

**Appendix 3**  
**Brent Council Equality Analysis Form**

<b>1. Roles and Responsibilities:</b>	
<b>Directorate:</b> <b>Children and Young People</b>  <b>Service Area:</b> <b>Safeguarding and Quality Assurance</b>	<b>Person Responsible:</b> Name: Sarah Alexander Title: Head Of Service Contact No: 07789 196343 Signed: Sarah Alexander
<b>Name of policy:</b> <b>Independent Reviewing Policy &amp; Procedures</b>	<b>Date analysis started: October 2014</b>  <b>Completion date January 2015</b> <b>Review date:</b>
<b>Is the policy:</b>  New <input type="checkbox"/> Old <input checked="" type="checkbox"/>	<b>Auditing Details:</b> Name : Title: Partnership Equality Policy Officer Date Contact No: Signed:
<b>Signing Off Manager:</b> responsible for review and monitoring Name: GRAHAM GENONI Title: Operational Director Children's Social Care Date: 20.2.15 Contact No: Signed: 	<b>Decision Maker:</b> Committee: <b>Cabinet</b> Date: 16.3.15

**2. Brief description of the policy. Describe the aim and purpose of the policy, what needs or duties is it designed to meet? How does it differ from any existing policy or practice in this area?**

Brent's Independent Reviewing Officer team (IRO) for Looked After Children is part of the Brent Safeguarding and Quality Assurance service. The main function of the team is to chair Looked After Children Reviews, quality assure the care planning and review process, monitor the local authority's performance as corporate parent, and ensure that the child's wishes and feelings are fully considered. The IRO service currently consists of one permanent IRO, an IRO manager and eight IROs provided by Aid Hour, a not for profit organization which is contracted for this purpose..

This EIA is in respect of the development and tendering of the Independent Reviewing Officer service for looked after children and children with disabilities. Appendix One provides an overview of the demographic profile of looked after children and children with disabilities, taking account particularly of protected characteristics relevant to gender, age, disability and ethnicity.

As a result of the high staff turn over in front line social work currently experienced by many London local Authorities including Brent the IRO tend to be the most consistent person in many of the looked after children's life , therefore they play a vital role in assisting the local authority discharge its corporate parent responsibility.

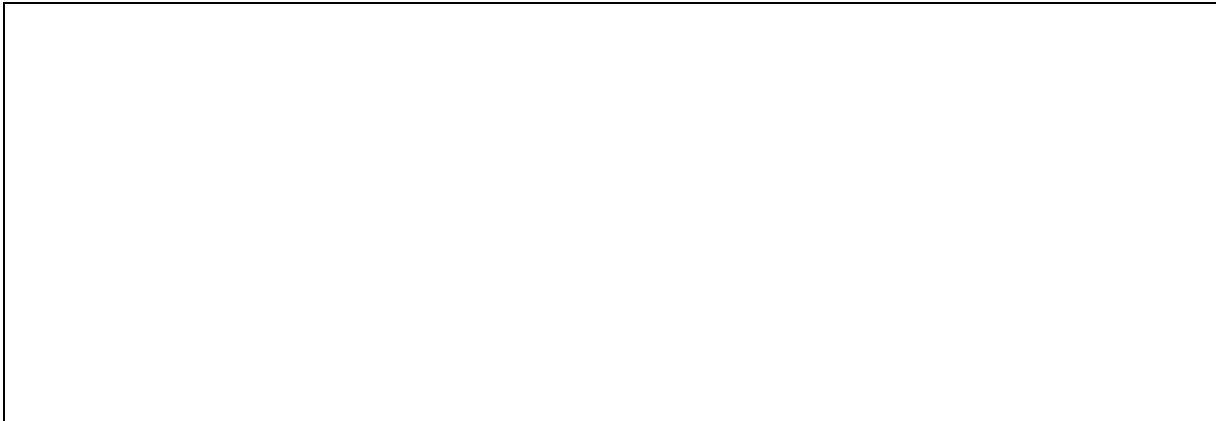
The focus of the IRO service will remain, to

- monitor future planning and permanency,
- identify problems and gaps in arrangements for children looked after,
- know the child and ensure that his/ her voice is heard,
- act as a bridge between the parents , extended family and the local authority and
- Keep things on track and provide continuity.

This includes

- Regular reviews, liaison and discussion with children, social workers, parents, Children Guardians and other practitioners such as health and education.

Part of the IROs role is also to escalate any unresolved issues in liaison with social workers and team managers. A recent research carried out by the University of East Anglia on the role of the IRO has shown that children and young people, social workers, parents see the IROs work in a positive light , contributing to a good outcome for Children Looked After.



**3. Describe how the policy will impact on all of the protected groups:**

The service continues to impact positively on protected groups particularly in relation to disability, age, sex and ethnicity. To some extent, the service will also positively impact (where relevant) on religious affiliation and sexual orientation, although broadly speaking the service would be described as neutral with respect to these characteristics. Given the age profile of the end user, the service is not expected to have any role in relation to marriage/civil partnerships, gender reassignment with only a very small role in pregnancy/maternity.

IROs play an important role in preventing issues from escalating or drift in planning for a child's life. The review takes children's age, disability, language, and ethnicity and, where appropriate, the sex, sexual orientation and faith of the child or young person into consideration to determine what a child's long term plan should be.

The earlier a care plan for a child is finalized the greater the likelihood of securing permanency and positive outcome for looked after children and this can include return home to their family.

During the year 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014, 348 children were Looked After by Brent. The team of IROs including those permanently employed and those commissioned through Aid Hour as of the 31<sup>st</sup> of March 2014 comprises of seven ( 54.8%) male and nine ( 56.2%) females. Of the children looked after on the same date 193 ( 55%) were male and 155 ( 45%) were female. The ethnic identity age of the cohort of children looked after as of 31 March 2014 was as follows:

<b>Ethnicity</b>		
White	79	22.6%
Mixed	77	22.06%
Asian or Asian British	40	11.4%
Black or Black British	116	33.5%
Other	36	10.3%
<b>Total</b>	<b>348</b>	<b>100%</b>

<b>Children in Care by Age &amp; Gender</b>		
	<b>Male</b>	<b>Female</b>
<b>0-4 years</b>	27	28
<b>5-9 years</b>	32	24
<b>10-12 years</b>	21	18
<b>13-15 years</b>	42	45
<b>16 and over</b>	71	40
<b>Total</b>	<b>193</b>	<b>155</b>

The service is intended to monitor and review care plans of looked after children, provide support, advice and guidance to practitioners working with looked after children including children with disabilities, ensure that their particular needs are met, making sure the voice of the child is at the center of all decision making process at all times.

The service will also support practitioners and families, where appropriate, in ensuring that looked after children recommendations are followed and tracked through the review process regularly. Where there are concerns they are escalated using Brent's escalation policy.

During the year ending 31<sup>st</sup> of March 2014 amongst the main issues raised by the IRO's were:

- Frequent change of social workers
- Paper work and care Plans not completed in time for the review.
- IRO's not always been consulted when care plans are changed and children and young people move placement.

**Please give details of the evidence you have used:**

IRO legislation and statutory guidance sits within a policy framework which reinforces the importance the Government places on local authorities to improve outcomes for looked after children. The provision of good emotional and mental health services across the lifespan of an individual taking account the specific needs and circumstances of the individual.

The Children and young Person Act 2008 extends the IRO's responsibilities from monitoring the performance by the local authority of their function in relation to the child's review to monitoring the performance by the local authority in relation to the children's cases, as set out in section 25A-25c of the 1989 Act ( inserted by section 10 Of the 2008 Act). The intention is that these changes will enable the IRO to have an effective independent oversight of the child's case and ensure that the child's interests are protected through out the care planning process ( IRO hand book)

- The House of Lords Judgment in 2012 concluded that a local authority that failed in its duty to a looked after child could be challenged under the Human Rights Act 1998, most likely under Article 8 of the European convention on Human Rights relating to family life. The judgment recognised that some

children with no adult to act on their behalf may not have any effective means to initiate such a challenge.

- *Brent Corporate Strategy* with prioritisation of early intervention to secure positive health and wellbeing outcomes for children looked after.
- *Support and aspiration: A new approach to special educational needs and disability*
- *Children Act 1989* – remains the major piece of legislation for children’s social care and prioritises steps to reduce the risk of escalation of problems amongst more vulnerable children and young people. The Children and Families Bill, published on 5 February 2013, contains provisions to improve services for vulnerable children and support strong families.
- *Children and Young Persons Act 2008* – implements the provisions within Care Matters to improve outcomes for looked-after children, or those at risk of being looked after; amending aspects of the Children Act 1989
- *Promoting the Quality of Life for Looked After Children and Young People, NICE and SCIE, October 2010* - sets out how agencies and services in a complex, multi-agency environment can improve the quality of life for looked-after children and young people through more effective collaboration that places them at the heart of all decision making.

The safeguarding service in Brent oversees the work of the IRO’s. Regular contractual monitoring meeting are held with Aid hour (current provider) and twice a year meeting with all IRO’s who chair Brent LAC reviews.

The team has remained stable with only one change during the year 1<sup>st</sup> April 2013 and 31<sup>st</sup> of March 2014 ; this has led to continuity of IRO’s for many children. Some IRO’s have known the children for more than 10 years contributing to stability and consistency and better outcomes for children.

The ethnic make up of the current IRO’s is less diverse. However All IRO’s are very experienced and services are provided with an equal opportunities framework and all IRO’s are expected to adhere to the Health and care Professionals council code of conduct and Brent’s internal policy and procedure.

**4. Describe how the policy will impact on the Council’s duty to have due regard to the need to:**

**(a) Eliminate discrimination (including indirect discrimination), harassment and victimisation;**

For each individual child, we take opportunities to reduce the risk of, and exposure to harassment and victimisation as part of our approach to care and placement planning for looked after children and children with disabilities.

Given that we work with some of the most vulnerable children and young people in

Brent, we recognise that many of our young people may have experienced isolation, racism and victimisation. This may contribute to anger, behavioural difficulties, frustration and other adverse impacts, such as low educational attainment, Instability of placement.

The IRO service seeks to assist in improving outcomes and life chances of looked after children, build practitioner skills and track care plans in order to expedite permanency for Brent's Looked after population. The service will also work with parents and other stake holders contributing to a consistent and supportive approach to children looked after.

It is an expectation of the Service Provider to ensure staffs are appropriately skilled and qualified to address the needs and wellbeing of looked after children and address any aspects that arise from discrimination, harassment and victimisation. We have been explicit in our service specification that the Service Provider must meet the requirements of the Equality Act 2010 and that the Provider shall deploy staff which are appropriately qualified, competent, trained, skilled and experienced and these staffs shall ensure that all staff are properly instructed and supervised in the provision of the Service.

**(b) Advance equality of opportunity;**

The review process provides a service that is highly personalised responding to the requests and needs of looked after children while also carrying the role of quality assurance, working with social workers and other multiagency practitioners giving advise, guidance and consultation about addressing effectively the health , educational and wellbeing needs of individual looked after children. As a highly personalised service, this takes account of relevant protected characteristics particularly disability, ethnicity, age and where relevant, sex, religious affiliation and sexual orientation.

In this way, we are ensuring that all looked after children (irrespective of any protected characteristics) are equally able to take up particular opportunities relevant to their needs, interests and capabilities. This Service provides support, advocacy and monitoring of care plans for looked after children and children with disabilities so they can participate on an equal basis in the decision making process, avoid delay and escalation of problems in their care plan.

**(c) Foster good relations**

The service is intended to operate as the medium between children and young people, Parents, carers, the local authority and other stake holders such as Guardians, minimise delay in care planning and decision making by carrying out regular reviews.

Where a young person is demonstrating challenging behaviours in their interactions with other members of the community e.g. homophobia, racism etc., the looked after review would recommend a referral to relevant agencies such as CAMH service in order to support the young person develop more healthy attitudes and positive community relationships.

## **5. What engagement activity did you carry out as part of your assessment?**

### **i. Who did you engage with?**

Engagement has been with:

- (a) Social workers based on their experience of working with IRO's and foster carers.
- (b) LAC as part of Care in Action Group
- (c) Children's Social Care Senior Management and Heads of Service, specifically the Operational Director, Head of Localities and CWD and Head of Care Planning and Commissioning and Placements Service
- (d) Brent Council Legal Department

### **ii. What methods did you use?**

A mixed method engagement strategy that has included directly consulting LAC through Care in Action (supported by LAC participation officers), meetings with social workers, Legal and Social Care Management and Heads of Service, and preparation and provision of draft service specifications for an iterative process of comment/review/re-drafting. There have been four revisions to the draft specifications on the basis of engagement with stakeholders.

### **iii. What did you find out?**

All the LAC consulted had either accessed the IRO service previously or currently have one who chairs their review. Their experiences varied with some children and young people identifying very positive experiences. Key characteristics of 'positive' experiences were consistency and reliability; in some cases the children have known their IRO for more than ten years. Children see IRO's taking a robustly independent approach in order to address issues of care planning, permanency and other needs of Looked after children. They see their IRO as supportive, friendly, non-judgemental appreciate the opportunity of seeing their IRO on their own before each review and in some instances between reviews. Some children felt that the frequency of the review which takes place every six months ( with the exception of the initial and second review) was too long.

Their accounts often focused on personal qualities and their knowledge of the particular IRO who chairs their review. They often described their IRO as some one who helps them to 'move things on' 'helping to plan for the Future. Where children and young people felt a clearer sense of what the IRO does is because of a concrete out come such as sorting out housing and placement issue, assisting in sorting out clothing grant, getting contact set up etc. They see their IRO as the crucial person who would be able to move matters forward and ensure the local authority discharges its duty as a corporate parent.

The positive contribution of the IRO service was spoken of by social workers, Team managers, Foster carers and other stake holders.

**How have you used the information gathered?**

The findings have all fed into the development and finalisation of the service specification.

**iv. How has it affected your policy?**

These elements have all been integrated into the service specification for the Provider. Outcome measures have also been established in the service specification that specifically relate to ensuring that the needs of all Looked After children are met including the needs of children and young people with disabilities when reviewing their care plan.

The service specification also specifically requires the Provider to offer support that is wholly built around the needs of Looked after children i.e. individual children and young people and their families (where relevant) and multiagency practitioners. This includes specifying that reviews take place in a range of venues that suite the child's need and, that different methods are used to ensure the child's voice is at the centre of the decision making.

At the very heart of the service specification is also that the IROs who are already engaged with LAC children and young people should be skilled and confident in identifying and supporting young people with all their needs including Education , health , contact, placement and that delay in permanency and poor practice is challenged through the appropriate channels and that children and young people are visited between reviews where necessary.

**6. Have you identified a negative impact on any protected group, or identified any unmet needs/requirements that affect specific protected groups? If so, explain what actions you have undertaken, including consideration of any alternative proposals, to lessen or mitigate against this impact.**

Not applicable.

**Please give details of the evidence you have used:**



## 7. Analysis summary

Please tick boxes to summarise the findings of your analysis.

Protected Group	Positive impact	Adverse impact	Neutral
Age	✓		
Disability	✓		
Gender re-assignment			✓
Marriage and civil partnership			✓
Pregnancy and maternity			✓
Race	✓		
Religion or belief			✓
Sex	✓		
Sexual orientation			✓

## 8. The Findings of your Analysis

Please complete whichever of the following sections is appropriate (one only).

### No major change

*Your analysis demonstrates that:*

- *The policy is lawful*
- *The evidence shows no potential for direct or indirect discrimination*
- *You have taken all appropriate opportunities to advance equality and foster good relations between groups.*

*Please document below the reasons for your conclusion and the information that you used to make this decision.*

The service provision will:

- Improve outcomes for looked after children.
- Improve the skills and confidence of multiagency practitioners in working alongside looked after children and children and young people and assist in resolving delay in care planning and conflict at the earliest possible time, so reduce risk of escalation and avoid drift in care planning amongst this most vulnerable group of children and young people.

The IRO service is necessary to ensure we do everything we can to remove barriers and eliminate adverse impact on any specific group and improve outcomes and life chances of Looked after children.

Justification for taking these measures also stems from:

- *Brent Corporate Strategy* with prioritisation of early intervention to secure positive health and wellbeing outcomes for children most vulnerable to escalating problems.
- *Care Planning, Placement and Review Regulations (2012)* – consolidates all requirements on these topics – emphasis on effective assessment, planning, intervention and review, with a focus on the child’s voice and experience. It is based on the child’s journey through care, helping them to get the right support and good outcomes.
- *Children Act 1989* – remains the major piece of legislation for children’s social care and prioritises steps to reduce the risk of escalation of problems amongst more vulnerable children and young people. The Children and Families Bill, published on 5 February 2013, contains provisions to improve services for vulnerable children and support strong families, including with more focus on early intervention. The bill began committee stage in the House of Lords on 9 October 2013.
- *Children and Young Persons Act 2008* – implements the provisions within Care Matters to improve outcomes for looked-after children, or those at risk of being looked after; amending aspects of the Children Act 1989.
- *IRO Handbook ( statutory guidance for independent reviewing officers and local authorities on their functions in relation to case management and review for looked after children*

**Adjust the policy**

*This may involve making changes to the policy to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential adverse effect on a particular protected group(s).*

*Remember that it is lawful under the Equality Act to treat people differently in some circumstances, where there is a need for it. It is both lawful and a requirement of the public sector equality duty to consider if there is a need to treat disabled people differently, including more favourable treatment where necessary.*

*If you have identified mitigating measures that would remove a negative impact, please detail those measures below.*

*Please document below the reasons for your conclusion, the information that you used to make this decision and how you plan to adjust the policy.*

NOT APPLICABLE

**Continue the policy**

*This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not amount to unlawfully discrimination, either direct or indirect discrimination.*

*In cases where you believe discrimination is not unlawful because it is objectively justified, it is particularly important that you record what the objective justification is for continuing the policy, and how you reached this decision.*

*Explain the countervailing factors that outweigh any adverse effects on equality as set out above:*

NOT APPLICABLE

*Please document below the reasons for your conclusion and the information that you used to make this decision:*

**Stop and remove the policy**

*If there are adverse effects that are not justified and cannot be mitigated, and if the policy is not justified by countervailing factors, you should consider stopping the policy altogether. If a policy shows unlawful discrimination it must be removed or changed.*

*Please document below the reasons for your conclusion and the information that you used to make this decision.*

NOT APPLICABLE

**9. Monitoring and review**

Please provide details of how you intend to monitor the policy in the future. Please refer to stage 7 of the guidance.

The Provider is expected to provide quarterly reports that provide details about individual cases and the aggregate caseload. The service specification emphasises that the Provider will provide the following

- Collate performance monitoring information in line with the performance indicators for Looked after review (indicators laid down in 6.2 and 6.3 of the service specification) All monitoring reports will be submitted to the Commissioner no later than two weeks prior to the scheduled monitoring meeting.
- The Service Provider will work with the Commissioner to complete an Annual report at the end of each financial year, in line with the format provided by Brent Council.
- The Service Provider shall give assistance to the compilation of data required for and by the evaluation process of this Service.
- The Service Provider shall respond to reasonable requests for information from the Children and Families Department, Brent Council. The Service Provider may also be required to attend meetings with any nominated external or national evaluator for Brent Council, as required.
- The service provider should ensure that all IRO's attend twice a year meeting with Brent council

These reports will be complemented with the quarterly meetings between the Provider and the relevant Heads of Service where in depth discussions regarding cases and reviews of performance/ addressing any lessons learned from implementation of the service specification generally will occur.

The Provider is also expected to have an externally audited quality assurance framework in place. This quality assurance framework will emphasise key objectives in terms of equality of access, including making provision for different types of engagement to enable equal access (e.g. conducting reviews at placement, from schools, community facilities if deemed appropriate). The Provider is expected to provide reports about compliance with all elements of the quality assurance framework.

## 10. Action plan and outcomes

At Brent, we want to make sure that our equality monitoring and analysis results in positive outcomes for our colleagues and customers.

Use the table below to record any actions we plan to take to address inequality, barriers or opportunities identified in this analysis.

Action	By	Lead	Desired outcome	Date	Actual outcome

	when	officer		completed	
Ensure continued use of interpreters where required	On going	G Mebrahtu			
All IRO's continue to receive training on cultural competency	On going	G Mebrahtu	Ensure that IRO's have an understanding of the wider cultural issues of LAC		