

Department for Children, Schools and Families

CHILDREN AND YOUNG PERSONS BILL

EQUALITY IMPACT ASSESSMENT

November 2007

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CHILDREN AND YOUNG PERSONS BILL: EQUALITY IMPACT ASSESSMENT

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Executive summary

This document considers the implications for disability equality, ethnicity equality and gender equality of the Children and Young Persons Bill. It has been compiled in accordance with the requirements of the Race Relations Act 1976 as amended by the Race Relations Amendment Act 2000; the Disability Discrimination Acts 1995 and 2005; and the Sex Discrimination Act 1975 as amended by the Equality Act 2006. Where appropriate, it also reflects concerns in faith equality legislation (Equality Act 2006 and Employment Equality Religion and Belief Regulations 2003) and sexuality legislation (Equality Act 2006 and Employment Equality Sexual Orientation Regulations 2003 and 2007).

The document has two principal purposes, to consider whether the Bill:

- could have an adverse impact on equality issues
- has the potential to reduce and remove inequalities that already exist, and whether it is likely to have a positive impact on equality issues.

If adverse impacts are identified, legislation requires that they should be removed, justified or mitigated. If potential positive impacts are identified, there should be consideration of how to ensure the potential is realised to help deliver the most effective change for children in care¹ and to fulfil the legislative requirements.

The Bill was preceded by the Green Paper *Care Matters: Transforming the Lives of Children and Young People in Care*, published in October 2006, and the White Paper *Care Matters: Time for Change*, published in June 2007. The Bill reforms the statutory framework around the care system, in order to enable and facilitate the wider package of reform set out in the *Care Matters* White Paper. For both the Green Paper and the White Paper an equality impact assessment was published. This assessment of the equality impact of the Bill builds on the two previous assessments, and on the submissions and representations that were made in response to them through focus groups, and consultation responses.

For many years there have been significantly more disabled children and young people in care than would be expected from their numbers in the general population. There are more children and young people in care from minority ethnic, religious and cultural backgrounds, or from mixed backgrounds, than would be expected from their numbers in the general population – at present about a quarter of all children in care are from these backgrounds, as were a third of all children taken into care in the year ending 31 March 2007.

¹ This assessment uses the term 'children in care' to include all children looked after by a local authority, including those subject to care orders under section 31 of the Children Act 1989, and those looked after on a voluntary basis through an agreement with their parents under section 20 of the Children Act 1989

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It could be argued that the weaknesses and failings in the care system that the Bill is intended address currently have a disproportionately adverse impact on disabled children and children from certain backgrounds because of this increased prevalence in the care population. It would follow that if all children in care benefit from the Bill, and from the wider programme of which it is a part, then disabled children and young people, and children and young people from minority backgrounds, will disproportionately benefit. Indeed, some provisions will primarily benefit some of these groups alone, for example the requirement to visit children in long term residential placements, the vast majority of whom have disabilities.

At the same time, if the Bill (whether in whole or part) does not achieve its intended benefits then disabled children and young people, and children and young people from minority backgrounds, may continue to be disproportionately disadvantaged and current inequalities may even be increased.

In summary, this assessment shows that the statutory reforms in the Children and Young Persons Bill, based on the assumptions contained within about compliance and interrelationships with the wider programme, will not have an adverse impact on disability equality, ethnicity equality or gender equality, and that they on the contrary have the potential to help reduce inequalities that already exist. Careful monitoring will be necessary in order to ascertain whether this expectation is correct, with a view to taking action to improve the situation should it prove not to be. The assessment is more likely to be justified if the Bill, the wider Care Matters programme, and the care system as a whole, meet the following challenges:

- ensuring each child or young person in care is seen as a unique individual with their own distinctive concerns, goals, stories, strengths and challenges and also as someone who may experience discrimination on grounds of disability, ethnicity or gender (through good practice, guidance, and excellent care planning)
- improving recruitment of foster carers to ensure better matching between children and foster carers, in particular of cultural, faith and ethnic background (through local activity supported by the national awareness of foster carers campaign)
- disabled children and young people in care, and children from minority ethnic, religious and cultural backgrounds are involved in the design and review of policies and practices that affect them (through children in care councils, or equivalent mechanisms and strong participation of young people more generally)
- recognising the role of men as well as women in caring, parenting and fostering
- ensuring that all schools, particularly those directed to admit children in care, have robust and successful anti-bullying policies and practices in place (through ensuring all schools have effective anti-bullying policies, through the designated teacher, and through effective care planning)

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- enhancing the information base in relation to equalities issues in the care system, for example, developing more consistent, compatible and comparable data on disability on which to base service planning, commissioning and provision at both a local and national level; the monitoring by ethnicity of children and young people looked after by friends and families
- increasing the take-up of child protection and children in need services by families of minority ethnic, religious and cultural backgrounds.
- raising awareness amongst all involved in providing care for unaccompanied children seeking asylum of the distinctive experiences, needs, concerns and backgrounds of these children

Next steps

This equality impact assessment is a living document. It will be revised and updated, as appropriate, and will be published on the Department for Children, Schools and Families website.

We will additionally make sure that:

- the concerns and discussions in this paper are brought formally to the attention of all those involved in evaluations of pilot projects, and that they feature in the terms of references and research designs for such evaluations
- the concerns and discussions in this paper are brought to the attention of Ofsted and we will ask Ofsted to continue to take account of equality issues in the care system in order to highlight both problems and good practice (for example their current series of small-scale surveys and reports on good practice on the theme of personalisation and diversity)
- arrangements are made for monitoring and for periodic reports to the Department's Equality Strategy Group (ESG)
- information about this paper is appropriately disseminated to all local authorities and other stakeholders
- further work is carried out to enhance the information base in relation to equalities issues in the care system, for example with regard to the profile of the workforce; improvements in understanding of prevalence of disability through better collection and then analysis of statistics; and the monitoring by ethnicity of children and young people looked after by friends and families
- arrangements are made for ensuring that equalities issues are embedded in the overall action plan for the Department for Children, Schools and Families in relation to the Bill and the implementation of the overall Care Matters programme.

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1 Introduction

1.1 Background

1.1.1 This document considers the implications for disability equality, ethnicity equality and gender equality of the Children and Young Persons Bill. It has been compiled in accordance with the requirements of the Race Relations Act 1976 as amended by the Race Relations Amendment Act 2000; the Disability Discrimination Acts 1995 and 2005; and the Sex Discrimination Act 1975 as amended by the Equality Act 2006. Where appropriate, it also reflects concerns in faith equality legislation (Equality Act 2006 and Employment Equality Religion and Belief Regulations 2003) and sexuality legislation (Equality Act 2006 and Employment Equality Sexual Orientation Regulations 2003 and 2007).

1.1.2 The document has two principal purposes, to consider whether the Bill:

- could have an adverse impact on equality issues
- has the potential to reduce and remove inequalities that already exist, and whether it is likely to have a positive impact on equality issues.

1.1.3 If adverse impacts are identified, legislation requires that they should be removed, justified or mitigated. If potential positive impacts are identified, there should be consideration of how to ensure the potential is realised and indeed maximised to help deliver the most effective change for children in care, and to fulfil the legislative requirements.

1.1.4 The Bill was preceded by the Green Paper *Care Matters: Transforming the Lives of Children and Young People in Care*, published in October 2006, and the White Paper *Care Matters: Time for Change*, published in June 2007. The Bill reforms the statutory framework around the care system, in order to enable and facilitate the wider package of reform set out in the *Care Matters* White Paper. For both the Green Paper and the White Paper an equality impact assessment was published. This assessment of the equality impact of the Bill builds on the two previous assessments, and on the submissions and representations that were made in response to them through focus groups and written consultation responses.

1.1.5 Whilst this document forms an annex to the main impact assessment its intention is that in the main it could be read in isolation though occasionally cross references are made to help signpost the reader. This does however mean that there is some limited repetition particularly around the description of the Bill.

1.2 Criteria for equality impact assessments

1.2.1 The following criteria have been used for making the assessments summarised in this document. They are intended to reflect the spirit of anti-

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discrimination legislation as it has developed in the United Kingdom over the last ten years. They were first used in this form in the equality impact assessment made in 2007 in relation to the Government's policies for adult skills, and build on criteria formulated in 2006 for the race equality impact assessment (REIA) in relation to the reform of further education.

1.2.2 Disability

The following criteria have been used to assess whether, both in part or whole, the Bill could have unlawfully discriminatory effects in relation to disability, or are likely on the contrary to:

- a. benefit all children in care and children on the edge of care affected by the Bill, whether or not they are disabled
- b. promote positive attitudes towards disabled people, and good relations between disabled and non-disabled people
- c. benefit society as a whole by encouraging participation in public life of all citizens, whether or not they are disabled
- d. reduce and remove inequalities between disabled and non-disabled people that already exist.

1.2.3 Ethnicity

The following criteria have been used to assess whether, both in part or whole, the Bill could have unlawfully discriminatory effects, or are likely on the contrary to:

- a. benefit all children in care and children on the edge of care affected by the proposals, whatever their ethnicity, culture, religious affiliation and faith, national origin or national status
- b. promote positive interaction and good relations between groups and communities different from each other in terms of ethnicity, culture, religious affiliation and faith, and national origin or national status
- c. benefit society as a whole by encouraging participation in public life of all citizens, whatever their ethnicity, culture, religious affiliation and faith, national origin or national status
- d. reduce and remove inequalities and poor relationships between different communities that already exist.

1.2.4 Gender

The following criteria have been used to assess whether, both in part or whole, the Bill could have unlawfully discriminatory effects in relation to gender equality, or are likely on the contrary to:

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- a. benefit all children in care and on the edge of care affected by the Bill, whatever their gender
- b. promote good relations between women and men
- c. benefit society as a whole by encouraging participation in public life of women as well as men
- d. reduce and remove inequalities between women and men that already exist.

1.3 The Evidence Base

1.3.1 Relevant sources of data for this equality impact assessment include the following:

- data collected by the DCSF, for example from local authority returns (in particular the annual SSDA903 statistical return relating to looked after children, and the Children in Need census),² the annual schools census, national curriculum tests, bodies which award educational qualifications, the database of teacher records, individualised learning records (ILR), the national information system for vocational qualifications (NISVQ), and the Connexions service³
- regular surveys such as the Labour Force Survey (LFS), the Youth Cohort Study (YCS), the National Learner Satisfaction Survey (NLSS), the Longitudinal Study of Young People in England (LSYPE), and the Children's User Experience Survey
- special surveys, studies, summaries and literature reviews commissioned by the DCSF (or previously the DfES), or by research organisations, equality commissions and other government departments, including:

Aiming High for Disabled Children: better support for families, HM Treasury and DfES 2007

Improving the Life Chances of Disabled People, Prime Minister's Strategy Unit, January 2005

Life after Care: the experiences of young people from different ethnic groups, by R. Barn, L. Andrew, N. Mantovani, Joseph Rowntree Foundation 2005

² Detailed statistics about children in care in the year ending 31 March 2007 were published in a statistical first release by the DCSF on 20 September 2007 at <http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000741/index.shtml>.

³ There is a substantial summary of statistics relating to ethnicity and education in chapter 2 of *Race Equality in Public Services*, published by the Department for Communities and Local Government in August 2007. There is even fuller information in *Ethnicity and Education: the evidence on minority ethnic pupils aged 5–16*, DfES 2006. Neither of these, however, refers specifically to children and young people in care.

Improving Services to Meet the Needs of Minority Ethnic Children and Families by Ravinder Barn, Department for Education and Skills, 2006

The Education and Employment of Disabled Young People, Joseph Rowntree Foundation, November 2005

Pathways to permanence for children of black, Asian and mixed parentage: dilemmas, decision-making and outcomes, research led by Julie Selwyn, University of Bristol, forthcoming.

Planning Better Outcomes and Support for Unaccompanied Asylum-Seeking Children, Home Office 2007

Through Inclusion to Excellence, the report of a steering group chaired by Sir Peter Little, published by the Learning and Skills Council in November 2005

- reports and reviews from Ofsted and the Commission for Social Care Inspection
- statements of concern and viewpoint, and guidance on good practice, by equality commissions, other government departments, professional associations and specialist bodies; these include::

Caring for Unaccompanied Asylum-seeking Children and Young People by Eileen Fursland, British Association for Adoption and Fostering, 2007

DfES/HM Treasury Joint Policy Review on Children and Young People: submission by the Commission for Racial Equality including a section on looked after children, 29 September 2006

Listening to Parents of Disabled Children about Childcare, Daycare Trust 2007

Meeting the Needs of Ethnic Minority Children: including refugee, black and mixed parentage children : a handbook for professionals by Kedar Nath Dwivedi, Jessica Kingsley Publishers 2002

- previews of research commissioned by the DCSF, but not yet published, including studies by the Thomas Coram Research Unit at the University of London
- contributions to focus groups during the consultation on the *Care Matters* Green Paper by, amongst others, disabled children and

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young people, and children and young people from minority ethnic, religious and cultural backgrounds

- written responses to the *Care Matters* Green Paper and White Paper, and to the equality impact assessments that accompanied them; acknowledgement is due in particular in this regard to the Association of Directors of Social Services, Birmingham City Council Equality and Diversity Team, Disability Rights Commission, Commission for Racial Equality, Confederation of Children's Services Managers, Local Government Association, National Bureau for Students with Disabilities, and Stonewall.

1.3.2 Broadly, the evidence base is of two kinds, quantitative and qualitative. In the following section these two kinds of evidence are considered in turn in relation to disability (paragraphs 2.1-2.1.5), ethnicity (paragraphs 2.2-2.2.9) and gender (2.3-2.3.6). There are also brief notes on other equalities strands (paragraphs 2.4-2.4.8).

2 What the evidence shows

2.1 Disability

Quantitative evidence

- 2.1.1 We have acknowledged that the present information base relating to disabled children and young people needs to be improved, at both national and local levels.⁴ Statutory definitions relating to disability include the concept of children in need for social service purposes, special educational needs (SEN) for education purposes, and hospital episode statistics (HES) in the health service. Further, there is the overarching definition in the Disability Discrimination Act 1995 (as amended by Disability Discrimination Act 2005) (DDA). There are overlaps between these definitions, but also divergences. Data collection should be based initially on the DDA definition and local areas should use data on the number of disabled children taking up higher rate Disability Living Allowance as a proxy interim measure for numbers of severely disabled children. However, across Government we will also take forward further work to develop more consistent, compatible and comparable data on disability on which to base service planning, commissioning and provision at both local and national levels. Government will report on this work, which is to be coordinated by the Office of National Statistics (ONS), in 2008–9. Amongst other things, the work will include a survey of local authorities to determine what data they currently collect on their disabled children population, what definitions they use, and how they use the data.
- 2.1.2 There are wide local variations in the proportions and classification of children with special educational needs. Nevertheless the concept gives a broad picture of the extent of disability as defined by the DDA and it is therefore relevant to note that 28 percent of children and young people in care have a statement of special educational needs, compared with only three percent of the general population.⁵ For the Children in Need census undertaken in 2005 local authorities recorded for a week services provided to all children in need, and characteristics of the group who received them. Children in care can be identified as a sub-group from the Children in Need group; of the 91 percent of children in care who received a service in that week, approximately 18 percent were disabled⁶. However, lack of authoritative data on the number of disabled children and young people in care with a disability is a concern and increases the risk that policies may have a negative impact, or may fail to

⁴ *Aiming High for Disabled Children*, HMT DfES 2007, chapter 3, paragraphs 3.9–14.

⁵ Statistical first release, 26 April 2007, DCSF, Outcome Indicators for Looked After Children: Twelve Months to 30 September 2006, England available at: <http://www.dfes.gov.uk/rsgateway/DB/SFR/s000727/SFR17-2007.pdf>

⁶ Children in Need in England: Results of a survey of activity and expenditure as reported by Local Authority Social Services' Children and Families Teams for a survey week in February 2005, DFES, see Table 13. The notes on interpretation show that indications of prevalence should be made with caution and are only indications of prevalence of children in need of whom the local authority is aware. In the case of the looked after children sub-set of children in need there is perhaps greater reliability of extrapolation because by definition looked after children have to be known to the local authority. <http://www.dfes.gov.uk/rsgateway/DB/VOL/v000647/vweb02-2006.pdf>

maximise positive impact, without public authorities being aware of this. The collection of relevant data is therefore a key policy priority.

2.1.3 The DCSF has recently commissioned a medium-sized research project to produce and test a user-friendly typology and set of questions that can be used to establish if a parent or carer⁷ considers their child to be disabled (and if the child or young person considers themselves to be disabled) under the DDA definition and what type of disability and support needs they have. The approach will be trialled in a volunteer sample of schools in order to investigate ways of ensuring high response rates and the data on will be linked to the national pupil database (NPD) for analysis. Amongst other things, the research will identify the overlap between disabled pupils, as defined by the DDA, and those with special educational. The final report from this research will be delivered by 31 March 2008.

2.1.4 Mental health problems are covered by the DDA definition. It is relevant to note that research has estimated that almost a half (45 per cent) of 5–17 year olds in care have mental health disorders, four times higher than for other children.⁸ Such problems interfere with relations with others; forming and keeping friendships; participation in leisure activities; and scholastic achievement. More broadly, they cause distress to the child and disruption to others. They are categorised according to the international classification of diseases (ICD) under the headings of: conduct disorder, hyperactivity and emotional disorder. The overall rate of 45 per cent includes some children who have more than one type of disorder; 37 per cent have clinically significant conduct disorders; 12 per cent have emotional disorders – anxiety and depression – and seven per are rated as hyperactive; four per cent have less common disorders such as developmental disorders, tics and eating disorders.

Qualitative evidence

2.1.5 In 2006 the Disability Rights Commission published a study conducted at the University of Birmingham on the educational experiences of young disabled people and their families and a literature review relating to disability and education conducted at the Institute of Education, University of London. Key findings from the study of experiences of education were:

- the main issues which emerged were around autonomy; choice and empowerment; inclusion and support; and personal identity.
- there was considerable enthusiasm for speaking/making their views heard across all groups (children, young people and adults) and a willingness to engage.

⁷ In this specification "parent" includes other adults who have similar responsibilities for the child or young person.

⁸ *The mental health of young people looked after by local authorities in England* by Howard Meltzer et al, Office of National Statistics 2003.

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- issues emerged around whether and when young people identified, or were identified by the parents, as 'disabled' and/or having special educational needs;
- a major theme emerged around disabled children's resilience: specifically, how this is fostered or hampered across individual, school, family and community/cultural contexts. Transitional experiences have a particular importance, and salience, for children/young people and their parents/carers.
- for older students in further education settings, the availability of good quality academic and personal support seems to be particularly significant in enabling young people to develop personal autonomy.

2.2 Ethnicity

Quantitative

2.2.1 The principal source of quantitative data relating to children and young people in care is the annual SSDA903 statistical return. This uses the ethnicity categories used by the Office of National Statistics and yields substantially more detailed data on ethnicity equality in the care system than is currently available on disability equality. The data is summarised in Tables 1–6⁹. They show:

- At 31 March 2007, a quarter of all children and young people in care were from minority ethnic, religious and cultural backgrounds though there is significant regional variation.¹⁰
- Of children taken into care in the year ending 31 March 2007, about a third were from minority ethnic, religious and cultural backgrounds.
- Children and young people of African and African-Caribbean backgrounds, and children from a mixed background with an African or African-Caribbean parent, are more than twice as likely to be looked after than would be expected from their numbers in the total population.
- Children and young people of South Asian backgrounds are substantially less likely to be looked after than would be expected from their numbers in the total population.

⁹ Tables 1–6 are based mainly on the statistical first release for the year ending 31 March 2007, published at <http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000741/index.shtml>

¹⁰ The term 'minority ethnic, religious and cultural backgrounds' is used to refer to all who were not categorised as of 'white British' background. Additionally the regional variation analysis is taken from the 31 March 2006 SSDA903 unpublished data.

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- Children and young people of African and African-Caribbean backgrounds, and those from a mixed background with an African or African-Caribbean parent, are more likely than others in care to be in residential settings as distinct from foster placements, and to be placed out-of-authority.
- Children and young people of African and African-Caribbean backgrounds, and those from a mixed background with an African or African-Caribbean parent, are more likely than others in care to be placed out-of-authority, and therefore further from their family and community. (See Table 10 in Annex A)
- About 3,300 of all children and young people in care are in the UK seeking asylum, but are not accompanied by either of their parents.
- The primary reasons for being in care are much the same for all communities. However, children and young people of African and African-Caribbean backgrounds, and those from a mixed background with an African or African-Caribbean parent, are less likely than white peers to be in care because of abuse and neglect, and unaccompanied children seeking asylum are in care principally because their parents are absent.
- The attainment of children in care is much lower than that of other children; differences by ethnicity appear to be smaller comparatively small in comparison to those in all children.

2.2.2 There is at present little information broken down by ethnicity in relation to children and young people who are cared for by friends or family carers¹¹ outside the care system.

Qualitative

2.2.3 The DCSF has recently commissioned research from the Thomas Coram Research Unit, University of London, to investigate the over-representation of African, African-Caribbean and mixed heritage children who are looked after, and for the under-representation of children and young people from South Asian and white backgrounds.¹² Specifically, it has investigated the following three questions:

- Are the rates of black and minority ethnic children who are looked after, on the Child Protection Register, or designated as Children in Need different from those of white children living in the same area?
- Are there some local authorities where these differences are particularly marked?

¹¹ *Beyond Care Matters: Future of the Care Population*, paragraph 45, p.30.

¹² *Black and Minority Ethnic Children in Care and on Child Protection Registers*, by Anne Statham and Charlie Own, Thomas Coram Research Unit, 2008 forthcoming.

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- Are the rates of black and minority ethnic children, starting and ceasing to be looked after, different from those of white children? Do such differences contribute to differing proportions of minority ethnic children being looked after?
- 2.2.4 The work has involved secondary analysis of national and local statistics supplemented by a review of qualitative research studies. The report will be published in 2008.
- 2.2.5 In addition, the DCSF has commissioned research from the Hadley Centre for Adoption and Fostering Studies, University of Bristol, on planning and decision making by professionals as it affects the progress of children from African, African-Caribbean, South Asian and other communities, as compared with white children, towards permanent placements. The team has worked in three local authorities with contrasting populations. The research has included collection of case-file data, interviews with social workers and their managers, a review of research on matching, and a review of current practice models for the recruitment of, and support for, parents from minority ethnic, religious and cultural communities.
- 2.2.6 Many of the provisions in the Bill seek to improve the institutional and organisational arrangements in local authorities. It is relevant therefore to quote at some length the findings of a research study conducted a few years ago by the Family Rights Group, focusing in particular on arrangements for children and young people from minority backgrounds.¹³ The research identified the following features of good practice, amongst others. The Children and Young Persons Bill will build, facilitate and strengthen them:
- The organisation was clear about its equal opportunities policies and ethnic record-keeping and monitoring systems, what they were for, how the information was going to be collated and analysed, and what work was going to flow from this.
 - Antiracist practice and culturally sensitive service provision was kept consistently on the agenda, with rolling programmes of training, use of team meetings to keep issues alive, and responsibility on team managers to ensure that culturally sensitive services were not seen as an "add-on".
 - Proactive outreach work was done with local communities, consulting with service users and community groups about what needed to change and how.
 - Advice and advocacy for young people and their families was provided to ensure effective partnership.
 - Actively recruiting, supporting and retaining minority staff at all levels of the organisation was a priority.

¹³ Overcoming the Obstacles: looked after children and quality services for black and minority ethnic children and their families, report on a survey of local authority provision by Alyson Richards and Lynda Ince, Family Rights Group 2000.

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- Proactive and appropriate recruitment, retention and support campaigns for Black and minority ethnic foster carers were undertaken, to ensure that more children were culturally matched, with minority staff used as the interface between the agency and carers.
- Where cultural matching was not possible, there were comprehensive and long-term support packages to both the child and foster family including adequate provision for religion and language.

2.2.7 The same study also highlighted a number of weaknesses and failings. The Bill, and the wider Care Matters programme will help local authorities to address these:

- Many respondents seemed at a loss as to where to start in "dealing with" children from minority ethnic, religious and cultural backgrounds, and their families. There was an acknowledgement that something had to be done but a paralysis regarding how it should be done.
- There appeared to be very little overview and consistency in the provision of services. Many authorities left it up to individual staff to develop an ad hoc approach to Black children and their families. Many individual staff were clearly floundering with a lack of agency support.
- There was complacency about poor compliance by social workers in the accurate completion of data or implementation of policies.
- Black voluntary organisations, although spoken of very favourably by service users, were generally underfunded and used as a last resort, often being seen as an unwelcome challenge to the local authority.
- Few respondents made any attempt to explore alternatives to care which would be in keeping with a child's cultural background, or to address issues of overrepresentation or speed of entry into the care system.
- The general day to day needs of Black children, especially in cross-cultural placements, residential units and in preparation for independent living, were seldom addressed.

2.2.8 Research relevant to the Bill was published in 2005¹⁴. Its key findings included:

- Many young people experienced disruption and disadvantage during and after care; however white young people fared the worst in terms of placement instability, early departure from care, poor educational

¹⁴ Barn, Ravinder; Andrew, Linda and Mantovani, Nadia (2005) Life after Care: the experience of young people from different ethnic groups, Joseph Rowntree Foundation

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outcomes, homelessness, and risk taking behaviour including criminal activity and drug use.

- African-Caribbean and mixed-parentage young people were also at a high risk of disadvantage. However, placements in families which reflected their own background helped to instil stability and counter the effects of disruption.
- School exclusion, placement instability, and lack of appropriate encouragement and support were key contributory influences in the poor educational outcomes for white, African-Caribbean and mixed-parentage young people.
- Lack of adequate consultation, poor planning and support, and the fast pace of change required of them by the social services proved to be disempowering for many young people, leading to adverse after care experiences in housing, budgeting and the job market.
- Young people of South Asian and African backgrounds were more likely than others to enter care as adolescents, and experienced least instability in placement and education. South Asian young people also reported highest levels of satisfaction with their social worker.
- Young people seeking asylum demonstrated considerable resilience and determination and were reported to be doing particularly well in education.
- Many of the African-Caribbean, African and South Asian young people were generally self-assured and secure in their individual and ethnic identity.
- Help and support from social services after leaving care was described as variable, and lacking in focus and effect. Social services were also said to have played a minimal role in the development and maintenance of racial and ethnic identity; and in equipping young people to deal with racism.

2.2.9 Research in the 1990s at the University of East Anglia Centre for Research on the Child and Family included study of fostering and adoption of children from minority backgrounds. Key messages from the research included the following. It is reasonable to expect that the statutory reforms proposed in the Children and Young Persons Bill will help them to be further heeded and implemented:

- Children of all ages and all ethnic backgrounds can successfully be placed from care with permanent substitute families.
- Within a policy of placing children wherever possible with new parents who reflect their background in terms of ethnicity and culture, a key message is that new parents must have the resilience, parenting skills,

and persistence which will 'get them over the hump' when things are difficult, since things will get difficult for a substantial proportion of the children placed from care.

- The most successful new parents are able to empathise not only with the child, but also with the child's birth family and culture (which is more complex than a question of 'race' or skin colour).
- More of the Black and Asian parents than was the case with the white families were able to facilitate comfortable contact with birth parents and siblings placed elsewhere, and this was greatly valued by the majority of the young people interviewed. This strength should be built upon by those responsible for recruitment and matching policies.
- Black parents were less concerned than white parents about the legal status of the child and more of them than the white parents or mixed partnerships preferred to remain as foster parents. Those recruiting permanent substitute families for Black and Asian' looked after' young people should bear this in mind when seeking placements.
- Post-placement services, provided in partnership with the parents and young people, can support a placement which is basically sound and meeting the needs of the young person but going through a rough patch. However, the make or break social work activity is deciding at the matching stage' whether this placement has a good chance of meeting the child's needs. If important needs are not met, a post-placement service will have an up-hill struggle.
- In most cases, the social worker who has worked with the family through the home study process is most likely to be able to provide post-placement, relationship-based support. The point at which that worker leaves the agency is a critical one in determining whether the family will seek help in the future and the handover arrangements need to be carefully negotiated. In the later stages of the placement, often after several years, the services of an educational or clinical psychologist working with the child and providing behaviour advice and support to the parents is often much appreciated.

2.3 Gender

2.3.1 At 31 March 2007, approximately 56 percent (33,400) of children looked after by local authorities were male, and 44 percent (26,600) female¹⁵. These proportions between male and female have been broadly consistent since 1996 and are virtually identical to the gender breakdown of those categorised as children in need¹⁶.

¹⁵ Statistical First release, Children looked after in England, DCSF, published 20 September 2007, available at <http://www.dfes.gov.uk/rsgateway/DB/SFR/s000741/index.shtml> ;

¹⁶ Children in Need in England: Results of a survey of activity and expenditure as reported by Local Authority Social Services' Children and Families Teams for a survey week in February 2005: Local Authority tables and further national analysis available at <http://www.dfes.gov.uk/rsgateway/DB/VOL/v000647/vweb02-2006.pdf>

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2.3.2 Table 8 shows that boys were more likely than girls to be in residential placements. For the year ending 31 March 2006: 16 percent of looked after boys were in residential placements, compared with 11 percent of looked after girls.

2.3.3 Although comparison is difficult because of the significant difference in levels of attainment of children in care and all children, it does appear that girls in care have higher attainment than that of boys. (See Table 6 in Annex A)

2.3.4 In the education system generally, the following are amongst the key facts and concerns in relation to gender equality:¹⁷

- At GCSE, many subjects show gender differences with girls more likely to take arts, languages, humanities and boys more likely to take geography, PE and ICT. This becomes more accentuated at A Level: girls' participation in Physics is particularly low. Girls make choices at GCSE and beyond that lead to jobs in less well-paid sectors.
- In modern apprenticeships, boys are over-represented in construction (99.3 per cent) and engineering (94 per cent); and girls in early years and education (97.5 per cent) and hairdressing and beauty (92.8 per cent).
- Girls aged 7-11 are less than half as likely as boys to take part in physical activity.
- It has been found that boys' level of reading comprehension is significantly affected by the content of what is being read and their interest in it, while girls' performance shows relatively little influence by the content. Girls are likely to perform better than boys on tasks which involve open-ended writing, particularly when this involves personal response.

2.3.5 However, it is not known whether these differences are the same amongst children and young people in care. Work is currently underway to provide better quantitative information on the educational attainment of children in care to allow better disaggregation of results and factors to enable fuller analysis¹⁸. However, the corporate parent needs to be mindful of the general trends, and to provide appropriate advice, guidance and support.

2.3.6 Children in care are more likely to be teenage mothers than all girls¹⁹.

¹⁷ Cited in *Meeting the Challenge: achieving equality for all*, Qualifications and Curriculum Authority, September 2007.

¹⁸ This work is cross referencing the National Pupil database to the SSDA903 return of Children looked after by local authorities which is expected to be complete in 2008

¹⁹ see Statistical First release, Children looked after in England, DCSF, published 20 September 2007, available at <http://www.dfes.gov.uk/rsgateway/DB/SFR/s000741/index.shtml> ;

2.4 Other equality considerations

2.4.1 Legislation requires that equality impact assessments should be conducted with regard to disability, ethnicity and gender. There are three further strands or dimensions within anti-discrimination legislation and it is relevant (though not statutory) to consider them, as set out below.

Age

2.4.2 The population of children in care is by definition 0-17. There are differences as to the profiles of the age of children in care and the different ages at which children enter the care system which are explored more fully in the *Beyond Care Matters: Future of the Care Population Working Group Report*²⁰.

2.4.3 Currently, young adults leaving care are faced by disadvantages and barriers that are not experienced to the same extent by people of the same age who have no experience of care. One consequence is that they are more likely to be not in education, employment or training (NEET) and more likely to be out of touch with their corporate parent than their contemporaries are with their birth parents. (See Table 7 in Appendix A.) The Bill will ensure that care leavers retain support and guidance by extending the duty to appoint a personal adviser and keep pathways plan under regular review for all care leavers who start or resume a programme of education or training after the age of 21, up until 25. This will enable more to continue in education and training post-16, this can be particularly important to those who have already missed substantial parts of their school education.²¹

2.4.4 The provisions will in addition ensure young people's views are heard and that placement plans are properly reviewed when significant placement decisions are made, in particular where 16/17 year olds are moving from a stable care placement to a less supportive placement such as an independent flat or hostel. This will offer young people a greater say over becoming more independent, giving them the same opportunity that all young people have to remain in a family setting and not forcing them to enter adult life too quickly. The Right to be Cared For pilots are exploring this further and will inform switch-on of this duty they have been evaluated.²²

Religion

2.4.5 At present no data is available on the religious backgrounds of children and young people in care. Data on same-religious and trans-religious fostering is not available. However, there is a current statutory requirement²³ to give weight to the child's cultural and linguistic background and religious persuasion when a local authority is making decisions around the placement of children in care.

²⁰ The report of the working group on the future of the care population chaired by Martin Narey (available at <http://www.dfes.gov.uk/publications/timeforchange/docs/7132-DfES-Beyond%20Care%20Matters.pdf>)

²¹ *Care Matters: Time for Change*, 2007, paragraphs 6.44–45, p. 117

²² *Care Matters: Time for Change*, 2007, paragraphs 6.9-6.17 pp. 109–10.

²³ Section 22, subsection 5 (c) of the Children Act 1989

Sexuality

- 2.4.6 Research²⁴ shows that the teenage years can be a particularly challenging time for young people who are lesbian, gay or bisexual (LGB), or are questioning their sexuality. A lack of appropriate support from those around them can lead young people to seek information and support from other sources, leading to early involvement in the adult gay community. It can also contribute to placement breakdown, with young people running away from their placement and, ultimately, leaving care early. We also know from discussions with children that “difference” in any respect can make children more vulnerable to bullying – for example, in a children’s home – and it is vital that the right support is provided.
- 2.4.7 The proposals in the overall Care Matters programme of change and improvement are intended to improve the personalised support provided to children and young people in care. That personalised support will lead to improved outcomes in education, health and well-being, and stability for all children in care.
- 2.4.8 It is important for the corporate parent to value individuality. A lesbian, gay or bisexual young person in care needs understanding and support from the corporate parent. It is consequence important for social workers to be equipped with the necessary skills and strategies.

2.5 Challenges and issues – summary

- 2.5.1 The outlines of evidence in the preceding paragraphs indicate that in relation to equalities the care system is faced by the following challenges and issues:
- ensuring each child or young person in care is seen as a unique individual with their own distinctive concerns, goals, stories, strengths and challenges but also as someone who may experience discrimination on grounds of disability, ethnicity or gender(all).
 - providing adequate support for the transition to adult life (ethnicity, disability and sexuality)
 - improving the quality of academic and personal support (ethnicity, disability and sexuality)
 - improving recruitment of foster carers to ensure better matching between children and foster carers, in particular of cultural, faith and ethnic background (ethnicity)
 - disabled children and young people in care, and children from minority ethnic, religious and cultural backgrounds are more empowered in the

²⁴ In its response to the Care Matters Green Paper, Stonewall cited Rivers (2000) and O'Connor and Mulloy (2001), Bibliographical details are in Appendix C. There is a further summary of relevant research at http://www.stonewall.org.uk/education_for_all/resources/552.asp.

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care planning decisions that affect them (ethnicity and disability in particular)

- disabled children and young people in care, and children from minority ethnic, religious and cultural backgrounds are more likely to be placed out of authority and therefore face the resultant care planning challenges and consequences (ethnicity and disability in particular)
- ensuring that all schools, particularly those directed to admit children in care, have robust and successful anti-bullying policies and practices in place (ethnicity in particular)
- enhancing the information base in relation to equalities issues in the care system, for example with regard to the profile of the workforce; improvements in understanding of prevalence of disability through better collection and then analysis of statistics; and the monitoring by ethnicity of children and young people looked after by friends and families (ethnicity and disability in particular)
- disabled children and young people in care, and children from minority ethnic, religious and cultural backgrounds are involved in the design and review of policies and practices that affect them. (ethnicity and disability in particular)
- recognising the role of men as well as women in caring, parenting and fostering
- increasing the take-up of child protection and children in need services by families of minority ethnic, religious and cultural backgrounds.
- raising awareness amongst all involved in providing care for unaccompanied children seeking asylum of the distinctive experiences, needs, concerns and backgrounds of these children

3 Assessments

3.1 Summary

- 3.1.1 The overall objective of the Bill is to reform the statutory framework around the care system as part of the wider package set out in the *Care Matters* White Paper. Broadly, it aims to:
- a. enable children and young people to receive high quality care and support, and give children a far more positive and supportive experience of care
 - b. drive improvements in the delivery of services focused on the needs and wishes of the child
 - c. increase positive outcomes for children both in and leaving care.
- 3.1.2 Achieving these objectives is essential both to address the social exclusion of this uniquely vulnerable group and to reduce the circumstances where significant sums of money are delivering a poor return.
- 3.1.3 There are significantly more disabled children and young people in care than would be expected from their numbers in the general population. Also, there are more children and young people from African-Caribbean, African and mixed heritage backgrounds in care than would be expected from their numbers in the general population. If all children in care benefit from the Bill, as demonstrated in the impact assessment to which this assessment forms an annex, then disabled children and young people, and children and young people from African-Caribbean, African and mixed heritage backgrounds, will disproportionately benefit.
- 3.1.4 However, it follows also that if the reform of the statutory framework does not achieve the intended benefits then disabled children and young people, and children and young people from African-Caribbean, African and mixed heritage backgrounds, are likely to be disproportionately disadvantaged and current inequalities may in consequence be increased. There is substantial evidence, as outlined earlier in this paper, showing that the task of reducing and removing current inequalities is very challenging. There is however, substantial good practice on which to build.
- 3.1.5 In summary, the following assessment is that the Bill will not have an adverse impact on disability equality, ethnicity equality or gender equality. Furthermore, and more importantly, the reforms have the potential to reduce inequalities that already exist. Careful monitoring, however, will be necessary in order to ascertain whether this expectation is correct, with a view to taking action to improve the situation if it proves not to be. The expectation is more likely to prove correct if the measures in the Bill, and those in the wider *Care Matters* programme of reform set out in the *Care Matters: Time for Change*

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White Paper, are accompanied by focused and explicit attention to equality issues, whenever appropriate.

- 3.1.6 In the following analysis, the separate provisions relating to children in care in the Bill have been grouped into six overarching themes – social work practices, care planning and reviews, education, placements, supporting children in their families and transitions from care. The objective in doing so is to provide a coherent picture of what the separate provisions in the Bill aim to achieve, how they fit within the wider *Care Matters* programme and how, collectively, they will improve outcomes for children in care. In each instance there is a brief summary of the principle measure and a discussion of their potential for making a positive impact highlighting assumptions and key challenges for delivery. Where relevant, there are also references to faith equality and sexuality equality.
- 3.1.7 It is worth noting that the factors affecting the outcomes and experience of children in care are complex and interrelated as demonstrated in the main body of the impact assessment. It can therefore be difficult to disaggregate the impact of specific changes.
- 3.1.8 The assessment that follows is particularly influenced by a number of factors. The first is that this assessment is done on the assumption that there will be no significant changes²⁵ in the children in care population. Secondly that the children's services workforce has the necessary skills and experience to deliver in the context of the diverse range of needs of children in care, including disabled children and young people, their parents and carers, and young people, parents and carers from African-Caribbean, African and mixed heritage backgrounds. This second factor does require monitoring and evaluation. Additionally, it is worth noting that the wider *Care Matters* programme should help ensure that this is the case: in particular, the workforce reform²⁶, improvements to foster carer training and support, and the drive to improve standards in children's homes underpinned by revised National Minimum Standards²⁷. As is acknowledged in paragraph 2.5.1 the challenge of recruiting foster carers from appropriate backgrounds in some local authorities is a real one for the system.

3.2 Social work practices

Summary of proposals

- 3.2.1 The Bill will enable the establishing of Social work practice pilots by allowing delegation of local authority functions (apart from those relating to Independent reviewing officers) and, post-pilot, will enable regulation of social work practices to ensure they are fit for purpose and able to deliver quality services to children in care. The pilots enable us to find out whether, by giving

²⁵ The report of the working group on the Future of the Care Population (available at <http://www.dfes.gov.uk/publications/timeforchange/docs/7132-DfES-Beyond%20Care%20Matters.pdf>) considers further the impact of the *Care Matters* proposals on the population of children in care.

²⁶ For more information see pages 125-129, *Care Matters: Time for Change*, 2007

²⁷ For more information see Chapter 3 "Care Placements: A Better experience for Everyone", *Care Matters: Time for Change*, 2007, pages 44-64

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social workers more freedom, autonomy and flexibility, they can deliver a more personalised service, and provide more stability and continuity, and correspondingly, better outcomes for children in care. The pilots will run over a two year period across a range of local authorities and will include social work practices that are run by voluntary and private sector agencies. We will commission an independent organisation to conduct a comprehensive evaluation to inform decisions about longer term roll-out. (Further information: *Care Matters: Time for Change*, 2007, paragraphs 7.18–7.24, pp. 129–130.)

Comment

- 3.2.2 If the pilots achieve their goals, then necessarily a more personalised service with greater stability and continuity will help all children in care, indeed particularly disabled children and young people, and to their parents and carers, and to young people, parents and carers from African-Caribbean, African and mixed heritage backgrounds. This does assume the relevant competencies and understanding of the social workers involved but this will be monitored through the evaluation of the pilots.
- 3.2.3 To ensure that the effects of this new model of social work service delivery are considered for different groups of children in care the terms of reference for the comprehensive evaluation will contain explicit attention to equality issues, for example to the areas covered in this assessment.

3.3 Care planning and review

Summary of proposals

- 3.3.1 Local authorities have a responsibility to assess and review a child's care plan and ensure their wellbeing is safeguarded and promoted. Effective care planning ensures a child's needs are being met and helps to ensure access to education and health services and improved placement stability.
- 3.3.2 The Bill will support local authorities in carrying out these responsibilities – by introducing more robust checks and balances into the care planning system and ensuring that children in care are given more opportunities to express their views by:
- a. strengthening the role of the Independent Reviewing Officer (IRO) in ensuring a fair and effective review process that gives proper weight to the child's wishes and feelings and also giving powers to the Secretary of State to externalise IRO services completely to an outside agency should this prove necessary in future; via the care planning regulations, giving independent reviewing officers the power to adjourn review in certain circumstances; and making explicit the IRO should see the child before each review meeting and should stay the same wherever possible (*Care Matters: Time for Change*, 2007, paragraphs 7.28–33, pp. 131–133)

- b. ensuring that regular effective contact is maintained between the local authority and children in care (including those in youth custody) by introducing an explicit requirement for social workers to visit all looked after children, including those placed in children's homes or who are in youth custody (Further information: *Care Matters: Time for Change*, 2007, paragraphs 3.79–83, pp. 63-64)
- c. giving more children in care, particularly those who are placed at a distance from their home or are in residential care, access to an Independent Visitor by placing a general duty on local authorities to consider this as an option as part of the care planning process. Independent visitors offer children a means of accessing advice and support from someone outside of the system in which they are cared for, thereby giving them the chance to develop meaningful relationships and widening their horizons beyond that of the care system itself (*Care Matters: Time for Change*, 2007, paragraphs 7.34-36, p. 133.)

Comment

- 3.3.3 Better care planning, increased participation of children and young people in the care planning decisions that affect them, and ensuring regular contact with social workers will necessarily benefit all children in care. The evidence in the previous section suggest that these are particularly important factors to improving the experiences and outcomes of disabled children and young people and children from African, African-Caribbean and mixed backgrounds in care and so it would follow that these measures will reduce inequalities.

3.4 Education

Summary of proposals

- 3.4.1 As a group, children in care achieve significantly poorer educational outcomes than their peers. A high quality education helps enable children and young people to fulfil their potential and provides a firm foundation for good outcomes later in life. The Bill will raise educational achievement by ensuring greater educational stability, increasing the support available for children in care at school, and supporting more care leavers to enter higher education by:
- a. ensuring that, particularly at Key Stage 4, social workers cannot decide to move a looked after child to a care placement that would require the child to move schools. This change will increase the importance that local authorities place on education and educational stability as part of their existing care planning arrangements (For

further information: *Care Matters: Time for Change*, 2007, paragraphs 4.17–4.19, pp. 68-69.)

- b. putting the role of the ‘designated teacher’ for children in care on a statutory footing to ensure that the needs of children in care are treated as a priority by all schools and that educational support for children in care is effectively co-ordinated (For further information: *Care Matters: Time for Change*, 2006, paragraphs 4.25-4.28, p. 70)
- c. requiring all local authorities to support care leavers who go on to a higher education course with a £2000 bursary. Many local authorities already operate bursaries for care leavers progressing to university, but introducing a statutory requirement will provide incentives for more young people to achieve their potential and help to ensure that children in care no longer leave university with disproportionately large debts compared with their peers (For further information: *Care Matters: Time for Change*, 2007, paragraph 6.73, p.122.)

Comment

3.4.2 Improving the quality of academic and personal support was one of the key challenges identified in paragraph 2.5.1 as evidence suggests that is an important success factor for disabled children, children from African, African-Caribbean and mixed backgrounds, and young gay, bisexual, and lesbian people or those questioning their sexuality. The evidence did not suggest that equality factors have a particular influence on stability of educational placements, but that early identification of any SEN is important. It will therefore be important that the designated teacher works closely with other professionals (including the special educational needs co-ordinator where the role is undertaken by a different person) to identify these needs, and any other barriers to attainment. These needs should then feed into the design and delivery of the child’s personal education plan which will be robustly reviewed as part of the care planning process and ensure that a child needs are picked up and appropriately provided for.

3.5 Transition to Adult Life

Summary of proposals

- 3.5.1 Care leavers make ‘compressed and accelerated transitions from care’, whereas most other young people leave home in a more gradual way. Extending local authority responsibilities towards care leavers to an older age, therefore, will give care leavers the possibility of continuing support from their former corporate parent in the same way that other young adults experience from their parents.
- 3.5.2 The Bill will ensure that looked after young people retain support and guidance as long as they need it by:

- a. extending the duty to appoint a personal adviser and keep the pathway plan under regular review to all care leavers who start or resume a programme of education or training after the age of 21 up until 25, thereby enabling more young people to continue in education and training post-16 particularly when they have already missed substantial parts of their school education (*Care Matters: Time for Change*, 2007, paragraphs 6.44–6.45, p. 117)
- b. ensuring young people’s views are heard and the placement plan is properly reviewed when significant placement decisions are made, in particular where 16/17 year olds are moving from a stable care placement to a less supportive placement such as an “independent” flat or hostel. This will offer young people a greater say over becoming more independent, giving them the same opportunity that all young people have to remain in a family setting and not forcing them to enter adult life too quickly. The Right to be Cared For pilots will explore these proposals further and we will legislate to allow switch-on of this duty after the pilots have been evaluated (*Care Matters: Time for Change*, 2007, paragraphs 6.9-6.17 pp. 109–10.)

Comment

- 3.5.3 Improving the support for transition to adult life and independence is important for all children in care. However this was highlighted as a particularly important factor for disabled children, children from African, African-Caribbean and mixed backgrounds, and young gay, bisexual, and lesbian people or those questioning their sexuality. The evaluation of the Right to be Cared For pilots will look at the experiences of all children involved and take account of equality issues.

3.6 Supporting children in their families

Summary of proposals

- 3.6.1 The Bill will introduce a number of provisions to provide better support and recognition for children living with family members by:

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- a. reducing the circumstances in which relatives are required to seek leave of the court before applying for a residence order and acquiring parental responsibility for a child
- b. ensuring relative carers do not lose parental responsibility when the child turns 16, by stipulating that residence orders cease on a child's 18th rather than 16th birthday (*Care Matters: Time for Change*, 2006, paragraphs 2.42–47, p. 41.)
- c. allowing local authorities to make longer term financial payments to family carers under section 17 of the Children Act 1989 where in the best interests of the child and where otherwise the child would enter the care system. (*Care Matters: Time for Change*, 2007, paragraphs 2.34–38, pp. 39-40.)
- d. clarifying that a child placed by a local authority with family and friends (under the current Section 23 (6) of Children Act 1989) does not automatically lose their looked after status.

3.6.2 The Bill will also ensure appropriate and continuing supervision of children in long term residential placements made by health and education services whilst also supporting the role of the family and, in particular, parental involvement. (*Care Matters: Time for Change*, 2006, paragraphs 3.73-74 p. 61.)

Comment

3.6.3 *Care Matters: Time for Change* recognised that some children who come into care could be prevented from doing so with better support for families and earlier interventions. Supporting children in their families is a key objective, in part because children have said that family relationships are important to them, but also because they can help resilience in children grow and develop. Supporting children in their families can be an important factor in helping individuals develop their own identity and understanding of their cultural background.

3.6.4 Some disabled children are disproportionately and unnecessarily at risk of coming into their care when earlier intervention and better support for families can help them care for their children however, for some children with very complex needs it can be very difficult for families to care for them at home. Therefore these provisions should have a particularly positive impact on disabled children and help reduce inequality.

3.6.5 The provision targeting children placed in long term residential placements will also have a significant positive impact on disabled children, as the majority of children in these placements would be disabled (under the DDA definition) and therefore this will have a significant positive impact and help reduce the current inequalities.

- 3.6.6 There is a challenge to ensure that young people and their families are appropriately supported when are questioning their sexuality or coming out especially in complex of difficult circumstances²⁸.

3.7 Placements

Summary of proposals

- 3.7.1 Placement quality for children in care is often poor. Given the increasing evidence about the importance of a secure home environment to the social and educational development of children, it is vital that we improve the quality and stability of placements for children in care. The Bill will help to ensure this by:
- a. restricting local authorities making use of out of authority placements except in circumstances where they are in the child's best interests. Out of authority placements can make care planning and placement commissioning more difficult and frequently lead to poorer outcomes for children in these placements. This will necessarily improve local authority planning and commissioning, so that they ensure the local market can meet the diverse and individual needs of children in care in reducing inappropriate use of out of authority placements. (*Care Matters: Time for Change*, 2006, paragraphs 3.12–13, p. 48 and 3.66-71, p. 60);
 - b. amending the current inspection regime for children's homes to ensure that swift and decisive action can be taken where homes are found to be substandard. The provisions will reinforce the existing enforcement regime and give Ofsted a menu of options from which to choose, in order to raise standards. A similar approach will be adopted in relation to other children's social care settings regulated by the Care Standards Act 2000 to ensure consistency (*Care Matters: Time for Change*, 2007, paragraphs 3.61–65 p. 58);
 - c. giving foster carers access to an independent review mechanism if they are unhappy with decisions made regarding their approval or termination of approval (*Care Matters: Time for Change*, 2007, paragraph 3.38, p. 52).
- 3.7.2 Reducing the number of out of authority placements particularly those done in emergencies, will benefit children and young people of cultural, religious and minority backgrounds, since currently such children are disproportionately affected. The reforms intending to help drive up standards in children's homes will also disproportionately benefit children and young people of cultural, religious and minority backgrounds.

²⁸ Stonewall response to the Care Matters Green Paper

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- 3.7.3 Improving the choice, standard, and commissioning of placements will ensure that children are better matched to placements that suit their needs (especially when coupled with improved care planning). This will ensure the full spectrum of needs, including those related to the equality issues highlighted in this assessment, can adequately be provided for.

4 Next steps

This equality impact assessment of the Children and Young Persons Bill is a living document. It will be revised and updated, as appropriate, and will be published on the Department's Equalities website.

When published in its modified final form, it will be linked to the DCSF single equality scheme action plan, make arrangements for monitoring and periodic reports to the Department's Equality Strategy Group (ESG)²⁹

We will additionally make sure that:

- the concerns and discussions in this paper are brought formally to the attention of all those involved in evaluations of pilot projects, and that they feature in the terms of references and research designs for such evaluations
- the concerns and discussions in this paper are brought to the attention of Ofsted and we will ask Ofsted to continue to take account of equality issues in the care system in order to highlight both problems and good practice (for example their current series of small-scale surveys and reports on good practice on the theme of personalisation and diversity)
- information about this paper is appropriately disseminated to all local authorities and other stakeholders
- further work is carried out to enhance the information base in relation to equalities issues in the care system, for example, developing more consistent, compatible and comparable data on disability on which to base service planning, commissioning and provision at both a local and national level; the monitoring by ethnicity of children and young people looked after by friends and families
- arrangements are made for ensuring that equalities issues are embedded in the overall action plan for the Department for Children, Schools and Families in relation to the Bill and the implementation of the overall *Care Matters* programme.

²⁹ The Department for Children, Schools and Families Equality Strategy group, is a high level group of officials helping the creation the Single Equality Scheme- the action plan to ensure a proactive and responsive approach and monitoring to reducing inequality. Furthermore they have a role in ensuring that it reflects appropriate and achievable priorities and provides internal challenge to ensure that the Department can deliver on its commitments in respect to equality.

Appendix A: Statistics

Statistics relating to ethnicity

Table 1 shows that at 31 March 2007 there were 60,000 children and young people looked after by local authorities, and provides a breakdown of this figure by ethnicity. It shows the percentage of the LAC population in each category and therefore allows comparisons to be made with the total population aged 0-17. The percentages for the total population are from the Office of National Statistics mid-2005 estimates, which are the best available benchmark. The most striking points shown in Table 1 include:

- Children and young people of minority ethnic and cultural backgrounds³⁰ make up a quarter (26 percent) of all children and young people in care, but only a sixth (14 percent) of the overall population.
- Children of Black African and African-Caribbean backgrounds, and also those with a Black African or African-Caribbean parent and a white parent, are more than twice as likely to be looked after than would be expected from their numbers in the total population.
- Children and young people of South Asian backgrounds are substantially less likely to be looked after than would be expected from their numbers in the overall population.

Table 1: Looked after children (LAC) at 31 March 2007 by ethnicity

Ethnicity	Numbers	Percentage of LAC population	Percentage of under 18 population
Black/Black British			
African	2,300	4	1
African-Caribbean	1,600	3	2
Other black backgrounds	880	1	0
Asian/ Asian British			
Bangladeshi heritage	280	0	1
Indian heritage	290	0	2
Pakistani heritage	660	1	2
Other Asian backgrounds	1,000	2	1
White			
British	44,700	74	84
Irish	400	1	0
Other white backgrounds	1,500	3	2
Mixed			
White and Black African-Caribbean	1,900	3	1
White and Black African	440	1	0
White and Asian	770	1	1
Other Mixed Backgrounds	2,000	3	1
Other			

³⁰ The term 'minority ethnic, religious and cultural backgrounds' is used to refer to all who were not categorised as of 'white British' background

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Chinese heritage	130	0	0
Other	1,200	2	0
All Looked After Children	60,000	100	

Notes

1. Sources: for columns 1-3, Statistical First release, Children looked after in England (including adoption and care leavers) year ending 31 March 2007, DCSF, published 20 September 2007, available at <http://www.dfes.gov.uk/rsgateway/DB/SFR/s000741/index.shtml>; for column 4, mid-2005 population estimates, ONS.
2. Figures have been rounded to the nearest 100 if they exceed 1000 and to the nearest 10 otherwise. Percentages are rounded to one decimal point. For these reasons, the totals in the bottom row do not add up exactly to 60,000 or 100.
3. The ethnicity categories are the same as those used in the 2001 Census, but in some instances have different names, in order to reflect more up-to-date usage. (For example, the term 'African-Caribbean' is used in preference to 'Black Caribbean'.) Also, they are presented in an order which is more appropriate for the current context.
4. Figures exclude children looked after under an agreed series of short term placements.

Temporal Trends

It is relevant to place Table 1 in a historical context. Table 2, accordingly, shows figures for the five-year period 2003–07. Points of interest include:

- The proportion of children and young people from minority backgrounds grew slightly between 2003 and 2007 from 23 percent to 26 percent
- Much of this growth occurred between 2003 and 2004, and principally reflected an increase in the number of children from African backgrounds.
- The rest of the growth occurred mainly because of increases in the numbers of children classified as ‘other Asian’ and ‘other’
- There was a rise over the five years in the numbers of Pakistani-heritage children in care, from 510 in 2003 to 660 in 2007 (an increase of about 30 percent). However, Table 3 suggests that this increase was largely or entirely due to increases in the number of unaccompanied children from Pakistan seeking asylum.

The increasingly high numbers of children classified as ‘other’, ‘other Asian’, and the constantly high number of those classified as ‘other mixed’, highlight a possible need to collect and publish more detailed information in the future. It would also be relevant to break down the umbrella term ‘African’ in order to identify the larger groupings which it covers, for example Congolese, Nigerian, Somali and Zimbabwean.

Table 2: Looked after children (LAC) over five years by ethnicity, 2003–07

Ethnicity	2003	2004	2005	2006	2007
Black					
African	1,800	2,300	2,400	2,400	2,300
African-Caribbean	1,600	1,700	1,600	1,800	1,600
Other black backgrounds	870	880	900	900	880
South Asian					
Bangladeshi heritage	200	230	270	260	280
Indian heritage	300	300	280	300	290
Pakistani heritage	510	520	580	610	660
White					
British	47,300	46,300	45,900	45,000	44,700
Irish	580	400	500	440	400
Other white	1,800	1,900	1,800	1,600	1,500
Mixed					
White and Black African-Caribbean/ African	2,400	2,410	2,440	2,330	2,340
White and Asian	750	720	720	750	770
Other mixed backgrounds	2,000	2,000	2,000	2,000	2,000
Other					
Chinese heritage	80	120	120	120	130

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Other Asian	320	460	650	880	1,000
Other	750	840	900	1,000	1,200
<i>Totals</i>	<i>61,200</i>	<i>60,000</i>	<i>61,000</i>	<i>60,300</i>	<i>60,000</i>

Notes

1. For sources and explanations, see the notes for Table 1.
2. Some of the figures are slightly different from those previously published. This is because of subsequent corrections by local authorities.

It is relevant to consider trends in the numbers of children who start to be looked after in each year, as distinct from the total number in care. In the year ending 31 March 2003, 27 percent of children who started to be looked after were from minority ethnic, religious and cultural backgrounds. This proportion rose steadily over the following years to 33 percent in the year ending 31 March 2006. It was again 33 percent in the year ending 31 March 2007.³¹

Regional Trends

There is unsurprisingly significant regional variation in the breakdowns by ethnicity; for example in the year ending 31 March 2006, of 3,200 looked after in the North east, 3,000 were White British in comparison to the West Midlands where of the 7,100 looked after children, 5,300 were White British; i.e. the west midlands region had a greater proportion of children and young people of minority ethnic and cultural backgrounds. However, initial analysis³² suggests that the national trend of greater numbers than would be expected from numbers in the overall population is replicated at local level, even where prevalence of children and young people from minority ethnic and cultural backgrounds is either much lower or much higher than the national rates.

³¹ See Table C1 in the statistical first release published in September 2007. Here and throughout this document the term 'minority ethnic, religious and cultural backgrounds' is used to refer to all children not classified as 'white British'.

³² *Black and Minority Ethnic Children in Care and on Child Protection Registers*, by Anne Statham and Charlie Own, Thomas Coram Research Unit, 2007 forthcoming

Unaccompanied children and young people seeking asylum

One of the reasons for the apparent over-representation of children and young people of African and 'other Asian' backgrounds is probably that they include significant numbers of unaccompanied children seeking asylum (UASC). There were fewer such children in 2001, the basis for the estimates in Table 1 of the total population. Be that as it may, it is relevant to note the ethnicity and gender of children and young people seeking asylum, and the regions of England where are currently located. Table 3 provides a breakdown by ethnicity and Table 4 by region and gender.

Table 3: Unaccompanied children and young people seeking asylum over five years by ethnicity, 2003–07

Ethnicity	2003	2004	2005	2006	2007
Black					
African	760	1200	1200	1200	1000
African-Caribbean	0	10	10	10	-
Other black backgrounds	60	80	100	120	100
South Asian	0	0	0	0	0
Bangladeshi heritage	0	10	20	20	20
Indian heritage	0	10	20	20	20
Pakistani heritage	0	20	50	60	90
White	0	0	0	0	0
British	0	0	0	0	10
Irish	0	0	0	0	0
Other white	830	910	690	550	530
Mixed					
White and African/African- Caribbean	10	20	10	10	10
White and Asian	0	10	10	10	10
Other mixed backgrounds	10	30	40	30	20
Other	0	0	0	0	0
Chinese heritage	40	60	60	70	90
Other Asian	140	260	440	610	720
Other	340	410	510	630	680
<i>Totals</i>	<i>2,200</i>	<i>3,000</i>	<i>3,200</i>	<i>3,300</i>	<i>3,300</i>

Notes: for sources and explanations see the notes for Table 1.

Table 4: Unaccompanied children and young people seeking asylum over five years by gender and region, 2002–06

	2002	2003	2004	2005	2006
Gender					
Male	1,700	1,900	2,100	2,100	2,200
Female	490	580	890	950	960
<i>Totals</i>	<i>2,200</i>	<i>2,400</i>	<i>3,000</i>	<i>3,100</i>	<i>3,200</i>
Region					
North	50	100	150	200	270
Midlands	160	230	270	330	440
London	1,600	1,700	2,100	2,100	2,000
South East	410	390	490	510	460
<i>Totals</i>	<i>2,220</i>	<i>2,400</i>	<i>3,000</i>	<i>3,100</i>	<i>3,200</i>

Notes

1. Source: Statistical first release from the Office of National Statistics, 16 November 2006, Table 2.
2. Numbers have been rounded to the nearest 100 or 10, and therefore the totals across the bottom do not necessarily reflect exactly the figures above.
3. The term *North* includes North East, North West, Merseyside, and Yorks & Humber.
4. The term *Midlands* includes East Midlands, West Midlands, South Qwest and Eastern.

Points of interest arising from Table 4 include:

- Between 2002 and 2006 the number of unaccompanied girls and young women seeking asylum increased from 490 to 960, almost doubling.
- In 2002, ~90 per cent (2,010 out of 2,220) of unaccompanied children seeking asylum were located in London and the South East. By 2006 this proportion had dropped to 77 per cent (2,460 out of 3,200).
- There were corresponding increases in the North and Midlands.

Reasons for being in care

Local authorities record the *primary* reason for a child coming into care. Overall, and excluding children seeking asylum, about 66 per cent of all children come into care because of abuse or neglect. Not surprisingly in the case of children seeking asylum virtually all (97 per cent) are recorded as coming into care because of absent parenting³³. Table 5 sets out the proportions coming into care for different reasons by ethnicity.

Table 5 Children looked after at 31 March 2007 by ethnic origin and category of need

Reason for being LAC	Percentages					
	All (56,700)	White (46,100)	Mixed (5,000)	Asian or Asian British (1,400)	Black or Black British (3,600)	Other ethnic groups (550)
Abuse or neglect	66	66	68	64	59	47
Child's disability	4	4	3	6	4	5
Parents illness or disability	5	5	7	6	9	8
Family in acute distress	8	9	7	7	7	6
Family dysfunction	11	12	9	7	9	11
Socially unacceptable behaviour	2	2	2	-	3	2
Low income	0	0	0	-	0	2
Absent parenting	3	2	4	9	8	19

1. Source: SSDA903 return on children looked after.
2. Figures exclude children looked after under an agreed series of short term placements.
3. Figures exclude unaccompanied asylum seeking children.
4. National figures have been rounded to the nearest 100 if they exceed 1,000 and to the nearest 10 otherwise. Percentages have been rounded to whole numbers unless the numerator was five or less or the denominator was 10 or less, in which case they have been suppressed and replaced by a hyphen (-). It has been necessary to suppress other percentages whenever it would be possible to calculate the value of a suppressed percentage by means of simple arithmetic. The rule applied in these circumstances has been to

³³ Statistical First release, Children looked after in England, DCSF, published 20 September 2007, available at <http://www.dfes.gov.uk/rsgateway/DB/SFR/s000741/index.shtml>;

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suppress the next smallest percentage. Note that percentages may not sum to 100 due to rounding.

Points of interest arising from Table 5 include:

- The principal reason for coming into care does not vary much according to ethnicity
- The exceptions to this generalisation are that children from African and African-Caribbean backgrounds are less likely than others to come into care because of abuse or neglect, and more likely because of absent parenting; and that children of South Asian backgrounds are more likely to come into care because of disability

Academic achievement

The attainment of children in care is much lower than that of other children. Table 6 sets out GCSE attainment by gender and ethnicity.

Table 6: Attainment of 5+ A*-C GCSE's at age 16 by ethnicity, gender, 2006 (percentages)

	<i>Boys</i>	<i>Girls</i>	<i>All</i>
All young people	54.6	64.1	59.2
All LAC	5	10	7
White	5	10	7
Mixed	6	13	9
Asian	3	13	5
Black	5	7	6
Other	2	7	4

Notes:

1. Sources: SSDA903: All care-leavers aged 16 and over as at 31 March 2007; GCSE and Equivalent results for children at the end of Key Stage 4 in 2005/06, http://www.dfes.gov.uk/rsgateway/DB/SFR/s000754/SFR34-2007_v2.pdf
2. Care leaver statistics refer to 5+ A*-C grades at GCSE only, whilst the Key Stage 4 statistics are for 5+ A*-C grades at GCSE and Equivalent.

The raw figures to which the percentages in Table 6 refer are in several instances quite small – for example, there were only 80 looked after girls of South Asian backgrounds in the year in question and so great care has to be taken in interpretation. That said, these girls achieved substantially greater success than anyone else. Indeed, in relation to all backgrounds, the attainment of looked after girls is higher than looked after boys.

Young people not in education, employment or training (NEET)

Fifty-nine percent of care-leavers were participating in education, employment or training at age 19 in 2005; 30 per cent were not participating; and 11 percent had lost touch with their local authority. Analysis shows that this does not differ significantly by ethnicity – the most notable difference is that 67 percent of African and African-Caribbean young people are participating at 19, higher than for other communities.

Table 7: Care leavers who are not in education, employment or training (NEET) by ethnicity, 2005

	All young people	LA in touch with young person		Not in Touch with Young person
		In education employment or training	Not in education employment or training	
England	5,200	3,100 (59%)	1,600 (30%)	560 (11%)
White	4,100	2,400 (59%)	1,300 (31%)	420 (10%)
Mixed	280	150 (54%)	90 (33%)	40 (13%)
Asian or Asian British	130	70 (58%)	30 (20%)	30 (22%)
Black or Black British	530	350 (67%)	130 (24%)	50 (9%)
Other ethnic groups	130	70 (53%)	30 (20%)	30 (27%)

Source: as cited in the equality impact assessment that accompanied the Care Matters White Paper

Types and Locations of Placement

Table 8 shows the breakdown by gender with regard to whether child is placed in a residential setting or in foster care.

Table 8: Children looked after at 31 March 2006 by gender and by type and location of placement

Type of placement	Males (no. and %)	Females (no. and %)	Totals
Children's homes, hostels and secure units subject to regulations	3,500 (6)	2,100 (3)	5,500 (9)
Homes and hostels not subject to regulations, and other residential settings	2,000 (3)	830 (1)	2,800 (5)
Foster placement inside Council boundary	14,600 (24)	13,000 (22)	27,600 (46)
Foster placement outside Council boundary	8,000 (13)	6,300 (10)	14,400 (24)
<i>Other Placements</i>	<i>5,300 (9)</i>	<i>4,700 (8)</i>	<i>10,000 (17)</i>
<i>Totals</i>	<i>33,400 (55)</i>	<i>26,900 (45)</i>	<i>50,300</i>

Notes

- 1 Source: SSDA903 return on children looked after.
2. Figures exclude children looked after under an agreed series of short term placements.
3. Figures have been rounded to the nearest 100 if they exceed 1000 and to the nearest 10 otherwise. In consequence, the figures in the right hand column do not necessarily correspond exactly to the figures in other columns, and percentages do not necessarily add up to 100.
4. Percentages show the gender breakdown in each type of placement and have been rounded to the nearest whole number.

Table 8 shows data relating to 50,300 children who at 31 March 2006 were looked after by a local authority and in foster placements and children's homes. (The other placement category includes those living independently in residential employment; placed for adoption; placed with parents; and in other accommodation)

Overall, 42,000 children (70 percent) were in foster placements at 31 March 2006 and 8,300 (14 percent) in residential placements. However, boys were more likely than girls to be in residential placements: 16 percent of looked after boys were in residential placements, compared with 11 percent of looked after girls.

Table 9: Children looked after at 31 March 2006 by ethnicity and broad type of placement, numbers and percentages

Ethnicity	Residential placements (no. and %)	Foster placements (no. and %)	Other placements (no. and %)	Totals
Black				
African	440 (18)	1,600 (67)	350 (15)	2,400
African-Caribbean	280 (17)	1,200 (73)	150 (10)	1,600
Other black backgrounds	130 (14)	630 (69)	630 (17)	920
South Asian				
Bangladeshi heritage	20 (9)	200 (72)	50 (19)	270
Indian heritage	50 (15)	180 (60)	80 (25)	300
Pakistani heritage	80 (13)	380 (62)	150 (25)	610
Other Asian backgrounds	190 (22)	490 (56)	190 (22)	870
White				
British	6,000 (13)	31,700 (70)	7,400 (16)	45,100
Irish	70 (15)	310 (69)	70 (16)	450
Other white backgrounds	270 (17)	1,100 (65)	290 (18)	1,610
Mixed				
White and Black African-Caribbean	260 (13)	1,400 (71)	300 (16)	1,900
White and Black African	50 (11)	310 (74)	60 (15)	420
White and Asian	50 (7)	560 (76)	130 (18)	730
Other mixed backgrounds	240 (12)	1,400 (69)	360 (18)	2,000
Other				
Chinese heritage	30 (26)	60 (48)	30 (26)	120
Other	230 (22)	610 (57)	230 (21)	1,100
All Looked After Children	8,300 (14)	42,000 (70)	10,000 (17)	60,300

Notes

1. Source: as for Table 8.
2. Numbers have been rounded to the nearest 100 if they exceed 1000 and to the nearest 10 otherwise. In consequence, the figures in the right hand column do not necessarily correspond exactly to the figures in other columns. Percentages have been rounded to the nearest whole number and do not necessarily add up to 100.
3. Percentages show the breakdown for each community between residential placements and foster placements.

Table 9 shows that for most communities the breakdown between residential placements and foster placements is much the same, with slightly more than two thirds (70 percent) of children and young people in care being in foster placements. Within this broad pattern, there appears to be a tendency for children from all kinds of mixed background (with the exception of other mixed backgrounds) to be more likely than others to be in foster placements.

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The exceptions to the broad pattern are in relation to children of Chinese and 'other Asian' backgrounds. The raw figures in these instances are very low compared with others, however, and generalisations are probably therefore of dubious validity.

Table 10: Children looked after in foster placements at 31 March 2006 by ethnicity, and whether within or outside Council boundaries, numbers and percentages

Ethnicity	Inside Council boundary (no. and %)	Outside Council boundary (no. and %)	Totals
Black			
African	720 (45)	880 (55)	1600
African-Caribbean	600 (52)	570 (48)	1170
Other black backgrounds	320 (50)	320 (50)	640
South Asian			
Bangladeshi heritage	90 (46)	110 (54)	200
Indian heritage	90 (53)	80 (47)	170
Pakistani heritage	250 (65)	130 (35)	380
Other Asian backgrounds	220 (46)	260 (54)	480
White			
British	22,100 (70)	9,700 (30)	31,800
Irish	130 (43)	180 (57)	310
Other white backgrounds	630 (59)	430 (41)	1,060
Mixed			
White and Black Caribbean	770 (57)	590 (43)	1,370
White and Black African	190 (60)	130 (40)	310
White and Asian	340 (62)	210 (38)	550
Other mixed backgrounds	840 (62)	510 (38)	1,350
Other			
Chinese heritage	30 (47)	30 (53)	60
Other	320 (53)	290 (47)	610
Totals	27,600 (66)	14,400 (34)	42,000

Table 10 shows that, overall, two thirds of all children and young people in foster placements are living within the boundaries of the local authority responsible for them. But in the case of those who are of 'White British' ethnicity the proportion is slightly higher – 70 percent. In the case of all children and young people of all other backgrounds, other than Pakistani, it is rather lower. Only 52 percent of children of African-Caribbean background in foster care live within the boundaries of the authority responsible for them, and only 45 percent of children from African backgrounds.

Appendix B: Aspects of terminology

This assessment uses the term ‘children in care’ to include all children looked after by a local authority, including those subject to care orders under section 31 of the Children Act 1989, and those looked after on a voluntary basis through an agreement with their parents under section 20 of the Children Act 1989

Words change in their meanings and implications over time, and mean different things to different people. Changes of language occur partly because the outer world changes; partly because our understanding of the world changes; and partly because various groups and communities (‘speech communities’) gain greater power and influence than hitherto and in consequence can make their voices and viewpoints better known.

A further problem is that different words are used in different contexts. With regard to race equality there are differences between:

- legal, administrative and official usage
- usage in most ordinary conversation, reflected and reinforced by usage in the media
- usage in academia.

For example, the terms ‘race’ and ‘racial’ occur widely in legal usage and often also in everyday conversations and the media; they virtually never nowadays, however, occur in academia, unless with inverted commas to signal they are problematic.

It will be a long time before there is a shared vocabulary for talking and writing about race equality across these contexts even in the UK, let alone in the rest of the English-speaking world, or in international forums. An equality impact assessment such as this cannot stipulate how words should be used. It can, however, try to be consistent in its own use of language and can explain how and why it uses contested terms itself. Hence this appendix.

In this Equality Impact Assessment, a degree of standardisation has been introduced, in order to make it internally consistent. A consequence is that there are departures here from the terminology used by, for example, the Office for National Statistics (ONS). The main differences between terminology here and the terminology of the ONS are as follows:

- *African* is used here instead of *Black African*.
- *African-Caribbean* is used instead of *Black Caribbean*.
- *South Asian* is used instead of *Asian* to refer to people of Bangladeshi, Indian or Pakistani heritage. Occasionally this involves including a small and statistically not significant number of ‘other Asian’ people.

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- Words such as *heritage*, *background* and *community* are used in preference to *group*.
- *Ethnicity* is used instead of *race* or *racial group*, other than when the reference is to legislation, where the legal term *race equality* is used.
- For a range of reasons the term *BME* is not used, nor the phrase (*black and minority ethnic*) for which it is an abbreviation.

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