



Equality Impact Assessment

Section 1 – Service Details and Summary of EIA Activity

Title of activity:	Proposed closure of Kids & Co Nurseries and Flexible Childcare Service
Lead Officer responsible for this EIA:	Yvonne Coates
Telephone:	01325 388820
Service Group:	People
Service or Team:	Children, Families & Learning
Assistant Director accountable for this EIA	Jenni Cooke
Who else will be involved in carrying out the EIA:	Lynne Henderson/Janet Walke/Mary Hall

What stage has the EIA reached?

This table provides a 'cover note' of progress to be maintained as the EIA is developed over time.

Stage categories 1-3 listed below refer to the funnel model. Note the stage reached and any consultation or engagement carried out. Simple activities may not need all these stages. Provide details of population/individuals affected in Section 2

Stage	Date	Summary of position
Stage 1: Initial Officer Assessment. Whole Population likely to be affected identified	23-11-12	Potentially all children aged 0-11 years and their parents/carers in the borough. All children are identified here as any child potentially could attend the facilities.
Stage 2: Further Assessment. Target Population likely to be affected identified	23-11-12	The proposal will affect children aged 0-11 and their parents who purchase childcare services at the 2 nurseries at Borough Road and Northwood Primary School, and those families who access their free entitlement to either 10 hours per week for their 2 year old child or 15 hours per week for their three and four year-olds. 83 families will be affected.
Stage 3: Further Assessment. Individuals likely to be affected identified	23-11-12	<p>Consultation and feedback opportunities have been offered to all families using the service. 58 families provided their views during one week in October 2012. This information is attached at Appendix 1.</p> <p>Within the protected characteristics there is six Polish family, 15 families from other BME groups, and nine parents with disabled children. Information on other particular protected characteristics is not routinely collated.</p>
Stage 4: Analysis of Findings	23-11-12	Consultation with users of the Kids and Co services was undertaken from 1 st October until 31 st October 2012 involving face to face discussions with parents at the Kids and Co nurseries. These took place at the beginning of the day 0815-0915 and at the end of the end 1715-1815.
Stage 5: Sign-Off	23-11-12	To be confirmed.
Stage 6: Reporting and Action Planning	23-11-12	For inclusion in Cabinet report.

Section 2 – The Activity and Supporting Information

Contextual Information:

Kids & Co Town Hall nursery was established in 1994 by Darlington Borough Council as a workplace nursery for its employees. The nursery was initially heavily subsidised financially, but over time this was removed and the nursery extended its services to the general public in order to secure future sustainability. Its town centre location was an individual selling point.

In 2001 Kids & Co at Borough Road was opened in partnership with Borough Road nursery school, providing wrap-around childcare and holiday care for children aged 2-8 years.

In 2003 Kids & Co North Road Neighbourhood Nursery was opened providing childcare for children aged 0-5 years. As part of the Neighbourhood Nursery Initiative (NNI) the service was supported for the first 3 years with sustainability funding from National government to ensure the provision of childcare remained available. The aim of the NNI was to pump-prime nursery provision in disadvantaged areas to enable parents to take up, training, education or employment as part of the national Welfare to Work strategy. The nursery subsequently became part of McNay Street Children's Centre. During this year Kids & Co Flexi Childcare Service was also established, providing crèches in and around Darlington supporting various events, and community and family learning courses. A secondary aim of this service was to provide additional income generation opportunities to contribute to the sustainability of the Kids & Co brand. Kids & Co Town Hall nursery was re-located to Borough Road Nursery School during 2009/10, a move predicated by the need to vacate the Town Hall premises due to the proposed re-development of the Feethams site. Following the re-development of Northwood Primary School, North Road Kids & Co moved from McNay Street Children's Centre to the school.

Local Authorities are required by legislation to make available sufficient free early education places offering 570 hours a year over no fewer than 38 weeks of the year(15 hours per week Flexible Free Entitlement) for every eligible child in their area from the term after their 3rd birthday until they reach compulsory school age(the beginning of the term following their third birthday) and to ensure that every place is provided free of charge. Children are eligible from the term after their 3rd birthday and can access their entitlement at maintained , private, independent and voluntary sector providers-ie schools, playgroups, private nurseries, childminders.

Collectively Kids & Co deliver 180 full day care places and are both registered to provide the 15 hours per week Flexible Free Entitlement (FFE) for eligible 3 and 4 year olds. They are also providers under the national scheme providing 10 hours per week FFE for our most disadvantaged 2 year olds, which will become an entitlement for our 20% most disadvantaged 2 year olds by September 2013, increasing to our 40% most disadvantaged by September 2014.

The Childcare Act 2006 gives Local Authorities the power to provide childcare(s.8(1)) but can only do so if it is satisfied that nobody else is willing to provide it , or that it is more appropriate in the circumstances for the authority to do so (s.8(3)). Thus, childcare is not a service which the local authority is required to provide. Kids & Co has been an important contributor to the development of childcare facilities in Darlington for a number of years. In its current state it is running at a deficit of

£210,525k which is unacceptable at a time when the Council is having to make significant efficiencies.

The economic downturn has undoubtedly had an impact on the patterns and quantity of what parents are purchasing in terms of childcare.

While Kids & Co have tried very hard to meet parent's needs more flexibly, this has been at their detriment and has rendered the service as being too flexible to ensure it's commercial viability. The majority of other providers in the market offer either half day or full day sessions.

Details of the activity (including the main purpose and aims)
<p>The proposal will affect children aged 0-11 and their parents who purchase childcare services at the 2 nurseries at Borough Road and Northwood Primary School, and those families who access their free entitlement to either 10 hours per week for their two year-old child or 15 hours per week for their three and four year-olds. 83 families are current users of the service and will be affected directly by the proposals.</p> <p>Parents use the childcare to enable them to take up employment, education and/ or training. The Flexi childcare service is currently being purchased by the council's Early Intervention and Prevention Team to provide crèches to support some of their other service delivery; no other organisations are purchasing any services from them. The Local Authority has a duty under the 2006 Childcare Act to ensure that there is sufficient childcare provision in the area.</p>
Who will be affected by the activity?
<p>See the guidance on carrying out equality impact assessment within the Equality Scheme 2012-16. Provide details of the groups and numbers of people affected below, updating the table as the EIA develops and the understanding of who will be affected emerges in more detail.</p>
Whole population
<p>Potentially all children aged 0-11 years and their parents/carers in the borough. All children are identified here, as any child potentially, could attend the facilities.</p>
Target population
<p>There are currently 190 families in the borough using the Kids and Co service and will be affected directly by the proposals.</p>
Individuals
<p>The parents, carers and children of the 190 families currently using the service. Staff employed in the establishments will be impacted by the proposal. Council arrangements for the impact assessment of changes in service provision are assessed by Human Resources in line with agreed procedures and therefore not included in this assessment.</p>

What data, research and other evidence or information is available which is relevant to the EIA?

The contextual information above provides the background to the Kids and Co service provision.

There are currently 190 families using the services.

A 90 day consultation period commenced on October 1st 2012 and will end on December 31st 2012.

Consultation has been undertaken with 58 families during the week commencing October 1st. Members of staff were located at each of the Kids and Co venues and spoke to 58 families during the hours of 08:15 to 09:15 and 17:15 and 18:15. In addition during this period email correspondence was also received and is collated in Appendix 1.

The consultation is ongoing until 31st December 2012 and has involving schools, providers, and parents/carers.

Para 46 and 47 outlines a summary of the findings from consultation activity.

A survey was sent to all parents and the findings are appended to this EIA.

Check: before proceeding to the officer assessment, have you obtained all the data and information that is currently available?

Section 3: Officer Assessment

Use this table to record your views on potential impact on Protected Characteristics. As the activity and the assessment develop your views may change – record them here.

It is important to be searching and honest about this – many Council activities are planned to be of positive benefit to identified target groups but can often have the potential for inadvertent effects on other groups.

Protected Characteristics	Potential Impact			Potential level of impact				Summary of Impact
	Positive/	Negative/	Not Applicable	H	M	L	nil	
Age	P	N	NA	H	M	L	nil	Impact assessed as medium initially to reflect the varying nature of impacts across age groups e.g. working age parents; grandparent carers who do not work or are retired (OP) Children are not covered by the Age characteristic.
Race	P	N	NA	H	M	L	nil	Parents from BME groups choose specific nursery placements Six Polish families e.g. Polish community live primarily in North Road area and parents will choose to travel to a nursery further from home to enable the correct placement for their child. 15 families from other BME groups
Sex	P	N	NA	H	M	L	nil	Nursery provision which caters for the needs of working parents is low as there are other provisions available in the borough. There is a higher impact lone parents who do tend to be women.
Gender Reassignment	P	N	NA	H	M	L	nil	There are no particular gender reassignment impacts in the proposal.

Protected Characteristics	Potential Impact Positive/ Negative/ Not Applicable			Potential level of impact				Summary of Impact
Disability (summary of detail on next page)	P	N	NA	H	M	L	nil	<p>Disabled children – parents/carers are not as confident in the ability of alternative providers to understand their child's needs.</p> <p>Lack of trust in private providers by parents. High confidence in the Council's staff and quality of provision.</p> <p>Disabled parents are confident in the Council's services less so with the VPI sector.</p> <p>There are nine disabled children attending both settings of which one is on the autistic spectrum, and five have speech and language difficulties.</p>
Religion or belief	P	N	NA	H	M	L	nil	<p>Nurseries are not aligned to any particular religion or belief. Some church schools have alternative nursery provision. There are no non-Christian faith schools in Darlington.</p>
Sexual Orientation	P	N	NA	H	M	L	nil	<p>No specific impacts due to sexual orientation within the proposal.</p>
Pregnancy or maternity	P	N	NA	H	M	L	nil	<p>Issue of choice for pregnant women where a child already at a school with an attached nursery and a sibling at the school. Would bring difficulties for parents transporting children between two different sites.</p>
Marriage/ Civil Partnership	P	N	NA	H	M	L	nil	<p>No specific impacts due to marriage or civil partnership within the proposal.</p>

Section 3: Officer Assessment – continued

The Council must have due regard to disabled people’s impairments when making decisions about ‘activities’. This list is provided only as a starting point to assist officers with the assessment process. It is important to remember that people with similar impairments may in reality experience completely different impacts. Consider the potential impacts and summarise in the Disability section on the previous page. Officers should consider how the ‘activity’ may affect a disabled person.

Mobility Impairment	P	N	NA	H	M	L	nil	To be determined when parents/carers identifying disability disclose further information about the impacts of the impairment.
Visual impairment	P	N	NA	H	M	L	nil	To be determined when parents/carers identifying disability disclose further information about the impacts of the impairment.
Hearing impairment	P	N	NA	H	M	L	nil	To be determined when parents/carers identifying disability disclose further information about the impacts of the impairment.
Learning Disability	P	N	NA	H	M	L	nil	To be determined when parents/carers identifying disability disclose further information about the impacts of the impairment.
Mental Health	P	N	NA	H	M	L	nil	To be determined when parents/carers identifying disability disclose further information about the impacts of the impairment.
Long Term Limiting Illness	P	N	NA	H	M	L	nil	To be determined when parents/carers identifying disability disclose further information about the impacts of the impairment.
Multiple Impairments	P	N	NA	H	M	L	nil	To be determined when parents/carers identifying disability disclose further information about the impacts of the impairment.
Other - Specify	P	N	NA	H	M	L	nil	To be determined when parents/carers identifying disability disclose further information about the impacts of the impairment.

There are nine disabled children who receive services from Kids and Co. Five have speech and language difficulties and one is on the Autistic spectrum but only uses Holiday Club provision and others have not disclosed impairments.

Provision for disabled children is available across the voluntary, private and independent sector – the Childcare Development Officers work across the sector to ensure staff are appropriately trained.

Cumulative Impacts

The officer responsible for this EIA should seek input from the Corporate Equalities Group on the potential for this activity to combine with other recent, current or proposed activities, both Council and in the external environment, to result in more severe impacts on people with Protected Characteristics through their cumulative effects. The Corporate Equalities Group will advise on the content for this section of the EIA.

Change activities	Potential cumulative impacts
Changes to local authority provision of services	Impacts of welfare reform and changes to Welfare Benefit provision. Reduction in full-time work within the locality. Changes to subsidised transport within the local area affecting residents' flexibility for travel to work. Increasing number of schools becoming academies. Resilience of voluntary, private and independent sectors in period of economic uncertainty.

Section 4: Engagement Decision

The decision about who to engage with, and how and when to engage, is the key to effective EIA. Please see Annex 2 of the Equality Scheme for guidance on the engagement decision.

Is engagement with affected people with Protected Characteristics required, now or during the further development of the activity?	No
If YES, proceed to the next section. If NO, briefly summarise below the reasons why you have reached this conclusion.	
<p>Engagement activity has been undertaken with families currently using the service.</p> <p>This was carried out for a period of one week in October 2012 involving officers attending the provision between the hours of 08:15 and 09:15, and 17:15 and 18:15.</p> <p>Of the 190 families using Kids and Co, 58 provided responses to the proposals. Responses included email and face to face interviews.</p> <p>The information is collated in Appendix 1 and the impacts of the proposals clearly highlighted for the information of decision-makers.</p> <p>Further consultation is not required with parents/carers.</p> <p>Staff consultation has been carried out in line with the Council's agreements and support offered to staff.</p>	

If you have come to the conclusion that engagement is not required, seek ratification from the Corporate Equalities Group through your service Equalities Co-ordinator.

If engagement is not required but the officer assessment has identified changes that should be made to the activity, please complete Sections 7 and 8. If not the assessment can be signed-off at Section 9.

Any reports to decision-makers during the development of the activity, for example feasibility or options appraisal reports, should include content on the latest thinking and findings of the EIA even though, like the activity, further development of the EIA may be required before final reporting.

The findings of the officer assessment should be included in any reports to decision-makers. These may be feasibility or options appraisal reports where the activity is at an early stage of development, but it is essential that any equality findings are taken into account in formal decisions at all stages of development of the activity.

Section 5 – Involvement and Engagement Planning

Has the assessment shown that the activity will treat any groups of people with Protected Characteristics differently from other people? No
If yes, please state which groups and how
Will the differential treatment advance equality for people with Protected Characteristics? No
If yes, please state which groups and how
Will the differential treatment cause or increase disadvantage for people with Protected Characteristics? No
If yes, please state which groups and how

From the above, prepare a simple plan using the template overleaf for involving and engaging with the organisations, groups and individuals likely to be affected by the activity.

There may be several stages of involvement and engagement, particularly for more complex activities. Initially it may be possible to identify and engage only with stakeholder and representative organisations for the people with Protected Characteristics who may be affected. Further development of the activity may be required before the individuals who will be affected can be identified.

The Involvement and Engagement Plan should evolve accordingly, with new engagement proposals added as they are identified.

Involvement and Engagement Plan

Which organisations, groups and individuals do you need to involve or engage and how?

Date of plan entry	Organisation, Group or Individuals	Date of event or activity	Type of activity – venue, channels, method and staffing
	Parents and Carers	1/10/12-31/12/12	Three month consultation – face to face sessions 3/10/12 to 12/10/12
	Providers	13/11/12	Briefing and information shared with PVI Network meeting about the proposals
	Schools	14/11/12	Meetings held with Northwood Primary and Borough Road Nursery schools involving the chairs of Governors and Head teachers
	Staff	25/10/12 -1/11/12	1:1 sessions arranged for all staff and other sessions for those unable to attend during this period.
	Unions	17/10/12	Letters received from UNISON seeking clarification on proposal. No impact related comments yet received.

Engagement to identify impacts works best in face-to-face and small group settings

Section 6: Engagement Findings

	Date/summary of engagement carried out	Summary of impacts identified
The information gathered has been collated during the consultation period from face to face interviews; meetings and email responses. See appendix 1		
Age		
Disability		
Mobility Impairment		
Visual impairment		
Hearing impairment		
Learning Disability		
Mental Health		
Long Term Limiting Illness		
Multiple Impairments		
Other - Specify		
Race		
Sex		
Gender Reassignment		
Religion or belief		

	Date/summary of engagement carried out	Summary of impacts identified
Sexual Orientation		
Pregnancy or maternity		
Marriage / Civil Partnership		

Section 6: Engagement Findings – Continued

Drawing on the engagement findings and your understanding of the effects of the activity, indicate how it will contribute, if at all, to the three strands of the Public Sector Equality Duty.

a) How will the proposal help to eliminate discrimination, harassment and victimisation?
The proposal is not designed to actively eliminate discrimination, harassment and victimisation.
b) How will the proposal help to advance equality of opportunity?
The proposal does not reduce the availability of child care provision in terms of equality of opportunity. The voluntary, private and independent sectors support the current arrangements for provision for three and four year olds required by regulation.
c) How will the proposal help to foster good relations?
Not applicable to this proposal.
During the engagement process were there any suggestions on how to avoid, minimise or mitigate any negative impacts? If so, please give details.
None other than not closing the provision.

This completes the assessment, but there will be further work to do to contribute to the reporting and implementation stages of the activity. First though, it is important to draw a line under the assessment to maintain a separation between assessment of impacts and any proposals to manage those impacts. The assessment should therefore be signed-off at this stage.

Section 7 - Sign-off when assessment is completed

Officer Completing the Form:		
Signed	Name:	Lynne Henderson
	Date:	
	Job Title:	Commissioner – Children
Assistant Director:		
Signed	Name:	Jenni Cooke
	Date:	
	Service:	People – Children, Families and Learning

Section 8 – Reporting of Findings and Recommendations to Decision Makers

The findings of the EIA may be reported to decision-makers at several stages during the development of an activity. For example, the initial officer assessment findings may be included in a feasibility report or options appraisal to be considered by the Transformation Board or Chief Officers' Executive.

Any report for formal decisions by Cabinet or Council should include the latest findings of the EIA, even if these are at a relatively early stage. The report recommending final approval of the activity should await and include the findings of the completed EIA. The report should present clearly the impacts that have been identified through the engagement process, including potential cumulative impacts.

The report may include recommendations based on the findings of the EIA, but these should be separate from the reporting of impacts. Recommendations will be developed separately from the EIA and arise from considering equalities impacts combined with other aspects of the activity such as finance, the benefits of the activity, and so on.

Based on the EIA findings, the report may consider the options in the table below, but the report must contain a clear statement of the impacts so that decision-makers can understand the effects of the decision that is being recommended.

What does the review of the information show?	
a)	No negative impact on people because of their Protected Characteristics – continue with the activity and monitor progress on implementation
b)	Negative impact identified – recommend continuing with the activity; clearly specify the people affected and the impacts, and providing reasons and supporting evidence for the decision to continue
c)	Negative impact identified - adjust the activity in light of the identified impact to avoid, minimise or mitigate the impact
d)	Negative impact identified - stop activity and provide an explanation why

Section 9 – Action Plan and Performance Management

The report to decision-makers, and the decision made may require actions to be taken to avoid, minimise or mitigate the negative impacts of the activity. Option C in the table in Section 8, combined with mitigation measures that may have been highlighted during engagement and listed in Section 6 (if adopted) will require action planning to implement them.

Any actions to address equalities impacts should be listed below, with performance management review proposals, to complete the full EIA.

What is the negative impact?	Actions required to reduce/eliminate the negative impact (if applicable)	Who will lead on action	Target completion date
Travel difficulties for parents/carers	Support parents to access appropriate and suitable child care in their locality	Sue Davison	Ongoing
Choosing a school – difficulties of choosing school with nursery provision	Make parents aware of school admissions processes and signpost to appropriate advice if requested	Melanie Stainthorpe	Ongoing
Disabled Children	Portage Service, Child Care Development officers and Inclusion co-ordinators within the LA can also assist in supporting settings in meeting the needs of individual children with additional needs.	Chris Archer/Ian Walker	Ongoing

Performance Management	
Date of the next review of the EIA	Three months from decision and implementation
How often will the EIA action plan be reviewed?	3/12 until implementation.
Who will carry out this review?	Head of Service and Commissioner