

PROTOCOL PUBLIC SECTOR EQUALITY DUTY

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
 - 2 If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in the standard section (4.4) of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
 - 3 A full assessment should be prepared where necessary and consultation should then take place.
 - 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
 - 5 Responses to the consultation should be analysed in order to identify:
 - (a) whether there is adverse impact upon persons within the protected categories
 - (b) what is the nature of this adverse impact
 - (c) whether the adverse impact can be avoided and at what cost – and if not –
 - (d) what mitigating actions can be taken and at what cost
 - 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
 - 7 Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - the equality duty – see page 9 (as an appendix).
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Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none">(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none">(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;(c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none">(a) tackle prejudice, and(b) promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none">(a) age(b) disability(c) gender reassignment(d) pregnancy and maternity(e) race(f) religion or belief(g) sex(h) sexual orientation

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Voluntary Children's Trust
Directorate	People
Service Area	Children - Commissioning Centre Of Excellence
Type	New/Proposed Policy
EA Summary	Following the announcement in May 2016 of the Council's intention, as part of the children's services improvement journey, to explore a trust model, Cabinet has agreed the case for change and is now being asked to agree the two models moving into the design phase.
Reference Number	
Task Group Manager	Charles.Ashton-Gray@birmingham.gov.uk
Task Group Member	
Senior Officer	Alastair.Gibbons@birmingham.gov.uk
Quality Control Officer	PeopleEAQualityControl@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Overall Purpose

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a New/Proposed Policy.

2 Overall Purpose

2.1 What the Activity is for

What is the purpose of this Policy and expected outcomes?	<p>Following the announcement in May 2016 of the Council's intention, as part of the children's services improvement journey, to explore a trust model, the purpose of this EA is to consider the implications of agreeing that two models move into the design phase.</p> <p>The vision 2020 is based around six key outcomes. Outcome two is "Safety and opportunity for all children". Any trust development would have to have regard for this vision and its elements:</p> <ul style="list-style-type: none">• Every child having a fantastic childhood and the best preparation for adult life. Children will benefit from an integrated early years and health service, and be well prepared to start formal education.• Every school rated good and working together in the Birmingham Education Partnership, and with the council, parents and other partners innovating and further improving them.• Families and children receiving targeted help as early as possible to overcome whatever issues are in their way and, if needed, with a team of great social workers and specialists to help the child and their family further.• Special educational needs and disability services focused on enablement and personalised to each family.
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For each strategy, please decide whether it is going to be significantly aided by the Function.

Public Service Excellence	Yes
<u>Comment</u> The Council must be able to sustain a focus upon the improvement in social work practice that is most needed by children and families.	
A Fair City	Yes
<u>Comment</u> The Council must be able to design an organisational form that supports and develops the best social work support to children and families.	
A Prosperous City	No
A Democratic City	No

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
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Comment

Any trust development will need to have regard for the Council's vision, priorities and culture. For example, we seek to support disadvantaged families through a range of interventions so that their children can thrive. We want to target support to families so that where they are struggling we can help them to improve their parenting skills so that children are safer and can thrive. Working in this way will help reduce conflict within families and the need for children to come into care. We are developing edge of care services that will particularly help teenagers and their families. We want to work alongside these families to help them to be as independent and resilient as possible. We recognise that there will always be some children who are unable to live within their family. For these children we want to provide high quality long-term alternative family care through adoption, special guardianship or foster care based on each child's individual needs.

Will the policy have an impact on employees?

Yes

Comment

In order to meet the needs of children and families in Birmingham we have sought to establish an environment and culture that will both attract new joiners and be a place where social workers stay and develop their expertise. The work and practice environment will be one of learning and support that will enable high performance through professional and personal development. Any trust development would need to facilitate this culture.

Will the policy have an impact on wider community?

Yes

Comment

Ours is a very young city bringing demands for children's wellbeing, young people's skills and employment, but also vibrancy and innovation. Just under half (45.6%) of the city's population are under 30. Any trust development will need to have regard for the demands of the city's children and young people.

2.3 Analysis on Initial Assessment

This Equality Assessment is to consider the move of two alternative delivery models into the design phase.

It is clear from the nature of the service that any proposal for change could have wide reaching effects. Ultimately the improvement agenda intends to deliver positive impacts to vulnerable families in a large, complex and diverse City. The Workforce Strategy which supports the existing three year Improvement Plan seeks to make Birmingham the best place in the Midlands to practice social work for children and families by addressing three priority areas for action:

- 1) development of a sound and effective recruitment and retention strategy
- 2) building our capability (including leadership and management development, broader learning and practice development and setting and maintaining high expectations of practice and performance)
- 3) creating a culture of learning and accountability

3 Concluding Statement on Full Assessment

During the design phase this EA will need to be reviewed to offer a more focused analysis of the implications of the options being considered.

4 Review Date

December 2016

5 Action Plan

There are no relevant issues, so no action plans are currently required.
