

Impact Assessment



Assessment of: Commissioning of Peninsula Residential Children Homes from February 2023

Service: Children's Commissioning, Children's Services, Devon County Council (DCC), and the Peninsula Commissioning & Procurement Partnership.

Head of Service: Rupa Parmar

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1. Description of project / service / activity / policy under review

The service under review is the re-commissioning of Devon County Council (DCC) External / Independent Residential Children's Homes. This assessment explores the impact of the proposals within the commissioning strategy for the new arrangements with Independent Residential Children's Homes (IRCHs), for the Peninsula Commissioning and Procurement Partnership from 1st February 2023.

The availability and provision of IRCH services supports the Council in meeting our statutory duties, and in delivering our strategic priorities as outlined in [Devon's, A Place Called Home is the Devon Sufficiency Strategy](#); our duties as corporate parents for children and young people in our care as outlined in [Devon's Corporate Parenting Strategy](#), and our vision and priorities for families and children and young people with SEND as outlined in [Devon's SEND strategy](#).

DCC has been part of a Peninsula Partnership with Plymouth City Council, Torbay Council and Somerset County Council since 2006. DCC acts as the lead authority to support a joint and collaborative commissioning, procurement and contracting approach across children's services. The partnership works together to commission and procure a range of services for children and young people in care needing support through our residential children's homes. Under the current arrangements IRCHs deliver services to support children and young people in care up to 18 years to live in homes where they are safe, nurtured, are consulted and listened to, and are supported as they step forward to permanency and / or interdependence. The current arrangement includes residential children's home providers operating in Devon, Plymouth, Torbay, and Somerset, although some of the providers offer homes nationally.

The options appraisal rationale for the future service approach that inform the recommendations can be found in the accompanying Cabinet Report. The current contract arrangement started on 1st February 2019 and is due to end on 31st January 2023. The Councils projected gross budget expenditure for the financial year 2022/2023 is £24,949,000.00

2. Reason for change / review

The residential children's home arrangements in place between the Peninsula Commissioning and Procurement Partnership are due to come to an end on 31st January 2023.

The Peninsula Commissioning and Procurement Partnership have made recommendations for a new commissioning arrangement which will provide 2 types of residential children's home services for children and young people in the care of our local authorities.

They are Standard Residential Placements and Bespoke Partnership Working (Call-Off) Competition by Co-Design. These services are intended not to be used as an end destination for children in care; but are used appropriately to enable stability, safety and support to children and young people so that they can move towards family reunification where it is safe and appropriate to do so, step forward to a family foster home, build their interdependence for early adulthood, and always having high aspirations for them.

To realise the above, the Peninsula Partnership will implement a new approach. This will be a Flexible Purchasing System, which is intended to allow commissioners to design, and with providers deliver specific services designed to meet complex needs, which will in turn support a child or young person to attain positive outcomes and live in a home which is stable and inclusive. Key to the success will be the development of closer relational working with our IRCH market to maximise the sufficiency of residential children's homes for the children and young people in our care, which will enable children and young people to remain as close to their home community as possible. This objective has a high priority within the [Devon Sufficiency Strategy – A Place Called Home](#).

Subject to approval, it is anticipated that the new arrangements would replace the existing approach when it expires on 31st January 2023.

3. Aims / objectives, limitations and options going forwards (summary)

Our aspiration for children and young people in the care of Devon County Council is that they should live in a home that is safe, stable and caring, which provides them with the best possible start in life and opportunity to thrive as they step forwards on their journey.

In delivering our obligations as corporate parents, DCC is reliant on the sufficiency of children's homes within the market and contracting arrangements in place to ensure Devon children and young people can remain as close to their home community as possible when living within their birth family and wider network is not a viable option. A longer initial term for the new arrangement has been proposed, as it will provide more scope to develop services with the IRCH market and will help to improve, develop, and focus growth to specific service areas to best meet diverse needs of children and young people.

The new proposal is aimed at strengthening our partnership work with IRCHs and our ability to enhance the quality of our referral and matching processes. Ultimately, this should maximise the opportunity for children and young people in Devon to live in safe, and secure family home environments where they are supported by staff who are rooted in relational / therapeutic parenting, treated with kindness, respect and supported as they step forward. Securing delivery of emergency crisis provision / assessment services will create scope for targeted developmental work with our providers to respond quickly and effectively to children and young people in crisis, whilst ensuring mental health and well-being is well understood, and trauma informed approaches are successfully implemented.

Our preferred approach will include a Flexible Purchasing System (FPS), will be for a minimum of 5 years, with the option to extend for an additional +2, +2 years. As our preferred approach this will encourage new providers to the market, stimulating ongoing market engagement and development. Getting onto the FPS is typically a more accessible route into tendering and securing public funds. This will be of particular benefit to new /small providers who sometimes find it more difficult to win tenders and this will in turn broaden DCCs access to services which best meet our sufficiency and corporate parenting objectives. In addition, to support the delivery of our sufficiency obligations there will be no restriction on geography. IRCHs operating locally and nationally will be invited to bid, however, priority will be given to providers who can ensure Devon young people are placed within or close to Devon. A focus on supporting placement stability and permanence for our children will be included in all specifications.

To be awarded a place on the Framework, IRCHs will go through a tender process which will include a selection questionnaire, this tests capability and capacity including financial structure and Ofsted registration. There will be a quality test which will include Ofsted inspection gradings and service specific quality standards. Costings will also be reviewed as part of this process. The award criteria will be formed to achieve the optimum combination of quality, cost, and sustainability. Once this is successfully completed providers will be awarded a place on the Flexible Purchasing System for the specific residential children's home service they have applied to deliver.

4. People affected, diversity profile and analysis of needs

The following groups of people are likely to be affected by the proposals:

- Children in the care of DCC who are aged from 0-18 years.
- Children and young people with SEND

The Devon Joint Strategic Needs Analysis (JSNA) 2021 suggests there are just over 2.3m children and young people aged between 0-19 years living across the Devon footprint. The JSNA indicates health and wellbeing outcomes for children and young people in Devon are mixed with hospital admissions in children and young people for mental health conditions, self-harm and injuries being considerable across Devon. This gap is even wider for vulnerable groups such as disadvantaged and children in care. Since the pandemic, there has been an increase in the number of children and young people coming into the care of DCC. Between April 2020 and September 2021, the number of children and young people in our care rose by 4%. In March 2022, there were 819 children and young people in the care of DCC. Of these:

- 87 (10.6%) were living in external / independent residential children's homes.
- Of the 87 children and young people living in external / independent children's homes, 38 (43.6%) were supported by IRCHs on the current Framework Agreement.
- In comparison, there were 49 (53%) external / independent children's home placements made through spot contracts outside of the current IRCH Framework Agreement. Spot contracts typically have higher weekly costs than those negotiated through the framework, and placements are not subject to the same quarterly quality assurance monitoring undertaken with Framework providers.

Increasing numbers of children and young people with SEND are being supported by DCC. In December 2021, there were 8,123 children and young people with SEND being supported through a statutory Education, Health and Care Plan (EHCP) with social, emotional and mental health difficulties (SEMH), autism spectrum disorder (ASD), and speech, language and communication needs (SLCN) being the most significant areas of need.

Children in the care of Devon County Council are supported to have their voice heard and to share their experiences of living in care. This can include experiences of living within a residential children’s home as part of the ‘Peninsula Partnership’ contracting arrangements. Examples of where our children in care are encouraged to share their views with us include:

- Completing the annual Bright Spots Survey.
- Children in care and care leaver participation forums.
- The recent ‘Stand Up Speak Up’ event.

The new commissioning arrangement for residential children’s homes through IRCHs will require them to work with the Peninsula authorities to ensure that children and young people know that their views, wishes and feelings are taken into account, and act upon these in the day to day running of the home and important decisions which may affect the child’s or young person’s life. Quality assurance processes are monitored on a quarterly basis, and this would include the views of children and young people placed are collected using a variety of means and demonstrably used to improve practice in the home.

In addition, Devon Parent Carer Forum are supporting and working closely with Devon Children’s Services to help shape and inform service improvements by sharing the lived experience of what life is really like for families who have children and young people with SEND, identifying problems as well what is working well or could work better. They support Devon County Council, the NHS, and other professionals to make sure that services in Devon are accessible and meet the needs of children and their families.

5. Stakeholders, their interest and potential impacts

In addition to the children and young people, parents and carers detailed in the assessment above, listed below are the key stakeholders who are likely to be interested and impacted by the new commissioning arrangements for IRCH services that are detailed in the linked Cabinet paper:

Stakeholder Group	Interest and Potential Impact/s
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Independent Residential Children's Homes	<ul style="list-style-type: none"> • The outcome of decision making could affect the provider market. • Providing a service design and contracting arrangement that encourages interest from IRCHs will be crucial in maintaining healthy competition which helps to ensure value for money and keep quality levels high. • Working with the IRCH market to maximise the availability of residential children's homes for the children and young people in our care is key to achieving this priority within the Devon Sufficiency Strategy – A Place Called Home. • Ensuring we have specialist providers supporting all areas of need using bespoke (call-off) co-design methods will encourage IRCHs to work collaboratively with DCC as we develop future service.
Elected Members	<ul style="list-style-type: none"> • Overall decision-making lies with this group. Elected Members will be making decisions that represent and respond to the needs and interests of Devon communities based on the information and evidence provided to them by Officers. • Elected Members also need to be assured in their decision making that Devon County Council are meeting their legal responsibilities, are quality assured, and making the best use of public funds.
Devon County Council, Disabled Children's Service	<ul style="list-style-type: none"> • This service takes the lead in assessment and provision of support options for children and young people with SEND and their families and where a child has a need for a statutory EHCP. • It is crucial that practitioners and Social Workers know what services are available and how children and young people can access these services (e.g., children's homes who are registered and / or specialist in this area).
Children's Services Senior Leadership Team/s	<ul style="list-style-type: none"> • Any decision making will need to be overseen and signed-off.
DCC Adult Social Care & Preparation for Adulthood Team	<ul style="list-style-type: none"> • Have a shared interest in any continued support and preparation for children and young people as they transition to early adulthood, particularly those who meet eligibility under the Care Act 2014.
Virtual School	<ul style="list-style-type: none"> • All children in the care of the Local Authority will be supported in school and education through the Virtual School. Every child and young person will be

	<p>visited in education and will have a Personal Education Plan (PEP) to support them to achieve their potential and the best possible educational outcomes.</p> <ul style="list-style-type: none"> • The involvement of residential support staff and IRCHs in this process will be important for the continuity of education for child and young person in their care.
Education and School Professionals supporting children in the care of the authority (SENCo, Designated teacher for Children in care, Headteacher)	<ul style="list-style-type: none"> • Will want to be able to work with residential children’s homes, keep them up to date with a child’s progress, and involved in any support or working in school and to support sharing information.
Health and Clinical Commissioning Groups	<ul style="list-style-type: none"> • Every child whose legal status is ‘looked after’, will have a LAC Nurse who will undertake an active role in their LAC Reviews, professional meetings and network meetings. • LAC Nurses will want to be able to work with residential children’s homes, keep them up to date with a child’s progress, be involved in any access to health support and to support sharing information.
Internal Practice Teams i.e., Children’s Placement Team and Social Work Teams, who support Children in Care across Children’s Services.	<ul style="list-style-type: none"> • The new arrangements will provide internal teams with refreshed and qualified provider lists. This will ensure sufficiency within the market to help Peninsula authorities meet the needs of all their children and young people and providing the best opportunity for the right match. • Internal practitioners will need to be aware of the any changes to the terms and conditions, to ensure that placements continue to follow the right processes, and wherever possible at the most advantageous rate.
Peninsula Commissioning and Procurement Partnership Authorities (including Peninsula Board)	<ul style="list-style-type: none"> • Contracting arrangements are made in partnership and will need to be agreed by all to ensure a consistent approach is implemented across each local authority. • Decision making and governance arrangements for all Peninsula Partners are interdependent and will inform service delivery across the Peninsula authorities. • Sufficiency of local children’s homes and bespoke provision is a key priority across the Peninsula Partnership and as such are fully invested in the

	outcome of the re-commissioning of these services.
Parent and Carer Forum Devon	<ul style="list-style-type: none"> As an independent group of parents and carers of children and young people with SEND, who work closely with the Council, they will be interested in understanding how services included in any contract will benefit and support children and young people with SEND and their parents and carers in Devon.

6. Additional research used to inform this assessment

- <https://www.devonhealthandwellbeing.org.uk/jsna/overview/> <https://www.devonhealthandwellbeing.org.uk/wp-content/uploads/Devon-Joint-Strategic-Needs-Assessment-2021.pdf>
- [Devon Sufficiency Strategy 2022-2024.pdf \(sharepoint.com\)](#)
- [Devon Corporate Parenting Strategy 2022 - 2024.pdf \(sharepoint.com\)](#)
- [How Devon is performing - Education and Families](#)
- [Devon's SEND Local Offer -help and support for children with SEND](#)
- [Relationship based commissioning.pdf](#)
- Joint Commissioning Priorities - March 2022.pptx

7. Description of consultation process and outcomes

Engagement activities including virtual workshops, review with forum groups, surveys and individual meetings have been undertaken and will be ongoing to inform the commissioning approach and the service specifications that will form the tender pack. Stakeholders including children and young people in care; the IRCH provider market; other local authorities; and internal teams and practitioners across children’s services have been involved in the process. Summarised below are examples of themes, ideas and feedback that have emerged. These have been used to shape and inform the commissioning and procurement approach being proposed.

Engagement Event and	Examples of feedback received from children and young people, and / or	How is this reflected in the new arrangement.
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Date.	providers.	
<p>Children in Care Participation Team 2021</p> <p>DCC Participation Team who support Stand Up Speak Out, Devon's Children in Care Council.</p>	<p><i>"Luckily for me, my care home was absolutely amazing, it changed me completely and gave me confidence."</i></p> <p><i>"If I could change something in residential, I would change carer's; they need to be more calmer when you get bad feelings"</i></p>	<p>Through working with our providers to co-design bespoke services designed to meet complex needs that are not easily met through other forms of residential care. This model will facilitate greater flexibility and collaborative working to offer an asset-based model of service and the skills and ability to work restoratively and in trauma informed ways.</p>
<p>Stand Up Speak Out, Devon's Children in Care Council, Ongoing</p>	<p><i>"We don't like moving lots, and we don't like being with people we don't really know and who don't like the same things as us. If we stay in the same place for a while, we are more likely to be able to call it home."</i></p> <p><i>"We don't want to live in places that are a long way from family and friends."</i></p>	<p>The proposed system will ensure the voice of children and young people informs our commissioning and the work of our providers to ensure services are inclusive, relevant and make the best use of the DCC's resources to achieve strong outcomes for children and young people. Additionally, a key priority will be to increase the footprint of residential children's homes within Devon, ensuring children and young people remain as close to family and wider networks as possible.</p>
<p>Responsible Individual Network (Dialogue) Devon Presentation A Place Called Home (Sufficiency Strategy) April 2022</p>	<p>Use of key value principles brought strategies to life for providers.</p> <p>Providers are keen to know trends and plans in Devon as the planning cycle of homes is 2/3 years ahead. Noted the importance of young people living in homes closer to home.</p> <p>Providers noted to challenges with stability and how practice could be developed, such placement request forms to improve the quality of information sharing.</p>	<p>Creating a closer working relationship and generating value for both commissioners and providers will support this.</p> <p>Commissioning is taking on a closer, relational approach to providers and the new arrangements will facilitate more spaces for dialogue and collaborative working</p> <p>Continued conversation between commissioning and providers via the RI Network meetings is scheduled to explore more deeply Devon's specific sufficiency needs.</p> <p>Introduction of the Flexible Purchasing System will provide opportunity for co-design for specific services.</p>

8. Equality analysis

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief. This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).
- The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:
 - Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
 - Proportionate (negative impacts are proportionate to the aims of the policy decision)
 - Fair
 - Necessary

- Reasonable, and
- Those affected have been adequately consulted.

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	How will the project / service / policy / activity: <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
All residents (include generic equality provisions)	<ul style="list-style-type: none"> Small potential risk that any perceived change to contracting arrangements could create anxiety / uncertainty for residential staff employed by IRCHs. This could impact upon children in the care of DCC and living in residential children's homes. Children and young people in the care of IRCHs may experience anxiety or worry that the children's home where they live could close and / or change. This could impact on emotional and mental health well-being, particularly if fearful they may move away from family and other key networks. 	<ul style="list-style-type: none"> DCC are committed to working in partnership with IRCH's and engage in a number of mechanisms to achieve this, such as the Responsible Individual Forum, facilitated by Dialogue, service review meetings and quarterly contract monitoring. This allows for a free flow of conversation to ensure Devon's children and young people are kept at the heart of service development. The Peninsula Commissioning & Procurement Partnership and IRCH market have a long-standing and well-developed working relationship. Both are committed to providing the best support for children and young people living within residential children's homes, whilst ensuring continuity of care. Communications with IRCHs are in place to make sure IRCHs are kept abreast of timeframes for the re-commissioning, how and when they can be involved in service development and specification design. This will continue throughout the life of the tender process through to award and mobilisation of the new Framework arrangements. Devon's children in care also have access to the MoMo (Mind of my own) App and are encouraged to share any views or concerns with us through the App or via their social worker or residential support staff.

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>How will the project / service / policy / activity:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. • advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
		<ul style="list-style-type: none"> • DCC will look to develop any communications needed for internal teams across Children's Services. There will be designated points within both the Commissioning and Procurement teams who will respond to any queries or concerns regarding the contracting arrangements going forward. • DCC will work to listen to, understand and respond to any feedback or queries children and young people may have about where they are living. We commit to being clear, honest and transparent in our communications with a view this will provide reassurance and reduce any anxieties children and young people may have in respect to the commissioning approach with IRCHs

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	How will the project / service / policy / activity: <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
Age	<ul style="list-style-type: none"> Children in the care of DCC, being able to live in residential children's homes, which support their needs, and relevant to their age. 	<ul style="list-style-type: none"> The new proposal will enable children to live in residential homes, where they will receive high quality care in a safe and enriching environment, supporting a broad range of needs, including emotional and behavioural issues, sexualised behaviours, and physical disabilities. Understanding of the difficulties children may have experienced and how this may present, will require a therapeutic parenting approach. Services will be needed for a variety of reasons and durations. It is intended that residential children's homes are not used as an end destination for children in care; but are used appropriately to enable stability, safety and support towards family reunification where it is safe and appropriate, step forward to a family foster home, and build their interdependence or early adulthood. The new proposal will support the delivery of Devon's sufficiency strategy to find Devon homes for Devon children, effectively reducing the number of children living outside of Devon.
Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term)	<ul style="list-style-type: none"> Children in the care of DCC, being able to live in residential children's homes supporting their additional needs. 	<ul style="list-style-type: none"> The recommended option described in Section 3 of the Cabinet Paper, would provide mechanisms to support and agree reasonable adjustments that could be made within residential children's homes to make them as accessible as possible for children in care. Thus, promoting inclusion and

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	How will the project / service / policy / activity: <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
ill health) and carers of disabled people		<p>providing an accessible environment to enable children and young people to thrive. For example, considering sensory equipment to support sensory needs or other equipment in the home to maximise accessibility.</p> <ul style="list-style-type: none"> IRCHs will also be asked to consider and provide bespoke training for residential support staff, this will be alongside regular supervision with the aim of ensuring all staff are supported and equipped with any additional skills or knowledge required to meet the needs of children in their care. Having multiple providers on the new arrangement including small, large, specialist, and non-specialist residential children's homes will increase the choice of children's homes and service ensuring the best match for an individual child or young person. This will also help in ensuring we have specialist providers supporting all areas of need using bespoke call-off methods to best meet diverse needs of children and young people.
Culture and ethnicity: nationality/national origin, ethnic origin/race, skin colour, religion and belief	<ul style="list-style-type: none"> Children in the care of DCC are able to live in a residential family home environment which fosters positive relationships that support inclusion, equality and beliefs and traditions that are 	<ul style="list-style-type: none"> The recommended option described in Section 3, will expect IRCHs and their residential staff to be appropriately upskilled, trained and knowledgeable on how best to promote diversity, a positive identity and potential through individualised care and encourage children and young people from a range of different ethnicities, cultures and backgrounds to feel safe and secure.

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>How will the project / service / policy / activity:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. • advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
	<p>important for them.</p>	<ul style="list-style-type: none"> • IRCHs would be expected to ensure staff take every step to make sure the individual children and young people are not subject to discrimination, marginalisation or bullying by virtue of their ethnicity, culture or background. The home environment should be designed to take account children and young people's individual need/s and staff should provide support to enable children and young people to talk about and help them to address any concerns they may have. • As with the other key characteristics, formal contract monitoring will monitor, review and support IRCHs on this. This will include oversight of the recruitment of staff, continued development of the workforce and impact this has within the children's home.

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	How will the project / service / policy / activity: <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
Sex, sexual orientation, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)	<ul style="list-style-type: none"> Children in the care of DCC can live within a residential home environment that supports, understands and respects their sexual orientation, gender and gender identity. 	<ul style="list-style-type: none"> Through the recommended option described in Section 3, IRCHs would be expected to provide a children's home environment which is nurturing and reflects an understanding, respect and support of the child or young person's sexual orientation, gender and gender identity appropriately. IRCHs would be expected as part of contracting arrangements to provide training and increase awareness of particular aspects with the residential support staff. For example, training focusing on understanding and supporting gender identity appropriately. IRCHs would be expected to ensure staff take every step to make sure the individual children and young people are not subject to discrimination, marginalisation or bullying by virtue of their sexual orientation, gender and gender identity. The home environment should be designed to take account children and young people's individual need/s and staff should provide support to enable children and young people to talk about and help them to address any concerns they may have. Signposting to agencies who can provide further support for children and young people to build and/ or maintain positive emotional health, wellbeing, self-esteem and self-identify will also be a requirement.

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>How will the project / service / policy / activity:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
<p>Other relevant socio-economic factors such as family size/single people/lone parents, income/deprivation, housing, education and skills, literacy, sub-cultures, 'digital exclusion', access to transport options, rural/urban</p>	<ul style="list-style-type: none"> Impact of COVID -19 pandemic for residential children's homes and children in our care. This includes impact on emotional, health and well-being due to anxiety, exhaustion and fatigue, as well as hybrid ways of working balanced with limited face to face contact with other residential staff, professionals and families. Some children and young people in care maybe newly arrived and who may have limited knowledge of services. 	<ul style="list-style-type: none"> The COVID-19 pandemic has resulted in unprecedented challenges for everyone worldwide over the last 18 months. To safeguard the emotional, health and wellbeing of residential support staff, many IRCHs are providing a combination of virtual and face to face support for their staff. It is likely hybrid models of working will continue into the future even after covid restrictions are lifted in full. IRCHs would be expected as part of contracting arrangements to provide training and increase awareness of particular aspects with the residential support staff. For example, training focusing on understanding . Work in partnership with other agencies and make referrals to other specialist agencies as required. IRCH residential staff will be trained or required to undertake training to understand the impact of attachment, trauma and other issues that affect those children and young people who maybe newly arrived and vulnerable to such as trafficking and exploitation, physical health, individual identity and needs. The home environment should be designed to take account children and young people's individual need/s and staff should provide support to enable children and young people to talk about and help them to address

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>How will the project / service / policy / activity:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. • advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
		<p>any concerns they may have.</p>

9. Human rights considerations:

The proposed commissioning and procurement arrangements of Independent Residential Children's Homes (IRCHs) will be delivered in a way which support the vision, values and principles of United Nations Convention on the Rights of Children (1990) and the United Nations Convention on the Rights of Persons with Disabilities (2006). This includes advocating the rights of all children and young people aged 18 and under to non-discrimination; best interests of the child; the right to life, survival, and development; health and health services; standards of living; review of treatment and care; right to education; as well as freedom of expression and thought.

In addition, The United Nations Convention on the Rights of Persons with Disabilities (2006) describes a further series of articles clarifying the rights of all individuals with a disability including children and young people. This includes respect for each person's dignity and personhood; disabled people being full and equal members of communities/ society; equal life chances; education; equal rights to family life whereby disabled children should never be forced to live away from parents and families unless this is the best thing for them; health without discrimination; independence; standard of living; right to enjoy culture; recreation, leisure and sport in an equal basis to people who are non-disabled.

10. Supporting independence, wellbeing and resilience. Give consideration to the groups listed above and how they may have different needs:

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?

Independent Residential Children's Homes provide children and young people in our care with the opportunity to live in children's homes, where they will receive high quality care in a safe and enriching environment, supporting a broad range of needs, which can support them to develop the skills they will need for the future and in adult life, for example learning and managing personal care, money, budgeting and maintaining a household and provide the right support to be prepared as they step forward into early adulthood.

It is intended that residential children's homes are not used as an end destination for children in care; but enable stability, safety and support to children and young people so that they can be supported towards family reunification where it is safe and appropriate, step forward to a family foster home, build their interdependence for early adulthood, and always having high aspirations for them. The proposed new arrangement enables transparency of services being commissioned, and an opportunity to scale support up and down providing a flexible and responsive approach, which empowers children and young people with the tools, self-belief and confidence they need to move into employment, further education or future training. This will also enable young people to support themselves, to be independent and engage with a career which could have a role in supporting different communities.

In what way can you help people to be safe, protected from harm, and with good health and wellbeing?

Residential children's homes may be needed when a child or young person is in crisis or needs a safe and secure home until they are ready to step forward, support rehabilitation to family or progression to interdependent living. Children and young people in care will be given the opportunity to live in local, safe, and secure children's home environments where they are supported by staff who are rooted in relational practice, treated with kindness, respect, and supported to thrive.

IRCHs and all residential staff supporting children and young people hold a duty to safeguard and protect children and young people in their care, and for whom we provide services. Robust safeguarding mechanisms will be built into the commissioning arrangements to ensure children and young people are safeguarding from any risk of harm. Staff in the homes will make positive relationships with children and young people in their care, generate a culture of openness and trust and are aware of and alert to any signs or symptoms that might indicate that a child or young person is at risk. This is underpinned by an ongoing and responsive approach to changing risks both within the home and outside of the home in the community.

In what way can you help people to be connected, and involved in community activities?

Children in the care of DCC who are living within a children's home will be encouraged to pursue individual interests and hobbies and will be supported to take part in school based and out of school activities within their local communities. This will allow

children and young people to develop confidence in new skills, enjoy their interests, meet new friends, and possibly go on to create new friendships with others in their local community. Staff at the children’s home will understand what is in the child’s or young person’s placement plan and will review this with their social worker to ensure they have clarity about the decisions they can make day to day for the child or young person.

Pursuing interests and hobbies, for example involving sport, will be positive in supporting good physical health, but also in supporting children to build resilience and positive emotional health and wellbeing both in the present and into the future, where hobbies and interests are continued into adulthood.

11. Environmental analysis

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties. The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please mark X in the relevant box below and proceed to the 4c, otherwise complete the environmental analysis table):

Devon County Council’s Environmental Review Process	
Planning Permission	
Environmental Impact Assessment	
Strategic Environmental Assessment	

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce, reuse, recycle and compost:	N/A	<ul style="list-style-type: none"> • IRCHs are subject to Devon planning regulations and legal requirements when registering a new home. • Helping children to develop behaviours and live/ take action in ways which support the environment positively as they grow and interact with the world into adulthood is important. • Supporting children in our care to live in family environments, local communities and attend school settings where there are opportunities to learn about the environment and conservation will all support a greater awareness and respect for local landscape and Devon's heritage. • With more children living locally within children's homes. this will reduce the distance that needs to be travelled by children and young people, residential support staff, and social workers in maintaining contact and relationships. However, it should be noted social work is relational and given the safeguarding responsibilities held by Children's Services and professionals supporting children and young people, there is often a requirement for professionals to travel to see and support children
Conserve and enhance wildlife:	N/A	
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	N/A	
Conserve and enhance Devon's cultural and historic heritage:	N/A	
Minimise greenhouse gas emissions:	N/A	
Minimise pollution (including air, land, water, light and noise):	N/A	
Contribute to reducing water consumption:	N/A	
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):	N/A	
Other (please state below):	N/A	

		and young people in person.
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12. Economic analysis

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:	N/A	The recommendations summarised in Section 3 above have the potential for a positive impact on knowledge and skills. IRCHs successful in joining the new Framework Arrangement will need to provide a robust induction programme, CPD and further training to ensure residential staff have the right skills, expertise and experience to best support children and young people living with them. The addition of new children's home services within the Bespoke Partnership Working (Call-Off) Competition by Co-Design e.g., emergency residential provision for children and young people in crisis will provide an opportunity for providers to grow and develop skills and expertise and knowledge across children's homes in Devon.
Impact on employment levels:	There is a potential risk that only a small number of IRCHs will successfully join the new Framework Arrangement. This could impact on employment opportunities available locally. To mitigate this, Peninsula partners have designed a fee protocol to support with issues regarding price and fee uplifts over the life of the contract. Other mitigations include continuing a programme of engagement with IRCH providers and working	The recommended option has the potential to have a positive impact on employment levels and IRCHs operating in the local area. If more providers are successful in joining the new Framework Arrangement and with demand remaining at the current levels, they are likely to need to recruit more residential support staff and associated support roles across Devon and the Peninsula authorities. This could create and support employment opportunities locally whilst also supporting and increasing sufficiency locally.

	with providers on the service design and specifications. The full mitigations are detailed in the accompanying Cabinet Report.	
Impact on local business:	N/A	Given the sufficiency need for more IRCHs for children and young people in care in Devon, the new proposals are more likely to promote increased trade and opportunity within Devon. Additionally, IRCHs are subject to Devon planning regulations and legal requirements when registering a new home.

13. Describe and linkages or conflicts between social, environmental and economic impacts (Combined Impacts):

Section 11 and 12 illustrate how the commissioning of these services will have a limited detrimental impact to the environment whilst potentially supporting the local economy to grow as Devon recovers from the impact of the Covid-19 pandemic. In the longer term, keeping children and young people local means they be able to live and work in Devon when they transition into adulthood, thus supporting the local economy in the longer term.

14. How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?

The availability and provision of residential children’s homes supports the Council in meeting our statutory duties, and especially in delivering our strategic priorities in outlined in Devon’s, A Place Called Home is the Devon Sufficiency Strategy. In delivering these

statutory duties and the residential children's home services being proposed will be an immediate benefit to children, young people, parents and carers in Devon in so much that they will be able to access more, and improved children's homes, including bespoke specialist services. Through the commissioning design and approach it is envisaged that there will be greater choice and the opportunity for tailoring services to the needs of individual children and young people. The commissioning design has been influenced by learning from the current contract in terms of what has worked well and what could have been made better. It also brings in a more flexible approach to services and an opportunity to work with Peninsula authorities and providers to co-design service provision to ensure they are fit for purpose and best able to meet the needs of children and young people needing an emergency support when in crisis. Having multiple providers on the Flexible Purchasing System including small, large, specialist, and non-specialist residential children's homes will increase the choice of children's homes and service ensuring the best match for an individual child or young person.

15. How will impacts and actions be monitored?

A risk register will be in place and routinely reviewed and updated through the commissioning and procurement process. Risk and mitigating actions will be assessed considering likelihood and impact the DCC corporate risk matrix. Additionally, there will be quarterly monitoring between Peninsula authorities and IRCHs to review key performance indicators for quality assurance purposes, which is supported by the Quality Assurance Sub-Group.