Equality Analysis Establishing a School Support Services Trading Entity

28th March 2014 Version 0.2

REVISI	REVISION HISTORY					
Version	Revision Date	Status	Prepared by	Changes made		
0.1	6 th Feb 2014	Draft	Julie Ralphs	Initial draft		
				Updated draft following feedback from Equality Team		
0.2	28 th Mar 2014	Draft	Julie Ralphs	and stakeholder engagement		

1. Decide whether a full equality analysis is needed 1.1 What are you analysing? What is the name of your change or Establishment of a School Support Services Trading Entity (Mutual) from April 2015 review? This proposal may involve changes to: policies, strategies and frameworks budgets plans, projects and programmes staff structures (including outsourcing) the use of buildings commissioning (including re-commissioning and de-commissioning) services (for example, how and where they are delivered) Why are you doing this? National policy changes mean that schools are being given increasing autonomy with a greater emphasis on self-improvement, helping one another and greater financial freedoms to utilise funding to meet their needs. This has/is resulting in: • Significantly less centralised funding to LAs to provide educational support services, with further reductions planned; Freedoms to schools and other education providers to purchase support services in accordance to their needs and from whom they wish; • Increased income generated from schools (and other education providers) purchasing services

• Increasing competition to supply educational support services to schools

However, LAs retain some legal and strategic commissioning responsibilities, as well as being

from Croydon LA;

	subject to inspection (e.g. Ofsted) of some areas. This means that it is essential for the LA to retain effective relationships with the schools within the borough, but within a context of supplying good quality and affordable traded services to schools to complement the fulfilment of our statutory duties. This would prove almost impossible within the current model of delivery, particularly in the context of making any future savings, as it is cost prohibitive and lacks the necessary flexibilities in processes to trade more freely.
What is likely to be different when you have finished?	In April 2015, it is proposed that the following will be established: 1. A new trading entity, in the form of a mutual company (owner ship to be determined), for the delivery of traded and LA commissioned services to deliver: • school improvement services • governor support services • education welfare services • education welfare services • educational psychology • Capital South Education Business Partnership (the EBP) • the Literacy Centre • HR services to schools • finance services to schools • CredIT (IT services to schools) 2. A small internal Council client/commissioning team, who will also undertake statutory functions which are not delegable. Robust business planning is being undertaken to determine which functions (and consequently which staff) transfer to 1 and 2 above.
What will be the main outcomes or benefits from making this change?	 Ability to trade in a more cost efficient and agile manner, creating a more sustainable business model for the future Strengthening partnerships between schools Maintain and strengthen school/LA partnerships Value for money from the Council's commissioning budget Continue momentum to improve outcomes for children and young people in Croydon

What stage is your change at now?	Detailed business planning stage:
	 Proposal to establish a trading company was agreed in principle at Cabinet in September 2013.
	The business plan, legal structure and constitution of the new company will be presented to Cabinet for approval in June 2014.
	Consultation with a range of stakeholders is in progress.
1.2 Who could be affected and how?	
Who are your internal stakeholders?	Staff within services which are 'in-scope' services for the traded company: school improvement services governor support services education welfare services educational psychology EBP the Literacy Centre HR services to schools finance services to schools IT services to schools Council Leadership/funders: DMT/CMT Cabinet School Forum Health
Who are your external stakeholders?	Leaders (e.g. head teachers and governors) in:
	Parents/carers (whose children are in direct receipt of services from 'in-scope' teams)

	External funding bodies (funding any provision/projects for 'in-scope' services) Employers/local business (working with any 'in-scope' services) Other LA's with whom partnership arrangements currently exist (e.g. London Councils, SWLSEP)
	o the contract parameters parameters of the contract (engineering contract (engineering))
Does your proposed change relate to a service area where there are known or potential equalities issues?	Workforce Don't know at this stage. As part of this EQIA an analysis of the current workforce demographics/characteristics of 'in-scope' services will be undertaken and any issues identified A view of wider contextual information may also be required, for example implications arising from LA service redesign arising from 'Croydon Challenge'.
	Service recipients Unlikely, as proposal relates to change in delivery model not the nature of what is actually delivered/received and to whom.
	However, all identified stakeholders will be consulted during business planning and any equalities issues arising will be risk assessed.
Does your proposed change relate to a service area where there are already local or national equality indicators?	Yes, the 'in-scope' services may have some relation to the following indicators from the Croydon Equality Strategy 2012-16: • To improve outcomes for children by providing a better start in life
	To achieve better learning outcomes for children and young people by narrowing the attainment gap for those who are vulnerable
	To improve economic outcomes for young people and adults by increasing opportunities to be in education, employment or training
	To achieve better outcomes for children and young people by increasing the proportion that say they are listened to and able to influence

	 To improve support for vulnerable people by making it easier for them to have more choice and control over their lives To maintain a modern and diverse workforce by increasing the proportion of staff who say they are valued and treated fairly
Would your proposed change affect any protected groups more significantly than non-protected groups?	No : Unlikely as • the largest proportion of service recipients are organisations, specifically schools, and not individuals, and • the nature of the services being delivered or to whom is not significantly changing.
Would your proposed change help or hinder the council in eliminating unlawful discrimination, harassment and victimisation in relation to any of the protected groups?	Don't know, but likely to have a neutral impact for reasons explained previously.
Would your proposed change help or hinder the council in advancing equality of opportunity between people who belong to any protected groups and those who do not?	Don't know, but likely to have a neutral impact for reasons explained previously.
Would your proposed change help or hinder the council in fostering good relations between people who belong to any protected groups and those who do not?	Don't know, but likely to have a neutral impact for reasons explained previously.

1.3 Decision				
Decision	Response			
No, further equality analysis is not required	N/A			
Yes, further equality analysis is required	 The full equality analysis has already commenced and is being built into the business planning process, and specifically consultation with the broad range of stakeholders. Deadline and publication: It will be submitted (and therefore published) with the business plan, legal structure and constitution of the new company to Cabinet for approval in June 2014. 			
Officers that must approve this decision	Name and position	Date		
Report author	Julie Ralphs – Improvement Adviser	6 th February 2014		
Director	Sylvia McNamara			
1.4 Feedback from corporate equalities tea	am			
Name of equalities officer	Yasmin Ahmed			
Date received by equalities officer	6 th February 2014			
Should a full equality analysis be carried out?	Yes			

2. Evidence Considered

The equalities impact is embedded throughout the business planning process, project implementation and beyond. The project communication and engagement plan incorporates on-going communication with staff, schools and other key stakeholders throughout the life of the project and this information will be used to inform and update the assessment.

Currently, both quantitative and qualitative information has been obtained and analysed from a variety of sources, including:

Quantitative:

- HR demographic data summarising characteristics (gender, disability, age etc.) of current LA staff who are in-scope for the proposal (as at January 2014)
- Analysis of service delivery data, e.g. course feedback, income generation history, financial records, CPD on-line reports (on-going)

Qualitative:

• Feedback and input from staff from in-scope services gained from a series of staff communication events, including all staff meetings, team

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meetings, drop-in sessions, e-mails and surveys (on-going)

- Staff FAQs document A collation of FAQs and responses which have been generated (and is continually updated) from the full range of staff communication mediums (on-going)
- Information arising from communication with schools via Croydon Head Teacher Association (CHTA) meetings, annual conference (March 2014), School Forum and school cluster meetings (on-going)
- Headteacher on-line survey results (conducted Jan/Feb 2014)
- Information arising from presentation to the Chairs of Governors meeting held on 21st January 2014
- A variety of project groups, including Mutual Project Board, Infrastructure Project Group, Service Development Project Group and CHTA
 Executive, who represent a range of stakeholders
- Service strategy reports e.g. School Improvement Plan 2013/14
- Stakeholder mapping summary

2.1 Analysing Impact

This assessment has been carried out using a matrix approach. The tables below have been plotted to identify where there is any potential impact on any of the in-scope staff and customers/service users by protected characteristic which may arise from the proposed change in delivery model.

It has been identified that the majority of recipients of the services provided are schools and other educational establishments, although some service provision is made directly to individuals.

The most likely alternative to this proposal (i.e. establishment of a mutual to deliver both commissioned and traded services to schools) is the implementation of significantly streamlined LA provided services which are statutory and/or aligned to corporate priorities. Therefore impact is considered both in terms of comparison to the current delivery model and also an alternative streamlined LA model should the mutual not proceed as planned.

Key	Key				
0	Indicates where the impact is unknown on Service Users/Staff or there no evidence to indicate either a positive or negative impact				
Р	Indicates the change may have a potential Positive Impact on Service Users/Staff				
N	Indicates the change may have a potential Negative Impact on Service Users/Staff				
P/N	Indicates the change may have both Positive and Negative Impacts on Service Users/Staff				

SERVICE USER	PROTECTED CHARACTERISTICS								
RELATED	Age	Disability	Gender	Gender re- assignment	Pregnancy and Maternity	Ethnicity	Religion and Belief	Sexual Orientation	Marriage and Civil Partnership
Continuity of service offer	0	0	0	0	0	0	0	0	0
Accessibility	P/N	P/N	0	0	P/N	0	0	0	0
Meeting needs	P/N	0	0	0	0	0	0	0	0
Affordability	0	0	0	0	0	0	0	0	0

Description of Impact - Service User Related

Service users are classified as those users who currently procure services from the in-scope services or are in receipt of LA provided statutory/core services which it is proposed the LA will commission the mutual to deliver on its behalf in the future. During business planning it has been identified that these users are predominantly schools and other education institutions/settings. Parents/carers do procure services directly from the Literacy Centre, but this a very small proportion of the overall delivery (approximately £20k income annually). Therefore, unless stated otherwise, service users in this analysis are classified as schools and other education providers.

All current service users and stakeholders have been identified during business planning and incorporated within the communication strategy. This analysis will be updated to reflect any equality related information arising from delivery of the communication strategy. To date, no specific equality related questions, comments or concerns have arisen during communication with service users.

Impact is assessed on comparison between the proposed service model to current service delivery. However, it should be noted that if this proposal does not proceed, the alternative is likely to involve significant changes to service delivery and the likelihood of cessation of a broad range of services which may have a negative impact on a broad range of service users.

At the moment there is no evidence to suggest that any specific protected characteristic will be specifically impacted on by this proposal, with the possible exception of age/disabled/pregnancy in relation to accessibility to the service offer. Possible generic and specific impact is summarised below.

Continuity of service offer:

If this proposal is approved it will ensure the continuity of a broad range of services, which may otherwise reduce or cease. This is of benefit to all service users and therefore assessed as a positive impact compared to the alternative, but neutral compared to the current service offer.

Accessibility:

Service delivery currently takes place in a variety of venues including schools, conference/meeting venues (including Bernard Weatherill House) and Croydon CPD centre (based in Leon House). Additionally the Literacy Centre delivers to mainly KS2 aged children from a classroom at Purley Oaks Primary School.

Part of the business planning process involves scoping the delivery needs, including premises and IT, but it is unlikely that current arrangements at Leon House and Purley Oaks Primary School will continue in the long term. Therefore a range of options are being considered. Accessibility to the venue/s and resources (including IT) by a range of users will need to be considered, particularly with regard to disabled and pregnant users, as well as children who attend the Literacy Centre. Until further information is available this is assessed as having positive and/or negative impact.

Meeting needs:

The proposed service model will be demand-led and more agile than the current delivery model, particularly as schools will form part of the governance structure and therefore have a say it what the offer is and how it is delivered. This should have a positive impact as the service will be able to respond more flexibly to meet the needs of a wide range of users. However, there will also need to be an emphasis on ensuring that delivery of services are fully cost effective as some provision is currently subsidised by the LA. This could therefore mean that some aspects of current delivery may have to reduce, cease or alternative delivery mechanisms implemented.

As the breadth and nature of the offer is likely to evolve and change, it is assessed that there is likely to be both positive and negative impact although this is unlikely to apply to any specific protected characteristic which the possible exception of age. For example: broadening of offer to early years settings, delivery of the Literacy Centre offer could be expanded to a broader age range of children.

Affordability:

As part of the business plan implantation there will be a robust review of the current pricing structure to ensure that the new service is cost-effective, competitive and fit for purpose. Until this work is completed it is not possible to determine the impact on any specific service users. Any equalities impact will therefore be considered during this review and this EQIA updated accordingly.

STAFF	PROTECTED CHARACTERISTICS								
RELATED	Age	Disability	Gender	Gender re- assignment	Pregnancy and Maternity	Ethnicity	Religion and Belief	Sexual Orientation	Marriage and Civil Partnership
Accessibility	0	P/N	0	0	P/N	0	P/N	0	0
Flexible working	P/N	P/N	P/N	0	P/N	0	P/N	0	0
Pay & benefits	P/N	0	0	0	P/N	0	0	0	0
Council workforce profile	0	0	0	0	0	0	0	0	0

Description of Impact - Staff Related

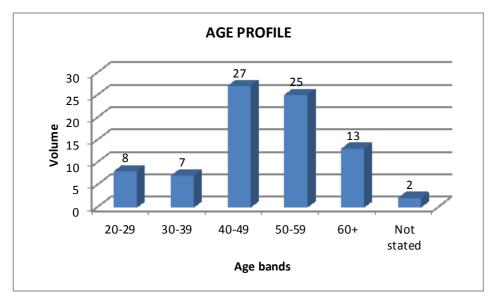
Whilst business planning continues, the exact number of staff who may be impacted on by this proposal is yet to be finalised. However, at the time of analysis of staff demographic data (as at January 2014) it was estimated that approximately **82** staff were within in-scope functions to be included within the mutual. Whilst this number may fluctuate, it is not anticipated that there will be any great change in equality impact, although this will of course be kept under review.

The Council is legally responsible for complying with the general duty with regards to its employees, including adherence to any TUPE regulations arising. The staff communication plan, which incorporates both on-going communication and any required consultation, is intended to both provide a variety of forums to share information and also to capture the views of staff who may be impacted on by these changes. The Staff FAQ document evolves to reflect this information exchange.

The current employee benefit entitlements for Council staff include: continuous service, pay progression, annual leave, LGPS, flexible working arrangements, season ticket loans and flexible benefits. It is anticipated that staff in-scope for the mutual will be transferred under TUPE regulations which are current at the date of transfer.

Analysis of the characteristics of the 82 staff in possible scope has been undertaken and findings summarised as follows:

Age:



The majority of staff (63%) impacted by this change are in the 40-59 age group which is broadly in line with the Council's workforce profile and will therefore have a neutral impact on the Council's workforce profile.

Having contributed to the LGPS scheme longer compared to younger staff, they may be negatively impacted by any change to the pension scheme. The current project plan includes detailed analysis of pension implications, including work being undertaken by an external pensions actuary service and exploring ways to mitigate any pensions risk. Possible solutions include the new mutual going for Admitted Body Status.

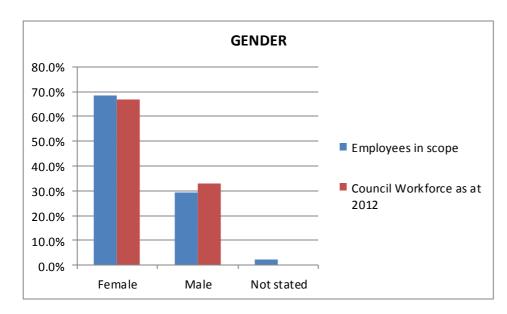
Disability:

Of the 82 staff, 4 (4.9%) have a declared disability, 66 (80.5%) have no disability and 12 (14.6%) have not stated. This percentage of disability is lower than the council workforce profile (9%). As no further information is held on the nature of disability, it is unclear how they will be impacted by the change. However, during staff communication (and included on the FAQs) the availability of car parking has been raised and this will be considered when viewing suitable premises, as well as appropriate access by individuals to premises and IT.

Gender reassignment:

The Council does not currently collect data on this characteristic. However, at this stage, there is no evidence to show that the proposal would have an impact of any staff with this protected characteristic.

Gender:



The gender split of staff affected is broadly in line with the Council's workforce profile and will therefore have a neutral impact on the Council's workforce profile.

At this stage it is not known if there will be a change in work location for in-scope staff. It is therefore difficult to determine how gender may be impact, as there may be positive/negative impact on staff of either gender who have young children or are caring for dependents. These issues will be considered within the development of the flexible working policy for the mutual and will also be covered by TUPE arrangements.

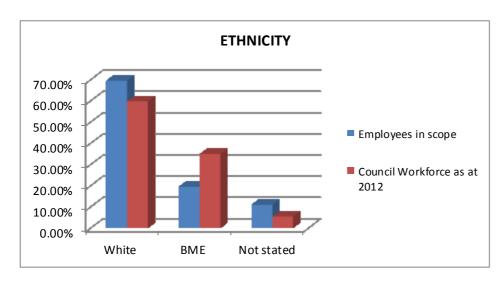
Pregnancy and maternity:

As at the date of staff demographic analysis, there was 1 staff member with this protected characteristic. Given the female dominance of staff in scope (see gender), albeit many in an older age range, any changes to employment terms and conditions impacting on maternity leave/pay will need to be assessed in terms of impact (which may be both positive and negative). Consideration for pregnant/nursing mothers may also need to be taken into account when assessing suitability of premises.

Marriage and civil partnership:

Of the in-scope staff, 57.3% are married/civil partnership, 25.6% not married/civil partnership and 17.1% have not stated. At this point there is no evidence to show that the proposal will have any impact on marital status (any impact on the Council's profile is likely to be very negligible due to the number of staff in-scope) and the impact is therefore assessed as neutral.

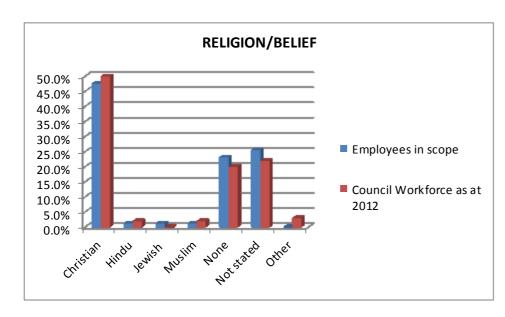
Ethnicity:



There is a slightly higher prevalence of in-scope employees who are white compared to the overall Council's workforce profile.

At this point there is no evidence to show that the proposal will have any impact on ethnicity (any impact on the Council's profile is likely to be very negligible due to the number of staff in-scope) and the impact is therefore assessed as neutral.

Religion/belief

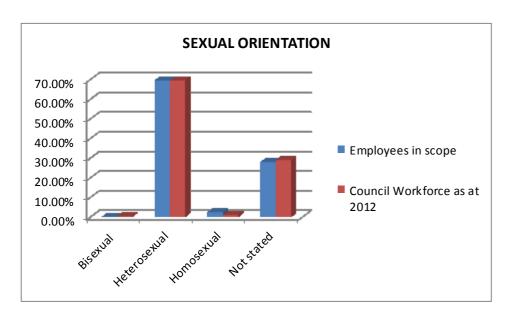


The profile of staff affected is broadly in line with the Council's workforce profile and will therefore have a neutral impact on the Council's workforce profile.

Flexible working arrangements in the Council allow staff to observe their religious observance during working time (including the provision of a quiet space for private reflection/prayer in BWH) and in arrangements for annual leave for religious holidays. There may be a negative impact if the new employer is unable to commit to these arrangements although initially will be protected under TUPE arrangements.

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Sexual orientation:



The profile of staff affected is in line with the Council's workforce profile and will therefore have a neutral impact on the Council's workforce profile.

There is no evidence to show any potential identified impact on this protected characteristic and the impact is therefore neutral.

2.2 Is there any evidence missing? If so, how will you gather this missing evidence?

As the project is currently at the business plan development stage, possible equality implications may only arise once the plan is approved and implementation commences. For example: acquiring premises for staff and delivery of services, determination of service offer and pricing. Factors highlighted in this assessment will be incorporated within the continued business planning and implementation, including incorporation of any information gained through on-going communication with a wide range of stakeholders as identified in the project communication strategy.

Summarised below is the potential negative impact identified to date:

Protected Groups	Evidence missing	Description of potential negative impact	
 Gender (care of dependents) Disability Pregnancy & maternity Religion & belief 	A known business location for staff operations	Less/more difficult access by staff to: transportation (increased travel time/expense) building and resources (e.g. disabled access) quiet/private areas for reflection, prayer, nursing mothers	

GenderDisability	Known location/s for the delivery of the full range of services to service users	Less/more difficult access by staff and service users to: transportation (increased travel time and/or expense) building (specifically disabled access)
 Age Disability Gender Religion & belief 	Detailed service delivery offer	Some aspects of the current offer to service users may: • be reduced • cease • be more expensive • change delivery location (increased travel time and/or expense) • change delivery methodology, As the service delivery model will be more demandled there may also be a negative impact in terms of staff term and conditions. e.g. increased service user demand for more evening/weekend delivery requiring more flexible working arrangements

3. Determining Actions

The overall potential impact is the likelihood of the impact multiplied by the strength of that impact. The higher the score, the more significant the impact. The tables below identify actions to be taken to minimise negative impacts or maximise positive impacts within the programme.

Likelihood score	Degree of likelihood		
5	Most certain	In more than 80% of the circumstances	
4	Most likely	In 51-80% of circumstances	
3	Possible	In 21-50% of circumstances	
2	Unlikely	In 6-20% of circumstances	
1	Rare	In 5% of circumstances or less	

Strength score	Degree of impact	Proportion of protected groups affected
5	Very great impact	Several protected groups in more than one category (e.g. religion and gender) would be differently affected (compared to non-protected groups).
4	Great impact	Several protected groups in one category (e.g. religion) would be differently affected (compared to non-protected groups)
3	Some impact	All of one protected group would be differently affected (compared to non-protected groups)
2	Little impact	The majority of one protected group would be differently affected (compared to non-protected groups)
1	Minimal impact	A minority of one protected group would be differently affected (compared to non-protected groups).

3.1 I	3.1 Minimising Potential Negative Impacts							
Ref	Protected Groups	Potential Negative Impact	Likelihood Score	Strength Score	Overall Impact Score	Action	Action Owner	Date Action will be completed
3.1.1	Gender Disability Pregnancy and maternity Religion & belief	New staff business premises has reduced accessibility for specific groups and/or incur increased travel time/costs	3	5	15	Accessibility of premises by the full range of users is incorporated within assessment of premises suitability, Appropriate consultation with staff and/or their representatives Staff involvement is scoping of premises needs, visits to short-listed premises and identification of fixtures, fittings and resources Ensure premises are DDA compliant	TBC (part of business planning process)	TBC (part of business planning process)
3.1.2	Gender Disability	New service delivery premises has reduced accessibility for specific groups and/or incur increased travel time/costs	2	5	10	Accessibility of premises by the full range of users is incorporated within assessment of premises suitability Appropriate consultation with key stakeholders Consider a range of delivery location options to allow service users more choice Ensure premises are DDA compliant	TBC (part of business planning process)	TBC (part of business planning process)
3.1.3	Age Disability Gender Religion & belief	Any change to the service offer may result in aspects of current provision being: • reduced • ceased	3	5	15	As per 3.1.1 & 3.1.2 Stakeholder (staff and service users) involvement in development of service offer	TBC (part of business planning process)	TBC (part of business planning process)

more expensive change delivery location (increased travel time and/or expense) change delivery methodology	Detailed cost analysis completed to inform realistic but competitive price setting	
As the service delivery model will be more demand-led there may also be a negative impact in terms of staff terms and conditions. e.g. increased service user demand for more evening/weekend delivery requiring more flexible working arrangements		

3.2	2 Maximising Positive Impacts							
Ref	Protected Groups	Potential Negative Impact	Likelihood Score	Strength Score	Overall Impact Score	Action	Action Owner	Date Action will be completed
3.2.1	Gender Disability Pregnancy and maternity Religion & belief	New staff business premises has reduced accessibility for specific groups and/or incur increased travel time/costs	3	5	15	Consider a broad range of flexible working arrangements to suit the needs of staff: including:	TBC (part of business planning process)	TBC (part of business planning process)
3.2.2	Gender Disability	New service delivery premises have reduced accessibility for specific groups and/or incur increased travel time/costs	2	5	10	Consider and scope a range of flexible delivery options rather than reliance on one or two permanent sites, including broadening the delivery base options: • multi-site (e.g. use of schools, community	TBC (part of business planning process)	TBC (part of business planning process)

						facilities for delivery of CPD) Investigate alternative delivery methodology, including better use of IT, distance learning etc. Consult with key stakeholders on proposed delivery options		
3.2.3	Age Disability Gender Religion & belief	Any change to the service offer may result in aspects of current provision being: • reduced • ceased • more expensive • change delivery location (increased travel time and/or expense) • change delivery methodology,	3	5	15	As per 3.2.1 & 3.2.2 Stakeholder (staff and service users) involvement in development of service offer	TBC (part of business planning process)	TBC (part of business planning process)
		As the service delivery model will be more demand-led there may also be a negative impact in terms of staff terms and conditions. e.g. increased service user demand for more evening/weekend delivery requiring more flexible working arrangements						

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4.1 Based on the information in sections 1-3, what are you going to do?

Decision	Definition	Yes/no
	We have identified opportunities to lessen the impact of discrimination, harassment or victimisation and better advance equality and foster good relations between groups through our project. We are going to take action to adjust our project to make sure these opportunities are realised.	Yes

4.2 Next steps

Does this analysis have to be considered at a scheduled meeting?		June 2014 Cabinet Relevant project meetings
When and where will this equality analysis be published?	An equality analysis should be published alongside the policy or decision it is part of. As well as this, the equality assessment could be made available externally at various points of policy development. This will often mean publishing your analysis before the policy is finalised, thereby enabling people to engage with you on your findings.	June 2014 Cabinet Papers
When will you update this analysis?	Please state at what stage of your project you will do this and when you expect this update to take place. If you are not planning to update this analysis, say why not.	Throughout the project cycle

4.3 I confirm that the information in sections 1 - 4 is accurate, comprehensive and up-to-date

Officers that must approve this decision	Name and position	Date
Report author	Julie Ralphs – Improvement Adviser	
Director of Corporate Services		

Email this completed form to data.equalities@croydon.gov.uk, together with an email trail showing that the director is satisfied with it.

4.4 Feedback from the corporate equalities team

Name of equalities officer				
Date received by equalities team	Please send an acknowledgement			
Feedback on decision				
Please send this to the report author and democratic services, corporate programme office and procurement team as				

Please send this to the report author and democratic services, corporate programme office and procurement team as appropriate