



## Report to Policy Committee

**Author/Lead Officer of Report:** Janet Kerr, Chief Social Work Officer

**Tel:** 07580536217

**Report of:** Director of Adult Health and Social Care

**Report to:** Education, Children and Families Policy Committee

**Date of Decision:** 8<sup>th</sup> March 2023

**Subject:** Conversion Practice Position Statement

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
If YES, what EIA reference number has it been given? <b>Number 1447</b>				
Has appropriate consultation taken place?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/> NA
Does the report contain confidential or exempt information?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-				
<i>"The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended)."</i>				

### Purpose of Report:

The Sheffield Adult Safeguarding Partnership Board is seeking endorsement on its proposal to produce a position statement on Conversion Therapy or Practice and to note its direction of travel.

Conversion Practice is any intervention that seeks to change a person's sexual orientation or gender identity. It works towards one goal and that goal is to cure someone from being LGBTQIA+.

The proposal for a position statement supports the rights and autonomy of all people, regardless of sexual identity, and takes a gender affirming perspective. We are asking our Council members and wider organisations to endorse the position statement which condemns this harmful and unethical practice.

**Recommendations:**

It is recommended that the Education, Children and Family Policy Committee:

1. Endorses sign up to the Safeguarding Board Conversion Practice Position statement and delivery plan, noting that approval will be sought from Strategy and Resources Committee on 15<sup>th</sup> March 2023.
2. Requests the Director of Adult Health and Social Care to bring an update to Committee on an annual basis regards implementation of the statement.

**Background Papers:**

- Appendix 1 – Position Statement
- Appendix 2 – Conversion Practice Delivery Plan
- Appendix 3 – Equalities impact assessment

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: Liz Gough
		Legal: Patrick Chisholm
		Equalities & Consultation: Ed Sexton
		Climate: Jessica Rick
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>		
2	<b>SLB member who approved submission:</b>	Alexis Chappell
3	<b>Committee Chair consulted:</b>	Councillor George Lindars-Hammond and Councillor Angela Argenzio
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Committee by the SLB member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	<b>Lead Officer Name:</b> Janet Kerr	<b>Job Title:</b> Chief Social Work Officer
	<b>Date:</b> 27 <sup>th</sup> February 2023	

## **1. PROPOSAL**

- 1.1 Safeguarding and the promotion of human rights is everyone's responsibility.
- 1.2 The Adult Health and Social Care Strategy Living the Life You Want to Live and subsequent Delivery Plan agreed at Adult Health and Social Care Committee on 15th June 2022, made a commitment towards improving wellbeing outcomes and enabling a shift towards prevention of harm.
- 1.3 [A Safeguarding Delivery Plan](#) was subsequently approved at the Adult Social Care Policy Committee in September 2022 and as part of this it was agreed to develop a conversion practice position statement.
- 1.4 A multi-agency task and finish group was subsequently established which involved representatives from adult and children's social care, health, church, human rights organisation, and individual with experience of conversion practice. Best practice and benchmarking were undertaken by this group to inform a position statement.

### **1.5 Conversion Practice Position Statement**

- 1.5.1 Conversion practices still exist although they are scientifically discredited, violate fundamental human rights, and are known to directly harm individuals who are subjected to them.
- 1.5.2 Examples of these harms include anxiety, depression, and suicide. These practices also entail long-term harm to LGBTQIA+ people through their perpetuation of stigma, prejudice, discrimination, and violence based on sexual orientation and gender identity.
- 1.5.3 The Council and partners of the Safeguarding Board value diversity and are committed to promoting the human rights, well-being, and dignity of all members of society.
- 1.5.4 The Conversation Practice Statement condemns any approach that attempts to change an individual's gender or sexuality, including conversion or reparation therapy or practice, on the grounds they are harmful, unethical, and violate the dignity and human rights of the recipient.
- 1.5.5 The position statement provides assurances that organisations who are signed up will respect the identities of those people with diverse gender and sexuality expressions as well as ensuring that they are a safe place to live, work, learn, receive services or worship. The position statement is at Appendix 1 for approval.

## **1.6 Implementation of the Position Statement**

- 1.6.1 It's recognised that there continues to be learning informed by the experiences of individuals about best practice in relation to ending conversion practices as well as the support to individuals affected by conversion practice.
- 1.6.2 It's also recognised that as the profile of the position statement is raised, more individuals who have been affected may need support. To that end, a dedicated confidential email address for people affected by conversion practice to contact for advice and support has been established. The email address is [safeguardingadults@sheffield.gov.uk](mailto:safeguardingadults@sheffield.gov.uk)
- 1.6.3 To enable implementation of the position statement a delivery plan has been produced and through this, it is planned to develop: -
- Training and practice guidance to enable agencies to understand how to respond when safeguarding concerns about conversion practices are made.
  - A review of what supports are needed to support individuals affected by an experience of conversion practice.
  - Guidance about the responsibilities of people in positions of trust, such as Council Officers who are Trustees/ Directors of Boards, and how assurances will be gained regards their understanding of safeguarding and conversion practice when acting as a person in a position of trust.
- 1.6.4 Given the ongoing learning and development in relation to our approach in relation to responding to conversion practice its proposed to bring updates in relation to progress in encouraging sign up to the position statement. The Delivery Plan is at Appendix 2 for Approval.

## **2. HOW DOES THIS DECISION CONTRIBUTE?**

- 2.1 This proposal supports adults and young people enabling them to live, work, learn or worship in the city free of abuse i.e., bullying discrimination, homophobia or transphobia, social isolation, and rejection. It sends out a strong message to the wider community of equality and inclusion.

## **3. HAS THERE BEEN ANY CONSULTATION?**

- 3.1 The Council has engaged and consulted on this proposal with:
- The Safeguarding Adults Partnership
  - Equalities and Human Rights UK Limited
  - Children's Services
  - The Diocese of Sheffield
  - LGBTQ+ members of the community and a survivor of Conversion

Therapy.

3.2 The work thus far has been well received and supported; it continues to attempt to further engage other multi-faith groups in Sheffield and individuals or organisations who may wish to support this development.

3.3 Benchmarking and research have also been undertaken as part of this development to promote learning and ongoing development.

#### **4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION**

##### **4.1 Equality Implications**

4.1.1 As a Public Authority, we have legal requirements under the Equality Act 2010, collectively referred to as the 'general duties to promote equality'. Section 149(1) contains the Public Sector Equality Duty, under which public authorities must, in the exercise of their functions, have due regard to the need to:

1. eliminate discrimination, harassment, victimisation, and any other conduct that is connected to protected characteristics and prohibited by or under this Act.
2. advance equality of opportunity between those who share a relevant protected characteristic and those who do not.
3. foster good relations between those who share a relevant protected characteristic and those who do not.

4.1.2 The Equality Act 2010 gives legal protection to two directly relevant characteristics – gender reassignment and sexual orientation. It prescribes different types of discrimination in relation to both. The Act gives similar protection to Age and other protected characteristics.

4.1.3 We are committed to standing with our LGBTQ+ community and want to hear about their experiences and offer support. We believe this work will have a positive effect on LGBTQIA+ community as conversion practices can have a significant impact on their physical and mental health.

4.1.4 The Safeguarding Board recognises the value of having a clear, unambiguous, and empowering statement about conversion therapy, irrespective of the legal position. However, the Board will monitor Government stated plans to introduce a total ban on the practice and will reflect this in further development of the Equality Impact Assessment.

##### **4.2 Financial and Commercial Implications**

4.2.1 The report supports completion of the safeguarding delivery plan. All individual components of Adult Social Care activity will be assessed for their financial contribution to this finance strategy and the Council's budget. This will be used to inform both plans and decision-making. There are no implications.

### 4.3 Legal Implications

4.3.1 Whilst there is no specific legal duty to have a policy in relation to conversion therapy, the core purpose of adult health and social care support is to help people to achieve the outcomes that matter to them in their life. The Care Act 2014 sets the Council's statutory power to direct the provision that:

- promotes wellbeing.
- prevents the need for care and support.
- protects adults from abuse and neglect (safeguarding)
- promotes health and care integration.
- provides information and advice.
- promotes diversity and quality.

4.3.2 The Care Act Statutory Guidance requires at para 4.52 that "... Local authorities should have in place published strategies that include plans that show how their legislative duties, corporate plans, analysis of local needs and requirements (integrated with the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy), thorough engagement with people, carers and families.....translate (now and in future) into appropriate high quality services that deliver identified outcomes for the people in their area and address any identified gaps."

4.3.3 It is established in the report how the practice of conversion therapy can have adverse and implications for the health and wellbeing of those subjected to it. The proposal is therefore in line with the Care Act obligations, as well as other policies and the equalities duties referred to above.

4.3.4 The Care Act applies to both adults and children, but there also relevant obligations arising out of the legislation relating specifically to children. Section 17 of the Children Act 1989 imposes a general duty on Local Authorities to safeguard and promote the welfare of children within their area who are in need by providing a range and level of services appropriate to those children's needs.

### 4.4 Climate Implications

4.4.1 There are no climate implications

### 4.4 Other Implications

4.4.1 At this time, it is difficult to predict what impact the position statement will have in its proposed implantation. There is however a commitment from the Director of Adult Health and Social Care to consider any direct needs for individuals who have been subjected to this practice.

## **5. ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 A position statement is proposed to define the issues and implement strategies that will produce a measurable and positive result for the LGBTQ+ community. It will also provide a framework for guidance rather than a mandatory policy which cannot be enforced across the numerous organisations which we hope to sign up.

## **6. REASONS FOR RECOMMENDATIONS**

- 6.1 Endorsing and noting the direction of travel will:

- Raise awareness of the practice of Conversion therapy in Sheffield.
- Encourage the LGBTQ+ community to speak out with confidence where they are subjected to this practice.
- Provide strategies within a framework to support the LGBTQ+ community.

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