



North

Yorkshire County Council

Equality Impact Assessment (EIA): evidencing paying due regard to protected characteristics

LEAVING CARE – September 2015

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যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔



Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	Children and Young People's Service - NYCC
Lead Officer and contact details	Martin Kelly Head of Children and Young People's Resources
Names and roles of other people involved in carrying out the EIA	Naomi Smith, 2020 Project Manager Alison Oxley, Senior HR Advisor
How will you pay due regard? e.g. working group, individual officer	Via the Children and Families 2020 Programme Board and through staff consultation
When did the due regard process start?	September 2015
Sign off by Assistant Director (or equivalent) and date	Judith Hay 29.10.15

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

This EIA supports the Leaving Care Project which aims to improve the Leaving Care Service within the Children and Young People's Resources area of the Directorate through a number of different objectives, as follows:

- Review roles and responsibilities within the Leaving Care Service to
 - Better position the service to deliver its duties in light of changes to legislation and interpretation
 - Remove duplication and confusion of dual roles for young people using the service
 - Realign caseload distribution across teams and workers, and increasing staff flexibility to work across teams as required
 - Address current structural anomalies relating to qualifications through the introduction of a senior role taking on more complex work
 - Provide opportunities for career progression within the team structure
 - Increase resilience and greater equity of work through greater economies of scale offered by a cluster management approach across teams
 - Introduce additional portfolio responsibilities at management level to ensure strategic leadership of key issues across the County
 - Release savings
- Maximise the benefits of volunteering to improve outcomes for care leavers
- Release £160k cashable savings from the Leaving Care Service from April 2016
- Reconfigure service budget requirements to reflect changes to service delivery context and release savings

This assessment of Equality Impact has been made in relation to the proposals which have been developed to achieve these objectives through the Leaving Care Project.

Section 2. Why is this being proposed? (e.g. to save money, meet increased demand, do things in a better way.)

The proposals in the Leaving Care Project have been developed in response to changes in the landscape of provision for care leavers, notably:

- Changes in legislation and its interpretation,
- Developments and changes to other services within North Yorkshire County Council such as the Transitions to Adulthood Service which includes provision for Care Leavers with Special Educational Needs or Disabilities
- The context of the Children and Young People's Directorate 2020 Programme, which aims to transform services whilst also releasing £14.9m in savings by 2020.

Delivery of the project has been proposed to improve practice and outcomes for young people by bringing clarity of roles not just within the Leaving Care Team but also in relation to other services such as the new Transitions to Adulthood service. The project has also identified opportunities to release cashable benefits of £160k through more innovative approaches to working. This will contribute towards the overall Directorate 2020 savings. The proposals have also been designed so as to realise a number of other non-cashable benefits, including:

- New career progression opportunities within the proposed team structure, thereby supporting staff development and retention
- Greater structural resilience through cluster management approach across teams
- Stronger leadership of key issues for Leaving Care across the County through additional portfolio responsibilities at Assistant Team Manager level for the priority areas of: Exploitation, Health, Accommodation, Safeguarding, Participation, Staying Put and Education, Training & Employment
- New opportunities for volunteering to support improved outcomes for care leavers

Section 3. What will change? What will be different for customers and/or staff?

The proposals for this project, if approved, will bring about a number of changes for both customers and staff, as outlined below:

Changes for customers:

The service currently works with 94 (16/17 years) looked after (eligible) young people to ensure a smooth transition from the care system into adulthood. This core client group has remained a relatively stable figure in recent years. The plans to reduce the LAC population will, if anything, reduce this number (note: a separate

Equality Impact Assessment has been undertaken for the Reducing LAC programme). The proposals aim to improve the services received by North Yorkshire Care Leavers by ensuring young people receive targeted specialist support at key transitional stages. Currently young people are allocated a leaving care case worker to act as personal advisor alongside the role of Social Worker as early as age 16, which can lead to confusion of these roles and introduce unnecessary anxiety around the planning for leaving care. For young people with complex disabilities, leaving care case workers can only have a limited advocacy role as care planning is often led and dictated by adult transitions.

This project proposes a review of roles and responsibilities which will reduce duplication across services, enable better targeting of specialist functions and reduce the potential for confusion and anxiety for care leavers about the support they receive. In order to create greater consistency for young people through reduction of dual roles of staff, the project proposes to increase the age at which a leaving care case worker becomes involved with a young person to either 17 ½ years or 6 months prior to a planned transition from care for those young people where there is no obvious benefit from the duplication of roles. In this respect, this proposal will remove the duplication and confusion that arises through the involvement of both the social worker and leaving care case worker for young people who have no immediate plan to become independent. It would also free up the leaving care service to work with care leavers through an approximate decrease of eligible cases by 50%. The early planning would continue but through a single worker who could if required call up on the advice of a leaving care case worker. It is expected that a leaving care worker would become involved earlier, at the request of the LAC team manager, where there is evidence that this specialist support would bring additional benefits, or at the specific request of a young person.

The proposed changes to the allocation of leaving care case workers will also serve to provide the service with greater flexibility to target expertise within the service to manage and support those young people who are deemed to present higher risk, for example young people with offending behaviour, those who are at high risk of being exploited and young people in need of additional mental health and wellbeing services. This will mean that services, expertise and resources are targeted where the need is greatest, and to prevent risky situations which young care leavers find themselves in from escalating into crisis.

A small number of young people have been consulted about the involvement of Leaving Care case workers as part of the project. There were a wide variety of responses from young people about the right time for this relationship and support to begin. Whilst some agreed with the proposal to introduce the worker later on, minimising confusion, some preferred the current set-up and it was even felt by some that workers should get involved with Care Leavers at a younger age. This consultation indicates that the exact age for a leaving care worker to become involved should be led more by the needs of the individual than prescribed by a

standard threshold. The proposals developed through the project therefore take account of this need for flexibility, such that young people will be asked about their preferences.

Changes for staff

The proposals outlined by the Leaving Care Project will, if implemented, lead to a number of changes in job roles and structures for staff.

The proposed adjustments to service delivery as outlined above afford the opportunity to realign the teams within the Leaving Care service to ensure there is a fair distribution of cases per worker, whilst allowing some flexibility for staff to work across teams to cover statistical blips. The proposals propose a reduction of one part time Case Worker which can be met as fixed term contracts come to an end, therefore reducing the impact on staff as far as possible. However, in order to maintain responsiveness across small teams to the fluctuating demand and impact of staff absence sometimes experienced within the service, the proposals also include the retention of 18.5 hrs per week vacancy to be pooled across the service and used to provide support as and when required through additional hours. This will ensure appropriate provision can be made to meet need and bring additional resilience to cover pressures in staff capacity as they arise.

It is also proposed within this restructure to address the current anomaly of a qualification bar and provide greater clarity of role by introducing a senior leaving care case worker in each team with clearly demarcated responsibilities. This will provide career progression opportunities for staff within the service. It is expected in addition to requiring a qualification (Currently level 5 Diploma), this role would take on more complex cases such as young people who are leaving residential care through the No Wrong Door model or young people who present very high risk behaviours. Leaving Care case workers would be paid at Band 10, with the dedicated senior role expected to achieve Band 11. This role would be achieved through competitive interview which would align both skills and qualification and open to all existing band 10 and 11 workers. Successful candidates for this role would be supported by the service to achieve the necessary qualification.

Finally, the proposals mitigate the current risk of the impact of absence within a small management team. The proposed operational management structure works across a cluster of teams which mitigates any risk of absence and provides greater flexibility to manage changes in geographical demand. The cluster approach is logistically achievable across the geography of the 3 teams for which this is proposed. The economies of scale which would be achieved by this proposal allow for a reduction in Assistant Team Manager (ATM) hours of 10.5hr with the creation of 3 x 30 hour ATM posts across the cluster. This model ensures there is an appropriate ratio of ATM's to Leaving Care Case workers and proposes additional portfolio responsibilities at ATM level for the strategic priority areas of: Exploitation, Health, Accommodation,

Safeguarding, Participation, Staying Put and Education, Training & Employment.

The changes in staffing proposed by this review may have a positive or negative impact on staff who live in a rural area, due to the possibility of changes to work locations, dependent on the outcome of the selection process for the new senior roles. Whilst there would be sufficient posts available, avoiding redundancy may be subject to a small number of staff being geographically displaced subject to successful applications for senior posts, and this may therefore lead to a change (either decrease or increase) in travel to work time, which might impact particularly on those living in rural areas due to greater likelihood of poor connectivity. The impact of this will be monitored throughout the course of the project. Due consideration will be given to the degree of disruption likely to be caused by a proposed change in location and additional expense and travelling time incurred in circumstances where an alternative offer of employment is made, as per the NYCC Redeployment Policy.

It is expected that there will be a potential redundancy across the assistant team manager posts. It is proposed that effective staff will preference and interview as stated in the ring fencing document. This will follow a fair process following North Yorkshire County Council procedures.

Section 4. What impact will this proposal have on council resources (budgets)?

Cost neutral? N

Increased cost? N

Reduced cost? Y

These proposals aim to make a direct impact on staff savings of circa £29k. However, targeting services more precisely is likely to have indirect savings when delivering greater expertise to the most complex cases. Further savings will be made circa £131k from realigning the base budget and grant funding, without direct impact on Young People or staff. These proposals have been developed so as to minimise the impact of proposals on staff in the service as well as Care Leavers using the service. For this reason, it is proposed that the majority of the £160k saving is delivered from non-staffing budgets

Section 5. Will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Give any evidence you have.
Age		X		<p><u>Impact on Customers</u></p> <p>Care Leavers, with whom the Leaving Care Service works, tend to be in the age bracket of 16 to 25 years and it is anticipated that this project will impact positively on them. The service provides specialist support to this cohort young people leaving the care of the local authority. Therefore any changes to the service will impact predominantly on young care leavers in this age bracket. The proposed change to the allocation of leaving care case workers is likely to make things better for care leavers, because the introduction of a worker will be based on an assessment of need, rather than when care leavers reach a certain age threshold, as is currently the case. In this respect, a worker will be introduced at the right time and right place for each individual, which may be later, or at the same time as the present arrangement in each case. This will decrease anxiety and confusion around the issue of leaving care which some young people currently experience, by bringing greater clarity and consistency of roles. In order to ensure that care leavers are not disadvantaged by this proposal, an option remains for the young person to ask for a leaving care worker if they wish. The statutory duty to provide a personal advisor (PA) will continue to be delivered as it has been clarified by government; it is a function as opposed to a role. This function will be delivered by the most appropriate person once this element of the restructure is implemented.</p>
	X			<p><u>Impact on Staff</u></p> <p>The restructure does not introduce any change in terms of the current age profile. We will be compliant with the legislation to ensure that staffs are not disadvantaged because of their age.</p>
Disability		X		<p><u>Impact on Customers</u></p> <p>There are specific proposals within this project which will clarify the roles and responsibilities across the Leaving Care service and the new Transitions to Adulthood service which has the main responsibility for care planning for young people aged 16 – 25 with complex disabilities. There are a number of looked after</p>

			children / care leavers within complex disabilities. The proposal in these cases for the Social Worker to carry out the function of the Personal Adviser is anticipated to be of benefit to care leavers with complex disabilities, as it will lead to greater consistency of professional involvement meaning that stronger relationships can be built with the individual, and a more holistic approach can be taken to meeting their needs.
	X		<p><u>Impact on Staff</u> As above</p> <p>Team managers have identified 1 member of staff with a disability although no impact is anticipated as a result of the changes. Staff will be able to feed into the EIA during the consultation process and the EIA will be amended where appropriate to incorporate any feedback. The proposed changes will not introduce any change in terms of the current disability profile. As an organisation, NYCC must continue to meet the requirements of the Equality Act 2010, which obligates us to make reasonable adjustments to accommodate disabled individuals as employees or service users. Team Managers will be advised of the Disability passport and asked to disseminate this information to staff as appropriate.</p>
Sex (Gender)	X		<p><u>Impact on Customers</u> Leaving Care provision is available to all care leavers, and not targeted at / restricted to those of specific genders. As the nature of Leaving Care support is dependent on and responsive to individual assessed need, it is anticipated that there would be no identifiable or planned impact on specific gender groups as a result of these proposals. Whilst data from 1st April 2015 showed 58% of Looked After Children (i.e. those who will become care leavers at some point) are male and 42% female, this project is not proposing to target gender as a means of making changes to provision.</p>
	X		<p><u>Impact on Staff</u> As above</p> <p>The restructure does not introduce any change in terms of the current profile. Appointments to the structure will follow NYCC Policies and procedures and will be made on merit.</p>

Race	X			<p><u>Impact on Customers</u></p> <p>Leaving Care provision is available to all care leavers, and not targeted at / restricted to those of a specific race. As the nature of Leaving Care support is dependent on and responsive to individual assessed need, it is anticipated that there would be no identifiable or planned impact on specific racial groups as a result of these proposals. Data from 30th June 2015 shows 94% of Looked After Children (i.e. those who will become care leavers at some point) are classed as 'A1: White - British' however it should be noted that none of the changes proposed through this review are based on altering the services received by specific racial groups. The data on race for Looked After Children (30/06/15) is below:</p> <table border="1"> <thead> <tr> <th>Race / Ethnicity LAC</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>A1 - White - British</td> <td>93.9%</td> </tr> <tr> <td>A2 - White - Irish</td> <td>0.2%</td> </tr> <tr> <td>A3 - Any other White Background</td> <td>1.8%</td> </tr> <tr> <td>B1 - Mixed - White and Black Caribbean</td> <td>0.4%</td> </tr> <tr> <td>B2 - Mixed - White and Black African</td> <td>0.4%</td> </tr> <tr> <td>B3 - Mixed - White and Asian</td> <td>2.6%</td> </tr> <tr> <td>B4 - Mixed - Any Other Mixed Background</td> <td>0.4%</td> </tr> <tr> <td>D2 - Black/Black British - African</td> <td>0.2%</td> </tr> <tr> <td>Grand Total</td> <td>100.0%</td> </tr> </tbody> </table>	Race / Ethnicity LAC	%	A1 - White - British	93.9%	A2 - White - Irish	0.2%	A3 - Any other White Background	1.8%	B1 - Mixed - White and Black Caribbean	0.4%	B2 - Mixed - White and Black African	0.4%	B3 - Mixed - White and Asian	2.6%	B4 - Mixed - Any Other Mixed Background	0.4%	D2 - Black/Black British - African	0.2%	Grand Total	100.0%
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	X			<p><u>Impact on Staff</u></p> <p>See above</p> <p>As an organisation, NYCC must comply with relevant legislation and all services need to be culturally sensitive and appropriate and respect the values, beliefs, culture and tradition of the individuals we work with. Staff should also directly tackle any evidence of racist attitudes, bullying or discrimination amongst colleagues and service users.</p>																				
Gender reassignment	X			<p><u>Impact on Customers</u></p> <p>Leaving Care provision is available to all care leavers, and not targeted at / restricted to those with or without specific gender reassignment characteristics. As the nature of Leaving Care support is dependent on and responsive to individual assessed need, it is anticipated that there would be no identifiable or planned impact on those with or without gender reassignment as a result of these proposals.</p>																				
	X			<p><u>Impact on Staff</u></p> <p>As above.</p>																				

				As an organisation, NYCC must comply with the conditions of the Gender Recognition Act and there is the statutory requirement to protect the confidentiality of someone who has changed, or is in the process of changing their gender.
Sexual orientation	X			<p><u>Impact on Customers</u></p> <p>Leaving Care provision is available to all care leavers, and not targeted at / restricted to those of specific sexual orientation. As the nature of Leaving Care support is dependent on and responsive to individual assessed need, it is anticipated that there would be no identifiable or planned impact on groups with specific sexual orientation as a result of these proposals.</p> <p>We will promote an understanding of diversity and respect for others and will work sensitively around any issues of sexuality and identity</p>
	X			<p><u>Impact on Staff</u></p> <p>As above</p> <p>For information, this data is not recorded within the corporate HR system. The Government estimates that 5-7% (one in 15) of the population is lesbian, gay or bisexual. As an organisation, NYCC promotes an understanding of diversity and respect for others and work sensitively around issues of sexuality and identity,</p>
Religion or belief	X			<p><u>Impact on Customers</u></p> <p>Leaving Care provision is available to all care leavers, and not targeted at / restricted to those with specific religions or beliefs. As the nature of Leaving Care support is dependent on and responsive to individual assessed need, it is anticipated that there would be no identifiable or planned impact on specific religious /belief groups as a result of these proposals.</p>
	X			<p><u>Impact on Staff</u></p> <p>As above.</p> <p>For information – this data is not recorded within the corporate HR system. As an organisation, NYCC should continue to make efforts to accommodate the needs of individuals in terms of religion or belief.</p>
Pregnancy or maternity	X			<p><u>Impact on Customers</u></p> <p>Leaving Care provision is available to all care leavers, and not targeted at / restricted to those whose circumstances include pregnancy/maternity. As the nature of Leaving Care support is dependent</p>

				on and responsive to individual assessed need, it is anticipated that there would be no identifiable or planned impact on pregnant women or those who have recently given birth as a result of these proposals.
	X			<u>Impact on Staff</u> No employees had been identified as being pregnant or on maternity leave and no impact is anticipated as a result of the changes. As an organisation, NYCC is compliant with relevant legislation and it is unlawful for employers or service providers to discriminate against women who are pregnant or have recently given birth.
Marriage or civil partnership	X			<u>Impact on Customers</u> Leaving Care provision is available to all care leavers, and not targeted at / restricted to those of particular marital status. As the nature of Leaving Care support is dependent on and responsive to individual assessed need, it is anticipated that there would be no identifiable or planned impact on groups with a particular marital status as a result of these proposals.
	X			<u>Impact on Staff</u> As above. No impact is anticipated as a result of the changes. It is unlawful for employers or service providers to discriminate against individuals with regard to marriage or civil partnership. Employers must also treat civil partners in the same way as married people in a wide range of matters, including employment and vocational training. Any benefits given to married employees must also be offered to civil partners, including flexible working, statutory paternity pay, paternity and adoption leave, health insurance and survivor pensions.
Section 6. Would this proposal affect people for the following reasons?	No impact	Make things better	Make things worse	Why will it have this effect? Give any evidence you have.
Live in a rural area	X			<u>Impact on Customers</u> Leaving Care provision is available to all care leavers, and not targeted at / restricted to those living in a particular area of North Yorkshire. As the

				nature of Leaving Care support is dependent on and responsive to individual assessed need, it is anticipated that there would be no identifiable or planned impact on care leavers living in rural areas as a result of these proposals. The Cluster Management approach proposed through this project will bring greater consistency of approach across localities.
		X	X	<p><u>Impact on Staff</u></p> <p>The changes in staffing proposed by this review may have a positive or negative impact on staff who live in a rural area, due to the possibility of changes to work locations, dependent on the outcome of the selection process for the new senior roles. Whilst there would be sufficient posts available, avoiding redundancy may be subject to a small number of staff being geographically displaced subject to successful applications for senior posts, and this may therefore lead to a change (either decrease or increase) in travel to work time, which might impact particularly on those living in rural areas due to greater likelihood of poor connectivity. The impact of this will be monitored throughout the course of the project. Due consideration will be given to the degree of disruption likely to be caused by a proposed change in location and additional expense and travelling time incurred in circumstances where an alternative offer of employment is made, as per the NYCC Redeployment Policy.</p>
Have a low income	X			<p><u>Impact on Customers</u></p> <p>Leaving Care services are provided on a non-means tested basis to all care leavers, in accordance with their assessed needs. In this respect, the changes outlined in this review will be applied equitably, irrespective of an individual's income. The change in support arrangements for care leavers will ensure that access to specialist advice for benefits remains in place if required, to ensure that care leavers are in receipt of their full benefit entitlement.</p>
		X	X	<p><u>Impact on Staff</u></p> <p>The changes in staffing proposed by this review may have a positive or negative impact on staff on lower incomes, due to the introduction of the new senior role at Band 11 which will be subject to a competitive interview open to all existing band 10 and 11 workers. It is possible that as a result of this</p>

				<p>process, some staff members may be offered a lower graded post than their current role. In the event of this occurrence, affected staff may, dependent on individual circumstance, be eligible for pay protection in line with the NYCC Redeployment Policy, to mitigate adverse impacts.</p>
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Section 7. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men?) State where this is likely to happen and explain what you think the effect will be and why giving any evidence you have.

Impacts on individual characteristics have been outlined above. It is not considered that proposals will have more of an adverse impact on staff or customers as a result of them exhibiting a combination of protected characteristics. This is because support delivered to customers through the Leaving Care Service is tailored to individual need following established assessment practice. It is possible that there may be staff affected by this review for whom their combined protected characteristics cause adverse impact, such as someone living in a rural area with a disability affecting their mobility (in terms of access and connectivity for travel to work if their working location changed following the outcome of selection processes for posts proposed by the review). In this case, NYCC redeployment policies will be followed to ensure that alternative offers of employment are appropriate, and that NYCC continues to meet the requirements of the Equality Act 2010 which obligates us to make reasonable adjustments to accommodate disabled individuals as employees or service users. All risks will be closely monitored and mitigating actions put into place as far as is reasonably possible.

Section 8. Only complete this section if the proposal will make things worse for some people. Remember that we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us.

Can we change our proposal to reduce or remove these adverse impacts?

The overall aim of this project is to make things better and improve outcomes for care leavers. Proposals will go through a 30 day consultation with staff and unions, the outcomes of which will be fed into this review before it is implemented. Consultation will provide an opportunity for staff and unions to put forward alternative suggestions for achieving the objectives of the review to further mitigate any impacts identified.

Can we achieve our aim in another way which will not make things worse for people?

The overall aim of this project is to make things better and improve outcomes for care leavers. Proposals will go through a 30 day consultation with staff and unions,

the outcomes of which will be fed into this review before it is implemented. Consultation will provide an opportunity for staff and unions to put forward alternative suggestions for achieving the objectives of the review to further mitigate any impacts identified.

If we need to achieve our aim and can't remove or reduce the adverse impacts get advice from legal services. Summarise the advice here. Make sure the advice is passed on to decision makers if the proposal proceeds.

Section 9. If the proposal is implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

The impact on staff will be monitored through established caseload management practices. The impact on young people will be monitored through independent review feedback. A full post-implementation review of the project will also be carried out after one year, to determine the impact of the changes, and an interim review will take place 6 months after implementation.

Section 10. List any actions you need to take which have been identified in this EIA

Action	Lead	By when	Progress
All staff to be consulted on the proposed changes.	Martin Kelly	Oct 2015	
Young People to be consulted on the change in the age a leaving care worker becomes involved. Some of this consultation has already begun with very mixed views which have been built in to the proposal by way of young person's choice.	Martin Kelly / James Parkes	Oct 2015	
Develop clear protocol with Transitions Service	Kate Barraclough	Oct 2015	
Post implementation 6 month review	Martin Kelly	Oct 16	
Post Implementation 12 month review	Martin Kelly	April 17	