

Children and Family Services

Equality and Diversity Guidance



Proud
to value
diversity

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Authors: Hayley Binley – Service Manager, Safeguarding and Performance Service
Kelda Claire – Head of Service, Children in Care, Fostering, Adoption and the Virtual School

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Lead Officer: Kelda Claire – Head of Service, Children in Care, Fostering, Adoption and the Virtual School

Introduction

OUR VISION

For Leicestershire to be the best place for all children, young people and their families.

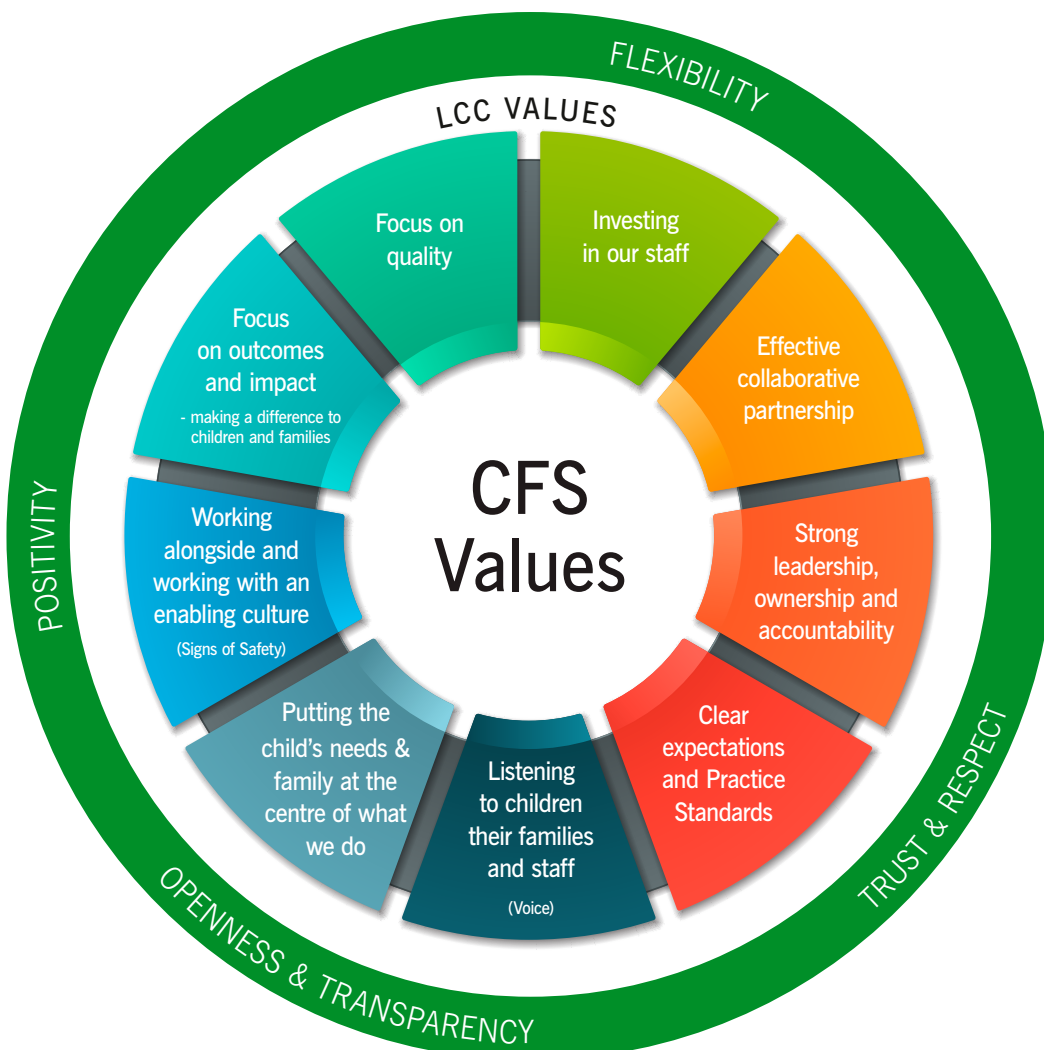
This means that we will describe the outcomes we want to achieve for children, young people and their families and identify measures that can tell us how well we are achieving them.

OUR MISSION

Children and young people in Leicestershire are safe and living in families where they can achieve their potential and have their health, wellbeing and life chances improved within thriving communities.

OUR VALUES

Leicestershire County Councils (LCC) organisational values set out the attributes and approach to work that can be expected from all council employees. Children and Family Services have devised a core set of values based on the work within the department, which demonstrate how we will meet the LCC Organisational values.



While ensuring that our people are aware and equipped to provide inclusive services as well as in the corporate functions that support them, we aim to ensure that all people can truly see equality in the experience they receive. This document sets out our vision for ensuring the core values held by Leicestershire County Council underpin all practice with our children and families, with whom we provide support and services to.

Fairness and equality are not just rooted in our legal responsibilities but are a moral obligation for everyone who works for us across a wide range of services – whether delivering front line social care, environment, education, health, transport and waste services or community and heritage facilities – to meet the needs of a diverse population across the County.

Equitable treatment reduces barriers of access and opportunity that people with protected characteristics experience either as individuals or as groups that are less likely to enjoy positive outcomes due to discrimination, prejudice or other reasons such as socio-economic, health or educational factors.

The County Council has developed its “Strategic Plan 2018-22: Working together for the benefit of everyone” by focussing on the things that will make life better for people in Leicestershire. The plan identifies a “shared vision” across the council of the things we want all the people we serve to experience in their daily lives, with positive differences being made to the lives of Leicestershire people. We want Leicestershire to create the best changes for all, to be a place where people enjoy life and work together to enhance their local area.



What the law says about equalities

The Children Act 1989 states that any needs a child has arising from their culture, religion and language must be taken into account. Building on and simplifying the existing legal framework the Equality Act came into force on 1st October 2010. It provided a modern single legal framework with clear, streamlined law to more effectively tackle disadvantage and discrimination. The Act replaces the existing anti-discrimination laws with a single Act which protects all equality characteristics such as ethnicity, gender and transgender, disability, age, faith or religion and sexual orientation. It requires public bodies to have:

- Due regard to prohibiting discrimination, harassment, victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity; and
- Foster positive relations across all protected characteristics.

The Children's Homes Regulations and Quality Standards 2015 highlight the importance of providing individualised care for children and young people and emphasise the diversity of children's homes settings, including the promotion of diversity and positive identity.

The Human Rights Act 1998 also supports compliments and extends beyond anti-discrimination

According to the Equality and Human Rights Commission, the definition of equal society is as follows:

“An equal society protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose, so that everyone can flourish. An equal society recognises people's different needs, situations and goals and removes the barriers that limit what people can do and can be”

For our society to be fair cohesive and prosperous inequality needs to be tackled and discrimination ended.

Core Values and Behaviours that underpin everything we do

Values

Aspirational

Being aspirational for our children and families

Being Curious

Being curious and paying attention to detail

Collaboration

Building strong working relationships.

Behaviours

Listening

Listening to what children and families tell us. Involving them in decision-making, development and evaluation of new and existing services.

Building Relationships

Signs of Safety (SofS) provides our approach and tools to work with children and families.

Outcome Focussed

Striving to improve the lives of the children and families whom we work with.

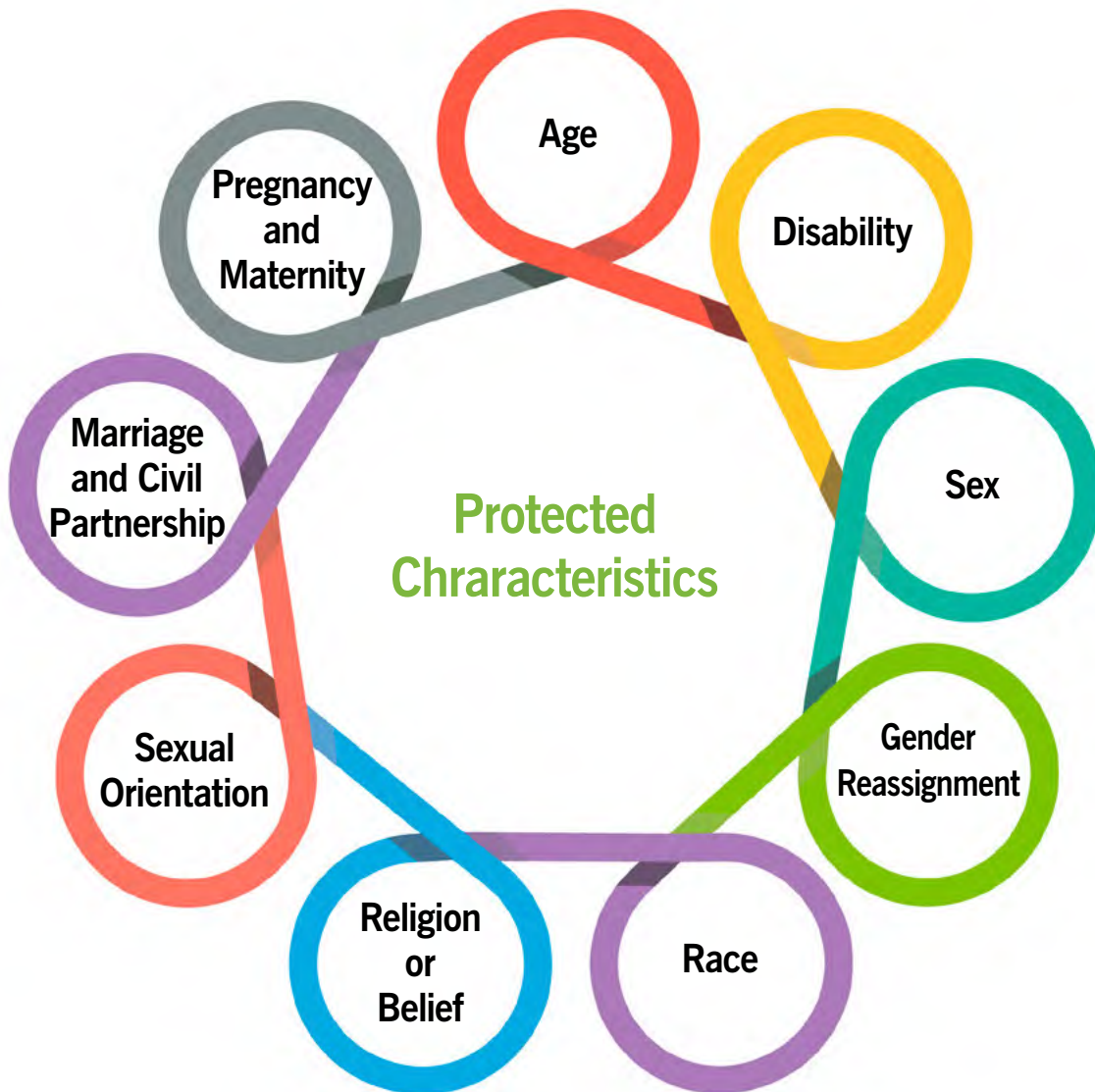
Being Accountable

Everyone is responsible and accountable for delivering high quality services

Inclusive Service Delivery

All children and their families are entitled to equal access to services which do not discriminate on the grounds of age, disability, sex, gender reassignment, ethnicity, religion or belief, sexual orientation, marriage and civil partnership, pregnancy and maternity.

We will not tolerate individuals being discriminated against because of their Ethnicity, Sex, Gender, Sexual orientation, Disability, Age or any other disadvantaged social group.



Referrals

Referral forms must be completed to include ethnicity, language, gender, disability and religion with a view to collating accurate statistics on the take up of services.

Accurate and significant information must be taken at this stage in a variety of situations. For example, if a child is being matched to a placement outside their immediate family setting, the matching process will be helped significantly by the following information:

- Nationality and ethnicity;
- Languages spoken at home;
- Religion and current cultural practice;
- Sexual orientation;
- Gender identity;
- Disability;
- The child's natural and extended family, their ethnic and cultural origins, experience of racism and the role of religion in their lives;
- The child's view of their own identity, experience of discrimination, experience of racism and quality of contact with culture/community;
- Recording of names is important. Different cultures use different structures for names.

It is important not to assume that all fit within the indigenous structure that is a personal name followed by a surname. If in doubt it is usually best to ask which the family name is. There may be variations in terms of how black and multi-ethnic people choose to identify themselves. Some may have changed their name to accommodate the majority culture. People should be given the freedom to identify themselves as they choose, although it can be important, for instance if a police reference is to be sought, to check whether a name is the person's given name or one they have chosen to use.



Assessment and Planning

a. Increasing understanding

The assessment and planning process involve gathering information to enable a judgement to be made about those aspects of the child's health, welfare or development that requires some help and what services, if any the (local authority) should provide. Ethnic origin and cultural background must be considered in order to make accurate judgements about a child's needs.

b. Knowing how to raise questions

Practitioners should raise the subject of religion, ethnicity, culture and language in a manner which is appropriate, acceptable and fair. The culture must be one where children of all ethnicities are valued equally and no form of racism (or indeed any other kind of prejudice) towards adults or children within or outside the home is acceptable or will be tolerated. Professional curiosity is essential to the assessment of a child's identity needs and ensure that cultural sensitivity does not impact on safeguarding, the welfare of the child should remain paramount.

c. Assessing strengths

It is important not only to recognise difference but to appreciate some of the positive aspects of difference. A useful exercise is to find out as much information as possible about a multi-ethnic culture, identifying the positive advantages of these for the child, their sense of identity and belonging. It is important that practitioners do not assume that their concept of the norm is the case for all and should actively challenge preconceived ideas or prejudices, ensuring we fully understand that the norm is for each individual.

d. Assessing the effects of racism and prejudice

For families racism can be one of a range of problems within society which they are facing. It may be the main cause or a contributory factor in their need for services. It may also affect their willingness to confide in you or trust you or your agency. It is important not to minimise their experiences but to be willing to be open and to understand its impact on a family's day to day life and explore what support can be provided. An example is a family from the Roma community who may present as "white" however, maybe experiencing prejudice and discrimination within society and facing barriers to accessing services as a result of how they are perceived by wider society. Within the assessment it is key to be confident to ask curious questions to gain a deeper understanding of the families sense of identity and belonging within their immediate and wider community, ensuring we have a good understanding of potential barriers and challenges and exploring how we can best support these being addressed within practice.

e. Assessment and planning in child protection cases

Child abuse happens in all cultures and all children have a right to be protected. Cultural differences must not be used as a reason for non-intervention, but workers should not ignore family and community networks as a source of protection. Workers should be sensitive to the many differing factors which may need to be taken into consideration, depending on a child's ethnic or cultural background. If Practitioners are not sure, they should seek further guidance to address issues of abuse for black and multi-ethnic children and families.

For example:

- It may be more difficult for a black child to disclose to representatives of white authority that they have been abused - the consequences for the family may be different than for a white family. It may be that the child has internalised racism or the negative cultural stereotypes in a way that makes them feel that they have been abused because of their colour or religion etc;
- Religious and cultural beliefs may exacerbate feelings of shame and guilt;
- It may be less easy for a mother to protect her child in some cultures than others, depending on the power position of women within their culture;
- It may be that the consequences of disclosing within a particular culture are that the abused child will never be accepted back into their community.

f. Assessment and Planning where Children are Looked After by the Local Authority or Placed for Adoption;

A systematic and comprehensive assessment will be necessary which should include how the child's ethnic, religious, cultural and linguistic needs will be addressed whether at home, in foster care, in residential care or with adoptive parents. This should include children being asked what is important to them in their placements. Children should be placed in foster homes which can address their identified needs, where they have a clear understanding and appreciation of the child's identity needs and able to robustly support these, including understanding the importance of, behaviours, attitudes, expectations, religious practices, language, food, personal care needs (e.g. hair and skin care) and cultural activities. In circumstances where it is not possible to provide a "same ethnicity" placement it is important that both carers and social workers have or are willing to obtain knowledge and understanding of the child's heritage and they are prepared to help the child maintain their heritage.

g. Identifying the right placement for a child

Assessing the needs of all children can be complex for a number of reasons, as identity is broader than only one element such as ethnicity, religion or sexual orientation. It can include the nine protective characteristics as identified above in this report.

The principle is that a child's needs are most likely to be met in a family that matches their ethnicity; religious, cultural and linguistic background.

The ideal situation would be to provide a family where the carers are of similar backgrounds to the child's parents. Where this is not possible, we need to ensure that carers are supported to encourage and be proactive in understanding, sharing and meeting the needs of the child, enabling the child to be supported to manage the transition to new care arrangements. This also applies to ensuring the carers actively promote the child's personal identity choices, such as those relating to religion, sexual orientation and gender identity.

h. Importance of language

Communication takes many forms. The words we use should give a clear message to those we work with that we respect individual differences and value diversity. Communication is not just about words, we should also ensure that our body language, tone of voice and demeanour convey the same message of inclusiveness.

The use of discriminatory, prejudicial or exclusive language whether intentional or not may suggest insensitivity to individual needs and a lack of professionalism and encourages the exclusion, devaluing and stereotyping of groups or individuals.

Being aware of the power of our language is not about being politically correct, it is about treating people with respect and dignity and increasing awareness. When we are not conscious of the power of words and labels, our impact can be just as detrimental. Historically our challenge with language as it relates to diversity, is that it has often been used as a tool of oppression for the express purpose of establishing and perpetuating systems of dominance and hierarchies between and among groups.

Discriminatory or exclusionary language can impact many different groups, identified, for example, by age, disability, gender, ethnicity, colour, nationality, religion, or sexual orientation. It is important to understand that being challenged about our use of inappropriate language does not necessarily mean that we are being accused of being racist, sexist, homophobic. What it does do, is enable us to reflect upon the impact of the use of language, re-examining our choice of words, enabling us to be more conscious and sensitive in the future.

We understand language can change overtime, but it is important that to ensure we provide a inclusive service to our children, families and workforce, that we keep up to date with knowledge regarding the use of terminology, as well as being conscious of the language we use and the power it can hold. We need to ensure workers use language which is from an anti-racist approach to ensure we create a truly inclusive environment, free from harassment and discrimination.

We need to ensure we reflect the views and wishes of the individuals when making reference to them, such as confirming the use of pronouns, he, she, they, confirming the preference of the individual.

We need to ensure measures are in place to support communication with non-English speakers, people for whom English is a second language, sign language users, people with hearing or visual impairments, people with learning disabilities and people who require Deaf or Deaf Blind Communications, to provide confidence in both the individuals understanding as well as ensuring fully inclusive access to services. This also needs to include documents being translated so individuals have a written copy of any documents for their records.

Promoting Diversity, Positive Identity and Potential when Caring for Children and Young People

Ethnic origin, linguistic background, faith or religion and culture are of importance to the developing identity of all children and young people.

In this document, the term culture describes the moral values, behaviour norms, lifestyle, social and artistic pursuits espoused by a family and taught to their children. A shared religious belief, ethnic background, language, history or economic background will often lead to similar cultural norms and expectations.

Cultural competence recognises, affirms, fosters and values the strengths of individuals, families and communities; and protects and preserves the worth and dignity of each. This is in line with the Social Work England Professional Standards - both for social workers and for employers - which emphasise treating service users as individuals, respecting their views and wishes, promoting equal opportunities and respecting diversity and different cultures and values.



Valuing Diversity in Service Provision and Delivery

Sensitising service provision to the ethnic, cultural, religious and linguistic needs of children involves a number of practical considerations. These include the need for multicultural play, reading and display materials in order to:

- Provide an environment in which a child is comfortable.
- Promote positive black and multi-ethnic images and role models, this maybe considered when allocating a worker to support the child and family.
- Provide visual illustration which promotes discussion of issues of difference, ethnicity, culture, religion and language.
- Assist in discussion of issues concerning identity.

Services could obtain materials such as wall charts with a translation of words like “hello” into other languages, posters with black and multi ethnic children as well as white children featured in them, a calendar of religious festivals, black and multi ethnic books and other ethnic play materials. Save the Children have produced a useful early year’s resource pack called “Playing in Harmony”. Wherever possible, books used in direct work should include black and minority as well as black characters. An audit of resources can identify materials which are needed. It is important that white children should be aware of the multi-cultural nature of society as well as services being able to meet the needs of individual black and multi-ethnic children, so everyone benefits from such provision.

The Need for Choice of Diet

When children are placed with foster families or residential carers of a different background, familiar food will assist continuity and will demonstrate that their culture and religion are valued. To help with this:

- Discuss with the child and the parent what food they like and are familiar with and, where that differs from their own style of cooking; find ways of accommodating the child’s preference;
- Encourage carers to make links with local multi ethnic community centres to find out about different ways of preparing food and where to buy specific foods;
- Provide relevant training or pay for carers to attend evening classes in for example Asian cookery;
- Allow children to have a regular “take away”.

Issues around differences in food could be used to promote discussion within a group of young people about living in a multicultural society.

The Need for Choice of Clothing and Toiletries for Skin and Hair Care

Children should be provided with or encouraged to buy clothes appropriate to their cultural backgrounds. They should be helped to develop a positive image of their cultural heritage in all its forms including dress. Carers need to be aware that fashions in other cultures can change rapidly for example types of materials, colours, trousers which may be tight or loose and so on. Most children want to be fashionable and it helps to build their self-esteem if they can express this:

A range of toiletries should be purchased which meet the needs of black and multi ethnic children. For example, it is common for African and Caribbean children to need certain creams for skin and hair care.

Specialist hairdressers will make sure that hair is kept in healthy condition and will be able to provide the most up to date styles as well as more traditional styles such as plaiting. It is important to recognise that hairstyles can be a part of a young person expressing themselves and plays an important part in their identity.

Care Planning and Reviews

The care plan for a Child Looked After addresses both immediate and longer-term needs. It must take account of all information available on ethnic origin, religion and cultural and linguistic background before any decisions regarding the child are made.

These issues should be considered again when the plan is reviewed.

For instance:

- Has the child been able to discover and express views about their ethnicity or cultural background?
- Is the child in touch with their community or cultural or ethnic heritage? If not, what plans are there to keep the child in touch? Where there are children in the same foster placement, care should be taken to not single a child out in front of other children based solely on their culture.
- Is the child helped develop a sense of belonging to their own culture?
- Have staff or carers received relevant help and guidance?
- Should outside organisations and individuals be involved in planning for the child's future?

Education

Every school must have measures in place to encourage positive behaviour and prevent all forms of bullying. Schools should have policies in place to deal with bullying and poor behaviour which are clear to parents, pupils and staff.

Schools are required to comply with the Public Sector Equality Duty in the Equality Act 2010. Bullying is often motivated by prejudice against particular groups, it might be motivated by actual difference between children, or perceived differences.

A school's response to bullying should not start at the point at which a child has been bullied, they should create an ethos of positive behaviour and mutual respect across the whole school community.

A whole school approach to Equality & Diversity would include:

- Policies & procedures
- Developing an inclusive school environment
- Embedding equality throughout the curriculum
- Recognise & respond to prejudice-related incidents
- Staff training

You can find further information on Leicestershire's Anti-Bullying Website www.beyondbullying.com

Practitioners also have a duty to ensure within their assessments and care planning, they holistically look at the child's education needs and their experiences, including the need for any specialist assessments such as Education Health Care Plan (EHCP), ensuring their needs are met and any concerns addressed. This should include issues regarding access to education services, experiences of bullying, discrimination and how this impacts on their sense of belonging and identity within the education provision.

Gender, Gender Identity and Sexual Orientation

Children regardless of gender receiving a service from the Children and Families Services Directorate should receive equal opportunities and encouragement to pursue their talents, interests and hobbies. Gender stereotypes of behaviour must not be imposed or condoned. These principles will be achieved by:

- a. A wide range of activities being offered to all sexes and attempts being made to overcome peer group pressure, if it prevents children pursuing their interests;
- b. Having equal expectations that all children will participate in domestic tasks;
- c. Counselling all young people, regardless of gender, not to embark upon sexual relationships until they can do so maturely, without exploitation and safely. Levels of concern and criteria for action, where children are deemed to be in “moral danger” should apply equally to all. All young people have a right to information and counselling around sexual issues, including HIV;
- d. Encouraging staff and carers to model behaviour to children that demonstrates that there are gender variant roles and not specifically male and female and where a young person maybe at with their journey regarding gender identity. Whilst individual members of staff or carers will have different talents, interest and skills, the imposition or toleration of sexually or gender stereotyped roles is not acceptable;
- e. Some children, because of their previous experiences, may be fearful, angry or acutely self-conscious with staff, carers or other children of a particular sex or gender. Children should be given choices and should not be pressurised to work with or live with someone of that gender because it is deemed that this will counteract their previous negative experiences. This is unlikely to be the case until the child feels ready to make such a relationship. Some children may be so shocked or traumatised or lacking in self-confidence that they are unable to make these choices. In such situations, staff must assess the individual child’s likely reactions based on knowledge of their past experiences and seek other professional support if required;
- f. The toys, books, games, posters, works of art, music videos, etc. displayed or used in children’s centres, residential homes, foster homes and offices should be non-sexist and should portray positive and varied images of all children and family compositions regardless of gender and sexuality. The display or circulation of sexist or pornographic material, either by adults or young people, is totally unacceptable.





Sexual Orientation and Gender Identity

A number of young people to whom we offer services will be lesbian, gay, other non-heterosexual identities or unsure of their sexual orientation or gender identity. LGBT+ young people applying for or in receipt of our services should be able to expect acceptance by and sympathetic understanding from staff and carers of their sexual orientation and/or gender identity. This aim should apply equally to those people who express uncertainty about their identity. This aim will be achieved by:

- a. Recognising that LGBT+ young people will be represented amongst service users in proportion to their statistical occurrence in the population as a whole; but they may be over-represented either due to family or peer group rejection or the prejudice and hostility which is causing depression and confusion. This may lead to such behaviour as self-harm or putting them at risk of sexual exploitation.
- b. Heterosexist, homophobic, biphobic or transphobic discrimination, abuse and jokes being totally unacceptable and, so far as is achievable, providing protection from such behaviour by their peers or other adults.
- c. Making counselling available when requested by young people who may identify as LGBT+ or are questioning their sexual orientation or gender identity to help them with their uncertainties or feelings, develop their self-esteem or identity or to establish a lifestyle and relationships which are safe, legal and with which they should feel contented and comfortable. LGBT+ young people may also require counselling concerning their fears, which may or may not be justified, about AIDS/HIV. Supporting young people to access support services such as LGBT+ groups.

Where an LGBT+ parent applies for a service on behalf of their child or the family as a whole, their sexual orientation or gender identity will only be relevant to the assessment or service offered where it is apparent that it is presenting difficulties for the parent or child.

Where a LGBT+ person or couple apply to foster carers, adopters or childminders, their application will be taken up in the same way as any other applicant. As with any other assessment, the quality of their relationship or their acceptance of their singleness will be considered during the assessment process in the context of the skills, experience and care they will or will not be able to offer to a child or children. It is recognised that prejudice on the part of some children or parents may make their caring task more difficult but their positive strategies for coping with and dealing with prejudice will be considered as part of the assessment.

Disability

Definition of disability under the Equality Act 2010 states

“You’re disabled under the Equality Act 2010 if you have a physical or mental impairment that has a ‘substantial’ and ‘long-term’ negative effect on your ability to do normal daily activities”.

The equality duty replaced the race, disability and gender equality duties, extending across the protected characteristics. Those subject to the equality duty must, in the exercise of their practice, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

In practice this means:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

It is important that social care settings involve parents/carers, the child and, if appropriate, specialist support staff, as early as possible in the planning process.

Under the Equality Act 2010, Part 6 of the Act provides protection for disabled pupils and students by preventing discrimination against them at school or in post-16 education because of, or for a reason related to, their disability. The duties for schools in the Act, including the duty for schools to make reasonable adjustments for disabled children, are designed to dovetail with duties under the Special Educational Needs (SEN) framework which are based on a separate definition of special educational needs. Further information on these duties can be found in the SEN Code of Practice and the Equality and Human Rights Commission’s Codes of Practice for Education.

The council’s approach to diversity is to recognise the social model of disability and apply it to overcome the barriers that disabled people face in their lives and employment.

Equality and Human Rights Impact Assessments

The Equality and Human Rights Impact Assessments (EHRIA) help us to understand whether our services are meeting everyone's needs, and how they are provided to individual and different sections of the community.

The results of an EHRIA highlight areas for improvement, which are then addressed through service plans.

<https://leics.sharepoint.com/sites/aboutus/SitePages/equality-and-human-rights-impact-assessments.aspx>

Promoting an inclusive and diverse workforce

Children and Family Services are committed to promoting equality and diversity in service delivery and also within employment opportunities. Representative recruitment panels are a positive action designed to help us achieve our equality and diversity objectives. A representative panel is considered to be a panel where at least one of the members is representing a protected characteristic. Ensuring that recruitment panels are truly representative not only promotes fairness but also helps the department and the Council to employ the best people to deliver its services and ensure we have a diverse workforce working to support our children and families.

Relevant Guidance

Equality Strategy 2020-2024 – include link

Leicestershire County Council Equality Strategy Action Plan 2020-2021 – include link

Children and Family Services Departmental Plan 2020-2023 – include link

Guide to the Children's Homes Regulations including the quality standards -

<https://www.gov.uk/government/publications/childrens-homes-regulations-including-quality-standards-guide>

Useful links

If you require further information regarding our approach to equality, diversity and inclusion please see the links below.

- Equality Act 2010
- Public Sector Equality Duty
- Protected characteristics
- Human Rights Act (1998)
- Human rights briefing note: additional information
- Briefing note - the legal implications of major service provision change
- Guidance to support identification of areas for Equality and Human Rights Assessment as part of business planning
- Equality and human rights impact assessments (EHRIAs)
- Report Writing Guide
- Statement on dealing with discriminatory comments
- Hate Incident Reporting Form



Leicestershire County Council Declaration

We, in Leicestershire are committed to vigorously combating all forms of discrimination, achieving our vision and mission, which is underpinned by upholding our core values and applying these to practice.

We declare that:

We will ensure that children and families have equal access to services which do not discriminate on the grounds of religion, ethnic origin, linguistic background, culture, sex, gender identity, disability or sexual orientation.

We will ensure that ethnic origin, linguistic background, faith or religion and culture are of central importance to the practice of assessment and care planning, ensuring the identity needs of all children and young people are met.

We will professionally challenge all forms of discrimination and remain committed to taking action to combat such behaviours.

We believe that children from all backgrounds are entitled to an education free from discrimination and harassment.

Practice will be underpinned by legislation and guidance, ensuring all children and families have the right to expect equal service provision and treatment, as well as protection from any forms of harm and discrimination.

We will ensure all staff are supported to access appropriate training to ensure they have the competence to work in diverse community settings, applying our values and behaviours within their practice.

We value the contribution that all communities make to the quality of life in Leicestershire and recognise ethnic and cultural diversity as a source of cultural, social and economic enrichment.

We believe that our success will properly be measured not by our policies but by our actions in promoting equality for all the children and families of Leicestershire.

