

Equality Impact Assessment

Title of service or policy	Local Authority and Provider Agreement including the Local Code of Practice on the Provision of Early Years Entitlement for Three and Four Year Olds - Version 1
Name of directorate and service	Children's Service – Learning and Inclusion
Name and role of officers completing the EIA	Philip Frankland – Strategic Planning and Performance Manager
Date of assessment	20 th August 2010

1. Identify the aims of the policy or service and how it is implemented.										
	Key questions	Answers / Notes								
1.1	<p>Briefly describe purpose of the service/policy including</p> <ul style="list-style-type: none"> • How the service/policy is delivered and by whom • If responsibility for its implementation is shared with other departments or organisations • Intended outcomes 	<p>From September 2010 all children in England are eligible for 15 hours free early years entitlement from their third birthday until they enter a Local Authority (LA) maintained school reception class or reach compulsory school age, subject to the following cut off dates: -</p> <table border="1"> <tr> <td>A child born in the period</td> <td>Will become eligible for a free place</td> </tr> <tr> <td>1st April to 31st August</td> <td>1st September following child's 3rd birthday (Autumn* school term)</td> </tr> <tr> <td>1st September to 31st December</td> <td>1st January following child's 3rd birthday (Spring* school term)</td> </tr> <tr> <td>1st January to 31st March</td> <td>1st April following child's 3rd birthday (Summer* school term)</td> </tr> </table> <p>* based on a 3 term school year</p> <p>Service delivery</p> <p>The service is delivered through a range of Ofsted registered provision in the Private, Voluntary, Independent (PVI) and LA maintained provision for example, day nurseries, school nursery classes, pre-school and childminders.</p>	A child born in the period	Will become eligible for a free place	1st April to 31st August	1st September following child's 3 rd birthday (Autumn* school term)	1st September to 31st December	1st January following child's 3 rd birthday (Spring* school term)	1st January to 31st March	1 st April following child's 3 rd birthday (Summer* school term)
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		<p>Responsibility for delivery</p> <p>The Childcare Act 2006 places a duty on every LA in England to ensure sufficiency of places for all children and their families wishing to access all or part of their EYE. The LA does not have to be the provider but should manage their local market to ensure that there is sufficiency of provision.</p> <p>Intended outcomes</p> <p>Since the introduction of a universal entitlement to early education for 4 year old children in 1996 EYE has expanded dramatically recognising and supporting the identification through longitudinal research that access to high quality early years education and childcare can significantly improve the future attainment and life chances of children. It can have particular benefit in narrowing the gap in attainment for children from the most disadvantaged families.</p>
1.2	<p>Provide brief details of the scope of the policy or service being reviewed, for example:</p> <ul style="list-style-type: none"> ● Is it a new service/policy or review of an existing one? ● Is it a national requirement?). ● How much room for review is there? 	<p>Scope</p> <ul style="list-style-type: none"> ● It is a review of an existing policy to take into account new requirements of a national policy which allows limited local adaptation. ● It is a requirement for all LAs in England, ● Limited. The core principles are set nationally by the Department for Education (DfE)
1.3	<p>Do the aims of this policy link to or conflict with any other policies of the Council?</p>	<p>No</p>

2. Consideration of available data, research and information

	Key questions	Data, research and information that you can refer to
2.1	What is the equalities profile of the team delivering the service/policy?	The Local Code was developed by the Planning and Performance Team and the Early Years Foundation Stage Team who are part of the Early Years and Extended Services Team within the Council's Children Services. The service is delivered by a variety of providers as outlined in 1.1 who will have a varied profile but a statutory legal duty to comply with equalities legislation.
2.2	What equalities training have staff received?	Staff will have had a variety of training depending on their job roles with some of the staff within the service also having responsibility for arranging and advising providers delivering the service to attend equalities training.
2.3	What is the equalities profile of people using the service?	The entitlement is universal for all children and their families (parents/carers) once they reach the qualifying age so the profile should align with the Council's profile for all residents. It is also not restricted within the Council area, so therefore children from neighbouring areas and vice versa can access the entitlement in the LA where their chosen provider is located, and therefore that LA's provider agreement will apply.
2.4	What other data do you have in terms of service users or staff? (e.g results of customer satisfaction surveys, results of previous consultations)	Data about children has to be submitted to claim the entitlement so % take up can be monitored. The national requirement is 95% but Bath and North East Somerset's take up rate is always higher than this objective. Postcode data is also provided so mapping can be carried out to ensure all areas are accessing their entitlement as it can be the case that children from the most disadvantaged areas are least likely to access it, and this has been supported by regular national and local research.

		The childcare sufficiency report monitors gaps in provision and pressure on spaces, alongside carrying out consultation with users on both accessing and satisfaction. The Family Information Service collect user data which helps to inform the team. Providers also carry out regular surveys to help their self evaluation process.
2.5	Are there any gaps in the data, research or information that is available?	Ethnicity is monitored as part of the application process and the new code has now made this mandatory on providers to collect even if it is they “prefer not to” say option. The coding has been provided by the Corporate Equalities team. Prior to the new code this was not mandatory and although most providers completed the forms, some chose not to. Disability, religion/belief and sexual orientation data is not collected, either for the child or family.
2.6	If you are planning to undertake any consultation in the future regarding this service or policy, how will you include equalities considerations within this?	The recently completed Parent Questionnaire for the 2011 Childcare Sufficiency Report included specific monitoring on ethnicity and disability but also asked if their were any specific language or cultural reasons presenting a barrier to accessing a place.

3. Assessment of impact

		Examples of what the service has done to promote equality	Examples of potential negative or adverse impact and what steps have been or could be taken to address this
3.1	Gender – identify the impact/potential impact of the policy on women, men and transgender people	Each provider has a mandatory requirement to have an appointed Equality Needs Coordinator (ENCO) and have written an Equal Opportunities Policy that has due regard to the relevant legal requirements relating to Equality, Inclusion and Racial Awareness.	Non compliance with the code may lead to withdrawal of the entitlement from the provider, impacting on all children and their families using their provision. Regular monitoring and warnings are given to providers to ensure that they comply with the code.
3.2	Disability - identify the impact/potential impact of the policy on disabled people (ensure consideration of a range of impairments including both physical and mental impairments)	Each provider has a mandatory requirement to have an appointed Special Education Needs Co-ordinator (SENCo) and it is a requirement of the code that they attend regular professional development training.	Non compliance with the code may lead to withdrawal of the entitlement from the provider, impacting on all children and their families using their provision. Regular monitoring and warnings are given to providers to ensure that they comply with the code.
3.3	Age – identify the impact/potential impact of the policy on different age groups	The age is set nationally for the beneficiaries of the policy.	
3.4	Race – identify the impact/potential impact on different black and minority ethnic groups	Each provider has a mandatory requirement to have an appointed Equality Needs Coordinator (ENCO) and have written an Equal	Non compliance with the code may lead to withdrawal of the entitlement from the provider, impacting on all children and their families using their

		Opportunities Policy that has due regard to the relevant legal requirements relating to Equality, Inclusion and Racial Awareness.	provision. Regular monitoring and warnings are given to providers to ensure that they comply with the code.
3.5	Sexual orientation - identify the impact/potential impact of the policy on lesbians, gay, bisexual & heterosexual people	Each provider has a mandatory requirement to have an appointed Equality Needs Coordinator (ENCO) and have written an Equal Opportunities Policy that has due regard to the relevant legal requirements relating to Equality, Inclusion and Racial Awareness.	Non compliance with the code may lead to withdrawal of the entitlement from the provider, impacting on all children and their families using their provision. Regular monitoring and warnings are given to providers to ensure that they comply with the code.
		Examples of what the service has done to promote equality	Examples of potential negative or adverse impact and what steps have been or could be taken to address this
3.6	Religion/belief – identify the impact/potential impact of the policy on people of different religious/faith groups and also upon those with no religion.	Each provider has a mandatory requirement to have an appointed Equality Needs Coordinator (ENCO) and have written an Equal Opportunities Policy that has due regard to the relevant legal requirements relating to Equality, Inclusion and Racial Awareness.	Non compliance with the code may lead to withdrawal of the entitlement from the provider, impacting on all children and their families using their provision. Regular monitoring and warnings are given to providers to ensure that they comply with the code.
3.7	Socio-economically disadvantaged – identify the impact on people who are disadvantaged due to factors like family background, educational attainment, neighbourhood, employment status can influence life chances	The 10 year childcare strategy has enabled LAs to develop provision in disadvantaged neighbourhoods enabling access for all to the entitlement e.g. First Steps Nursery, Twerton. Combined with the development of services such as Children’s Centres, outreach services, 2 year old entitlement pilot	<ul style="list-style-type: none"> • Provision of sufficient spaces when take up rises to cope with demand and ensure all children can access their entitlement, if required. This is monitored then addressed through the Childcare Sufficiency process. • A move to a single database used to record children from

		and so on a lot has been done to ensure that all children and their families can access their entitlement.	accessing their EYE and then through their school career in 2009 should enable us to better monitor both take up but then attainment, not just at the end of reception, but throughout school.
3.8	Rural communities – identify the impact / potential impact on people living in rural communities		<p>There is an impact if there are insufficient places, or places are not accessible due to transport issues. In addition in some communities combined use of community buildings means that the service may not be able to be offered every day.</p> <p>Once again it is the Childcare Sufficiency process that monitors this, and solutions have been found to address some of the issues e.g. in one rural community where a hall was not available one day a week, start up funding has been provided so that another location could be used to deliver the service on that day.</p>

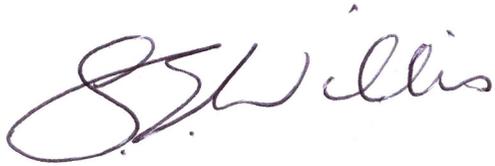
4. Bath and North East Somerset Council & NHS B&NES Equality Impact Assessment Improvement Plan

Issues identified	Actions required	Progress milestones	Officer responsible	By when
The impact of the Local Code 2010 is not yet known as it does not come into force until September 2010.	Six month impact review.		Philip Frankland	Feb 2011
Annual assessment of ongoing impact.			Philip Frankland	Feb 2012

5. Sign off and publishing

Once you have completed this form, it needs to be 'approved' by your Divisional Director or their nominated officer. Following this sign off, send a copy to the Equalities Team (equality@bathnes.gov.uk), who will publish it on the Council's and/or NHS B&NES' website. Keep a copy for your own records.

Signed off by: Sara Willis
(Divisional Director or nominated senior officer)

A handwritten signature in purple ink, appearing to read 'S. Willis', written in a cursive style.

Date: 24th August 2010