

# Equality Impact Assessment / Equality Analysis

(Updated December 2022)

Item name	Details
<b>Title of service or policy</b>	Business Services - Early Years Entitlement (EYE) expansion capital funding April 2024 to September 2026
<b>Name of directorate and service</b>	Children's Service
<b>Name and role of officers completing the EIA</b>	Philip Frankland Business Services Manager
<b>Date of assessment</b>	April 2024

Equality Impact Assessment (or ‘Equality Analysis’) is a process of systematically analysing a new or existing policy or service to identify what impact or likely impact it will have on different groups within the community. The main aim is to identify any discriminatory or negative consequences for a particular group or sector of the community, and also to identify areas where equality can be better promoted. Equality impact Assessments (EIAs) can be carried out in relation to services provided to customers and residents as well as employment policies/strategies that relate to staffing matters.

This toolkit has been developed to use as a framework when carrying out an Equality Impact Assessment (EIA) or Equality Analysis. **Not all sections will be relevant – so leave blank any that are not applicable.** It is intended that this is used as a working document throughout the process, and a final version will be published on the Council’s website.

## 1.1 Identify the aims of the policy or service and how it is implemented

Key questions	Answers / notes
<p>1.1 Briefly describe purpose of the service/policy e.g.</p> <ul style="list-style-type: none"> <li>● How the service/policy is delivered and by whom</li> <li>● If responsibility for its implementation is shared with other departments or organisations</li> <li>● Intended outcomes</li> </ul>	<p>Early Years Entitlement (EYE) funding is policy set nationally (England) by the Department for Education (DfE) together with requirements from HM Treasury, the Department for Work and Pensions (DWP) and HMRC.</p> <p>The Childcare Acts 2006 and 2016 delegate authority for administration of the scheme and for ensuring sufficiency of provision to Councils.</p> <p>The offer currently has a number of components that already exist or to be introduced in order to help with access to early year’s education and childcare:</p> <ul style="list-style-type: none"> <li>● A universal offer for children aged 3 and above (term after third birthday with three nationally set cut-off dates) for 15 hours a week, 38 weeks of the year (570 hours)</li> <li>● An extended offer for working families within defined criteria of up to an additional 570 hours for children aged 3 and above (term after third birthday with three nationally set cut-off dates) for 15 hours a week, 38 weeks of the year (570 hours)</li> </ul>

	<ul style="list-style-type: none"> <li>• A targeted offer for low- and no-income families, children with DLA and a few small, targeted groups of children aged 2 to 3 (term after second birthday with three nationally set cut-off dates) for 15 hours a week, 38 weeks of the year (570 hours)</li> <li>• An offer for working families within defined criteria for children aged 2 to 3 (term after second birthday with three nationally set cut-off dates) for 15 hours a week, 38 weeks of the year (570 hours) introduced 1<sup>st</sup> April 2024</li> <li>• An offer for working families within defined criteria for children aged 9 months to 2 (term after turning 9 months with three nationally set cut-off dates) for 15 hours a week, 38 weeks of the year (570 hours) to be introduced 1<sup>st</sup> September 2024.</li> <li>• An extended offer for working families within defined criteria of up to an additional 570 for children aged 9 months to 3 (term after turning 9 months with three nationally set cut-off dates) for 15 hours a week, 38 weeks of the year (570 hours) from 1<sup>st</sup> September 2025.</li> </ul> <p>The Childcare Acts place a duty on Councils to ensure sufficiency of provision and so the DfE have provided a small amount of capital funding to each Council in order to facilitate provider expansion in areas identified as currently having a shortage of places or that may have one as the offer expands further.</p>
<p>1.2 Provide brief details of the scope of the policy or service being reviewed, for example:</p> <ul style="list-style-type: none"> <li>• Is it a new service/policy or review of an existing one?</li> <li>• Is it a national requirement?).</li> <li>• How much room for review is there?</li> </ul>	<p>This is a policy offer expansion from an offer that started back in the 1990s that has been gradually expanded by successive Governments. It is a national (England) offer with the requirements set by the DfE. This means that there is no room for review.</p>
<p>1.3 Do the aims of this policy link to or conflict with any other policies of the Council?</p>	<p>No</p>

## 2. Consideration of available data, research and information

Key questions	Data, research and information that you can refer to
<p><b>2.1</b> What equalities training have staff received to enable them to understand the needs of our diverse community?</p>	<p>The Council acts as a conduit for this policy as delivery of the service is provided by the Private, Voluntary and Independent (PVI) sector, schools and childminders (self-employed or part of an agency network). Ofsted are the sole regulator of registration and quality is assessed through Ofsted inspections.</p> <p>The team within the Council undertake equalities training as required and delivered through the Council's Learning Zone.</p>
<p><b>2.2</b> What is the equalities profile of service users?</p>	<p>The offer is available across the whole of B&amp;NES so reflects the profile of the Council area although parts of the offer are targeted at different circumstances as outlined in 1.1</p>
<p><b>2.3</b> Are there any recent customer satisfaction surveys to refer to? What were the results? Are there any gaps? Or differences in experience/outcomes?</p>	<p>Not locally however the DfE publish the results of the annual census and the respective take up rates for the EYE offer on their Local Area Interactive Tool (LAIT) which is publicly available <a href="https://www.gov.uk/government/publications/local-authority-interactive-tool-lait">https://www.gov.uk/government/publications/local-authority-interactive-tool-lait</a></p>
<p><b>2.4</b> What engagement or consultation has been undertaken as part of this EIA and with whom? What were the results?</p>	<p>The capital granted by the DfE has been notified and discussed at School's Forum and the Early Year's Reference Group which represents the Early Years providers on the Forum. This is based on all the DfE guidance which can be found on this link <a href="https://www.gov.uk/government/publications/childcare-expansion-capital-grant-funding">https://www.gov.uk/government/publications/childcare-expansion-capital-grant-funding</a></p> <p>There is some legacy Section 106 funding which can be added to the above allocations and enhance the spend in some locations. This has been a result of previous engagements undertaken by planning as part of setting local plans and planning guidance combined with the publication of Childcare Sufficiency Assessments on the Council website.</p>
<p><b>2.5</b> If you are planning to undertake any consultation in the</p>	<p>Policy is driven by the DfE in this area but as well as the previously explained Schools Forum and reference group work, we held 6 provider events prior to the launch of the first part new</p>

future regarding this service or policy, how will you include equalities considerations within this?	offer this April at different times in different locations and using a range of media and will be doing the same for the 9 month expansion and the 30 hour expansion in due course.
--	---

### 3. Assessment of impact: ‘Equality analysis’

Based upon any data you have considered, or the results of consultation or research, use the spaces below to demonstrate you have analysed how the service or policy:

- Meets any particular needs of equalities groups or could help promote equality in some way.
- Could have a negative or adverse impact for any of the equalities groups

<b>Key questions</b>	<b>Examples of what the service has done to promote equality</b>	<b>Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this</b>
<b>3.1 Issues relating to all groups</b> and protected characteristics	This is a national offer for all eligible families promoted through a number of routes including the Council’s website, Livewell website, the DfE, Childcare Choices (HMRC), early years education and childcare providers, Children’s Centres, Health Visitors and so on.	The Childcare Choices website has received criticism for lack of language choices, and this is being addressed by HMRC. A telephone helpline is provided by them in addition to webpages and is used a great deal.
<b>3.2 Sex</b> – identify the impact/potential impact of the policy on women and men.	The policy has been targeted at making childcare more affordable to families, particularly women, to have a positive impact on ability to continue working after parenthood and not have a long career break that impacts on long term career prospects, income and pension outcomes	The policy has received some national criticism that it does not allow those who choose to look after their children rather than choose childcare any financial incentive to support them whilst they remain at home. There has also been some lobbying against the upper income

		<p>restrictions and how they are applied singularly or to couples.</p> <p>Childcare Choices administered by HMRC make all the decisions about eligibility and code allocation for working families, so any equalities issues related to this part of the funding process are their responsibility.</p>
<b>3.3 Pregnancy and maternity</b>	This policy guidance is set nationally and takes into account subsequent pregnancy and maternity from a second child and beyond so that families are still eligible during that period.	Childcare Choices administered by HMRC make all the decisions about eligibility and code allocation for working families, so any equalities issues related to this part of the funding process are their responsibility.
<b>3.4 Gender reassignment</b> – identify the impact/potential impact of the policy on transgender people	The policy guidance is set nationally and administered by Councils. The policy does not differentiate based on gender identity of the parents so it is not anticipated that there will be an impact on parents/carers depending on their gender.	Childcare Choices administered by HMRC make all the decisions about eligibility and code allocation for working families, so any equalities issues related to this part of the funding process are their responsibility.
<b>3.5 Disability</b> – identify the impact/potential impact of the policy on disabled people (ensure consideration both physical, sensory and mental impairments and mental health)	The policy guidance is set nationally and administered by Councils. It is not anticipated that there will be an impact on parents/carers depending on their disability.	Childcare Choices administered by HMRC make all the decisions about eligibility and code allocation for working families, so any equalities issues related to this part of the funding process are their responsibility.
<b>3.6 Age</b> – identify the impact/potential impact of the policy on different age groups	The policy guidance is set nationally and administered by Councils. It is not anticipated that there will be an impact on parents/carers depending on their age.	Childcare Choices administered by HMRC make all the decisions about eligibility and code allocation for working families, so any equalities issues related

		to this part of the funding process are their responsibility.
<b>3.7 Race</b> – identify the impact/potential impact on across different ethnic groups	The policy guidance is set nationally and administered by Councils. It is not anticipated that there will be an impact on parents/carers depending on their ethnicity.	Childcare Choices administered by HMRC make all the decisions about eligibility and code allocation for working families, so any equalities issues related to this part of the funding process are their responsibility.
<b>3.8 Sexual orientation</b> – identify the impact/potential impact of the policy on lesbian, gay, bisexual, heterosexual people	The policy guidance is set nationally and administered by Councils The policy does not differentiate between same sex or opposite sex parents. It is not anticipated that there will be an impact on parents/carers depending on their sexual orientation	Childcare Choices administered by HMRC make all the decisions about eligibility and code allocation for working families, so any equalities issues related to this part of the funding process are their responsibility.
<b>3.9 Marriage and civil partnership</b> – does the policy/strategy treat married and civil partnered people equally?	The policy guidance is set nationally and administered by Councils The policy does not differentiate between same marriage and civil partnership. It is not anticipated that there will be an impact on parents/carers depending on their married or civil partnership status.	The policy has received some national criticism that it does not allow those who choose to look after their children rather than choose childcare any financial incentive to support them whilst they remain at home. There has also been some lobbying against the upper income restrictions and how they are applied singularly or to couples.  Childcare Choices administered by HMRC make all the decisions about eligibility and code allocation for working families, so any equalities issues related to this part of the funding process are their responsibility. This will include decisions about the eligibility of co-habiting/co-parenting/separated parents

		the evidence required to support their claim and which parent may receive the funded hours.
<b>3.10 Religion/belief</b> – identify the impact/potential impact of the policy on people of different religious/faith groups and also upon those with no religion.	The policy guidance is set nationally and administered by Councils. It is not anticipated that there will be an impact on parents/carers depending on their religion/belief.	Childcare Choices administered by HMRC make all the decisions about eligibility and code allocation for working families, so any equalities issues related to this part of the funding process are their responsibility.
<b>3.11 Socio-economically disadvantaged*</b> – identify the impact on people who are disadvantaged due to factors like family background, educational attainment, neighbourhood, employment status can influence life chances <b>(this is not a legal requirement, but is a local priority).</b>	<p>The policy guidance is set nationally and administered by Councils. The original DfE two-year-old offer remains in place and will help to support this group and their children.</p> <p>The 10 year strategy for childcare in the 2000s did increase place provision in B&amp;NES in areas of socio-economic disadvantage and that has been sustained</p> <p>Socio-economically disadvantaged families with children aged 2 an above can apply for the low or no income funding through the Council website. This scheme has been in place and expanded since 2006. The funding rate for the eligible cohort may also attract Early Years Pupil Premium for eligible families which enhances the funding rate for each qualifying child to help with affordability, targeted support, and provider sustainability.</p>	<p>A lack of local provision, providers allocating places preferably for working families or providers adding on consumable charges may makes access to quality EY settings difficult for low income families.</p> <p>Childcare Choices administered by HMRC make all the decisions about eligibility and code allocation for working families, so any equalities issues related to this part of the funding process are their responsibility.</p>



<p><b>3.12 Rural communities*</b> identify the impact / potential impact on people living in rural communities</p>	<p>The policy guidance is set nationally and administered by Councils.</p>	<p>Rurality could present a challenge particularly around access to settings, the availability of choice of settings, transport to and from settings potentially being car dependent. The Council continues to use its Childcare Sufficiency reporting and feedback from families in rural communities to assess the impact of rurality and to assess if any reasonable adjustments are required.</p> <p>Childcare Choices administered by HMRC make all the decisions about eligibility and code allocation for working families, so any equalities issues related to this part of the funding process are their responsibility.</p>
<p><b>3.13 Armed Forces Community **</b> serving members; reservists; veterans and their families, including the bereaved. Public services are required by law to pay due regard to the Armed Forces Community when developing policy, procedures and making decisions, particularly in the areas of public housing, education and healthcare (to remove disadvantage and consider special provision).</p>	<p>The policy guidance is set nationally and administered by Councils. It is not anticipated that there will be an impact on parents/carers in the Armed Forces Community.</p>	<p>The Armed Forces Community is a transient community so access to provision may be more challenging as settings often have a waiting list, particularly if you are joining mid-term or in the busiest period of the year, the summer term.</p> <p>B&amp;NES does not have a Military base – we do not record whether or not children in receipt of this funding are from an Armed Forces Family although HMRC may be aware through the application process.</p>

		Childcare Choices administered by HMRC make all the decisions about eligibility and code allocation for working families, so any equalities issues related to this part of the funding process are their responsibility.
--	--	--

\*There is no requirement within the public sector duty of the Equality Act to consider groups who may be disadvantaged due to socio economic status, or because of living in a rural area. However, these are significant issues within B&NES and have therefore been included here.

\*\* The Equality Act does not cover armed forces community. However, the Armed Forces Bill (which came in on 22 Nov 2022) introduces a requirement to pay 'due regard' to make sure the Armed Forces Community are not disadvantaged when accessing public services.

#### **4. Bath and North East Somerset Council & NHS B&NES Equality Impact Assessment Improvement Plan**

Please list actions that you plan to take as a result of this assessment/analysis. These actions should be based upon the analysis of data and engagement, any gaps in the data you have identified, and any steps you will be taking to address any negative impacts or remove barriers. The actions need to be built into your service planning framework. Actions/targets should be measurable, achievable, realistic and time framed.

<b>Issues identified</b>	<b>Actions required</b>	<b>Progress milestones</b>	<b>Officer responsible</b>	<b>By when</b>

## 5. Sign off and publishing

Once you have completed this form, it needs to be 'approved' by your Divisional Director or their nominated officer. Following this sign off, send a copy to the Equalities Team ([equality@bathnes.gov.uk](mailto:equality@bathnes.gov.uk)), who will publish it on the Council's and/or NHS B&NES' website. Keep a copy for your own records.

**Signed off by:**

A handwritten signature in black ink that reads "Mary Kearney-Kewles". The signature is written in a cursive style.

(Divisional Director or nominated senior officer)

**Date:** 19.04.2024