

Section 4

Equality

Analysis Toolkit

Proposals for Transforming Wellbeing,
Prevention and Early Help Services for
Children, Young People and Families in
Lancashire

What is the Purpose of the Equality Decision-Making Analysis?

The Analysis is designed to be used where a decision is being made at Cabinet Member or Overview and Scrutiny level or if a decision is being made primarily for budget reasons. The Analysis should be referred to on the decision making template (e.g. E6 form).

When fully followed this process will assist in ensuring that the decision-makers meet the requirement of section 149 of the Equality Act 2010 to have due regard to the need: to eliminate discrimination, harassment, victimisation or other unlawful conduct under the Act; to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard means analysing, at each step of formulating, deciding upon and implementing policy, what the effect of that policy is or may be upon groups who share these protected characteristics defined by the Equality Act. The protected characteristics are: age, disability, gender reassignment, race, sex, religion or belief, sexual orientation or pregnancy and maternity – and in some circumstances marriage and civil partnership status.

It is important to bear in mind that "due regard" means the level of scrutiny and evaluation that is reasonable and proportionate in the particular context. That means that different proposals, and different stages of policy development, may require more or less intense analysis. Discretion and common sense are required in the use of this tool.

It is also important to remember that what the law requires is that the duty is fulfilled in substance – not that a particular form is completed in a particular way. It is important to use common sense and to pay attention to the context in using and adapting these tools.

This process should be completed with reference to the most recent, updated version of the Equality Analysis Step by Step Guidance (to be distributed) or EHRC guidance at

<http://www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/public-sector-equality-duty>

This toolkit is designed to ensure that the section 149 analysis is properly carried out, and that there is a clear record to this effect. The Analysis should be completed in a timely, thorough way and should inform the whole of the decision-making process. It must be considered by the person making the final decision and must be made available with other documents relating to the decision.

The documents should also be retained following any decision as they may be requested as part of enquiries from the Equality and Human Rights Commission or Freedom of Information requests.

Support and training on the Equality Duty and its implications is available from the County Equality and Cohesion Team by contacting

AskEquality@lancashire.gov.uk

Specific advice on completing the Equality Analysis is available from your Service contact in the Equality and Cohesion Team or from Jeanette Binns

Jeanette.binns@lancashire.gov.uk

Name/Nature of the Decision

Proposals for Transforming Wellbeing, Prevention and Early Help Services for Children, Young People and Families in Lancashire

What in summary is the proposal being considered?

The proposals involve a future service model to be delivered within a revised financial envelope of £17,230,000. This represents a £7.4million budget saving by 2017/18, based on current services spend (2015/16). The service delivery model proposal will transform and fully integrate a range of services within Wellbeing, Prevention and Early Help Service (WPEHS), which will be implemented subject to consultation. The resultant integrated delivery model will align existing core offers for Children's Centres, Young People's Provision, Prevention and Early Help and Lancashire's response to the national Troubled Families Unit national programme.

This will ensure effective delivery of a wide range of support across the 0 -19yrs+ age range within the context of a whole family response. This will also galvanise Lancashire's strategic approach to Wellbeing, Prevention and Early Help, strongly contribute to the delivery of Public Health responsibilities.

The proposal further aligns with the ongoing re-procurement of Public Health services and there will be future opportunities to consider the integration of other services like Health Visiting and School Nursing Services, alongside other wider Council Services.

The service will adopt a whole family approach to its work, working with children and young people across the 0-19yr+ age range (including young people up to 25yrs with SEND).

Key principles of the service offer include:

- Creating integration of service functions to streamline the response to families
- Targeting and prioritising resources towards working with children, young people, families and communities most in need of the

councils help

The service will identify as early as possible when a child or family needs support, helping them to access services to meet their needs, and work together to ensure that this has maximum impact on achieving positive outcomes, offering the right help, in the right place, at the right time.

The service will offer an enhanced level of support to families through staff with a social work qualification.

It is anticipated that WPEHS will operate service delivery, including universal drop-in services and groups in the future, from 56 neighbourhood centres distributed across the 34 service planning areas in Lancashire identified within the corporate strategy.

WPEHS proposal is to provide at least one point of service access within each of the 34 service planning areas and distribute the remainder in relation to needs and deprivation with higher need areas having three or four points of access and the middle and lower need areas having two or one.

Neighbourhood centres will operate a flexible programme of delivery to meet the identified needs of children, young people and families in the local neighbourhood. Each will work to a standard delivery specification where one identified neighbourhood centre in each 'district' area will provide an enhanced level of access to services (12 delivery sessions per week) whilst the remainder will deliver 7 sessions per week. This will enable 452 delivery sessions per week 'countywide', to be offered to targeted groups either through the neighbourhood centres or through outreach and detached delivery.

This specification will enable the service to balance access to services across 'reach areas' in proportion to need, complemented by the use of outreach/detached and use of community assets.

It is anticipated that points of access will be confirmed following the Property Strategy (Neighbourhood Centres) review, though it should be noted that some frontline delivery may operate on an outreach basis from within partner/provider properties within communities,

including schools.

The following factors, amongst others, will need to be part of any assessment in determining which combination of 'Neighbourhood Centres' are most suited to ensuring sufficiency of both 'access' and 'reach' within the future delivery model for WPEHS;

- Points of access within principle communities with good access and sufficient neutrality to ensure different communities will use the facilities.
- Spread of access points which ensure the ability to establish links to centres within defined reach areas (DfE defined/children centres)
- Gaps between provision – good practice for access within 30 minutes reasonable travel distance (walking)
- Buildings sufficiently flexible to respond to the diverse needs of 0-19+ and families, including discrete one to one spaces, flexible group spaces, adequate storage and access facilities etc.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

Yes.

Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:

- Age
- Disability including Deaf people

- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

The focus on this proposal is to transform the targeted early help offer for children, young people and families currently delivered through Children Centre or Young People Service.

The County Council has a number of statutory duties in this respect, including delivering a 'sufficient' children's centre offer to meet local need so far as this is reasonably practicable (Childcare Act 2006). This is based on population and defined reach areas, with a consideration to retain universal services, whilst concentrating and targeting those children and families who are the most disadvantaged.

There are also provisions for the improvement of young people's wellbeing and for supporting their participation in education and training under the Section 507b of the Education and Inspection Act 2006 and the Section 68 of the Education and Skills Act 2008, including the identification of, and reduction of numbers of NEET young people.

Current provision include 61 Children Centres and 18 Satellite Centres, as well as 10 Youth Zones and 43 Young People's Centres.

The service works with children and young people across the 0-19yr+ age range (including young people up to 25yrs with SEND).

Children Centres monitor service users, and the data for April-September 2015 is as follows:

From a total of 78342 users (including children and carers), 12069 were from a BME background (15.4% of the total). Since the BME population of Lancashire comprises about 8% of the total, one can see that BME people are overrepresented in the group of Children Centre users.

Focusing on carers, the figures for gender are roughly 83% female and 17% male.

Only 3% of service users were recorded as having special education needs or a disability.

Regarding Young People's services, a total of 25,565 people accessed YPS since 1st April 2015, with 14 and 15 year-olds the largest age groups.

Because of the ethnicity of over 7,000 of such service users is not known, it is impossible to determine with precision whether any ethnic group is under represented in the group. The fact that the ratio of White/Asian service users seems to be around 8.7 and the same ratio being about 15.4 in the wider Lancashire population reveals that BME service users are over-represented.

52% of users are males, a split that doesn't really suggest any gender bias in service use.

10.7% were recorded as having special education needs or a disability, while there were 286 teenage parents or pregnant teenagers.

Question 2 – Engagement/Consultation

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

Any working proposals regarding which facilities will be used will be subject to consultation and will be aligned with the outcomes of the strategy and consequent review, once known.

Appropriate consultation on the proposed model will ensure that our children, young people, families, carers and local communities have an active influence over the future shape of service delivery, and that these are taken in equal account alongside the views of key delivery partners. This will include the required statutory consultation processes which may need to be undertaken in respect of any such impact on designated Children Centres. Various key stakeholders will be consulted, with details of the planned consultation process outlined in the Cabinet Report.

We ensure that people who share protected characteristics are consulted in the process, as well as key organisations that represent their interests.

This EAT will be amended in the coming months to reflect the process and outcomes of this consultation.

Question 3 – Analysing Impact

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

There will be a reduction in the numbers of facilities from where

services are currently delivered. This may impact on accessibility and reach and these two aspects can have an impact on the ability of disabled service users to access the transformed service. The consultation needs to ensure that the views of disabled people are heard.

Both Children Centres and Young People's services are accessed by disproportionately high numbers of BME service users. Any reduction in these services will impact these groups disproportionately. However, a more targeted service in areas of greater need may mean that some BME groups, who live in some of the most deprived areas of the County, may still be able to access more targeted services.

Any reduction in service provision associated with Children Centres will have a disproportionate impact on women (as parents/carers) and also on pregnant women currently using these services.

As the final implementation will depend on the consultation and on the Property Strategy, it is still too early to determine with more precision what the impacts may be. This Equality Analysis will be revised accordingly in the coming months as soon as we have more details about this.

Question 4 –Combined/Cumulative Effect

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

Any reductions in the levels of services to some of our most deprived and vulnerable communities will come on top of various other changes in public spending and benefits that have been impacting on those communities. When we have more details about the changes and the outcomes of the review, consultation and Property Strategy we will be able to provide more details about how other changes and spending cuts may exacerbate the impacts of these proposals.

Question 5 – Identifying Initial Results of Your Analysis

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

The proposal remains the same.

Question 6 - Mitigation

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

These proposals are not simply about reducing services, but about transforming models of delivery. There will be more and better

integration of different services to children, young people and families, as well as targeting of resources to those with greatest need. For instance, the service will offer an enhanced level of support to families through staff with a social work qualification.

As a result, many service users may benefit from the proposed changes, and people sharing protected characteristics may be among them.

The outcomes and analysis of consultation results will have to identify mitigation in areas where there will be inevitable and significant reduction in current service provision, if it impacts on people sharing protected characteristics.

Regarding access to services, a number of factors will be considered, including (geographical) gaps between provision, points of access and spread of access, as well as the flexibility of buildings.

Question 7 – Balancing the Proposal/Countervailing Factors

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

This proposal responds to the need for the County council to make unprecedented budget savings. While some groups may be potentially affected, we will strive to minimise any negative impacts by developing as many mitigating actions as possible and by taking into account the views from the consultation.

Question 8 – Final Proposal

In summary, what is your final proposal and which groups may be affected and how?

The proposal establishes the principles of the transformation of the service and the financial envelope in which it will operate. The proposal as outlined in the Cabinet Report will be subject to consultation and reviews, which will guide its implementation.

Question 9 – Review and Monitoring Arrangements

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

The Equality and Cohesion Team will be monitoring the outcomes of the consultation and relevant reviews/strategies and will be amending this Equality Analysis when needed.

Equality Analysis Prepared By Saulo Cwerner

Position/Role Equality & Cohesion Manager

Equality Analysis Endorsed by

Decision Signed Off By

Cabinet Member or Director

Please remember to ensure the Equality Decision Making Analysis is submitted with the decision-making report and a copy is retained with other papers relating to the decision.

Where specific actions are identified as part of the Analysis please ensure that an EAP001 form is completed and forwarded to your Service contact in the Equality and Cohesion Team.

Service contacts in the Equality & Cohesion Team are:

Karen Beaumont – Equality & Cohesion Manager

Karen.beaumont@lancashire.gov.uk

Contact for Adult Services ; Policy Information and Commissioning (Age Well); Health Equity, Welfare and Partnerships (PH); Patient Safety and Quality Improvement (PH).

Jeanette Binns – Equality & Cohesion Manager

Jeanette.binns@lancashire.gov.uk

Contact for Community Services; Development and Corporate Services; Customer Access; Policy Commissioning and Information (Live Well); Trading Standards and Scientific Services (PH), Lancashire Pension Fund

Saulo Cwerner – Equality & Cohesion Manager

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Contact for Children's Services; Policy, Information and Commissioning (Start Well); Wellbeing, Prevention and Early Help (PH); BTLS

Pam Smith – Equality & Cohesion Manager

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Contact for Governance, Finance and Public Services; Communications; Corporate Commissioning (Level 1); Emergency Planning and Resilience (PH).

Thank you