

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Changes To City Council Funded Full Time Early Education Places
Directorate	People
Service Area	Children - Early Years Service
Type	Amended Policy
EA Summary	Birmingham City Council's Early Years Child Care and Children's Centre Service currently funds free full-time early education places for vulnerable children who meet certain eligibility criteria. However, we no longer have the funding to continue with these places and are proposing to cease the City Council full-time places from September 2017.
Reference Number	EA002149
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Task Group Member	
Date Approved	2017-06-16 00:00:00 +0100
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Introduction

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

Initial Assessment

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 Amended Policy.

2 Initial Assessment

2.1 Purpose and Link to Strategic Themes

What is the purpose of this Policy and expected outcomes?

Birmingham has a history of funding some full-time early education provision which pre-dates the current universal education entitlement to 15 hours per week, and is one of (if not the only) Local Authority that has continued to provide any form of funded places above the 15 hours entitlement. The criteria for accessing a funded full-time place were changed in September 2016 with a more targeted access to vulnerable children. The basis of the current policy is to provide increased opportunities to enable the most disadvantaged children to achieve good outcomes at the end of the Foundation Stage.

In Autumn Term 2016 (the start of this academic year) 1,440 children were accessing a full-time place, of which 1,106 children lived in one of the top 20% deprived SOA's. 305 children were accessing a place based on their level of vulnerability with regards to Safeguarding.

Only children aged 3 or 4 are eligible to access a full-time place based on the Council's current criteria.

For each strategy, please decide whether it is going to be significantly aided by the Function.

Children: A Safe And Secure City In Which To Learn And Grow	Yes
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Comment:

There is a link here to the corporate strategy as the provision of additional hours of early education for vulnerable children could aid in improving outcomes for children within their educational journey. It could also contribute to keeping children safe whilst they are in a caring school/setting environment.

Health: Helping People Become More Physically Active And Well	Yes
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Comment:

This policy is targeted at vulnerable, disadvantaged children and links to this area of strategic priority.

Housing : To Meet The Needs Of All Current And Future Citizens	No
Jobs And Skills: For An Enterprising, Innovative And Green City	No

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
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Comment:

In Autumn Term 2016 (the start of this academic year) a total of 1,465 children received funding for a full-time place under a range of criteria, some having more than one criterion applied.

The proportion of children accessing a full-time funded place varies enormously across the city wards and areas of deprivation, meaning that there is no consistency across the city and quite likely a lack of equity for children in similar situations in different areas.

Most children - 80% - with a full-time funded place were accessing it in a primary or nursery school whereas only 57% of all children accessing all EEE places were doing so in schools.

There are currently 12 criteria under which the council funds full-time places, and these have been grouped into five broad categories:-

1) Children in first stages of language development: Children in this group are mostly (90%) in the schools sector and removing funding would affect 464 children.

2) Children with disabilities: 292 children accessed a full time place on the basis of their disability.

3) Children where there are safeguarding issues: Children with safeguarding issues are often the city's most vulnerable children and removing full-time places could be significant. Whilst 305 children were funded under these criteria, not all of them - 211 - were on a plan for vulnerable children of one kind or another; Child protection plan or child in need plan (65); Looked after child plan (39); and Family support plan through early help/fCAF (107).

4) Children already receiving a full-time place: 324 children received a place based on their eligibility on the old criteria as they were already accessing a place. These children will be old enough for a Reception place in September 2017 and will be unaffected by these changes.

5) Parental vulnerabilities: A total of 221 children were funded for full-time places based on the additional vulnerabilities they face as a result of their parents' situations. 132 had parents with disabilities or illnesses, 19 had a parent in prison, 46 lived in families experiencing domestic violence or drug/alcohol abuse and 24 lived in families with no recourse to public funds.

Will the policy have an impact on employees?	No
Will the policy have an impact on wider community?	No

2.3 Relevance Test

Protected Characteristics	Relevant	Full Assessment Required
Age	Relevant	No
Disability	Relevant	No
Gender	Not Relevant	No
Gender Reassignment	Not Relevant	No
Marriage Civil Partnership	Not Relevant	No
Pregnancy And Maternity	Not Relevant	No
Race	Relevant	No
Religion or Belief	Not Relevant	No
Sexual Orientation	Not Relevant	No

2.4 Analysis on Initial Assessment

This assessment has identified that there may be an adverse impact on people in the protected categories of Age (it is a specific policy for 3 and 4 year olds), Disability and Race. There is an impact on Age, as this is a specific policy relating to 3 and 4 year olds. As there is a criteria specifically focussed on disabled children or those with SEND, there is an impact based on disability and finally the criteria targeted at those who do not have recourse to public funds means it is highly likely that there will be an impact on Race.

The impact has been considered fully alongside a public consultation where a specific question was posed regarding the impact on vulnerable children and any mitigating actions that could be taken. The response was to reduce the impact by tightening the criteria to the most vulnerable children only, and to continue to fund places for those children by identifying an alternative budget source. This is not a realistic mitigation as an alternative budget source is not available.

Overall, there isn't a mitigation that can be made for current children that have a full-time place and won't be transferring to a reception place in school from September. However, the statutory entitlement to 15 hours early education will continue to be available to all children. Where there are exceptional circumstances for a very vulnerable child (child protection/child in need/looked after child) where withdrawal of a full-time place will cause significant hardship or a safeguarding need, we will consider alternative funding through Children's Social Care on an individual basis.

A full equality assessment is not therefore necessary on the basis of the considerations/mitigations detailed above

and within section C.

3 Full Assessment

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

3.1 Age - Assessment Questions

3.1.1 Age - Relevance

Age	Relevant
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Comment:

As this is a policy that specifically applies to children aged 3 and 4, the Age characteristic is relevant. There are currently 1,440 children accessing a full-time place (as at Autumn Term 2016). It cannot be mitigated as the policy is targeted to this age group.

There isn't a mitigation that can be made for current children that have a full-time place and won't be transferring to a reception place in school from September. However, the statutory entitlement to 15 hours early education will continue to be available to all children.

Where there are exceptional circumstances for a very vulnerable child (child protection/child in need/looked after child) where withdrawal of a full-time place will cause significant hardship or a safeguarding need, we will consider alternative funding through Children's Social Care on an individual basis.

3.1 Disability - Assessment Questions

3.1.1 Disability - Relevance

Disability	Relevant
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Comment:

One of the current criteria is aimed at children who have diagnosed disabilities and are either accessing disability living allowance, have an EHC plan, or have been referred by a Child Development Centre. There were 292 children accessing a place based on this criteria.

The impact was considered fully alongside the public consultation and a specific question was posed regarding the impact on vulnerable children and any mitigating actions that could be taken. The response was to reduce the impact by tightening the criteria to the most vulnerable children only, and to continue to fund places for those children by identifying an alternative budget source. This is not a realistic mitigation as an alternative budget source has not been found.

Again, there isn't a mitigation that can be made for current children that have a full-time place and won't be transferring to a reception place in school from September. However, the statutory entitlement to 15 hours early education will continue to be available to all children. Where there are exceptional circumstances for a very vulnerable child (child protection/child in need/looked after child) where withdrawal of a full-time place will cause significant hardship or a safeguarding need, we will consider alternative funding through Children's Social Care on an individual basis.

3.1 Race - Assessment Questions

3.1.1 Race - Relevance

Race	Relevant
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Comment:

One of the current criteria for accessing a place relates to children from families where there is no recourse to public funds. 24 children qualified for a place under this criteria which will generally relate to families that are migrants and from a minority ethnic group.

The impact was considered fully alongside the public consultation and a specific question was posed regarding the impact on vulnerable children and any mitigating actions that could be taken.

The response was to reduce the impact by tightening the criteria to the most vulnerable children only, and to continue to fund places for those children by identifying an alternative budget source. This is not a realistic mitigation as an alternative budget source has not been found.

Overall, there isn't a mitigation that can be made for current children that have a full-time place and won't be transferring to a reception place in school from September. However, the statutory entitlement to 15 hours early education will continue to be available to all children. Where there are exceptional circumstances for a very vulnerable child (child protection/child in need/looked after child) where withdrawal of a full-time place will cause significant hardship or a safeguarding need, we will consider alternative funding through Children's Social Care on an individual basis.

3.1 Concluding Statement on Full Assessment

This assessment has identified that there may be an adverse impact on people in the protected categories of Age (it is a specific policy for 3 and 4 year olds), Disability and Race. There is an impact on Age, as this is a specific policy relating to 3 and 4 year olds. As there is a criteria specifically focussed on disabled children or those with SEND, there is an impact based on disability and finally the criteria targeted at those who do not have recourse to public funds means it is highly likely that there will be an impact on Race.

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Overall, there isn't a mitigation that can be made for current children that have a full-time place and won't be transferring to a reception place in school from September. However, the statutory entitlement to 15 hours early education will continue to be available to all children. Where there are exceptional circumstances for a very vulnerable child (child protection/child in need/looked after child) where withdrawal of a full-time place will cause significant hardship or a safeguarding need, we will consider alternative funding through Children's Social Care on an individual basis.

A full equality assessment is not therefore necessary on the basis of the considerations/mitigations detailed above and within section C.

4 Review Date

31/12/17

5 Action Plan

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