

**City of York Council**  
**Equalities Impact Assessment**

**Who is submitting the proposal?**

<b>Directorate:</b>	People		
<b>Service Area:</b>	Education and Skills, Children and Education		
<b>Name of the proposal :</b>	Commissioning of New and Expanded Places for Childcare Reforms		
<b>Lead officer:</b>	Maxine Squire, Assistant Director, Education and Skills		
<b>Date assessment completed:</b>	24 <sup>th</sup> July 2024		
<b>Names of those who contributed to the assessment :</b>			
<b>Name</b>	<b>Job title</b>	<b>Organisation</b>	<b>Area of expertise</b>
Barbara Mands	Head of Education Support Service	CYC	Education Support

## Step 1 – Aims and intended outcomes

<b>1.1</b>	<b>What is the purpose of the proposal?</b> Please explain your proposal in Plain English avoiding acronyms and jargon.
	To inform Executive about Department for Education capital and revenue grants to commission the creation of new places for the delivery of the childcare reforms and the approach for determining allocations. To seek approval from Executive to the overall programme spend.
<b>1.2</b>	<b>Are there any external considerations?</b> (Legislation/government directive/codes of practice etc.)
	<p>The council has a duty to provide:</p> <ul style="list-style-type: none"><li>- sufficient early years and childcare as far as is reasonably practicable to meet the requirements of parents in their area who require childcare or parents who need childcare to be able to work or to undertake training or education to prepare for work.</li><li>- sufficient childcare for children aged 0-14 (and up to 18 for disabled children) and for early education places for eligible children.</li></ul> <p>Legislation and statutory government guidance supports the operational delivery of these statutory duties and this is subject to change on a frequent basis.</p> <p>The proposed reforms are to expand early education entitlements and increase the supply of wraparound care.</p>

<b>1.3</b>	<p><b>Who are the stakeholders and what are their interests?</b></p> <p>The key stake holders are:</p> <ul style="list-style-type: none"> <li>• The Council to carry out their statutory duty to deliver sufficient childcare and early education places</li> <li>• Providers who deliver and early years and childcare places.</li> <li>• Parents/carers and their families who need early education places and childcare to be able to go out to work.</li> <li>• The children and young people who are attending early years and childcare provision.</li> <li>• Employers who need to recruit and retain staff to support their businesses.</li> </ul>
<b>1.4</b>	<p><b>What results/outcomes do we want to achieve and for whom?</b></p> <p>This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.</p>
	<p>To ensure sufficient early years and childcare places across the city to meet the needs of families in York. To ensure all eligible children are able to access a funded early education place. This links directly to the Council Plan ‘A better start for children and young people’ and the ambition to ‘Continue to prioritise gaining improved outcomes for our most disadvantaged children and young people in the city’. It also ensures there is a focus on more baby places in the Clifton Green area, after school provision where there is unmet need and for children with profound and multiple learning difficulties, inclusive provision and ensuring eligible two-year-olds of non-working parents are not displaced by the new reforms.</p>

## Step 2 – Gathering the information and feedback

<b>2.1</b>	<p><b>What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights?</b> Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.</p>
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Source of data/supporting evidence	Reason for using
	<p>This is a national programme of early years and childcare reforms and should be rolled out locally. The local authority has carried out a local analysis of supply and demand and used local intelligence from the childcare sufficiency data provided by early years and wraparound care providers, provider and parental surveys, evidence from quality improvement visits to settings, information received by the early education entitlements team and feedback from the regular opportunities to engage with the sector during informal briefings and termly Leaders and Managers sessions. The DfE has also provided data to CYC on an early analysis of demand.</p>

### Step 3 – Gaps in data and knowledge

<b>3.1</b>	<b>What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.</b>		
<b>Gaps in data or knowledge</b>		<b>Action to deal with this</b>	
Changing parental demand is difficult to predict including the additional financial impact of rising cost of living pressures on the settings. It is unknown how many parents taking up existing places will 'convert' to expanded entitlements.		Ongoing monitoring via surveys with parents and providers and ongoing sufficiency updates.	

#### Step 4 – Analysing the impacts or effects.

<b>4.1</b>	<b>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.</b>		
<b>Equality Groups and Human Rights.</b>	<b>Key Findings/Impacts</b>	<b>Positive (+) Negative (-) Neutral (0)</b>	<b>High (H) Medium (M) Low (L)</b>
<b>Age</b>	The provision of places ensures that eligible children are able to access early education.	<b>+</b>	<b>L</b>
<b>Disability</b>	The provision of places must be accessible and reasonable adjustments should be made for SEND. The provision of specialist after school provision will provide a positive impact for children with profound and multiple learning difficulties (PMLD).	<b>+</b>	<b>L</b>

<b>Gender</b>	No Impact	0	
<b>Gender Reassignment</b>	No Impact	0	
<b>Marriage and civil partnership</b>	No Impact	0	
<b>Pregnancy and maternity</b>	No Impact	0	
<b>Race</b>	No Impact	0	
<b>Religion and belief</b>	No Impact	0	
<b>Sexual orientation</b>	No Impact	0	
<b>Other Socio-economic groups including :</b>	<b>Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?</b>		
<b>Carer</b>	No Impact	0	
<b>Low income groups</b>	Eligible two year olds are provided with early education places up to 15 hours per week (targeted). Three and four year olds are provided with up to 15 hours per week early education (universal).	+	L
<b>Veterans, Armed Forces Community</b>	Children of Armed Forces families can access early education places as part of the universal entitlement. Childcare for Service Children - Eligible Service personnel can register for up to 20 hours per week, per child, term time only (39 weeks per year) of wraparound childcare funding for 4 to 11 year old children (4 to 16 year old if in	+	L

	receipt of certain disability benefits) attending before and after school childcare in the UK.		
<b>Asylum Seekers</b>	Children of Asylum Seekers can access 15 hours per week for disadvantaged two year olds (targeted) and 15 hours per week for 3 and 4 year olds (universal entitlement).	<b>+</b>	<b>L</b>
<b>Impact on human rights:</b>			
List any human rights impacted.	<b>None</b>	<b>0</b>	

**Use the following guidance to inform your responses:**

Indicate:

- Where you think that the proposal could have a **POSITIVE** impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a **NEGATIVE** impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a **NEUTRAL** effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p><b>High impact</b> (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p><b>Medium impact</b> (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p><b>Low impact</b> (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

## Step 5 - Mitigating adverse impacts and maximising positive impacts



**5.1**

**Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?**

A Childcare Sufficiency Assessment Action Plan and Wraparound Delivery Plan have been developed to mitigate against the challenges and potential sufficiency gaps highlighted in the annual assessment.

The Local Authority will continue to maintain an overview of the market in terms of both supply and demand, working with other agencies and partners, including the skills team, economic development team, Job Centre Plus, Employers and colleges and universities to explore solutions to the current recruitment and retention issues which are impacting on sufficiency. Our excellent relationships with providers across all sectors will continue to be maintained in order that we fully understand the issues they are facing and work closely with them to understand how they can be supported to remain sustainable and continue to offer high quality, affordable and accessible early years and childcare places for children and young people. The early years teams are working closely with procurement, finance and legal services to ensure the correct procedures are followed in commissioning the new and expanded places. The early years teams has also been successful in securing £10k from the DfE to support the commissioning of specialist after school provision for children with complex needs and this should support those with profound and multiple learning difficulties.

**Step 6 – Recommendations and conclusions of the assessment**

6.1	<p><b>Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:</b></p>
<p>- <b>No major change to the proposal</b> – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.</p>	
<p>- <b>Adjust the proposal</b> – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance equality or to foster good relations.</p> <p>- <b>Continue with the proposal</b> (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty</p> <p>- <b>Stop and remove the proposal</b> – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.</p> <p><b>Important:</b> If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.</p>	
<b>Option selected</b>	<b>Conclusions/justification</b>
Continue with the proposal	The impact has been reviewed and the report about commissioning the new and expanded places for the childcare reforms acknowledges the current challenges and risks to delivery and the impact on the early years and childcare sector and the mitigations put in place.

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**Step 7 – Summary of agreed actions resulting from the assessment**

<b>7.1 What action, by whom, will be undertaken as a result of the impact assessment.</b>			
<b>Impact/issue</b>	<b>Action to be taken</b>	<b>Person responsible</b>	<b>Timescale</b>
N/A			

**Step 8 - Monitor, review and improve**

<b>8. 1</b>	<b>How will the impact of your proposal be monitored and improved upon going forward?</b> Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	Ongoing assessments and surveys will be carried out to understand the impact of activities.