

NATIONAL INSTITUTE FOR HEALTH AND CARE EXCELLENCE

**SOCIAL CARE GUIDELINE EQUALITY IMPACT ASSESSMENT –  
SCOPING**

**Social care guideline:** Child abuse and neglect: recognising, assessing and responding to abuse and neglect<sup>1</sup> of children and young people

As outlined in the social care guidance manual – interim version (2013), NICE has a duty to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. The purpose of this equality impact assessment is to document the consideration of equality issues at the scoping stage of the guideline development process. This equality impact assessment is designed to support compliance with NICE's obligations under the Equality Act 2010 and Human Rights Act 1998.

Table 1 lists the equality characteristics and other equality factors NICE needs to consider – not just population subgroups sharing the 'protected characteristics' defined in the Equality Act, but also groups affected by health inequalities associated with socioeconomic factors or other forms of disadvantage. Table 1 does not attempt to provide further interpretation of the protected characteristics.

This form should be completed by the guideline developer before scope sign-off, and approved by the NICE lead for the guideline at the same time as the scope. The form will be published on the NICE website with the final scope. The form is used to:

- record any equality issues raised in connection with the guideline during scoping by anybody involved, including NICE, the NICE Collaborating

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<sup>1</sup> 'Abuse and neglect' of children may also be collectively referred to as 'maltreatment' in this document.

Centre for Social Care, the GDG Chair, the National Collaborating Centres (where relevant) and stakeholders

- demonstrate that each of these issues has been considered and explain how it will be taken into account during guideline development if appropriate
- highlight areas where the guideline may advance equality of opportunity or foster good relations
- ensure that the guideline will not discriminate against any of the equality groups.

**Table 1 NICE equality groups**

<b>Protected characteristics</b>
<ul style="list-style-type: none"> <li>• Age</li> <li>• Disability</li> <li>• Gender reassignment</li> <li>• Pregnancy and maternity</li> <li>• Race</li> <li>• Religion or belief</li> <li>• Sex</li> <li>• Sexual orientation</li> <li>• Marriage and civil partnership (protected only in respect of the need to eliminate unlawful discrimination)</li> </ul>
<b>Additional characteristics to be considered</b>
<ul style="list-style-type: none"> <li>• Socio-economic status</li> </ul> <p>Depending on policy or other context, this may cover factors such as social exclusion and deprivation associated with geographical areas, or inequalities or variations associated with other geographical distinctions (for example, the North–South divide; urban versus rural).</p>
<ul style="list-style-type: none"> <li>• Other</li> </ul> <p>Other groups in the population experience poor health because of circumstances often affected by, but going beyond, sharing a protected characteristic or socioeconomic status. Whether such groups can be identified depends on the guideline topic and the evidence. The following are examples of groups that may be covered in NICE guidance:</p> <ul style="list-style-type: none"> <li>• refugees</li> <li>• asylum seekers</li> <li>• migrant workers</li> <li>• looked-after children</li> <li>• homeless people</li> </ul>

- people who lack capacity
- prisoners and young offenders.

### 1. Have equality issues been identified during scoping?

- Record any issues that have been identified and plans to tackle them during guideline development. For example
  - if the effect of an intervention may vary by ethnic group, what plans are there to investigate this?
  - if a test is likely to be used to define eligibility for an intervention, how will the GDG consider whether all groups can complete the test?

#### Equality issues identified during pre-scoping work:

**Ethnicity:** Concepts of abuse and neglect depend to some extent on socio-cultural norms relating to children's needs and parenting styles. Taking in to account cultural norms of different ethnic groups, whilst maintaining a focus on the needs and safety of children, is a key challenge facing practitioners. Some types of abuse may be more prevalent in different ethnic groups. For example, female genital mutilation is linked to cultural and religious practices in a number of minority ethnic communities in the UK. There is also evidence to suggest that not all ethnic group groups are proportionately represented within the child protection system. In particular a 2009 study (Owen and Statham 2009) found that:

- White children were represented **as expected** on the children in need census and on the child protection register and as looked after children.
- Children of mixed ethnic background were **over-represented** on the children in need census and on the child protection register and as looked after children.
- Asian children were **under-represented** on the children in need census and on the child protection register and as looked after children.
- Black children were **over-represented** on the children in need census and as looked after children. Black children were represented as expected on the child protection register.

**Religion and belief:** Services should be sensitive to requirements of those from a range of religious backgrounds. It is also important to acknowledge that religion and places of worship can play a role in supporting and safeguarding children, but also can be settings in which abuse may occur. Issues identified in the literature, which would fall within the scope of this guideline, include abuse linked to religious beliefs, including beliefs such as spirit possession (HM Government 2007).

**Disability:** Particular consideration should be given to the needs of disabled children, including those with learning disability, and their families. Although there is not strong evidence that disabled children are more likely to be maltreated (Govindshenoy and Spencer 2007; Rees et al. 2009), recognition and assessment can be delayed for this group, as signs of neglect and abuse may be confused with the underlying disability or condition (Kennedy and Wonnacott 2005). Particular consideration needs to be given to safeguarding children who require alternative or additional means of communication.

**Long-term health conditions:** Particular consideration should be given to recognising and responding to abuse and neglect children and young people with underlying health conditions. As for disabled children, this could lead to delay in identification of abuse or neglect, as signs of abuse and neglect may be confused with the underlying condition (Kennedy and Wonnacott 2005). Conversely, some types of condition may lead to a 'misdiagnosis' of child abuse or neglect.

**Age:** The ways in which abuse and neglect manifest differ across age groups, and there is some evidence that some forms of maltreatment are less well recognised amongst older young people (Rees et al. 2009). There are also challenges associated with assessing abuse and neglect in pre-verbal or very young children, where more specialised methods of communication are required to be employed (Ferguson, 2014). There are also specific issues relating to people who become parents at a young age.

**Socio-economic status:** Poverty is strongly associated with, though not deterministic of, abuse and neglect (Freisthler et al. 2006). For neglect in particular, practice must address socio-economic factors which contribute to neglect, as well as issues to do with relationships and parenting capacity.

**Looked after children:** Looked after children may require particular consideration given that most children enter care due to having experienced abuse or neglect, and will therefore require ongoing response and support. Looked after children are often at greater risk of further abuse, for example child sexual exploitation. Particular consideration should be given to the abuse of children in out of home placements

**Children who are adopted:** Children who are adopted following abuse or neglect by their birth families are likely to have ongoing need for support (Rushton, 2003).

**Dealing with these aspects:**

Plans for dealing with these aspects include sensitivity to equality and diversity issues, and search strategies specifically oriented to seek out material on these groups. The guideline will address the organisation and delivery of services that take account of these issues, including the provision of advice and information to support access to personalised services. The guideline will attempt to uncover and address some of the areas where there is well-documented discrimination. The Guideline Development Group may also make recommendations specifically in relation to particular service users and carers.

**2. If there are exclusions listed in the scope (for example, populations, or settings), are these justified?**

- Are the reasons legitimate? (that is, they do not discriminate against a particular group)

- Is the exclusion proportionate?

**Proposed exclusions from pre-scoping work (to be discussed):**

**Responding to abuse and neglect of children who are abused by individuals who are not their parents, carers, household members or extended family.** Abuse of children by adults outside their 'household', for example online grooming by strangers, or abuse by adults known to the child but not in a caring role has been excluded from scope. This is because the response to abuse by a stranger is likely to differ significantly from abuse within the family or household. For example, different types of intervention would be required to prevent recurrence of the abuse, with less of a focus on family support and family interventions. Research also suggests that abuse and neglect by adults outside the household is less prevalent than intra-familial abuse (Radford et al. 2011).

**Adults who abuse children and young people who are not known to them.** The guideline will not consider interventions and therapeutic responses to adults who abuse children who are not known to them, for example those who groom children online. This is because this is a distinct evidence base from interventions with parents, carers and families which will be the focus in the guideline.

**Adult survivors of child abuse:** Not included in the scope are individuals over the age of 18 who experienced abuse as a child (except where they are the parent of a child at risk of, or experiencing, abuse and neglect). These individuals are not covered by the same legislative and policy frameworks as young people under the age of 18. Responses and treatments for adults who have experienced abuse, such as treatments for depression, post-traumatic stress disorder, are also covered by existing NICE guidance.

**Children and young people at risk of harm as a result of witnessing domestic violence:** This guideline will not specifically address harms to children and young people arising as a result of witnessing domestic violence. This issue is covered in the existing NICE guideline [Domestic violence and](#)

[abuse - how services can respond effectively](#) NICE public health guideline 50.

**Children and young people at risk of, or experiencing bullying by their**

**peers:** Bullying and online bullying by peers has been excluded from the scope. This is partly in line with the decision to exclude abuse which is perpetrated by individuals outside a child or young person's household. Bullying is also covered in the existing NICE guidelines [Social and emotional wellbeing in primary education](#) NICE public health guideline 12, and [Social and emotional wellbeing in secondary education](#) NICE public health guideline 20.

**Young people who are abused by their partners:** Violence and abuse between young people who are in relationships with each other has been excluded from the scope as this is covered in the existing NICE guideline [Domestic violence and abuse - how services can respond effectively](#) NICE public health guideline 50.

**Children and young people who are trafficked:** The guideline will not specifically consider issues relating to children who are trafficked. This potentially has additional equality implications, given that trafficked children will, by definition, be non-UK nationals, and are likely to be an ethnic minority in this country. Trafficking is out of scope because the perpetrators of abuse (traffickers) are likely to be adults not from the young person's household (NSPCC, 2014), which is out of scope of the guidance.

**Children and young people who are forced to marry:** The guideline will not specifically consider issues relating to children who are forced to marry. This potentially has additional equality implications, given that the majority of forced marriages in the UK are within the South Asian community (HM Government, 2009). This is out of scope because there is a distinct literature on reasons for, and responses to, forced marriage.

**Children and young people who are subject to online grooming and abuse:** This guideline will not specifically consider issues related to online grooming and abuse. This is in line with the decision not to consider abuse

perpetrated by individuals not known to a child or young person. There are also distinct issues in relation to the identification of online grooming (Whittle et al. 2013) which could not be covered fully in this guideline.

**Children and young people who are sexually exploited by adults outside their household:** Child sexual exploitation by adults outside the household will not be addressed specifically within this guideline. This is in line with the decision to focus the guideline on abuse perpetrated by family members, household members and carers.

**3. Have relevant stakeholders been consulted?**

- Have all relevant stakeholders, including those with an interest in equality issues been consulted?
- Have comments highlighting potential for discrimination or advancing equality been considered?

The NCCSC is working to ensure a wide range of user-led organisations and others with an interest in equality register themselves as interested stakeholders and are actively involved in the consultation around the draft scope.

**Signed:**

**Amanda Edwards**

*NCC Director*

*Date:*

*GDG Chair*

*Date:*

**Approved and signed off:**

**Jane Silvester**

*H&SC Lead*

*Date:*