

Equality and Human Right Impact Assessment: The Form



EHRIA

Aberdeen City Council

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form. Throughout the form, **the word “proposal” refers to policy, strategy, plan, procedure, report or business case.** This then, embraces a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Please also refer to the “Completion Terminology” at the end of the form.

1 : Equality and Human Rights Impact Assessment- Essential Information

Name of Proposal: Corporate Parenting: Annual Update 2014 - 15	Date of Assessment: 10 July 2015										
Service: Children's Social Work	Directorate: Education & Children's Services										
Committee Name or delegated power reference (Where appropriate): Council	Date of Committee (Where appropriate): 19 August 2015										
Who does this proposal affect? Please Tick ✓	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Employees</td> <td style="width: 50%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Job Applicants</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Service Users</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Members of the Public</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Other (List below)</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Employees	<input type="checkbox"/>	Job Applicants	<input type="checkbox"/>	Service Users	✓	Members of the Public	<input type="checkbox"/>	Other (List below)	<input type="checkbox"/>
Employees	<input type="checkbox"/>										
Job Applicants	<input type="checkbox"/>										
Service Users	✓										
Members of the Public	<input type="checkbox"/>										
Other (List below)	<input type="checkbox"/>										

2 : Equality and Human Rights Impact Assessment - Pre-screening

Is an impact assessment required?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If No, what is the evidence to support this decision? (Once this section is completed, please complete section 8 of the form).	

3 : Equality and Human Rights Impact Assessment

a- What are the aims and intended effects of this proposal?	<p>The purpose of the Report is to provide an annual update to Elected Members on the progress of the implementation of the Corporate Parenting Policy and Action Plan 2012 - 2015, for the benefit of care experienced young people within Aberdeen.</p> <p>The Corporate Parenting Policy directs council directorates and services to work together to enable the council to meet its duties as a corporate parent. The council works with its partners who have similar duties as corporate parents to promote and safeguard the wellbeing of care experienced children and young people.</p>
b- What equality data is available in relation to this proposal? (Please see guidance notes)	<p>National and local statistical data on the position of care experienced young people (eg. educational performance and attainment data for looked after young people, derived from Education Outcomes for Scotland's Looked After Children Source: The Scottish Government).</p> <p>Feedback from officers working throughout the council (eg. social workers, school staff) on addressing issues for care experienced children and young people (eg. through multi-agency meetings, case conferences, individual planning arrangements).</p> <p>Feedback from council directorates and services who have employed or are currently employing care experienced young people on work experience programmes or internships (eg. through reports to Family Firm Working Group).</p>

	Feedback from care experienced young people (eg. through reports to Children's Rights Officers &/or Who Cares? Scotland Advocacy Worker).
c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g. with employees, service users, Unions or members of the public that has taken place in relation to the proposal.	As this is an update no specific consultation has taken place in advance of completing this Report. However, consultation with care experienced young people has taken place regularly throughout the year, in particular in relation to how supportive young people view particular roles of those able to support them. It is anticipated that there will be a fuller consultation before October 2015 as part of preparing a bid to Life Changes Trust for funds to develop the Aberdeen Champions Board.
d- Financial Assessment If applicable, state any relevant cost implications or savings expected from the proposal.	Costs (£) Implementation cost £ <input type="text"/> Projected Savings £ <input type="text"/>
e- How does this proposal contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?	
Individual council directorates will continue to provide support to care experienced children and young people with the aim of redressing the imbalance in attainment reached by such young people compared to their peers within the general population who are not care experienced. This will impact positively on the future lives of care experienced young people.	
f- How does this proposal link to the Council's Equality Outcomes?	
The implementation of the Corporate Parenting Policy over the last three years and the commitment shown by all partners has contributed positively towards care experienced young people feeling more included within their local communities.	

4 : Equality Impact Assessment Test

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010*?

Protected characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists * (see completion terminology)
Age (People of all ages)		✓		The Corporate Parenting Policy and its implementation is aimed at addressing inequalities and disadvantage faced by care experienced young people and in promoting positive outcomes for them.
Disability (Mental, Physical, Sensory and Carers of Disabled people)	✓			
Gender Reassignment	✓			
Marital Status (Marriage and Civil Partnerships)	✓			
Pregnancy and Maternity	✓			
Race (All Racial Groups including Gypsy/Travellers)	✓			
Religion or Belief or Non-	✓			

4 : Equality Impact Assessment Test

What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010*?

Protected characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists * (see completion terminology)
belief				
Sex (Women and men)	✓			
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)	✓			
Other (eg: Poverty)		✓		Attainment rates (eg. educational achievement) and life experience (eg. likelihood of appearing in court) for care experienced young people will better reflect that of their peers both within the short term and over their life time.

5 : Human Rights Impact Assessment Test

Does this proposal have the potential to impact on an individual's Human Rights? Evidence of impact and, if applicable, justification where the impact is proportionate

Article 2 of protocol 1: Right to education	Yes ✓ No Evidence: The Corporate Parenting Policy and the appointment of the Virtual School Head Teacher will increase the likelihood of a care experienced young person achieving their full educational potential.
Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment	Yes No Evidence:
Article 6: Right to a fair and public hearing	Yes No Evidence:
Article 8: Right to respect for private and family life, home and correspondence	Yes ✓ No Evidence: Statutory review arrangements for care experienced young people place an emphasis on the right to respect for family life and the right to grow up in their own family unless it is established that it is not in their best interests to do so.
Article 10: Freedom of expression	Yes ✓ No Evidence: The Corporate Parenting Policy positively encourages care experienced young people to fully participate in decision making relating to their individual lives and in the planning of services for care experienced young people in general.
Article 14: Right not to be subject to discrimination	Yes ✓ No Evidence: Evidence shows that care experienced young people are more likely to experience negative outcomes in their lives than their counterparts. Whilst this is not necessarily due to overt discrimination the Corporate Parenting Policy seeks to

	redress this imbalance by providing positive opportunities (eg. Family Firm) and experiences to enable care experienced young people to overcome some of the additional challenges that they face.
Other article not listed above, please state:	<p>Yes No</p> <p>Evidence:</p>

6 : Assessment Rating	
Please rate the overall equality and human right assessment (Please see completion terminology)	<input type="checkbox"/> <input type="checkbox"/> ✓ <input type="checkbox"/> Red Red Amber Green Amber
Reason for that rating:	Care experienced young people are known to be at risk of negative outcomes. The Corporate Parenting Policy aims to redress this and to develop and improve services for this group of young people. Significantly, the Policy and the recent Children & Young People (Scotland) Act 2014 extend the duties and scope of corporate parenting, which will increase the likelihood of improving life chances for care experienced young people. However, they are unlikely to be ever eliminated, hence the 'amber' rather than 'green' rating.

7 : Action Planning
As a result of performing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by <i>The Equality Act 2010</i>?

Identified Risk and to whom:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
As completion of this EHRIA shows that the impact of the Corporate Parenting Policy is designed to have a positive impact on the lives of care experienced young people, no risks or actions are identified to remove or reduce adverse outcomes.				

8 : Sign off	
Completed by (Names and Services):	Dave Bliss, Service Manager (Planning & Development), Children's Social Work
Signed off by (Head of Service):	
<p>Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal document and/or committee report to:</p> <p>Equalities Team Customer Service and Performance Corporate Governance Aberdeen City Council Business Hub 13 Second Floor North Marischal College Broad Street Aberdeen AB10 1AB Telephone 01224 523039 Email sandrab@aberdeencity.gov.uk</p>	

9 : Completion Terminology

Assessment Pre-screening Rating:	<p>This section will highlight where there is the obvious potential for a negative impact and subsequent risk of negative media coverage and reputational damage to the Council. Therefore, a full impact assessment is required, for example around sensitive issues such as marching, Gypsy/Traveller issues, change to social care provision.</p> <p>It should also be completed to evidence why a full impact assessment was not required, example, there is no potential negative impact on people.</p>
Assessment Rating:	<p>After completing this document, rate the overall assessment as follows:</p> <p>Red: As a result of performing this assessment, it is evident that we will discriminate (direct, indirect, unintentional or otherwise) against one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is essential that the use of the proposal be suspended until further work or assessment is performed and the discrimination is removed.</p> <p>Red Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this proposal and further professional advice should be taken.</p> <p>Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p> <p>Green: As a result of performing this assessment, this proposal does not appear to have any adverse impacts on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>
Equality Data:	<p>Equality data is internal or external information that may indicate how the proposal being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1: Application success rates by <i>Equality Groups</i> 2: Complaints by <i>Equality Groups</i> 3: Service usage and withdrawal of services by <i>Equality Groups</i>

	4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i>
Genuine Determining Reason	<p>Certain discrimination may be capable of being justified on the grounds that:</p> <ul style="list-style-type: none"> (i) <i>A genuine determining reason exists</i> (ii) <i>The action is proportionate to the legitimate aims of the organisation</i> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessment.</p>
Human Rights	The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.
Legal Status:	This document is designed to assist us in " <i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i> " as required by <i>The Equality Act Public Sector Duty 2011</i> . An Equality Impact Assessment is not, in itself, legally binding and should not be used as a substitute for legal or other professional advice.