

**Shropshire Council Equality and Social Inclusion Impact Assessment (ESIIA)**  
**Part One Screening Record 2020**

**A. Summary Sheet on Accountability and Actions**

**Name of proposed service change**

***Proposals to update financial support arrangements for children subject to Special Guardianship Orders.***

**Name of lead officer carrying out the screening**

Erika Ower – Permanence Support Team Manager

**Decision, review and monitoring**

<b>Decision</b>	<b>Yes</b>	<b>No</b>
Part One ESIIA Only?	yes	
Proceed to Part Two Full Report?		no

***If completion of a Part One assessment is an appropriate and proportionate action at this stage, please use the boxes below and sign off as indicated. If a Part Two report is required, please move on to full report stage.***

**Actions to mitigate negative impact or enhance positive impact of the service change in terms of equality and social inclusion considerations**

This proposed service change is in relation to financial support for children who are the subject of what are known as Special Guardianship Orders, following review of the service.

The proposal relates to Financial Support for Children Subject to Special Guardianship Orders as the Policy 2020 will amend allowance rates to include age related allowances.

This proposed service change therefore applies to a grouping of children who have been previously looked after by the local authority or could potentially come into the care of the local authority, and permanence has then been secured through what is known as Special Guardianship arrangements, and to children for whom Special Guardianship arrangements may apply in the future. As such, the equality impacts mainly apply to the Protected Characteristics of Age, Social Inclusion, and potentially Disability and Gender, the latter in relation to caring responsibilities.

The impacts at this stage for these children and the people who are caring for them, ahead of the public consultation, are anticipated to be neutral to low positive for these groupings, and neutral across all other groupings. Following the consultation, they remain anticipated to be neutral to low positive.

**Actions to review and monitor the impact of the service change in terms of equality and social inclusion considerations**

Clear information has been provided in a range of formats through the consultation process.

Those affected by the changes will have access to the Special Guardianship support co-ordinator to discuss the impact of the changes upon them.

Special Guardianship Carers will be offered an annual review and are able to request assessment of their individual support needs at any time during the year. This support will equally ensure that families are provided information on support available via the council and benefits they are entitled to access via Department for Work and Pensions.

In order to mitigate the impact of the service change the new policy will be applied incrementally upon the standard annual review. SGO support co-ordinator will be able to offer advice on an individual basis to ensure carers are well supported to understand what this change means for them. The service area will ensure that communications about the draft policy are available to all who are impacted. Communications will be available via the council website, newsletter and direct written correspondence

Further actions will be identified following the public consultation, and developed in liaison with Shropshire Council councillors and with MPs as representatives of their communities

As the feedback received was limited it is difficult at this stage to gauge the extent of what further actions could be identified, this will continue to be kept under review. Considerations will be presented to councillors which will affect the actions we then take.

### **Associated ESIIAs**

None at this stage. However, the methodology mirrors that applied for other policy changes brought in at national level which have to then be implemented at local level, such as with the national Minimum Income Guarantee.

### **Actions to mitigate negative impact, enhance positive impact, and review and monitor overall impacts in terms of any other considerations. This includes climate change and health and well being considerations**


Shropshire Council have a commitment to ensuring permanence is secured for our children; subsequently there is a current and future significant financial commitment to children subject to SGO.

Shropshire Council has identified the need to make changes to its 'Permanence Finance' policy document and have updated this with the 'Financial Support for Children Subject to Special Guardianship Orders' policy. The purpose of the policy is to provide information to practitioners, Special Guardians and prospective Special Guardians about the financial support available to support families offering a permanent home to a child through Special Guardianship. As such the economic impacts are to the fore with regard to this proposed service change. They will need to be monitored and reviewed accordingly.

The updated policy reflects national developments such as welfare payments, emerging good practice from other local authorities, and feedback from local people. The changes, based on a review, are designed to:

- Clearly set out and explain Shropshire Council's policy and procedures.
- Bring the policy document up to date with national developments and case law principles.
- Ensure the policy is equitable and fair.
- Support improvements in the assessment and review of allowances


### **Scrutiny at Part One screening stage**

<b>People involved</b>	<b>Signatures</b>	<b>Date</b>
<i>Lead officer carrying out the screening</i>	E.Ower	08/01/21
<i>Any internal support*</i>		
<i>Any external support**</i> <b>Mrs Lois Dale, Rurality and Equalities Specialist</b>		08/01/21

*\*This refers to other officers within the service area*

*\*\*This refers either to support external to the service but within the Council, eg from the Rurality and Equalities Specialist, or support external to the Council, eg from a peer authority*

### **Sign off at Part One screening stage**

<b>Name</b>	<b>Signatures</b>	<b>Date</b>
<i>Lead officer's name</i>	E.Ower	08/01/21
<i>Accountable officer's name</i>		08/01/21

*\*This may either be the Head of Service or the lead officer*

## **B. Detailed Screening Assessment**

<b>Aims of the service change and description</b>
<p>This proposed service change is in relation to the permanence planning arrangements that the Council has in place for children who are being looked after by the local authority. Some children who are looked after by the Local Authority secure permanence within a family through an arrangement known as Special Guardianship, which means that they have a permanent home, rather than being fostered, giving them the security of that family and home as they grow up. This option may be considered by Foster Carer and Connected Carers of the child. Private applications for a Special Guardianship Order may also be made by family members for children who have not been cared for by the Local Authority.</p> <p>Shropshire Council has identified the need to make changes to its 'Permanence Finance' policy document and have updated this with the 'Financial Support for Children Subject to Special Guardianship Orders' policy. The purpose of the policy is to provide information to practitioners, Special Guardians and prospective Special Guardians about the financial support available to support families offering a permanent home to a child through Special Guardianship. This policy relates specifically to Shropshire Council Authority Foster Carers or Connected Carers who are becoming or have become Special Guardians for a child they previously had in their care as a 'child looked after' by</p>

the local authority. The policy provides information on consideration that may be given towards Financial Support for Special Guardianship Orders in respect of children who would otherwise have become looked after by the local authority if such orders had not been granted.

The updated policy reflects national developments such as welfare payments, emerging good practice from other local authorities, and feedback from local people. The changes, based on a review, are designed to:

- Clearly set out and explain Shropshire Council's policy and procedures.
- Bring the policy document up to date with national developments and case principles laid out in case law.
- Reduce the number of children looked after by the council and the subsequent level of Social Work intervention in family life where this is no longer required
- Ensure the policy is equitable and fair.
- Support improvements in the assessment and review of allowances.

The main changes include:

- Update the policy in line with recommended good practice to provide age related allowances. (Previously allowance rates were applied based on the age of the child at the time the order is granted).
- Updating the policy to reflect the local use of the Department for Education's Standardised Means test calculator.

### **Intended audiences and target groups for the service change**

The intended audiences for this service change are

- Children who are the subject of Special Guardianship orders
- All Special Guardians currently in receipt of Special Guardianship Allowance and those
- Connected Carers (relative, friend and other person connected to the child who have been approved by the local authority as a foster carer to care for the child) and Foster Carers who are considering applying for Special Guardianship Order and will be entitled to financial assessment for an SGO allowance.
- Local elected councillors due to their community leadership roles.
- Local MPs
- Neighbouring local authorities

### **Evidence used for screening of the service change**

There are 62 SGO carers being paid that amount to 80 allowances. Shropshire Council have a commitment to ensuring permanence is secured for our children; subsequently there is a current and future significant financial commitment to children subject to SGO.

The number of SGO carers will continue to increase over the coming years in line with securing permanence for children who are currently looked after by the local authority.

Changes in practice have introduced the use of the DfE Standardised Means test calculator as a basis to assess allowances based on means of the family. This is ensuring the process for assessing and reviewing SGO allowances are clear, fair and are consistently applied.

The public consultation was anticipated to provide further feedback about the likely impacts upon children and SGO carers, to add to the evidence base.

As feedback was limited the service area will seek to continue to engage across all the target groups.

The Council is also keeping abreast of developments in other local authorities, particularly those neighbouring our own, and those which are rural unitary authorities like ourselves, in order to add to the evidence base about inclusive approaches towards implementation of the national changes.

### **Specific consultation and engagement with intended audiences and target groups for the service change**

Consultation took place between 3/11/20 to 14/12/20. The intended audience was as follows:

- Individual households, whether single people or couples, for whom there is considered to be an impact either now or in the future
- All those in receipt of a Special Guardianship Allowance
- Shropshire Council councillors
- MPs

This list is not intended to be exhaustive and will be amended and added to as appropriate, including as arrangements for consultation are further developed.

Shropshire Council is keen to encourage feedback and consult on the draft policy before it is formally approved and implemented. A survey was provided as a way of collecting feedback via the 'Get Involved' section of the Shropshire Council webpage. The link for the survey was also shared via the SGO Newsletter and written correspondence was sent to SGO carers in receipt of an allowance and Foster Carers / Connected Carers who are considering taking out a Special Guardianship Order for a child in their care.

There were 10 responses. Details can be found in Appendix C. The feedback received implies that concerns are largely based on the complexities of individual circumstances and the challenges of trying to understand the implications of policy changes.

### **Initial assessment for each group**

***Please rate the impact that you perceive the service change is likely to have on a group, through inserting a tick in the relevant column. Please add any extra notes that you think might be helpful for readers.***

<b>Protected Characteristic groups and other groups in Shropshire</b>	<b>High negative impact</b> <i>Part Two ESIIA required</i>	<b>High positive impact</b> <i>Part One ESIIA required</i>	<b>Medium positive or negative impact</b> <i>Part One ESIIA required</i>	<b>Low positive or negative impact</b> <i>Part One ESIIA required</i>
<b>Age</b> (please include children, young people, people of working age, older people. Some people may belong to more than one group eg child for whom there are safeguarding concerns eg				Anticipated to be neutral to low positive

older person with disability)				
<b>Disability</b> (please include: mental health conditions and syndromes including autism; physical disabilities or impairments; learning disabilities; Multiple Sclerosis; cancer; HIV)				Anticipated to be neutral to low positive
<b>Gender re-assignment</b> (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				Anticipated to be neutral
<b>Marriage and Civil Partnership</b> (please include associated aspects: caring responsibility, potential for bullying and harassment)				Anticipated to be neutral
<b>Pregnancy &amp; Maternity</b> (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				Anticipated to be neutral
<b>Race</b> (please include: ethnicity, nationality, culture, language, gypsy, traveller)				Anticipated to be neutral
<b>Religion and belief</b> (please include: Buddhism, Christianity, Hinduism, Islam, Judaism, Non conformists; Rastafarianism; Sikhism, Shinto, Taoism, Zoroastrianism, and any others)				Anticipated to be neutral
<b>Sex</b> (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				Anticipated to be neutral to low positive
<b>Sexual Orientation</b> (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)				Anticipated to be neutral
<b>Other: Social Inclusion</b> (please include families and friends with caring responsibilities; people with health inequalities; households in poverty; refugees and asylum seekers; rural communities; people for whom there are safeguarding concerns; people you consider to be vulnerable)				Anticipated to be neutral to low positive

### Identification of likely impact of the service change in terms of other considerations including climate change and health and well being

The impact of these changes will vary on a case by case basis and those with existing Special Guardianship Orders may find allowances change at the time of review. Some may find their payments increase and others may find that they stay the same or reduce. Each will be assessed on an individual basis with the overall aim of ensuring a fair and equitable approach using the Department for Education Means Tested Calculator as a basis for calculating allowances.

Health and well being impacts are anticipated to be neutral at this stage, and complementary to the positive emotional well being and mental well being impacts for children who become settled in a

permanent home as a result of an SGO.

Climate change impacts are considered to be neutral at this stage.

## **Guidance Notes**

### **1. Corporate and Service Area Policy and Practice on Equality and Social inclusion**

This involves taking an equality and social inclusion approach in planning changes to services, policies or procedures, including those that may be required by Government.

The decisions that you make when you are planning a service change need to be recorded, to demonstrate that you have thought about the possible equality impacts on communities and to show openness and transparency in your decision making processes.

This is where Equality and Social Inclusion Impact Assessments (ESIAs) come in. Where you carry out an ESIA in your service area, this provides an opportunity to show:

- What evidence you have drawn upon to help you to recommend a strategy or policy or a course of action to Cabinet;
- What target groups and audiences you have worked with to date;
- What actions you will take in order to mitigate any likely negative impact upon a group or groupings, and enhance any positive effects for a group or groupings; and
- What actions you are planning to review the impact of your planned service change.

The formal template is there not only to help the service area but also to act as a stand alone for a member of the public to read.

The approach helps to identify whether or not any new or significant changes to services, including policies, procedures, functions or projects, may have an adverse impact on a particular group of people, and whether the human rights of individuals may be affected.

This assessment encompasses consideration of social inclusion. This is so that we are thinking as carefully and completely as possible about all Shropshire groups and communities, including people in rural areas and people we may describe as vulnerable, for example due to low income or to safeguarding concerns, as well as people in what are described as the nine 'protected characteristics' of groups of people in our population, eg Age. We demonstrate equal treatment to people who are in these groups and to people who are not, through having what is termed 'due regard' to their needs and views when developing and implementing policy and strategy and when commissioning, procuring, arranging or delivering services.

When you are not carrying out an ESIA, you still need to demonstrate that you have considered equality in your decision-making processes. It is up to you what format you choose.-You could use a checklist, an explanatory note, or a document setting out our expectations of standards of behaviour, for contractors to read and sign. It may well not be something that is in the public domain like an ESIA, but you should still be ready for it to be made available.

**Both the approaches sit with a manager, and the manager has to make the call, and record the decision made on behalf of the Council. Help and guidance is also available via the Commissioning Support Team, either for data, or for policy advice from the Rurality and Equalities Specialist. Here are some examples to get you thinking.**

*Carry out an ESIIA:*

- If you are building or reconfiguring a building;
- If you are planning to reduce or remove a service;
- If you are consulting on a policy or a strategy;
- If you are bringing in a change to a process or procedure that involves other stakeholders and the wider community as well as particular groupings

For example, there may be a planned change to a leisure facility. This gives you the chance to look at things like flexible changing room provision, which will maximise positive impacts for everyone. A specific grouping that would benefit would be people undergoing gender reassignment

*Carry out an equality and social inclusion approach:*

- If you are setting out how you expect a contractor to behave with regard to equality, where you are commissioning a service or product from them;
- If you are setting out the standards of behaviour we expect from people who work with vulnerable groupings, such as taxi drivers that we license;
- If you are planning consultation and engagement activity, where we need to collect equality data in ways that will be proportionate and non-intrusive as well as meaningful for the purposes of the consultation itself;
- If you are looking at services provided by others that help the community, where we need to demonstrate a community leadership approach

For example, you may be involved in commissioning a production to tour schools or appear at a local venue, whether a community hall or somewhere like Theatre Severn. The production company should be made aware of our equality policies and our expectation that they will seek to avoid promotion of potentially negative stereotypes. Specific groupings that could be affected include: Disability, Race, Religion and Belief, and Sexual Orientation. There is positive impact to be gained from positive portrayals and use of appropriate and respectful language in regard to these groupings in particular.

## **2. Legal Context**

It is a legal requirement for local authorities to assess the equality and human rights impact of changes proposed or made to services. It is up to us as an authority to decide what form our equality impact assessment may take. Carrying out ESIIAs helps us as a public authority to



ensure that, as far as possible, we are taking actions to meet the general equality duty placed on us by the Equality Act 2010, and to thus demonstrate that the three equality aims are integral to our decision making processes. These are: eliminating discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations.

Service areas would ordinarily carry out a screening assessment, or Part One equality impact assessment. This enables energies to be focussed on review and monitoring and ongoing evidence collection about the positive or negative impacts of a service change upon groupings in the community, and for any adjustments to be considered and made accordingly.

If the screening indicates that there are likely to be significant negative impacts for groupings within the community, the service area would need to carry out a full report, or Part Two assessment. This will enable more evidence to be collected that will help the service area to reach an informed opinion. Please contact the equality policy lead within the Council for more advice and guidance in this regard, as per details below.

***For further information on the use of ESIIAs: please contact your head of service or contact Mrs Lois Dale, Rurality and Equalities Specialist and Council policy support on equality, via telephone 01743 258528, or email [lois.dale@shropshire.gov.uk](mailto:lois.dale@shropshire.gov.uk).***