

Appendix 3 - Equality Analysis



<p>What are the proposals being assessed?</p>	<p>Expansion of Merton Medical Education Services (“Melbury Medical”) from 20 to 60 places to the Lavender Nursery site, with nursery provision in that building moved as follows:</p> <ul style="list-style-type: none"> - Relocation of all the existing 80 places for 2 year olds eligible for income related government funded provision to 3 separate children centre sites (Lavender Steers Mead Children’s Centre CR4 3HL, Acacia Children’s Centre CR4 1SD and Abbey Children’s Centre SW19 2JY) - Relocation of full day care places to an alternative site approx. 1 km away with a reduction from 48 FTE (full time equivalent) full day care places to 24 FTE full day care places, and with an admissions policy introduced based on need
<p>Which Department/ Division has the responsibility for this?</p>	<p>Children Schools and Families Department/Education Division</p>

Stage 1: Overview	
<p>Name and job title of lead officer</p>	<p>Jane McSherry, Director of Children, Schools and Families</p>
<p>1. What are the aims, objectives and desired outcomes of your proposal? (Also explain proposals e.g. reduction/removal of service, deletion of posts, changing criteria etc)</p>	<p>To cost effectively provide additional and suitable building space to expand Melbury Medical for the identified increased need from 20 to up to 60 places for highly vulnerable children/young people who are unable to attend mainstream school because of medical and/ or mental health needs.</p> <p>The expansion of the proposed on-site education provision results in the displacement of the nursery currently operating from the designated site. We have therefore considered the market of alternative childcare and early education providers and council measures to ensure the council continues to facilitate sufficient and suitable childcare places in the local area. Therefore:</p> <ul style="list-style-type: none"> - Relocation of up to 80 places for 2 year olds eligible for income related government funded provision to 3 separate children centre sites (Lavender Steers Mead Children’s Centre CR4 3HL, Acacia Children’s Centre CR4 1SD and Abbey Children’s Centre SW19 2JY) - Relocation of full day care places to an alternative site approx. 1 km away with a reduction from 48 full day care places to 24 day care places with an admissions policy introduced based on need <p>The Lavender Nursery service will therefore provide for 24 FTE fewer places than presently, and Melbury Medical for 60 more places.</p>

	<p>The reduction in places in Lavender Nursery will mean less staff are required to deliver the service and so deletion of posts. There are currently 38 permanent staff (not all FTE) at Lavender Nursery</p>
<p>2. How does this contribute to the council's corporate priorities?</p>	<p>The council's overarching priority for children in its Community Plan is "Making Merton a place where children and young people feel they belong and thrive". As per our Children and Young Peoples Plan this includes the following objectives: "continue to provide good or outstanding nursery provision and actively promote access to 2 year-old funding", "Stay focused on vulnerable groups to help them to achieve", and "Continue to develop and improve local SEND provision."</p> <p>This proposal helps to support our most vulnerable groups including children with SEND provision, while seeking to ensure we continue to facilitate sufficient and suitable good or outstanding nursery provision, especially for children accessing 2 year-old funding (government funded nursery places for 2 year olds from low income households)</p> <p>Merton Medical Education Services offer high quality, bespoke education provision for highly vulnerable students who live in Merton and who are unable to attend mainstream school because of medical and/ or mental health needs. Students can be referred by their mainstream school if they have, or will have 15 days of absence from school because of their medical condition based on medical evidence from a hospital consultant or CAMHS (Child and Adolescent Mental Health Services) professionals.</p>
<p>3. Who will be affected by this proposal? For example who are the external/internal customers, communities, partners, stakeholders, the workforce etc.</p>	<p>This proposal affects two services:</p> <p><i>Melbury medical:</i> Up to 40 additional children and their families who reside throughout the borough, being provided with suitable provision with a higher proportion of children living in the east of the borough, closer to the proposed Lavender site</p> <p><i>Lavender Nursery</i></p> <p>External/external customers (service users) – up to 80 2 year olds eligible for government funded provision will have to move to 3 separate sites. already used for early years/children's services</p> <p>Approximately 30 - 35 families accessing full day care (24FTE as some families use it for only part of the week) will either have to move to the new proposed site or source alternative paid for childcare . The most likely site is Bond Road Centre which is 1km walking distance (9-10 minutes walk) from the current site. Our analysis is that this is further from their home for about 75% of the existing cohort . There are potential external customers (including families on waiting list/expressing an interest), and there may be greater competition for places so they may need to source alternative childcare (while noting all local childcare that has been inspected is good or outstanding).</p> <p>Workforce – There are 40-45 permanent staff (not all FTE) at Lavender Nursery</p>
<p>4. Is the responsibility shared with another department, authority or</p>	<p>No.</p>

organisation? If so, who are the partners and who has overall responsibility?	
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Stage 2: Collecting evidence/ data

5. What evidence have you considered as part of this assessment?

Provide details of the information you have reviewed to determine the impact your proposal would have on the protected characteristics (equality groups).

We have data sets and information to identify and determine the impact of the proposal on protected characteristics. We are aware of the overall impact of this proposal for people with protected characteristics

Data and evidence used has been secure via:

- Current referrals/attendance/pupil roll for children and young people with medical needs
- EHCP (Education, Health and Care Plans) data
- Population projections
- Lavender registration and attendance data
- Free early education headcount data
- ITRENT /local records staff information(to be confirmed)
- Childcare Sufficiency Assessment
- Funded places census and headcount
- Pupil information from Melbury College
- Schools (EYFS data)
- Consultation feedback in January and February 2021.

Stage 3: Assessing impact and analysis

6. From the evidence you have considered, what areas of concern have you identified regarding the potential negative and positive impact on one or more protected characteristics (equality groups)?

Protected characteristic (equality group)	Tick which applies		Tick which applies		Reason Briefly explain what positive or negative impact has been identified
	Positive impact		Potential negative impact		
	Yes	No	Yes	No	
Age	√		√		There will be changes to services for children and young people, with changes in location to access provision. The growth in provision is a positive for children with medical needs but the move and reduction in places has the potential negative impact for Early Years children.

Disability	√		√		<p><i>Melbury Medical</i> is a service that provides for children with medical needs including special educational needs and the expansion will benefit</p> <p><i>Lavender Nursery</i>: Within the cohort who would be affected by the closure of fee paying places there is currently fewer than 5 children with SEND and it is proposed that there is a relocation of places for eligible 2 year olds and full day care places so the offer and availability of services will remain. Therefore all these children can retain a place at the new council operated locations. However, there will be a disruption for children with disability and or SEN in terms of proposed changes to location and staffing, and the reduction in full care numbers could potentially have an impact if not managed through admissions.</p>
Gender Reassignment					N/A
Marriage and Civil Partnership					N/A
Pregnancy and Maternity		√	√		<p>It is recognised that families (mothers) using this early years service are more likely to pregnant and/or in the maternity phase for youngest siblings</p> <p>Staffing: The vast majority of the nursery staff are women and are therefore more likely to be affected by pregnancy and maternity than most services within Merton Council .</p> <p>A staff reorganisation will be required which may result in redundancy, which will taken into account council policy for anyone currently on maternity leave</p>
Race	√			√	<p>Both <i>Melbury Medical</i> and <i>Lavender Nursery</i> children broadly reflect the local population. Approximately 60% of service users of <i>Lavender Nursery</i> are from BAME groups which is similar to local primary schools; the percentage of BAME in all Merton schools is 49%. These groups will therefore benefit from the additional <i>Melbury Medical</i> places and be disrupted by the <i>Lavender Nursery</i> changes.</p> <p>Approximately 60% of staff at <i>Lavender Nursery</i> are from a BAME group; this is much higher than the average for Merton employees.</p> <p>Reorganisation with a reduced staff level may result in redundancy</p>
Religion/ belief					Unknown
Sex (Gender)		√		√	<p>The nursery provides childcare for families, and it is not known if this proposal will directly affect more women than men. However, it is recognised that within society generally organising and carrying out childcare related tasks can be considered to be gender biased hence women may be directly affected more so than men. More woman attended the consultation event, which strengthens this view</p>

Sexual orientation					Not known
Socio-economic status	√			√	<p><i>Melbury medical:</i> Children in the provision are some of the most vulnerable in the borough including from low income families and this provision is vital for them to access support.</p> <p><i>Lavender nursery:</i> Children of 2 years accessing a free place at Lavender Nursery are by definition from low income households and /or in some cases are children with health and care needs. These children will continue to receive an offer from the local authority but will need to move to the new locations identified by the council.</p> <p>Actual household income is not known for all service users, however the majority of working families are claiming the free early years entitlements for children aged 3 and 4 which is based on household income for working families. This suggest that all families are working and that the impact of the free entitlements is supporting parents to be in work and making childcare affordable for them. There are approximately 40% of all service users in this category.</p>

7. If you have identified a negative impact, how do you plan to mitigate it?

The council's proposals, including changes after the consultation, would, if implemented, do much to mitigate the potential impact from displacing Lavender Nursery by directly providing childcare in other locations in the local area. However, parents and children including people from BAME communities, women and those on a low income will need to move sites for their nursery provision and there are fewer full time fee paying day-care provision places. The measures set out in the Improvement Action Plan (Section 9 below) therefore seeks to mitigate this.

Stage 4: Conclusion of the Equality Analysis

8. Which of the following statements best describe the outcome of the EA (Tick one box only)

Please refer to the guidance for carrying out Equality Impact Assessments is available on the intranet for further information about these outcomes and what they mean for your proposal

- Outcome 1** – The EA has not identified any potential for discrimination or negative impact and all opportunities to promote equality are being addressed. **No changes are required.**
- Outcome 2** – The EA has identified adjustments to remove negative impact or to better promote equality. **Actions you propose to take to do this should be included in the Action Plan.**
- Outcome 3** – The EA has identified some potential for negative impact or some missed opportunities to promote equality and it may not be possible to mitigate this fully. **If you propose to continue with proposals you must include the justification for this in Section 10 below, and include actions you propose to take to remove negative impact or to better promote equality in the Action Plan. You must ensure that your proposed action is in line with the PSED to have 'due regard' and you are advised to seek Legal Advice.**
- Outcome 4** – The EA shows actual or potential unlawful discrimination. **Stop and rethink your proposals.**

Stage 5: Improvement Action Pan

9. Equality Analysis Improvement Action Plan template – Making adjustments for negative impact

This action plan should be completed after the analysis and should outline action(s) to be taken to mitigate the potential negative impact identified (expanding on information provided in Section 7 above).

Negative impact/ gap in information identified in the Equality Analysis	Action required to mitigate	How will you know this is achieved? e.g. performance measure/ target)	By when	Existing or additional resources?	Lead Officer	Action added to divisional/ team plan?
Parents including from BAME communities, women and on a low income will need to move sites for their nursery provision	Provide sufficient notice to families so they can plan for the alternative options being made by the council or choose other options. This will include providing information on all the options as well as available government support for costs, so parents/families can make informed decisions.	All existing children at the nursery continue to have a suitable nursery place if requested by the family	Dec 2021	Existing	Allison Jones	No
The revised proposal provides a smaller 24 places nursery for full time places so there is a risk there will not be places at the same rate for existing parents	Ensure that the process is managed carefully as there should be sufficient places in the smaller nursery for all families	All existing children at the nursery continue to have a suitable nursery place if requested by the family	Dec 2021	Existing	Allison Jones	No
The revised proposal provides a smaller 24 place nursery and so low income families and children with a disability may not be able to access an affordable nursery place	Ensure there is an admissions policy based on income and presenting need such as SEND is implemented so that more vulnerable groups will have access to a place	Children with SEND and on low income will have access to suitable nursery provision	Oct 2021 and ongoing	Existing	Allison Jones	No
The total reduction in nursery places means staff will be vulnerable to redundancy – there are proportionally more staff from BAME communities in Lavender Nursery than the average in Merton	Ensure there is a specific Equality Analysis prior to a re-organisation being undertaken. Support staff to take up training and develop skills so they have opportunities across the sector in alternative employment Follow reorganisation and redundancy policy, support staff to be able to become redeployed	There are either no compulsory redundancies or staff who are supported with other opportunities including in other nursery provision in the local area including schools and PVI	Dec 2021	Existing	Allison Jones	No

Note that the full impact of the decision may only be known after the proposals have been implemented; therefore it is important the effective monitoring is in place to assess the impact.

Stage 6: Reporting outcomes

10. Summary of the equality analysis

This section can also be used in your decision making reports (CMT/Cabinet/etc) but you must also attach the assessment to the report, or provide a hyperlink

This Equality Analysis has resulted in an Outcome [add](#) Assessment

The purpose of the proposal is because site searches showed that the displacement of Lavender Nursery was the only affordable and timely means to provide for some of the most vulnerable children in Merton with protective characteristics and for whom we have a statutory duty to provide education. Providing for these children is a key council priority to help vulnerable groups to achieve. The negative impact is displacing the Lavender Nursery including people with protected characteristics consistent with the area it serves.

The council's proposals, including changes after the consultation, do much to mitigate the potential impact from displacing Lavender Nursery by directly providing childcare in other locations in the local area. However, parents and children including BAME, women and on a low income will need to move sites for their nursery provision and there are fewer full time day-care provision places for those who pay.

The plan seeks to mitigate these issues by ensuring the smaller number of places will have an admissions policy giving priority to lower income groups and SEND, and to ensure the transformation to the new arrangements is handled as professionally as possible to ensure no one is displaced and there are few if any compulsory redundancies and if so efforts are made to find alternative jobs in the sector, with a specific Equality Analysis to be undertaken at that time.

Assessment completed by	Tom Procter, Head of Contracts and School Organisation	Signature: Tom Procter	Date: 17 June 2021
Improvement action plan signed off by Director/ Head of Service	Nick Wilson, Interim Assistant Director for Education & Early Help	Signature: Nick Wilson	Date: 18 June 2021