

# NATIONAL INSTITUTE FOR HEALTH AND CLINICAL EXCELLENCE

## HEALTH AND SOCIAL CARE DIRECTORATE

### QUALITY STANDARDS PROGRAMME

**Social care quality standard topic:** Looked-after children and young people: the health and wellbeing of looked-after children and young people

**Output:** Equality analysis form – Topic Expert Group 2 (creation of draft quality standard)

#### Introduction

As outlined in the [Social Care Quality Standards Programme interim process guide for social care topics](#), NICE has as a duty to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity, and foster good relations between people from different groups. The purpose of this form is to document the consideration of equality issues in each stage of the development process before reaching the final output that will be approved by the NICE Guidance Executive. This equality analysis 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, i.e. not just population groups sharing the 'protected characteristics' defined in the Equality Act but also those affected by health inequalities associated with socioeconomic factors or other forms of disadvantage. The table does not attempt to provide further interpretation of the protected characteristics. This is because it is likely to be simpler, and more efficient, to use the evidence underpinning the quality standard to define population groups within the broad protected characteristic categories rather than to start with possibly unsuitable checklists created for other purposes, such as social surveys or HR monitoring tools.

The form should be used to:

- confirm that equality issues have been considered and identify any relevant to the topic
- ensure that the quality standards outputs do not discriminate against any of the equality groups
- highlight planned action relevant to equality
- highlight areas where quality standards may advance equality of opportunity.

This form is completed by the NICE quality standards internal team at each stage within the development process:

- Topic Expert Group meeting one – Scoping
- Topic Expert Group meeting two – creation of draft quality standard
- Topic Expert Group meeting three – creation of final quality standard.

**Table 1**

<b>Protected characteristics</b>
<b>Age</b>
<b>Disability</b>
<b>Gender reassignment</b>
<b>Pregnancy and maternity</b>
<b>Race</b>
<b>Religion or belief</b>
<b>Sex</b>
<b>Sexual orientation</b>
<b>Other characteristics</b>
<p><b>Socio-economic status</b></p> <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 (e.g. the North/South divide, urban versus rural).</p>
<p><b>Other categories</b></p> <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 are identifiable depends on the guidance topic and the evidence. The following are examples of groups covered in NICE guidance:</p> <ul style="list-style-type: none"> <li>• Refugees and asylum seekers</li> <li>• Migrant workers</li> <li>• Looked after children</li> <li>• Homeless people.</li> </ul>

# Quality standards equality impact assessment

## Stage: Topic Expert Group 2

### Topic: health and wellbeing of looked-after children and young people

#### 1. Have any equality issues impacting upon equality groups been identified during this stage of the development process?

- Please state briefly any relevant issues identified and the plans to tackle them during development.

The quality standard will apply to looked-after children and young people, and young people covered by leaving care arrangements across all settings.

#### - Individual and particular needs

Although there are some equality and diversity issues common to the population as a whole, the TEG recognise that looked-after children and young people are a heterogeneous group, having individual experiences, needs and preferences that influence care requirements, and accessing a range of care services across different settings.

[NICE public health guidance PH28](#) / SCIE guide 40 reports that a disproportionate number of looked-after children and young people are from black and minority backgrounds and have particular needs. Other looked-after children and young people also have particular needs, such as those seeking asylum and those who are gay and lesbian.

The draft quality statements are intended to apply to all looked-after children and young people, however it is recognised that some looked-after children and young people may have particular care needs. Drafting of statements has included considerations of these:

- A statement has been drafted to ensure that looked-after children and young people are actively involved in decisions at every stage of their care. It is intended that this will support young people to communicate their individual requirements and have a say in their care. Unaccompanied asylum-seeking children and young people, and black and minority ethnic looked-after children and young people should have access to interpreters if their knowledge of English is limited, so they can explain their situation and make their needs known
- A statement has been drafted around choice of placement, which includes using a local diversity profile to assess need and to enable a sufficient range of placements.
- It is recognised that children and young people from black, minority ethnic and multiple heritage backgrounds, and unaccompanied asylum-seekers, may face racism and isolation which can additionally challenge their ability to develop resilience and self-esteem. The draft statement on developing healthy relationships and understanding identity highlights these issues in the equality and diversity considerations of the consultation document.
- A statement has been drafted in relation to training for carers, which considers core training and specialist training to support carers to address particular needs of looked-after children and young people in their care, such as those of babies and young children and unaccompanied asylum-seeking

children. The equalities considerations also highlight recommendation 34 of [NICE public health guidance PH28](#) / SCIE guide 40, which is the key development source for the quality standards. This considers the particular needs of black and minority ethnic children and young people.

#### **- Complex needs**

The TEG noted that looked-after children and young people often have complex needs. A draft quality statement has been developed around ongoing access to services to meet complex emotional and physical needs. The TEG noted that unaccompanied asylum-seeking children are likely to have particularly complex emotional needs. The draft statement includes a measure around access to specialist psychological services (including child and adolescent mental health services), with the necessary capacity, skills and expertise to address their particular and exceptional health and wellbeing needs. It is recognised in the equalities considerations of the consultation document that professionals working with unaccompanied children and young people who are looked after should have a good understanding of cultural differences in attitudes to and beliefs about physical and mental health or wellbeing.

#### **Criminalisation and potential for sexual exploitation**

Additional issues identified at TEG 2, which were felt to be of particular concern for the LACYF population were criminalisation and potential for sexual exploitation of LACYF. A number of draft statements prioritised by the TEG should have a positive impact on these issues, including support to develop healthy relationships, support to have a say in care, support to have high aspirations, and training and support for carers.

#### **Babies and young children**

[NICE public health guidance PH28](#) / SCIE guide 40 reports that very young children can become closely attached to foster care families and may experience great distress if moved to a new placement. However, it is recognised that for some children the need to establish stability and permanence may override this consideration. This issue has been flagged in the equalities considerations of the draft quality statement relating to choice of placements.

#### **Carer needs**

[NICE public health guidance PH28](#) / SCIE guide 40 recognises that family and friends who are carers face greater strain because they receive less support from children's services than foster carers. Draft quality statement 7 covers training and support needs of all carers of looked-after children and young people.

## **2. Have relevant bodies and stakeholders been consulted, including those with a specific interest in equalities?**

- Have comments highlighting potential for discrimination or advancing equality been considered?

To gain multiple perspectives on all aspects of the health and wellbeing of looked-after children and young people, representation within the TEG was sought from a variety of audiences including health and social care professionals, voluntary and community sector organisations and users of services.

The quality standard will be published for consultation, which will include a wide range of registered stakeholders. Consultation comments will be considered by the TEG in further developing the quality standard.

Field testing will also be carried out with a range of stakeholders, including provider services, and children and young people, to inform the development and delivery of these quality standards.

**3. Have any population groups, services or settings been excluded from coverage by the quality standard at this stage in the process? Are these exclusions legal and justified?**

- Are the reasons for justifying any exclusion legitimate?

The QS will apply to looked-after children and young people in all settings, but not those at risk of entering care or those who have been looked after in the past. The quality standard is intended to consider the quality of care provided to those who are currently looked-after.

The groups that will not be covered are based on those within the key development source [NICE public health guidance PH28](#) / SCIE guide 40. This national guidance was produced collaboratively by NICE and SCIE and with extensive consultation with a range of stakeholders and looked-after children / young people.

**4. If applicable, do any of the quality statements make it impossible or unreasonably difficult in practice for a specific group to access a service or element of a service?**

- Does access to a service or element of a service depend on membership of a specific group?
- Does a service or element of the service discriminate unlawfully against a group?
- Do people with disabilities find it impossible or unreasonably difficult to receive a service or element of a service?

No

**5. If applicable, does the quality standard advance equality?**

- Please state if the quality standard, including statements, measures and indicators, as described will advance equality of opportunity, for example by making access more likely for certain groups, by tailoring the service to certain groups, or by making reasonable adjustments for people with disabilities?

It is considered that the draft quality standard will advance equality for looked-after children and young people.