

Equality Analysis Form

Croydon's Maintained Nursery Schools

Introduction

1.1 Purpose of Equality Analysis

The council has an important role in creating a fair society through the services we provide, the people we employ and the money we spend. Equality is integral to everything the council does. We are committed to making Croydon a stronger, fairer borough where no community or individual is held back.

Undertaking an Equality Analysis helps to determine whether a proposed change will have a positive, negative, or no impact on groups that share a protected characteristic. Conclusions drawn from Equality Analyses helps us to better understand the needs of all our communities, enable us to target services and budgets more effectively and also helps us to comply with the Equality Act 2010.

An equality analysis must be completed as early as possible during the planning stages of any proposed change to ensure information gained from the process is incorporated in any decisions made.

In practice, the term '**proposed change**' broadly covers the following:-

- Policies, strategies and plans;
- Projects and programmes;
- Commissioning (including re-commissioning and de-commissioning);
- Service review;
- Budget allocation/analysis;

- Staff restructures (including outsourcing);
- Business transformation programmes;
- Organisational change programmes;
- Processes (for example thresholds, eligibility, entitlements, and access criteria).

2. Proposed change

Directorate	Education
Title of proposed change	Future options for Maintained Nursery Schools
Name of Officer carrying out Equality Analysis	Denise Bushay

2.1 Purpose of proposed change (see 1.1 above for examples of proposed changes)

MNS are local authority run schools that provide early education and childcare to children under 5 during school hours and term time. They are one of several different types of early education and childcare provision across the borough, each offering a range of options for families.

Croydon has five Maintained Nursery Schools: three are located in the North; one in the Centre; and one in the South of the Borough. Four of the five MNS are unable to balance their budget and have an increasing deficit.

Under Section 7 of the Childcare Act 2006, Croydon has a statutory duty to provide sufficient funded three- and four-year-old places for eligible children to access. Early education is not statutory and is a parental choice. However, having enough and diversity of early years provision allow parents/carers to find childcare that meets their child's learning needs and enables parents to make a real choice about work and training.

There is sufficient and diverse supply of early education and childcare provision available across the borough to meet demand.

There are approximately 27,372 children under the age of five who are resident in Croydon.

MNS contribute to the Mayor's outcome - Children and young people in Croydon have the chance to thrive, learn and fulfil their Potential; and priority to: "Ensure children and young people have opportunities to learn, develop and fulfil their potential."

The council is proposing to consult on high level options for the possible direction of travel for the transformation of the delivery of Maintained Nursery Schools (MNS) in Croydon so that they can be financially viable.

The cabinet report sets out 3 possible options, including advantages and disadvantages for each of the proposed options to consult partners on, including residents / families, and early years providers..

Informal consultation has already taken place with the MNS leadership team to seek their views on possible options which have helped to inform the proposed options outlined in the cabinet report.

External consultation - All those with an interest, including parents/carers will be consulted on the proposed options using different means/mode of communication, including via online survey, and partner events if required.

3. Impact of the proposed change

Important Note: It is necessary to determine how each of the protected groups could be impacted by the proposed change. Who benefits and how (and who, therefore doesn't and why?) Summarise any positive impacts or benefits, any negative impacts and any neutral impacts and the evidence you have taken into account to reach this conclusion. Be aware that there may be positive, negative and neutral impacts within each characteristic.

Where an impact is unknown, state so. If there is insufficient information or evidence to reach a decision you will need to gather appropriate quantitative and qualitative information from a range of sources e.g. Croydon Observatory a useful source of information such as Borough Strategies and Plans, Borough and Ward Profiles, Joint Strategic Health Needs Assessments <http://www.croydonobservatory.org/> Other sources include performance monitoring reports, complaints, survey data, audit reports, inspection reports, national research and feedback gained through engagement with service users, voluntary and community organisations and contractors.

3.1 Deciding whether the potential impact is positive or negative

Table 1 – Positive/Negative impact

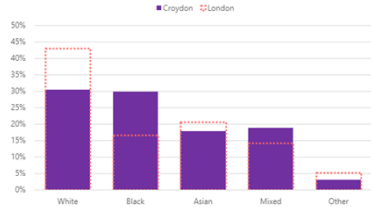
For each protected characteristic group show whether the impact of the proposed change on service users and/or staff is positive or negative by briefly outlining the nature of the impact in the appropriate column. If it is decided that analysis is not relevant to some groups, this should be recorded and explained. In all circumstances you should list the source of the evidence used to make this judgement where possible.

Developing this strategy in a partnership / collaboration with parents and carers, colleagues across and beyond the council, including Early Help, Public Health, NHS, Croydon's Clinical Commissioning Group and early years sector, residents and wider stakeholders will allow universal services to better support the most vulnerable children, including those with protected characteristics, and their families.

Protected characteristic group(s)	Positive impact	Negative impact	Source of evidence
Age	<p>Yes.</p> <p>MNS provides early education and childcare for children under 5 and covers all pre-school up to when they start school in the Reception year and is in line with the Early Years Foundation Stage (EYFS).</p> <p>The proposed options include parents of any age.</p> <p>The proposed options promote and support diversity of age within the Early Years and Childcare workforce.</p> <p>The proposed options will ensure that support is directed to children and families which will benefit most from it. Evidence suggests this is the most effective form of early intervention for addressing inequality and promoting more equal outcomes.</p>		<p>We know that approximately 6000 babies are born each year in Croydon.</p> <p>Data is collected on the uptake of the 2 and 3 year funded nursery places.</p> <ul style="list-style-type: none"> • 49% of the eligible 2-year-old population benefitted from a funded early education place in January 2020. • 85% of 3- and 4-year-olds benefitted from a funded early education place in January 2020. For both age groups, take up is below the London and England averages. • In 2020 74.6% of pupils achieved a good level of development in Croydon in the Early Years Foundation Stage (EYFS) in line with London and above England (71.8%)
Disability	<p>Yes. The proposed options promote and supports diversity within the Early Years Partnership workforce.</p> <p>Parents / carers of young children with additional / special educational needs will be</p>		<p>Evidence will be provided by ensuring there is representation from disabled parents /carers and parents of disabled children through the ongoing parent</p>

	<p>consulted. This included on-line surveys, and stakeholder events. Respondents will be asked to declare if they have a disability but this is voluntary.</p> <p>An objective of the proposed options is to seek to ensure the future viability of MNS as currently some are at risk due to significant deficit budget. One of the proposed options is the re-provision of one MNS into Early Years SEND setting.</p> <p>Special Education Needs Co-ordinator (SENCOs) are available for children with special educational needs and disability. SENCOs are responsible for the day-to-day operation of the early years settings.</p> <p>The proposed options will improve the outcomes for children with special educational needs and disability through targeted services/support.</p> <p>SEND training for staff in early years and childcare settings covers all aspects of the Equalities Act to ensure the setting meets the needs of the children and families it serves.</p> <p>All children up to the age of 5, including those who have a disability and/or special educational needs and their families are included in the proposed options.</p> <p>The council will continue to support settings to provide childcare for children with special educational needs through use of the Dedicated Schools Grant – high needs block.</p>		<p>engagement and consultation activities.</p> <p>The proposed options are in line with the Special Educational Needs and Disability strategy.</p> <p>Croydon population suggests there are potentially 11,219 children and young people (aged 0-25) in the borough with disabilities. The most frequent impairment type reported by children nationally is social / behavioural, with an estimated 5,024 children in Croydon potentially affected. <i>Source: Department for Work and Pensions. Family Resources Survey</i></p>
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<p>Sex</p>	<p>Yes. The proposed options promote and supports diversity within the Early Years settings and workforce. This includes single parent families – male, female, and gender neutral.</p> <p>Females make up the largest percentage of the workforce.</p> <p>The strategy will affect all pregnant people, their families and families with children up to the age of 5 across the Borough. Fathers and carers are included as a key group.</p> <p>Improved access to childcare will mean improved services for both men, women and carers,</p>	<p>Most of the Early Years and Childcare workforce is women. This Strategy could be seen to be less favorable towards men, however, male and other genders are not discriminated against.</p>	<p>Children under 5 are tracked within early years settings to ensure they make a good level of development. Comparisons are made between the achievements of girls and boys.</p>
<p>Gender Reassignment/Identity</p>	<p>Yes. The proposed options promote and support diversity within MNS and the Early Years sector and Childcare workforce. Equalities Act training ensures that parents/carers are not discriminated against due to their gender or gender identity. This will include consultation with parents about their preferred language with respect to identity and inclusivity.</p>		<p>Respondents to the survey will be asked to identify their gender.</p>
<p>Marriage or Civil Partnership</p>	<p>Yes. The proposed options promote and support diversity within the MNS and Early Years sector and Childcare workforce.</p>		<p>The department will need to collect equality data on this characteristic.</p>
<p>Religion or belief</p>	<p>Yes. The Strategy promotes and supports diversity within MNS, Early Years sector and Childcare workforce.</p> <p>The proposed options support places being available for all children regardless of religion or belief.</p>		<p>The department will collect data on this characteristic.</p>

	<p>MNS have a statutory duty to have policies in place which meet the requirements of the Equalities Act for staff and the children and families they serve.</p> <p>As part of the delivery planning process, and the commitment to inclusive practice, the possibility of an equality dashboard including data from across the system partners will be explored.</p> <p>All children aged up to the age of 5 and their families, regardless of their religion or belief are included in the proposed options..</p>																				
Race	<p>Yes. The proposed options promote and support diversity within MNS, the Early Years sector and Childcare settings and workforce.</p> <p>The proposed options support places being available for all children regardless of Race</p> <p>There will be targeting of children and their families of under-represented ethnic groups to improve take up and outcomes.</p> <p>The proposed options support children whose first language is not English and those who have come from war torn countries, e.g. asylum seeking and refugee parents and children.</p> <p>The proposed options support a workforce which is representative of the people it serves. Largely not Council employees or in commissioned services.</p>		<p>The 0 to 5 population is very diverse compared to London.</p>  <table border="1"> <caption>0 to 5 Population by Race: Croydon vs London</caption> <thead> <tr> <th>Race</th> <th>Croydon (%)</th> <th>London (%)</th> </tr> </thead> <tbody> <tr> <td>White</td> <td>30</td> <td>42</td> </tr> <tr> <td>Black</td> <td>28</td> <td>18</td> </tr> <tr> <td>Asian</td> <td>18</td> <td>18</td> </tr> <tr> <td>Mixed</td> <td>18</td> <td>18</td> </tr> <tr> <td>Other</td> <td>6</td> <td>6</td> </tr> </tbody> </table>	Race	Croydon (%)	London (%)	White	30	42	Black	28	18	Asian	18	18	Mixed	18	18	Other	6	6
Race	Croydon (%)	London (%)																			
White	30	42																			
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Asian	18	18																			
Mixed	18	18																			
Other	6	6																			
Sexual Orientation	<p>Yes. The proposed options promote and support diversity within MNS and the Early Years settings and workforce.</p> <p>Early Years providers have a statutory duty to have policies in place which meet the</p>		<p>The department will collect data on this characteristic.</p>																		

	<p>requirements of the Equalities Act for staff and the children and families they serve.</p> <p>The survey used ONS data questions to ask parents and carers about their sexual orientation.</p>		
Pregnancy or Maternity	<p>Yes. The proposed options promote and support diversity within MNS and the early Years settings and workforce.</p> <p>The scope of the proposed option is up to the age of 5, so incorporates pregnancy and maternity.</p> <p>Pregnant mothers and those with young babies may be advantaged by the provision of childcare places in their locality.</p>		6000 babies are born on average each year in Croydon.

Important note: You must act to eliminate any potential negative impact which, if it occurred would breach the Equality Act 2010. In some situations this could mean abandoning your proposed change as you may not be able to take action to mitigate all negative impacts.

When you act to reduce any negative impact or maximise any positive impact, you must ensure that this does not create a negative impact on service users and/or staff belonging to groups that share protected characteristics. **Please use table 4 to record actions that will be taken to remove or minimise any potential negative impact**

3.2 Additional information needed to determine impact of proposed change

Table 2 – Additional information needed to determine impact of proposed change

If you need to undertake further research and data gathering to help determine the likely impact of the proposed change, outline the information needed in this table. Please use the table below to describe any consultation with stakeholders and summarise how it has influenced the proposed change. Please attach evidence or provide link to appropriate data or reports:		
Additional information needed and or Consultation Findings	Information source	Date for completion
No negative impacts have been identified at this stage, before consultation on the proposed options. MNS have a positive impact on children and families with protected characteristics.		Census data, school population data ,health statistics informal

		knowledge from schools and communities

For guidance and support with consultation and engagement visit <https://intranet.croydon.gov.uk/working-croydon/communications/consultation-and-engagement/starting-engagement-or-consultation>

3.3 Impact scores

Example

If we are going to reduce parking provision in a particular location, officers will need to assess the equality impact as follows;

1. Determine the Likelihood of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the likelihood of impact score is 2 (likely to impact)
2. Determine the Severity of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the Severity of impact score is also 2 (likely to impact)
3. Calculate the equality impact score using table 4 below and the formula **Likelihood x Severity** and record it in table 5, for the purpose of this example - **Likelihood (2) x Severity (2) = 4**

Table 4 – Equality Impact Score

Severity of Impact	3	3	6	9
	2	2	4	6
	1	1	2	3
		1	2	3
	Likelihood of Impact			

Key

Risk Index	Risk Magnitude
6 – 9	High
3 – 5	Medium
1 – 3	Low

Table 3 – Impact scores

<p>Column 1</p> <p>PROTECTED GROUP</p>	<p>Column 2</p> <p>LIKELIHOOD OF IMPACT SCORE</p> <p>Use the key below to score the likelihood of the proposed change impacting each of the protected groups, by inserting either 1, 2, or 3 against each protected group.</p> <p>1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact</p>	<p>Column 3</p> <p>SEVERITY OF IMPACT SCORE</p> <p>Use the key below to score the severity of impact of the proposed change on each of the protected groups, by inserting either 1, 2, or 3 against each protected group.</p> <p>1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact</p>	<p>Column 4</p> <p>EQUALITY IMPACT SCORE</p> <p>Calculate the equality impact score for each protected group by multiplying scores in column 2 by scores in column 3. Enter the results below against each protected group.</p> <p>Equality impact score = likelihood of impact score x severity of impact score.</p>
Age	2	2	4
Disability	2	2	4
Gender	2	3	6
Gender reassignment	2	2	4
Marriage / Civil Partnership	2	2	4
Race	2	2	4
Religion or belief	2	2	4
Sexual Orientation	2	2	4
Pregnancy or Maternity	2	2	4

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4. Statutory duties

4.1 Public Sector Duties

Tick the relevant box(es) to indicate whether the proposed change will adversely impact the Council's ability to meet any of the Public Sector Duties in the Equality Act 2010 set out below.

Advancing equality of opportunity between people who belong to protected groups X

Eliminating unlawful discrimination, harassment and victimisation

Fostering good relations between people who belong to protected characteristic groups X

Important note: If the proposed change adversely impacts the Council's ability to meet any of the Public Sector Duties set out above, mitigating actions must be outlined in the Action Plan in section 5 below.

5. Action Plan to mitigate negative impacts of proposed change

Important note: Describe what alternatives have been considered and/or what actions will be taken to remove or minimise any potential negative impact identified in Table 1. Attach evidence or provide link to appropriate data, reports, etc:

Table 4 – Action Plan to mitigate negative impacts

Complete this table to show any negative impacts identified for service users and/or staff from protected groups, and planned actions mitigate them.				
Protected characteristic	Negative impact	Mitigating action(s)	Action owner	Date for completion
Disability				
Race				
Sex (gender)	The majority of the EY workforce is female	Include ways to increase male and other genders representation in the workforce through the work of the	Partnership Early Years Strategy Workforce workstream	TBA

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		workforce stream in the Partnership Early Years Strategy.		
Gender reassignment				
Sexual orientation				
Age				
Religion or belief				
Pregnancy or maternity				
Marriage/civil partnership				

6. Decision on the proposed change

Based on the information outlined in this Equality Analysis enter X in column 3 (Conclusion) alongside the relevant statement to show your conclusion.		
Decision	Definition	Conclusion - Mark 'X' below
No major change	Our analysis demonstrates that the strategy is robust. There has been consultation with parents, carers and partners which has informed the working principles, objectives and workstream priorities. Implementation of the strategy through the delivery planning phase will include the detailed actions on inclusive practice and reducing inequalities. The evidence shows no potential for discrimination, and we have taken all opportunities to advance equality and foster good relations, subject to continuing monitoring and review. If you reach this conclusion, state your reasons and briefly outline the evidence used to support your decision.	
Adjust the proposed change	We will take steps to lessen the impact of the proposed change should it adversely impact the Council's ability to meet any of the Public Sector Duties set out under section 4 above, remove barriers or better promote equality. We are going to take action to ensure these opportunities are realised. We will ensure that the views of partners are taken into consideration when reviewing the decision making and options within this area. If you reach this conclusion, you must outline the actions you will take in Action Plan in section 5 of the Equality Analysis form	x
Continue the proposed change	We will adopt or continue with the change, despite potential for adverse impact or opportunities to lessen the impact of discrimination, harassment or victimisation and better advance equality and foster good relations between groups through the change. However, we are not planning to implement them as we are satisfied that our project will not lead to unlawful	

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	discrimination and there are justifiable reasons to continue as planned. If you reach this conclusion, you should clearly set out the justifications for doing this and it must be in line with the duty to have due regard and how you reached this decision.	
Stop or amend the proposed change	Our change would have adverse effects on one or more protected groups that are not justified and cannot be mitigated. Our proposed change must be stopped or amended.	
Will this decision be considered at a scheduled meeting? e.g. Contracts and Commissioning Board (CCB) / Cabinet	Meeting title: Date:	

7. Sign-Off

Officers that must approve this decision	
Equalities Lead	Name: John Mukungunugwa Date: 15/05/2023 Position:
Director	Name: Shelley Davies Date: 14/06/2023 Position: Director of Education