

EQUALITY IMPACT ASSESSMENT

(Please note, this will form part of a public facing document. If you have any questions about this, please contact Equality@wiltshire.gov.uk)

Title: What are you completing an Equality Impact Assessment on?

Wiltshire Council has a statutory duty to ensure there is sufficient childcare across the county. A policy is being written to replace 23 temporary buildings that are owned by Wiltshire Council and leased to a variety of childcare providers to provide 702 childcare places in the county. These buildings were initially made available between 1999 and 2002 through Sure Start funding available to the Council, which provided childcare in the more disadvantaged areas of Wiltshire. The EQIA will focus on the impact of not replacing these temporary buildings. How this will affect the employees, children, and families who use the buildings and services these buildings provide.

Why are you completing the Equality Impact Assessment? (please tick any that apply)

Proposed New Policy or Service	Change to Policy or Service	MTFS (Medium Term Financial Strategy)	Service Review
<u>X</u>			

Version Control

Version control number		Date		Reason for review (if appropriate)	Final version
	2		13/06/22		

Risk Rating Score (use [Equalities Risk Matrix](#) and guidance)

If any of these are 3 or above, an Impact Assessment **must be completed.
Please check with equality@wiltshire.gov.uk for advice

Criteria	Inherent risk score on proposal	Residual risk score after mitigating actions have been identified
Legal challenge	3**	1
Financial costs/implications	1**	1
People impacts	2**	1
Reputational damage	3**	1

Section 1

Description of what is being analysed

A policy will be created to outline how the Council will support early years providers to replace 23 temporary buildings that are currently leased to 22 childcare providers, offering a total of 702 childcare places. The Local Authority has a statutory duty to ensure there is sufficient childcare across the county. Without the replacement of these temporary buildings, there is a risk of not meeting this statutory duty. Consequently, this could affect the employees of the childcare settings, as well as the children and families who use them.

The buildings currently enable the childcare providers leasing them to provide sufficient childcare for working parents, which includes offering LA funded places of 570 hours a year for eligible two, three and four year olds and for working parents that are eligible up to a further 570 hours childcare. The settings also provide privately funded childcare for children aged 0 to 4 years of age.

Section 2

People or communities that are currently **targeted or could be affected** by any change

The 22 early years providers offer 702 early years places at any one time. This effectively will be supporting far more young people than 702 as not all children take a full-time place. Without the replacement of these buildings the communities in which the buildings are located, risk not having sufficient childcare to meet the demand and consequently the Local Authority would not be able to meet its statutory duty to ensure there is sufficient childcare within Wiltshire.

Early years places are vital to protect the economy and ensure the workforce in the community can undertake their employment whether at home or a place of work. As was evident with Covid, without childcare for keyworkers, there is the potential for a negative impact on the general workforce to meet the needs of the wider community.

The early years children require quality, early years provision in accommodation that is suitable to meet their needs and enable the staff to provide quality outcomes for all the children who attend. Without these buildings there is a risk we cannot provide accessible, appropriate childcare for some of our most disadvantaged children and children with SEND, as well as those with other protected characteristics. Some families may not be able to travel to alternative childcare if the current setting were to close.

Section 3

People who are **delivering** the policy or service that are targeted or could be affected (i.e. staff, commissioned organisations, contractors)

Not replacing these buildings would negatively impact staff and their wellbeing as this could lead to potential unemployment for them. Buildings that are in poor repair and reaching their end of life might impact the staff and children's wellbeing. Some of the buildings are now becoming outdated and might not be providing adequate facilities to meet changing guidance and legislation for facilities. E.g., adequate and separate hand washing and toilet facilities for staff and children. This was highlighted with COVID guidance and the extra handwashing and sharing of facilities.

Section 4

The underpinning **evidence and data** used for the analysis (Attach documents where appropriate)

Prompts:

- *What data do you collect about your customers/staff?*
- *What local, regional and national research is there that you could use?*
- *How do your Governance documents (Terms of Reference, operating procedures) reflect the need to consider the Public Sector Equality Duty?*
- *What are the issues that you or your partners or stakeholders already know about?*
- *What engagement, involvement and consultation work have you done? How was this carried out, with whom? Whose voices are missing? What does this tell you about potential take-up and satisfaction with existing services?*
- *Are there any gaps in your knowledge? If so, do you need to identify how you will collect data to fill the gap (feed this into the action table if necessary)*
- *Have you considered the [Armed Forces Covenant](#) in your consultation and research?*
- *Have you considered impacts on those living in rural areas? [Government guidance](#) is available.*
- *Refer to [the family test](#)*

To meet the Local Authorities sufficiency duty, commissioners collect occupancy data three times a year. This data is used to monitor the demand for childcare across Wiltshire and indicates the continuing need for the 702 places currently provided.

All early years providers that offer both the universal and extended early years entitlement sign up to the Wiltshire Council Local Provider Agreement. It stipulates that they must meet the need to securing sufficient childcare for working parents. It also identifies the needs for all children in the local area are met in accordance with the Special Educational Needs and Disability Code of Practice: 0-25 years (January 2015). Therefore, making sure that provision can meet the needs of these children must be considered. Furthermore, providers are expected to identify the disadvantaged children within their setting as part of the process for checking Early Years Pupil Premium (EYPP) eligibility. Not replacing these buildings will have a negative impact on these families.



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ovider_Agreement_Se

SEND data is also collected for each child when a provider is adding the child to the live register within Liquid Logic information system. The options providers can choose are:

- EHCP
- No Special Educational Need
- School Action or EY Action
- School Action Plus or EY Action Plus
- SEN Support
- Statement
- Unknown

This data would help establish if children with a disability would be affected with the potential closure of an affected building.

We already know that some of these settings are in rural locations and families from disadvantaged backgrounds may not be able to travel to other childcare providers that are in neighbouring villages/towns if their local provision closed. Families who serve within the Armed Forces also need to ensure they have accessible, available childcare. Other families with protected characteristics would also be impacted along with the community local to the early years setting.

Initial engagement has been with the Estates team establishing the RAG rating and condition of the buildings, along with the cost of repairs and maintenance. The next step is to write the policy and have initial discussions with all the childcare providers that lease our buildings. These meetings will inform settings about the policy and explore their financial position to replace the buildings. Ensuring these initial meetings take place with all 22 providers will mean the providers have all the information they need and allow them to start to develop their business plans as appropriate. This will help to mitigate reputational damage and indicates how we can support the next step working towards replacement of their building.

Although a Family Test has not been completed, family life of staff and families who attend the setting could be affected if the provision is not maintained. There is a possible financial impact for the staff if they face redundancy from closures and consequently can affect the health and wellbeing of the whole family.

Avoiding closures will mitigate this impact.

The buildings are on school sites, and not replacing the building could impact a child's transition to Primary School.

Section 5

Conclusions drawn about the impact of the proposed change or new service/policy

Prompts:

- *What actions do you plan to take as a result of this equality analysis? Please state them and also feed these into the action table*
- *Be clear and specific about the impacts for each Protected Characteristic group (where relevant)*
- *Can you also identify positive actions which promote equality of opportunity and foster good relations between groups of people as well as adverse impacts?*
- *What are the implications for Procurement/Commissioning arrangements that may be happening as a result of your work?*
- *Do you plan to include equalities aspects into any service agreements and if so, how do you plan to manage these through the life of the service?*
- *If you have found that the policy or service change might have an adverse impact on a particular group of people and are **not** taking action to mitigate against this, you will need to fully justify your decision and evidence it in this section*

As a result of this equality analysis, the policy to be implemented will include the impact on staff and families if the buildings were not to be replaced. This will consider all children and include those with SEND, families from disadvantaged backgrounds, and families with protected characteristics

Discussions with all providers will be at the earliest convenience to ensure everyone is aware of the support the Council will be providing to replace the existing buildings and prevent closure of the setting.

Local Authority Commissioners will implement the policy for replacement of buildings and will oversee the entire process supporting, and working with all providers. This will include establishing each individual setting financial position to replace the building, signposting to grants/fundraising opportunities where applicable, and working with each setting on their business plans. Consideration for demand for childcare in the area and needs of individual families will also be considered.

Section 6

How will the outcomes from this equality analysis be **monitored, reviewed and communicated?**

Prompts:

- *Do you need to design performance measures that identify the impact (outcomes) of your policy/strategy/change of service on different protected characteristic groups?*
- *What stakeholder groups and arrangements for monitoring do you have in place? Is equality a standing agenda item at meetings?*
- *Who will be the lead officer responsible for ensuring actions that have been identified are monitored and reviewed?*
- *How will you publish and communicate the outcomes from this equality analysis?*
- *How will you integrate the outcomes from this equality analysis in any relevant Strategies/Polices?*

Local Authority Commissioners will monitor the entire process of working with the providers to establish robust plans to replace the temporary building they are currently leasing.

Local Authority Commissioners will inform providers of the policy and what support is available to them during this time.

This Equality Analysis will form part of the Cabinet report and the policy that will outline how we intend to support all 22 providers to replace their temporary buildings in a planned and sustainable way.

* The EqIA forms part of Wiltshire Council's Corporate Governance structure. Please also refer to council policies on managing risk and performance, partnership working and policy development where relevant.

***Copy and paste sections 5 & 6 into any Committee, CLT or Briefing papers as a way of summarising the equality impacts where indicated**

Please send a copy of this document to Equality@wiltshire.gov.uk

Completed by:	Nicola Harris	
Date	23/02/2022	
Signed off by:	Gary Binstead	
Date	13 th June 2022	
To be reviewed by:	Gary Binstead	
Review date:	30 th September 2022	
For Corporate Equality Use only	Compliance sign off date:	

Equality Impact Issues and Action Table (for more information on protected characteristics, see risk assessment document)

Identified issue drawn from your conclusions (only use those characteristics that are relevant)	Actions needed	Who is responsible	Date	Expected outcome
Age				
	N/A			
Disability				
	Ensure the needs of all children including children with SEND and children from disadvantaged backgrounds are considered. Obtain data from Liquid Logic and setting as required.	LA Family and Children's Commissioner Provider	Ongoing until all buildings replaced in approx 1-10 years	All needs of children are met through supporting the provider to replace their temporary building with a new suitable building to continue providing quality accessible childcare.
Gender Reassignment				
	N/A			
Marriage and Civil Partnership				
	N/A			
Pregnancy and Maternity				
	N/A			
Race (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)				
	N/A			
Religion and Belief				
	N/A			
Sex				
	N/A			
Sexual Orientation				

	N/A			
Other (including caring responsibilities, rurality, low income, Military Status etc). Refer to family test: https://researchbriefings.files.parliament.uk/documents/CBP-7714/CBP-7714.pdf				
	Ensure children and families are not disadvantaged through closures of temporary buildings. Working with providers to find solutions to enable them to replace their building will mitigate the negative impact closure could have on these families.	LA Family and Children's Commissioner Provider	Ongoing until all buildings replaced in approx 1-10 years	All needs of children are met through supporting the provider to replace their temporary building with a new suitable building to continue providing quality accessible childcare.