

# Equality Impact Assessment

**Relating to:** Provision of school meals for primary and day special schools

**Date:** 8<sup>th</sup> November 2012

## Introduction

This Impact Assessment supports the County Council in meeting its legal obligations under the **Public Sector Equality Duty**, now contained in section 149 of the Equality Act 2010. The Equality Duty ensures that public bodies have due regard to the statutory needs referred to in section 149 when exercising their functions.

Section 149 provides that in exercising its functions an authority must have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and others who do not share it; and
- foster good relations between people who share a protected characteristic and those who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and others who do not share it involves having due regard (in particular) to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and those who do not share it involves having due regard (in particular) to the need to tackle prejudice and to promote understanding.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled person's disabilities.

Compliance with the duties in section 149 may involve treating some persons more favourably than others; but not if that would itself involve conduct which is made unlawful under the Equality Act 2010.

The protected characteristics to which the duty applies are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation, also marriage and civil partnership but only in respect of the requirement to have due regard to the need to eliminate discrimination.

Having **due regard to** means consciously thinking about the statutory needs as part of the process of decision making, when the proposals are still at a formative stage, and before a decision is reached. This means that consideration of those equality issues must influence the decisions reached by public bodies. The Equality Duty must be exercised in substance, with rigour and with an open mind.

Indirect discrimination occurs where a condition criterion or practice is applied which would put people with one of the protected characteristics at a disadvantage, and the imposition of that condition, criterion or practice is not a proportionate means of achieving a legitimate aim, i.e. it cannot be objectively justified.

It is important to understand and consider how different people will be affected by the decisions the Council makes, so that policies and services are appropriate and accessible to all and meet different people's needs.

This assessment will help you think about the potential impact your proposals will have on all sections of the community. Recognising these impacts early on in the process of developing policies will assist good decision making and ensure that the County Council delivers services appropriate to people's needs. Remember that the Equality Duty involves having due regard to the needs to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not, as well as to eliminate discrimination and other conduct which is unlawful under the Equality Act 2010.

**1. Person responsible for undertaking this assessment:**

<b>Name:</b> Kirsty Pritchard	<b>Telephone:</b> 01452 427302
<b>Service:</b> Commissioning	<b>E-mail:</b> kirsty.pritchard@gloucestershire.gov.uk
	<b>Date of Assessment:</b>

**2. Name and brief description of the policy, service, strategy, procedure or function: (indicate whether new or revised)**

To go out to tender for a Primary and Special School Meals Service from April 2012. The service will provide hot school meals cooked onsite in the majority of schools and where necessary provide a delivered meals service for schools which do not have kitchen facilities. The likely value of the contract is £21m to £30m.

The current school meals contract is a successful one, with positive feedback from pupils, parents and schools

When it runs out there is an option to leave schools to organise their own service but there are significant benefits from brokering a countywide contract:

- Economies of scale leading to lower costs for schools and parent
- A hot meal service is more likely to be viable in smaller schools
- Vulnerable pupils are more likely to have access to a nutritious meal
- We can specify minimum nutritional standards and local sourcing of food

**3. Briefly describe its aims and expected outcomes**

The key requirement is that this contract will support the following population outcomes:

- The most vulnerable children are able to eat a nutritious meal at lunchtime
- Children's concentration, achievement and behaviour is improved
- Children's health is improved.

The core service outcomes for the school meals contract are:

- Provision of a hot school meals for primary and special schools
- Provision of a FSM service and an affordable paid meal service
- Hot meals cooked on site or delivered service to schools
- Meets national nutritional standards
- Emphasis on locally sourced produce
- Quality contract management and monitoring.

**4. Describe how this policy will impact on the Council's duty to:**

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity
- Foster good relations

Identify what particular groups of people will be affected by this policy.

Children are the main group that are affected by this policy. Everyone needs a healthy diet, but for children it is especially important. Eating healthily improves the short-term health of children, allows them to grow and develop properly, and helps to avoid chronic disease later in life. Research has shown that a school meal can also help improve children's concentration, achievement and behaviour.

Health and nutrition are an important part of the national curriculum. There is increasing recognition of the importance of healthy eating to public health and children must be educated so they can make informed healthy eating choices now and in the future. It is important that the lessons of the classroom and the meals provided in school do not carry contradictory messages.

Meals are socially important and food is part of our cultural heritage. Learning to eat communally will help children to play a responsible and valuable role in society later in life. Developing an appreciation of food and its simple pleasures can greatly improve one's quality and enjoyment of life.

**5. Provide details of the evidence you have gathered in making this assessment, including data sources, consultation undertaken and the outcome/s of this.**

A consultation process to help shape the future of the primary and special school meal service in Gloucestershire has been conducted with the 3 main stakeholders. 60 schools, 525 parents and 8172 pupils responded to the consultation surveys. A range of questions around management, price, quality and meal options were asked. The feedback from this will be used to inform the development of any future service and support the production of a new contract specification. The outcome of consultations to date is summarised in Annex A. The key points are:

- 80% of schools indicate that they wish to be included in any future county school meals contract.
- 88% of parents state that the 'quality of food' is good or satisfactory and 87% stating 'value for money' as good or satisfactory. Parents who opt for school meals say it is because they want their child to have a hot meal at lunchtime
- 81% of parents prefer to pay online.
- Feedback from pupils via the Online Pupil Survey has improved markedly since 2006 with 75% of respondents reporting that the service allows them to eat healthily usually or most of the time.

**6. Is this Policy affected by, or will it have an impact on other Meeting the Challenge proposals? Yes/No. (If yes, please specify relevant project and indicate how it is affected).**

No

7. Where any particular group is affected differently by the policy in either a **negative** or a **positive** way, if you identify a negative impact, explain what actions you have undertaken or you plan to undertake, including consideration of any alternative proposals, to lessen or negate this impact.

	Negative	Positive	Neutral	Evidence	Mitigating actions where a negative impact has been identified	How will the mitigating action be monitored/evaluated, including who will be responsible for monitoring.
<b>Age</b>		✓		Positive impact on primary aged children accessing school meals.		
<b>Disability (indicate different impacts on different types of disability)</b>		✓		Special Schools are included in the county contract and may not have a viable service if this contract was not in place.		
<b>Gender reassignment</b>			✓	No discernible affects from this policy were identified to the school aged population.		
<b>Marriage &amp; civil partnership</b>			✓	No discernible affects from this policy were identified to the school aged population		
<b>Pregnancy &amp; maternity</b>			✓	No discernible affects from this policy were identified to the school aged population		
<b>Race (including Gypsy &amp; Traveller)</b>			✓	No discernible affects from this policy were identified to the school aged population		

<b>Religion or Belief</b>		✓		County contract recognises and provides food to meet menu's for religious beliefs		
<b>Sex</b>			✓	No discernible affects from this policy were identified to the school aged population		
<b>Sexual Orientation</b>			✓	No discernible affects from this policy were identified to the school aged population.		
<b>Indirect Discrimination</b>			✓	No discernible affects from this policy were identified to the school aged population.		
<b>Other groups: e.g. rural isolation, long term unemployed, health inequality, carers</b>		✓		The contract: enables small rural schools to access a delivered school meals service, provides free school meals for children of the long term unemployed		
<b>Socio-economically deprived groups</b>		✓		The contract will provide wider access to Free School Meals		
<b>Community Cohesion</b>	<p>A good school meals service promotes equality within the school environment, ensuring all children are able to access a nutritiously balanced meal, irrespective of their family's financial situation; this reduces health inequalities and ill-health burden on communities.</p> <p>Good delivery of a school meals service especially the free school meal component also enhances community cohesion by improving education. There is now a Pupil Premium which is allocated to schools for every Free School Meal pupil on their roll. The Pupil Premium aims to provide schools with the resources with which to address inequalities in the system and raise the attainment of those pupils from low income families. Supporting a good education is key to enabling students to progress into adulthood with the skills and confidence to support their community.</p>					

**Declaration**

We are satisfied that an Assessment has been carried out and where a negative impact has been identified, actions have been developed to lessen or negate this impact where possible.

Where the impact on equalities of the policy or proposals is very significant, and mitigating actions do not sufficiently lessen the impact, or mitigating actions cannot be identified, we have considered whether to go ahead with the original proposal at all, or whether to reformulate it.

We understand that the Equality Impact Assessment is required by the County Council and that we take responsibility for the completion and quality of this assessment.

Completed by: Kirsty Pritchard

Date: 8/11/2012

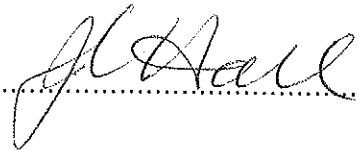
Role: Outcome Manager for Vulnerable Children

Countersigned by Commissioning Director, Children & Families *Linda Wen*

Date: 10/12/12

Name of relevant Portfolio Holder/Cabinet Member: Cllr Jackie Hall – Cabinet Member for Schools, Education and Skills.

I confirm that I have examined and understood the potential impact of the proposal and confirm that I have had due regard to the needs set out in section 149 of the Equality Act 2010.



..... Portfolio Holder/Cabinet Member

Date: *10/12/12* .....