

## Equalities Comprehensive Impact Assessment v2 - Head of service review

Reference: ECIA551625101

Submitted: 02 November 2023 16:03 PM

### Executive summary

**Title of policy / decision:** Semi Independent Accommodation Framework : Approval to Reopen the Framework

**Policy / decision type:** Cabinet Decision

**Overview of policy / decision:** This ECIA relates to the cabinet paper seeking approval to re- open the Framework for the provision of Semi-Independent Accommodation (SIA). The Council is required to provide accommodation and support to young people leaving care at 16; Separated Migrant Children (SMC) and Families with children who are waiting leave to remain in the UK but have no recourse to public funds. A framework of providers is procured in 4 Lots as follows:

a) Eligible and relevant young people aged 16 and 17 (Lots A and D)

The Children Act 1989 as amended by the (Leaving Care) Act 2000 imposes accommodation duties on local authorities to support looked-after children and care leavers aged 16-17. The Councils Sufficiency Strategy for Children in Care and Care Leavers 2023-2026 identifies SIA as one of several accommodation options designed to support some of the most vulnerable children and young people leaving care and still in care. These placements form an important part of the system in meeting the needs of older children who are ready for increased independence.

b) Separated Migrant Children (SMC) (Lot B)

The Council has a statutory duty under Section 20 of the Children Act 1989 to assess and provide accommodation and support to any child who requires it, irrespective of their immigration status, nationality or documentation, until they reach the age of 18.

c) Families and young people aged 18+ with no recourse to public funds (NRPF) (Lot C)

Section 115 of the Immigration and Asylum Act 1999 states that a person will have 'no recourse to public funds' if they are 'subject to immigration control'. This means they have no entitlement to the majority of welfare benefits, including income support, housing benefit and a range of allowances and tax credits. Under the Hillingdon Judgement, the Council is obliged to adhere to the Local Authority Guidance LAC (2003) (13) on accommodating children in need and their families under section 20 of the Children Act (1989), where they have No Recourse to Public Funds. This extends to providing accommodation for care leavers over the age of 18 in such circumstances.

On 19th January 2021 Cabinet agreed to launch a tender for an Essex-wide 4-year framework contract provision of SIA for the cohorts outlined above to provide support and accommodation. A Cabinet Member Action (CMA ref FP/842/10/20) to approve the awarding of contracts on the framework was agreed by the Cabinet Member for Children's Services & Early Years in August 2021. There is provision within the governance to reopen the framework after a period of two years i.e. 2023, and senior leaders have taken the decision to request approval for the re-opening the framework.

**What outcome(s) are you hoping to achieve?:** Senior leaders have taken the decision to re-open the framework for the following reasons:

From October 23 all SIA providers must be registered with OFSTED therefore it is essential that the contracts of the current providers on the framework are changed to include this requirement. Provision for this change was made in the original procurement process.

Opening the framework enables new providers to be added to it via a competitive tender process which will

increase the range and choice of suitable placements for those who need them.

Opening the Framework also enables current providers to refresh their costings to take into account a) pressures brought about by inflation and b) the financial burden resultant of Ofsted registration.

**Executive Director responsible for policy / decision:** Helen Lincoln (Children, Families & Education)

**Cabinet Member responsible for policy / decision:** Beverley Egan (Children's Services and Early Years)

**Is this a new policy / decision or a change to an existing one?:** New policy / decision

**How will the impact of the policy / decision be monitored and evaluated?:** Providers submit data to the council which includes the Key Performance Indicators (KPI's) information and management information, including aggregated data relating to protected characteristics. There is a minimum of 1 scheduled contract meeting annually between the Provider, the Commissioner and/or a Commercial Contract Manager and ECC Children and Families Operations Officers. The focus of contracts meetings will be to review the providers' delivery in line with the specified Key Performance Indicators (KPIs) for the Provider and proactively address any areas of concern before they become substantive issues and working collaboratively for solutions.

**Will this policy / decision impact on:**

**Service users:** Yes

**Employees:** No

**Wider community or groups of people:** Yes

**What strategic priorities will this policy / decision support?:** A good place for Children and Families to Grow

**Which strategic priorities does this support? - Families:** Outcomes for vulnerable children

**What geographical areas of Essex will the policy / decision affect?:** All Essex

## Digital accessibility

**Is the new or revised policy linked to a digital service (website, system or application)?:** No

## Equalities - Groups with protected characteristics

### Age

**Nature of impact:** Positive

**Extent of impact:** Medium

### Disability - learning disability

**Nature of impact:** Positive

**Extent of impact:** Low

### Disability - mental health issues

**Nature of impact:** Positive

**Extent of impact:** Medium

### Disability - physical impairment

**Nature of impact:** Positive

**Extent of impact:** Low

## **Disability - sensory impairment**

**Nature of impact:** Positive

**Extent of impact:** Low

## **Sex**

**Nature of impact:** Positive

**Extent of impact:** Medium

## **Gender reassignment**

**Nature of impact:** Positive

**Extent of impact:** Low

## **Marriage / civil partnership**

**Nature of impact:** None

## **Pregnancy / maternity**

**Nature of impact:** Positive

**Extent of impact:** Low

## **Race**

**Nature of impact:** Positive

**Extent of impact:** High

## **Religion / belief**

**Nature of impact:** Positive

**Extent of impact:** High

## **Sexual orientation**

**Nature of impact:** Positive

**Extent of impact:** Low

**Rationale for assessment, including data used to assess the impact:** This service supports a) young people aged 16 and 17 who are in care b) Separated migrant children (SMC), c) young people over 18 and who have no recourse to public funds (previously SMC but are still awaiting a resolution to their immigration status application) and d) a small number of asylum-seeking families with young children who are waiting resolution to their immigration status applications.

This decision will deliver a positive impact for young people aged 16/17 by supporting them with the transition to independence and providing a safe place for them to live while supported by adults until they reach the age they are able to access public funds for different housing options. The Children & Young People's Placement Service (CYPPS) ensure that they understand the child's individual placement needs before completing a call off process to identify the most suitable placement.

Very small numbers of young people in SIA are identified as having a disability. Data from social care indicates that the vast majority of children in care with disabilities have their needs met in foster or residential care placements. Young people with mental health needs are found specialist placements or are supported by specialist mental health workers and/or agencies.

Over 50% of young people in SIA are SMC . Between the period of April 22 – March 23, 176 SMC 16 and 17-year-old children and 78 care leavers who are 18+ that were previously SMC with no recourse to public funds were placed in SIA provision. This framework has a positive impact on these groups by providing them with access to safe accommodation and support while they are in the process of seeking asylum in the UK. SIA placements for this group are delivered by providers who are skilled and experienced at meeting the cultural needs of diverse groups of young people and ensure the use of translators and interpreters where required. Feedback from SMC young people has been very positive, and they feel supported to access education, learn English and learn the cultural customs of this country. Many SMC have religious beliefs that are important to them, which is considered when matching. For example, a locally accessible Mosque may be an important factor for some placements. Providers are experienced in working with a diverse range of backgrounds, cultures and religions and supporting young people to be able to practice their faith in the way that they wish.

There is a gender imbalance in SIA currently, which is due to significant percentage of SMC being male. This does not however prohibit the ability to find suitable placements for female or transgender young people. In the period between April 2022- March 23 there were 5 SIA placements made for young people who identify as either transgender or non-binary. Information about gender is included in placement searches, to assist matching with providers that have gender specific provisions where appropriate. As part of the ongoing monitoring of the contract performance providers will be monitored to ensure they are meeting the continued needs of each individual placement.

**What actions have already been taken to mitigate any negative impacts?:**

N/A

**How could you strengthen any positive impact(s)?:** Continuous monitoring and collecting data for the contract to ensure that placements fit children's needs. As part of the ongoing monitoring of the contract performance of providers will be monitored to ensure they are meeting the needs of the individual placements. Any new providers that apply to go on the framework will be quality checked to ensure that they understand the needs of this cohort of children and that they are able to provide a service that meets their needs.

## **Levelling up - Priority areas & cohorts**

**Children and adults with SEND, learning disabilities or mental health conditions (taking an all-age approach)**

**Nature of impact:** Positive

**Extent of impact:** Low

**Children on Free School Meals**

**Nature of impact:** Positive

**Extent of impact:** Low

**Working families**

**Nature of impact:** None

**Young adults (16-25 who have not been in education, training or employment for around 6-12 months)**

**Nature of impact:** Positive

**Extent of impact:** Medium

## **Residents of Harlow**

**Nature of impact:** Positive

**Extent of impact:** Medium

## **Residents of Jaywick and Clacton**

**Nature of impact:** Positive

**Extent of impact:** Low

## **Residents of Harwich**

**Nature of impact:** Positive

**Extent of impact:** Low

## **Residents of Basildon (Town) housing estates**

**Nature of impact:** Positive

**Extent of impact:** Medium

## **Residents of Canvey Island**

**Nature of impact:** Positive

**Extent of impact:** Medium

## **Residents of Colchester (Town) - Housing Estates**

**Nature of impact:** Positive

**Extent of impact:** Low

## **Residents of Rural North of the Braintree District**

**Nature of impact:** Positive

**Extent of impact:** Low

**Rationale for assessment, including data used to assess the impact:** Young people who are in semi-independent accommodation are supported to maintain good mental, physical and emotional health. They are also supported to develop family and personal relationships, practical skills and knowledge, engage in education, training or employment and understand where to access support and help at the time they require it. SIA providers work in partnership with social workers, personal advisors, employment advisors and other universal, community or statutory professionals to provide support which is planned with young people themselves in order to support their transition to adulthood.

Very small numbers of young people in SIA are identified as having a disability. Data from social care indicates that the vast majority of children in care with disabilities have their needs met in foster- or residential care placements.

Data as of August 2023 indicates there are 46 young people out of a total 420 in placement within SIA that are not in education, employment or training (NEET). This is approximately a fifth of the overall cohort in SIA. Of this 46 young people 32 are currently seeking education or employment and the remaining number are facing challenges that are medical or mental health related, or for some refusal to engage. 1% of Young People in SIA are in employment with most young people in some form of education so the impact of SIA provision on working families are low. This SIA framework is vital for this cohort as it gives them a stable place to live while securing

future employment, education, and training. In addition, SIA providers support young people to access education or employment opportunities and for those that are on a low income to understand the financial assistance available to them.

The attached chart provides information on the areas that children live before being placed in SIA provision and the areas where those young people are placed and indicates high volumes of both in levelling up areas.

SIA placements are higher in the West and South of the county, this is predominantly due to Separated Migrant Young People choosing to be placed there because of family/friend connections in London.

**What actions have already been taken to mitigate any negative impacts?:** N/A

**How could you strengthen any positive impact(s)?:** Continuous monitoring and collecting data for the contract to ensure that placements fit children's needs. As part of the ongoing monitoring of the contract performance of providers will be monitored to ensure they are meeting the needs of the individual placements. Any new providers that apply to go on the framework will be quality checked to ensure that they understand the needs of this cohort of children and that they are able to provide a service that meets their needs.

## **Equalities - Inclusion health groups and other priority groups**

### **Refugees / asylum seekers**

**Nature of impact:** Positive

**Extent of impact:** High

### **Homeless / rough sleepers**

**Nature of impact:** Positive

**Extent of impact:** Low

### **People who experience drug and alcohol dependence**

**Nature of impact:** Positive

**Extent of impact:** Medium

### **Offenders / ex-offenders**

**Nature of impact:** Positive

**Extent of impact:** Medium

### **Victims of modern slavery**

**Nature of impact:** None

### **Carers**

**Nature of impact:** None

### **Looked after children / care leavers**

**Nature of impact:** Positive

**Extent of impact:** High

## **The armed forces community (serving personnel and their families, veterans, reservists and cadets)**

**Nature of impact:** None

## **People who are unemployed / economically inactive**

**Nature of impact:** Positive

**Extent of impact:** Low

## **People on low income**

**Nature of impact:** Positive

**Extent of impact:** Medium

## **Sex workers**

**Nature of impact:** None

## **Ethnic minorities**

**Nature of impact:** Positive

**Extent of impact:** High

## **Gypsy, Roma, and Traveller communities**

**Nature of impact:** None

## **People with multiple complex needs or multi-morbidities**

**Nature of impact:** Positive

**Extent of impact:** Low

**Rationale for assessment, including data used to assess the impact:** Over 50% of young people in SIA are SMC . Between the period of April 22 – March 23, 176 SMC 16 &17 year old children and 78 care leavers who are 18+ that were previously SMC with no recourse to public funds were placed in SIA provision. This framework has a positive impact on these groups by providing them with access to safe accommodation and support while they are in the process of seeking asylum in the UK. SIA placements for this group are made with providers who are skilled and experienced at meeting the cultural needs of diverse groups of young people and ensure the use of translators and interpreters where required. Feedback from SMC young people has been very positive, and they feel supported to access education, learn English and learn the cultural customs of this country.

Many of the SMC have religious beliefs that are important for them, these are taken into account when matching so that for example a Mosque is easily within reach of the young person's placement. Providers are experienced in working with a diverse range of backgrounds, cultures and religions and supporting young people to be able to practice their faith in the way that they wish.

For children in care aged 16 and 17 SIA is one of several placement options alongside, foster care, residential care and supported lodgings. In the period between April 22 and March 23 there were 140 placements of which below half were for children who were not SMC. This framework provides a positive impact for this age group supporting them with the transition to independence ensuring that these age groups have a safe place to live while in care or until they are able to access public funds for different housing options. The Children & Young People's Placement Service (CYPPS) ensure that they understand the child's individual placement needs and then complete a call off process which identifies the most suitable placement which is bespoke to their individual needs.

Out of 420 placements 78 were made for those with NRPF (No Recourse to Public Funds) 18+ years in the period April22-March23. These individuals were previously SMC and were still awaiting a decision on their immigration status. The availability of SIA provision for this cohort is essential to continue to support them while they are awaiting a decision and to provide them with the independence skills that they require to move forward with their life.

Data as of August 2023 indicates there are 46 young people out of a total 420 in placement within SIA that are not in education, employment or training (NEET). This is approximately a fifth of the overall cohort in SIA. Of this 46 young people 32 are currently seeking education or employment and the remaining number are facing challenges that are medical or mental health related, or for some refusal to engage. 1% of Young People in SIA are in employment with the majority of young people in some form of education so the impact of SIA provision on working families are low. This SIA framework is vital for this cohort as it gives them a stable place to live while securing future employment, education and training. In addition SIA providers support young people to access education or employment opportunities and for those that are on a low income to understand the financial assistance available to them.

There are 9 young people in the period of April22- March23 that came directly into SIA provision from a Youth Offending Institution (YOI). SIA provision provides these individuals with a place to live and supports them to develop the independence skills to move forward with their lives. Anecdotal data from the CYPPS team suggest that drugs and alcohol issues affect a number of individuals within SIA. To support these individuals, SIA providers are required to promote healthy lifestyle choices to reduce misuse of drugs and alcohol, in collaboration with mental health, and drug and alcohol services.

**What actions have already been taken to mitigate any negative impacts?:** N/A

**How could you strengthen any positive impact(s)?:** Continuous monitoring and collecting data for the contract to ensure providers are maintaining the quality required .As part of the ongoing monitoring of the contract performance of providers will be monitored to ensure they are also meeting the needs of the individual placements.

## **Equalities - Geographical Groups**

### **People living in areas of high deprivation**

**Nature of impact:** Positive

**Extent of impact:** Medium

### **People living in rural or isolated areas**

**Nature of impact:** Positive

**Extent of impact:** Low

### **People living in coastal areas**

**Nature of impact:** Positive

**Extent of impact:** Low

### **People living in urban or over-populated areas**

**Nature of impact:** Positive

**Extent of impact:** Medium

**Rationale for assessment, including data used to assess the impact:** The attached chart provides information on the areas that children live before being placed in SIA provision and the areas where those young people are placed and indicates high volumes of both in levelling up areas.



SIA placements are higher in the West and South of the county, this is predominantly due to Separated Migrant Young People choosing to be placed there because of family/friend connections in London.

**What actions have already been taken to mitigate any negative impacts?:** N/A

**How could you strengthen any positive impact(s)?:** Continuous monitoring and collecting data for the contract to ensure that placements fit children's needs. As part of the ongoing monitoring of the contract performance of providers will be monitored to ensure they are meeting the needs of the individual placements. Any new providers that apply to go on the framework will be quality checked to ensure that they understand the needs of this cohort of children and that they are able to provide a service that meets their needs.

## **Families**

**Family formation (e.g. to become or live as a couple, the ability to live with or apart from children)**

**Nature of impact:** Positive

**Extent of impact:** High

**Families going through key transitions e.g. becoming parents, getting married, fostering or adopting, bereavement, redundancy, new caring responsibilities, onset of a long-term health condition**

**Nature of impact:** Positive

**Extent of impact:** Medium

**Family members' ability to play a full role in family life, including with respect to parenting and other caring responsibilities**

**Nature of impact:** Positive

**Extent of impact:** High

**Families before, during and after couple separation**

**Nature of impact:** Positive

**Extent of impact:** Low

**Families most at risk of deterioration of relationship quality and breakdown**

**Nature of impact:** Positive

**Extent of impact:** Medium

**Rationale for assessment, including data used to assess the impact:** Children are placed into the care of the local authority when they cannot remain at home. This is because it is not safe for them to stay at home. That can be because of abuse or neglect, or because the child's parent or guardian is unable to keep them safe. For children in care aged 16 and 17 this is one of a number of placement options open to them, the others include foster care, residential care and supported lodgings. In the period between April 22 and March 23 out of 420 placements made in SIA 140 placements were made for children in care who are not SMC. This framework will provide a positive impact for this age group supporting them with the transition to independence ensuring that they have a safe place to live while in care or until they are able to access public funds for different housing options. The Children & Young People's Placement Service (CYPPS) ensure that they understand the child's individual placement needs and then complete a call off process which identifies the most suitable placement which is bespoke to their individual needs. The social work team involved with the young person will support

them in the SIA provision and help them to maintain links with their families if it is appropriate to do so.

**What actions have already been taken to mitigate any negative impacts?:** N/A

**How could you strengthen any positive impact(s)?:** Continuous monitoring and collecting data for the contract to ensure that placements fit children's needs. As part of the ongoing monitoring of the contract performance of providers will be monitored to ensure they are meeting the needs of the individual placements.

## Climate

**Does your decision / policy involve development or re-development of buildings or infrastructure?:** No

**Does your decision / policy take place in, or make use of, existing buildings or infrastructure?:** No

**Does your decision / policy involve elements connected to transport, travel or vehicles? This includes travel needs / requirements of both service users and staff (including staff you're planning to recruit):** No

**Are you undertaking a procurement exercise?:** Yes

**Please confirm for purchase over £100k that you have a carbon reduction plan as part of your procurement:** N/A

**Please list which climate TOMS (Themes, outcomes & measures) you have included in your procurement and the weighting these have been given:** This contract reopening will have no adverse impacts on the Council's climate objectives and have the following positive impacts on the climate and Essex residents:

By securing access to local placements there will be a reduction in travel associated with travelling outside of a young person's local community, ensuring they are accommodated close to their existing support networks and services improving their quality of life.

SIA providers ensure that the young person develops and maintain links within the local community services and explore local employment opportunities. This reduces travel and develops Essex communities building opportunities for young people.

Within the SIA specification there are premises standard requirements that providers are required to met . Some of these are specifically aimed at reducing energy costs and increasing energy sufficiency please see below :

Each property must meet current government landlord responsibilities for gas, electrical and fire safety.

Glazing that meets with safety standards.

Adequate fixed heating sufficient to heat the Accommodation with a timer/thermostat

Adequate insulation to ensure a warm comfortable home.

Hot water cylinders which are foam lagged or fitted with insulation jacket.

In addition the tender documents contain a social value question for providers which equates to 4% of the overall scoring for the tender application.

**Does your decision / policy involve the purchase of goods or materials?:** No

**Will any waste be generated by this decision? This includes waste from construction, waste generated by service users / staff, and waste generated by replacing existing products / materials with new:** No

## Nature of impact

**Built Environment / Energy:** None

**Sustainable Transport / Travel:** None

**Waste:** None

**Rationale for assessment, including data used to assess the impact:** N/A

**What actions have already been taken to mitigate any negative impacts?:** N/A

## **Action plan to address and monitor adverse impacts**

**Does your ECIA indicate that the policy or decision would have a medium or high adverse impact on one or more of the groups / areas identified?:** No

## **Details of person completing the form**

**I confirm that this has been completed based on the best information available and in following ECC guidance:** I confirm that this has been completed based on the best information available and in following ECC guidance

**Date ECIA completed:** 03/10/2023

**Name of person completing the ECIA:** Denise Murphy

**Email address of person completing the ECIA:** denise.murphy@essex.gov.uk

**Your function:** Children, Families and Education

**Your service area:** Children and Families commissioning

**Your team:** Children and Families commissioning

**Are you submitting this ECIA on behalf of another function, service area or team?:** No

**Email address of Head of Service:** clare.burrell@essex.gov.uk