

PROTOCOL

PUBLIC SECTOR EQUALITY DUTY

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.

If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in the standard section (4.4) of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any
- 2 decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
 - (a) whether there is adverse impact upon persons within the protected categories
 - (b) what is the nature of this adverse impact
 - (c) whether the adverse impact can be avoided and at what cost – and if not –
 - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - the equality duty – see page 9 (as an appendix).

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) tackle prejudice, and (b) promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none"> (a) age (b) disability (c) gender reassignment (d) pregnancy and maternity (e) race (f) religion or belief (g) sex (h) sexual orientation

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Early Years Health And Wellbeing Procurement
Directorate	People
Service Area	Equalities And Human Resources
Type	New/Proposed Function
EA Summary	The procurement of the new Early Years Health and Wellbeing Offer is about to commence. This initial stage assessment focuses on the first stage of the process. The intention is for there to be regular reviews of the assessment as it progresses to implementation of the offer.
Reference Number	EA001328
Task Group Manager	john.freeman@birmingham.gov.uk
Task Group Member	
Senior Officer	Pip.mayo@Birmingham.Gov.UK
Quality Control Officer	kay.dhansey@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Overall Purpose

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a New/Proposed Function.

2 Overall Purpose

2.1 What the Activity is for

What is the purpose of this Function and expected outcomes?	<p>The commissioning of a new service model to meet the health and wellbeing needs of children and families during their Early Years is part of a major transformation programme to rethink the way that we deliver all Early Years Services in Birmingham. This broader transformation programme considers not just health and wellbeing but also early education and childcare. The overarching aims of the transformation programme are to:</p> <p>Increase the number of children assessed as having reached a good level of development by the time they start school</p> <p>Ensure every child has an equal chance to have a good start in life by tackling the inconsistencies between outcomes for different children</p> <p>Promote take up of Early Education Services</p>
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For each strategy, please decide whether it is going to be significantly aided by the Function.

Public Service Excellence	Yes
<u>Comment</u> Provision of early years service is a statutory duty and the Council is committed to providing every child living in Birmingham with an equal chance to have a really good start in life through accessing the best services to meet the needs.	
	Yes
<u>Comment</u> Our vision is to provide every child living in Birmingham with an equal chance to have a really good start in life and to reach a good level of development by the time they start school	
A Prosperous City	Yes
<u>Comment</u> Access to the best possible services in a child's early years is crucial to them being ready for school and progressing through school and further education and gaining employment as adults.	
A Democratic City	Yes
<u>Comment</u> Children who have the best start in life are most likely to be active citizens engaging in the political and social life of Birmingham.	

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
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<u>Comment</u> the procurement of the new Early Years health and Wellbeing Offer will, as it progresses, identify potential adverse impact on service users. We anticipate mitigation of this impact through detailed analysis which will be reviewed and amended as required.	
Will the policy have an impact on employees?	Yes
<u>Comment</u> the procurement of the new Early Years health and Wellbeing Offer will, as it progresses, identify potential adverse impact on existing staff. We anticipate mitigation of this impact through detailed analysis which will be reviewed and amended as required.	
Will the policy have an impact on wider community?	Yes
<u>Comment</u> the procurement of the new Early Years health and Wellbeing Offer will, as it progresses, identify potential adverse impact on the wider community where services are delivered. We anticipate mitigation of this impact through detailed analysis which will be reviewed and amended as required.	

2.3 Analysis on Initial Assessment

At this stage there will not be a full equality assessment. As the procurement process commenced a full assessment of all components of the new model - early years and health - will be subject to a full assessment which will be reviewed and analysed regularly.

3 Concluding Statement on Full Assessment

At this stage there is not be a requirement for a full assessment. As the procurement process commences the different components - early years and health - will be subject to a full assessment which will be reviewed and amended repeatedly. There has already been consultation with stakeholders and engagement with the sector market.

4 Review Date

01/08/16

5 Action Plan

There are no relevant issues, so no action plans are currently required.