

**Kent County Council
Equality Analysis/ Impact Assessment (EqIA)**

Directorate/ Service: SCS – Adoption Service

Name of decision, policy, procedure, project or service: Independent Adoption & Special Guardianship Order (SGO) Support Services

Responsible Owner/ Senior Officer: Karen Sharp

Version: 0.1

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Pathway of Equality Analysis:

| Governance Pathway | Date |
|--|--------------------------------|
| Specialist Children's Services DivMT | 12 th December 2017 |
| Children, Young People & Education DMT | 17 th January 2018 |
| Strategic Commissioning Board | 23 rd February 2018 |
| Children, Young People & Education Cabinet Committee | 8 th March 2018 |

Summary and recommendations of equality analysis/impact assessment.

- **Context**

Kent County Council has outsourced the service known as Connecting Adoptive Families Independent Service (CAFIS) for in excess of 10 years. The services encompass a range of independent adoption and Special Guardianship Order (SGO) Support Services. Delivering these services is a statutory requirement and they are underpinned by a comprehensive specialised legislative framework. The current contract held by Barnardo's ends on 30th September 2018, having been running for a term of 4 years.

- **Aims and Objectives**

Having fulfilled all internal governance requirements, the Council is seeking to commission and re-tender a county-wide contract for Independent Adoption and Special Guardianship Order Support Services from the 1st October 2018.

- **Summary of equality impact**

The Independent Adoption and SGO Support Services are statutory services which all Local Authorities need to deliver.

Eligibility for each of the four individual services is identified within a comprehensive legislative framework:

Service A: An Independent Support Service for birth parents. Available to any birth parent with a child who had adoption as the Plan.

Service B & C: Access to birth records, information and intermediary services. Available to all adult adoptees, birth families and those with a prescribed relationship

Service D: Contact Services. Available for all adopted children under 18 years.

The service provider already makes positive changes to the delivery of the service to take into account those with disabilities, health issues or language difficulties. This will continue to be a requirement in any new contract and will be specified accordingly.

For the Marriage/Civil Partnership protected group there is a positive impact following changes in legislation regarding access to adoption records.

The future service model will remain unchanged in terms of eligibility in order to meet the legislative requirements and no negative distinctions will be made for those with protected characteristics.

Adverse Equality Impact Rating: Low

Attestation

I have read and paid due regard to the Equality Analysis/Impact Assessment concerning Independent Adoption Support Services. I agree with risk rating and the actions to mitigate any adverse impact(s) that has /have been identified.

Head of Service

Signed:

Name:

Job Title:

Date:

DMT Member

Signed:

Name:

Job Title:

Date:

Part 1 Screening

Could this policy, procedure, project or service, or any proposed changes to it, affect any Protected Group (listed below) less favourably (negatively) than others in Kent?

Could this policy, procedure, project or service promote equal opportunities for this group

Overview of service model

The services covered by this contract are available across the whole of the geographical area covered by the Council.

The contract is divided into 4 distinct services which are collectively known as independent adoption and special guardianship support services.

Service A: An independent support service to birth parents.

A support and counselling service to birth parents prior to an adoption taking place, where a child is (or children are) looked after by the Council and for whom adoption has been identified as the permanence plan.

Birth parents have access to a support worker independent of the child's social worker from the time adoption is identified as the plan for the child. This may include counselling on the procedures for placement for adoption and adoption itself.

Service B: Access to birth records and intermediary services for adult adoptees.

To assist adopted persons either adopted through the Council or who are resident in Kent, and who are aged 18 and over, to obtain information in relation to their adoption and to facilitate contact between such persons and their adult birth families.

Adopted adults can use either one of the services ie access to birth records only or intermediary services only; having completed their own research into their pre-adoption background, or they may wish to use both services. Advice is given, as appropriate, on tracing birth relatives.

Updated 26/03/2018

Service C: Access to Information and an Intermediary Service for Adult Birth Relatives and those with a prescribed relationship.

To provide advice and support to birth relatives and those with a prescribed relationship (aged 18 and over), who require intermediary and counselling services and access to non-identifying information regarding the adoption.

Priority must be given to those birth relatives where the adoption took place before 12th November 1975.

Following a change in the legislation in 2014/15 regarding Service C below, those with a prescribed relationship which includes those within a Civil Partnership are able to access intermediary services. This is a positive change promoting equal opportunities for this group.

Service D: Contact Services (Direct Contact is for children and families, Indirect Contact is for children and young people up to their 18th birthday).

To provide a contact service for children under the age of 18 years who have been adopted, or who are the subject of a Special Guardianship Order and who have contact with their birth relatives.

The UK Adoption and Children Act 2002 specifies that support for contact should be available and the current contract allows for direct face to face contact to be enabled and supported.

A diagnostic analysis of the current commissioning arrangements, along with market and stakeholder engagement has taken place to inform the future commissioning plan for these services. The results of this work have been used to inform the implementation of new commissioning and procurement arrangements for these statutory services.

In order to comply with procurement legislation and Council rules a new contract covering these statutory services is required as the existing contract is due to end September 2018.

| Protected Group | Please provide a <u>brief</u> commentary on your findings. Fuller analysis should be undertaken in Part 2. | | | |
|-------------------|--|-------------------------------|--|--|
| | High negative impact EqIA | Medium negative impact Screen | Low negative impact Evidence | High/Medium/Low Positive Impact Evidence |
| Age | None identified | None identified | These services are subject to their own specialised legislative framework. It is specified within this legislation who can access the services and this will remain applicable in any new tender and resulting contract. | Service users and stakeholders have been consulted about the existing service and future commissioning considerations. No comments were made in relation to this protected characteristic during the consultation. Any supplier will be expected to ensure, and it will be monitored through contract management processes, that all service users are treated as individuals and that their needs are met through adopting a person centred approach. |
| Disability | None identified | None identified | These services are subject to their own specialised legislative framework. It is | Any supplier will be expected, and it will be monitored through contract management |

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| | | | specified within this legislation who can access the services and this will remain applicable in any new tender and resulting contract. All those who are eligible to access the service are able to irrespective of disability. | processes, that all service users are treated as individuals and that their needs are met through adopting a person centred approach. If required, additional appointments over what is specified within the contract is made available to take into consideration those who have a disability or health issue. |
| Gender | None identified | None identified | Gender is not a restriction on accessing the service; all those who are eligible to access the service as laid down within the relevant legislation are able to. | The relationship and gender of an individual and their relationship to an adoptee is monitored as part of contract management. This information has informed service planning and has enabled further work to be carried out to encourage fathers to access services, looking at different ways of accessing services. |
| Gender identity/ Transgender | None identified | None identified | No impact has been identified at this stage. | Stakeholder engagement did not identify any |

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| | | | Gender identity does not restrict access to the services, eligibility is identified within the relevant legislation. | negative or positive issues in this regard. |
| Race | None identified | None identified | <p>No impact has been identified at this stage. Race does not restrict access to the services, eligibility is identified within the relevant legislation.</p> <p>Alternative information formats and access to interpreting services are made available if required and information in this regard is requested with referral and monitored as part of contract management.</p> | The continuation regarding the provision of delivery information in alternative formats to support those whose first language is not English will continue to be specified within the new contract. |
| Religion and Belief | None identified | None identified | no impact has been identified at this stage. Religion and belief does not restrict access to the services, | The service provider and the model of service delivery allows for any specific religious requirements and |

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|--|-----------------|-----------------|---|--|
| | | | eligibility is identified within the relevant legislation | individual may have. This will continue to be a requirement within any new contract. |
| Sexual Orientation | None identified | None identified | no impact has been identified at this stage. Sexual orientation does not restrict access to the services, eligibility is identified within the relevant legislation | Stakeholder feedback has not identified any negative impact on this protected group. |
| Pregnancy and Maternity | None identified | None identified | no impact has been identified at this stage. Pregnancy and Maternity does not restrict access to the services, eligibility is identified within the relevant legislation. | Stakeholder feedback has not identified any negative impact on this protected group. |
| Marriage and Civil Partnerships | None identified | None identified | Due to a change in legislation in 2014/15 those with a prescribed relation to an adoptee, including those in a Civil Partnership can now access an intermediary service. | This is a positive impact in terms of this protected characteristic. The service provider will be required to maintain records of those accessing the services with this characteristic and this will be monitored |

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| | | | The existing service has expanded its eligibility criteria to meet the new legislative requirements and those from this protected group are accessing the service and this has been evidenced through performance management data. | through contract and performance management processes. |
| Carer's Responsibilities | None identified | None identified | If service users require their carers to accompany them this is permitted with no restriction. If the service user is a carer this does not restrict access to the services provided they meet the eligibility criteria specified within the legislation. | The service provider and the model of service delivery allows for any specific requirements the individual service user may have. This will continue to be a requirement within any new contract. |

Part 2

Equality Analysis /Impact Assessment

Protected groups

No protected groups are negatively affected by the re-procurement of Independent Adoption and Special Guardianship Order Support Services. The legislation which specifies who can access these services ensures that all service users, irrespective of protected groups is able to access the service as long as they meet the eligibility criteria..

Information and Data used to carry out your assessment

The services delivered as part of this contract are subject to specialised additional legislation and guidance which provides a comprehensive framework within which adoption support agencies are expected to operate and deliver their services. The legislation and guidance also sets out standards required to be delivered by any service provider along with prescriptive eligibility criteria for each element of the services. The following gives some of the main applicable legislation:-

- The Children Act 1989
- The Adoption and Children Act 2002
- The Adoption Agencies Regulations 2005
- The Adoption Information & Intermediary Service (Pre-commencement Adoptions) Regulations 2005
- The Disclosure of Adoption Information (Post-commencement Adoptions) Regulations 2005
- Adoption Agencies Regulations 1983`

The approach to the diagnostic review included looking at the utilisation of the contract. This meant analysing the data received as part of performance management and this included analysis of where referrals came from and their relationship to the adoptee eg whether birth relative, have a prescribed relationship etc. Children's commissioning also worked with Strategic Business Development & Intelligence to look at existing expectations for the services and proposed future demand levels. None of this information identified any negative impacts on protected groups.

Who have you involved consulted and engaged?

As part of the diagnostic analysis and commissioning strategy for re-commissioning independent adoption support services, views were sought from a range of stakeholders regarding the existing service otherwise known as CAFIS and what considerations there may be to inform any future commissioning arrangement.

Updated 26/03/2018

A number of stakeholders were consulted including:-

- Service Users
- Service Provider
- CIC Service Managers
- Adoption Service

A short briefing was written for all those involved in the consultation exercise which outlined why this was happening, what was the purpose of the exercise and what aims were sought. This was made available before the consultation was carried out in order to allow time for those involved to consider their individual role and experience with CAFIS.

Information was collected from:

- Service Evaluation questionnaires
- Facilitated workshops
- Individual feedback

The feedback received was analysed to see if there were any consistent issues or themes which all the different stakeholders had identified.

Analysis

Service users and stakeholders have been consulted about the existing service and future commissioning considerations. No comments were made in relation to protected characteristics during the consultation. Overall service users report that they feel supported and appreciate the independence of the delivery from the Council.

These statutory services are available to all those who meet the eligibility criteria which is enshrined within its own legislative framework.

Adverse Impact,

The analysis indicates that there is no adverse impact on protected groups. Any new commissioned service will continue to deliver to the service users as per the outgoing contract and as per the legislative framework.

Positive Impact:

Due to a change in legislation in 2014/15 in regards to these independent adoption support services, those with a prescribed relationship to an adoptee, including those in a Civil Partnership can now access an intermediary service. This has resulted in a positive impact for this protected group.

JUDGEMENT

Within the terms of the new contract, any new service provider will be required to report on any issues and risks and this includes access to the services for those from protected groups. This will form part of the contract monitoring process. Therefore the judgement is:

- **No major change** - no potential for discrimination and all opportunities to promote equality have been taken

Internal Action Required

There is no potential for adverse impact on particular groups but in order to ensure that this positive impact is maintained actions are identified below in the plan which will inform the future contract and its performance management.

Equality Impact Analysis/Assessment Action Plan

| Protected Characteristic | Issues identified | Action to be taken | Expected outcomes | Owner | Timescale | Cost implications |
|-------------------------------|---|---|--|-----------------|---|--|
| Marriage & Civil Partnerships | Ensure that data continues to be collated to evidence equality of access for this protected group. | Include within the KPIs of new contract. Continue to monitor those accessing service with a prescribed relationship through contract management processes | All those with a prescribed relationship have equality of access to the services. | Madeline Bishop | Service specification and contract management schedule to be completed by end April 2018. To be implemented and monitored from 1 st October 2018 when new contract is let. | No cost implications as will be a requirement within new tender. |
| Disability | Ensure that current arrangements to support those with disabilities is specified within new contract. | Additional appointments are monitored for those with serious disability/health issues | Those with health or disability issues are fully supported to access independent adoption support services | Madeline Bishop | Service specification and contract management schedule to be completed by end April 2018. To be implemented and monitored from 1 st | No cost implications as will be a requirement within new tender. |

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| | | | | | October 2018 when new contract is let. | |
| All protected groups | Ensure all risks and issues regarding the delivery or service or negative impact on how service users access the service are identified. | Risks and issues to be a standing item at all contract review meetings and this is to identified specified within Contract Management Schedule | Risks identified along with agreed mitigations. | Madeline Bishop | Monitored quarterly as part of contract monitoring. | No cost implications |
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Actions will be monitored through regular contract management and reviews of project risk register.

Please forward a final signed electronic copy and Word version to the Equality Team by emailing diversityinfo@kent.gov.uk

If the activity will be subject to a Cabinet decision, the EqIA must be submitted to committee services along with the relevant Cabinet report. Your EqIA should also be published .

The original signed hard copy and electronic copy should be kept with your team for audit purposes.