

Due Regard Statement

Please use this statement to evidence how 'due regard to' the three aims of the public sector equality duty has been made (section 149 of the Equality Act 2010) during the development of the 'policy'.¹

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by the ACT:
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic

Name of the 'policy':	Provision of school meals for primary and special schools
Person(s) responsible for completing this statement	Stewart King, lead commissioner for education and skills
Briefly describe the activity being considered including aims and expected outcomes	<p>To tender for a Primary and Special School Meals Service with the current contract from August 2015 to July 2020 extendable to July 2022. The new contract will reflect the introduction of Universal Infant Free School Meals from September 2014.</p> <p>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 around £37m, or £52m if extended to July 2022.</p> <p>The current school meals contract is a successful one, with positive feedback from pupils, parents and schools</p>

¹ For 'policy': any new and existing policy, strategy, services, functions, work programme, project, practice and activity. This includes decisions about budgets, procurement, commissioning or de-commissioning services, service design and implementation.

Schools are able 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

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.

Documenting use of sufficient information

Please document below the data and information sources that you have used to understand the needs, participation and experiences of each protected group. Evidence must be gathered as the policy is developed and used to inform decisions.

Service user data

Service user data is an important source of evidence and should be collated as part of routine monitoring of in- house or external services. If service user data is not available record 'not known' and use the action plan to identify what improvement actions will be used to gather data going forward.

Service user diversity reports are available on our website and give an indication of service user participation across commissioning areas, for example adult residential services and youth services. It does not include participation data at individual service level.

Needs analysis

Gloucestershire population demographics data is available to understand the representation of different protected groups across the county and help with needs analysis. Data like this may also be also useful for benchmarking to identify under or over representation of a service by any of the protected groups. For example, a service is open to all residents and from monitoring you know that 2% of service users are disabled: However, demographic data indicate that 16.7% of Gloucestershire residents report having a disability or long term limiting illness. This finding can be used to explore if there are barriers to participation by residents with disabilities and how this can be addressed as part of the development of your 'policy'.

Data gaps

You may find that you have more information about some of the protected groups for example, gender, age, disability and less about others, for example, sexual orientation and religion and/or belief. If data is not available and you intend to start collating data about a protected characteristic please use the action plan to outline how this data will be collated. You can find equality monitoring guidance on our website including an equality monitoring template.

If you have no plans to start collating data about a protected characteristic please state the rational why.

Service information (if applicable) or Needs analysis (if applicable)

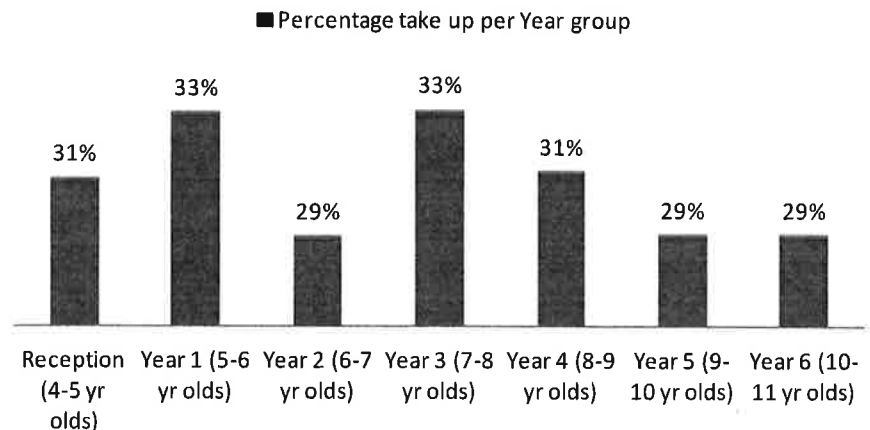
N.B The needs analysis made extensive use of consultation feedback from schools, parents and pupils, for the latter through the council's biennial On-line Pupil Survey (OLPS)

Who is responsible for delivering the service?	The service will be delivered through a contract. The procurement process involves awarding the contract in April 2015.
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Service user data/Needs analysis information

Age
 The school meals service provides meals to all primary aged pupils between 4 and 11 years old in the participating schools. Approximately 9,500 meals per day are served in schools within the County Contract; this is a percentage take up of 31%. There is a small variation in take up by age, ranging from 29% to 33% as shown in the graph below. These figures will change markedly with the introduction of Universal Infant Free School Meals from September 2014.

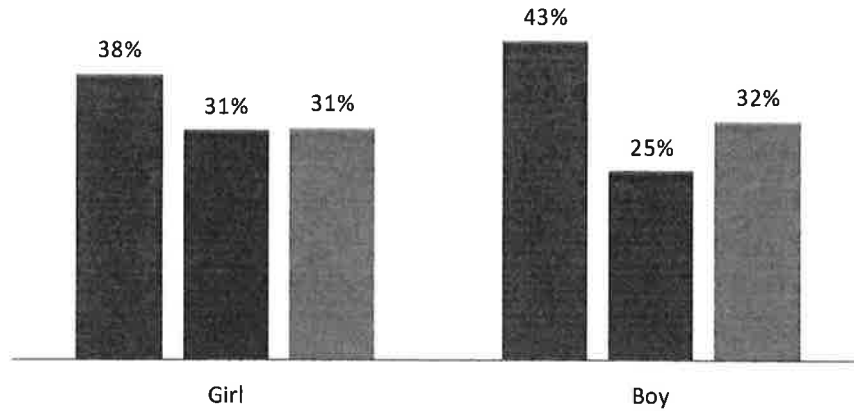
Percentage take up per Year group



Disability	<p>Within the Online Pupil Survey the council monitors uptake by different groups of young people. 7,636 pupils in years 4 and 6 took part in the survey in 2012. The graph below shows that pupils who identify themselves as having a disability have school lunches more often than pupils with no disability.</p> <p style="text-align: center;">How often do you have a school lunch?</p> <p style="text-align: center;">■ Never have school meal ■ 1 to 3 times a week ■ 4 or 5 times a week</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Disability Status</th> <th>Never have school meal</th> <th>1 to 3 times a week</th> <th>4 or 5 times a week</th> </tr> </thead> <tbody> <tr> <td>Disability</td> <td>33%</td> <td>28%</td> <td>39%</td> </tr> <tr> <td>No Disability</td> <td>41%</td> <td>28%</td> <td>31%</td> </tr> </tbody> </table>	Disability Status	Never have school meal	1 to 3 times a week	4 or 5 times a week	Disability	33%	28%	39%	No Disability	41%	28%	31%
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Sex	<p>Within the Online Pupil Survey the council monitors uptake by different groups of young people. 7636 pupils in years 4 and 6 took part in the survey in 2012. The graph below shows that girls have school lunches slightly more often than boys.</p>												

How often do you have a school lunch?

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 4 or 5 times a week

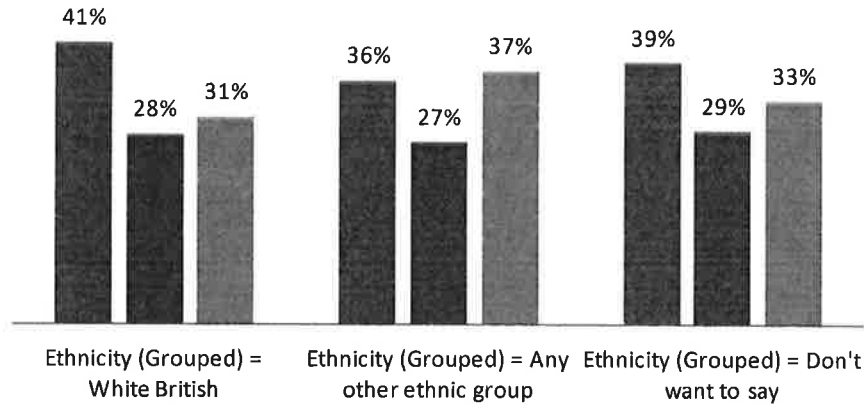


Race
(including
Gypsy &
Traveller)

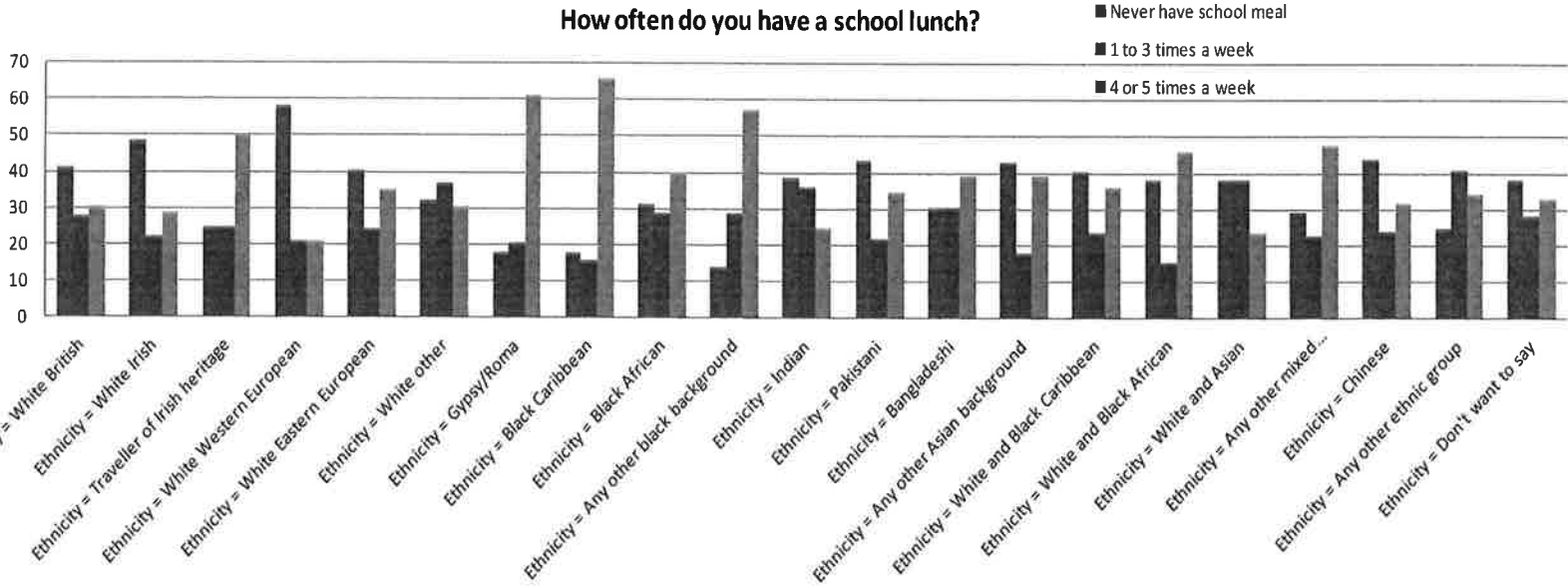
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How often do you have a school lunch?

■ Never have school meal ■ 1 to 3 times a week ■ 4 or 5 times a week



A detailed breakdown below shows that the 2 highest groups reporting to never use the school meals service are the White Western Europeans and White Irish.

	<p style="text-align: center;">How often do you have a school lunch?</p>  <p style="text-align: right;"> Never have school meal 1 to 3 times a week 4 or 5 times a week </p> <table border="1" style="width: 100%; text-align: center; font-size: small;"> <caption>Approximate data from the bar chart</caption> <thead> <tr> <th>Ethnicity</th> <th>Never have school meal (%)</th> <th>1 to 3 times a week (%)</th> <th>4 or 5 times a week (%)</th> </tr> </thead> <tbody> <tr><td>Ethnicity = White British</td><td>41</td><td>28</td><td>31</td></tr> <tr><td>Ethnicity = White Irish</td><td>48</td><td>22</td><td>30</td></tr> <tr><td>Ethnicity = Traveller of Irish heritage</td><td>24</td><td>24</td><td>50</td></tr> <tr><td>Ethnicity = White Western European</td><td>58</td><td>20</td><td>22</td></tr> <tr><td>Ethnicity = White Eastern European</td><td>40</td><td>24</td><td>35</td></tr> <tr><td>Ethnicity = White other</td><td>31</td><td>31</td><td>37</td></tr> <tr><td>Ethnicity = Gypsy/Roma</td><td>18</td><td>19</td><td>61</td></tr> <tr><td>Ethnicity = Black Caribbean</td><td>17</td><td>15</td><td>66</td></tr> <tr><td>Ethnicity = Black African</td><td>30</td><td>28</td><td>39</td></tr> <tr><td>Ethnicity = Any other black background</td><td>13</td><td>28</td><td>59</td></tr> <tr><td>Ethnicity = Indian</td><td>38</td><td>35</td><td>27</td></tr> <tr><td>Ethnicity = Pakistani</td><td>42</td><td>21</td><td>33</td></tr> <tr><td>Ethnicity = Bangladeshi</td><td>29</td><td>29</td><td>38</td></tr> <tr><td>Ethnicity = Any other Asian background</td><td>42</td><td>17</td><td>38</td></tr> <tr><td>Ethnicity = White and Black Caribbean</td><td>39</td><td>22</td><td>35</td></tr> <tr><td>Ethnicity = White and Black African</td><td>37</td><td>14</td><td>44</td></tr> <tr><td>Ethnicity = White and Asian</td><td>37</td><td>37</td><td>22</td></tr> <tr><td>Ethnicity = Any other mixed...</td><td>28</td><td>21</td><td>46</td></tr> <tr><td>Ethnicity = Chinese</td><td>42</td><td>22</td><td>30</td></tr> <tr><td>Ethnicity = Any other ethnic group</td><td>23</td><td>23</td><td>39</td></tr> <tr><td>Ethnicity = Don't want to say</td><td>37</td><td>27</td><td>31</td></tr> </tbody> </table>	Ethnicity	Never have school meal (%)	1 to 3 times a week (%)	4 or 5 times a week (%)	Ethnicity = White British	41	28	31	Ethnicity = White Irish	48	22	30	Ethnicity = Traveller of Irish heritage	24	24	50	Ethnicity = White Western European	58	20	22	Ethnicity = White Eastern European	40	24	35	Ethnicity = White other	31	31	37	Ethnicity = Gypsy/Roma	18	19	61	Ethnicity = Black Caribbean	17	15	66	Ethnicity = Black African	30	28	39	Ethnicity = Any other black background	13	28	59	Ethnicity = Indian	38	35	27	Ethnicity = Pakistani	42	21	33	Ethnicity = Bangladeshi	29	29	38	Ethnicity = Any other Asian background	42	17	38	Ethnicity = White and Black Caribbean	39	22	35	Ethnicity = White and Black African	37	14	44	Ethnicity = White and Asian	37	37	22	Ethnicity = Any other mixed...	28	21	46	Ethnicity = Chinese	42	22	30	Ethnicity = Any other ethnic group	23	23	39	Ethnicity = Don't want to say	37	27	31
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Other information

A consultation process to help shape the future of the primary and special school meal service in Gloucestershire was conducted with the 3 main stakeholders. 60 schools, 525 parents and 8,172 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 key points from the consultations 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.

Workforce data

Please document details of GCC staff only if they will be affected by the proposed activity. This could include GCC staff transferring under TUPE to a new service provider, relocating, employment at risk. **GCC** Workforce diversity reports are available on our website.

If the proposed activity does not affect GCC staff, please state 'Not affected below'.

Total number of GCC staff affected	Not affected – the service is delivered through a contract.
Age	
Disability	
Sex	
Race (including Gypsy & Traveller)	
Gender reassignment	

Marriage & civil partnership	
Pregnancy & maternity	
Religion or Belief	
Sexual Orientation	

Consultation and engagement

List all types of consultation that has taken place during the development of this activity. Include on-line consultations, events, meetings with stakeholders, community events, employee consultation exercises etc

Service users	Pupils via On-Line Pupil Survey 2012
Workforce	Not applicable – service provided via a contract
Partners	Consultation with schools from September 2012 followed by regular briefings for all schools and briefing meetings for all schools on the implications of Universal Infant Free School Meals. The process has been in train for an extended period because the original procurement process had to be halted following the announcement of UIFSM, doubling the value of the contract.
External	Consultation with potential future contractors via Pro-Contract

providers of services	
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Equality analysis: Summary of what the evidence shows and how has it been used

This section will allow you to outline how the evidence has been used to show 'due regard' to the three aims of the general equality duty. It is important that this consideration is thorough and based on sufficient information. Consideration should be relevant and proportionate.

- Eliminate discrimination
- Advance equality of opportunity
- Promote good relations..

Protected group	Challenge or opportunity considered and what we did
Age(A)	Positive impact on primary aged children accessing school meals.
Disability (D)	Special Schools are included in the county contract and may not have a viable service if this contract was not in place.
Sex (S)	No discernible affects from this policy were identified to the school aged population
Race (including Gypsy & Traveller)(R)	No discernible affects from this policy were identified to the school aged population
Gender reassignment(GR)	No discernible affects from this policy were identified to the school aged population.

Marriage & civil partnership (MCP)	No discernible affects from this policy were identified to the school aged population
Pregnancy & maternity (PM)	No discernible affects from this policy were identified to the school aged population
Religion and/or Belief (RAOB)	County contract recognises and provides food to meet menu's for religious beliefs
Sexual Orientation(SO)	No discernible affects from this policy were identified to the school aged population

Strengthening actions: Planning for further improvements

Please outline here what actions are required for further improvements to address challenges or opportunities, for example:

- Arrangements for continued/new engagement with stakeholders, staff, service users
- Plans to close data gaps across any of the protected characteristics through reviewed contract management arrangements
- Identify other plans already underway to address the challenges or opportunities identified in this statement
- Share findings with partner organisations.

If none, state 'none' below.

Action Plan

Action	Who is accountable	Time frame
Preparations for a new substantive contract from August 2015, and the introduction of UIFSM, are being overseen by a Project		

Board of relevant council officers.		

Monitoring and Review

Please indicate what processes/actions will be put in place to keep this 'activity' under review. For example will progress be monitored/ reported to a board, scrutiny committee, project board etc

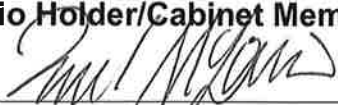
The contract will be managed through routine contract monitoring systems and a performance framework applied with performance oversight from the Project Board.

Sign off and Scrutiny

By signing this statement off as complete you are confirming that 'you' have examined sufficient information across all the protected groups and used that information to show due regard to the three aims of the general duty. This has informed the development of the activity

Senior level sign off: 	Date: 27 May 2014
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I am in agreement that sufficient information and analysis has been used to inform the development of this 'activity' and that any proposed improvement actions are appropriate and I confirm that I as the decision maker have been able to show due regard to the needs set out in section 149 of the Equality Act 2010.

Name of relevant Portfolio Holder/Cabinet Member:	
Signed by Portfolio Holder/Cabinet Member: 	Date: 27th May 2014

Publication

If this statement accompanies cabinet paper it will be published as part of the cabinet report publication process. Statements accompanying cabinet reports are also published on our website. If this statement is not to be submitted with a cabinet paper please maintain a copy for your own records that can be retrieved for internal review and also in case of future challenge.