



Haringey Council

## HARINGEY COUNCIL EQUALITY IMPACT ASSESSMENT FORM: SERVICE DELIVERY

<b>Service:</b>	Early Years
<b>Directorate:</b>	Children and Young People's Service
<b>Title of proposal:</b>	Impact of the Free Entitlement for Eligible Two Year Olds Funding Formula
<b>Lead Officer (author of the proposal):</b>	Ngozi Anuforo
<b>Names of other Officers involved:</b>	Ros Cooke, Jennifer McLean, Christine Yianni, Steve Worth

### Statement of purpose

In making this proposal, we have been mindful of our public sector equality duty to have due regard to the need to:

- a) eliminate discrimination;
- b) advance equality of opportunity between different groups and;
- c) foster good relations between groups in Haringey.

In addition we are committed to ensuring that we promote social inclusion in all council services making sure that they address the needs of those vulnerable residents who rely most heavily on them. The most socially excluded residents predominantly have the protected characteristics defined in the Equality Act 2010.

The purpose of this assessment is to:

- a) Identify whether and to what extent this proposal: could produce disadvantage or enhance opportunity for any groups with the protected characteristic defined in the Equality Act 2010;
- b) Establish whether the potential disadvantage is significant enough to call for special measures to remove or reduce the disadvantage;
- c) Identify and set out the measures that will be taken to remove or reduce the disadvantage;
- d) Where mitigation measures are not possible, to set out and explain why;

- e) To ensure that Members are fully aware of the implications the proposal may have for the Council's public sector equality duty before they decide on the proposal.

## Step One: Identify the aims of the proposal

### 1) Please state:

- What problems the proposal is intended to address
- What effects it is intended to achieve
- Which group(s) it is intended to benefit and how

The aims of this equality impact assessment of the implementation of the free entitlement for eligible two years funding formula is to:

- Provide details and clarity to all childcare sector providers on the rate being proposed to fund statutory two year old free early education places from September 2013.
- Childcare providers are pivotal to the success of the new two year old entitlement. Information relating to the rate will enable providers to make decisions on their numbers of places that they will be able to provide within the threshold of the rate proposed.
- Understand the implications of the implementation of the single funding formula on communities and the resource levels required; to ensure the number of places required for both September
- To develop an action plan to manage impact or where necessary, mitigation plans against significant impacts on communities in Haringey.
- From September 2013 two year olds from families who meet the eligibility criteria also used for free school meals (FSM) will have a statutory entitlement to free part-time early education funded place for 570 hours a year over no fewer than 38 weeks, beginning on the term after their second birthday. In addition all two-year-olds who are looked after by the local authority will also be entitled place.
- There is strong evidence that early education makes a positive difference to young children. The Effective Provision of Pre-school Education study found that high quality early education has particularly strong impacts on the cognitive and social development of disadvantaged children, and that these benefits last throughout primary school.

## Context

The Local Authorities duties relating to early education and childcare are within the Childcare Act 2006 (sections 6,7,11 and 13). The DfE's draft statutory guidance (September 2013) set out the requirement for Local Authorities to implement a single funding formula for all sectors (maintained, private, voluntary and independent) from September 2013. The council can construct a formula composed of either a single base rate for all providers or a number of base rates differentiated by type of provider.

The Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2012 set out the eligibility criteria for the first phase of the two-year-old entitlement to free early education that will apply from September 2013. This determined eligible children as those from families that meet the criteria used to establish school aged children's eligibility for free schools meals and those that are children looked after. Furthermore, in order to secure high quality provisions, the DfE expects local authorities to only fund places in settings that are rated good or outstanding by Ofsted.

The Government proposes to build on the eligibility criteria so that from September 2014 in addition to children who meet the free school meals criteria or who are looked after, more low-income families, those with special educational needs or disabilities and those who have left care but are unable to return home would also qualify for the free entitlement.

Concerns have been raised over the level of funding allocation to Haringey, and the likelihood of the level of funding of two year old free entitlement places not being sufficient.

Haringey Council has made considerable progress with the development of its two year old single funding formula, and have consulted with stakeholders on the impact that this formula will have on the distribution of resources to fund the 15 hour offer across the borough.

## Step Two: Consideration of available data, research and information

**Instruction:** You should gather all relevant quantitative and qualitative data that will help you assess whether at present, there are differential outcomes for the different equalities target groups – diverse ethnic groups, women, men, older people, young people, disabled people, gay men, lesbians and transgender people and faith groups, etc. Identify where there are gaps in data and say how you plug these gaps.

In order to establish whether a group is experiencing disproportionate effects, you should relate the data for each group to its population size. The Haringey Borough Profile of Protected Characteristics (can be found on the Website) will help you to make comparisons against Haringey's population size. The most up to date information can be found in the Joint Strategic Needs Assessment.

- 1) Using data from equalities monitoring, recent surveys, research, consultation etc. are there group(s) in the community who:
  - are significantly under/over represented in the use of the service, when compared to their population size?
  - have raised concerns about access to services or quality of services?

The borough has approximately 4003 two year olds (*source: Health Data 2013*) and although the population density varies these are highest in the North and South networks with the following wards ranking highly: Noel Park, White Hart Lane, Northumberland Park, Bruce Grove, Tottenham Green, Tottenham Hale and Seven Sisters. The West network has the lowest density; with Alexandra, Highgate, and Muswell Hill wards having the lowest numbers of two year olds. The wards showing the highest levels of social deprivation which has an impact on the achievement of particular groups of children such as those who are likely to be eligible for the two year old early education entitlement (*Income Deprivation Affecting Children Index – IDACI*) are within the North and South networks.

Haringey became part of the two year old free entitlement pilot in 2009. Evidence of the positive impact of the programme were provided through the 2010 Early Years Foundation Stage (EYFSP) profile outcome for the number of children achieving at expected levels in personal, social and emotional development (PSE), in addition to communication language and literacy (CLL). This demonstrated that the children on the 2 year old pilot made up 50% of those achieving PSE and CLL, compared to 35% for children not on the pilot.

Haringey Council under the current Two Year Old free entitlement programme has a small proportion of 2 year olds places (280) with 266 currently accessing the entitlement. Through a mixture of maintained and PVI sector provision. For

September 2013, the Local Authority is expected to deliver 882 places, with an additional 800 places from September 2014.

In total, Haringey has 49 maintained, 99 PVI settings and 275 childminders. On the current programme 13 PVI settings currently offer places along with 14 maintained providers. The yield from recent capital grant applications is likely to provide an additional 341 places, mostly due to the expansion of places within existing settings. The emerging place planning strategy identifies where places are required for September 2013, by ward (obtained from DWP data). The strategy also identifies potential areas within targeted wards for the development of existing and new provision. Statutory guidance states that only those settings whose Ofsted judgements are 'good' or 'outstanding' are permitted to participate on the scheme. There are concerns about quality of provision across the sector and the early years quality team are working with providers to improve and sustain quality through its accreditation and training schemes; this provides an opportunity for those inadequate and satisfactory settings to improve.

Take up of the current two year old entitlement is 95%. However from September 2013 the DfE estimates that of the 882 places the take up is likely to be 80%. Many families access provision in their locality, however, Haringey has high levels of mobility within and outside the LA. Many children within the Orthodox Jewish Community access provision out of borough in Hackney; as there is no culturally appropriate provision within Haringey. Service level agreements for those out of borough settings are currently in place, but are under review. The absence of such provision within Haringey is being considered with the place planning strategy.

There is a variation of take up of the current funded two year old programme across different ethnic groups. The population of two year olds accessing free early education places is made up of 31.9% mixed, 26.9% Black, 15.3% white, 13.3% Asian, and 7.6 % from other white backgrounds. From these figures it is clear that mixed heritage and black children are over represented and other groups such as white, Asian and other are underrepresented.

## **2) What factors (barriers) might account for this under/over representation?**

The factors which account for under or overrepresentation of certain ethnic groups under the current programme can be found in the geographical distribution of the approximately 4003 2 year olds across the borough. As already stated in our consideration of available data (Step 2 above), wards in the North and South networks have the highest ranking in terms of the population of 2 year old across the borough. These same wards have the highest concentrations of mixed heritage and black and ethnic minority families in the borough and the highest levels of social deprivation and hence the highest proportion of 2 year old who are eligible for free provision.

**3) What other evidence or data will you need to support your conclusions and how do you propose to fill the gap?**

At present, referrals are received from professionals and not parents and are determined purely on the eligibility criteria, with the introduction of the statutory entitlement from September 2013, eligible families will be able to self refer. With referrals from both parents and professionals it is likely that the numbers from each ethnic group will increase. A planned communications campaign will be undertaken to ensure that parents are informed of their entitlement and ways to gain access to provision. The role of children's centre is pivotal to increasing uptake and reaching those families who would not normally access provision.

**4) What barriers and factors might account for under/over representation?**

Please see answer in 2) above.

## Step Three: Assessment of Impact

**Instruction:** Using the information you have gathered and analysed in step 2, you should assess whether and how the proposal you are putting forward will affect any of the existing barriers facing people who have any of the characteristics protected under the Equality Act 2010. State what actions you will take to address any potential negative effects your proposal may have on them.

**1) How will your proposal affect existing barriers? (Please tick below as appropriate and use the space to explain why)**

Increase barriers?	Reduce barriers?	No change?
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The new statutory free early education entitlement for two year olds is an extension of the existing programme, which will reduce barriers for those families not currently accessing the entitlement. The barriers are further reduced from September 2014 when the entitlement expands to include children with disabilities and more low income families. The DfE will provide revised eligibility criteria nearer the time.

The implementation of the single funding formula for two year olds will provide equitable funding investment to the maintained and PVI sectors. Investment will be located where there is the greatest need to develop places. Parents will also be able to access the offer through participating childminders.

Haringey intends to target a proportion of the overall funding to ensure that the most vulnerable children are also able to access a free early learning place.

The key issue for the borough is the need to secure sufficient places for September 2013 and prepare for the expansion of places from September 2014, in the areas of Haringey where it is most needed. Work is already underway through place planning. However alongside this it will be necessary to.

- Promote the free entitlement for 2 year olds for those eligible families and those children who meet local eligibility criteria.
- Ensure alignment with the 3 and 4 year olds free entitlement to support transition.
- Work proactively with maintained, PVI and childminders and other partners to not only develop places, but to maximise take-up.

The current proposal for the allocation of resources through the single funding formula for two year olds is likely to highlight issues between the funding of the maintained sector and the PVI. Historically the maintained sector is funded at a higher rate. This proposed formula attempts to balance this issue and create a level playing field for both sectors. Concerns highlighted are the high level of costs with

the sector overall, and the fact that the proposed rate is not likely to cover actual costs for providing places, and as no supplements can be applied, the costs of additional support requirements of each individual child may have to be met by providers, whose budgets are already stretched. The action required to address this issue is the provision of business remodelling support to settings.

**2) What specific actions are you proposing in order to reduce the existing barriers and imbalances you have identified in Step 2?**

The DfE are providing all local authorities with DWP data relating to families with two years olds who may be eligible for the entitlement. We will be contacting those families to make them aware, and where they are found to be eligible ensure that their child accesses the entitlement.

We are also simplifying referral and admissions pathways for both parents and professionals. We are also working with providers to develop places to meet the expected demand.

**3) If there are barriers that cannot be removed, what groups will be most affected and what Positive Actions are you proposing in order to reduce the adverse impact on those groups?**

Not applicable.



## Step Four: Consult on the proposal

**Instruction:** Consultation is an essential part of an impact assessment. If there has been recent consultation which has highlighted the issues you have identified in Steps 2 and 3, use it to inform your assessment. If there has been no consultation relating to the issues, then you may have to carry out consultation to assist your assessment.

Make sure you reach all those who are likely to be affected by the proposal. Potentially these will be people who have some or all of the characteristics listed below and mentioned in the Equality Act 2010:

- Age
- Disability
- Gender Re-assignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race, Religion or Belief
- Sex (formerly Gender) and
- Sexual Orientation

Do not forget to give feedback to the people you have consulted, stating how you have responded to the issues and concerns they have raised.

### 1) Who have you consulted on your proposal and what were the main issues and concerns from the consultation?

Formal consultation on the two year old single funding formula commenced on 8<sup>th</sup> May 2013 and closed on 7 June 2013. The consultation included all stakeholders and the Early Years Working Group (schools forum sub-group) members; to ensure that there was a consensus over the formula and the impact of funding the two year old free early learning entitlement. Four consultation events took place during this period.

Consultation to date on the implementation of the single funding formula has shown that:

- The majority of providers are unable to deliver two year old places for below £5.28.
- Providers were not opposed to the setting of a variable rate between settings or at a flat rate.
- Most providers agree that providers should be supported through place based funding for new provision and first year of delivery. This takes into account the DfE's proposal to move to participation funding from September 2014.

- The rate range listed are not sufficient to cover staff and additional resource costs
- Costs proposed do not take into account children with additional support needs
- The delay in capital grant application decisions is causing concern, and may delay providers from delivering places from September.
- The Council needs to agree local eligibility criteria to meet needs of families who are vulnerable but are not eligible. i.e. those with no recourse to public funds, other low income families.

**2) How, in your proposal have you responded to the issues and concerns from consultation?**

The results of the consultation were tabled at the Early Years Working Group on 12 June 2013. The group consists of Nursery School, Children's Centres, PVI settings representatives as well as council officers. Concerns relating to the rate cannot be easily rectified as this is based on the settlement received from the DfE.

Representations have already been made to the DfE relating to Haringey's settlement, compared to those of other inner London Boroughs. It is unlikely that the rate allocation will change.

In relation to concerns about other vulnerable children (who do not meet the eligibility criteria). Firstly the entitlement is statutory for those meeting the eligibility criteria. The Council can however decide to include some local criteria, decisions based on these are forthcoming; and would have to be delivered within the funding envelope.

**3) How have you informed the public and the people you consulted about the results of the consultation and what actions you are proposing in order to address the concerns raised?**

As stated in paragraph 2 above, the results of the consultation and actions to address the issues raised were presented at the Early Years Working Group meeting on 12 June 2013,

## Step Five: Addressing Training

**Instruction:** The equalities issues you have identified during the assessment and consultation may be new to you or your staff, which means you will need to raise awareness of them among your staff, which may even training. You should identify those issues and plan how and when you will raise them with your staff.

- 1) Do you envisage the need to train staff or raise awareness of the equalities issues arising from any aspects of your proposal and as a result of the impact assessment, and if so, what plans have you made?

Haringey Early Years has a quality improvement scheme to which all providers are signposted, with modular training on key areas for example, inclusion, safeguarding. Childminders also are undergoing training relating to two year old development. Alongside the accreditation scheme; Early Years runs regular “five to thrive” sessions that provide training to providers on the five building blocks required that supports a toddlers development. Regular maintained, PVI and childminder networking sessions are also offered to providers.

In the DfE's *consultation of proposed changes to the role of the local authority in early education and childcare*. The government is proposing the removal of the existing duty to local authorities to provide information, advice and training to childcare providers, and reducing its role in improving quality of provision across the sector. The LA has responded robustly to the consultation which closed on 6 May 2013. The outcome of the consultation is yet to be published by the DfE.

Business support is available through the early years Business support officer, which is free at the point of access for maintained and PVI settings, however the support is chargeable for schools.

## Step Six: Monitoring Arrangements

**Instruction:** If the proposal is adopted, there is a legal duty to monitor and publish its actual effects on people. Monitoring should cover all the protected characteristics detailed in Step 4 above. The purpose of equalities monitoring is to see how the proposal is working in practice and to identify if and where it is producing disproportionate adverse effects and to take steps to address those effects. You should use the Council's equal opportunities monitoring form which can be downloaded from Harinet. Generally, equalities monitoring data should be gathered, analysed and report quarterly, in the first instance to your DMT and then to the Corporate Equalities Board.

- 1) **What arrangements do you have or will put in place to monitor, report, publish and disseminate information on how your proposal is working and whether or not it is producing the intended equalities outcomes?**
  - **Who will be responsible for monitoring?**
  - **What indicators and targets will be used to monitor and evaluate the effectiveness of the policy/service/function and its equalities impact?**
  - **Are there monitoring procedures already in place which will generate this information?**
  - **Where will this information be reported and how often?**

Monitoring will be carried out by the Early Team, and will be a requirement of the 2 Year Old programme support officer to ensure relevant data is collected to inform monitoring reports to both council and the DfE. Current targets will be to reach the DfE place numbers of 882 from September 2013, and a further 800 from September 2014). This will be monitored through our place planning strategy. Provider vacancy rates will be monitored so that they are kept to a minimum. Data relating to a child's gender, ethnicity, and disability will be collected as part of the allocation process.

The collection of termly headcounts provides data on children allocated and moving into or out of two year old places. Early Years currently use a database to manage the administration of the two year old places. In order to effectively manage the expansion of the two year old offer; data will be migrated to the Tribal systems. This will allow for the new entitlement to sit alongside the 3 and 4 year old universal offer. The new upgraded system offers a range of management reports and monitoring functionality.

Children's progress in early education places is assessed in all settings that offer places. The collection and analysis of this data annually will provide evidence of impact of the early learning on key communities and priority groups. Analysis of the

data will be carried out by the Early Years team, using the Early Years Foundation Stage Profile.

Haringey will also continue to review the sufficiency of places for 2 year olds to ensure that the places are available where they are most needed. The Ofsted judgement of the providers delivering the two year old places will be monitored to ensure that they maintain good or outstanding. In addition the quality of the free early learning entitlement across all participating providers will also be monitored to ensure that all children access the high quality education and care.

Information in relation to vacancy levels, number of children participating and numbers of providers offering places will be provided on a weekly basis. Monthly reports will be provided to Early Years management team.



## Step Seven: Summary of Impact

**Instruction:** In the table below, summarise for each diversity strand the impacts you have identified in your assessment.

By extending existing programme, the new statutory free early education entitlement for two year olds will reduce barriers for the families not currently accessing entitlement. The barriers will be reduced further in September 2014 when entitlement is expanded to include children with disabilities and more low income families.

<b>Age</b>	The Two Year old single funding formula is an entitlement available to all eligible two year olds whose families meet the free school meals criteria, or are Looked after children. The formula itself has no adverse impact due to age. Haringey became part of the two year old pilot in 2009 and have a current programme in place. The statutory entitlement begins from September 2013.
<b>Disability</b>	Children with disabilities will be included in the scheme from September 2014, as part of the planned expansion. The council has designated places for children with complex needs. Targeted funding ensures that appropriate places are available for all children with a disability who are known to the Local Authority.
<b>Ethnicity</b>	The experience of the current programme shows that there is a high take up across ethnic minority groups. Early Years will continue to collect data on ethnicity.
<b>Gender</b>	The single funding formula follows the eligible child. There is a proportional balance between boys and girls accessing the current two year old programme.
<b>Religion or Belief</b>	The two year old single funding formula provides funding for denominational and faith based settings in both the maintained and PVI settings. The application of the formula will be common across participating settings.
<b>Sexual Orientation</b>	Data not collected on sexual orientation. There is no known adverse impact.
<b>Gender Reassignment</b>	Data not collected on gender reassignment. There is no known adverse impact.
<b>Marriage and Civil Partnership</b>	Data not collected on Marriage and civil partnership. No known adverse impact



**Pregnancy and  
Maternity**

Data not collected as offer relates to two years olds, not expectant or new parents.



2. Needs of children from Orthodox Jewish	Consider ways of meeting the needs of Orthodox Jewish and other children who are currently placed out of the borough because of lack of culturally appropriate provision in the borough			
3. Information giving	<p>Implement a campaign to inform parents of their entitlements and how they can access them.</p> <p>Work with Children Centres to increase uptake by reaching those families who would not normally access provision.</p>	<p>Jennifer Mclean</p> <p>Ngozi Anuforo</p>	<p>By September 2013</p> <p>By September 2014</p>	All the actions will be accommodated within existing resources"
4. Responding to areas of greatest needs	Implement an equitable funding investment that locates investment where there is the greatest need	Ngozi Anuforo	By September 2014	All the actions will be accommodated within existing resources"
5. Synergy with Place Planning	Link with Place Planning already underway to:	Ngozi Anuforo and Jennifer Mclean	By September 2014	All the actions will be accommodated within existing resources"

	<ul style="list-style-type: none"> <li>Promote the free entitlement for eligible families</li> <li>Ensure alignment with the 3 and 4 year olds free entitlement to support transition</li> <li>Work proactively with maintain PVI and childminders and other partners to develop places and to maximise take-up</li> </ul>			
6. Vulnerable and other low income families	Consider local eligibility criteria to meet the needs of families who are vulnerable but not eligible by virtue of the 'no recourse to public funds rule, and other low income families	Ngozi Anuforo	September 2013	All the actions will be accommodated within existing resources"



## Step Nine: Publication and Sign Off

**Instruction:** It is standard practice to publish the results of impact assessments. There is also a specific duty to provide as much relevant equality information as possible to enable the public to judge how well we are doing on our public sector equality duty. EqIA results are published not simply to comply with the law but also to make the whole process and its outcome transparent and have a wider community ownership. You should summarise the results of the assessment and intended actions and publish them. You should consider in what formats you will publish in order to ensure that you reach all sections of the community.

1) When and where do you intend to publish the results of your assessment, and in what formats?

June 2013, in PDF format online.

**Assessed by (Author of the proposal):**

Name: Nguzi Anuforo  
Designation: Early Years Commissioner Manager  
Signature: [Handwritten Signature]  
Date: 18/6/2013

**Sign off by Directorate Management Team:**

Name: [Handwritten Signature]  
Designation: Deputy Director  
Signature: [Handwritten Signature]  
Date: 18/6/2013