

Equality Impact Assessment (EIA) Template: Service Reviews/Service Changes

Title of spending review/service change/proposal	The Future of Local Authority Maintained Pre-Schools in Leicester – An Options Report
Name of division/service	Early Help Targeted Services
Name of lead officer completing this assessment	Liam Mahoney – Senior Project Manager (Children’s Commissioning and Performance)
Date EIA assessment completed	Started 25.01.16 – work in progress
Decision maker	City Mayor and Executive
Date decision taken	TBC

EIA sign off on completion:	Signature	Date
Lead officer		
Equalities officer		
Divisional director		

Please ensure the following:

- (a) That the document is understandable to a reader who has not read any other documents, and explains (on its own) how the Public Sector Equality Duty is met. This does not need to be lengthy, but must be complete.
- (b) That available support information and data is identified and where it can be found. Also be clear about highlighting gaps in existing data or evidence that you hold, and how you have sought to address these knowledge gaps.
- (c) That the equality impacts are capable of aggregation with those of other EIAs to identify the cumulative impact of all service changes made by the council on different groups of people.

1. Setting the context

Describe the proposal, the reasons it is being made, and the intended change or outcome. Will current service users' needs continue to be met?

All three and four-year-olds are entitled to funded early education entitlement (FEEE). Some 2 year olds are also entitled to FEEE where their parents are in receipt of certain benefits or where the child is looked after, has an EHC Plan or has left care under a special guardianship order. Although families are eligible for FEEE it is not a legal requirement for them to take-up the opportunity of free childcare.

Local Authorities have a statutory duty to '**secure sufficient childcare**, so far as is reasonably practicable, for working parents, or parents who are studying or training for employment, for children 0-14 (or up to 25 for disabled children)' (*Section 6, Childcare Act 2006*). As part of this duty, Local Authorities also need to ensure that those children entitled to nursery education funded places at age 2, 3 and 4 years are able to access them (Section 7(1), Childcare Act 2006).

Local Authorities **do not have a statutory duty to provide** the places for 2, 3 and 4 year olds. Section 8(3) of the Childcare Act 2006 specifies that Local Authorities should only provide childcare themselves if no other provider is able or willing to do so. However, they can support others to provide childcare, including giving them financial assistance. The act states:

An English local authority may not provide childcare for a particular child or group of children unless the local authority are satisfied—

(a) that no other person is willing to provide the childcare (whether in pursuance of arrangements made with the authority or otherwise), or

(b) if another person is willing to do so, that in the circumstances it is appropriate for the local authority to provide the childcare.

In Leicester there are 14 local authority maintained childcare settings, providing 348 sessional FEEE places in small provision with an average number of 19.5 places per session. These settings are supported through approximately £500K local authority appropriation. There are 114 private, voluntary and independent (PVI) sector settings with 7469 sessional places. The PVI settings are generally larger with an average of 63 places per session.

Data suggests that there are adequate places for 2,3 and 4 year olds eligible for FEEE given current and historic levels of take-up.

<p>The proposal is to change the delivery model of how provision is provided with the local authority moving away from being the provider, with the PVI taking on some of the current provision (Option D)</p>	
<p>2. Equality implications/obligations</p> <p>Which aims of the Public Sector Equality Duty (PSED) are likely be relevant to the proposal? In this question, consider both the current service and the proposed changes.</p>	
	<p>Is this a relevant consideration? What issues could arise?</p>
<p>Eliminate unlawful discrimination, harassment and victimisation How does the proposal/service ensure that there is no barrier or disproportionate impact for anyone with a particular protected characteristic</p>	<p>The remaining provision in the PVI sector provides FEEE to children from families irrespective of any protected characteristic. The proposal will allow for better equipped facilities to be maintained which will promote early education in accessible quality accommodation.</p>
<p>Advance equality of opportunity between different groups How does the proposal/service ensure that its intended outcomes promote equality of opportunity for users? Identify inequalities faced by those with specific protected characteristic(s).</p>	<p>The outcome of the proposal (option D) will see the PVI sector continue to run settings that are open for childcare to children eligible for FEEE. This model already exists for the majority of FEEE places that are available in the city, the majority of which are already provided by the PVI sector.</p> <p>The proposal will enable some settings to move from one daily session being available to 2 or 3 daily sessions. This will enable the PVI sector to add flexibility and choice to the market as they will expand provision currently offering only one session per day.</p>
<p>Foster good relations between different groups Does the service contribute to good relations or to broader community cohesion objectives? How does it achieve this aim?</p>	<p>The proposal (option D) enables settings to continued to be delivered in the areas where it is most sustainable. Just as when the settings are LA maintained the PVI operators will</p>

	promote community cohesion with services open to all eligible children.
<p>3. Who is affected?</p> <p>Outline who could be affected, and how they could be affected by the proposal/service change. Include current service users and those who could benefit from but do not currently access the service.</p>	
<p>Those who could be affected include:</p> <ul style="list-style-type: none"> - Children aged 2, 3 and 4 years old currently accessing maintained settings. The impact could be that they have to access a FEEE place elsewhere, if their current setting closes. However, the PVI sector will add flexibility and choice to the market as they will expand provision currently offering only one session per day to 2 or 3 sessions per day – adding flexibility for parents/carers. - Parents/carers of the current cohort could be affected if their current setting closes. However, the PVI sector will add flexibility and choice to the market as they will expand provision currently offering only one session per day to 2 or 3 sessions per day – adding flexibility for parents/carers. - Staff could be effected through redundancy or change in place of work - Future potential service users (un-born children or those aged 0,1 and 2 (non-FEEE eligible) will not be effected as they will access a FEEE place at a setting that is suitable to them at that time. 	
<p>4. Information used to inform the equality impact assessment</p> <p>What data, research, or trend analysis have you used? Describe how you have got your information and what it tells you. Are there any gaps or limitations in the information you currently hold, and how you have sought to address this, e.g. proxy data, national trends, etc.</p>	
<p>Data from a range of sources has been gathered and used to define the proposals (Appendix C). Take-up of the FEEE places available to FEEE children in maintained settings has been looked at over a three year period. The number of places available in the wider PVI sector has been looked at. The number of children who are SEND or subject to children’s social care has also been looked at in the maintained settings and PVI sector – it was found that there was no difference in the provision for SEND</p>	

children and vulnerable children between the maintained settings and PVI sector.

5. Consultation

What **consultation** have you undertaken about the proposal with current service users, potential users and other stakeholders?

What did they say about:

- What is important to them regarding the current service?
- How does (or could) the service meet their needs?
- How will they be affected by the proposal? What potential impacts did they identify because of their protected characteristic(s)?
- Did they identify any potential barriers they may face in accessing services/other opportunities that meet their needs?

TBC

6. Potential equality Impact

Based on your understanding of the service area, any specific evidence you may have on service users and potential service users, and the findings of any consultation you have undertaken, use the table below to explain which individuals or community groups are likely to be affected by the proposal because of their protected characteristic(s). Describe what the impact is likely to be, how significant that impact is for individual or group well-being, and what mitigating actions can be taken to reduce or remove negative impacts.

Looking at potential impacts from a different perspective, this section also asks you to consider whether any other particular groups, especially vulnerable groups, are likely to be affected by the proposal. List the relevant that may be affected, along with their likely impact, potential risks and mitigating actions that would reduce or remove any negative impacts. These groups do not have to be defined by their protected characteristic(s).

	Impact of proposal: Describe the likely impact of the proposal on people because of their protected characteristic and how they may be affected.	Risk of negative impact: How likely is it that people with this protected characteristic will be negatively affected? How great will that impact be on	Mitigating actions: For negative impacts, what mitigating actions can be taken to reduce or remove this impact? These should be included in the
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Protected characteristics	Why is this protected characteristic relevant to the proposal? How does the protected characteristic determine/shape the potential impact of the proposal?	their well-being? What will determine who will be negatively affected?	action plan at the end of this EIA.
Age¹ Children Aged 2-4 years old	Children aged 2 – 4 will be affected as the settings operate for children of this age are eligible for FEEE	It is highly likely that children of this age will be affected – however, it is likely that the parents and carers of the children will be more adversely affected through disruption of moving to alternative provision if their setting closes.	Brokerage service for parents to find places. The PVI sector operates across the city currently. The expansion of some existing settings will allow for further sessions to be opened offering flexibility to parents and carers. A phased approach to closing settings will be taken.
Disability²	The settings do take children with SEND. If these children access a setting that is proposed to be closed they will be affected. However, evidence shows that the PVI sector is experienced and has the relevant skills to provide for children with SEND.	It is highly likely that children with SEND will be affected – however, it is likely that the parents and carers of the children will be more adversely affected through disruption of moving to alternative provision if their setting closes.	Brokerage service for parents to find places. The PVI sector operates across the city currently. The expansion of some existing settings will allow for further sessions to be opened offering flexibility to parents and carers. A phased approach to closing settings will be taken.

¹ Age: Indicate which age group is most affected, either specify general age group - children, young people working age people or older people or specific age bands

² Disability: if specific impairments are affected by the proposal, specify which these are. Our standard categories are on our equality monitoring form – physical impairment, sensory impairment, mental health condition, learning disability, long standing illness or health condition.

Gender Reassignment³	Impact not known	Impact not known	Impact not known
Marriage and Civil Partnership	Impact not known	Impact not known	Impact not known
Pregnancy and Maternity	Impact not known	Impact not known	Impact not known
Race⁴	Our settings offer services to all children irrespective of race.	It is highly likely that children of all races, but primarily White British will be affected – however, it is likely that the parents and carers of the children will be more adversely affected through disruption of moving to alternative provision if their setting closes.	Brokerage service for parents to find places. The PVI sector operates across the city currently. The expansion of some existing settings will allow for further sessions to be opened offering flexibility to parents and carers. A phased approach to closing settings will be taken.
Religion or Belief⁵	Impact not known	Impact not known	Impact not known
Sex⁶	The proposals will affect males and females equally. Our	It is highly likely that children both male and female will be	Brokerage service for parents to find places. The PVI sector

³ Gender reassignment: indicate whether the proposal has potential impact on trans men or trans women, and if so, which group is affected.

⁴ Race: given the city's racial diversity it is useful that we collect information on which racial groups are affected by the proposal. Our equalities monitoring form follows ONS general census categories and uses broad categories in the first instance with the opportunity to identify more specific racial groups such as Gypsies/Travellers. Use the most relevant classification for the proposal.

⁵ Religion or Belief: If specific religious or faith groups are affected by the proposal, our equalities monitoring form sets out categories reflective of the city's population. Given the diversity of the city there is always scope to include any group that is not listed.

⁶ Sex: Indicate whether this has potential impact on either males or females

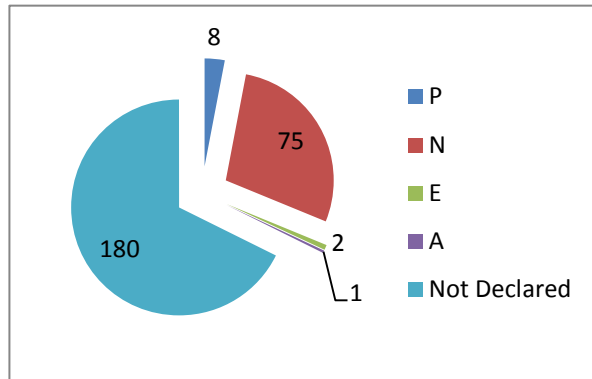
	settings are co-educational with no quotas for each gender.	affected – however, it is likely that the parents and carers of the children will be more adversely affected through disruption of moving to alternative provision if their setting closes.	operates across the city currently. The expansion of some existing settings will allow for further sessions to be opened offering flexibility to parents and carers. A phased approach to closing settings will be taken.
Sexual Orientation⁷	Impact not known	Impact not known	Impact not known
Summarise why the protected characteristics you have commented on, are relevant to the proposal?			
Summarise why the protected characteristics you have not commented on, are not relevant to the proposal?			
Other groups	Impact of proposal: Describe the likely impact of the proposal on children in poverty or any other people who we consider to be vulnerable. List any vulnerable groups likely to be affected. Will their needs continue to be met? What issues will affect their take up of services/other opportunities that meet their	Risk of negative impact: How likely is it that this group of people will be negatively affected? How great will that impact be on their well-being? What will determine who will be negatively affected?	Mitigating actions: For negative impacts, what mitigating actions can be taken to reduce or remove this impact for this vulnerable group of people? These should be included in the action plan at the end of this EIA.

⁷ Sexual Orientation: It is important to remember when considering the potential impact of the proposal on LGBT communities, that they are each separate communities with differing needs. Lesbian, gay, bisexual and transgender people should be considered separately and not as one group. The gender reassignment category above considers the needs of trans men and trans women.

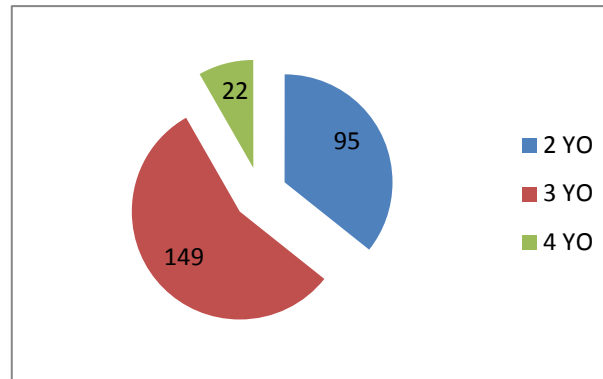
	needs/address inequalities they face?		
Children in poverty	All children aged 3 to 4 are eligible for FEEE. Children who meet certain criteria aged 2 are also eligible for FEEE. One criteria is woklessness which means children in poverty could be affected by the proposal if their closest setting closes.	Other settings exist in the city who take children eligible for FEEE. Take-up in the city is low suggesting there is an amount of slack in the system in terms of places.	Brokerage service for parents to find places. The PVI sector operates across the city and takes 2 year olds eligible for FEEE. A phased approach to closing settings will be taken.
Other vulnerable groups	All children aged 3 to 4 are eligible for FEEE. Children who meet certain criteria aged 2 are also eligible for FEEE. One criteria is being LAC which means vulnerable children could be affected by the proposal if their closest setting closes.	Other settings exist in the city who take children eligible for FEEE. Take-up in the city is low suggesting there is an amount of slack in the system in terms of places.	Brokerage service for parents to find places. The PVI sector operates across the city and takes 2 year olds eligible for FEEE. A phased approach to closing settings will be taken.

Based on the current cohort accessing the LA maintained pre-school the break down of the children is as follows:

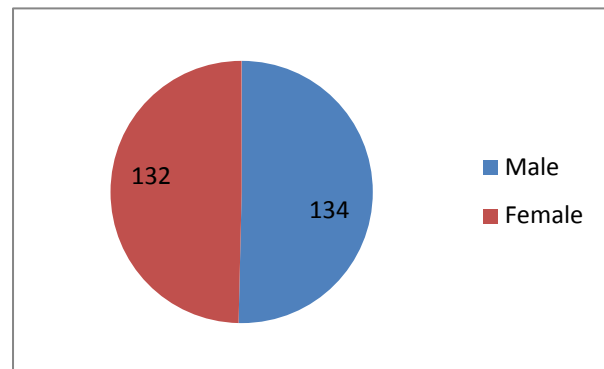
Current LA Pre-School Cohort SEND



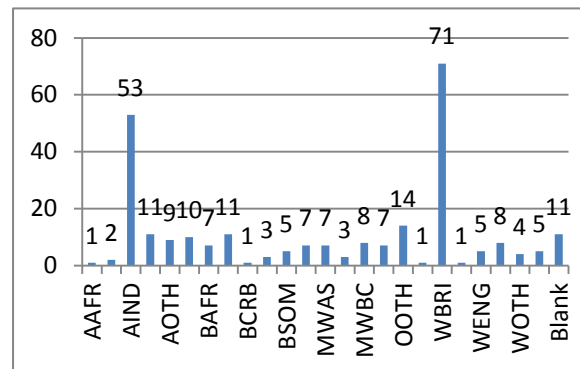
Current LA Pre-School Cohort Age



Current LA Pre-School Cohort Gender



Current LA Pre-School Cohort Ethnicity



7. Monitoring Impact

You will need to ensure that monitoring systems are established to check for impact on the protected characteristics and human rights after the decision has been implemented. Describe the systems which are set up to:

- monitor impact (positive and negative, intended and unintended) for different groups
- monitor barriers for different groups
- enable open feedback and suggestions from different communities
- ensure that the EIA action plan (below) is delivered.

TBC

8. EIA action plan

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

Equality Outcome	Action	Officer Responsible	Completion date

DRAFT

Equalities Monitoring (including impairments)

In order to meet your needs and improve service we need to know a bit more about you. Please help us by completing this form which describes how you see yourself. This information will be kept confidential and is for our monitoring use only.

1) Ethnic Background: How would you describe your ethnicity?

a) Asian or Asian British

Bangladeshi Indian Pakistani

Any other Asian background (please write in).....

b) Black or Black British

African Caribbean Somali

Any other Black background (please write in).....

c) Chinese

Any other Chinese background (please write in).....

d) Dual / Multiple Heritage

Asian & White Black African & White Black Caribbean & White

Any other Heritage background (please write in).....

e) White

British European Irish

Any other White background (please write in).....

f) Other ethnic group

Gypsy/Romany/Irish traveller

Any other ethnic group (please write in).....

g) Prefer not to say

2) Gender: How would you describe your gender?

Female Male Trans woman Trans man

Other Prefer not to say

3) Age

Date of birth (day/month/year).....

Age in years

Prefer not to say

4) Disability

The Equality Act 2010 defines a person as disabled if they have a physical or

mental impairment, which has a substantial and long term effect (i.e. has lasted or is expected to last at least 12 months) and has an adverse effect on the person's ability to carry out normal day to day activities.

Do you consider yourself to have a disability, or a long term illness, physical or mental health condition?

- Yes No Prefer not to say

If you have answered YES to the question above, please state the type of impairment that applies to you. People may experience more than one type of impairment, in which case tick all that apply. If none of the categories apply, please tick 'Other' and describe your impairment.

- Physical impairment (e.g. difficulty using your arms or mobility issues which means using a wheelchair or crutches)
- Sensory impairment (e.g. being blind/having a serious visual impairment, being deaf/having a serious hearing impairment)
- Mental health condition (e.g. depression, schizophrenia)
- Learning disability (e.g. Down's syndrome or dyslexia) or cognitive impairment (e.g. autism, head injury)
- Long-standing illness or health condition (e.g. cancer, HIV, diabetes, chronic heart disease, epilepsy)
- Other, such a disfigurement (please write in).....
- Prefer not to say

5) Sexual Orientation: How would you describe yourself?

- Bisexual Gay/Lesbian Heterosexual/straight
- Prefer not to say Other (please write in).....

6) Religion or Belief: How would you describe your religion or belief?

- Bahai Buddhist Christian Hindu
- Jain Jewish Muslim Sikh
- Atheist No religion Prefer not to say
- Other (please write in).....

7) Postcode

____ First 4 digits only

- Prefer not to say

the data controller for the information on this form for the purposes of the Data Protection Act.

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