



Equality Impact Assessment (EqIA)

Introduction

This EqIA is for:

The refreshed Community Short Breaks Offer for children and young people with disabilities

Details are set out:

Report to CYP Committee 19 March 2018

Officers undertaking the assessment:

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Assessment approved by:

Laurence Jones, Service Director

Date: 09.02.2018

The Public Sector Equality Duty which is set out in the Equality Act 2010 requires public authorities to have due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation; Advance equality of opportunity between people who share a protected characteristic and those who do not; Foster good relations between people who share a protected characteristic and those who do not.

The purpose of carrying out an Equality Impact Assessment is to assess the impact of a change to services or policy on people with protected characteristics and to demonstrate that the Council has considered the aims of the Equality Duty.

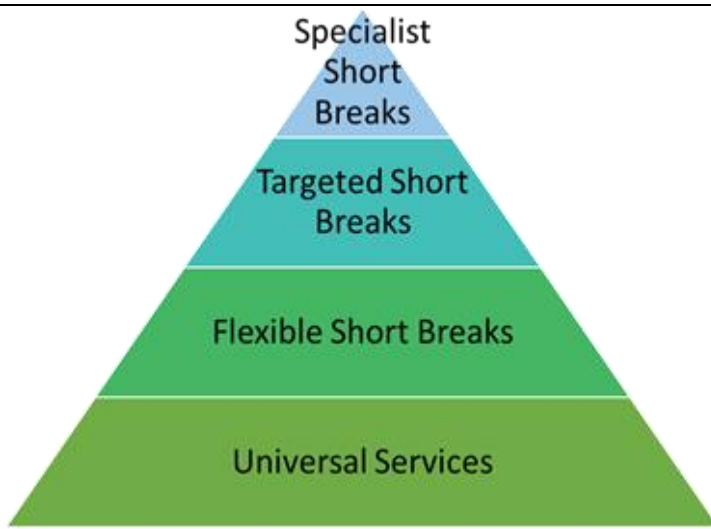
Part A: Impact, consultation and proposed mitigation

1 What are the potential impacts of proposal? *Has any initial consultation informed the identification of impacts?*

Please see the committee report entitled 'Proposal of a new community short breaks offer for children and young people with disabilities' for the proposal.

This proposal is for a newly refreshed Community Short Breaks offer for children and young people in Nottinghamshire aged 5-18 years with a disability and therefore affects this cohort of the population. The offer is for children who do not require a social work intervention but who are in need of early help services at level 2 or 3 on the Pathway to Provision. This proposal consists of a revision of our existing offer and has been developed through coproduction with families.

Nottinghamshire County Council currently meets its statutory "short breaks duty" through a range of provision and, since 2014, has applied a graduated response to the issuing of Short Breaks in line with the Pathway to Provision.



Level 4 – Short Breaks over 300 hours per year available via a section 17 assessment carried out by a Social Worker

Level 3 – Up to 300 hours of Short Breaks provision per year accessed via Integrated Children’s Disability Service (ICDS)

Level 2 – 80 hours of Short Breaks provision per year accessed via ICDS

Level 1 – Community provision including services available through local Children’s Centres

The proposal relates to the Short Breaks offered at Level 2 (Flexible Short Breaks), and Level 3 (Targeted Short Breaks) and proposes a refreshed Community Short Breaks offer.

The Short Breaks offer will continue to be available for children and young people aged 5 – 18 years old. The age range may be extended downwards in exceptional circumstances in line with current practice.

The Flexible Short Breaks service currently offers eligible disabled children and young people either a small Personal Budget to access activities within their local community or 80 hours of Short Break provision per year from a menu of services.

The Targeted Short Breaks service currently offers eligible disabled children and young people either a Personal Budget to access activities within their local community or up to 300 hours of Short Break provision per year from a menu of services. A child cannot be referred directly into Targeted Short Breaks, access is via stepping up from the Flexible Short Breaks scheme or stepping down from social care in line with the Pathway to Provision.

The purpose of the review was to ensure that the Short Breaks offer:

- continues to meet statutory requirements and the needs of children and young people with disabilities and their families
- remains affordable and financially sustainable in the long term
- responds to feedback from families and young people to give them a voice in decisions that affect their lives
- responds to legislation (SEND Reforms 2014) and feedback from the 2016 Ofsted/Care Quality Commission (CQC) local area inspection which places considerable emphasis on co-production.

Furthermore, it is felt that the current eligibility criteria is too broad and would benefit from being refreshed and clarified. This has been raised by both colleagues and families during coproduction who feel that provision is not necessarily targeted at the most in need.

The proposal has been coproduced with children and young people with disabilities and their families. The committee report details the coproduction activity and coproduction approach that has taken place with families since July 2017 which has shaped and designed the new short breaks offer that is being proposed.

There has been significant involvement of service users in the coproduction of the updated service offer, this includes:

- Online survey to gain initial views on Short Breaks (July - September 2017) - over 200 responses.
- 3 co-production events held on weekends over the summer holidays across 3 districts - 43 children & young people attended the events and 59 parent/carers attended.

- Groups visits across the County, including Young Pioneers (the council's advisory group comprised of children and young people with disabilities) and 8 parent and carer groups (September 2017).
- 5 parent working groups (October – January 2018) – 22 attendees
- Video consultation – produced by Trent University students to show what work had been done and gain views on the working group proposal. This can be seen at <https://youtu.be/n1BBq24wo-0>
- Proposal consultation (January) – 97 responses
- Final parent working group session which approved the final proposal to be presented to Councillors (February 2018)

During January 2018, families were asked to comment on the final proposal that had been designed and coproduced with the parent working group. 62% of families that responded to the final consultation strongly agreed or agreed with the proposal for the new short breaks offer, with only 7% of families stating that they disagreed or strongly disagreed with the short breaks proposal. Whilst the response from families has been mostly positive, families have raised some key questions and concerns that have been addressed in the final proposal that has been presented to committee.

Main changes

- An online self-assessment with refreshed and clear eligibility criteria is proposed. This will ensure a transparent, fair and equitable offer for families and will address family concerns that the current process is not clear. This will have a positive impact on families. However, as the eligibility criteria will be refined, it is possible that some children may no longer meet the eligibility criteria and will cease to receive an NCC funded short break. This may have a negative impact on affected families.
- An in depth assessment to allocate package hours in a more holistic, time-limited approach to support. This proposal would see a change to the current rigid offer of 80 FSB hours, instead the minimum allocation will be 24 hours a year (which equates to 2 hours a month) and the maximum allocation will be 300 hours a year. This is designed to ensure that the hours allocated are more representative of the hours required by the family and not a standard 'one size fits all'. Following assessment, the number of hours that a child s may increase or decrease depending on need. This may have a positive or negative affect on affected families.
- Children who receive a lower level of Short Break allocation will be required to reapply for services if they continue to need a service after their 12 month allocation ends.

As the proposal is for a new short breaks offer, with a new assessment process and refreshed eligibility criteria, all children and young people currently accessing Flexible Short Breaks (FSB) or Targeted Short Breaks (TSB) will require a new assessment. This will affect the 789 children currently accessing Flexible Short Breaks and the 428 children currently accessing Targeted Short Breaks.

During 2018/2019, there will be no change to the allocated hours of the 1,217 children currently accessing Flexible Short Breaks or Targeted Short Breaks. This is in acknowledgement that it takes considerable time for families and providers to plan for any changes to packages and that this is not achievable before 1st April 2018.

Under the new offer, all families will however have the opportunity to purchase short breaks hours direct from providers and there is ongoing work to strengthen the Local Offer so that families can access information about universal and free short breaks. Coproduced work will be undertaken with families to ensure that the Local Offer contains the information that families will need to make informed decisions about Short Breaks and this will be completed for when the refreshed offer goes live on 1st July.

As there has been a hold on new FSB applications since September 2016, those families will now benefit from being able to apply for an NCC funded short break. This will therefore mean that the updated offer will have the scope to reach and support more families than it currently does.

The new Short Breaks offer and the change to assessment process and eligibility criteria will also affect the wider population of children with a disability in Nottinghamshire that may request a Short Break in the future.

2 Protected Characteristics: Is there a potential positive or negative impact based on:

Age	<input checked="" type="checkbox"/> Positive	<input checked="" type="checkbox"/> Negative	<input type="checkbox"/> Neutral Impact
Disability	<input checked="" type="checkbox"/> Positive	<input checked="" type="checkbox"/> Negative	<input type="checkbox"/> Neutral Impact
Gender reassignment	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Pregnancy & maternity	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Race <small>including origin, colour or nationality</small>	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Religion	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Gender	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Sexual orientation <small>including gay, lesbian or bisexual</small>	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact

3 Where there are potential negative impacts for protected characteristics these should be detailed including consideration of the equality duty, proposals for how they could be mitigated (where possible) and meaningfully consulted on:

How do the potential impacts affect people with protected characteristics <i>What is the scale of the impact?</i>	How might negative impact be mitigated or explain why it is not possible	How will we consult
<p>The proposal is for children aged 5-18 years with a disability. Some children under 5 have previously been able to access a Short Break.</p> <p>Some children with disabilities currently accessing NCC funded short breaks may no longer meet the new threshold for NCC funded short breaks.</p>	<p>Like a non-disabled child, children will have access to universal services, such as Children’s Centres, which they would ordinarily access with a parent. The age range may be extended downwards in exceptional circumstances in line with current practice.</p> <p>Families will still be able to access short breaks delivered in their local community by voluntary sector and private providers and have the opportunity to purchase hours direct from a provider.</p> <p>Work will be undertaken to improve the Local Offer so that families can access information about short breaks in their local area, as well as undertaking work with the market to increase universal services’ ability to provide for children with disabilities. This will be undertaken through</p>	<p>Service users and families have been involved in the design of this proposal and have been consulted already and are aware that this is for children 5-18 years. Services for under 5’s will be promoted on the Local Offer.</p> <p>Consultation has already taken place and 76% of respondents strongly agreed or agreed with eligibility criteria to identify the most vulnerable children and young people.</p>

	coproduction work with families to ensure it meets their requirements and will be in place for the 1 st July 2018.	
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Part B: Feedback and further mitigation

4 Summary of consultation feedback and further amendments to proposal / mitigation

Please see the consultation report in Appendix A of the committee report that details consultation feedback.

62% of families that responded to the final consultation strongly agreed or agreed with the proposal for the new short breaks offer, with only 7% of families stating that they disagreed or strongly disagreed with the short breaks proposal. Whilst the response from families has been mostly positive, families have raised some key questions and concerns that have been addressed in the final proposal that has been presented to committee and will continue to be addressed as the department operationalises the new offer.

It is not yet clear how many children may be affected by the changes to the eligibility criteria. This is mostly due to the fact that the authority does not collect information on benefits for this cohort of children and therefore we have no understanding of how many current service users are in receipt of Disability Living Allowance, which is one of the eligibility indicators that will be used.

To address this, the refreshed offer will go live on 1st July 2018 for new applicants only. This will enable us to monitor and review the number of successful new applicants against the eligibility criteria and do in depth analysis to ensure that the criteria is fit for purpose and ensures that children that need the service receive it, before we use this eligibility criteria during the assessment of all existing users.

Completed EqIAs should be sent to equalities@nottsc.gov.uk and will be published on the Council's website.