

Equality Impact Assessment (EIA)

1. Topic of assessment

EIA title	Commissioning of Independent Assessments This is a working document
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EIA author	Emily Huntington
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2. Approval

	Name	Date approved
Approved by	DAVE HILL- EXECUTIVE DIRECTOR – CHILDREN, FAMILIES, LIFE LONG LEARNING AND CULTURE	17/04/2019

3. Quality control

Version number	0.3	EIA completed	
Date saved	13 March 2019	EIA published	

4. EIA team

Name	Job title	Organisation	Team role
Carol Douch	Head of Countywide Services	Surrey County Council	Project Sponsor
Elaina Quesada	Interim AD, Commissioning	Surrey County Council	Project Sponsor
Libby Butler	Senior Commissioning Manager	Surrey County Council	Children's Commissioning (Social Care & Wellbeing)
Emma Atkins	Senior Commissioning Officer	Surrey County Council	Children's Commissioning (Social Care & Wellbeing)

Emily Huntington	Senior Commissioning Officer (SCW)	Surrey County Council	EIA Author
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5. Explaining the matter being assessed

<p>What policy, function or service is being introduced or reviewed?</p>	<p>Surrey County Council (SCC) must meet a range of statutory obligations to ensure that safeguarding decisions about children are made using high quality evidence suitable for the courts. A range of expert assessments (psychological, cognitive and parenting assessments etc.) are sometimes used to inform the council in its child protection and care planning decisions. These assessments are usually completed by independent social workers (ISWs) and expert witnesses (psychologist, specialist medical professionals).</p> <p>The demand for statutory and court ordered assessments has increased at a rate which SCC is unable to meet with current in-house capacity. To cope with this pressure, and ensure our statutory duties are met, social care teams have been spot purchasing external experts to carry out SGO and expert assessments; in 2017/18, 176 children had at least one expert assessment, and 102 assessments for special guardianship were completed.</p> <p>The quality, timeliness, value for money and oversight/scrutiny of external assessments needs to be improved (reflecting Ofsted’s findings in May 2018) to avoid drift and unnecessary distress to families and vulnerable children. Current spend on spot purchasing these external assessments has also reached a level that is unsustainable and in breach of the council’s Standing Orders.</p>
<p>What proposals are you assessing?</p>	<p>This Equality Impact Assessment will assess proposals to develop a mixed economy which includes:</p> <ul style="list-style-type: none"> • Recommissioning independent assessment services through a full tender process, which will enable SCC to purchase assessments and forensic testing services from the external market, through a Dynamic Purchasing System (DPS), with 2 Lots: <ul style="list-style-type: none"> - Lot 1: Assessments completed by Expert Witnesses <ul style="list-style-type: none"> ○ Lot 1a: Independent Social Workers ○ Lot 1b: Psychologists ○ Lot 1c: Psychiatrists ○ Lot 1d: Other Expert Witnesses - Lot 2: Special Guardianship Order (SGO) Assessments <p>This will improve service delivery by setting expectations of quality, adherence to which will be monitored closely, with particular focus on providers’ safeguarding policies and procedures. The DPS will also ensure that the council is compliant with procurement regulations, able to access a wider variety of providers, and in the longer term, expand the number of providers eligible to undertake assessments. It is envisaged that the DPS will go live on 1st August 2019, and will be in place for two years, with an option to extend for a further three years.</p> <ul style="list-style-type: none"> • Developing the confidence and capacity of in-house teams, so that wherever possible internal professionals deliver reports for the courts. Work to achieve this has already started, and will continue for the duration of the DPS.

Who is affected by the proposals outlined above?

The proposals will ensure that children and families do not experience unnecessary delays during pre-proceedings and care proceedings. Where a special guardian is being assessed for suitability, the plans will see children placed with guardians and achieving permanence, where appropriate, more quickly. Additionally, families and social workers will have greater confidence in court decisions as a result of the improved quality of assessments; and where this is not the case, SCC will be able to hold providers to account.

This is an early version of the Equality Impact Assessment; it will remain a live document to ensure that the proposals conform to the council's policies on discrimination and equality.

- Children, young people and their families who are subject to a child protection plan, during a Public Law Outline (PLO) process), or during care proceedings
- The wider children's services workforce
- Providers/experts SCC currently commissions independent assessments from
- The Courts, who request assessments as part of proceedings

6. Sources of information

Engagement carried out

- SCC has facilitated provider events to engage with organisations interesting in joining the DPS, and incorporate their feedback into the Service Specification.
- A Project Group with officers from Child Protection and Proceedings Teams, Children's Social Care and Wellbeing Commissioning, Procurement, Legal, and Corporate Finance, has been established and meets regularly. The group is responsible for helping to steer and advise the project team, for example providing service level input on expectations of expert assessments to inform the contents of the service specification, such as the quality of expert assessments, timescales for assessments, and reports for court.
- There has been limited engagement with children, young people (CYP) and families because it was not deemed appropriate to engage with CYP and families who are going through pre-proceedings or proceedings, however, previous feedback provided by families to the Children's Rights and Participation team has been considered.

Data used

- Children's Commissioner (2018), *Estimating the prevalence of the toxic trio* - <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2018/07/Vulnerability-Technical-Report-2-Estimating-the-prevalence-of-the-toxic-trio.pdf> (accessed 03.08.18)
- Department for Education (2018a), *Characteristics of children in need: 2017 to 2018* - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/762539/Characteristics_of_children_in_need_2017-2018_Main_tables.xlsx (accessed 15.01.19)
- Department for Education (2018b), *Children's Social Work Workforce 2017* - <https://www.gov.uk/government/statistics/childrens-social-work-workforce-2017> (accessed 15.01.19)
- Department for Education (2012), *Family Justice Review: Reducing the Duration of Care Proceedings Cases* - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/190167/DFE-32069-2012.pdf (accessed 11.01.19)
- Surrey-i (2017). *JSNA – Safeguarding Children* - <https://www.surreyi.gov.uk/jsna/safeguarding-children/> (accessed 17.01.19)

- ONS (2012), *Ethnicity and National Identity in England and Wales* - <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/ethnicity/articles/ethnicityandnationalidentityinenglandandwales/2012-12-11> (accessed 15.01.19)
- Surrey County Council (2018), *Needs Analysis for Forensic Testing and Expert Assessments in Surrey*
- Surrey County Council Finance Data

7. Impact of the new/amended policy, service or function

7a. Impact of the proposals on residents and service users with protected characteristics

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence														
<p style="text-align: center;">Age</p>	<ul style="list-style-type: none"> Through the use of a DPS, children should be less likely to be exposed to continued risk, or experience the distress and anxiety associated with drift and delay during pre-proceedings and care proceedings as a result of poor quality assessments, or the lack of availability of professionals to undertake assessments. The proposed DPS should help ensure that appropriate support can be put in place more quickly, leading to better outcomes for children – including improving the likelihood of them achieving permanence and reducing the likelihood of long-term developmental problems. Professionals will be required (as outlined in the service specification) to 	<ul style="list-style-type: none"> Children may not have the capacity to fully understand the assessment, report findings and implications of the assessments, however this should be mitigated by the requirement (as outlined in the service specification) for professionals to communicate with children in an appropriate manner. 	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: left;">Breakdown of children subject to child protection plans by age at 31 March 2018:</th> </tr> </thead> <tbody> <tr> <td>Unborn</td> <td style="text-align: right;">1,150</td> </tr> <tr> <td>Under 1</td> <td style="text-align: right;">5,000</td> </tr> <tr> <td>1 - 4</td> <td style="text-align: right;">13,750</td> </tr> <tr> <td>5 - 9</td> <td style="text-align: right;">15,860</td> </tr> <tr> <td>10 - 15</td> <td style="text-align: right;">15,810</td> </tr> <tr> <td>16 and over</td> <td style="text-align: right;">2,220</td> </tr> </tbody> </table> <p><i>DfE (2018a)</i></p> <ul style="list-style-type: none"> Delays in proceedings: <ul style="list-style-type: none"> May deny children a chance of a permanent home, particularly through adoption; Can have harmful long term effects on a child’s development; May expose children to more risk; and Cause already damaged children distress and anxiety. <p><i>DfE (2012)</i></p> <ul style="list-style-type: none"> 25-27% of children live with an adult who has experienced domestic abuse <p><i>Children’s Commissioner (2018)</i></p>	Breakdown of children subject to child protection plans by age at 31 March 2018:		Unborn	1,150	Under 1	5,000	1 - 4	13,750	5 - 9	15,860	10 - 15	15,810	16 and over	2,220
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	<p>communicate with children in an appropriate manner to ensure they understand the processes and content of assessments.</p> <ul style="list-style-type: none"> • There will be a strong focus on the safeguarding of children through the assessment process as a result of robust monitoring arrangements. 		
<p>Disability</p>	<ul style="list-style-type: none"> • Children with disabilities make up a large proportion of those referred for psychological assessment, so could be positively impacted as the DPS should ensure they will be less likely to experience drift or delay as a result of poor quality assessments, or the lack of availability of professionals to undertake assessments. This should help ensure that appropriate support can be put in place more quickly. • Ensuring assessments are completed within a timescale could reduce anxiety and uncertainty (which those with disabilities may be more acutely impacted by) associated with pre- 	<ul style="list-style-type: none"> • Children and adults with disabilities may not have the capacity to fully understand the assessment, report findings and implications of the assessments, however this should be mitigated by the requirement (as outlined in the service specification) for professionals to communicate with in an appropriate manner. • Timescales to complete assessments may put parents and children with disabilities (including mental health issues) at a disadvantage, as research has shown that they may need longer to come to terms with proceedings. 	<ul style="list-style-type: none"> • 32% of children aged 0-15 live with an adult who moderate or severe symptoms of mental ill-health. <i>Children's Commissioner (2018)</i> • Psychological assessments have the highest demand; children are typically referred for evaluation of a range of disabilities, including: <ul style="list-style-type: none"> ○ Attention Deficit Disorder, with or without Hyperactivity ○ Autism Spectrum Disorder ○ Disruptive Behaviour Disorders ○ Depression, Anxiety, Mood Disorders ○ Learning Disabilities ○ Learning/Processing Problems ○ Psychological Factors Associated with Medical Conditions <p><i>Surrey County Council (2018)</i></p> <p>Research has shown that people with disabilities and mental health difficulties may need longer to come to terms with proceedings, however there are also suggestions that shortened timescales for proceedings reduce the associated anxiety, which can impact those with disabilities more. <i>DfE (2012)</i></p>

	<p>proceedings and proceedings.</p> <ul style="list-style-type: none"> • Professionals will be required (as outlined in the service specification) to communicate to those with disabilities in an appropriate manner to ensure they understand the processes and content of assessments. • There will be a strong focus on the safeguarding of children and adults with disabilities through the assessment process as a result of robust monitoring arrangements. 		
Gender reassignment	None identified	None identified	<p>In 2012, a survey of 10,000 people found 1% of respondents to be gender variant. Although gender reassignment is rare, it is increasing as public awareness grows. <i>Equality and Human Rights Commission (2012)</i></p>
Pregnancy and maternity	<ul style="list-style-type: none"> • Assessments for unborn babies are especially time critical in order to give expectant mothers' (and their families) as much time as possible to receive the appropriate support. The proposals will reduce delays to assessments, which will improved outcomes for expectance and new mothers by giving them the 	None identified	<p>1,150 unborn babies in England were subject to a child protection plan at 31st March 2018. <i>DfE (2018a)</i></p> <p>Good practice is for assessments to happen at 28 weeks pregnant, and earlier where there is reason to believe the birth could be early.</p>



	<p>best chance to care for their baby.</p> <ul style="list-style-type: none"> There will be a strong focus on the safeguarding of pregnant women, who are likely to be especially vulnerable, through the assessment process as a result of robust monitoring arrangements. 																							
Race	<ul style="list-style-type: none"> Professionals will be required (as outlined in the service specification) to communicate with families in an appropriate manner to ensure they understand the processes and content of assessments. This includes working with an interpreter where required. Some suppliers have also provided details of services they can provide in languages other than English. 	None identified	<p>Breakdown of children in England subject to child protection plans by ethnicity</p> <table border="1"> <thead> <tr> <th></th> <th>Number by known ethnicity</th> <th>% by known ethnicity</th> </tr> </thead> <tbody> <tr> <td>Total known ethnicity</td> <td>51,880</td> <td>100</td> </tr> <tr> <td>White</td> <td>39,910</td> <td>77</td> </tr> <tr> <td>Mixed</td> <td>4,830</td> <td>9</td> </tr> <tr> <td>Asian or Asian British</td> <td>3,360</td> <td>6</td> </tr> <tr> <td>Black or black British</td> <td>2,950</td> <td>6</td> </tr> <tr> <td>Other ethnic group</td> <td>840</td> <td>2</td> </tr> </tbody> </table> <p><i>DfE (2018a)</i></p> <p>Nationally, there has been no update to the ethnicity data collected in the 2011 Census, however based on this, White and Asian/Asian British children seem to be underrepresented in child protection plans, whilst Black/Black British, Mixed and Other Ethnic Groups are overrepresented. <i>ONS, (2012)</i></p>		Number by known ethnicity	% by known ethnicity	Total known ethnicity	51,880	100	White	39,910	77	Mixed	4,830	9	Asian or Asian British	3,360	6	Black or black British	2,950	6	Other ethnic group	840	2
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Black or black British	2,950	6																						
Other ethnic group	840	2																						
Religion and belief	None identified	None identified																						

<p>Sex</p>	<ul style="list-style-type: none"> There will be a strong focus on the safeguarding of vulnerable adults (e.g. victims of domestic violence, sexual or emotional abuse, who are more likely to be women) through the assessment process as a result of robust monitoring arrangements. 	<p>None identified</p>	<p>Breakdown of children in England subject to child protection plans by gender</p> <table border="1"> <tr> <td>Male</td> <td>27,160</td> </tr> <tr> <td>Female</td> <td>25,410</td> </tr> <tr> <td>Missing/Indeterminate (inc. unborn children)</td> <td>1,220</td> </tr> </table> <p><i>DfE (2018a)</i></p> <p>Women are more likely to be victims of domestic, sexual and emotional abuse. <i>DfE (2012)</i></p> <p>Mothers are more likely to be the parent involved in public law proceedings. <i>DfE (2012)</i></p>	Male	27,160	Female	25,410	Missing/Indeterminate (inc. unborn children)	1,220
Male	27,160								
Female	25,410								
Missing/Indeterminate (inc. unborn children)	1,220								
<p>Sexual orientation</p>	<p>None identified</p>	<p>None identified</p>							
<p>Marriage and civil partnerships</p>	<p>None identified</p>	<p>None identified</p>							
<p>Carers (protected by association)</p>	<ul style="list-style-type: none"> Ensuring assessments are completed within a timescale could reduce anxiety and uncertainty associated with pre-proceedings and proceedings for carers. 	<ul style="list-style-type: none"> Timescales to complete assessments may put carers' of children with disabilities (including mental health issues) at a disadvantage, as research has shown that children with disabilities may need longer to come to terms with proceedings. 							

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7b. Impact of the proposals on staff with protected characteristics

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
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<p>Age</p>	<ul style="list-style-type: none"> Based on the fact that slightly more SCC social workers are aged 50 years and over than any other age group, this group may be more impacted by efforts to develop the services' confidence to deliver reports for the court and any associated professional development. 	<p>None identified</p>	<table border="1"> <thead> <tr> <th colspan="4">Age profile of SCC social workers (%)</th> </tr> <tr> <th>20 to 29 years old (%)</th> <th>30 to 39 years old (%)</th> <th>40 to 49 years old (%)</th> <th>50 years old and over (%)</th> </tr> </thead> <tbody> <tr> <td>14.3</td> <td>30.8</td> <td>22.6</td> <td>32.3</td> </tr> <tr> <td colspan="4"><i>DfE (2018b)</i></td> </tr> </tbody> </table>	Age profile of SCC social workers (%)				20 to 29 years old (%)	30 to 39 years old (%)	40 to 49 years old (%)	50 years old and over (%)	14.3	30.8	22.6	32.3	<i>DfE (2018b)</i>			
Age profile of SCC social workers (%)																			
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14.3	30.8	22.6	32.3																
<i>DfE (2018b)</i>																			
<p>Disability</p>	<p>None identified</p>	<ul style="list-style-type: none"> Negative impacts on Surrey workers are unlikely as a result of these proposals. The Council's anti-discriminatory policies ensure that employees, and potential employees are not discriminated against, however consideration may need to be given to members of staff with disabilities may need additional support to access mobilisation and briefing activities on any new processes that are established to support the delivery of the DPS. 																	
<p>Gender reassignment</p>	<p>None identified</p>	<p>None identified</p>																	
<p>Pregnancy and maternity</p>	<p>None identified</p>	<ul style="list-style-type: none"> Negative impacts on Surrey workers are unlikely as a result of these proposals. The Council's anti-discriminatory policies ensure that 																	

		employees, and potential employees are not discriminated against, however consideration may need to be given to members of staff on maternity leave to ensure they can access mobilisation and briefing activities on any new processes that are established to support the delivery of the DPS.							
Race	None identified	None identified							
Religion and belief	None identified	None identified							
Sex	<ul style="list-style-type: none"> Based on the fact that almost 90% of social workers at SCC are women, they may be more impacted by efforts to develop the services' confidence to deliver reports for the court and any associated professional development. 	None identified	<table border="1"> <thead> <tr> <th colspan="2">Gender profile of SCC social workers (%)</th> </tr> <tr> <th>Female (%)</th> <th>Male (%)</th> </tr> </thead> <tbody> <tr> <td>88.3</td> <td>11.7</td> </tr> </tbody> </table> <p><i>DfE (2018b)</i></p>	Gender profile of SCC social workers (%)		Female (%)	Male (%)	88.3	11.7
Gender profile of SCC social workers (%)									
Female (%)	Male (%)								
88.3	11.7								
Sexual orientation	None identified	None identified							
Marriage and civil partnerships	None identified	None identified							

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Carers (protected by association)	None identified	None identified	
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8. Amendments to the proposals

Change	Reason for change
None	Not applicable

9. Action plan

Potential impact (positive or negative)	Action needed to maximise positive impact or mitigate negative impact	By when	Owner
Potential positive impacts – actions to be agreed at Project Group meeting			
Children should be less likely to be exposed to continued risk, or experience the distress and anxiety associated with drift and delay during pre-proceedings and care proceedings.	1. Monitor whether providers are adhering to the required timescales.		
Anxiety and uncertainty associated with pre-proceedings and proceedings should be reduced.			
Delays to assessments should be reduced, which will improve outcomes for expectant and new mothers by giving them the best chance to care for their baby.			
The safeguarding of children and vulnerable adults will be more robustly monitored.	2. Monitoring arrangements will focus on the providers' safeguarding policies are procedures		
Potential negative impacts			
Children, and children and adults with disabilities, and/or those who do not have English as their first language, may not have the capacity to fully understand the testing process, findings and implications.	3. Providers are required to ensure they communicate with children and families appropriately, and in a way that ensures understanding of the processes and content of tests and how they document their findings. 4. Providers are required to refer families to (ideally local) support,		

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	<p>where necessary.</p> <p>5. Social workers will be aware of the individual family's circumstances, and may need to provide additional support, including the use of translation services where necessary.</p>		
<p>Timescales to complete testing may put parents and children (and their carers) with disabilities (including mental health issues) at a disadvantage.</p>	<p>6. This will need to be taken into consideration and negotiated with the Courts where possible</p>		
<p>Members of staff with disabilities, and/or on maternity leave may need additional support to access mobilisation and briefing activities on any new processes that are established to support the delivery of the DPS.</p>	<p>7. Mobilisation plans will be developed with accessibility for all in mind, and team managers will be aware of the individual needs of staff in their team, and will make the required adjustments to ensure everyone has access to training or mobilisation events.</p>		

10. Potential negative impacts that cannot be mitigated

Potential negative impact	Protected characteristic(s) that could be affected
None identified	Not applicable

11. Summary of key impacts and actions

<p>Information and engagement underpinning equalities analysis</p>	<ul style="list-style-type: none"> • SCC has facilitated provider events to engage with organisations interesting in joining the DPS, and incorporate their feedback into the Service Specification. • A Project Group with officers from Child Protection and Proceedings Teams, Children’s Commissioning (Social Care and Wellbeing team), Procurement, Legal, and Corporate Finance, has been established and meets regularly. The group is responsible for helping to steer and advise the project team, for example providing service level input on expectations of expert assessments to inform the contents of the service specification, such as the quality of expert assessments, timescales for assessments, and reports for court. • There has been limited engagement with children, young people (CYP) and families because it was not deemed appropriate to engage with CYP and families who are going through pre-proceedings or proceedings, however, previous feedback provided by families to the Children’s Rights and Participation team has been considered. • Evidence and background information has been gathered from sources such as the Department for Education, ONS, the Children’s Commissioner and Surrey County Council (including Surrey-i).
<p>Key impacts (positive and/or negative) on people with protected characteristics</p>	<ul style="list-style-type: none"> • Through the use of a DPS, children and families should be less likely to be exposed to continued risk, or experience the distress and anxiety associated with drift and delay during pre-proceedings and care proceedings. The proposed DPS should help ensure that appropriate support can be put in place more quickly, leading to better outcomes for children. • Professionals will be required (as outlined in the service specification) to communicate with children in an appropriate manner to ensure they understand the processes and content of assessments. This includes working with an interpreter where required. • There will be a strong focus on the safeguarding of children and vulnerable adults through the assessment process as a result of robust monitoring arrangements. • Ensuring assessments are completed within a timescale could reduce anxiety and uncertainty associated with pre-proceedings and proceedings. • Members of staff with disabilities, and/or on maternity leave may need additional support to access mobilisation and briefing activities on any new processes that are established to support the delivery of the DPS.
<p>Changes you have made to the proposal as a result of the EIA</p>	<p>None</p>

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Key mitigating actions planned to address any outstanding negative impacts

- Social workers will be aware of the individual family's circumstances, and may need to provide additional support, including the use of translation services where necessary.
- Mobilisation plans will be developed with accessibility for all in mind, and team managers will be aware of the individual needs of staff in their team, and will make the required adjustments to ensure everyone has access to training or mobilisation events.
- Performance Monitoring / Contract Management activities will take place with providers on a 6 monthly basis (minimum). This will ensure that providers are safeguarding children and families appropriately, communicating with families in a manner that is appropriate, and conducting their assessments within specified timescales.

Potential negative impacts that cannot be mitigated

None identified