

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Appendix 4 - Birmingham Children's Trust: Equality Analysis - Full Assessment
Directorate	People
Service Area	Children - Children's Services
Type	Amended Policy
EA Summary	<p>This EA supports the Cabinet decision regarding which children's social care and related support services will transfer to the Birmingham Children's Trust, the indicative 2018/19 Trust budget and the approach to the transfer of staff from the Council to the Trust at April 2018.</p> <p>This EA follows Cabinet approval in January 2017 to create the Trust as a wholly owned company model and as a community interest company (CIC) and put in place a shadow period (from April 2017 to March 2018) to test the governance arrangements between the Council and the Trust prior to full transition (go-live) at April 2018.</p>
Reference Number	EA002005
Task Group Manager	charles.ashton-gray@birmingham.gov.uk
Task Group Member	
Senior Officer	colin.diamond@birmingham.gov.uk
Quality Control Officer	peopleequalitycontrol@birmingham.gov.uk

Introduction

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

Initial Assessment

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 Amended Policy.

2 Initial Assessment

2.1 Purpose and Link to Strategic Themes

What is the purpose of this Policy and expected outcomes?

This EA follows Cabinet approval in January 2017 to create the Trust as a wholly owned company model and as a community interest company (CIC) and put in place a shadow period (from April 2017 to March 2018) to test the governance arrangements between the Council and the Trust prior to full transition (go-live) at April 2018.

This EA supports the decisions regarding:

- . which children's social care and related support services transfer to the Birmingham Children's Trust (Trust)
- . the indicative 2018/19 Trust budget
- . the approach to the transfer of staff from the Council to the Trust at April 2018.

For each strategy, please decide whether it is going to be significantly aided by the Function.

Children: A Safe And Secure City In Which To Learn And Grow	Yes
---	-----

Comment:

Establishment of the Trust is consistent with the Council's priorities of protecting children and ensuring Birmingham is a safe city for them to learn and grow in, as set out in the Council's Vision and Forward Plan 2017/18.

Health: Helping People Become More Physically Active And Well	No
Housing : To Meet The Needs Of All Current And Future Citizens	No
Jobs And Skills: For An Enterprising, Innovative And Green City	No

2.2 Individuals affected by the policy

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

Comment:

Across a range of services from Children Looked After, Children in Need, to Disabled Children's Services, approximately 12,900 children and young people could be affected.

Will the policy have an impact on employees?	Yes
--	-----

Comment:

In advance of consultation in accordance with TUPE (Transfer of Undertakings [Protection of Employment] Regulations) 2006, there has been engagement with service users, affected employees, trade unions and Elected Members. This has included the Trust models, staff transfer approach and the scope of services to transfer to the Trust. Outcomes of this process have informed preparation of this report.

Approximately 1,700 staff could be affected.

Will the policy have an impact on wider community?	Yes
--	-----

2.3 Relevance Test

Protected Characteristics	Relevant	Full Assessment Required
Age	Relevant	Yes
Disability	Relevant	Yes
Gender	Relevant	Yes
Gender Reassignment	Not Relevant	No
Marriage Civil Partnership	Not Relevant	No
Pregnancy And Maternity	Not Relevant	No
Race	Relevant	Yes
Religion or Belief	Not Relevant	No
Sexual Orientation	Not Relevant	No

2.4 Analysis on Initial Assessment

The impetus behind the creation of the Trust is to improve the quality of services to children, young people and their families in Birmingham.

As detailed in the main report a key principle of assurance is that the Council, DCS and the Trust have a shared understanding of the wider outcomes framework for children and young people and the outcome focus of the contract. That needs to be expressed in a commitment to put in place actions that enable the experiences of children and young people who receive services to be understood and improved in order to achieve best outcomes.

Also as detailed elsewhere an appraisal has been undertaken of the TUPE and secondment options for the transfer of staff to the Trust. This concluded that TUPE is the preferred method for transfer as it will protect existing terms and conditions for staff. In addition, the Trust, through its governance arrangements, is committed to strong staff and union engagement and to nurturing good employee relations.

3 Full Assessment

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

3.1 Age - Assessment Questions

3.1.1 Age - Relevance

Age	Relevant
-----	----------

3.1.2 Age - Impact

Describe how the Policy meets the needs of Individuals of different ages?

The Trust's service model will meet the needs of children and young people.

With regards to staff, almost half of those within the proposed cohort to TUPE to the Trust are aged between 30 and 49 years.

With regards to the 12,900 children and young people who will receive services from the Trust, 24% are 5 or under 5 years of age, 26% are between 6 and 10 years, 29% are between 11 and 15 years and 20% are 16 years or over.

Do you have evidence to support the assessment?	Yes
---	-----

Please record the type of evidence and where it is from?

The staff records are held on a corporate database and the TUPE process itself is open to scrutiny from trades unions and staff.

The children and young people's records are held on Directorate databases.

You may have evidence from more than one source. If so, does it present a consistent view?	Not applicable
--	----------------

3.1.3 Age - Consultation

Have you obtained the views of Individuals of different ages on the impact of the Policy?	Yes
---	-----

Comment:

The views of staff have been sought, but the views children, young people and families have not been formally sought.

If so, how did you obtain these views?

Since January 2017 there have been:

- Monthly Children's Trust newsletters since the start of shadow trust in April
- Two rounds of Engagement sessions at each of the CAB buildings (8 in total) with around 400 staff attending from across the city.
- Updated internet and intranet pages and a number of short video interviews, simple guides, FAQs and presentations online.
- Two staff reference group sessions (approx 50 members of staff) putting forward their views about staff engagement in the trust, and discussing topics including TUPE/Secondment and the new website/intranet.

Feedback has been that:

- There is support for the trust model, especially around having a single focus and not having the council 'distractions'.
- Both staff and partners see it as an opportunity to improve our relationships with and the way we work with partners.

Have you obtained the views of relevant stakeholders on the impact of the Policy on Individuals of different ages?	Yes
--	-----

If so, how did you obtain these views?

Engagement has included strategic partners and stakeholders from health, police, the voluntary sector, the Birmingham Safeguarding Children Board, the Children's Strategic Leaders Forum, the Department for Education (DfE) and Birmingham's Commissioner for Children's Social Care.

There has also been direct liaison with other local authorities (eg. Doncaster, Slough, Kingston-Upon-Thames, Richmond and Sunderland) where Trust arrangements exist or are being developed and learning from this has been taken into account.

Is a further action plan required?	No
------------------------------------	----

3.1.4 Age - Additional Work

Do you need any more information or to do any more work to complete the assessment?	No
Do you think that the Policy has a role in preventing Individuals of different ages being treated differently, in an unfair or inappropriate way, just because of their age?	Yes
Do you think that the Policy could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No

Please explain how individuals may be impacted.

Partners have indicated support for the Trust as an opportunity for better integration and collaborative working. Partners have been involved in programme management and shadow governance arrangements. Recognising that the Trust would be part of a wider system of agencies and partners which share the aim of securing better outcomes for children and young people, there is a commitment to building stronger relationships and behaviours around a shared vision, values and leadership of the system.

3.2 Disability - Assessment Questions

3.2.1 Disability - Relevance

Disability	Relevant
------------	----------

3.2.2 Disability - Impact

Describe how the Policy meets the needs of Individuals with a disability?

The Trust's service model will meet the needs of children and young people.

With regards to staff, 100 of those within the proposed cohort to TUPE to the Trust have a recorded disability.

With regards to the 12,900 children and young people who will receive Children in Needs and Children in Care services from the Trust, 19% have a recorded disability.

Comment:

The recording of a disability on the corporate system is a matter of choice for employees. It is possible that this is an under-estimate of the number of employees with a disability.

With regards to the 2,000 children and young people who will receive Family Support services from the Trust, there is no consistent method of recording a disability and we are therefore unable to identify how many disabled children and young people there may be in this cohort.

Do you have evidence to support the assessment?	Yes
---	-----

Please record the type of evidence and where it is from?

The staff records are held on a corporate database and the TUPE process itself is open to scrutiny from trades unions and staff.

The children and young people's records are held on Directorate databases.

You may have evidence from more than one source. If so, does it present a consistent view?	Not applicable
--	----------------

3.2.3 Disability – Consultation

Have you obtained the views of Individuals with a disability on the impact of the Policy?	Yes
---	-----

Comment:

The views of staff have been sought, but the views children, young people and families have not been formally sought.

If so, how did you obtain these views?

Since January 2017 there have been:

- Monthly Children's Trust newsletters since the start of shadow trust in April
- Two rounds of Engagement sessions at each of the CAB buildings (8 in total) with around 400 staff attending from across the city.
- Updated internet and intranet pages and a number of short video interviews, simple guides, FAQs and presentations online.
- Two staff reference group sessions (approx 50 members of staff) putting forward their views about staff engagement in the trust, and discussing topics including TUPE/Secondment and the new website/intranet.

Feedback has been that:

- . There is support for the trust model, especially around having a single focus and not having the council 'distractions'.
- . Both staff and partners see it as an opportunity to improve our relationships with and the way we work with partners.

Have you obtained the views of relevant stakeholders on the impact of the Policy on Individuals with a disability?	No
If not, why not?	Consultation not required at this time
Is a further action plan required?	No

3.2.4 Disability - Additional Work

Do you need any more information or to do any more work to complete the assessment?	No
Do you think that the Policy has a role in preventing Individuals with a disability being treated differently, in an unfair or inappropriate way, just because of their disability?	No
Do you think that the Policy could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No
Do you think that the Policy will take account of disabilities even if it means treating Individuals with a disability more favourably?	No
Do you think that the Policy could assist Individuals with a disability to participate more?	No
Do you think that the Policy could assist in promoting positive attitudes to Individuals with a disability?	No

3.3 Gender - Assessment Questions

3.3.1 Gender - Relevance

Gender	Relevant
--------	----------

3.3.2 Gender - Impact

Describe how the Policy meets the needs of Men and women?

The Trust's service model will meet the needs of children and young people.

With regards to staff, almost 80% of those within the proposed cohort to TUPE to the Trust are female.

With regards to the 12,900 children and young people who will receive services from the Trust, 53% are male. A slightly higher proportion (56%) of those with a recorded disability are male.

Do you have evidence to support the assessment?	Yes
---	-----

Please record the type of evidence and where it is from?

The staff records are held on a corporate database and the TUPE process itself is open to scrutiny from trades unions and staff.

The children and young people's records are held on Directorate databases.

You may have evidence from more than one source. If so, does it present a consistent view?	Not applicable
--	----------------

3.3.3 Gender - Consultation

Have you obtained the views of Men and women on the impact of the Policy?	Yes
---	-----

Comment:

The views of staff have been sought, but the views of children, young people and families have not been formally sought.

If so, how did you obtain these views?

Since January 2017 there have been:

- . Monthly Children's Trust newsletters since the start of shadow trust in April
- . Two rounds of Engagement sessions at each of the CAB buildings (8 in total) with around 400 staff attending from across the city.
- . Updated internet and intranet pages and a number of short video interviews, simple guides, FAQs and presentations online.
- . Two staff reference group sessions (approx 50 members of staff) putting forward their views about staff engagement in the trust, and discussing topics including TUPE/Secondment and the new website/intranet.

Feedback has been that:

- . There is support for the trust model, especially around having a single focus and not having the council 'distractions'.
- . Both staff and partners see it as an opportunity to improve our relationships with and the way we work with partners.

Have you obtained the views of relevant stakeholders on the impact of the Policy on Men and women?	No
If not, why not?	There are no plans to consult relevant stakeholders
Is a further action plan required?	No

3.3.4 **Gender - Additional Work**

Do you need any more information or to do any more work to complete the assessment?	No
Do you think that the Policy has a role in preventing Men and women being treated differently, in an unfair or inappropriate way, just because of their gender?	No

3.4 Race - Assessment Questions

3.4.1 Race - Relevance

Race	Relevant
------	----------

3.4.2 Race - Impact

Describe how the Policy meets the needs of Individuals from different ethnic backgrounds?

The Trust's service model will meet the needs of children and young people.

With regards to staff within the proposed cohort to TUPE to the largest group categorise themselves as 'White' (39%), the next largest groups categorise themselves as 'Black or Black British' (20%) or 'Asian or Asian British' (14%).

With regards to the 12,900 children and young people who will receive services from the Trust, the largest groups are categorised as 'White' (41%) and as having an 'Asian background' (20%).

Other analysis has shown that:

- 'White English' children are more likely to have Child Protection Plan in Birmingham as compared to the other ethnic minorities. 'White Gypsy' and 'White & Asian' are the other two ethnicities have slightly higher rate of disproportionality. 'Indian', 'Pakistani', 'Bangladeshi' and 'Chinese' children, on the other hand are underrepresented.
- 'Caribbean' and 'African' children are more at risk of being Children in Need.
- 'White English', 'White & Asian', 'Other mixed' and 'Caribbean' children are more likely to be taken in care in the City.

Do you have evidence to support the assessment?	Yes
---	-----

Please record the type of evidence and where it is from?

The staff records are held on a corporate database and the TUPE process itself is open to scrutiny from trades unions and staff.

The records of children and young people are held on Directorate databases.

You may have evidence from more than one source. If so, does it present a consistent view?	Not applicable
--	----------------

3.4.3 Race - Consultation

Have you obtained the views of Individuals from different ethnic backgrounds on the impact of the Policy?	Yes
---	-----

Comment:

The views of staff have been sought, but the views children, young people and families have not been formally sought.

If so, how did you obtain these views?

Since January 2017 there have been:

- . Monthly Children's Trust newsletters since the start of shadow trust in April
- . Two rounds of Engagement sessions at each of the CAB buildings (8 in total) with around 400 staff attending from across the city.

- . Updated internet and intranet pages and a number of short video interviews, simple guides, FAQs and presentations online.
- . Two staff reference group sessions (approx 50 members of staff) putting forward their views about staff engagement in the trust, and discussing topics including TUPE/Secondment and the new website/intranet.

Feedback has been that:

- . There is support for the trust model, especially around having a single focus and not having the council 'distractions'.
- . Both staff and partners see it as an opportunity to improve our relationships with and the way we work with partners.

Have you obtained the views of relevant stakeholders on the impact of the Policy on Individuals from different ethnic backgrounds?	No
If not, why not?	There are no plans to consult relevant stakeholders
Is a further action plan required?	No

3.4.4 Race - Additional Work

Do you need any more information or to do any more work to complete the assessment?	No
Do you think that the Policy has a role in preventing Individuals from different ethnic backgrounds being treated differently, in an unfair or inappropriate way, just because of their ethnicity?	No
Do you think that the Policy could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No

3.5 Concluding Statement on Full Assessment

The Initial Assessment has been updated and the characteristics of age, disability, gender and race have been considered.

This additional analysis has not identified any particular concerns. The workforce is predominantly female and aged between 30-39 years. A larger proportion of women categorise themselves as 'White', while a slightly higher proportion of men categorise themselves as 'Black backgrounds'. The Council is aware that its HR recording of disability is not necessarily robust.

As to children and young people who use the range of services to be transferred to the Trust, there have been some analysis which has indicated that children and young people from different races may be more, or less likely to receive services that the norm. Analysis has also shown that there is a higher proportion of boys and young men with a disability, particularly within the Disabled Children's Service.

As detailed in the main report, partners have indicated support for the Trust as an opportunity for better integration and collaborative working. Recognising that the Trust would be part of a wider system of agencies and partners which share the aim of securing better outcomes for children and young people, there is a commitment to building stronger relationships and behaviours around a shared vision, values and leadership of the system.

4 Review Date

31/07/17

5 Action Plan

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