

## **Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics**

(Form updated May 2015)

### *Equality Impact Assessment for School Improvement Restructure December 2014 Updated March 2015*

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যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

**Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.**

Name of Directorate and Service Area	Children & Young People's Service Education & Skills
Lead Officer and contact details	Jill Hodges ext 2166
Names and roles of other people involved in carrying out the EIA	Sarah Whorlton – Project Manager Wendy Fraser – Senior HR Advisor 17th March 2015
How will you pay due regard? e.g. working group, individual officer	Through formal staff consultation process
When did the due regard process start?	08.12.14

**Section 1. Please describe briefly what this EIA is about.** (e.g. are you starting a new service, changing how you do something, stopping doing something?)

The current level of financial contribution to school improvement made by this local authority is above national averages. This, combined with new ways of working as outlined by the commission, and the requirement to achieve £1.7m savings to contribute to 2020NY means that a reduction in posts is unavoidable.

This EIA considers the impact of the design and implementation of changes arising from the recommendations of the Commission for School Improvement.

The changes included a transitional and future staffing structure, new charging arrangements for schools and settings in relation to access to school improvement advisors, and a change to roles and accountability in relation to school improvement across schools and settings.

The changes are being applied equitably across the school improvement service and all employees in the posts impacted by these changes are included, and will be subject to the same process.

The consultation period, has enabled alternative options from staff to be considered. The final outcome has now been agreed by Formal Executive and the relevant details can be found at the following link:

<http://nyccintranet/content/school-improvement>

**Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it?** (e.g. to save money, meet increased demand, do things in a better way.)

To implement changes arising from the recommendations of the Commission for School Improvement specifically;

- The move towards sector-led leadership and eight Improvement Partnerships having responsibility for driving school improvement and improving outcomes in their areas
- The need to improve outcomes at all key stages
- To fulfil our collective ambition for all schools and settings to be good or outstanding To meet corporate savings to improve services whilst making an overall saving as part of the NY 2020 agenda

**Section 3. What will change? What will be different for customers and/or staff?**  
**Short Term (Dec 2014 – Aug 2015)**

- A staffing consultation commenced in December 2014 to consult on a proposed new structure, the consultation period ended on 15<sup>th</sup> February 2015;
- The staffing consultation outlined the future direction of the school improvement service;
- It was envisaged that as a result of changes to staffing structures (a proposed reduction of 37.9 established FTE posts; equating to 20.7 occupied fte posts) that some staff will be subject to redeployment, redundancy and retirement arrangements. This may still be the case but, through consultation, the reduction will now be 33.4 established FTE posts;

equating to 14.6 fte posts.

- New traded service arrangements will be implemented including a new service level agreement for schools detailing what they can expect to receive as part of the 'core' offer (free of charge) and what optional services are available (chargeable);
- Improvement Partnerships (Early Years, Primary, Special and Secondary) will be implemented and will be responsible for driving school improvement and improving outcomes.

#### **Medium Term (Sept 2015 – Aug 2017)**

- The staffing structure will be implemented from 1<sup>st</sup> September 2015;
- Staff will be working in line with new Traded Service arrangements, with a commercial element to their role;

#### **Long Term (Sept 2017 onwards )**

- A post implementation review will commence during late 2016 to consult on the proposed final structure to take the service past September 2017;
- The scope of the review will include consideration of posts funded by the school improvement base staff budget, along with a number of posts that would need to be funded separately and 'self-sustaining' as part of the Traded Service;
- It is envisaged that as a result of further changes to staffing structures that there is the potential for some staff to be subject to redeployment, redundancy and retirement arrangements;
- Any amendment to staffing structures will be implemented from 1<sup>st</sup> September 2017.

This transitional approach will reduce overall post numbers over a 2 year period, whilst providing an increased timescale for some staff to consider their options in terms of their future careers and personal circumstances and for the traded arm to become embedded.

**Section 4. Involvement and consultation** (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

Engagement sessions have been held and a formal consultation process has taken place. Consultation with schools and settings has also been carried out.

There will be a post implementation review of the amended structure in 2016 to understand the impact on staff, posts, the service and lessons learned. This will include feedback from staff and service users on the success of the new working arrangements.

Feedback received as part of the formal consultation arrangements will also be taken into account when reviewing the service and future requirements for 2017.

In relation to how new ways of working and traded service changes impact staff this will be monitored and managed through performance management arrangements. This will provide a

two-way forum to understand the impact of changes to ways of working and identify skill gaps / training required to support staff.

A School Improvement Review Project Board meets on a monthly basis which provides a forum to discuss issues and provide direction and resolution.

A School Improvement Review email address is in place to allow staff to engage, comment, ask questions and inform during the full lifecycle of the project, including the implementation stage. This email inbox is monitored regularly to ensure feedback is considered and responded to by the most appropriate person, and in a timely way. Any potential changes as a result of feedback, will be reflected in an updated EIA. A School Improvement intranet page has also been developed with all relevant information in relation to the changes.

**Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?**

**Cost neutral?** Y – see comment 1, below;

**Increased cost?** N

**Reduced cost?** Y – see comment 2, below

Please explain briefly why this will be the result.

Comment 1: The Traded Service arm will require some initial funding to enable the transition to new ways of working, and from September 2017 will wholly fund any posts assigned to this service. (i.e. be cost neutral from this point).

Comment 2: The proposed staffing structure will achieve the required £1.7m annual savings target. The outcome may result in a number of staff facing redeployment, redundancy or retirement arrangements.

<b>Section 6. How will this proposal affect people with protected characteristics?</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
Age	X			Customer: No adverse impact is anticipated as a result of the changes.  Staff: The restructure does not introduce any change in terms of the current age profile. We will be compliant with the legislation to ensure that staff are not disadvantaged because of their age.
Disability	X			Customer: As a result of consultation, SEND roles have been increased to ensure the service is maintained for those with Special Educational Needs and Disabilities;

				<p>Staff: No impact is anticipated as a result of the changes. The changes will not introduce any change in terms of the current disability profile. As an organisation, NYCC must continue to meet the requirements of the Equality Act 2010, which obligates us to make reasonable adjustments to accommodate disabled individuals as employees or service users.</p>
Sex (Gender)	X			<p>Customer: No adverse impact is anticipated as a result of the changes.</p> <p>Staff : The current gender profile of affected staff is 80% female; 20% male. This matches the corporate profile. Whilst there are more females than males in the service, appointments to the structure will follow NYCC policies and procedures and will be made on merit. Redundancies will reflect the current profile and this will be reviewed as part of the post implementation review.</p>
Race	X			<p>Customer: The changes proposed a reduction in the number of staff providing advice in respect of vulnerable learners. However, as a result of consultation a new Equality Adviser post has been created.</p> <p>Staff: No impact is anticipated as a result of the changes. As an organisation, NYCC must comply with relevant legislation and all services need to be culturally sensitive and appropriate and respect the values, beliefs, culture and tradition of the individuals we work with. Staff should also directly tackle any evidence of racist attitudes, bullying or discrimination amongst colleagues and service users.</p>
Gender reassignment	X			<p>Customer: No impact is anticipated as a result of the changes.</p> <p>Staff: No impact is anticipated as a result of the changes. As an organisation, NYCC must comply with the conditions of the Gender Recognition Act and there is the statutory requirement to protect the confidentiality of someone who has changed, or is in the process of changing their gender.</p>
Sexual orientation	X			<p>Customer: No impact is anticipated as a result of the changes.</p> <p>Staff: No impact is anticipated as a result of the changes.</p> <p>For information, this data is not recorded within the corporate HR system. The Government estimates that 5-7% (one in 15) of the population is lesbian, gay or bisexual. As an organisation, NYCC should promote an understanding of diversity and respect for others and work sensitively around issues of sexuality and identity.</p>
Religion or belief	X			<p>Customer:</p>

				<p>No impact is anticipated as a result of the changes.</p> <p>Staff : No impact is anticipated as a result of the changes.</p> <p>For information – this data is not recorded within the corporate HR system. No impact is anticipated and will not introduce any change in terms of the current profile. As an organisation, NYCC should continue to make efforts to accommodate the needs of individuals in terms of religion or belief.</p>
Pregnancy or maternity	X			<p>Customer: No impact is anticipated as a result of the changes.</p> <p>Staff: No impact is anticipated as a result of the changes. As an organisation, NYCC must comply with relevant legislation and it is unlawful for employers or service providers to discriminate against women who are pregnant or have recently given birth.</p>
Marriage or civil partnership	X			<p>Customer: No impact is anticipated as a result of the changes.</p> <p>Staff: No impact is anticipated as a result of the changes. It is unlawful for employers or service providers to discriminate against individuals with regard to marriage or civil partnership. Employers must also treat civil partners in the same way as married people in a wide range of matters, including employment and vocational training. Any benefits given to married employees must also be offered to civil partners, including flexible working, statutory paternity pay, paternity and adoption leave, health insurance and survivor pensions.</p>

<b>Section 7. How will this proposal affect people who...</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
..live in a rural area?	X			<p>Customer - No impact is anticipated as a result of the changes.</p> <p>Staff – No impact is anticipated as a result of the changes.</p>
...have a low income?	X			<p>Customer - No impact is anticipated as a result of the changes.</p> <p>Staff – No impact is anticipated as a result of the changes as there are no low income posts in the service.</p>

**Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or**

**demographic information etc.**

The changes are being applied equitably across the School Improvement service and all employees in the posts impacted by these changes will be subject to the same process. As a result there is no impact on a combination of any protected characteristics.

<b>Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)</b>	<b>Tick option chosen</b>
<b>1. No adverse impact - no major change needed to the proposal.</b> There is no potential for discrimination or adverse impact identified.	✓
<b>2. Adverse impact - adjust the proposal -</b> The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
<b>3. Adverse impact - continue the proposal -</b> The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
<b>4. Actual or potential unlawful discrimination - stop and remove the proposal –</b> The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
<b>Explanation of why option has been chosen. (Include any advice given by Legal Services.)</b>  <b>Please see section 6 and 12.</b>	

**Section 10. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)**

There will be a post implementation review of the amended structure in 2016 to understand the impact on staff, posts, the service and lessons learned. This will include feedback from staff and service users on the success of the new working arrangements.

Feedback received as part of the formal consultation arrangements will also be taken into account when reviewing the service and future requirements for 2017.

In relation to how new ways of working and traded service changes impact staff this will be monitored and managed through performance management arrangements. This will provide a two-way forum to understand the impact of changes to ways of working and identify skill gaps / training required to support staff.

A School Improvement Review Project Board meets on a monthly basis which provides a forum to discuss issues and provide direction and resolution.

A School Improvement Review email address is in place to allow staff to engage, comment, ask questions and inform during the full lifecycle of the project, including the implementation stage. This email inbox is monitored regularly to ensure feedback is considered and responded to by the

most appropriate person, and in a timely way. Any potential changes as a result of feedback, will be reflected in an updated EIA. A School Improvement intranet page has also been developed with all relevant information in relation to the changes.

**Section 11. Action plan.** List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements
Diarise a review of the implementation of staffing structure in early 2016.	JH/WF	May 2016	Draft project plan, timescales and resources for next phase are in development,	Post implementation review
Monitor and review the provision of advice in respect of vulnerable learners, under new working arrangements	JH	May 2016		Via SI Senior Leadership service meetings and post in the new restructure
Project Board meet on a fortnightly basis.	JH/SW	On-going	Forthcoming Project Board dates: <ul style="list-style-type: none"> <li>• 13/04/2015</li> <li>• 29/04/2015</li> <li>• 11/05/2015</li> <li>• 02/06/2015</li> <li>• 17/06/2015</li> </ul>	Project Lead and Project Manager to ensure meetings take place, as required.
New ways of working and traded service changes impact staff to be monitored through 1-2-1 process with line managers, including performance management arrangements	JH	On-going	Draft project plan, timescales and resources for next phase are in development.	Via SI Line Management arrangements, which will provide input into future Traded Service review. Project Board for the traded workstream

**Section 12. Summary** Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The School Improvement restructure will change the way the service is provided in relation to access to school improvement advisers and through a change to roles and accountability in relation to school improvement across schools and settings.

**Customer impact:** through consultation it was highlighted that there is a potential impact on vulnerable learners regarding the protected characteristics of race respectively. This has been addressed by increasing roles around pupil premium pupils and vulnerable learners to ensure the service is maintained for those with Special Educational needs



and Disability and by the creation of an Equality Adviser role, and an adviser with responsibility for LGBT.

**Staff impact:** No adverse impact has been identified. We will be compliant with legislation as set out in section 6 above.

Consultation feedback expressed concern that colleagues would be significantly disadvantaged in the new structure if they can only apply for 0.5 fte post citing this would adversely affect women in the service as the majority of flexible working arrangement posts are held by women. This has been addressed as a result of staff feedback, the proposed requirement to work either 0.5 fte or 1.0 fte was reviewed and a revised proposal was offered stating that appointments to the new structure will be on current contractual arrangements, subject to the requirement to work a minimum of 0.5fte. Therefore those staff currently working between 0.5 and 0.9, where successful, will be appointed on their established contractual hours. Some staff took the opportunity to vary their hours downwards to meet outside commitments.

**Next steps:** Following implementation of the restructure, an analysis of the impact of the restructuring will be carried out on an on-going basis led by senior management in the service and via through formal post implementation review. Staff and the professional associations/union will be involved in that review. This equality impact assessment will be reviewed as part of that process.

Additionally, any changes arising as a result of the monitoring arrangements will be incorporated into the EIA.

### **Section 13. Sign off section**

This full EIA was completed by:

**Name: Sarah Whorlton/ Wendy Fraser**

**Job title: T&C 2020 Project Manager/ CYPS Senior HR Adviser**

**Directorate: CS / CYPS**

**Signature: Sarah Whorlton**

**Completion date: 17 March 2015**

**Authorised by relevant Assistant Director (signature): Jill Hodges**

**Date: 17<sup>th</sup> March 2015**