

Appendix E

Equality Impact Assessment

Stage 1: The proposed change that is being assessed and responsibility for the EQIA

Name of the proposed change	Maintained Nursery School Review
Purpose of proposed change	<p>In response to the informal consultation held from 19 September 2023 to 17 October 2023, and subsequent Cabinet Report dated 6th December 2023, the Executive Mayor in cabinet requested that officers explore and carry out more detailed modelling of other options suggested as part of the consultation process, to determine if any of these are feasible and will make Maintained Nursery Schools (MNS) financially viable. This was to be done in collaboration with the MNS within the next 3 months (i.e., first 3 months of 2024). Noting that other options may also develop through this process).</p> <p>The council commissioned an external consultation to undertake the review and modelling of the options and this forms part of the report findings and recommendations to the Executive Mayor in cabinet.</p> <p>This Equality Impact Assessment (EqIA) is being carried out as part of the review of Croydon's MNS. 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.</p> <p>The recommendation for two of the MNS to be linked to a primary school, special school or academy trust will not include any substantive changes or disruption to the way that early education and childcare is currently delivered to parents/carers by the MNS. The MNS will continue to deliver flexible childcare for privately funded and free entitlement funded places.</p>

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

Under the Childcare Act 2006 and 2016, local authorities have a duty to / for:

- secure early years provision free of charge
- secure sufficient childcare for working parents, including wraparound childcare.
- secure childcare free of charge for eligible working parents of 3- and 4-year-olds
- the provision of information, advice and assistance to parents, and
- the provision of information, advice and training to childcare providers

The proposed change also supports the Childcare Reform which includes.

Extended funded entitlement for working parent entitlements:

- from April 2024, the 15 hour entitlement for children of eligible working parents from the age of 2
- from September 2024, the 15 hour entitlement for children of eligible working parents from the age of 9 months
- from September 2025, the 30 hour entitlement for children of eligible working parents from the age of 9 months.

According to our assessment, currently there is a sufficient and diverse supply of early education and childcare provision available across the borough to meet demand. However, this is being closely monitored to ensure sufficiency considering the expanded childcare offer from 1st April 2024.

In total, there are 25,200 children under the age of five living in Croydon¹. These children may require early education and childcare.

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

¹ [Census 2021 Englan5210d and Wales Dec 2022](#)

	<p>children and young people have opportunities to learn, develop and fulfil their potential.”</p> <p>Whilst financial viability is a key driver for this review, finance considerations cannot be made in isolation and the review must also ensure appropriate regard to:</p> <ul style="list-style-type: none"> • maintaining quality and high levels of service delivery to children and families; • ensuring all relevant statutory requirements are met; and • future proofing (as far as possible) in relation to new and expanded childcare offer.
Is this a change to a policy, practice or service?	Service
Who has senior level responsibility for the proposed change?	Shelley Davies
Who is completing this assessment?	Denise Bushay
Indicate where your EQIA will be submitted to including date where known:	Cabinet, 26 June 2024

Stage 2: Deciding what relevance the proposed change has for equality

<p>Is the proposed change likely to impact on any of the following? <i>If there is no equality relevance for either go to Stage 7 and get sign off</i></p>	<input checked="" type="checkbox"/> Communities <input type="checkbox"/> Employees
Is the impact on equality low, medium or high?	Low
Summary of EQIA outcome:	The proposed recommendations will have a net positive impact.

They are specifically focused on early years provisions for children aged 0-5 in Maintained Nursery Schools. The recommendation will ensure that there is a consistent approach to planning and delivery and could minimise the potential for disruption during the transition from nursery to primary school. Additionally, the proposal for a 'soft federation' or formal collaboration will ensure the MNS can continue providing a high-quality education and would enable the strengths present in the two MNS and primary school to be combined to deliver high quality provision operating across separate sites. Furthermore, by adjusting to the childcare reforms, we will widen access to childcare for parents so that more families can benefit.

The proposed changes will not have a negative impact on children with disabilities as they are supported by an Early Education Health and Care Plan (EHCP) which has its own funding stream. The changes from this report will not impact the quality of or delivery of provisions for SEND children. Special Educational Needs and Disabilities training for staff in early years and childcare settings covers all aspects of the Equalities Act 2010 to ensure the setting meets the needs of the children and families it serves.

Since MNS are not provisions specifically for a sex, gender, religion, sexual orientation or race, the recommendations in the report do not have an impact on any of the above characteristics. All staff, pupils and governors will receive training and protection under the Equalities Act 2010.

Children attending the MNS are below the legal marriage age. Therefore, marriage or civil partnership will not directly involve children in the MNS. The marital status of parents plays no part of the admissions process for early years settings. The marital status of potential staff is also considered irrelevant, and the recommendation does not impact on marriage or civil partnership considerations in either a positive or negative way.

Similarly, pregnancy and maternity will not directly involve children of nursery age. For people who hold these characteristics, the recommendations will not decrease the number of MNS places.

Stage 3: Describe how the proposed change might impact on the council’s ability to undertake the Public Sector Equality Duty and commitment to anti-racism (N.B. this can be both positive or negative):

Eliminating discrimination, harassment, victimisation	The proposed changes will not negatively impact the council’s ability to eliminate discrimination, harassment, and victimisation.
Advancing equality of opportunity	By introducing stability to the execution and finances of MNS, the proposed change will make the quality of our MNS consistent and make early years offerings stronger across the borough. Additionally, in supporting the extension of new parents/carers entitlements, the proposed change will advance opportunities for working parents.
Fostering good relations	<p>By recommending that MNS are linked to a primary school, special school or academy trust, there are advantages of working collaboratively and this will allow MNS to forge stronger relationships with their neighbouring schools. Through these stronger relationships, the schools can maintain their own delegated budgets while considering the advantages of sharing resources such as facilities and procurement to achieve economies of scale.</p> <p>Collaborative working can also expand into other aspects of the schools’ operations through the creation of joint committees. By implementing shared strategies and collaborative working, the schools can develop good relationships in important areas. For example, their shared working can make the transition from nursery to infants’ school easier for pupils, families, and teachers alike.</p>
Embedding anti-racism	The proposals established in the report will not impact the council’s commitment to anti-racism.

Stage 4: What evidence has been considered and what consultation has been carried out?

Data collection	Data is collected on the uptake of the 2- and 3-year funded nursery places. This informs us that 85% of 3- and 4-year-olds benefitted from a funded early education place in January 2020, but only 49% of the eligible 2-year old population benefitted from a funded early education place in the same period. Considering the new childcare reforms that will increase the number of people eligible for funded places, the proposals established in the report will enable MNS to continue providing high quality education in the long-term. Formal collaboration will enable the strengths currently present in these schools to be combined to deliver high quality provision operating across separate sites.
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	<p>Data has also been used from the Department of Work and Pensions Family Resources Survey to gauge disability needs in the borough. The Croydon population suggests there are potentially 11,219 children and young people (aged 0-25) in the borough with disabilities, with the most frequent impairment being social/behavioural (estimated 5,024 in Croydon). Currently, all children with SEND needs in MNS are supported by EHCPs and schools have SENCOs. The proposals will not have a negative impact for children with disabilities. Instead, they can embed, maintain, and strengthen specialist SEN provision within all MNS through the benefits of collaborating with other schools and implementing financially prudent strategies. Depending on next steps, evidence will also be provided to ensure that there is representation from disabled parents and parents of disabled children through the ongoing parent engagement and consultation activities.</p> <p>Furthermore, data from the Department for Education was used to anticipate future need. Predictions from June 2023 suggest that there will be excess demand for 639 places from April 2024. Although we are confident that these places can be met, the proposals to the MNS will ensure that their capacity can remain viable in the long-term. Subject to the mayor's decision on next steps, if consultation is proposed, respondents to the survey will be asked to identify their gender for equality purposes.</p>
<p>Consultation</p>	<p>In June 2023, the Mayor commissioned an informal consultation 'to agree to reduce the number of MNS within the borough via closure or amalgamation' where partners, residents and the wider community could comment on the options. In the consultation, 94.9% were against reducing the number of MNS by closure and 83.7% were against amalgamating. As a result, officers explored and carried out more detailed modelling of other options suggested during the consultation. These include sponsorships, reviewing the staffing model, federating MNS, creating a multi-agency panel to problem solve and co-locating them with Family Hubs.</p> <p>From January to March 2024 a review took place including all 5 MNS and early years officers, aiming to identify financially sustainable models that maintain a high quality of education. After analysis of consultation responses, multiple meetings with various stakeholders and workshops, Local Education Officers expressed a preference for a rapid implementation of viable financial arrangements by attaching each MNS to another primary school or special school. This model provides stability for children and builds upon model which have proven to be successful previously.</p>

Stage 5: Identify any adverse or positive impact and mitigation steps that can be or have been taken

Guidance on Impact Scores: Consider the impact of your proposal by giving a numerical score to both the likelihood of an impact and the severity of an impact against each characteristic. This should draw upon the evidence you cited at Stage 3.

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.	1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact
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.	1 = Low 2 = Medium 3 = High
The score for likelihood and severity are then multiplied.	e.g. Unlikely to impact =1, Low impact =1, total score =1


Characteristics		Likelihood of impact	Severity of impact	Impact score	Summary of impact (positive, negative, no impact or unknown)*	If negative or unknown, what can be or has been done to mitigate this? Please provide clear actions and timelines.**
Protected Characteristics (Equality Act 2010)	Age	1	1	1	Unlikely to impact	
	Disability	1	1	1	Unlikely to impact	
	Gender Reassignment	1	1	1	Unlikely to impact	
	Marriage or Civil Partnership	1	1	1	Unlikely to impact	
	Pregnancy and Maternity	1	1	1	Unlikely to impact	
	Race	1	1	1	Unlikely to impact	
	Religion or Belief	1	1	1	Unlikely to impact	
	Sex	1	1	1	Unlikely to impact	

Characteristics		Likelihood of impact	Severity of impact	Impact score	Summary of impact (positive, negative, no impact or unknown)*	If negative or unknown, what can be or has been done to mitigate this? Please provide clear actions and timelines.**
	Sexual Orientation	1	1	1	Unlikely to impact	

* *Unknown impact may only be used where there is no data or evidence available and must be accompanied by an action plan for how to collect this.*

** *Mitigations must be referenced in the Equalities comments of the substantive report and in its recommendations.*

Stage 6: What is the outcome of your assessment? Select one of these four options:

Decision	Definition	Conclusion - Mark 'X' below
No major change	Our analysis demonstrates that the proposed change is robust. 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.	<p>X</p> <p>According to our assessment, currently there is a sufficient and diverse supply of early education and childcare provision available across the borough to meet demand.</p> <p>Croydon’s Childcare Assessment report (2023) indicates that there are sufficient childcare available across the borough for all age groups and for the extended childcare offer from April 2024.</p> <p>There are a number of different types of Early Education and Childcare providers, each offering a variety of options for families. In total, there are 543 early years childcare providers in our local authority, offering a <i>maximum</i> of 10,273 full time equivalent early years childcare places.</p> <p><i>Childcare Sufficiency Assessment</i></p> <p> Childcare Sufficiency Assessment 2023.</p>
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, remove barriers or better promote equality. We are going to take action to ensure	

	these opportunities are realised. If you reach this conclusion, ensure you have completed Section 5 above.	
Continue the proposed change despite potential for adverse impact	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, there are justifiable reasons to continue as planned. If you reach this conclusion, ensure you have completed Section 4 above, clearly setting out your justifications.	
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.	

Stage 7: EQIA Monitoring and Sign Off

How will the EQIA be reviewed and monitored, including timescales?	<i>[EQIAs must be reviewed every 2 years or sooner if new data or impact is identified.]</i>		
Equalities advice received from:	<i>[Name and job title]</i>	Date:	
EQIA approved by:	<i>[Name and job title Director or Corporate Director responsible]</i>	Date:	