

Due Regard Statement

Please use this statement to evidence how 'due regard to' the three aims of the public sector equality duty has been made (section 149 of the Equality Act 2010) during the development of the 'policy'.¹

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by the ACT:
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic

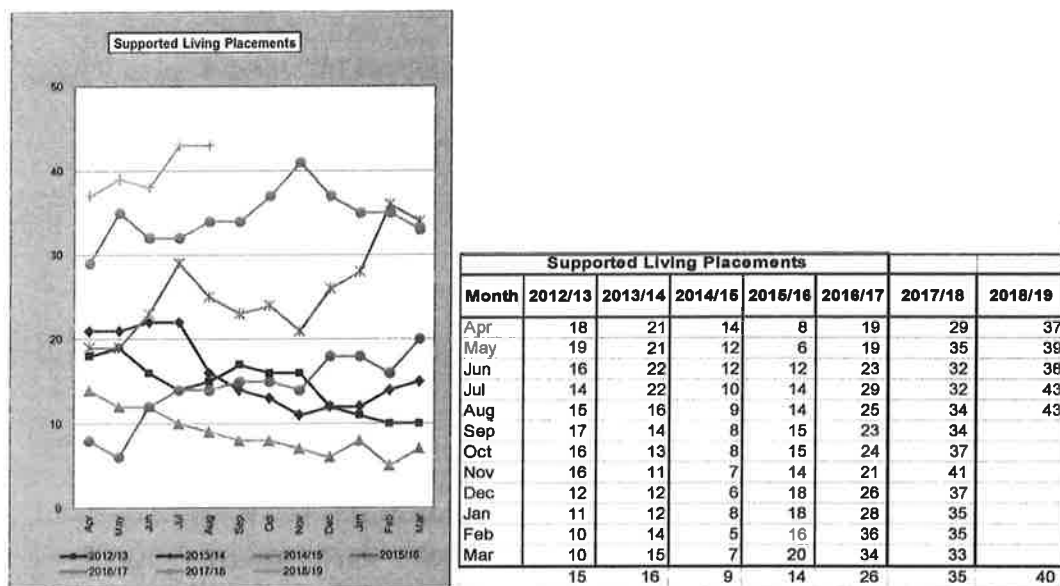
Name of the 'policy':	Sufficiency Strategy for Children and Young People 2018- 2021
Person(s) responsible for completing this statement	Jess Glenn, Lead Commissioner – Children and Families Commissioning Hub
1. Briefly describe the activity being considered including aims and expected outcomes	<p>1.1 This document considers the impact of the Sufficiency Strategy 2018-2021 developed by Gloucestershire Children's Services.</p> <p>1.2 The duty to provide or procure placements for Children in Care (referred to as children looked after in legislation) is explicit in the Children Act 1989. This has since been strengthened by the introduction of Sufficiency Statutory Guidance (2010) and the Care Planning, Placement and Case Review Regulations 2010.</p> <p>1.3 There is a duty of "sufficiency" that requires Local Authorities and partners to ensure that, through direct provision or commissioned services, a range of placements sufficient to meet the needs of all children are available locally, or that there is plan in place to move towards that position. This requires a strategy that describes how a Local Authority intends to provide sufficient care placements for its children in care.</p> <p>1.4 The guidance also requires that the commissioning standards on securing sufficient accommodation for children in care, also apply to children in need who are at risk of care or custody (referred to as children on</p>

¹ For 'policy': any new and existing policy, strategy, services, functions, work programme, project, practice and activity. This includes decisions about budgets, procurement, commissioning or de-commissioning services, service design and implementation.

3. Needs Analysis

- 3.1A Children, Young People and Families Needs Assessment was undertaken in 2018. This has helped inform the Sufficiency Strategy.
- 3.2The composition of the children and young people population is slightly different to the population as a whole and is changing relatively rapidly. According to the 2011 census 7.6% of 0-19 year olds were from a Black or Minority Ethnic Group. This compares to 4.6 % in the wider Gloucestershire population and 21.1% in the wider UK population.
- 3.3The children and young people segment of the population of Gloucestershire is becoming increasingly diverse. In 2011 around 10,300 0-19 year olds were from a Black or Minority Ethnic Group (7.6%). This has increased since 2001 when 6,300 people or 4.6% of 0-19 year olds were from a Black or Minority Ethnic Group. The number of 0-19 year olds classed as "white other" which includes migrants from Europe, has also increased from 1,725 people or 1.3% of 0-19 year olds in 2001 to 3,600 people or 2.6% of 0-19 year olds in 2011.
- 3.4Although the 0-19 year old population fell between 2002 and 2012, the latest population projections suggest this trend will be reversed over the next ten years. Gloucestershire's 0-19 year old population is projected to increase by almost 10,000 people or 7.2% to about 146,700 in 2021.
- 3.5The sufficiency strategy focuses on all children who fall into any protected group, and focuses on meeting their needs in the most efficient and effective way. Gloucestershire has a population of 623,100 and 22.6% of that population is aged 0-19. As at March 2018, Gloucestershire had 651 children in care.
- 3.6There has been an 86% increase in the number of children entering care between 2012 and 2017. Although the number of children ceasing to be looked after has also increased, it is not to the same extent (increased by 50%). The relative increase in children entering care appears to be the driver for the increasing numbers in care overall.

3.7 Current trends for placements for children in care show that the two highest groups of new entrants are 10-15yrs, and 16-17yrs. The chart below, taken from the children and families monthly financial report for September 2018, reflects the increase of placement need for semi-independent accommodation.



(Please note: the actual figures from the placement trackers show as of 23rd October 2018 there are 48 young people in semi-independent accommodation, this is a 30% increase on the same period last year).

3.8 Data used to inform the placement sufficient strategy emphasises the need to develop higher quality placements that offer value for money, in order to support better outcomes for children and young people, and drive efficiencies within the placement budget to be able to meet demand.

3.9 The semi-independent market within Gloucestershire and the Southwest framework is under developed, with limited accommodation in county, for shared houses or Houses of Multiple Occupancy (HMO's). There are currently no training flats for young people within county or on offer through the southwest framework. Therefore, GCC currently commission high levels of individual/ solo placements, these are high in cost, take time to reduce the packages of care, young people feel more vulnerable when left on their own and are more at risk of becoming a target for exploitation. In addition developing independence skills for

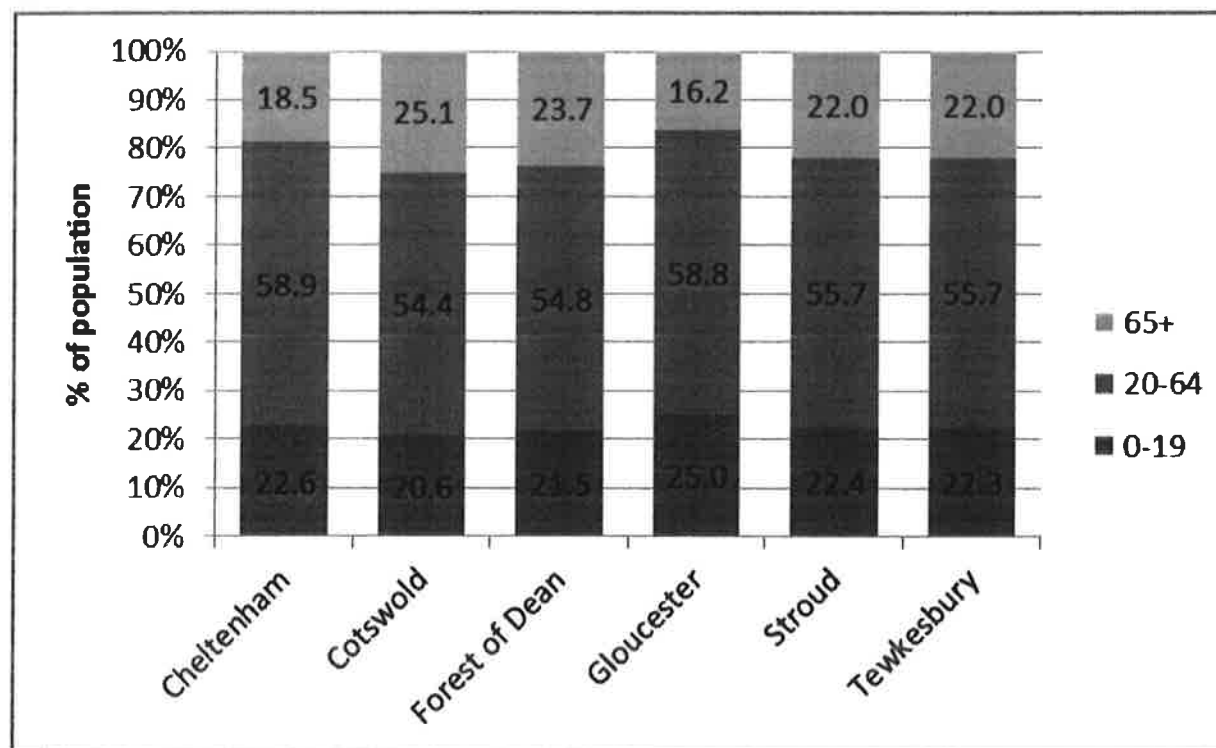
these young people can be challenging with limited success, particularly when they transition at 18yrs to supporting people provision.

<p>4. Who is responsible for delivering the service?</p>	<p>4.1 Commissioning intentions and priorities identified within the Sufficiency Strategy produced have the potential to achieve positive impacts for our children in care, care leavers and disabled children using services and/ or accessing types of placement.</p> <p>4.2 An appropriate number and variety of placement types and services that are available to Gloucestershire's children in care, disabled children and care leavers will:</p> <ul style="list-style-type: none"> • Meet the needs of children and young people • Meet the current and future demand for placements that are of a high quality • Impact positively on children and young people's self-esteem and wider emotional health and wellbeing • Provide opportunities for children and young people to stay connected to their local communities where appropriate. <p>4.3 The Children and Families Commissioning Hub will lead the delivery of the Strategy, working in partnership with all stakeholders and partners.</p>
<p>Service user data/Needs analysis information</p>	
<p>5. Age</p>	<p>5.1 Using the mid 2016 data, there are approximately 140,666 children and young people in Gloucestershire aged 0-19 years. The highest proportion of children and young people is in Gloucester (25%) and lowest proportion is in the Cotswolds (20.6%)</p>

Age Structure of the Gloucestershire Population – Mid 2016

	Number of people 2016	% of population 2016		
		Gloucestershire %	South West %	England and Wales %
0-19	140,666	22.6	22.2	23.7
20-64	352,840	56.6	56.2	58.3
65 or over	129,623	20.8	21.6	18.0

Age structure in the Gloucestershire Districts Mid-2016



5.2 The population of children and young people (those aged 0-19) is projected to rise by 11.0% up to 2039, which is in line with the trend for England and Wales.

Projected population change by age group 2014 - 2039

	Number of people in Gloucestershire			% increase 2014-2024		% increase 2024 to 2039	
	2014	2024	2039	Gloucestershire	England & Wales	Gloucestershire	England & Wales
All Ages	611,300	657,600	714,000	7.6	7.3	8.6	8.1
0-19	138,200	148,200	153,400	7.2	7.4	3.5	2.6
20-64	349,300	355,700	354,300	1.8	3.3	-0.4	2.1
65+	123,800	153,800	206,300	24.2	20.2	34.1	31.7

5.3 As at March 2018, there were 651 children in care. The largest proportion of children coming into care (35%) are now in the 10-15 age group. The number of children in this age band has doubled from 61 to 122 in the last five years. The absolute number of children in care is rising and the year end snapshot number has increased by 17% over the past five years (2012 to end of March 2017).

6.Disability

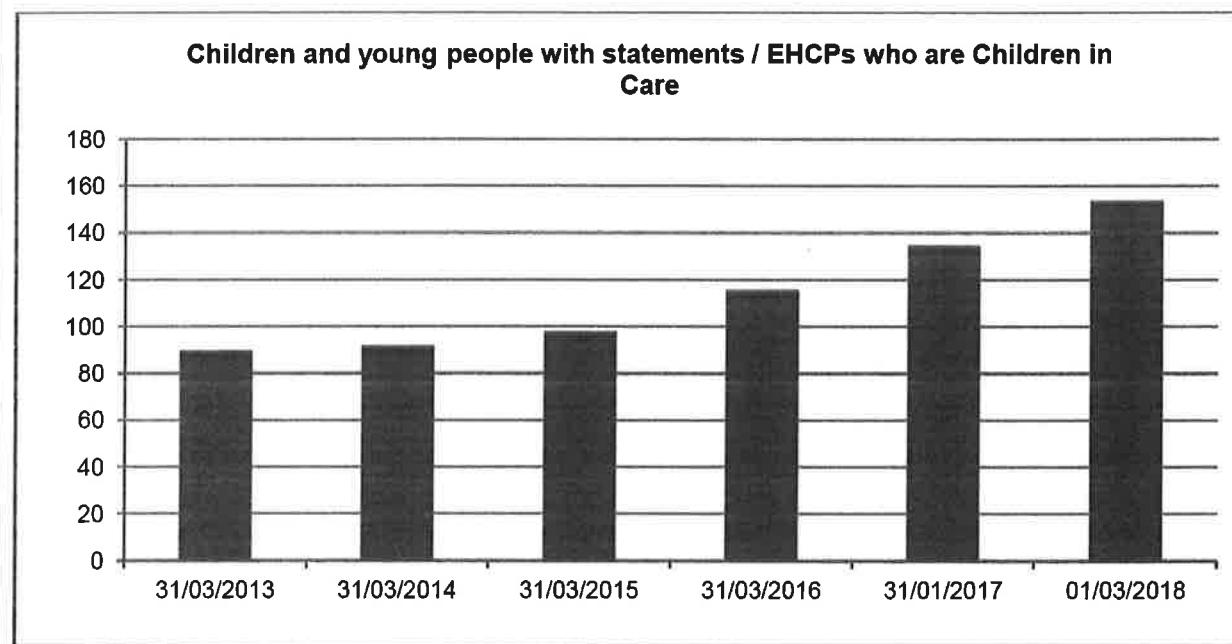
6.1 In Gloucestershire, in January 2017, there were 13,835 pupils with SEN. This equates to 14.7% of the total school population which is in line with the national figure of 14.4%. In January 2017, there were 11,398 pupils receiving some form of SEN support. This equates to 12.1% of the school population which is slightly higher than the national figure of 11.6%. The gender split is skewed towards males, with 36% of this cohort female, and 64% male.

6.2 The primary need for SEN support is recorded by each school, with moderate learning difficulty (MLD) being the most frequently recorded need, accounting for 35% of needs in the whole group. There are some gender differences in the needs seen. While numbers of females with SEN support are lower overall, the proportion of females with MLD and specific learning difficulty (SPLD) are significantly higher than the proportion of males. Conversely, the proportion of males with social emotional and mental health needs (SEMH) and speech, language and communication needs (SLCN) are significantly higher than the proportion of females. There is only a small proportion of children who have autistic spectrum disorders recorded as their primary need.

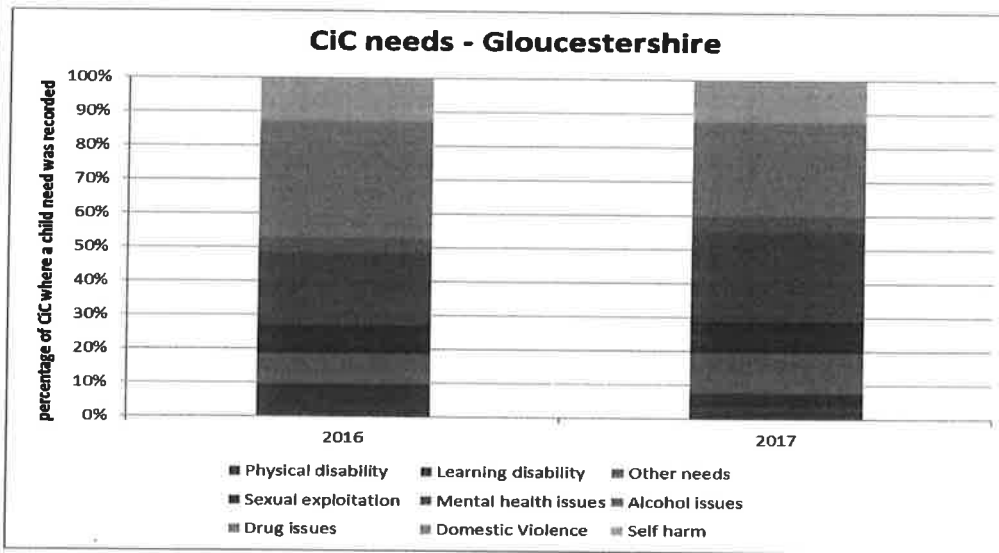
6.3 In terms of deprivation, the Index of Multiple Deprivation (IMD) 2015 shows that children and young people with SEN support are over represented in areas of high deprivation and underrepresented in areas of low deprivation.

6.4 The number of children and young people with SEN with some form of Children's Social Care status in April 2017 was 402, which accounted for 13% of the total number of children and young people with an EHCP / Statement at this date.

6.5 The proportion of those with an EHCP/Statement who are classified as Children in need or with a Child Protection Plan is much higher than in the Gloucestershire population as a whole. This proportion has been growing over the last five years.



6.6 The chart below shows the proportions of children in Gloucestershire having a specific need recorded on entry into care:



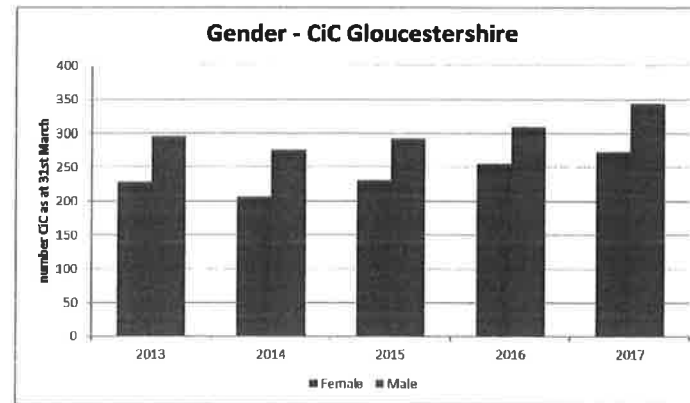
NB children can have more than one need recorded.

6.7 There has been an increase in the proportion of children identified as having mental health support needs. All children coming into care are likely to have experienced a number of adverse childhood experiences and this will need to be addressed to stop these adverse experiences having lifelong negative social, health and wellbeing impacts.

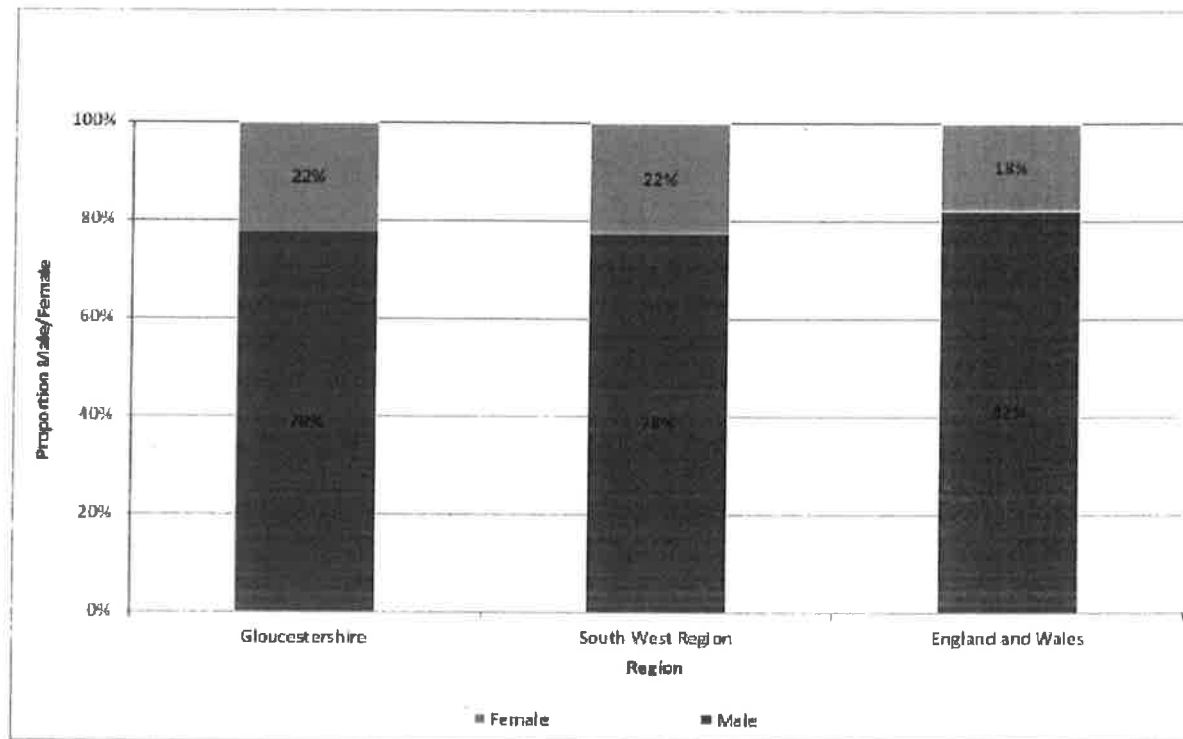
7. Sex

7.1 55% of children in care are male. As can be seen in the chart below, the numbers of male and female children in care in Gloucestershire have both increased in absolute number terms. However the rate has been broadly similar which has resulted in the proportions staying the same.

Graph to show number of children in care by gender over time for Gloucestershire



7.2 The gender split of young people who were cautioned or sentenced in 2016 was the same in Gloucestershire as in the South West region, with 78% male and 22% female. England and Wales had a higher proportion of males who were cautioned or sentenced, than locally, with 82% male and 18% female.



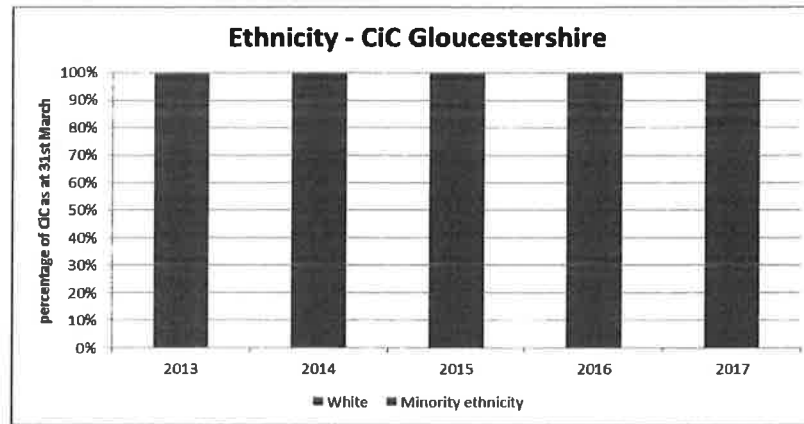
7.3 The primary need for SEN support is recorded by each school, with moderate learning difficulty (MLD) being the most frequently recorded need, accounting for 35% of needs in the whole group. There are some gender differences in the needs seen. While numbers of females with SEN support are lower overall, the proportion of females with MLD and specific learning difficulty (SPLD) are significantly higher than the proportion of males. Conversely, the proportion of males with social emotional and mental health needs (SEMH) and speech, language and communication needs (SLCN) are significantly higher than the proportion of females. There is only a small proportion of children who have autistic spectrum disorders recorded as their primary need.

8.Race (including Gypsy & Traveller)

8.1 According to the 2011 census 7.6% of 0-19 year olds were from a Black or Minority Ethnic Group. This compares to 4.6 % in the wider Gloucestershire population and 21.1% in the wider UK population. The children and young people segment of the population of Gloucestershire is becoming increasingly diverse. In 2011 around 10,300 0-19 year olds were from a Black or Minority Ethnic Group (7.6%). This has increased since 2001 when 6,300 people or 4.6% of 0-19 year olds were from a Black or Minority Ethnic Group. The number of 0-19 year olds classed as "white other" which includes migrants from Europe, has also increased from 1,725 people or 1.3% of 0-19 year olds in 2001 to 3,600 people or 2.6% of 0-19 year olds in 2011.

8.2 Over the last 5 years there has been an increase in both the number and proportion of minority ethnic children coming into care in Gloucestershire. In 2017 there were approximately 20% of children from minority ethnic backgrounds which is an increase from around 12% in 2013. This is a 67% increase over 5 years and is an over representation compared to the local population.

Graph to show proportion of children in care by ethnicity for Gloucestershire over time



9.Gender reassignment

9.1 Children's services do not collect data against certain protected characteristics of young people, for example sexual orientation or gender reassignment status. Any services commissioned as part of the Sufficiency Strategy will be skilled and have appropriate knowledge to support young people with their emerging sexuality and gender identity.

10.Marriage & civil partnership	10.1 Children's services do not collect data against certain protected characteristics of young people, in this case, marriage or civil partnership. The service would not expect the children and young people to be engaged in marriage or civil partnership due to their age.
11.Pregnancy & maternity	11.1 45% of children in care are female. Data is currently unknown on children in care pregnancy rates. Any assessment of young people would collect relevant information about a young persons pregnancy or maternity status, with services responding accordingly. Being in care is a risk factor for young women conceiving and becoming mothers under the age of 18.
12.Religion or Belief	12.1 Data currently unknown. Services will collect relevant information on religious beliefs, and support young people accordingly to ensure that beliefs are respected and that young people can access places of worship as appropriate.
13.Sexual Orientation	12.2 Data currently unknown. Children's services do not collect data against certain protected characteristics of young people, for example sexual orientation or gender reassignment status. Any services commissioned as part of the Sufficiency Strategy will be skilled and have appropriate knowledge to support young people with their emerging sexuality and gender identity.

14.Other information

N/A

15.Workforce data

Please document details of GCC staff only if they will be affected by the proposed activity. This could include GCC staff transferring under TUPE to a new service provider, relocating, employment at risk. **GCC Workforce diversity reports** are available on our website.

If the proposed activity does not affect GCC staff, please state 'Not affected below'.

Total number of GCC staff affected	Not affected.
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16. Consultation and engagement

List all types of consultation that has taken place during the development of this activity. Include on-line consultations, events, meetings with stakeholders, community events, employee consultation exercises etc

Service users	Service users: 48 children in care consulted to inform the Sufficiency Strategy and this is outlined in Section 2.
Workforce	Not applicable
Partners	Stakeholders and partners have informed the Sufficiency Strategy through informal and formal consultation. A further consultation period was undertaken in December 2018.
External providers of services	A provider market engagement even will take place in March 2019, to further engage providers around providing services around the whole child / young persons pathway.

17. Equality analysis: Summary of what the evidence shows and how has it been used

This section will allow you to outline how the evidence has been used to show ‘due regard’ to the three aims of the general equality duty. It is important that this consideration is thorough and based on sufficient information. Consideration should be relevant and proportionate.

- Eliminate discrimination
- Advance equality of opportunity
- Promote good relations.

Protected group	Challenge or opportunity considered and what we did
18. Age(A)	18.1 Services and placements commissioned by Gloucestershire County Council will be age appropriate, according to needs. Data analysis will inform placements for differing age groups, noting the increase in 10-15 year olds coming into care, and the need for training flats for over 16s to support the transition to adulthood.
19. Disability	<p>19.1 Services and placements commissioned by Gloucestershire County Council and referenced within the Sufficiency Strategy will have service specifications that emphasise the expectation that Service Providers must deliver accessible services to children / young people with disabilities. Service specifications will detail specific requirements and provisions for services this, such as using appropriate communication methods to obtain feedback from children / young people with disabilities, use of specialist equipment, and taking measures to enable children and young people with disabilities to participate in activities and achieve their highest potential.</p> <p>19.2 Priorities to recruit more foster carers to provide more foster placements for disabled children in care will have a positive impact. It will ensure equitable access to the option of a fostering placement for disabled children and will provide them with more opportunities to be brought up as part of a foster family. This has the potential to impact positively on their ability to achieve positive outcomes in all aspects of their lives.</p>
20. Sex (S)	20.1 Service providers of all services designed and commissioned for children in care, care leavers, children and young people with disabilities, will be expected to deliver services in a way which respects people on the basis of their sex. Services and placements commissioned by Gloucestershire County

	<p>Council and referenced within the Sufficiency Strategy, will have service specifications that emphasise these requirements, and that services to be provided are personalised to best meet needs, identify, wishes and values of each individual child or young person.</p>
<p>21. Race (including Gypsy & Traveller)(R)</p>	<p>21.1 Providers of commissioned services through the Strategy can demonstrate that recruitment, retention and training of staff will offer opportunities to ensure that the profile of service users is reflected within staff teams where possible.</p> <p>21.2 In 2017 there were approximately 20% of children from minority ethnic backgrounds in care which is an increase from around 12% in 2013. This is a 67% increase over 5 years and is an over representation compared to the local population. The providers of commissioned services will need to evidence a track record of providing inclusive services.</p> <p>21.3 Service providers of all services designed and commissioned for our children in care, care leavers, and children with disabilities, will be expected to deliver services in a way which respects people on the basis of their culture and ethnicity.</p>
<p>22. Gender reassignment(GR)</p>	<p>22.1 Children's services do not collect data against certain protected characteristics of young people, for example sexual orientation or gender reassignment status. The services commissioned will be sufficiently skilled and have appropriate knowledge to support young people with their emerging sexuality and gender identity.</p> <p>22.2 It is recommended that potential providers will be asked through any tender process or contract review, their awareness of the gender recognition Act and demonstrate confidentiality of data where staff have declared transgender status.</p>
<p>23. Marriage & civil partnership (MCP)</p>	<p>23.1 Potential providers must demonstrate their policies around equal treatment of employees, whether civil partner or married.</p>
<p>24. Pregnancy & maternity (PM)</p>	<p>24.1 Commissioned providers must demonstrate a track record of working with young people who are pregnant or who have maternity status.</p>

	24.1 Commissioned providers must also demonstrate a good track record and policies around employment of pregnant staff or mothers returning to work.
25. Religion and/or Belief (RAOB)	25.1 Commissioned providers will be asked in any tender process or contract review, to evidence successful provision of services for young people and staff with differing religious beliefs.
26. Sexual Orientation(SO)	26.1 Commissioned providers will be asked in any tender process or contract review, to evidence successful provision of services for young people and staff with differing sexual orientation. 26.2 Service specifications will include the expectation to collect data at the time of assessment, and include any appropriate issues related to sexual orientation within the care plan of a young person.

Strengthening actions: Planning for further improvements

Please outline here what actions are required for further improvements to address challenges or opportunities, for example:

- Arrangements for continued/new engagement with stakeholders, staff, service users
- Plans to close data gaps across any of the protected characteristics through reviewed contract management arrangements
- Identify other plans already underway to address the challenges or opportunities identified in this statement
- Share findings with partner organisations.

If none, state 'none' below.

Action Plan

Action	Who is accountable	Time frame
Formalise governance arrangements and project management of project plans	C&F hub	March 2019

Include all stakeholders including children and young people within specific projects to develop future service provision	C&F hub	April 2019 – March 2020
Market engagement with providers	C&F hub	March 2019
Undertake further consultation required, for specific projects when developing future service provision.	C&F hub with provider	April 2019


Monitoring and Review

Please indicate what processes/actions will be put in place to keep this 'activity' under review. For example will progress be monitored/ reported to a board, scrutiny committee, project board etc


Reporting to Oversight Board Meetings, and the Programme Board, after formal Cabinet sign off of the Sufficiency Strategy.

Sign off and Scrutiny

By signing this statement off as complete you are confirming that 'you' have examined sufficient information across all the protected groups and used that information to show due regard to the three aims of the general duty. This has informed the development of the activity

Senior level sign off: Wendy Williams 	Date: 08/01/2019
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I am in agreement that sufficient information and analysis has been used to inform the development of this 'activity' and that any proposed improvement actions are appropriate and I confirm that I as the decision maker have been able to show due regard to the needs set out in section 149 of the Equality Act 2010.

Name of relevant Cabinet Member: Cllr Richard Boyles, Cabinet Member for Children & Young People	
Signed by Cabinet Member:  RH Boyles.	Date: 22-1-19

Publication

If this statement accompanies cabinet paper it will be published as part of the cabinet report publication process. Statements accompanying cabinet reports are also published on our website. If this statement is not to be submitted with a cabinet paper please maintain a copy for your own records that can be retrieved for internal review and also in case of future challenge.