

Equality Impact Assessment		Please enter responses below in the right hand columns	
TEMPLATE UPDATED SEPT 2015 Date	Monday 4 th March 2019		
<p>Sign-off path for EIA (please add/delete as applicable) If you are conducting an EIA on a Cabinet decision, it should come to Corporate EIA panel for sign off.</p> <p>There is no corporately set sign off path for EIAs. It is up to you to decide the level of risk (legal, community, political, equalities) and to think about the appropriate level of scrutiny and challenge. If you are not sure email equalities@lambeth.gov.uk Places where an EIA can be signed off are listed.</p>	<ul style="list-style-type: none"> • Head of Equalities (email equalities@lambeth.gov.uk) • Director (this must be a director not responsible for the service/policy subject to EIA) • Strategic Director or Chief Exec • Directorate Management Team (Children, Health and Adults, Corporate Resources, Neighbourhoods and Growth) • Procurement Board • Corporate EIA Panel • Cabinet 		
Title of Project, business area, policy/strategy	LB Lambeth Redress Scheme		
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London Borough of Lambeth Equality Impact Assessment		Please enter responses below in the right hand columns.	
1.0 Introduction			
1.1 Business activity aims and intentions	The Lambeth Children's Home Redress Scheme has now been in operation since January 2018. The scheme - which to date remains unique England-has been established to compensate survivors of		

In brief explain the aims of your proposal/project/service, why is it needed? Who is it aimed at? What is the intended outcome? What are the links to the political vision, and outcomes?

sexual, physical and psychological abuse suffered at homes managed by the Council from the 1930s until the 1980s and 1990s. Overall scheme objectives are to:

- Provide some measure of acknowledgement and recompense for the harm and abuse that some individuals may have experienced whilst in the care of children's homes in Lambeth
- Implement a process which seeks to manage claims as sensitively and efficiently as possible given the potential legal and administrative complexity and the impact of lodging applications on claimants themselves
- Ensure that applicants to the scheme are provided with appropriate practical and legal support throughout the process-including individuals making Subject Access Requests for information contained on their care records
- Maximise the compensation received by eligible applicants whilst minimising as far as possible associated legal and administrative costs.

An initial EIA based on the principle of establishing a Redress Scheme was conducted in September 2017, followed by an EIA of the first 6 months operation of the scheme to assess whether the scheme was performing in line with the intended outcomes. Following review and ratification by the Council's corporate Equalities Panel the finding of both these EIA's was that the overall development and operation of the scheme was in line with the Council's obligations under equalities legislation. Recommendations from both these EIA's was that regular communications and engagement was essential to ensure wide reach of information regarding the scheme. The objective is to maximise awareness of the scheme amongst the target audience-those who were in care and who may have direct experience of or been affected by abuse. This includes:

- Advertising the scheme in the national press in recognition that many affected individuals live outside London in other parts of the UK
- Piloting targeted advertising at media more likely to be used by particular communities, some of whom may have returned to their home countries, such as individuals of African Caribbean and Irish ethnicity.
- Ensuring organisations that represent victims and survivors have up to date information about the scheme
- Advertising with a range of national and local voluntary sector, advocacy and advice agencies and media outlets including those that represent and/or work with a range of potentially vulnerable groups including: older people; people with physical and/or learning disabilities; carers organisation; and welfare and legal advice agencies (including in the legal press); and offenders.
- Providing information in easy read and audio file format for individuals who may need support with literacy or have a visual impairment.
- Distributing information to local partners and providers who deliver care on behalf of the Council in case they may identify individuals who may be entitled to claim but due to incapacity or ill health are unable to do so without assistance

- Checking the Council's social care database to see whether there are any vulnerable individuals –including those who lack capacity- currently in receipt of social care or other support from the Council, who may come under the auspices of the scheme.

Aims and Objectives of Equalities Impact Assessment

The Council also committed to refreshing the EIA at the end of first year of the scheme and at regular intervals throughout the lifetime of the scheme. Since the EIA completed in March 2019 the Council has updated information regarding applications and settlement of claims to the scheme. Therefore it was considered appropriate to undertake a brief refresh of the EIA conducted in March 2019 based on both applications received and claims processed from January 2018 to June 2019. This EIA provides a brief narrative overview of:

- A. Equalities characteristics of the potential cohort of applicants
- B. Analysis of the Equalities characteristics of those who have lodged a claim
- C. Update on the equalities characteristics of those who have had a claim settled and who have received or been offered a Harms Way or Individual Redress Payment under the scheme for scheme launch to date.

As with the previous EIA's there are number of caveats regarding availability of equalities data including:

- Changes in legislative and policy for equalities monitoring for key 'protected characteristics' including ethnicity, disability and sexual orientation.
- Differences in information governance standards that prevailed during the period in question which means that the local authority only has partial information on the denominator population - i.e. all children who were accommodated in and/or in the care of children's home managed by the Council at the time.
- Ongoing evolution of our understanding of issues pertaining to health and disability compared to the available knowledge at the time.
- The fact that we cannot require individuals who are making an application to the Redress Scheme or associated elements (i.e. Subject Access Requests) to divulge equalities information. As a result the Council only has partial equalities information on those who have accessed the scheme, and many applicants who have provided equalities information have not done so for all equalities fields.

1. Potential Cohort of Redress Applicants

Based on available information it is estimated that up to 15,000 children were accommodated in Shirley Oaks and other homes managed by the Council up until the early 1990's. Equalities data is captured somewhat sporadically but there are approximately 12,100 available admission records from Shirley Oaks residential complex, Southvale and some specialist units managed by Lambeth Council:

- Of these there are 9991 records of individual children admitted to these homes, of whom 5575 (56%) were boys and 4416 (44%) were girls
- Admissions data indicates 1424(14%) were identified as potentially black and ethnic minority descent mainly in Southvale, however meaningful disaggregation of these global figures is virtually impossible. However anecdotal evidence suggests most of these individuals would have been of black African Caribbean, black African or mixed black and white Caribbean or African heritage. As there was no requirement to consistently capture equalities data this may well be an underestimate.
- Some two hundred individuals records suggest that their reception into care is linked to assessment for behavioural, physical or learning disability. This is likely to be an underestimate of all those who may have had vulnerabilities to physical, learning or mental health disabilities during their time in care.

Many individuals in care would have experienced multiple disadvantage linked associated with poverty; neglect or abuse; and stigma and discrimination linked to ethnicity, gender or disability as well for being accommodated or received into the care of the local authority.

2. Equalities Characteristics of Lambeth Redress Scheme Applicants

From 2nd January 2018-31st 30th June 2019 there were 1250 applications for compensation and redress under the Council's scheme. Of these of 687 (55%) provided some equalities information, though not all respondents completed all equalities fields. In consequence this means it is not possible to cross match equalities data to understand if there are any specific trends regarding the intersection of different equalities characteristics. Nevertheless summary of the available information indicates that:

- Gender: As set out in Table 1 of 582 respondents who stated their gender 309 (53%) applications were from men and 273 (47%) were from women

Table 1 Redress Applicants by gender

Time Period	Female	Male
Pre 1965	125	156
1965-69	36	44
1970-79	89	88
1980-89	19	16
1990-99	4	5
Total	273	309

- Ethnicity: of 432 respondents, 280 (65%) identified as White or White English, Scottish or Northern Irish; 14 (3%) identified as Irish; 72 (17%) as Black or Black Caribbean or Black African; and 45 (10.5%) identified of mixed Anglo-African or Anglo Caribbean ethnicity.

Table 2 Redress Applicants by Ethnicity

Time Period	Black Caribbean	Black African/ Other	Mixed Black/ White Caribbean	Mixed Black/ White African	White British Eng/Scot / Welsh	Irish
Pre 1965	9	3	9	7	176	8
1965-69	19	1	5	2	24	2
1970-79	29	5	13	1	63	1
1980-89	2		6	2	14	3
1990-99	4				3	
Total	63	9	33	12	280	14

- Disability: Three hundred and ten (310) applicants self reported whether they considered themselves to have a disability. Of these 184 (59%) reported having a disability that limited their daily activities a lot; 126 (40%) stated their disability had a moderate impact on daily functioning; with the 90 (29%) providing no further details. These responses reflected their current health and/or disability status not necessarily that when they would have been in care. Based on the age and population profile of applicants it is likely that some of these issues may be related to physical health conditions. For some individuals it may reflect psychological and mental health conditions, although we are unable to determine any causal relationship between experience in care and mental health outcomes based on these responses. However based on testimony and national evidence we know that victims of trauma and abuse have higher expressed levels of prevalence of poor mental health including substance misuse, offending and mental health conditions including depression, PTSD and self-harm.
- Age: the ages of Scheme applicants range from early mid 30's up to the those who are over 70 which reflects the period of time when people may have been exposed to harm or abuse. The majority of claims 795 (56%) are 55-74 with significant numbers also aged between 45-55 and aged over 75 which reflects the period of time when these homes were open when people would have been placed in care.
- 3. Religion: of 562 respondents 336 (60%) identified as Christian; 154 (27%) of no religious affiliation ; and 32 (6%) as atheist. Fewer than 1% each of all respondents identified affiliation with other religions including Judaism, Islam or Buddhism.

3. Summary of Redress Payment Equalities Data

Applications are made to the scheme on the following basis:-

- Harms Way Payment (HWP) – where an applicant is seeking compensation for being exposed to a harmful and harsh environment, aside from whether or not they were directly affected by physical, psychological or sexual abuse
- Individual Redress Payment (IRP) – the applicant can lodge a claim for individual redress due to direct experience of abuse that they may have suffered during their time in care. An application can be made on behalf of a deceased person, or by a visitor who was known to have suffered abuse in a Lambeth’s Children’s Home.
- Applicants can apply for both HWP and IRP.

As at the end of June 2019:

- Harms Way Payment (HWP) totalling £9.8 million have been paid to 1101 applicants.
- Individual Redress Payment (IRP) totalling £5.1 million have been paid to 250 applicants.

2.0 Analysing your equalities evidence

2.1 Evidence

Any proposed business activity, new policy or strategy, service change, or procurement must be informed by carrying out an assessment of the likely impact that it may have. In this section please include both data and analysis which shows that you understand how this decision is likely to affect residents that fall under the protected characteristics enshrined in law and the local characteristics which we consider to be important in Lambeth (language, health and socio-economic factors).

IF YOUR PROPOSAL ALSO IMPACTS ON LAMBETH COUNCIL STAFF YOU NEED TO COMPLETE A STAFFING EIA.

Protected characteristics and local equality characteristics

Impact analysis

For each characteristic please indicate the type of impact (i.e. positive, negative, positive and negative, none, or unknown), and:

Please explain how you justify your claims around impacts.

Please include any data and evidence that you have collected including from surveys, performance data or complaints to support your proposed changes.

	<i>Please indicate sources of data and the date it relates to/was produced (e.g. 'Residents Survey, wave 10, April 12' or 'Lambeth Business Survey 2012' etc.)</i>
Race	<p>Harms Way Payments Of the 1101 applicants who have received a Harms Way Payment 600 have provided demographic information for ethnicity. Of this 600 29.7% were BAME and 70.3% were white.</p> <p>Individual Redress Payments Of the 250 applicants who have received an Individual Redress Payment 147 have provided demographic information for ethnicity. Of this 147 25.2% were BAME and 74.8% were white.</p>
Gender	<p>Harms Way Payments Of the 1101 applicants who have received a Harms Way Payment 529 have provided demographic information for gender. Of this 529 54.4% were male (including trans man) and 45.5% were female (including trans woman).</p> <p>Individual Redress Payments Of the 250 applicants who have received an Individual Redress Payment 126 have provided demographic information for age. Of this 126 57.9% were male (including trans man) and 42.1% were female (including trans woman).</p>
Gender re-assignment	<p>Information regarding this equalities characteristic has not been previously captured either formally or informally during the period in question.</p> <p>Despite this there is no evidence to suggest that the operation of the Redress Scheme to date will have any negative impact on people with this equality characteristic.</p>
Disability	<p>Harms Way Payments Of the 1101 applicants who have received a Harms Way Payment 540 have provided demographic information for disability. Of this 29.4% have their daily activity limited a lot by disability, 20.9% have their daily activity limited a little by disability and 49.6% do not have a disability.</p> <p>Individual Redress Payments Of the 250 applicants who have received an Individual Redress Payment 131 provided demographic information for disability. Of this 29.0% have their daily activity limited a lot by disability, 23.7% have their daily activity limited a little by disability and 47.3% do not have a disability.</p>

Age

Harms Way Payments

Of the 1101 applicants who have received a Harms Way Payment 623 have provided demographic information for age.

Breakdown of HWP applicants by age is detailed in the Table 3 below.

Table 3 HWP by age band

Row Labels	Count of Age band
25-34	4
35-44	26
45-54	143
55-64	248
65-74	170
75-84	31
85+	1
Grand Total	623

Individual Redress Payments

Of the 250 applicants who have received an Individual Redress Payment 153 have provided demographic information for age.

Breakdown of HWP applicants by age is detailed in the Table 4 below.

Table 4 IRP by age band

Age band	Count of Age Band
35-44	3
45-54	36
55-64	58
65-74	48
75-84	8
Grand Total	153

Sexual orientation	<p>Information regarding this equalities characteristic has not been previously captured either formally or informally during the period in question.</p> <p>Despite this there is no evidence to suggest that the operation of the Redress Scheme to date will have any negative impact on people with this equality characteristic.</p>
Religion and belief	<p>Data on offers of Harms Way or IRP payments has not been broken down by faith or religious belief.</p> <p>Despite this there is no evidence to suggest that the operation of the Redress Scheme to date will have any negative impact on people with this equality characteristic</p>
Pregnancy and maternity	<p>Information regarding this equalities characteristic has not been previously captured either formally or informally during the period in question.</p> <p>Despite this there is no evidence to suggest that the operation of the Redress Scheme to date will have any negative impact on people with this equality characteristic.</p>
Marriage and civil partnership	<p>Information regarding this equalities characteristic has not been previously captured either formally or informally during the period in question.</p> <p>Despite this there is no evidence to suggest that the operation of the Redress Scheme to date will have any negative impact on people with this equality characteristic.</p>
Socio-economic factors	<p>As with previous Equality Impact Asessments data on the socioeconomic status of applicants to the scheme is not captured. However the national and local policy evidence is that the majority of children received into care are more likely to have come from lower socio-economic backgrounds. These individuals are more likely to experience persistently worse outcomes across all life domains including education, income and health as a result of being in care which may have been compound by exposure to and/or fear of abuse. This means they may be more likely to be in poor housing and on low incomes including benefits. To this as part of the scheme we have:</p> <ul style="list-style-type: none"> • Advised all applicants, family members or carers submitting applications on behalf of an individual to get appropriate legal advice which is paid for by the Council. • Made sure that there is practical advice and support (including with completing forms, accessing documents and records) available to those accessing the scheme.

	<ul style="list-style-type: none"> • Signposted individuals who may be awarded compensation whilst in receipt of benefits to appropriate advice regarding how they might manage the impact of any award on their benefit claim. <p>These all form part of the overall Redress Scheme and are available to all applicants for the duration of the scheme. In addition implementation of the scheme aims to reduce the financial, administrative, emotional and psychological burden of already vulnerable individuals seeking compensation.</p>
Language	<p>Information regarding language or communication barriers is not collated as part of the scheme. However as part of the overall scheme design the Council has recognised that some individuals may need support to a language issue (i.e. English is not their first language or they have difficulties with literacy or communication difficulty linked to a learning disability, cognitive disability i.e. dementia or linked to dyslexia for instance). To address this the Council has:</p> <ul style="list-style-type: none"> • Advised all applicants, family members or carers submitting applications on behalf of an individual to get appropriate legal advice which is paid for by the Council. • Made sure that there is practical advice and support (including with completing forms, accessing documents and records) available to those accessing the scheme • Signposted individuals who may be awarded compensation whilst in receipt of benefits to appropriate advice regarding how they might manage the impact of any award on their benefit claim.
Health	<p>There are a number of individuals who were placed in care in one of the specialist units managed by the Lambeth, due to a learning disability, physical or mental health condition for which they would have required support. Therefore the Council instituted a project to cross check the adult social care database with records of those in the affected children's homes to identify if any current beneficiaries of care services may be eligible for compensation. To date this has yielded data regarding 40 people several of whom are being supported to make compensation claims either through their carers or through legal means to act in their best interest where individuals lack capacity and have no other individual or representative to act on their behalf.</p> <p>A number of claims are in process as a result of this action and should be finalised during Q3 2019-20 financial year.</p>

<p>2.2 Gaps in evidence base <i>What gaps in information have you identified from your analysis? In your response please identify areas where more information is required and how you intend to fill in the gaps. If you are unable to fill in the gaps please state this clearly with justification.</i></p>	<p>The Council is aware that we do not have information on several of the equalities characteristics and have only partial information for race, gender, disability and health. This reflects the fact that the Council cannot make it a requirement of the Scheme that applicants must supply equalities information. Therefore we are reliant on that information that they are willing to volunteer. Moreover in order the maintain a proportionate approach the Council has requested applicants provide data on race, gender, disability, health religion and age as it is felt that these are relevant for the purposes of the scheme whilst other areas might be considered more intrusive.</p>
<p>3.0 Consultation, Involvement and Coproduction</p>	
<p>3.1 Coproduction, involvement and consultation <i>Who are your key stakeholders and how have you consulted, coproduced or involved them? What difference did this make?</i></p>	<p>The Redress Scheme has been developed with extensive input from a range of stakeholders incorporating Shirley Oaks Survivors Association and their legal advisor; Cabinet and Members; and senior officers. This has been to ensure that the scheme is in line with the principles espoused and recognises the council's ethical and moral duty whilst remaining within the boundaries of the authority's constitutional and financial authority. The Council continues to take on stakeholder insight and feedback to refine the scope and operation of the scheme where appropriate within the bounds of the Council's legal and constitutional obligations.</p> <p>The Council has also engaged a consultant to garner feedback from applicants regarding their experience of accessing the scheme. Engagement is currently ongoing.</p>
<p>3.2 Gaps in coproduction, consultation and involvement <i>What gaps in consultation and involvement and coproduction have you identified (set out any gaps as they relate to specific equality groups)? Please describe where more consultation, involvement and/or coproduction is required and set out how you intend to undertake it. If you do not intend to undertake it, please set out your justification.</i></p>	<p>The Council acknowledges that gaps remain in the available equalities information due in part to the historical nature of events some of which date back to before the formal constitution of the Council in 1965. Furthermore access to the Scheme cannot be predicated on completion of equalities data by applicants, so the Council is reliant on individuals self-reporting this. By definition, this means that the Council will only have partial equalities information.</p> <p>Nevertheless the Council will continue efforts to ensure key groups access the scheme including:</p> <ul style="list-style-type: none"> • People of African Caribbean, African and Irish ethnicity. • People with learning and physical disabilities, particularly those who may lack the capacity to make a claim on their behalf. • Older people and those individuals who may be in poor health. • Individuals who have died but may have family members who may be entitled to claim on their behalf.

4.0 Conclusions, justification and action	
<p>4.1 Conclusions and justification <i>What are the main conclusions of this EIA? What, if any, disproportionate negative or positive equality impacts did you identify at 2.1? On what grounds do you justify them and how will they be mitigated?</i></p>	<p>In terms of the general operation of the scheme the Council is committed to maximising uptake of the scheme as far as possible from people who may be eligible to make a claim. This will entail continuing action to:</p> <ul style="list-style-type: none"> • advertise the scheme in both national, targeted and specialist publications in recognition that many affected individuals live outside London in other parts of the UK. • continuing to engage as far as possible with organisations that represent victims and survivors to make sure they have up to date information about the scheme and can promote uptake of the scheme. • regularly circulate information about the scheme both local locally and nationally to health and voluntary sector partners and organisations including advocacy and advice agencies; media outlets; those that represent and/or work with a range of potentially vulnerable groups such as older people; people with physical and/or learning disabilities; carers organisation; and welfare and legal advice agencies (including in the legal press); and offenders. • providing information in easy read and audio file format for individuals who may need support with literacy or have a visual impairment. • continuing to follow up on those individuals identified on the adult social care database who may be entitled to make a claim to ensure that they are facilitated to make a claim if it appears they may be eligible.. • Maintaining current access to practical and flexible support to individuals who have been affected by historic abuse including access to counselling and psychological support in recognition of the distress that making applications can evoke or compound. <p>The Council is also aware that relatively low numbers of of applicants from people from BME communities, particularly those from African Caribbean or mixed black and white Caribbean and African heritage. This and previous EIA's indicate that the proportion of applicants from these groups has not significantly increased to date. In consequence the Council continues to explore potential ways to increase uptake from BAME individuals, including reviewing current engagement and assistance provided to access the scheme. This involves:</p> <ul style="list-style-type: none"> • Seeking to ascertain the views of actual and potential BAME applicants regarding the best way to promote the scheme and actively encourage uptake • Clarifying any perceptual and practical enablers and barriers that may impact on uptake of the scheme • Considering the best options to support individuals who make applications to access their records (SARS) and/or for compensation under the scheme.

	<ul style="list-style-type: none"> Review access points to see what other options are available to increase uptake from BAME as despite extensive efforts we recognise that we have not had the uptake that we would expect to date
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4.2 Equality Action plan
Please list the equality issue/s identified through the evidence and the mitigating action to be taken. Please also detail the date when the action will be taken and the name and job title of the responsible officer.

Equality Issue	Mitigating actions
Example: That the equality analysis may not have accurately covered all the equality impacts; and the mitigations may not act to reduce disproportionate impact	Example: Review the EIA and assess whether the mitigating actions were sufficient. 12/09/12. Joe Bloggs. Head of ABC

5.0 Publishing your results

The results of your EIA must be published. Once the business activity has been implemented the EIA must be periodically reviewed to ensure your decision/change had the anticipated impact and the actions set out at 4.2 are still appropriate.

EIA publishing date	
EIA review date	
Assessment sign off (name/job title):	

All completed and signed-off EIAs must be submitted to equalities@lambeth.gov.uk for publication on Lambeth’s website. Where possible, please anonymise your EIAs prior to submission (i.e. please remove any references to an officers’ name, email and phone number).