

# Equality Impact Assessment (EqIA)

## Introduction

This EqIA is for:

Proposal to Withdraw the Disabled Children's Access to Childcare (DCATCH) Home Based Packages (HBP) Service.

Details are set out:

Report to Children and Young People's Committee – Proposal to Withdraw the Disabled Children's Access to Childcare (DCATCH) Home Based Packages (HBP) Service.

Officers undertaking the assessment:

Stuart Turner – Project Manager, Programmes & Projects, Chief Executives Department

Assessment approved by:

Laurence Jones – Service Director,  
Commissioning & Resources

Date: 21/12/18

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?*

This EqIA accompanies the proposal for the phased withdrawal of Disabled Childrens Access to Childcare (DCATCH) Home Based Packages (HBP). This proposal would see the DCATCH (HBP) service withdrawn by 31 March 2021, in the event of the committee deciding to take this course of action, with parents/carers being required to make an increased contribution of £7.50 per hour, per child compared with the current rate of £3.50 per hour, per child from 1 April 2020.

The increased contribution rate would only apply to parents/carers receiving a commissioned service, where parents receiving a Direct Payment for DCATCH (HBP) would see their service withdrawn from 1 April 2020, due to the provision of remaining NCC financial support for Direct Payments being economically inefficient at the revised parental contribution rate.

This proposal could negatively impact upon the current cohort of children and their families who currently access DCATCH Home Based Support, where this cohort has been identified as children in need by s17(10)(c) and (11) of the Childrens Act 1989 and as such the authority has both general and specific duties in regard to this cohort of children.

Section 17(1) of the Childrens Act 1989 outlines the general duty being to safeguard and promote the welfare of disabled children within the geographical footprint of an authority by providing a range and level of services appropriate to the needs of the children identified.

Furthermore, with regard to the cohort of children identified as being in need by s17(10)(c) and (11) of the Childrens Act 1989, the specific duties for local authorities are set out within Part 1 of Schedule 2 of the Childrens Act 1989.

Where these specific duties are given as:

*S6 CA 1989) Every local authority shall provide services designed –*

- (a) To minimise the effect on disabled children within their area of their disabilities*
- (b) To give such children the opportunity to lead lives which are as normal as possible*

Additionally, with respect to the cohort of children described above, failure to provide services in accordance with section 17 of the Childrens Act 1989 could be described as unfavourable treatment, as identified within section13(1)(a) of the Equalities Act 2010.

Section 13(1)(b) of the Equalities Act 2010 makes clear that the obligation to provide services relates to a proportionate means of achieving a legitimate aim. Since DCATCH (HBP) is not a statutory requirement, but there is a statutory duty to provide services of the type delivered through DCATCH (HBP) under s17, it is possible for NCC to meet its statutory duties by means other than DCATCH (HBP).

The potential impact upon disabled children/young people may be that:

- They are no longer able to access formal childcare.
- They access childcare of a lower standard.

The potential impact upon working parents/carers of disabled children/young people may be that:

- Maintaining the package using their own funds, will on average increase expenses by approximately £4,300 per child.
- Parents/carers are unable to afford the current package of care and will either have to look for alternative providers or utilise community provision/family networks, such that the disabled child/young person may experience a lower standard of provision.
- Parents/carers are unable to afford the current package of care and have to change working patterns or leave employment, this will have a negative impact upon family budgets with a disproportionate impact upon families on low incomes and lone parents/carers.

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

Age	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Disability	<input 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>It is possible that those children who previously accessed formal childcare through DCATCH are no longer able to access formal childcare provision, and as such may not have access to the same quality of care.</p> <p>The families of disabled children and young people will likely experience a negative financial impact either through contributing the additional child care costs, working fewer hours/ taking lower paying jobs or leaving the workplace altogether.</p>	<p>The impact on existing service users will be minimised through the implementation of a phased withdrawal of the service. Where parents/carers accessing DCATCH (HBP) through a Direct Payment will have a year's notice prior to service withdrawal in April 2020. Additionally, parents/carers accessing DCATCH (HBP) through an NCC commissioned provider service will have two years notice prior to service withdrawal in April 2021, with an increase in parents/carer contributions from £3.50 to £7.50 per hour from April 2020.</p> <p>However, while giving a generous amount of notice and consulting on a range of options may help minimise any negative impacts, they cannot be fully mitigated as the service would be withdrawn if this course of action is taken.</p> <p>Two other alternative options were presented to parents/carers as part of the consultation exercise, to assess the appetite for alternative approaches.</p> <p>One of these options did propose that parents/carers accessing DCATCH (HBP) through an NCC commissioned provider service would be able to continue to do so, and the service would remain open but the contribution rate would change from £3.50 to £7.50 per hour from April 2019. This option would minimise impacts but not completely mitigate impacts.</p> <p>The other option of immediate service withdrawal from April 2019, would cause the maximum potential impact with no mitigating actions, if this course of action were to be implemented.</p> <p>It should be stated that the service currently under review not statutory and also not a service which is delivered to families in order to prevent them escalating into crisis.</p>	<p>The current cohort of parents/carers accessing DCATCH (HBP) were invited by email/letter to respond to an online consultation survey which ran from 7 November to 5 December 2018.</p> <p>This consultation survey was also promoted to the membership of the Nottinghamshire Parent Carer Forum (NPCF), to enable the wider network of parents/carers of disabled children to be involved with the consultation.</p>

## Part B: Feedback and further mitigation

Consultation feedback for the recommended option of phased withdrawal of DCATCH (HBP) showed strong opposition from the parents/carers who currently access DCATCH and also from the wider network of parents/carers of disabled children and young people, with the results given by table 1 below.

This proposal is to consider closing the service from 1 April 2021 with an increase of parent/carer contributions to be more reflective of the national living wage to £7.50 per hour from 1 April 2020. To what extent do you agree with this proposal?					
	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Responses from affected cohort	4.8%	4.8%	28.6%	4.8%	47.6%
Responses from wider parent/carer network	4.3%	19.6%	17.4%	15.2%	32.6%

**Table 1. Summary of consultation feedback relating to the phased withdrawal of DCATCH (HBP)**

The alternative options considered were as follows:

- Immediate withdrawal of the DCATCH (HBP) service, closing from April 2019.
- Immediate increase of parental contributions from £3.50 to £7.50 per hour, with service maintained for parents/carers in receipt of an NCC commissioned provider service.

The consultation feedback relating to these alternative options is summarised below in tables 2 and 3 respectively.

This proposal is to consider closing the DCATCH (HBP) service from 1 April 2019 to focus resources on statutory services. To what extent do you agree with this proposal?					
	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Responses from affected cohort	0.0%	0.0%	0.0%	4.76%	95.2%
Responses from wider parent/carer network	6.5%	4.3%	13.0%	23.9%	37.0%

**Table 2. Summary of consultation feedback relating to the immediate withdrawal of DCATCH (HBP)**

This proposal is to consider increasing contributions for DCATCH (HBP) from parents/carers to be more reflective of the national living wage to £7.50 per hour from 1 April 2019. To what extent do you agree with this proposal?					
	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Responses from affected cohort	19.0%	19.0%	0.0%	33.3%	23.8%
Responses from wider parent/carer network	8.7%	28.3%	17.4%	13.0%	26.1%

**Table 3. Summary of consultation feedback relating to immediate increase in parental contributions from £3.50 to £7.50 per hour and maintenance of service for parents/carers using an NCC commissioned provider service.**

Completed EqlAs should be sent to [equalities@nottsc.gov.uk](mailto:equalities@nottsc.gov.uk) and will be published on the Council's website.