

# Equality Impact Assessment

## Context

1. under s.149 of the Equality Act 2010, when making decisions, Essex County Council must have regard to the Public Sector Equality Duty, ie have due regard to:
  - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
  - advancing equality of opportunity between people who share a protected characteristic and those who do not,
  - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
  - age
  - disability
  - gender reassignment
  - marriage/civil partnership
  - pregnancy/maternity
  - race
  - religion/belief
  - sex/gender
  - sexual orientation.
3. In addition to the above protected characteristics you should consider the cross-cutting elements of the proposed policy, namely the social, economic and environmental impact (including rurality) as part of this assessment. These cross-cutting elements are not a characteristic protected by law but are regarded as good practice to include.
4. The Equality Impact Assessment (EqIA) document should be used as a tool to test and analyse the nature and impact of either what we do or are planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. Use the questions in this document to record your findings. This should include the nature and extent of the impact on those likely to be affected by the proposed policy.
6. Where this EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. The EqIA will be published [online](#):
8. All **Cabinet Member Actions, Chief Officer Actions, Key Decisions** and **Cabinet Reports must be** accompanied by an EqIA.
9. For further information, refer to the EqIA guidance for staff.
10. For advice, contact:  
Shammi Jalota [shammi.jalota@essex.gov.uk](mailto:shammi.jalota@essex.gov.uk)  
Head of Equality and Diversity  
Corporate Law & Assurance  
Tel 0330 134592 or 07740 901114



## Section 1: Identifying details

Your function, service area and team: Children and Families, Commissioning Team

If you are submitting this EqlA on behalf of another function, service area or team, specify the originating function, service area or team: External Placements and Resource Team

Title of policy or decision:

To agree the procurement of a Framework Agreement for providers of Residential Care for Looked After Children

Officer completing the EqlA:

Karel Stevens-Lee, Commissioning Manager. Email: Karel.stevens-lee@essex.gov.uk

Date of completing the assessment: 6<sup>th</sup> December 2018

## Section 2: Policy to be analysed

2.1	<p>Is this a new policy (or decision) or a change to an existing policy, practice or project?</p> <p><b>New decision.</b></p>
2.2	<p>Describe the main aims, objectives and purpose of the policy (or decision):</p> <p><b>ECC's strategic approach is to support children to remain within their families where possible. Where children cannot safely remain with their families, we seek to provide high quality substitute care, preferably within family settings such as foster care.</b></p> <p><b>If no suitable placements are available we seek suitably matched high-quality residential units, as near as possible to the child's home locality to maintain links with their families and communities.</b></p> <p><b>To meet the authority's statutory responsibilities under the Children Act 1989, the Children and Families Act 2014 and the Children and Social Work Act 2017 when providing individual packages of care for residential placements.</b></p> <p>What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)?</p> <p><b>Establishing a multi-provider framework agreement to facilitate the purchase of individual residential care placements. To ensure legal compliance, providing a framework for improving quality assurance, performance management, safeguards for children and young people with improved financial transparency. Current placements are made on a spot purchase basis.</b></p>
2.3	<p>Does or will the policy or decision affect:</p> <ul style="list-style-type: none"><li>• service users</li><li>• employees</li></ul>



	<ul style="list-style-type: none"> <li>the wider community or groups of people, particularly where there are areas of known inequalities?</li> </ul> <p><b>The framework will provide the placement team with a compliant mechanism to purchase residential placements with. All providers on the framework will undergo a procurement procedure to ensure quality and price and a mini competition will be used to ensure individual placements meet an approved matching questionnaire. The framework will provide the team with clearer performance management mechanism this will mean that the placement team can manage and issues with a placement more effectively.</b></p> <p><b>The service users will benefit from the framework as it ensures the authority is putting in place a mechanism to manage demand with pre-approved quality assured providers with key performance indicators detailed within the service specification.</b></p> <p>Will the policy or decision influence how organisations operate?</p> <p><b>The formation of a framework will provide a structured layer of pre- agreed terms and conditions, expectations, outcomes and price structure outside of an emergency/crisis negotiated placement. It will provide the operational team the commercial support and reassurance of robust contractual agreements, stakeholder engagement and market management. All placements will be made via a mini competition where a matching questionnaire will be used to ensure individual children’s needs are met.</b></p>
2.4	<p>Will the policy or decision involve substantial changes in resources?</p> <p><b>No.</b></p>
2.5	<p>Is this policy or decision associated with any of the Council’s other policies and how, if applicable, does the proposed policy support corporate outcomes?</p> <p><b>The provision of residential placements links to Strategic Aim 2 within the Organisational Strategy: Help people get the best start and age well. And the priority: Help keep vulnerable children safer and enable them to fulfil their potential</b></p> <p><b>The decision to agree a framework supports the Children and Young People’s Strategic Plan.</b></p> <ul style="list-style-type: none"> <li><b>Keeping children, young people and families at the heart of what we do</b></li> <li><b>Working collectively, innovatively and influentially</b></li> <li><b>Providing assurance, challenge and support</b></li> <li><b>Being open and honest</b></li> </ul>



## Section 3: Evidence/data about the user population and consultation<sup>1</sup>

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.1	<p>What does the information tell you about those groups identified?</p> <p><b>The demand for residential placements has remained steady and as of June 2018 there were 115 children in such a placement. However, there has been an increase in demand for placements that can support young people with more complex needs and vulnerabilities, including those at risk of gang involvement, substance misuse and Child Sexual Exploitation (CSE). Where appropriate for the child ECC would aim to make placements within its boundaries or closer to home to ensure families and social networks are maintained. Early market engagement with Providers has seen a willingness for some providers to develop units in EEC. With other neighbouring authorities vying for and making placements in ECC it is important that ECC engages and build relationships with providers.</b></p> <p><b>Some placements are made in an emergency/crisis situation. Therefore it is paramount that ECC carries out as much pre-planning and quality assurance measures with the providers before a crisis referral is made.</b></p>
3.2	<p>Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision?</p> <p><b>The involvement team have surveyed service users and obtained feedback on what factors are important to them when considering a placement. The feedback has shown that the proximity of the placement to school, friends and family is the most important. This has been reflected in the service specification of the framework and the matching questionnaire.</b></p> <p><b>ECC has held 2 market engagement events during February and June 2018 these early discussions with providers has help shaped influenced the preferred recommendation in the CMA options. A further 2 more events are scheduled for January and March 2019.</b></p> <p><b>There have been several internal stakeholder meetings to identify the operational needs and how commissioning and contracts teams can assist them to best meet their business objectives. Officers are mindful of the financial pressures on the Council and expect the evaluation of this revised proves to provide greater clarity in relation to provider pricing structures and cost.</b></p>

<sup>1</sup> Data sources within EEC. Refer to Essex Insight:  
<http://www.essexinsight.org.uk/mainmenu.aspx?cookieCheck=true>  
with links to JSNA and 2011 Census.



3.3	<p>If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary. Please include any reasonable adjustments, e.g. accessible formats, you will provide as part of the consultation process for disabled people:</p> <p><b>N/A</b></p>
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## Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

<b>Description of impact</b>	<b>Nature of impact</b> Positive, neutral, adverse (explain why)	<b>Extent of impact</b> Low, medium, high (use L, M or H)
Age	Up to aged 18	<b>L</b>
Disability – learning disability	<b>Positive- Quality assured providers, agree expectations, KPI's and outcomes</b>	<b>L</b>
Disability – mental health issues	<b>Positive- Quality assured providers, agree expectations, KPI's and outcomes</b>	<b>L</b>
Disability – physical impairment	<b>Positive- Quality assured providers, agree expectations, KPI's and outcomes</b>	<b>L</b>
Disability – sensory impairment (visual, hearing and deafblind)	<b>Positive- Quality assured providers, agree expectations, KPI's and outcomes</b>	<b>L</b>
Gender/Sex	<b>Positive- Provider working to ECC anti-discriminatory policies and practices.</b>	<b>L</b>
Gender reassignment	<b>Positive- Provider working to ECC anti-discriminatory policies and practices</b>	<b>L</b>
Marriage/civil partnership	N/A in most instances	<b>L</b>
Pregnancy/maternity	<b>Positive- Quality assured providers, agree expectations, KPI's and outcomes</b>	<b>L</b>



Race	<b>Positive- Provider working to ECC anti-discriminatory policies and practices</b>	<b>L</b>
Religion/belief	<b>Positive- Provider working to ECC anti-discriminatory policies and practices</b>	<b>L</b>
Sexual orientation	<b>Positive- Provider working to ECC anti-discriminatory policies and practices</b>	<b>L</b>
<b>Cross-cutting themes</b>		
<b>Description of impact</b>	<b>Nature of impact</b> Positive, neutral, adverse (explain why)	<b>Extent of impact</b> Low, medium, high (use L, M or H)
Socio-economic	<b>Positive- ECC will be better placed to influence the development of local provision which would improve the social economic of options around local employments</b>	<b>L</b>
Environmental, eg housing, transport links/rural isolation	<b>Positive- ECC will be better placed to influence the development of local provision across the county and support capital bids to improve housing/transport etc. to reduce rural isolation.</b>	<b>L</b>

## Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqIA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	No <input checked="" type="checkbox"/>	
		Yes <input type="checkbox"/>	If 'YES', use the action plan at <b>Section 6</b> to describe the adverse impacts and what mitigating actions you could put in place.

## Section 6: Action plan to address and monitor adverse impacts



What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.
N/A	N/A	N/A



## **Section 7: Sign off**

**I confirm that this initial analysis has been completed appropriately.  
(A typed signature is sufficient.)**

Signature of Head of Service: Christina Pace Head of  
Commissioning Vulnerable People

Date: 17/12/18

Signature of person completing the EqlA: Karel Stevens-Lee,  
Commissioning Manager

Date: 17/12/18

## **Advice**

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqlA you undertake to the director responsible for the service area. Retain a copy of this EqlA for your records. If this EqlA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.

