

# NATIONAL INSTITUTE FOR HEALTH AND CLINICAL EXCELLENCE

## HEALTH AND SOCIAL CARE DIRECTORATE

### QUALITY STANDARDS PROGRAMME

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

**Output:** Equality analysis form – Topic Expert Group 1 (Scoping)

#### Introduction

As outlined in the [Social Care Quality Standards Programme interim process guide for social care topics](#), NICE has as a duty to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity, and foster good relations between people from different groups. The purpose of this form is to document the consideration of equality issues in each stage of the development process before reaching the final output that will be approved by the NICE Guidance Executive. This equality analysis is designed to support compliance with NICE's obligations under the Equality Act 2010 and Human Rights Act 1998.

Table 1 lists the equality characteristics and other equality factors NICE needs to consider, i.e. not just population groups sharing the 'protected characteristics' defined in the Equality Act but also those affected by health inequalities associated with socioeconomic factors or other forms of disadvantage. The table does not attempt to provide further interpretation of the protected characteristics. This is because it is likely to be simpler, and more efficient, to use the evidence underpinning the quality standard to define population groups within the broad protected characteristic categories rather than to start with possibly unsuitable checklists created for other purposes, such as social surveys or HR monitoring tools.

The form should be used to:

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

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

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

**Table 1**

<b>Protected characteristics</b>
<b>Age</b>
<b>Disability</b>
<b>Gender reassignment</b>
<b>Pregnancy and maternity</b>
<b>Race</b>
<b>Religion or belief</b>
<b>Sex</b>
<b>Sexual orientation</b>
<b>Other characteristics</b>
<p><b>Socio-economic status</b></p> <p>Depending on policy or other context, this may cover factors such as social exclusion and deprivation associated with geographical areas or inequalities or variations associated with other geographical distinctions (e.g. the North/South divide, urban versus rural).</p>
<p><b>Other categories</b></p> <p>Other groups in the population experience poor health because of circumstances often affected by, but going beyond, sharing a protected characteristic or socioeconomic status. Whether such groups are identifiable depends on the guidance topic and the evidence. The following are examples of groups covered in NICE guidance:</p> <ul style="list-style-type: none"> <li>• Refugees and asylum seekers</li> <li>• Migrant workers</li> <li>• Looked after children</li> <li>• Homeless people.</li> </ul>

## Quality standards equality impact assessment

### Stage: Topic Expert Group one

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

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

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

The quality standard will apply to looked-after children and young people, and young people covered by leaving care arrangements across all settings. The topic expert group noted that looked-after children and young people are a vulnerable group, often with complex needs.

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

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

Particular issues noted by the TEG at this stage include:

- Discrimination against looked-after children and young people on the grounds of 'looked-after' status.
- Immigration status.

These points will be addressed by ensuring that the quality standard considers the needs of the population as a whole, whilst recognising that looked-after children and young people have individual needs and preferences.

It is anticipated that the diversity of topic expert group membership, close working with social care colleagues and consultation with stakeholders on the draft scope and draft quality standard will support identification of issues.

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

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

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

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

- Are the reasons for justifying any exclusion legitimate?

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

The groups that will not be covered are based on those within what is expected to be a key development source of the document (PH28 / SCIE guide 40). This was produced collaboratively by NICE and SCIE and with extensive consultation with a range of stakeholders and looked-after children / young people.

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

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

Not applicable at this stage

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

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

Not applicable at this stage