

Equality Impact Assessment (EqIA)

The Equality Act 2010 introduced the Public Sector Equality Duty which states that a public authority must, in the exercise of its functions, have due regard to the need to:

1. Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act.
2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This document demonstrates how the Council is meeting the Public Sector Equality Duty by setting out the findings of an equality analysis that has been undertaken in relation to a proposed change to assess whether it has a disproportionate impact on people who share a protected characteristic, together with care leavers / care experienced adults, as the Council treats this group like a protected characteristic.

1. Background

Directorate	Children & Young people
Service area	Early Years – Education
Title of the proposed change being assessed i.e., the policy, service or other development	Early Years registered childcare provision for children aged 0-5 with Special Educational needs
Describe the purpose of the proposed change and the intended outcomes	
<p>The Authority is seeking to commission the delivery of 2 registered childcare and outreach provision centres for children with special educational needs and disabilities in Gloucestershire. This provision will deliver the following:</p> <ul style="list-style-type: none"> • Provide childcare entitlement for eligible children, whose needs cannot be met in mainstream provision • Facilitate multi-agency assessments and evidence-based interventions to support child development • Inform planning for the next stage of the child’s education. • Provide an outreach service to support successful transitions to the child’s next setting <p>One centre was commissioned in 2023 for an initial pilot period of 12 months. The option to extend for an additional period of up to 12 months was agreed and implemented and the contract is now in place until August 2024. The initial commissioned service is delivered from one of the de-designated Children and Families Centres based in the city of Gloucester.</p> <p>Following review of the pilot, Cabinet approval is being sought to re-commission the centre in Gloucester city and to commission an additional centre in the Cheltenham/Tewkesbury area.</p>	

Context

The core purpose of an Assessment and Outreach Provision is to:

- Ensure that all children can access their entitlement of early education
- Improve outcomes for young children
- Reduce inequalities between children in greatest need and their peers (Statutory Guidance and section 2 Childcare Act 2006)
- Mitigate the risk of escalation of unmet needs and the requirement for special school provision

Who is affected by the proposals?	Service users <input checked="" type="checkbox"/> Wider community <input type="checkbox"/> Workforce <input type="checkbox"/> Other, please specify: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Parents EY & Childcare providers</div>
Decision to be taken and decision maker	Cabinet decision – June 12 th 2024 To seek Cabinet approval to increase the current level of funding from Dedicated Schools Grant to £440k per year (currently £200k), to commission Early Years Special Education Needs centres x 2 , from 1 st January 2025, for a 3 year period
Person(s) responsible for completing this assessment	Sarah Hylton – Head of Early Years
Date of this assessment	Updated March 2024

2. Information and Data Collection

Summarise how you have collected the information and data required to assess the potential or actual impact of the proposed change on those who share the protected characteristics and care leavers / care experienced adults (e.g., survey of services users, community focus groups, analysing service usage data, engaging with the council's staff networks etc.). The actual information and data that has been collected and analysed should be set out in Appendix 1 (Service Users) and Appendix 2 (GCC staff).

If there are any gaps, include an action in section 4 to fill these. This doesn't mean that you can't complete the equality impact assessment, but you need to follow-up the action and revisit as part of the monitoring and review arrangements set out in section 5.

Stakeholders	Engagement and Consultation	Other Methods / Sources
Service Users / Wider Community	Parent/carer consultation Parent questionnaire and feedback before and after intervention	National research - Dingley's Promise in October 2023
Workforce	Consultation On going dialogue Analysis of need	
Partners	Health practitioners – on going dialogue and consultation Education service partner teams (Advisory teaching , Educational psychology, SEND casework) - consultation	

	Primary schools – Glos association of primary Heads – consultation	
Other		

3. Equality Assessment

Indicate the impact on each group and explain how you have reached your conclusions (i.e., through analysis of the information and data that was collected through the engagement, consultation and other methods / sources that were set out in section 2).

Service Users						
Groups		Positive Impact	Neutral Impact	Negative Impact	Not Sure	Summary of Impact
Protected Characteristics (Equality Act 2010)	Age	x				The service will provider for children aged 0-5 yrs. There is currently no SEN specific provision for this age group
	Disability	x				<p>Providers of early years education, that is all early years' providers in the private, voluntary and independent sectors that a local authority funds, are required to have regard to the SEND Code of Practice (2015)</p> <p>Due to the additional support and funding available to mainstream EY settings, almost all children have been able to access their EY education entitlement in a local setting. For some children with complex needs, however, this has not been an entirely positive experience and has merely enabled the child to access a setting but has not facilitated a robust assessment</p>

					<p>and understanding of the child's additional needs.</p> <p>Consequently, developmental progress has been limited by an environment that is not conducive to the child's needs and/or by a lack of expertise and specialist knowledge of the setting staff.</p> <p>Subsequently, some children have experienced a difficult transition to school without effective planning and resources in place. For some this has led to school entry deferral or reduced attendance hours pending completion of EHC needs assessment and subsequent issuing of statutory EHC plan and allocation of additional resources.</p> <p>Some children can access a mainstream setting that meets their social needs but require a multi-agency assessment in a targeted setting to understand their developmental/ learning needs.</p> <p>Whilst good multi-agency planning has successfully enabled some children with complex health needs to safely access a mainstream provision, some children's health needs have prevented them from accessing a mainstream setting due to the complexity of their condition and the lack of confidence/capacity within mainstream settings to support these needs.</p> <p>EY settings in Gloucestershire report that they are struggling to meet the needs of some children with SEN, due to the financial pressures in the sector that present challenges in relation to increasing staff to child ratios and recruitment challenges that impact on employing staff with the right level of skill and knowledge to support children with complex needs.</p> <p>Research undertaken by Dingley's Promise in October 2023 found that 79% of settings have seen a significant rise in the</p>
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					<p>number of children with SEND (Special Educational Needs and Disabilities). Overall, 95% have seen a rise in the number of children with SEND. 27% of providers said they had no more spaces for children with SEND and that once the new entitlements come in this will rise to 57%.</p> <p>National research evidences that parents report significant difficulty in finding early years provision for children with SEN and disabilities and that settings are finding it increasingly difficult to support children with SEN.</p> <p>One in five parents that responded reported being turned away from a setting. In line with the Equalities Act, every setting is required to make reasonable adjustments to take a child regardless of their needs. However, in reality some settings are turning children away as the number of children with SEND increases and the low funding rates and increased costs add pressure to an already fragile business sector. 80% of settings felt that the recently introduced ratio changes will make it harder to support children with SEND</p>
	Sex		x		<p>The EY provision will not differentiate between males and females. It will offer provision for all children regardless of gender/sex. There are no concerns identified.</p> <p>EY practitioners are advised to access any available training to increase their awareness and confidence in supporting children of all sexual orientations</p>
	Race		x		<p>The provision of an SEN childcare centre does not have an adverse impact on race equality considerations. As all Gloucestershire's Childcare Providers, it will ensure environments accessible to children and families reflect the</p>

					<p>community in which they live and the wider images of the diverse communities.</p> <p>It is difficult to fully understand if any barriers to access childcare provision for children from specific ethnic groups exist. Whilst we have not had concerns raised by parents about insufficient or inadequate provision, we cannot assume that these do not exist. We have faced challenges in obtaining data from the EY sector regarding demand and take up of childcare places for particular ethnic groups, despite introducing reporting systems. Available data does not indicate a barrier to childcare due to race, but to help us to identify any barriers to accessing childcare provision we are currently undertaking consultation with parents from a range of ethnic backgrounds.</p>
	Gender reassignment		x		<p>The EY SEN provision will not particularly impact on residents undergoing gender re-assignment in either a positive or negative way. All childcare is accessible to all children, no concerns have been identified, EY practitioners are advised to access any available training to increase their awareness and confidence to support children impacted by gender assignment</p>
	Marriage & civil partnership		x		<p>There is no bearing on marriage or civil partnership</p>
	Pregnancy & maternity	x			<p>There are no identified concerns relating to pregnancy or maternity</p>
	Religion and/or belief		x		<p>There is no bearing within the EY SEN provision on religion or belief. All childcare providers celebrate diverse events throughout a calendar year to build under 5's knowledge of the world around them.</p>

						To help us to ensure that this practice is consistent across the county and that parents experience good practice in relation to meeting their child's religious beliefs and culture this is included consultation exercise with parents.
	Sexual orientation		x			The EY SEN centre will not differentiate between sexual orientation. The underlying principles of the Early Years Foundation Stage Profile is to give access to all learning activities based on a child's individual interests and preferences and not to lead or direct. No concerns have been raised or identified
	Care leavers / care experienced adults		x			There is no assessed impact for care leavers. All families have equal access to childcare.
	Armed forces		x			There is no assessed impact for armed forces personnel
	Carers		x			
	Care leavers / care experienced adults		x			There is no assessed impact for care leavers
	Digital exclusion		x			There is no assessed impact, information about EY SEN services are available in a range of written formats
	Geography, for example, urban and rural areas	x				An additional EY SEN centre in the Cheltenham/Tewkesbury area will provide targeted/specialist support in this locality, where there is currently none.
	Socio-economic disadvantage		x			Research indicates that often parents of children with additional needs and SEND are more likely to be challenged by poverty. The EY SEN centres will help to ensure that this cohort of parents have access to EY

						provision that can deliver funded childcare entitlement.
	Vulnerable groups of society		x			NO assessed impact other than set out above under specific characteristics.
	Interconnected Characteristics / Groups Groups	Positive Impact	Neutral Impact	Negative Impact	Not Sure	Summary of Impact

Gloucestershire County Council Staff						
Groups		Positive Impact	Neutral Impact	Negative Impact	Not Sure	Summary of Impact
Protected Characteristics (Equality Act 2010)	Age		x			This provision will be delivered by a commissioned organisation with relevant experience and skills. There is no impact for GCC staff members
	Disability		x			As above
	Sex		x			As above
	Race		x			As above
	Gender reassignment		x			As above
	Marriage & civil partnership		x			As above
	Pregnancy & maternity		x			As above

	Religion and/or belief		x			As above
	Sexual orientation		x			As above
	Armed Forces community					
	Care leavers / care experienced adults		x			As above
	carers		x			As above
	Digital exclusion		x			As above
	Geography, for example, urban and rural areas		x			As above
	Socio-economic disadvantage		x			As above
	Vulnerable groups of society		x			As above

Interconnected Characteristics / Groups	Positive Impact	Neutral Impact	Negative Impact	Not Sure	Summary of Impact	Action Required (Y/N)?

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4. Action Plan

Set out the key actions that will be undertaken, following the equality assessment in section 3, to further maximise the positive impact or mitigate the negative impact of the proposal on those who share the protected characteristics and care leavers / care experienced adults (any negative consequences should be eliminated, minimised or counter-balanced by other measures):

Identified Potential or Actual Impact	Recommended Action(s)	Owner	Target Completion Date
Equality of access to childcare for children with SEN= positive impact	Continued engagement with parents/carers of children with SEND has identified a need for this provision. Parents will be included in outcome monitoring of this pilot.	Sarah Hylton	On going
Equality of access to childcare for children with SEN – geographical potential negative The pilot centre based in Gloucester city has been	In Gloucestershire, although all EY provision is mainstream, we have a small number of providers who actively promote themselves as supporting children with SEND. These providers operate in the Cotswolds, Stroud and the Forest and currently we have commissioned Dingley's Assessment Provision	Sarah Hylton	On going

<p>the only EY SEN centre in the county. Children from across the county are able to access the centre but the location has not be suitable for some children living in other parts of the county.</p>	<p>in Gloucester.</p> <p>Cheltenham/Tewkesbury are the only areas at present that do not have SEND targeted provision. The Dingley's provision in Gloucester is not on a direct bus route to/from Cheltenham meaning that parents who do not drive would have to catch two buses (minimum) in order to access the centre.</p> <p>Approval is sought from Cabinet to commission a second provision in the Chelt/Tewkes area to address this gap.</p> <p>All EY settings in Gloucestershire have access to a range of advice, support and training to help them to support children with additional needs.</p>		
<p>Equality of access to childcare for children of all ethnic backgrounds = positive impact</p>	<p>Continued engagement with parents/carers of children from minority ethnic groups to ensure access to inclusive childcare provision that meets the cultural needs of the whole community</p> <p>Ofsted inspection framework and EYFS framework sets out a requirement for EY providers to be mindful of and to meet the needs of children from culturally diverse backgrounds.</p>	<p>Sarah Hylton</p>	<p>On going</p>

5. Monitoring and Review

Public bodies must have regard to the aims of the duty not only when a policy, service or development is being created and decided upon, but also when it is implemented and at regular intervals afterwards. The Equality Duty is a continuing duty.

Lead officer(s):	Sarah Hylton
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Part 1 – Initial arrangements (up to around six months following implementation)

Date of the post implementation review:	6 months after centres open
<p>Approach to <u>measuring the impact</u> of the change to enable a <u>comparison</u> between the <u>anticipated impact</u> (as set out in section 3) with the <u>actual impact</u>:</p> <ul style="list-style-type: none"> ▪ What mechanisms will be used? ▪ How will service users / the wider community / GCC staff and other stakeholders be involved? 	<p>Assessment of child development levels – entry and exit Parent satisfaction surveys and feedback Mainstream setting feedback</p> <p>Data analysis – age, disability/need , ethnicity etc to ensure service is accessible to all and meeting the needs of all children that need it.</p>


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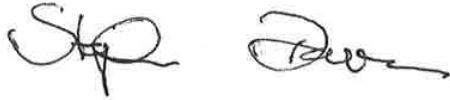
Part 2 – Ongoing arrangements (from around six months onwards)

Frequency of monitoring and review:	Quarterly contract and outcome monitoring
What mechanisms will be used? How will service users / the wider community / GCC staff and other stakeholders be involved?	As in part 1

Lead officer(s):	Sarah Hylton – Head of EY service
Frequency of the monitoring and review:	6 monthly for duration of contract
How the impact of the policy, service or development will be measured, including the data and information that will be used:	To ensure that childcare provision that meets the needs of all children and families, regardless of SEN/ disability, is available and accessible across the county.
Stakeholders who will be involved:	Parents/carers, EY Providers, EY service, commissioned provider

6. Approval

Signature of Senior Officer	
Name of Senior Officer	Kirsten Harrison
Date	27 th July 2023 Updated 8 Jan 2024 Updated April 2024 Updated 30.05.24

Signature of Decision Maker	
Name of Decision Maker	Cllr Stephen Davies
Date	29 May 2024

Appendix 1 – Service User Data and Information

Details of service users affected by the proposed activity:

Groups	Service User Data and Information
Age	
Disability	
Sex	
Race	
Gender reassignment	
Marriage & civil partnership	
Pregnancy & maternity	
Religion and/or belief	
Sexual orientation	
Care leavers / care experienced adults	

Appendix 2 – Gloucestershire County Council Staff Data and Information

Details of Gloucestershire County Council staff affected by the proposed activity:

Groups	GCC Workforce Data and Information
Age	
Disability	
Sex	
Race	
Gender reassignment	
Marriage & civil partnership	
Pregnancy & maternity	
Religion and/or belief	
Sexual orientation	
Care leavers / care experienced adults	