

Equality & Human Rights Impact Assessment (EHRIA)

This Equality and Human Rights Impact Assessment (EHRIA) will enable you to assess the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service** for equality and human rights implications.

Undertaking this assessment will help you to identify whether or not this policy/ practice/ procedure/ function/ service** may have an adverse impact on a particular community or group of people. It will ultimately ensure that, as an Authority, we do not discriminate and we are able to promote equality, diversity and human rights.

Please refer to the EHRIA [guidance](#) before completing this form. If you need any further information about undertaking and completing the assessment, contact your [Departmental Equalities Group](#) or equality@leics.gov.uk

***Please note: The term 'policy' will be used throughout this assessment as shorthand for policy, practice, procedure, function or service.*

Key Details	
Name of policy being assessed:	Leicestershire Youth Justice Plan
Department and section:	Youth and Youth Justice Children and Families Service
Name of lead officer/ job title and others completing this assessment:	Chris Thomas Head of Children and Family Wellbeing Service and Community safety
Contact telephone numbers:	0116 3056602
Name of officer/s responsible for implementing this policy:	Carly Turner Service manager Youth and Youth Justice
Date EHRIA assessment started:	6 th of March 2020
Date EHRIA assessment completed:	29 th of March 2020

Section 1: Defining the policy

Section 1: Defining the policy

You should begin this assessment by defining and outlining the scope of the policy. You should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights as outlined in Leicestershire County Council's [Equality Strategy](#).

1	<p>What is new or changed in the policy? <i>What has changed and why?</i></p> <p>The current draft Youth Justice Strategy 2020-23 is similar to the previous 2017-2020 Strategy and focuses on priorities around young people who offend or are on the cusp of offending. The differences are around current priorities facing agencies notably around child criminal exploitation, and emotional wellbeing support.</p>														
2	<p>Does this relate to any other policy within your department, the Council or with other partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i></p> <p>No.</p> <p>The Youth Justice Strategy is completed in collaboration by the statutory partner agencies relating to youth offending; the Local Authority, Police, Health, and National Probation Service.</p>														
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>Young people who have offended and entered the youth justice system, young people on the cusp of offending, and key people supporting these young people. The Strategy is designed to focus and prioritise work between partner agencies to support these young people and reduce their risk of offending.</p>														
4	<p>Will the policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? (Please tick and explain how)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 10%; text-align: center;">Yes</th> <th style="width: 10%; text-align: center;">No</th> <th style="width: 50%; text-align: center;">How?</th> </tr> </thead> <tbody> <tr> <td>Eliminate unlawful discrimination, harassment and victimisation</td> <td style="text-align: center;">✓</td> <td></td> <td>The strategy should assist all young people who may offend irrespective of their background.</td> </tr> <tr> <td>Advance equality of opportunity between different</td> <td style="text-align: center;">✓</td> <td></td> <td>The support provided to young people who offend focuses on providing support, guidance, and opportunities to either</td> </tr> </tbody> </table>				Yes	No	How?	Eliminate unlawful discrimination, harassment and victimisation	✓		The strategy should assist all young people who may offend irrespective of their background.	Advance equality of opportunity between different	✓		The support provided to young people who offend focuses on providing support, guidance, and opportunities to either
	Yes	No	How?												
Eliminate unlawful discrimination, harassment and victimisation	✓		The strategy should assist all young people who may offend irrespective of their background.												
Advance equality of opportunity between different	✓		The support provided to young people who offend focuses on providing support, guidance, and opportunities to either												

groups			vulnerable young people at risk of, or who offend
Foster good relations between different groups	✓		Many of the resources and strategies used with young people are designed to provide guidance to young people encountering difficulties to assist them in integrating within the their wider community.

Section 2: Equality and Human Rights Impact Assessment (EHRIA) Screening

Section 2: Equality and Human Rights Impact Assessment Screening

The purpose of this section of the assessment is to help you decide if a full EHRIA is required.

If you have already identified that a full EHRIA is needed for a policy/ practice/ procedure/ function/ service, either via service planning processes or other means, then please go straight to Section 3 on Page 7 of this document.

Section 2

A: Research and Consultation

		Yes	No*
5.	Have the target groups been consulted about the following?		
	a) their current needs and aspirations and what is important to them;		✓
	b) any potential impact of this change on them (positive and negative, intended and unintended);		✓
	c) potential barriers they may face		✓
6.	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?		✓
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?	✓	
8.	*If you answered 'no' to the questions above, please use the space below to outline either what consultation you are planning to undertake or why you do not consider it to be necessary.		
	Consultation has been undertaken with agencies involved in with young people who offend or on the cusp of offending. A part of the Youth Justice Strategy will be to undertake annual research to identify whether groups with protective		

characteristics appear disproportionately in the criminal justice system, and whether they are affect adversely. The research will be used to inform the consultation process with groups of young people.

Section 2

B: Monitoring Impact

9.	Are there systems set up to:	Yes	No
	a) monitor impact (positive and negative, intended and unintended) for different groups;	✓	
	b) enable open feedback and suggestions from different communities	✓	

Note: If no to Question 9, you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.

Section 2

C: Potential Impact

10.	Use the table below to specify if any individuals or community groups who identify with any of the ' protected characteristics ' may potentially be affected by the policy and describe any positive and negative impacts, including any barriers.			
		Yes	No	Comments
	Age	✓		
	Disability	✓		
	Gender Reassignment		✓	
	Marriage and Civil Partnership		✓	
	Pregnancy and Maternity		✓	
	Race	✓		
	Religion or Belief	✓		
	Sex	✓		
	Sexual Orientation	✓		

	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	✓		This may include children with special education needs, young carers, looked after children, and those from deprived areas in Leicestershire.
	Community Cohesion	✓		
11.	<p>Are the human rights of individuals <i>potentially</i> affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? (Please tick)</p> <p>Explain why you consider that any particular article in the Human Rights Act may apply to the policy/ practice/ function or procedure and how the human rights of individuals are likely to be affected below: [NB: include positive and negative impacts as well as barriers in benefiting from the above proposal]</p>			
		Yes	No	Comments
Part 1: The Convention- Rights and Freedoms				
	Article 2: Right to life		✓	
	Article 3: Right not to be tortured or treated in an inhuman or degrading way	✓		The Youth Justice Strategy introduces reparation along with statutory sanctions. These will be used in a fair and proportionate way
	Article 4: Right not to be subjected to slavery/ forced labour		✓	
	Article 5: Right to liberty and security		✓	
	Article 6: Right to a fair trial	✓		This is intrinsic within the criminal justice system. Where other forms of non statutory sanctions are used these will be used in a fair and appropriate way
	Article 7: No punishment without law	✓		As above
	Article 8: Right to respect for private and family life	✓		The support to young people will be undertaken with consent. Where interventions are
	Article 9: Right to freedom of thought, conscience and religion		✓	

	Article 10: Right to freedom of expression		✓	
	Article 11: Right to freedom of assembly and association		✓	
	Article 12: Right to marry		✓	
	Article 14: Right not to be discriminated against	✓		The plan involves measures to check whether the responses to young people people with protected characteristics are adversely
Part 2: The First Protocol				
	Article 1: Protection of property/ peaceful enjoyment		✓	
	Article 2: Right to education	✓		The education provision provided to young people who offend is subject to monitoring under the Youth Justice Strategy
	Article 3: Right to free elections		✓	
Section 2				
D: Decision				
13.	Is there evidence or any other reason to suggest that: a) the policy could have a different affect or adverse impact on any section of the community; b) any section of the community may face barriers in benefiting from the proposal	Yes	No	Unknown
				✓
				✓
13.	Based on the answers to the questions above, what is the likely impact of the policy			
	No Impact <input type="checkbox"/>	Positive Impact <input type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input checked="" type="checkbox"/>
Note: If the decision is 'Negative Impact' or 'Impact Not Known', an EHRIA Report is required.				
14.	Is an EHRIA report required?	Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>

Section 2: Completion of EHRIA Screening

Upon completion of the screening section of this assessment, you should have identified whether an EHRIA Report is required for further investigation of the impacts of this policy.

Option 1: If you identified that an EHRIA Report *is required*, continue to Section 3 on Page 7 of this document.

Option 2: If there are no equality, diversity or human rights impacts identified and an EHRIA report *is not required*, continue to Section 4 on Page 14 of this document.

Section 3: Equality and Human Rights Impact Assessment (EHRIA) Report

Section 3: Equality and Human Rights Impact Assessment Report

This part of the assessment will help you to think *thoroughly* about the impact of the policy and to critically examine whether it is *likely* to have a positive or negative impact on different groups within our diverse communities. It should also identify any barriers that may adversely affect under-represented communities or groups that may be disadvantaged by the way in which we carry out our business.

Using the information gathered either within the EHRIA Screening or independently of this process, this EHRIA Report should be used to consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights as outlined in Leicestershire County Council's Equality Strategy.

Section 3

A: Research and Consultation

When considering the target groups, it is important to think about whether new data needs to be collected or whether there is any existing research that can be utilised.

- 15.** Based on the gaps identified either in the EHRIA Screening or independently of this process, *how* have you now explored the following and *what* does this information/ data tell you about each of the diverse groups?
- a) current needs and aspirations and what is important to individuals and community groups (including human rights);
 - b) likely impacts (positive and negative, intended and unintended) to individuals and community groups (including human rights);
 - c) likely barriers that individuals and community groups may face (including human rights)

There is regular monitoring of offending rates in relation to first time entrants into the criminal justice system, re offending, and custody rates. The current monitoring does not initially indicate any obvious areas of disproportionality locally. However national research available to the Youth Justice Board (YJB) nationally indicates that some groups, notably BME, may be disproportionately represented in the criminal justice system

16. Is any further research, data collection or evidence required to fill any gaps in your understanding of the potential or known affects of the policy on target groups?

The guidance from the YJB indicates that there may be disproportionality in the CJS. The local Youth Justice Strategy, which is overseen by the YOS management board, introduces the need to annually review potential issues around protected groups appearing disproportionately within the CJS.

When considering who is affected by this proposed policy, it is important to think about consulting with and involving a range of service users, staff or other stakeholders who may be affected as part of the proposal.

17. Based on the gaps identified either in the EHRIA Screening or independently of this process, **how** have you further consulted with those affected on the likely impact and **what** does this consultation tell you about each of the diverse groups?

As highlighted an initial review of the national performance data does not initially highlight any immediate areas of concern. Notably the numbers of BME young people managed and supported by the YOS is small. Additionally monitoring to date suggests more research maybe needed in relation to females and young people with special educational needs who appear in the CJS locally.

18. Is any further consultation required to fill any gaps in your understanding of the potential or known effects of the policy on target groups?

There is comprehensive performance data available in relation to young people involved with the youth offending service. The strategy involves reviewing this data in relation to disproportionality to identify any potential risk groups to inform more focused consultation

Section 3	
B: Recognised Impact	
19.	Based on any evidence and findings, use the table below to specify if any individuals or community groups who identify with any 'protected characteristics' are <i>likely</i> to be affected by this policy. Describe any positive and negative impacts, including what barriers these individuals or groups may face.
	Comments
Age	
Disability	✓ Further research is needed in relation to young people with special educational needs. Recent research highlighted that around 35% of young people have SEN but notably outcomes have not been explored in any detail
Gender Reassignment	
Marriage and Civil Partnership	
Pregnancy and Maternity	
Race	✓ This is an area of risk highlighted by the YJB through national research. Local numbers of BME young people are low but more detailed understanding may be needed
Religion or Belief	✓
Sex	✓ National research has drawn links between child sexual exploitation and child criminal exploitation. This may have an impact on females
Sexual Orientation	
Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	

	Community Cohesion	
20.	Based on any evidence and findings, use the table below to specify if any particular Articles in the Human Rights Act are <i>likely</i> to apply to the policy. Are the human rights of any individuals or community groups affected by this proposal? Is there an impact on human rights for any of the protected characteristics?	
		Comments
	Part 1: The Convention- Rights and Freedoms	
	Article 2: Right to life	
	Article 3: Right not to be tortured or treated in an inhuman or degrading way	
	Article 4: Right not to be subjected to slavery/ forced labour	
	Article 5: Right to liberty and security	
	Article 6: Right to a fair trial	
	Article 7: No punishment without law	
	Article 8: Right to respect for private and family life	
	Article 9: Right to freedom of thought, conscience and religion	
	Article 10: Right to freedom of expression	
	Article 11: Right to freedom of assembly and association	
	Article 12: Right to marry	
	Article 14: Right not to be discriminated against	✓ This links to the plan to review any potential disproportionality as a part of the Youth Justice Plan
	Part 2: The First Protocol	
	Article 1: Protection of property/ peaceful enjoyment	

	Article 2: Right to education	✓ This may link to the plan to focus and review data in relation to young people with special educational needs
	Article 3: Right to free elections	
Section 3 C: Mitigating and Assessing the Impact		
Taking into account the research, data, consultation and information you have reviewed and/ or carried out as part of this EHRIA, it is now essential to assess the impact of the policy.		
21.	If you consider there to be actual or potential adverse impact or discrimination, please outline this below. State whether it is justifiable or legitimate and give reasons.	
There are no initial indications of disproportionality in relation to adverse outcomes concerning young people with protected characteristics.		
<p>NB:</p> <p>i) If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.</p> <p>ii) If you have identified adverse impact or discrimination that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people.</p>		
22.	<p>Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.</p> <ul style="list-style-type: none"> a) include any relevant research and consultation findings which highlight the best way in which to minimise negative impact or discrimination b) consider what barriers you can remove, whether reasonable adjustments may be necessary and how any unmet needs that you have identified can be addressed c) if you are not addressing any negative impacts (including human rights) or potential barriers identified for a particular group, please explain why 	
Not currently applicable		

Section 3**D: Making a decision**

- 23.** Summarise your findings and give an overview as to whether the policy will meet Leicestershire County Council's responsibilities in relation to equality, diversity, community cohesion and human rights.

At this stage the approach and outcomes linked to the Youth Justice Strategy appears to meet the Council's responsibilities in relation to equality, diversity, and community cohesion. However, data on offending nationally highlights some areas of concern that are not currently reflected locally.

Section 3**E: Monitoring, evaluation & review of the policy**

- 24.** Are there processes in place to review the findings of this EHRIA and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?

Currently EHRIA screening has been undertaken to support the Youth Justice Strategy and compliance with legal obligations. A part of the Youth Strategy involves providing data on any potential adverse impact around equality issues to the YOS management board (which involves senior stakeholders from the statutorily responsible youth justice agencies) on an annual basis.

In terms of consultation around the strategy, there has been consultation with a number of stakeholder agencies through the YOS management board in relation to drafting the strategy. Additionally the data research undertaken will provide direction to any consultation needed with service users as part of a full EHRIA,.

- 25.** How will the recommendations of this assessment be built into wider planning and review processes?
e.g. policy reviews, annual plans and use of performance management systems

The annual data research outlined in the EHRIA screening will be used to inform any planning and changes required, which will be overseen by the YOS management board.

**Section 3:
F: Equality and human rights improvement plan**

Please list all the equality objectives, actions and targets that result from the Equality and Human Rights Impact Assessment (EHRIA) (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Objective	Action	Target	Officer Responsible	By when

Section 4: Sign off and scrutiny

Upon completion, the Lead Officer completing this assessment is required to sign the document in the section below.

It is required that this Equality and Human Rights Impact Assessment (EHRIA) is scrutinised by your Departmental Equalities Group and signed off by the Chair of the Group.

Once scrutiny and sign off has taken place, a depersonalised version of this EHRIA should be published on Leicestershire County Council's website. Please send a copy of this form to the Digital Services Team via web@leics.gov.uk for publishing.

Section 4

A: Sign Off and Scrutiny

Confirm, as appropriate, which elements of the EHRIA have been completed and are required for sign off and scrutiny.

Equality and Human Rights Assessment Screening

Equality and Human Rights Assessment Report

1st Authorised Signature (EHRIA Lead Officer):

Date:

2nd Authorised Signature (DEG Chair):

Date: