



HR Committee		Agenda Item
27 September 2023		6
Title:	Care Leavers	
Report of:	HR Committee	
Lead Member:	Mayor Nik Johnson	
Public Report:	Yes	
Key Decision:	No	
Voting Arrangements:		

Recommendations:	
A	Agree that 'care experience' will be treated as if it were a Protected Characteristic under the Equalities Act 2010 in relation to HR Policies and Procedures.
B	Approve the amendment of the Combined Authority's Equality, Diversity and Inclusion HR Policy to reflect 'care experience' being treated as if it were a protected characteristic.
C	Note that officers will take a report to the CPCA Board in November to recommend a broader proposal to treat Care Experience as if it were a protected characteristic under the Equalities Act 2010 across all CPCA work and services. That report will include an action plan of activities.

Strategic Objective(s):	
The proposals within this report fit under the following strategic objective(s):	
Y	Achieving ambitious skills and employment opportunities
	Achieving good growth
	Increased connectivity
Y	Enabling resilient communities

1. Purpose

1.1	This report shares the Combined Authority's proposed approach to Care Leavers and seeks support for the recommended actions.
1.2	Why are we doing this? Care Leavers – although usually resilient – face barriers and often experience discrimination in many elements of their lives including employment and support is often inconsistent.

2. Proposal

2.1	We will clearly communicate why the CPCA are asking for Care Experienced individuals to disclose this information, explaining that they can access additional support by doing so. They will only be asked to disclose that they are a Care Experienced (and not asked for any details about their specific circumstances), in the same way that we do for those in the Armed Forces or are Disabled (under the separate Armed Forces Covenant and Disability Confident schemes).
2.2	We have already signed up to the Employer's Charter of the Care Leaver's Covenant.
2.3	We will raise awareness internally of Care Leavers through the work we are doing as part of our Equality, Diversity and Inclusion strategy. We hope to include speakers, for example through Lunch and Learn workshops.
2.4	We will work with our colleagues at Constituent Councils, to see how we can raise awareness of our initiatives and work in partnership to maximise opportunities and collaborate where possible.
2.5	The Combined Authority will recognise Care Experience as if it were a protected characteristic, when it relates to HR Policies and procedures.
2.6	We will have an Executive Sponsor that the HR Team can report to on this piece of work, including bringing a paper to Board in November.

3. Background

3.1	<p>A care experienced individual is someone who has been looked after by the Local Authority at any point, for any length of time. This includes, but is not limited to, people who:</p> <ul style="list-style-type: none">• spent time in the care of the local authority (e.g., foster care or children's home)• were 'looked after at home' under a supervision order• spent time in kinship foster care (where a friend or family member becomes the foster carer)• spent time in kinship care through a formal arrangement, recognised by a local authority. <p>For us to be able to provide support to the individual, either through existing support (for example, Care Leaver's Covenant) or in the ways outlined in the briefing note and separate HR Committee paper, the individual would need to disclose their status.</p>
3.2	Care Experienced people face significant barriers that impact them throughout their lives; despite the resilience of many Care Experienced people, society too often does not take their needs into account; Care Experienced people often face discrimination and stigma across housing, health, education, relationships, employment and in the criminal justice system.
3.3	<p>Care Experienced people are a group who are likely to face discrimination and Councils and Combined Authorities have a responsibility to put the needs of disadvantaged people at the heart of decision-making through co-production and collaboration.</p> <p>Officers propose that in relation to HR Policies and procedures, future policies made and adopted by the Combined Authority should be assessed through Equality Impact Assessments to determine the</p>

	impact of changes on people with care experience, alongside those who formally share a protected characteristic.
3.4	The Combined Authority will continue to proactively seek out and listen to the voices of Care Experienced people when developing new policies based on their views.
3.5	There was an earlier update to the HR Committee, where we confirmed what we currently offer to Care Leavers, alongside the recent sign-up to the Employer Charter.
3.6	There are further options that can be considered in the future, and as noted in Recommendation C, we will bring a report to the CPCA Board in November 2023 to recommend a broader proposal to treat Care Experience as if it were a protected characteristic under the Equalities Act 2010 across all the CPCA work and services. That report will include an action plan of activities to support Care Experienced individuals.

4. Appendices

4.1	<i>None</i>
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5. Implications

Financial Implications

5.1	None
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Legal Implications

6.1	The recognition of Care Experience as a protected characteristic by the Council does not create any enforceable rights for those who have this characteristic. It is not at present one of the protected characteristics under the Equality Act 2010, in respect of which discrimination is unlawful. In some instances, care experienced persons will also have other protected characteristics recognised under The Equality Act 2010.
6.2	Section 4 of the Equality Act 2010 sets out 9 characteristics and people with those characteristics are protected from discrimination on the grounds of those characteristics. There is no legal reason why the Combined Authority cannot add Care Experience to the list to be considered locally in its Equalities Impact Assessments. However, in the event that in any assessment there is a conflicting impact between Care Experience and any of the statutory protected characteristics, then the statutory protected characteristics must take precedence.
6.3	Any proposed positive action will need to be assessed on a case-by-case basis to ensure that it does not unlawfully discriminate against those with any of the protected characteristics breach any other legal requirements.

Public Health Implications

7.1	N/A
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Environmental & Climate Change Implications

8.1	N/A
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Other Significant Implications

9.1	N/A
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Background Papers

10.1	N/A
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