

Record of Equality and Rights Impact Assessment

Part 1: Background and Information

(a) Background Details - Please list ERIA background details:

ERIA Title and Summary Description	Communities and Families: Children's Services		
Service Area	Division	Director/Head of Service	Service Area Reference No.
Communities and Families	Children's Services	Andy Jeffries (Acting)	

(b) What is being impact assessed? Describe the different policies or services (i.e. decisions, projects, programmes, policies, services, reviews, plans, functions or practices that relate to the Corporate ERIA Title):

Policies and Services	Date ERIA commenced
The review of the Children's Services division as part of the transformation programme.	January 2016

(c) ERIA Team - Please list all ERIA Team Members:

Name	Organisation / Service Area
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Andy Jeffries	Head of service (Acting)
Wendy Henderson	Health Improvement and Diversity Manager

Part 2: Evidence and Impact Assessment

(a) Evidence Base – Please record the evidence used to support the ERIA. Any identified evidence gaps can be recorded at part 3(i). Please allocate an abbreviation for each piece of evidence.

Evidence	Abbreviation
Research - Review of current structure against new structure	R
<ol style="list-style-type: none"> 1. Officer Knowledge & Experience - Reductions in family support services may lead to increased vulnerability and poor outcomes for families and children with complex needs. 2. The merger of the two special schools may lead to disruption of school services for pupils with disabilities, their families and carers. 3. Reductions in management/supervision of child protection social work services may lead to poorer outcomes for children at risk. 	OK
Equalities Monitoring Data	EMD
Service User Feedback - Collated as part of the 2015 Budget Engagement and ERIA Budget Consultation processes	SUF
Partner Agency Feedback	PAF
<p>Community Consultation - ERIA Proportionality and Relevance assessments undertaken against all budget proposals submitted to F&R September 2015.</p> <p>Those with a relevance to E&R (and not presented to Committee October 2015) presented and consulted upon as part of ERIA Budget Proposal Consultation. See appendix 1 for list of events and invitees.</p>	CC
Other - ERIA Proportionality and Relevance assessments undertaken against all Transformational Change Budget Proposals released 19 November 2015 as appendix to 2016/20 Revenue & Capital Budget Framework Report.	O
<p>Relevant Transformational Change Budget Proposals –</p> <p>C&F EFF 1 Advocacy Service Review</p> <p>C&F EFF 2 Closure of Panmure School</p> <p>C&F EFF 3 Reduce one classroom at Rowanfield School</p> <p>C&F EFF 4 Review all support staff in all special schools</p> <p>C&F EFF 5 Reductions in Family Based Care and Throughcare</p> <p>C&F EFF 6 Savings from funding for prudential borrowing commitments</p> <p>C&F ST 1 Reduce residential provision by four beds</p> <p>C&F ST 2 Reconfiguration of residential provision</p>	BP

C&F ST 3 Reconfigure primary and secondary social, emotional and behaviour difficulties support C&F ST 4 Disability respite services C&F ST 5 Parenting support review C&F ST 6 Family Solutions review C&F SP 3 Re-configuration of the Children and Young People's Review Team	

(b) Rights Impact Assessment – Summary - Please describe all the identified enhancements and infringements of rights against the following ten areas of rights. Please also consider issues of poverty and health inequality within each area of rights:

Life	Health	Physical Security	Legal Security	Education and Learning	Standard of Living	Productive and Valued Activities	Individual, Family and Social Life	Identity, Expression and Respect	Participation, Influence and Voice
X	x				x		x		x

Please indicate alongside each identified enhancement or infringement the relevant policy or service (see Section 1b) and relevant evidence (see Section 2a).

Summary of Enhancements of Rights
<p>Life Identifying children at risk early and implementing prevention strategies enhances the right to life.</p> <p>Health Behavioural and emotional support services enhance a child’s right to good health.</p> <p>Identifying children at risk early and implementing prevention strategies minimises the risk of life changing injuries and impact on health and wellbeing of children.</p> <p>Standard of Living Early Intervention and Prevention Services and Self Direct Support enables children to have a choice is where and how they live and to be cared for and supported when necessary.</p> <p>Individual, Family and Social Life Early Intervention and Prevention Services are reducing the demand for residential care and supporting children remain at home.</p> <p>Self Directed Support for children is enhancing their right to family based placements.</p> <p>Identity, Expression and Respect Behavioural and emotional support services enable children to freedom of cultural identify and expression of gender.</p> <p>Participation, influence and voice</p>

Early Intervention and Prevention Services support children have a say in how they are supported.

Support to Young People services positively enhance the following Children's Rights:

- to be alive, survive and develop throughout life
- to live with their parents
- to live in the same country as their parents
- to protection from being taken out of the country illegally or kidnap
- to have their own passport
- to speak up and have your views listened to
- to have your say as long as it doesn't offend anyone
- to choose their own religion and beliefs
- to form and join groups and make friends
- to access information which is important to wellbeing
- to special are if they cannot live with their own parents with consideration being given to their Religion, beliefs and language
- be kept safe from harm and protected from violence
- to rest and play and to have the chance to join in a wide range of activities
- Children who are refugees have the right to special help and to be allowed to live somewhere that is safe
- Children who have a disability have the right to special help to make sure they can join in things
- to live in a safe, healthy environment with good food and clean drinking water
- to enjoy their own culture, use their own language and practise their own religion
- to be protected from doing work which would be dangerous or which could harm the health of children or interfere with their education
- to be protected from being abducted or sold
- to be protected from all sorts of exploitation which can damage their welfare or development
- to be protected from dangerous drugs
- to be protected from sexual abuse
- to be given legal assistance if they have committed a crime
- to special support to help the child recover if they have been hurt or badly treated
- to know their rights

Summary of Infringement of Rights. Can these infringements be justified? Are they proportional?

(c) Equality Impact Assessment – Summary - Please consider all the protected characteristics when answering questions 1, 2 and 3 below. Please also consider the issues of poverty and health inequality within each protected characteristic:

Age	Disability	Gender Identity	Marriage / Civil partnership	Pregnancy Maternity	Race	Religion/ Belief	Sex	Sexual Orientation
x	x	x	x	x	x	x	x	x

1. Please describe all the positive and negative impacts on the duty to eliminate unlawful discrimination, harassment or victimisation. Please indicate alongside each identified impact the relevant policy or service (see Section 1b) and relevant evidence (see Section 2a).

Positive Impacts
The behavioural and emotional support services empower children to identify unacceptable behaviours with a view to reducing behaviours and language that can cause offence or are hate crimes and or hate incidents.
Negative Impacts

2. Please describe all the positive and negative impacts on the duty to advance equality of opportunity (i.e. by removing or minimising disadvantage, meeting the needs of particular groups that are different from the needs of others and encouraging participation in public life)? Please indicate alongside each identified impact the relevant policy or service (see Section 1 b) and relevant evidence (see Section 2 a).

Positive Impacts
The continued focus on early intervention and prevention services is increasing the number of children remaining in their family home.
Negative Impacts
The merger of Hillview Residential Unit and Seaview Respite Unit could have a negative impact on the equality of opportunity for children with disabilities.

3. Please describe all the positive and negative impacts on the duty to foster good relations (i.e. by tackling prejudice and promoting understanding)? Please indicate alongside each identified impact the relevant policy or service (see Section 1 b) and relevant evidence (see Section 2 a).

Positive Impacts
The closure of special schools and the integration specialist services may lead to children with disabilities being supported in mainstream schools.
Negative Impacts

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Part 3: Evidence Gaps, Recommendations, Justifications and Sign Off

(i) Evidence Gaps - Please list all relevant evidence gaps and action to address identified gaps.

Evidence Gaps	Action to address gaps
3.	
4.	
5.	

(ii) Recommendations - Please record SMART recommendations to (i) eliminate unlawful practice or infringements of absolute rights, (ii) justify identified infringements of rights or (iii) mitigate identified negative equality impacts.

Recommendation	Responsibility of (name required)	Timescale
Ensure that a robust ERIA framework is developed with reports being presented throughout the Household and Family support services review	Equality and Rights Strategic Lead to work with Children's Services HoS to establish ERIA Team and Lead Officer	March 2016
Ensure that a robust ERIA framework is developed with reports being presented throughout the integration of Special Schools and Specialist Provision within the wider ASL and Special Schools Service	Equality and Rights Strategic Lead to work with Children's Services HoS to establish ERIA Team and Lead Officer	March 2016
Deliver a robust ERIA in relation to the closure of Hillview Residential Unit	Senior Manger with support from Equality and Rights Strategic Lead Julia Sproul	January 2016
Embed an equality and rights dimension into the public statutory consultation relating to the closure of Panmure Special School	Equality and Rights Strategic Lead to work with Children's Services HoS to establish ERIA Team and Lead Officer	March 2016
Staff based in Children's Services to engage with the Equality and Rights Network as a way of consulting with individuals and organisations	Service Managers with the support of the Council's Equality and Rights Strategic	Ongoing

representing the protected characteristics identified in the Equality Act 2010	Leads	

(iii) Sign Off - I, the undersigned, am content that: (i) the ERIA record represents a thorough and proportionate ERIA analysis based on a sound evidence base, (ii) the ERIA analysis gives no indication of unlawful practice or violation of absolute rights, (iii) the ERIA recommendations are proportionate and will be delivered, (iv) the results of the ERIA process have informed officer or member decision making, (v) that the record of ERIA has been published on the Council's website / intranet or (vi) that the ERIA record has been reviewed and re-published.

Date	Sign Off (print name and position)	Reason for Sign Off (please indicate which reason/s from list (i) to (vi) above)
25/01/2016	Andy Jeffries, Head of Service	