

## 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'.<sup>1</sup>

- 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':	Adoption West – Proposals for the establishment of the Adoption West Regional Adoption Agency (RAA) with 5 other councils (Bath & North East Somerset, Bristol, North Somerset, South Gloucestershire and Wiltshire) and to delegate authority to the Director of Children's Services to confirm final legal, contractual agreements and workforce changes in consultation with the Chief Financial Officer, Monitoring Officer and Lead Cabinet Member subject to council policies and procedures and any further legal and financial guidance required.
Person(s) responsible for completing this statement	Andy Dempsey
Briefly describe the activity being considered including aims and expected outcomes	<p>The development of the RAA is part of the national regionalising adoption agenda as set out in 'Regionalising Adoption' (July 2015), and further developed in 'Adoption; A Vision for Change' (March 2016). Proposals are also informed by the Education and Adoption Act 2016. These policies set out government proposals to move to RAAs (rather than individual council adoption services) by the end of the Parliament in 2020.</p> <p>The Adoption West RAA has developed from a steering group that formed in July 2013 to consider the more collaborative working to improve adoption and permanence service delivery across six local</p>

<sup>1</sup>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.

	<p>Authorities (Bath &amp; North East Somerset, Bristol, Gloucestershire, North Somerset, South Gloucestershire, and Wiltshire.). Following the publication of 'Regionalising Adoption' (July 2015). Adoption West refocused to meet these requirements. South Gloucestershire Council has been leading this work on behalf of the other councils. In July 2016, Cabinet agreed a corporate joint venture between the participating authorities to create a new public sector owned entity i.e. a Local Authority Company Limited by Guarantee through which Adoption West RAA will be delivered. 6 Voluntary Adoption Agencies are contributors to the design and development of Adoption West RAA.</p> <p>Significant work has been completed to define and develop governance arrangements, funding, operational processes and standards of practice. Participating councils have given approval for the establishment of Adoption West RAA and to delegate authority to respective Directors of Children's Services and Finance Directors for full implementation of detailed service plans. The establishment of Adoption West RAA offers Gloucestershire County Council the best opportunity to be fully involved with the development of a regional adoption agency. Gloucestershire officers have been closely part of developments to-date and have shaped the options proposed. Doing nothing is not an option. By not proceeding with being part of the Adoption West RAA, Gloucestershire risks being directed into arrangements over which it has had no influence or involvement. In March 2017, <u>Cabinet gave its approval to commence with Adoption West and work has now progressed sufficiently</u> to enable Adoption West to commence on 1 March 2019.</p>
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## Documenting use of sufficient information

### Service information (if applicable) or Needs analysis (if applicable)

*(please note x denotes suppression due to low numbers)*

<p><b>Who is responsible for delivering the service?</b></p>	<p>Gloucestershire County Council's current adoption service is delivered by the adoption service team. The proposals will mean that the service will be delivered by Adoption West RAA in the future. It is anticipated that appropriate current employees of Gloucestershire County Council will transfer to the new regional adoption agency under the Transfer of Undertakings (Protection of Employment) (TUPE) Regulations 2006 as responsibility for the delivery of all aspects of the adoption services are transferred.</p>
<p><b>Service user data/Needs analysis information</b></p>	

2015-16 data	Adopted children		Adopters		Adoption support (2014-15 data)																									
<b>Age</b>		<table border="1"> <tr><td><b>0 – 11 months</b></td></tr> <tr><td>26</td></tr> <tr><td><b>12-23 months</b></td></tr> <tr><td>13</td></tr> <tr><td><b>2 – 5 years</b></td></tr> <tr><td>40</td></tr> <tr><td><b>Older than 5 years</b></td></tr> <tr><td>22</td></tr> </table>	<b>0 – 11 months</b>	26	<b>12-23 months</b>	13	<b>2 – 5 years</b>	40	<b>Older than 5 years</b>	22		<table border="1"> <tr><td><b>Under 30</b></td></tr> <tr><td>39</td></tr> <tr><td><b>30-40</b></td></tr> <tr><td>175</td></tr> <tr><td><b>41-50</b></td></tr> <tr><td>106</td></tr> <tr><td><b>Over 50</b></td></tr> <tr><td>7</td></tr> </table>	<b>Under 30</b>	39	<b>30-40</b>	175	<b>41-50</b>	106	<b>Over 50</b>	7		<table border="1"> <tr><td><b>Under 30</b></td></tr> <tr><td>629</td></tr> <tr><td><b>30-40</b></td></tr> <tr><td>296</td></tr> <tr><td><b>41-50</b></td></tr> <tr><td>509</td></tr> <tr><td><b>Over 50</b></td></tr> <tr><td>424</td></tr> </table>	<b>Under 30</b>	629	<b>30-40</b>	296	<b>41-50</b>	509	<b>Over 50</b>	424
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<b>Disability</b>	X		X		35																									
<b>Sex</b>	Male 55 Female 46		Male 144 Female 183		Male 950 Female 808																									
<b>Race (including Gypsy &amp; Traveller)</b>	White British - 93 Any other White background - X Mixed: White and Black Caribbean - X Mixed: White and Asian - X		White British - 290 Indian - X Chinese - X White Other - 20 Mixed - X Asian - X Any Other - 9		BME backgrounds - 44																									
<b>Gender reassignment</b>	Not collected (no plans to collect due to the age of the children)		None declared		X																									
<b>Marriage &amp; civil partnership</b>	Not applicable		Married - 247 Civil Partnership - X Single - 27 Cohabiting - 48 Divorced - X		Married - 1040 Civil partnership - 28 Single - 29 Cohabiting - 1144																									
<b>Pregnancy and maternity</b>	Not applicable		None declared		None declared																									

<b>Religion or Belief</b>	Not available in collated form, available for individual children (plans to collate this data)	C of E - X None - 141 Catholic - X Hindu - X Christian - 174 Muslim - X Refused - X Jewish - X	C of E - 75 Catholic - 15 Muslim - X
<b>Sexual Orientation</b>	Not collected (no plans to collect due to the age of the children)	Heterosexual - 154 Gay - X Not declared - 169	Lesbian - 17 Gay - X

**Other information**

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**Workforce data**

*(please note x denotes suppression due to low numbers)*

<b>Total number of GCC staff affected</b>	Staffing data as at 1st January 2017			
<b>41</b>				
<b>Age</b>	<b>Under 30</b>	<b>30-40</b>	<b>41-50</b>	<b>Over 50</b>
	x	x	9	25
<b>Disability</b>	None declared			

Sex	7 Male 34 Female
Race (including Gypsy & Traveller)	White British – 26 Mixed - x
Gender reassignment	None declared
Marriage & civil partnership	Suppressed due to low numbers
Pregnancy & maternity	None declared
Religion or Belief	Suppressed due to low numbers
Sexual Orientation	Heterosexual - 13 Lesbian - X

### **Consultation and engagement**

Service users	The adopter voice is provided through adopter champion representation within the governance structure of Adoption West RAA. Plans are in place for ongoing structured involvement of service users, including the voice of children.
Workforce	Staff have supported the process through an engagement event in November 2015 and a stakeholder event in November 2016 and ongoing communication with service managers and the project team through operational team meetings and focused working group involvement. Trade Unions have been informed of outline proposals and arrangements are in place for on-going consultation as proposals are developed further.
Partners	Engagement work with NHS commissioners from the 6 Clinical Commissioning Groups and with relevant Adoption Medical Advisors to-date has identified opportunities for more joined up working and also some challenges in terms of how the NHS arrangements will need to adapt to the changes. Options are being discussed collaboratively to enable

	greater consistency of NHS provision in adoption services across the region and to address the challenges identified. Links have been established with other partners (including education services) to include them in the planning process for Adoption West RAA. Potential opportunities have been identified for joined up working and processes which could provide better co-ordinated and more timely education services to adopted children, and make more effective use of available resources.
External providers of services	<p>Following market testing, an engagement event with voluntary sector providers and expressions of interest, it was agreed that 6 VAA / ASAs would be contributors to the design and development of Adoption West RAA. The Voluntary Adoption Agencies and Adoption Support Agencies that have supported the development of Adoption West RAA include:</p> <ul style="list-style-type: none"> <li>• Action for Children</li> <li>• Adoption UK</li> <li>• After Adoption</li> <li>• CCS Adoption</li> </ul>

## 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
Age(A)	<p><b>Service user</b></p> <p>These proposals target support for the most vulnerable young children, who require permanent families and therefore will have a positive impact on this group. The majority of adopters tend to be drawn from the 30-40 age group, the majority of children are aged 5 and under. Those who access adoption support services are primarily children and adults aged under 30. Adoption West RAA will seek to build on the</p>

	<p>good Gloucestershire practice which finds a larger number of older children adoptive families. The voice of adopters and adopted children is provided through champion representation within the governance structure of Adoption West RAA.</p> <p><b>Staff</b> Staff are evenly spread across the age bands, reflecting a balanced workforce in terms of age and experience. It is anticipated that the proposals for Adoption West RAA and its development will not impact negatively on staff in terms of age.</p>
<b>Disability (D)</b>	<p><b>Service user</b> A small number of children and adopters are identified as disabled. The number of individuals identified as disabled in the adoption support cohort is significantly larger. This may be due to disabilities becoming apparent as children become older. Adopters and adopted children inform developments through their representation within the governance structure of Adoption West RAA. Careful consideration will be given to ongoing development to ensure disabled children and adopters are able to give their views in ways that enable them to fully contribute and shape Adoption West RAA.</p> <p><b>Staff</b> No staff identify they are disabled, a variety of consultation methods will be used to ensure that staff can contribute and would not be disadvantaged should they have any undisclosed disability</p>
<b>Sex (S)</b>	<p><b>Service user</b> Slightly more boys are adopted than girls, this position accords with national rates, where 53% of children adopted are boys (Adoption UK:2016). It reflects the national position that there are more boys (55%) than girls in care (Children in Care Statistics, House of Commons: 2015). Any improvements in adoption would not disproportionately affect either gender. There are slightly more female (56%) adopters than males but any improvements would not disproportionately affect either gender.</p> <p><b>Staff</b> The staff who deliver Gloucestershire's adoption service are both male and female. Any changes to service delivery through Adoption West would not therefore impact on this group. Extensive consultation is planned with all staff across involved councils and will need to take into account any additional caring responsibilities of staff during the development of Adoption West RAA.</p>
<b>Race (including Gypsy &amp; Traveller)(R)</b>	<p><b>Service user</b> The majority of adopted children are White British, a small number are of other White backgrounds and Mixed races from the range of BME backgrounds (8%). Nationally 16% of children adopted are from BME</p>

	<p>backgrounds (Adoption UK: 2015). The majority of adopters are similarly White British (89%), 6% are of other White backgrounds and 5% from the range of BME backgrounds. The development of Adoption West offers opportunities to extend the diversity of adopters. Ongoing consultation will actively seek to engage the range of BME adopters and prospective adopters that live in the wider Adoption West region. Sensitive engagement methodology will take account of the need to make sure that the full range of BME communities that live within the region are reached.</p> <p><b>Staff</b> Staff in the adoption service reflect a range of BME backgrounds. The majority of staff are White British. The proposals and developments will have a neutral impact on staff drawn from BME groups.</p>
<p><b>Gender reassignment (GR)</b></p>	<p><b>Service user</b> No adopters and very few adults accessing adoption support services have declared they are transgender or have undergone gender reassignment. The proposals will have a neutral impact on this group. Transgender adopters will be offered the opportunity to shape Adoption West RAA through ongoing consultation.</p> <p><b>Staff</b> No staff report they are transgender or have undergone gender reassignment. The proposals will have a neutral impact on this group.</p>
<p><b>Marriage &amp; civil partnership (MCP)</b></p>	<p><b>Service users</b> The majority of adopters and those accessing adoption support are either married or cohabiting. 8% of adopters are single adults. The proposals and consultation, whilst not specifically impacting on this group, Adoption West RAA developments could positively impact on enabling this group to become adopters.</p> <p><b>Staff</b> Numbers of those who declared their marital status are too low to report publically. However, developments will have a neutral impact on this protected characteristic.</p>
<p><b>Pregnancy &amp; maternity (PM)</b></p>	<p><b>Service Users</b> Adopters are now entitled to similar rights to birth parents. Adoption leave is now a 'day 1 right'. Adopters do not need to have a qualifying period of employment to get adoption leave. Statutory adoption pay</p>



	<p>mirrors the arrangements for statutory maternity pay. These rights will be unaffected by the proposals. Given that many adopters will have young adopted children, who may have additional needs relating to their early life experiences (such as developing attachments ), ongoing consultation will need to be flexible. A range options will need to be offered that enable adopters to get involved, without compromising their developing parenting relationships and responsibilities.</p> <p><b>Staff</b> The ongoing engagement of staff will need to take account of the fact that staff may have caring or family responsibilities. The process of establishing Adoption West RAA will ensure that any staff who may be taking maternity leave are offered the opportunity to contribute.</p>
<p><b>Religion and/or Belief (RAOB)</b></p>	<p><b>Service users</b> Adopters span religious groups, most report being Christian (53%) or no religion (43%). Adoption West RAA developments will seek to ensure that diversity of beliefs is maintained. The impact of these could be positive with the involvement of faith based adoption societies and larger communities drawn from the range of faiths. Ongoing developments will take account of the need to involve adopters from the range of religious traditions and beliefs.</p> <p><b>Staff</b> Numbers of those who declared their religion are too low to report publically. However, the proposals will not have a negative impact on this protected characteristic.</p>
<p><b>Sexual Orientation(SO)</b></p>	<p><b>Service users</b> Most adopters do not declare their sexual orientation (52%), 47% are heterosexual, a small number of adopters are gay. The impact of the proposals would be broadly neutral. There is potential to grow the number of adopters from gay and lesbian communities, the planned proposals could offer opportunities to engage and offer services and to shape Adoption West RAA.</p> <p><b>Staff</b> The majority of staff have not declared their sexual orientation. The proposals will have a neutral impact on this group, and staff regardless of their sexual orientation will be engaged in shaping Adoption West RAA plans.</p>

## 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
Ensure that information about children's religious beliefs is available in collated form.	Service Lead	Within 1 year of commencement.
Through the Directors, Governance and Service Leader decision making boards for Adoption West RAA (with the other participating councils and adoption agencies) ensure that the planned consultation: <ul style="list-style-type: none"> <li>• Seeks to engage protected characteristic groups</li> <li>• Engagement and development methodology sensitively takes account of any requirements that</li> </ul>	DCS, Board of Directors and Service Leads	3 months

are relevant to individuals of protected characteristics		
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## 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


This Due Regard Statement will be prior to Adoption West RAA going live in March 2019.

## 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

<b>Senior level sign off:</b>  	<b>Date:</b>  5 February 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 Portfolio Holder/Cabinet Member: <b>RICHARD BOYLES</b>	Date: 12-2-19
Signed by Portfolio/Cabinet Member 	

## 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.