However we effect change, we will always work with the young person and their family to provide the support they need for as long as they need it. The service is working to make children and young people feel safe and settled.

What are the specific changes that you are proposing and what will these changes deliver?

- More regular reviews and oversight of children's and young people's living arrangements to make sure they are living in the most appropriate arrangement and within or closer to their family's networks where it is safe and in the best interest of the child or young person to do so.

Are these proposals just linked to savings or is there a solid business case for this? Please detail

Arrangements should be reviewed on an ongoing basis to ensure that they are appropriate to the child and young person's needs. In the Corporate Plan, we also commit to carefully considering the availability of naturally connected networks and extended family members so that we can help families to strengthen and change so that children and young people can return home if it safe and in their best interests to do so.

As of 1st September 2018, 83 (37%) of a total of 224 children and young people in the Council's care lived in specialist arrangements (including residential schools, homes and specialist fostering) to meet their very complex needs, that required £7.4m (70%) of the total budget for care placements (£10.6m). We will always require specialist care but we are hoping to use our reunification work and our enhanced management oversight to review the extent and duration of these complex needs arrangements. We believe children can live safely in family settings with the right support when the risks to them (including taking account of their age) are reducing. This project is designed to give close scrutiny to decisions about this care and to rebalance the distribution of spend into family settings

How will this change support our wider objectives such as the Corporate Plan or directorate business plans?

This service directly supports the third priority Strong and Resilient families of the Corporate Plan which includes the sub priority "Children are not disadvantaged by becoming looked after".

Our practice framework, Signs of Safety, emphasises the importance of working with and supporting families from their very first engagement with us.

5 Impact on equalities groups

Please detail the likely impact of your proposals on each equality group including service users and potential service users.

The equality groups are

- Age
- Disability
- Sex
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sexual orientation
- Marriage and civil partnership (but only for aim one of the duty)

You will need to consider these impacts in relation to the duties detailed under the PSED.

Please indicate how important this service is to each equality group and the likely impact of change on each group

Children Looked After Demographics as at the 30th September 2018

Age Bands	Total
1. Unborn	
2. Under 1	5
3. 1-4	14
4. 5-9	28
5. 10-15	84
6. 16+	101
Total	232

Looked after children are below the age of 18 and it is likely that this service will have a positive impact on this age group by improving their outcomes, reducing their chances of becoming looked after and/or of returning to live with their family networks.

Disabled	Total
Y	22
N	210
Total	232

No adverse impact anticipated as a result of disability. The aim of this service is to improve outcomes for all children and their families - the service is not targeting disability when looking to reunify children with their families or to prevent them from becoming looked after.

Sex	Total
Male	143
Female	89
Unborn	
Indeterminate	
Total	232

No adverse impact anticipated as a result of gender. The aim of this service is to improve outcomes for all children and their families - the service is not targeting gender when looking to reduce looked after children. However, given that the above data shows the majority of children in care are boys, this service could have a positive impact on the outcomes for boys.

Ethnicity	Total
A1 - White British	112
A2 - White Irish	2
A3 - Any other White background	13
A4 - Traveller of Irish Heritage	1
A5 - Gypsy / Roma	
B1 - White and Black Caribbean	11
B2 - White and Black African	5
B3 - White and Asian	1
B4 - Any other mixed background	10
C1 - Indian	
C2 - Pakistani	
C3 - Bangladeshi	
C4 - Any other Asian background	11
D1 - Caribbean	7
D2 - African	43
D3 - Any other Black background	3
E1 - Chinese	1
E2 - Any other ethnic group	12
E4 - Information not yet obtained	
E4 - Unborn	
Total	232

No adverse impact anticipated as a result of race. The aim of this service is to improve outcomes for all children and their families. The above data shows that the two largest ethnicities of looked after children were approximately 48% of children in care classed as 'White British' and 18.5% classed as 'African'. The service does not target race when looking to reduce the number of looked after children.

6 Evidence of impacts

What evidence do you currently have about who uses this service and the likely impact of your proposals on each equalities group?

What data is missing and how would you be able to fill this gap?

Is this likely to be subject to a public consultation with service users and potential service users?

How will you do this?

Local Data

Our local data in Bexley shows there is a significant gap between the educational outcomes of looked after children compared to all children as shown below–

All Looked After Children

Data Source: Nexus Nova CLA

	2016				2017			
	EXS+		High Score		EXS+		High Score	
	Bexley	National	Bexley	National	Bexley	National	Bexley	National
Key Stage 2								
Reading (%)	47.6	41	4.8	7	58.3	46	25	10
Writing (%)	61.9	46	4.8	4	66.7	48	0	6
Maths (%)	42.9	42	14.3	4	75	46	25	7
GPS (%)	55	44	20	7	66.7	50	25	13
RWM (%)	38.1	26	0	1	58.3	32	0	2

	2016		2017	
	Bexley	National	Bexley	National
Key Stage 2 Progress				
Reading	0.35	-0.68	4.26	-0.65
Writing	-1.56	-1.17	1.37	-0.98
Maths	-1.98	-1.27	3.11	-1.12

	2016		2017	
	Bexley	National	Bexley	National
Key Stage 4				
Attainment 8 Score	18	20.9	21.8	18.1
Progress 8 Score	-1.63	-1.46	-1.31	-1.43
A*-C English and Maths (%)	15.6	16		
A*-C 5+ GCSEs (E&M) (%)	12.5	12		
9-5 English and Maths (%)			12	7
9-4/A*-C 5+ GCSEs (E&M) (%)			20	14
Any Qualification	75	74	84	72

Key Stage 2	2016				2017			
	EXS+		High Score		EXS+		High Score	
	Bexley	National	Bexley	National	Bexley	National	Bexley	National
Reading (%)	70.6	66	20.8	18.8	75.1	71.6	27.3	24.7
Writing (%)	79.6	74	16.1	14.8	79.8	76.2	19.7	17.7
Maths (%)	75.4	69.8	19.7	16.6	77.1	74.8	27.7	22.7
GPS (%)	77.8	72.5	27	22.5	80.1	76.9	38.4	30.9
RWM (%)	59.1	53.5	6.1	5.4	65.5	61.1	10.7	8.7

Key Stage 2 Progress	2016		2017	
	Bexley	National	Bexley	National
Reading	-0.28	-0.08	-0.48	0
Writing	-0.01	-0.09	-0.28	0
Maths	0.14	-0.1	-0.22	0

Key Stage 4	2016		2017	
	Bexley	National	Bexley	National
Attainment 8 Score	51.6	48.6	48.6	44.8
Progress 8 Score	-0.09	-0.08	-0.09	-0.08
A*-C English and Maths (%)	65.6	59.5		
A*-C 5+ GCSES (E&M) (%)	59.9	53.7		
9-5 English and Maths (%)			49.4	39.8
9-4/A*-C 5+ GCSEs (E&M) (%)			63.5	56.9
Any Qualification	98.3	97.3	98.6	97.2

National data and research shows similar negative life outcomes for looked after children as follows:-

The Children's Commissioner published in July 2017 "Assessment of the outcomes of vulnerable children – technical paper 4 in Children's Commissioner project on vulnerable children". The research was conducted to "investigate differential outcomes both in childhood and adulthood associated with being a member of a vulnerable group in childhood. It found relatively extensive evidence on the outcomes for looked after children in education, economic, social and behavioural outcome areas" (the referenced Department for Education statistics have been updated to reflect the latest figures):

1. Educational

- Looked after children are more than five times more likely to have a fixed period exclusion than all children.

*Department of Education (2018) : Outcomes for children looked after by Las : 31 March 2017
Available at <https://www.gov.uk/government/statistics/outcomes-for-children-looked-after-by-las-31-march-2017>.*

- Nationally in 2017, 32% of looked after children reached the expected standard in the headline measure reading, writing and mathematics, which is much lower than the 61% for non-looked after children.
 - However figures show that 59% of looked after children at the end of key stage 2 have a special educational need (SEN) identified, compared to 17% of non-looked after children and attainment rates for children with a SEN are much lower.
 - For example, 57% of looked after children with no identified SEN achieved the expected standard or above in the headline measure reading, writing and mathematics, compared to 70% of non-looked after children.
 - However this still shows a significant difference between looked after children and non-looked after children, even after special educational needs have been taken into account.

*(Source: CLA-NPD, CIN-NPD) Department of Education (2018) : Outcomes for children looked after by Las : 31 March 2017
Available at <https://www.gov.uk/government/statistics/outcomes-for-children-looked-after-by-las-31-march-2017>.*

- Nationally the average Attainment 8 score for looked after children is 19.3 compared to 44.5 for non-looked after children.
 - However, the figures show that 56% of looked after children at the end of key stage 4 have a special educational need (SEN) identified, compared to 14% of non-looked after children and attainment rates for children with a SEN are much lower.

- For example, 30.8% of looked after children with no identified SEN achieved the expected standard or above in the headline measure reading, writing and mathematics, compared to 49.3% of non-looked after children.
- However this still shows a significant difference between looked after children and non-looked after children, even after special educational needs have been taken into account.
- In 2017, pupils sat reformed GCSEs in English language, English literature and maths for the first time, graded on a 9 to 1 scale. New GCSEs in other subjects are being phased in, first being taught from September 2016 to 2018 (only the new GCSEs will be included in secondary school performance measures as they are introduced for each subject). Attainment 8 measures the average achievement of pupils in up to 8 qualifications including English (double weighted if both language and literature are taken), maths (double weighted), three further qualifications that count in the English Baccalaureate (EBacc) and three further qualifications that can be GCSE qualifications (including EBacc subjects) or any other non-GCSE qualifications on the DfE approved list

(Source: CLA-NPD, CIN-NPD) Department of Education (2018) : Outcomes for children looked after by Las : 31 March 2017
Available at <https://www.gov.uk/government/statistics/outcomes-for-children-looked-after-by-las-31-march-2017>.

2. Economic

There is evidence that being looked after may lead to poorer employment and economic activity outcomes:

Two studies based on the 1970 British Birth Cohort Study examined the link between looked after status and adult outcomes of over 11,000 children, following them up to the age of 30 –

- Knapp et al (2011) found that being taken into care before the age of ten was found to be predictive of economic inactivity at age 30 for men and women and reduced earnings for men.
Knapp, M., King, D., Healey, A., and Thomas, C. (2011) Economic outcomes in adulthood and their associations with antisocial conduct, attention deficit and anxiety problems in childhood. Journal of Mental Health Policy and Economics, 14 (3), 137–147. Available at: http://eprints.lse.ac.uk/38200/1/Knapp_Economic_Outcomes_adulthood.pdf
- Viner and Taylor (2005) found that a history of being a looked after child was associated with significantly poorer economic outcomes and a twofold risk of current unemployment in men.
Viner, R. M. and Taylor, B. (2005). Adult health and social outcomes of children who have been in public care: population-based study. Paediatrics, 115 (4), 894–899. Available at: <http://pediatrics.aappublications.org/content/115/4/894>

There is evidence that looked after children may be likely to experience homelessness as an adult:

- The National Audit Office reports that in 2010, 25% of adults who were homeless had been in care at some point in their lives.
The National Audit Office - (2015). Department for Education - Care Leavers' Transition to Adulthood. London: Department for Education. Available at: <https://www.nao.org.uk/wp-content/uploads/2015/07/Care-leavers-transition-to-adulthood-summary.pdf>
- In a study based on a survey of more than 1,000 adults accessing services for homelessness or other low threshold support services, 16% of those who had experienced homelessness had been a looked after child.
McDonagh, T. (2011) Tackling homelessness and exclusion: Understanding complex lives. York: Joseph Rowntree Foundation. Available at: <http://www.jrf.org.uk/sites/files/jrf/homelessness-exclusion-services-summary.pdf>

3. Social

The Department for Education Statistical First Release (SFR) provides information about looked after children in England for the year ending 31 March 2017, including the numbers who go missing or are away from their placement without authorisation –

- In the year ending 31 March 2017 there were 10,700 children looked after who had a missing incident, which equates to 10% of the 102,590 children looked after during the year. Missing from care means a looked after child who is not at their placement or the place they are expected to be (for example school) and their whereabouts is not known.
- In the year ending 31 March 2017, there were 4,860 looked after children who were away from their placement without authorisation during the year. Away from placement without authorisation

is a looked after child whose whereabouts is known but who is not at their placement or place they are expected to be and the carer has concerns or the incident has been notified to the local authority or the police.

Dept for Education (2017) children looked after in England (including adoption) year ending 31 March 2017. London Dept for Education. Available at : <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2016-to-2017>

4. Behavioural

There is an association between children who are in care and offending, the group is over represented among the offender population.

- 4% of children in care have been convicted or subject to a final warning or reprimand. For context, this suggest that those in care are four times more likely to be involved with the justice system than the total population of all children

LAC rates from Department of Education, 'Children looked after in England including adoption: 2016 to 2017, national tables' 2017. And rates for total under 18 population calculated from Ministry of Justice, 'Youth Justice Statistics 2015/16, England and Wales & ONS 'Population estimates for UK:mid 2016' 2017. Prison reform ' Prison : the facts- Bromley Briefing Summer 2017: 2017. Oakley et al, Social Market Foundation (2018) Looked after Children the silent crisis <http://www.smf.co.uk/wp-content/uploads/2018/08/Silent-Crisis-PDF.pdf>

- A review in 2009 found that 22% of children under the age of 14 had been living in care at the time of their arrest (NB 1% of the children within the general population are in the care of a local authority).

Glover, J. and Hibbert, P. (2009) *Locking up or giving up? Why custody thresholds for teenagers aged 12, 13 and 14 needs to be raised.* Ilford: Barnardo's. Available at: http://www.barnardos.org.uk/locking_up_or_giving_up_august_2009.pdf and Newman, R., Talbot, J., Catchpole, R. and Russell, L. (2012). *Turning young lives around: How health and justice services can respond to children with mental health problems and learning disabilities who offend.* London: Prison Reform Trust. Available at: <http://www.prisonreformtrust.org.uk/Portals/0/Documents/turningyounglivesaroundFINAL.pdf>

The National Audit Office in 2015 also stated that

- 49% of care leavers were not in education, employment or training in 2013-14, compared with 15% of all 19 year olds
- Only 6% of care leavers were in higher education in 2013-14 compared with around one third of all 19 year olds

Department for Education - Care Leavers' Transition to Adulthood. London: Department for Education. Available at: <https://www.nao.org.uk/wp-content/uploads/2015/07/Care-leavers-transition-to-adulthood-summary.pdf>

Annual Report of the Chief Medical Officer 2012, Our Children Deserve better – Prevention Pays, Chapter 11 highlights that -

"another key concern is the mental health and well being of children and young people in public care. Children in care have significantly higher rates of mental health problems than the general child population and this rate did not fall quickly with longer time in care.

Meltzer H et al (2003) *The mental health of young people looked after by local authorities in England, London : The Stationary Office*

Looked after children and care leavers are about four and five times more likely to self harm in adulthood. They are also at five fold *increased* risk of all childhood mental, emotional and behavioural problems, and six to seven times more likely to have conduct disorder.

Department of Health (2012) *Preventing Suicide in England: A cross government outcomes strategy to save lives.*

Looked after teenage girls are 2.5 times more likely to become pregnant than other teenagers.

Social Care for Institute for Excellence. Preventing teenage pregnancy in looked after children, 2004, Briefing 9, Social Care Institute for Excellence, London

ChildLine counselled 3,196 children and young people in 2009-2010 about problems being related to being looked after – this is 1 in 26 of all looked after children in the UK.

www.nspcc.org.uk/lform/resourcesforprofessionals/lookedafterchildrenstatistics_wda88009.html

7 Possible mitigating actions

Please detail how any potential negative impacts for each equalities groups could possibly be addressed?

If possible please indicate what you think the likely cost of mitigation would be

This is a mitigating project.

Our guiding principles state that our looked after children are in the right place all the time hence our improved focus on timely reviews of living arrangements and looking to move children and young people closer to family networks. Detailed assessment by social workers will determine the appropriateness of moving a child or young person to a different living arrangement.

There is a risk that children and young people feel the change to be detrimental and there may be changes to accommodate the different living arrangements. However we effect change, we will always work with the young person and their family to provide the support they need for as long as they need it. This risk will be closely monitored and mitigating actions developed.

Officer Drafting

Date

Agreed by Director

Date