

Equality Impact Assessment

(EIA)

Document control

Title of activity:	<i>To implement Havering's Early years directory and funding agreement Sep 2017- March 2020</i>
Type of activity:	<i>Policy</i>
Lead officer:	<i>Pooneeta Mahadeo, School Organisation planning Manager, Learning & Achievement, Children Housing & Adults</i>
Approved by:	<i>Tim Aldridge, Director of Children's services</i>
Date completed:	<i>June 2017</i>
Scheduled date for review:	<i>January 2020</i>

Did you seek advice from the Corporate Policy & Diversity team?	Yes
Does the EIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?	No

1. Equality Impact Assessment Checklist

The Equality Impact Assessment (EIA) is a tool to ensure that your activity meets the needs of individuals and groups that use your service. It also helps the Council to meet its legal obligation under the [Equality Act 2010 and the Public Sector Equality Duty](#).

Please complete the following checklist to determine whether or not you will need to complete an EIA. Please ensure you keep this section for your audit trail. If you have any questions, please contact the Corporate Policy and Diversity Team at diversity@havering.gov.uk

About your activity

1	Title of activity	<i>To implement Havering's Early years directory and funding agreement Sep 2017- March 2020</i>
2	Type of activity	<i>Policy</i>
3	Scope of activity	<p>This policy refers to what should be included in agreements between local authorities and providers (provider agreements) and refers to early years provision free of charge (sections 7 and 7A of the Childcare Act 2006) and free childcare (section 2 of the Childcare Act 2016) as the 'free entitlement(s)' or 'free hours' or a 'free place'. The model agreement applies to the 15 hour entitlement for the most disadvantaged two-year olds, the 15 hour entitlement for parents of three- and four-year-olds (the universal entitlement) and the 30 hours entitlement for working parents of three-and four-year olds (the extended entitlement).</p> <p>In preparation for the introduction of 30 hours extended entitlement from September 2017, the DfE has issued new guidance which will supersede existing guidance from 1 September 2017.</p> <p>It introduces new elements relating to:</p> <ul style="list-style-type: none"> • The introduction, from September 2017, of the extended entitlement to 30 hours free provision – an additional 15 hours for working parents of three-and four-year olds (on top of the universal entitlement of 15 hours a week for all three and four year olds). Eligibility for the additional hours will be determined by HMRC; • how local authorities should pay providers to deliver free entitlement places; and • requirements on local authorities to publish information about childcare in their area including the free entitlements. <p>Havering's Early years directory and funding agreement</p>

		<p>builds on the guidance issued by the Department for Education (DfE) and is intended to enable providers and the Local Authority to understand their respective roles and to ensure that the Early Years Free early education delivers the best outcomes for children and their families. Havering, the Local Authority has a statutory duty to secure sufficient nursery education for two, three and four year olds in a diverse range of high quality provision in order to meet parental choice.</p> <p>The funding agreement is designed to explain the financial arrangements for making payments to childcare providers in respect of the free places that they provide.</p> <p>Cabinet members to note the outcomes of the Directory and Funding Agreement 2017 - 2020</p> <p>Engagement through Early Years Provider Reference Group, with early years professional and early years providers.</p>
4a	Is the activity new or changing?	<i>This activity is not new.</i>
4b	Is the activity likely to have an impact on individuals or groups?	<p><i>The Local Authority's Directory and Funding Agreement 2017 – 2020 has previously be published since 2008</i></p> <p><i>The report will have an impact on individuals and groups.</i></p>
5	If you answered yes:	<i>Please complete the EIA on the next page.</i>
6	If you answered no:	
Completed by:		<i>Pooneeta Mahadeo, School Organisation and Place planning Manager</i>
Date:		<i>2 June 2017</i>

2. Equality Impact Assessment

The Equality Impact Assessment (EIA) is a tool to ensure that your activity meets the needs of individuals and groups that use your service. It also helps the Council to meet its legal obligation under the [Equality Act 2010 and the Public Sector Equality Duty](#).

For more details on the Council's 'Fair to All' approach to equality and diversity, please visit our [Equality and Diversity Intranet pages](#). For any additional advice, please contact diversity@haverling.gov.uk

Please note that EIAs are public documents and must be made available on the Council's [EIA webpage](#).

Understanding the different needs of individuals and groups who use or deliver your service

In this section you will need to assess the impact (positive, neutral or negative) of your activity on individuals and groups with **protected characteristics** (this includes staff delivering your activity).

Currently there are **nine** protected characteristics (previously known as 'equality groups' or 'equality strands'): age, disability, sex/gender, ethnicity/race, religion/faith, sexual orientation, gender reassignment, marriage/civil partnership, and pregnancy/maternity/paternity.

In addition to this, you should also consider **socio-economic status** as a protected characteristic, and the impact of your activity on individuals and groups that might be disadvantaged in this regard (e.g. carers, low income households, looked after children and other vulnerable children, families and adults).

When assessing the impact, please consider and note how your activity contributes to the Council's **Public Sector Equality Duty** and its three aims to:

- eliminate discrimination, harassment and victimisation;
- advance equality of opportunity, and
- foster good relations between people with different protected characteristics.

Guidance on how to undertake an EIA for a protected characteristic can be found on the next page.

Guidance on undertaking an EIA

Example: Protected characteristic	
Please tick (✓) the relevant box:	
Positive	<p>Overall impact: In this section you will need to consider and note what impact your activity will have on individuals and groups (including staff) with protected characteristics based on the data and information you have. You should note whether this is a:</p> <ul style="list-style-type: none"> - Positive impact - Neutral impact - Negative impact <p>It is essential that you note all negative impacts. This will demonstrate that you have paid ‘due regard’ to the Public Sector Equality Duty if your activity is challenged under the Equality Act.</p>
Neutral	
Negative	
<p>Evidence: In this section you will need to document the evidence that you have used to assess the impact of your activity.</p> <p>When assessing the impact, please consider and note how your activity contributes to the three aims of the Public Sector Equality Duty (PSED) as stated in the section above.</p> <p>It is essential that you note the full impact of your activity, so you can demonstrate that you have fully considered the equality implications and have paid ‘due regard’ to the PSED should the Council be challenged.</p> <ul style="list-style-type: none"> - If you have identified a positive impact, please note this. - If you think there is a neutral impact or the impact is not known, please provide a full reason why this is the case. - If you have identified a negative impact, please note what steps you will take to mitigate this impact. If you are unable to take any mitigating steps, please provide a full reason why. All negative impacts that have mitigating actions must be recorded in the Action Plan. 	
<p>Sources used: In this section you should list all sources of the evidence you used to assess the impact of your activity. This can include:</p> <ul style="list-style-type: none"> • Service specific data • Population, demographic and socio-economic data <p>If you do not have any relevant data, please provide the reason why.</p>	

The EIA

Background/context:

The Council has a statutory duty to secure early years provision free of charge and secure sufficient childcare for working parents, early years providers will not be able to deliver early education and childcare places for 2, 3 and four year olds to enable parents to take up, or remain in, work, or undertake education or training which could reasonably be expected to assist them to obtain work

The purpose of the funding agreement is to set the expectations between the local authority and an early education and childcare provider for delivery of the free early education and childcare entitlements.

KEY LOCAL AUTHORITY RESPONSIBILITIES

The Local Authority:

1. Must secure a free entitlement place for every eligible child in their area
2. Should work in partnership with Providers to agree how to deliver free entitlement places.
3. Should be clear about their role and the support on offer locally to meet the needs of children with special educational needs and/or disabilities (SEND) as well as their expectations of providers.
4. Must contribute to the safeguarding and promote the welfare of children and young people in their area

KEY PROVIDER RESPONSIBILITIES

The Provider agrees to use any early education and childcare payment received from the Local Authority for the delivery of the free early education and childcare provision in accordance with the terms and conditions set out in below:

The Provider shall during the Agreement period provide:

- Childcare
- Early Education places to eligible two, three or four year old children from within the administrative boundary London Borough of Havering in accordance with this Agreement. ("Services")
- Early Years Pupil Premium (EYPP) funding to improve the education they provide for disadvantaged three and four year old children
- Disability Access Funding (DAF) to improve the education and access to the provision they provider for children in receipt of Disability Living Allowance, where applicable.

The following frameworks and legislation underpin the agreement:

- Early Education and childcare, Statutory guidance for Local Authorities 2017
- Childcare Act 2006
- Childcare Act 2016
- Equality Act 2010
- School admissions code 2014
- Statutory framework for the early years foundation stage 2017

- DfE Model Agreement: early years provision free of charge address childcare
- Children's Services and Skills *inspection outcome data*

Age: Consider the full range of age groups		
<i>Please tick (✓) the relevant box:</i>		Overall impact: The report has will impact positively on the early years age group especially, 2,3, and 4 year olds as they will be able to access an early education and entitlement place.
Positive	<input checked="" type="checkbox"/>	
Neutral	<input type="checkbox"/>	
Negative	<input type="checkbox"/>	
Evidence: <i>Based on the previous directory and funding agreement we have 158 providers signed up to deliver early education and childcare places.</i>		
Sources used: <i>Directory and Funding Agreement 2014 – 2017 data</i>		

Disability: Consider the full range of disabilities; including physical mental, sensory and progressive conditions		
<i>Please tick (✓) the relevant box:</i>		Overall impact: The agreement has a positive impact as it sets out which childcare 'Providers in Havering must adhere to, to ensure that every child receives an enjoyable and challenging learning and development experience that is tailored to meet their individual needs.
Positive	<input checked="" type="checkbox"/>	
Neutral	<input type="checkbox"/>	
Negative	<input type="checkbox"/>	
Evidence: Local authorities must ensure that all providers in the maintained and private, voluntary and independent sectors that they fund to the free entitlements are aware of the requirement on them to have regard to the Special Educational Needs and Disability Code of Practice 0-25. The local authority promotes an inclusive approach to its work. Each provider is allocated an Area Special Educational Needs Coordinator (SENCo) to support the provider to effectively meet the individual needs of a child with SEND. Havering has published a Local Offer which set out in one place, comprehensive information about provision available in the borough across education, health and social care for children and young people in the borough who have SEN or are disabled, including those who do not have EHC plans.		

Sources used:
 Visit www.havering.gov.uk/localoffer to find up to date information about provision and support in Havering

Sex/gender: Consider both men and women

<i>Please tick (✓) the relevant box:</i>		Overall impact: The report has no negative impact on either men or women.
Positive	<input type="checkbox"/>	
Neutral	<input checked="" type="checkbox"/>	
Negative	<input type="checkbox"/>	

Evidence:

Sources used:
 Population projections produced by the GLA, Early years projections, Quality data, DWP List, early years census data, termly surveys data and *Directory and Funding Agreement 2014 – 2017 data*

Ethnicity/race: Consider the impact on different ethnic groups and nationalities

<i>Please tick (✓) the relevant box:</i>		Overall impact: The report has no negative impact on any particular ethnicity or race.
Positive	<input type="checkbox"/>	
Neutral	<input checked="" type="checkbox"/>	
Negative	<input type="checkbox"/>	

Evidence:

Sources used:
 Population projections produced by the GLA, Early years projections, Quality data, DWP List, early years census data, termly surveys data and *Directory and Funding Agreement 2014 – 2017 data*

Religion/faith: Consider people from different religions or beliefs including those with no religion or belief

<i>Please tick (✓) the relevant box:</i>		Overall impact: The report has no negative impact on any particular religion/ faith.
Positive	<input type="checkbox"/>	

Neutral	<input checked="" type="checkbox"/>	
Negative	<input type="checkbox"/>	
Evidence:		
Sources used:		
Population projections produced by the GLA, Early years projections, Quality data, DWP List, early years census data, termly surveys data and <i>Directory and Funding Agreement 2014 – 2017 data</i>		

Sexual orientation: Consider people who are heterosexual, lesbian, gay or bisexual		
<i>Please tick (✓) the relevant box:</i>		Overall impact: The report has no negative impact on anyone with any particular sexual orientation.
Positive	<input type="checkbox"/>	
Neutral	<input checked="" type="checkbox"/>	
Negative	<input type="checkbox"/>	
Evidence:		
Sources used:		
Population projections produced by the GLA, Early years projections, Quality data, DWP List, early years census data, termly surveys data and <i>Directory and Funding Agreement 2014 – 2017 data</i>		

Gender reassignment: Consider people who are seeking, undergoing or have received gender reassignment surgery, as well as people whose gender identity is different from their gender at birth		
<i>Please tick (✓) the relevant box:</i>		Overall impact: The report has no negative impact on this group
Positive	<input type="checkbox"/>	
Neutral	<input checked="" type="checkbox"/>	
Negative	<input type="checkbox"/>	

Evidence:
Sources used: Population projections produced by the GLA, Early years projections, Quality data, DWP List, early years census data, termly surveys data and <i>Directory and Funding Agreement 2014 – 2017 data</i>

Marriage/civil partnership: Consider people in a marriage or civil partnership	
<i>Please tick (✓) the relevant box:</i>	Overall impact:
Positive	The report has no negative impact on anyone from this group
Neutral	
Negative	
Evidence:	
Sources used: Population projections produced by the GLA, Early years projections, Quality data, DWP List, early years census data, termly surveys data and <i>Directory and Funding Agreement 2014 – 2017 data</i>	
Pregnancy, maternity and paternity: Consider those who are pregnant and those who are undertaking maternity or paternity leave	
<i>Please tick (✓) the relevant box:</i>	Overall impact:
Positive	The report has a positive impact on parents looking to go back to work after maternity leave. A number of childcare providers have details of expectant mothers on roll who wish to hold a place the their child.
Neutral	
Negative	
Evidence:	

Sources used:

Population projections produced by the GLA, Early years projections, Quality data, DWP List, early years census data, termly surveys data and the *Directory and Funding Agreement 2014 – 2017 data*

Socio-economic status: Consider those who are from low income or financially excluded backgrounds

Please tick (✓) the relevant box:

Positive

✓

Neutral

Negative

Overall impact:

The agreement has a positive impact on families that are from low income as they may be able to access early years childcare places for 2 year olds. The report has no negative impact on any particular socio-economic status.

Evidence:

The Commissioning Plan for Education Provision 2015/16 – 2019/20 – early years providers highlighted there is a shortfall of early years places in Upminster town to accommodate the working parents. A number of early education and childcare providers have set up business in this area.

Sources used:

Population projections produced by the GLA, Early years projections, Quality data, DWP List, early years census data, termly surveys data and *Directory and Funding Agreement 2014 – 2017 data*

Action Plan

In this section you should list the specific actions that set out how you will address any negative equality impacts you have identified in this assessment.

Protected characteristic	Identified negative impact	Action taken to mitigate impact*	Outcomes and monitoring**	Timescale	Lead officer

* You should include details of any future consultations you will undertake to mitigate negative impacts

** Monitoring: You should state how the negative impact will be monitored; how regularly it will be monitored; and who will be monitoring it (if this is different from the lead officer).

Review

In this section you should identify how frequently the EIA will be reviewed; the date for next review; and who will be reviewing it.

The Directory and Funding Agreement shall commence on the 1st day of September 2017 and shall continue to be in full force until the 31st day of March 2020. It will be reviewed in autumn 2019 by the Early Years Planning & Organisation Officer in consultation with the Early Years Provider Reference Group.