

Template for Impact Assessment Level 1: Initial screening assessment

Subject of assessment:	Family & Friends Carers Policy Guidance: Special Guardianship (SGO) & Child Arrangement Order (CAO) Policies			
Coverage:	Service Specific			
This is a decision relating to:	<input type="checkbox"/> Strategy	<input checked="" type="checkbox"/> Policy	<input type="checkbox"/> Service	<input type="checkbox"/> Function
	<input checked="" type="checkbox"/> Process/procedure	<input type="checkbox"/> Programme	<input type="checkbox"/> Project	<input type="checkbox"/> Review
	<input type="checkbox"/> Organisational change	<input type="checkbox"/> Other (please state)		
It is a:	New approach:	<input type="checkbox"/>	Revision of an existing approach:	<input checked="" type="checkbox"/>
It is driven by:	Legislation:	<input checked="" type="checkbox"/>	Local or corporate requirements:	<input type="checkbox"/>

<p>Description:</p>	<p><u>Key aims, objectives and activities</u> Aim – To provide a systematic, disciplined approach to evaluate and improve the effectiveness of the financial means test process when assessing what, if any, financial support Family & Friends Carers may be entitled to from the Local Authority. Objective – To Increase the credibility of the Local Authority within the legal arena and reduce vulnerability in terms of formal complaints and judicial reviews, and associated financial costs.</p> <p><u>Statutory drivers</u> The local authority has a general duty to safeguard and promote the welfare of Children in Need* living within its area and to promote the upbringing of such children by their families. This duty is fulfilled by providing a range and level of services appropriate to those children's assessed needs (Section 17, Children Act 1989). This can include financial, practical or other support. <i>*A Child in Need is defined in Section 17(10) of the Children Act 1989 as a child who is disabled or who is unlikely to achieve or maintain a reasonable standard of health or development without the provision of services by the local authority.</i> It is important to note that the local authority does not have a general duty to assess all arrangements where children are living with their wider family or friends network rather than their parents but it does have a duty where it appears that services may be necessary to safeguard or promote the welfare of a Child in Need or where a child is looked after by the local authority (section 20, Children Act, 1989). The Children Act 1989 sets out the duties of the Local Authority regarding children and young people who, for whatever reason, are unable to live with their parents, and are being brought up by members of their extended families, friends and other people who are connected with them. The Special Guardianship Regulations 2005, updated 2016, and the Department for Education's Statutory guidance for local authorities; Family & Friends Care 2010, outlines the provision of support to family and friends carers, including practical and financial support.</p> <p><u>Differences from any previous approach</u> The current means test adopted by Middlesbrough is based upon a deficit model, which has resulted in the Local Authority being subject to significant criticism from the Courts, adversely impacting upon its own credibility within the legal arena. Consultation with the Council's Legal Service has further confirmed that this has also led to the unnecessary making of a number of Care Orders, to secure the weekly age related foster care allowance for friends carers, whether they have been positively assessed in accordance with the Fostering Regulations, or not. It has also resulted in unbudgeted backdated payments.</p> <p><u>Key stakeholders and intended beneficiaries (internal and external as appropriate)</u> Service Users, staff and partners.</p> <p><u>Intended outcomes</u> The provision of a systematic, disciplined and effective financial means test process when assessing any financial support Family & Friends Carers may be entitled to from the Local Authority. The implementation of a fair model; ensuring a consistent approach to arriving at support payments, ensuring that Family & Friends carers are treated equitably within the context of what is affordable within existing Local Authority budgets.</p>
<p>Live date:</p>	<p>19 June 2018</p>
<p>Lifespan:</p>	<p>3 years</p>
<p>Date of next review:</p>	<p>June 2021</p>

Screening questions	Response			Evidence
	No	Yes	Uncertain	
<p>Human Rights</p> <p>Could the decision impact negatively on individual Human Rights as enshrined in UK legislation?*</p>	X	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal would look to increase the number of children living with family and friends (connected carers), ultimately reducing the number of children and young people looked after by local authority foster carers. There are no concerns that the proposals could have an adverse impact on human rights; it will improve the way support services, including financial, are provided to families and friends carers and, in turn, improve outcomes for the children and young people of Middlesbrough; enabling them to remain with the care of their wider birth family and reducing the unnecessary making of care orders. Evidence used to inform this assessment includes feedback from carers, engagement with partners and reviewing best practice elsewhere</p>
<p>Equality</p> <p>Could the decision result in adverse differential impacts on groups or individuals with characteristics protected in UK equality law? Could the decision impact differently on other commonly disadvantaged groups?*</p>	X	<input type="checkbox"/>	<input type="checkbox"/>	<p>The Public Sector Equality Duty (PSED) requires that when exercising its functions the Councils must have due regard to the need to:-</p> <ul style="list-style-type: none"> • eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; • advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and • foster good relations between persons who share a relevant protected characteristic and persons who do not share it. <p>In having due regard to the need to advance equality of opportunity, the Council must consider, as part of a single equality duty:</p> <ul style="list-style-type: none"> • removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; • taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it; and • encouraging people who share a protected characteristic to participate in public life or in any other activity in which participation is low. <p>As this proposal relates to a children, then this proposal is particularly relevant to the equality duties and the protected characteristic of age. There are no concerns that the proposal could have an adverse impact on these children. The proposal will improve the way friends and carers are supported to care for children. The assessment and approval process for family and friends who apply to be foster carers for a specific Looked After child will be the same as for any other foster carer; as set out in the Assessment and Approval of Foster Carers Procedure. Evidence used to inform this assessment includes feedback from carers, engagement with partners and reviewing best practice elsewhere.</p>

Screening questions	Response			Evidence
Community cohesion Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town?*	X	<input type="checkbox"/>	<input type="checkbox"/>	<p>There is no evidence to indicate that proposals would impact negatively on community cohesion. Enabling more children and young people to remain within their birth families will positively impact on community cohesion.</p> <p>Evidence used to inform this assessment includes feedback from carers, engagement with partners and reviewing best practice elsewhere</p>

Assessment completed by:	Amanda Richardson	Head of Service:	Selinda Chouhan
Date:	22/05/18	Date:	22/05/18