

# Equality Analysis



What are the proposals being assessed?	Merton Adult Education Options Appraisal
Which Department/ Division has the responsibility for this?	Community and Housing / Merton Adult Education

Stage 1: Overview	
Name and job title of lead officer	Gareth Young; Business Partner – Community and Housing Department
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>We are proposing to move to a commissioning model for the provision of adult education in Merton.</p> <p>The aim of the proposed new model is to ensure that we have a long-term financially viable resilient service able to continue delivering high quality adult education to Merton residents. This is in light of current reductions to the Skills Funding Agency grant and potential future reductions.</p> <p>After a consultation with the public and a full financial analysis we are proposing that Merton becomes a commissioner of Adult Education Services and that commissioned services will continue to be delivered in Merton.</p> <p>This means that the vast majority of courses will be provided by providers who are not the LB Merton. This may mean that courses will be provided at an alternative site/sites and the current Whatley Avenue site closed as an adult education facility although this will depend on whether commissioned providers are interested in utilising the site.</p> <p>All courses will continue to be provided in Merton.</p> <p>Staff will be impacted although we would anticipate the majority of staff transferring to new providers under the TUPE provisions.</p>
2. How does this contribute to the council's corporate priorities?	<p>Merton Adult Education contributes to numerous Community Plan priorities; contributing to bridging the gap between the east and west of the borough, supporting ambitions to help residents back into work, assisting them to live a healthy and happy life and contributing to Merton the community. It also contributes to the corporate priority of offering efficient value for money services and in relation to securing the council's financial bottom line.</p> <p>We are committed to continuing with adult education in Merton and the option being recommended is designed to ensure that the service can continue and as much funding as possible spent on learning activity.</p>
3. Who will be affected by this proposal? For example who are the external/internal customers, communities, partners,	<p>The option being proposed would impact on the following groups of people:</p> <ul style="list-style-type: none"> <li>• Staff at MAE</li> <li>• Learners who currently study at MAE</li> <li>• Residents who may potentially opt to take Merton provided Adult Education courses in the future</li> </ul>

<p>stakeholders, the workforce etc.</p>	<ul style="list-style-type: none"> <li>• Our partners who would be commissioned to provide these services. These include South Thames College and numerous small learning providers within Merton.</li> <li>• Other partners that MAE currently work with</li> <li>• The Skills Funding Agency</li> </ul>
<p>4. Is the responsibility shared with another department, authority or organisation? If so, who are the partners and who has overall responsibility?</p>	<p>Currently, the service is provided by the in house MAE team although they do partner with a number of other organisations to provide the courses.</p> <p>Merton has overall responsibility and would continue to maintain this responsibility to the SFA if the proposal is implemented.</p>

## 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).

As part of this process we have considered the information we have about the current provision within the MAE service, including funding, demographics and course types and carried out an extensive public consultation. The nature of this consultation and the responses to it are contained within the Cabinet report.

## 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
	Potential positive impact		Potential negative impact		
	Yes	No	Yes	No	
Age	/		/		During the consultation phase some respondents suggested that the impact on retired people would be particularly felt. This was because retired people were less likely to travel further for their courses if they moved from Whatley Avenue and also because it was felt that the Whatley Avenue site was the perfect environment for retired people to study. In addition, the provision of adult education is seen as a key contributor to aging well. If older people stopped attending these courses this would have a negative impact on their ability to age well. It is possible that the commissioned model may lead to an improved service. There also may be an implication for staff if the commissioning process leads to redundancies.
Disability	/		/		The MAE facility currently provides courses for individuals with learning and physical disabilities with a particular focus on courses for those with learning disabilities. The consultation, particularly the focused consultation with learners with learning disabilities, demonstrated how important people

					<p>felt that this provision is. The commissioning model proposed would seek to re-provide these services but there was concern that the environment provided would not be able to match the nurturing environment present at Whatley Avenue. The commissioning process may also lead to an improved service offer but the current users are very satisfied with their current provision.</p> <p>There also may be an implication for staff if the commissioning process leads to redundancies.</p>
<b>Gender Reassignment</b>		/	/		There also may be an implication for staff if the commissioning process leads to redundancies.
<b>Marriage and Civil Partnership</b>		/	/		There also may be an implication for staff if the commissioning process leads to redundancies.
<b>Pregnancy and Maternity</b>		/	/		There also may be an implication for staff if the commissioning process leads to redundancies.
<b>Race</b>	/		/		<p>The MAE facility currently provides courses that are taken by a significant proportion of individuals from BME groups (38.1% of learners). The commissioning model proposed would seek to re-provide these services and it is possible that the services offered could even be improved and the offer enhanced. However, any change in provision may have an impact on this group and thus needs to be monitored closely. Areas that would need to be closely reviewed include ESOL courses which are primarily taken by those from BME backgrounds. In other courses the proportion of BME learners broadly reflects the borough population.</p> <p>There also may be an implication for staff if the commissioning process leads to redundancies.</p>
<b>Religion/ belief</b>		/	/		<p>During the consultation, the provision of a prayer room at the Whatley Avenue site was raised as a potential detriment for learners if the commissioned providers did not also have the same facilities. Some providers would be able to provide this facility but it is possible that some would be unable to do so, although most would be sited near other religious establishments where prayer could take place.</p> <p>There also may be an implication for staff if the commissioning process leads to redundancies.</p>
<b>Sex (Gender)</b>		/	/		There also may be an implication for staff if the commissioning process leads to redundancies.
<b>Sexual orientation</b>		/	/		There also may be an implication for staff if the commissioning process leads to redundancies.
<b>Socio-economic status</b>	/		/		<p>Adult education has the potential to make a substantial contribution to bridging the gap between the East and the West of the Borough and supporting people into work.</p> <p>The proposed commissioned model needs to consider how opportunities,</p>

				<p>including courses and facilities, can be made available to all residents and especially to those who would most benefit from these courses.</p> <p>Currently, the service reaches residents in both the East and West of the Borough. If it was not possible to commission services of at least this range with alternative providers then it could have a potentially negative impact on those from certain the socio-economic groups that rely on these courses.</p> <p>The ambition is to re-provide this range of courses and to deliver them around the Borough through the commissioning model and it is possible that the future model, depending on how it is structured, could be offer an improvement for this group.</p>
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## 7. If you have identified a negative impact, how do you plan to mitigate it?

The potential negative impacts all relate to the risk that we will be unable to re-produce the current service provision at the same quality and with the same supportive environment as provided by the current service. In particular, concerns have been raised about the service provision for older learners and learners with disabilities and in particular those with learning disabilities.

We plan to mitigate this by having a more deliberate implementation period, taking our time to develop provision for these groups and by building in strict monitoring procedures into the commissioning process so that we can vary the provision if it is clear that certain groups are being disadvantaged.

The plans are detailed in section 9.

## 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 Plan

### 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?
Potential impact on learners with disabilities	The commissioning process to be carried out over a longer process (up to 18 months) and to involve learner and carer representatives to ensure that the commissioned services meet their needs. Subsequently this will be kept under review and adjusted to ensure needs are being appropriately met.	<ul style="list-style-type: none"> <li>• Feedback from learners</li> <li>• Continuing take up rates from users with learning disabilities over a period of time.</li> </ul>	Sept '15 onwards	To be pursued within the implementation budget for this piece of work	TBC	To be added to project implementation plan
Potential impact on older learners	The commissioning process for the non-qualification Community Learning courses will also be phased over an 18 month period and work done with learners to ensure the commissioned courses meet their needs. We would also monitor closely the take up of courses at the new commissioned providers from older residents and seek to adjust the commissioning strategy if we felt that the new provision was not meeting older learner's needs or providing facilities that enabled them to age well.	<ul style="list-style-type: none"> <li>• Feedback from learners</li> <li>• Continuing take up rates from older users over a period of time</li> <li>• Assess in line with the council's aging well programme</li> </ul>	Sept '15 onwards	To be pursued within the implementation budget for this piece of work	TBC	To be added to project implementation plan
Potential impact on learners based on socio-economic status	The commissioning process to request from providers a diversity of provision across the Borough. This is to be	<ul style="list-style-type: none"> <li>• Commissioning guidelines</li> <li>• Monitoring data</li> </ul>	Sept 2015 onwards	To be pursued within the implementation	TBC	To be added to project implementation

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?
	<p>closely controlled by the commissioning function with particular focus placed on commissioning courses that support transition into employment.</p> <p>Monitoring to be put in place to ensure that learners from lower socio-economic groups are accessing, and importantly also passing, courses. SFA guidelines also require us to check the progress of learners post education and this will also help us assess the learning.</p> <p>As commissioners we will control the fees charged.</p>			on budget for this piece of work		ion plan



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?
Potential impact on learners due to their race	<p>ESOL and other similar courses are specifically aimed at learners whose primary language is not English. We would work with the learners who use these courses to ensure that the courses that they access are re-provided.</p> <p>In part because of the take up of these ESOL courses, 38.1% of learners are currently from BME backgrounds so as well as ensuring the provision of ESOL courses we will need to monitor take-up to ensure that learners are accessing this provision</p>	<ul style="list-style-type: none"> <li>• Work with ESOL course users and other interested parties to ensure new provision meets their needs</li> <li>• Monitoring data reviewed</li> </ul>	Sept '15 onwards	To be pursued within the implementation budget for this piece of work	TBC	To be added to project implementation plan
Potential impact on learners with a specific religion / belief	Some providers may not have a prayer room; as such providers will be encouraged to facilitate prayers where reasonable practicable We will keep this under review and revisit if it proves to be a problem	<ul style="list-style-type: none"> <li>• Monitoring data reviewed</li> </ul>	Sept '15 onwards	To be pursued within the implementation budget for this piece of work	TBC	To be added to project implementation plan
Potential impact on various groups due to staff restructuring	Full EA to accompany any future staff reorganisation in line with corporate policies	<ul style="list-style-type: none"> <li>• Staff consultation EA delivered</li> </ul>	April '15 - onwards	To be pursued within the implementation budget for this piece of work	TBC	To be added to project implementation plan

**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	3	Assessment
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From our analysis and the consultation we have done with residents we can see that there is a potential negative impact on a number of groups. In order to mitigate this we would need to ensure that the commissioned services matched the current provision. In addition, we would want to see commissioned services that were able to provide some of the supportive and nurturing elements that the current provision does and also work hard to continue to attract and support learners from protected groups.

The above action plan is designed to meet these concerns and by taking 18 months to implement we should be able to ensure that the services we commission are specifically designed to meet the need of these residents.

**Stage 7: Sign off by Director/ Head of Service**

<b>Assessment completed by</b>	Gareth Young	<b>Signature:</b>	<b>Date: 27/1/15</b>
<b>Improvement action plan signed off by Director/ Head of Service</b>	Simon Williams	<b>Signature:</b>	<b>Date: 28/1/15</b>