

Fairness and Equalities Impact Assessments F&EIAs (2015)

This form presents evidence that equalities, Welsh language and fairness have been considered when taking policy and service delivery decisions in Newport City Council.

Our Equalities focus is taken from the Equalities Act 2010: we consider the nine protected equalities characteristics- age, gender reassignment, disability, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation.

Under the General Equality Duty we have a duty to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations

across the nine protected characteristics.

Under the Welsh Language Measure 2011 the Welsh language cannot be treated any less favourably than the English language

In Newport we focus on Fairness through the following themes: Health, Poverty, Skills and Work, Domestic Abuse and Tackling Area Based Deprivation.

Service Area	Head of Service	Person responsible for the Assessment:	Date of Assessment July 2015 Version (if applicable)
Children and Family Services	Sally-Ann Jenkins	Sally-Ann Jenkins	1

1. What is the policy/ service being assessed?

Children's in-house residential care:

- Closure of Brynglas Bungalow
- Sale of excess capacity to neighbouring local authorities

2. What is the purpose of the policy/ service change?

Newport Children's Services currently has access to 14 beds in internal residential care spread across 3 units – Brynglas Bungalow, Fforest Lodge and Cambridge House. This is a higher number of beds than any other Welsh Local Authority. The unit cost of the beds is comparable to mid-range standard equivalent provision in the private residential sector but higher than both internal and independent foster placements.

The consideration for closure of 1 or more of the units is based on an analysis of average capacity levels for 2014 (collectively 84%):

- Fforest Lodge 90%
- Cambridge House 69%
- Brynglas Bungalow 93%

It should be noted that occupancy at the 3 units is determined by a safe mix of residents and at times, due to the risk assessments of certain young people, full occupancy is not possible.

There is an increased risk of budget pressures in the future if closure of 1 or more residential units moves forward. Use of the in house residential units has ensured the number of children being placed outside of the LA has been minimised. A guaranteed saving can only be predicated on being able to prevent children coming into care and the continued capacity to source foster placements. A further shift in cultures across agencies to avoid the admission of teenagers will take time to achieve.

The market for placements is a providers market. The options for placement are Local Authority foster carers, Independent Fostering Agency carers, Local Authority residential care or Out of Authority residential care. Out of Authority Residential and Independent Fostering Agencies can either be in a 'framework' placement as part of the Childrens Commissioning Consortium Cymru (4C's) or 'off-framework'. A 'framework' placement is with a provider who has been through an approved provider process by the 4C's and within a tiered system related to standard baseline costs, quality assurance and other relevant guarantees. Negotiations are possible downwards within the framework and dependent on the individual needs add ons for additional and / or specialist support services may or may not be included. An 'off-framework' placement will not have been through the process and will not be subject to the same pre-approved assurances on cost, quality and standards.

The purpose of the review is to close Brynglas Bungalow and generate income across a number of beds within remaining

residential units.

3. Protected Characteristics

CURRENT SERVICE USER PROFILE (Children in Residential Placements under the LAC profile = 23)

Protected Characteristic	Who are the customers/service users/ potential service users?	If we take this decision what is the potential impact? The impact may be either positive or negative Explain how people may be affected and give the evidence for this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who is responsible?	Timeframe to review
Age	Children aged 18 and under. The group of children and associated age profile is subject to constant change due to	There will be no disproportionate impact on service users within a specific age range. The individual needs and outcomes of the	Access to services are based on individual needs and circumstances in line with legal, statutory and best practise guidance. This would continue to be monitored in line with caseload and legislative /	Care Managers / Service Managers / Head of Service	Income recovery for beds sold will be subject to an on-going review over a period of 2 years from April 2016.

Protected Characteristic	Who are the customers/service users/ potential service users?	If we take this decision what is the potential impact? The impact may be either positive or negative Explain how people may be affected and give the evidence for this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who is responsible?	Timeframe to review
	normal turnover of people receiving these types of services. Age 11=1 Age12=1 Age 13=1 14=2 15=7 16=6 17=7	child are always considered as priority at the time of placement, however availability of suitable placements may impact the final outcome.	statutory guidance.		Review and assessment of residential placements in-line with each individual child's care and support needs are regularly reviewed as part of the care management, and contracts & commissioning processes in place.
Gender reassignment	The service does not hold any data for this protected characteristic	All opportunities for placement are made in line with availability at	As above	Care Managers / Service Managers /	Income recovery for beds sold will be subject to an

Protected Characteristic	Who are the customers/service users/ potential service users?	If we take this decision what is the potential impact? The impact may be either positive or negative Explain how people may be affected and give the evidence for this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who is responsible?	Timeframe to review
	group.	the time, and individual needs, outcomes and circumstances. Any impact for this protected characteristic would be minimised by ensuring specialist care and support make up any placement and package of care.		Head of Service	on-going review over a period of 2 years from April 2016. Review and assessment of residential placements in-line with each individual child's care and support needs are regularly reviewed as part of the care management, and contracts & commissioning processes in

Protected Characteristic	Who are the customers/service users/ potential service users?	If we take this decision what is the potential impact? The impact may be either positive or negative Explain how people may be affected and give the evidence for this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who is responsible?	Timeframe to review
					place.
Disability	<p>The group of children and associated profile is subject to constant change due to normal turnover of people receiving these types of services.</p> <p>3 of the current 23 children in residential placements through LAC teams are registered as having a disability.</p>	As above (age)	As above (age)	As above (age)	<p>Income recovery for beds sold will be subject to an on-going review over a period of 2 years from April 2016. Review and assessment of residential placements in-line with each individual child's care and support needs are regularly reviewed as part of the care</p>

Protected Characteristic	Who are the customers/service users/ potential service users?	If we take this decision what is the potential impact? The impact may be either positive or negative Explain how people may be affected and give the evidence for this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who is responsible?	Timeframe to review
					management, and contracts & commissioning processes in place.
Marriage/Civil Partnership	Not applicable				
Pregnancy and Maternity	Not applicable				
Race	Asian or Asian British = 1 Mixed White & Asian = 1 White British = 14 White other background	As above (age)	As above (age) Support services would continue to be offered in neutral terms in relation to this protected characteristic. In the	As above (age)	As above (age)

Protected Characteristic	Who are the customers/service users/ potential service users?	If we take this decision what is the potential impact? The impact may be either positive or negative Explain how people may be affected and give the evidence for this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who is responsible?	Timeframe to review
	= 3 Black or Black British = 1 Mixed White & Black Caribbean = 1 Other Ethnic Group = 2		event of a specific need being identified, suitable services and provision would be explored.		
Religion/belief (or the absence of)	Christian = 3 Muslim = 2 None = 14 Not Given – Person Declined = 1 Not recorded = 1 Roman Catholic = 1	As above (age)	As above (age) Support services would continue to be offered in neutral terms in relation to this protected characteristic. In the event of a specific need being identified, suitable services and provision would be explored.	As above (age)	As above (age)
Sex	Female = 10 Male = 13	As above (age)	As above (age) Support services would continue to be offered in neutral	As above (age)	As above (age)

Protected Characteristic	Who are the customers/service users/ potential service users?	If we take this decision what is the potential impact? The impact may be either positive or negative Explain how people may be affected and give the evidence for this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who is responsible?	Timeframe to review
			terms in relation to this protected characteristic. In the event of a specific need being identified, suitable services and provision would be explored.		
Sexual Orientation	No data held for this protected characteristic / not applicable				
Welsh language	No information held for this protected characteristic.	As above (age)	As above (age) Support services offered are predominantly in the English language. In the event of a language specific need being identified, suitable options would be explored. The Welsh Language	As above (age)	As above (age)

Protected Characteristic	Who are the customers/service users/ potential service users?	If we take this decision what is the potential impact? The impact may be either positive or negative Explain how people may be affected and give the evidence for this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who is responsible?	Timeframe to review
			Development Group are currently looking at ways to increase use of Welsh into the 'Active Offer'. This is moving the responsibility from the user to ask for the service, to the service provider offering the service.		

4. Who has the service consulted regarding the proposed change? When should new consultation take place?

NB: It is essential that service users and other interested parties are involved in the planning process at the earliest opportunity. Consultation at an initial stage should be along broad themes. It is appropriate to ask what services are valued, how services could be changed and or what could be done differently. This feedback should then inform your business case proposals and the F&EIA. When specific proposals have been drawn up, they too will need to be consulted upon. All stakeholders and their views need to be represented.

The service will consult with service area staff groups, service users, parents and families and other non-service users (general

public), HR, senior management, union representatives and elected members in relation to the proposals (MTRP budget setting process and public consultation December 2015).

Formal consultation processes will be followed with affected staff groups upon notification of the decision based on these proposals.

- Public and staff consultation as per MTRP process January 2016
- Development of new processes, policies and ways of working to support the re-sale of beds March 2016
- Staff consultation 1st April 2016
- Conclusion of staff consultation 31st May 2016
- Closure of Brynglas bungalow 31st August 2016
- Go live for re-sale of beds based on profiled targets in October 2016

Individual review and assessments of children's placement and packages of care take place as part of standard care management policies and processes.

5. What evidence/ data has been used to complete this F&EIA (This will include local and national guidance)

Information from customers, staff, general public and elected members.

Client demographic, equalities data and quantities of use.

Business Case

Options Appraisal

Staff group data

6. How will the relevant groups be advised of the changes and the F&EIA?

An agreed communications plan in-line with the actions set out in Box 4 will be developed. Staff and affected families / children will be communicated to by a number of methods:

- Staff – through formal consultation processes including face to face meetings
- Affected children and family groups – social care review processes
- Neighbouring local authorities for uptake of residential provision for sale – through the Childrens Commissioning Consortium Cymru (4 C's) and formal procurement and contracts and commissioning processes.
- Other regular formal and informal engagement meetings with stakeholders as and when required

- Written communications where applicable

3. Protected Characteristics **CHILDRENS SERVICES – residential staff group**

Protected Characteristic	Who are the customers/service users?	If we take this decision what is the potential impact?	Action Plan to address issues raised	Who will be responsible?	Timeframe to review																				
		<p>The impact may be either positive or negative. Explain in what way they may be affected and the evidence of this</p>	<p>What changes or practical measures would reduce adverse impact on particular groups.</p> <p>What changes would increase positive impacts e.g. improve access or opportunity</p> <p>May be revisited post consultation</p>																						
Age	<table border="1"> <tr><td>20-24</td><td>2</td></tr> <tr><td>25-29</td><td>10</td></tr> <tr><td>30-34</td><td>16</td></tr> <tr><td>35-39</td><td>19</td></tr> <tr><td>40-44</td><td>7</td></tr> <tr><td>45-49</td><td>14</td></tr> <tr><td>50-54</td><td>14</td></tr> <tr><td>55-59</td><td>8</td></tr> <tr><td>60-64</td><td>1</td></tr> <tr><td>Grand Total</td><td>91</td></tr> </table>	20-24	2	25-29	10	30-34	16	35-39	19	40-44	7	45-49	14	50-54	14	55-59	8	60-64	1	Grand Total	91	<p>Positive & negative – due to the age profile a lower than average volume of voluntary redundancies may be realised, however there may be a challenge in re-employing that age group.</p> <p>72 % at of the group is 20-44 therefore reemployment</p>	<p>The processes followed in implementing the change will be in accordance with the Council’s policies on Job Security and Equal Opportunities. This includes using re-deployment to fill vacant posts, flexible working and job share.</p> <p>Any selection process required for voluntary redundancy will be based on cost, business need and any potential requests to job share, reduce hours or</p>	HR/Service Manager/Head of Service	Detailed assessment will be undertaken when posts are identified post budget consultation and through formal consultation processes.
20-24	2																								
25-29	10																								
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35-39	19																								
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45-49	14																								
50-54	14																								
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Grand Total	91																								

		opportunities for this proportion of the staff group may be less challenging; however there may be a challenge in re-employing depending on age group above this (28%).	redeploy.		
Gender reassignment	No information held for this protected characteristic.	The council policies and procedures will be followed in relation to Job Security and Equal Opportunities.	As above (age)	As above (age)	As above (age)
Disability	Disabled 2 Not disabled 89 Grand Total 91	There is no disproportionate impact for disabled employees.	As above (age)	As above (age)	As above (age)
Marriage/Civil Partnership	Divorced 3 Living with Partner 8 Married 36 Separated 3 Single 38 Widowed 2 (blank) Grand Total 90	There is no disproportionate impact for this protected characteristic group.	As above (age)	As above (age)	As above (age)
Pregnancy and Maternity	There is 1 person on maternity leave at the time of this assessment.	There is no disproportionate impact for this protected	As above (age)	As above (age)	As above (age)

			characteristic group.			
Race	White - Welsh 9 White - Other European 1 White - English 1 7 White - British 5 Prefer not to say 1 Mixed - White & Black Caribbean 2 Black or Black British - African 2 9 Grand Total 1	There is no disproportionate impact for this protected characteristic group.	As above (age)	As above (age)	As above (age)	
Religion/belief (or the absence of)	Agnostic 4 Atheist 3 Christian - Orthodox 3 Christian - Protestant 3 Christian - Roman Catholic 3 Not Specified 9 Other (blank) 4 2 Grand Total 9	There is no disproportionate impact for this protected characteristic group.	As above (age)	As above (age)	As above (age)	
Sex	Female = 71 Male = 20	The proposal will affect an existing staff group that is mainly female. Should there be any redundancy implications this would be disproportionate to female workforce.	As above (age)	As above (age)	As above (age)	

Sexual Orientation	Declined to specify 1 Heterosexual 27 (blank) Grand Total 28	As above (age)	As above (age)	As above (age)	As above (age)
Welsh language	This is assessment is made against the whole of Children & Family Services staff group: None 88% Intermediate = 2.72% Beginner = 9.28%	As above (age)	Newport City Council and the Welsh Language Development Group are committed to increasing the use of Welsh among employee groups. Welsh language training was offered to all employees during 2013-14. Further sessions have been undertaken through 2014, and are planned for 2015-16.	As above (age)	Ongoing

7 How will the policy/ practice make Newport more or less fair in relation to:

- Health Inequalities
- Child Poverty
- Skills and Work
- Tackling Domestic Violence
- Alcohol and Substance misuse
- Homelessness
- Armed Forces Veterans

The practice will have a nil effect in relation to health inequalities, child poverty, tackling domestic violence, alcohol and substance misuse and homelessness as the same opportunities and levels of care and support will continue to be afforded to children and families in need. Whilst C&FS can endeavour to control the number of children coming into care and requiring accommodation there are always factors outside of the authorities control for example political, other agency and media pressures as a result of risk and perceived risk arising from national trends and concerns, The most recent example of such pressure would be child sexual exploitation. The movement of children into the Newport area impacts significantly on the accuracy of forecasts of need as does the

thinking and actions of the judiciary.

In relation to skills and work, the practice will also remain fair as the whole residential staff group will be consulted which will open up opportunities for voluntary redundancy and redeployment across the staff group as a whole.

In C&FS access to services does not discriminate against any particular group or characteristic, therefore in relation to the current profile of service user the impact is proportionate across all service users.

8. How will the service / policy affect local areas of the city?

Will it have a positive or negative impact in terms of fairness and addressing local area deprivation (you will need to use spatial data available through the Newport Profile and specific Ward Profiles to address this question)?

In C&FS access to services does not discriminate against any particular group or characteristic, therefore in relation to the current profile of service user the impact is proportionate across all service users.

9. In summary, how does the changed service /policy promote good community relations (cohesion)?

There is no negative or unfair impact for community relations and cohesion as a result of these changes. Good community relations and cohesion are promoted throughout all of C&FS, which often involves in depth work with a number of internal and external partners. By targeting increased use of internal and external foster care placements, where appropriate and in-line with the child's needs and outcomes, integration and cohesion with local communities can be met and supported in an increased way. The reduced use of traditional residential units will move away from institutionalised accommodation and care packages.

10. In summary, how does the changed service /policy promote equality?

These changes have a neutral impact in relation to equality as the changed service will ensure that equity is given to the

development of residential beds for sale.

11. In summary, how does the changed service /policy eliminate discrimination?

This proposal has a neutral impact in relation to discrimination.

Completed by/ Date:

Signed off by/ Date: