

Equality impact assessment (EIA) for proposed Adult Learning and Skills Service Restructure: evidencing paying due regard to protected characteristics

January 2016

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.

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 and Young People's Service, Education and Skills
Lead Officer and contact details	Linda Burgon, Principal Officer Adult Learning & Skills Service 01609 532420
Names and roles of other people involved in carrying out the EIA	Linda Burgon, Principal Officer - Adult Learning & Skills Service Elaine Trehitt, Schools and Settings Improvement Professional Officer David Walker, Head of Social Inclusion
How will you pay due regard? e.g. working group, individual officer	Through formal staff consultation process Through surveys to learners and employers
When did the due regard process start?	28 January 2016 Updated 25 April 2016

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 Adult Learning and Skills Service (ALSS) currently works to funding guidelines, NYCC, Local Enterprise Partnership (LEP) and government priorities to offer apprenticeships and employment related training to develop the skills of the current and future workforce. It also offers targeted provision which includes delivery to people who are furthest from the labour market, those wishing to up-skill to improve their employment prospects and those who have barriers to learning such as learning difficulties and/or disabilities that require dedicated discreet provision. The service also offers some leisure learning opportunities.

The service was last restructured in 2012 and the shape of the service was defined around the funding received at that time. Since then there have been significant changes in the further education landscape and the government has strengthened its priority to increase the number of apprenticeships. The service needs to be re-focussed to ensure that there is the staffing capacity to meet the priorities which will secure future funding. There will need to be increased resource around employer engagement. There will still be a need for the service to deliver targeted community learning and this also needs to be adequately resourced at the front line. This restructure also provides an opportunity to take advantage of new ways of working through increased access to appropriate ICT equipment and the use of Skype to deliver training to teachers and assessors. Senior managers and front line staff are involved in a Technology and Change project (Adult Learning Delivery Improvement project) which is looking at Customer Journey Mapping which will lead to revised and more efficient processes, improved use of technology and replacing the current Management Information System which is the software used to submit funding reports to government funders and Ofsted.

The Adult Learning and Skills Service is funded by and must adhere to the rules issued by the Skills Funding Agency (19+ learners and apprenticeships) and the Education Funding Agency (Study programmes for 16-19 year old learners and 19- 25 year old High Needs learners) and it is directly impacted by any central Government cuts to the further education and skills sector. The Skills Funding Agency is within the Department for Business, Innovation and Skills and the Education Funding Agency is within the Department for Education. The service is also subject to inspection by Ofsted under the Common Inspection Framework for Education, Skills and Early Years.

The service receives no core funding from the County Council budgets and is totally funded for

the delivery of teaching and learning by external funding sources. This includes all staffing costs. However there are overhead costs to the County Council to support the services that ALSS receives.

The Adult Learning and Skills Service should be a service that:

- meets the needs of learners, particularly vulnerable ones, across the County so offering increasingly targeted provision
- is responding proactively to the priorities of the Local Enterprise Partnership (LEP) for North Yorkshire, York and East Riding around employer engagement, skills and Apprenticeships
- delivers the priorities for both North Yorkshire County Council and the funding agencies
- meets national priorities around Apprenticeships and employer engagement
- delivers improved outcomes for learners, is cost efficient and is within budget
- delivers savings

Update The consultation period, has enabled alternative options from staff to be considered. The final outcome is subject to agreement by Leadership team and Formal Executive and the relevant details can be found at the following link <http://nyccintranet/content/consultations> once those approvals have been given.

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.)

The rationale for the proposed re-structure is to ensure that the ALSS is meeting current and future priorities, with a specific focus on:

- Improving outcomes
- Meeting the needs identified through the LEP, NYCC and nationally
- Increasing the number of apprenticeships offered
- Providing and evidencing effective, targeted high quality learning
- Meeting the needs of the wider population through effective partnership work and participation in joint funding bids.

The service was inspected by Ofsted in November 2014 and was graded as Good. The Ofsted report confirmed that the service was doing the right things for the right people. The service has a mission statement to provide and evidence effective, targeted high quality learning. However to continue to achieve and develop this the service needs to be reshaped. The restructure will also deliver savings as the funding from the Skills Funding Agency has been reprioritised to ensure that the apprenticeship agenda is delivered. There will still be funding for targeted learning opportunities. At this time (February 2016) the funding allocation for 2016/17 has not been received therefore the anticipated savings from this staffing review are predicted based on knowledge of developments in the further education sector.

Whilst there is no statutory requirement for NYCC to have an adult learning service it is recognised that the service is supporting the delivery of: learning to the workforce through apprenticeship delivery; the prevention of young people becoming NEET (albeit a small cohort); the closing the gap strategy (through the delivery of learning opportunities to parents and families); the prevention agenda (through the delivery of learning to disadvantaged learners which supports the stronger families agenda) and we work closely with the Stronger Communities team to support this agenda across the county.

Section 3. What will change? What will be different for customers and/or staff?

The government priorities are the delivery of learning that supports people into work and there is a commitment to the delivery of 3 million apprenticeships by the end of the current parliament.

The service already delivers apprenticeships but the staffing resource to do this is not sufficient to enable the service to develop and grow this provision in line with the government priorities. The proposed restructure looks to address this by increasing the Employer Engagement staffing resource and maintaining front line delivery.

There will be an overall reduction in staffing of 6.7fte based on the establishment however, as a number of vacancies have been held as they have become vacant, the actual reduction on the current staffing structure is 1.3fte. The service is maintaining front line delivery and there will be a reduction in senior management roles

The service is funded to deliver community learning which has been increasingly targeted over the last few years (in line with government priorities) to focus on those who are furthest from the labour market or those who need support to engage in learning due to social isolation, physical or mental health challenges or disengagement in learning. This work will continue in the proposed structure and in 2016/17 100% of the Community Learning funding received will be focussed on targeted groups. The service has been increasing the targeted provision being offered over the last 3 years and in the current academic year only 20% of the Community Learning funding received is being used for more traditional adult learning. In line with the government priorities there will be no government subsidised traditional adult learning being offered by the service from the 2016/17 academic year.

This change will come about as the kind of learning which is delivered within the current 20% of funding is leisure provision (which might include for example Christmas Crafts, languages and art courses). This will be offered as full cost which means there may be a slight increase in the hourly rate for customers as the cost of the teacher and the venue will need to be fully covered by those attending the course. This provision will not be included in Ofsted inspections and there will be no need for the learners to complete any paperwork (which is a requirement for all courses funded by the government). This will be welcomed by many learners who currently attend leisure learning opportunities as the service has previously received feedback from learners about the challenges they feel completing this paperwork brings about. There will still be a subsidy for learners receiving benefits to enable them to access leisure learning opportunities. This type of provision can also be used as a hook to engage discrete groups of vulnerable learners back into learning but in these instances this would be focused targeted provision and will be funded by the Skills Funding Agency.

This paragraph is not a change but sets the current context. The service produces a prospectus that is focused on courses that learners can self-refer onto. This includes ICT courses such as ECDL and accountancy courses. It also includes leisure based courses. The service uses targeted marketing for specific learner groups or geographic areas. The service is a key member of the North Yorkshire Community Learning Partnership and this group (which includes all FE colleges, NYCC Stronger Communities, NYCC libraries, the Prevention Service and the voluntary sector) works together to ensure there is no duplication of provision and that resources are used effectively through targeted work. The marketing for this work is specific and focussed.

It is envisaged that a prospectus will still be produced for self-referred learners and in line with the feedback received so far from customers (see section 4) the service will be looking at it's on line presence to improve the information that is available to learners.

As part of normal business the service has recently moved premises in Harrogate from upstairs in Bilton Library to the Trax building in the centre of Harrogate. This move is beneficial for learners in that it is accessible at street level and there are always members of staff available. There is a planned move for the Scarborough base from the current learning centre which is a

privately rented refurbished public house to an NYCC building that has been refurbished to provide teaching and learning facilities. This move will take place in April and whilst the building will provide much better facilities it is still in the same ward in Scarborough, which is one of the most deprived, therefore enabling the most disadvantaged learners to access provision. There is a planned move for the Hambleton staff team from office space in White Rose House to the Insite building on Northallerton High Street. This will provide dedicated teaching rooms as well as office space which will be fully accessible for learners. These moves all place ALSS in the heart of local communities where they are visible and accessible for learners and employers. The service will move from four areas to three areas and the proposal is to reduce the number of main administration bases from 7 main bases (Hambleton, Richmondshire, Harrogate, Craven, Selby, Ryedale and Scarborough) and 2 subsidiary bases (Whitby and Ripon) to 3 main administration bases in Harrogate, Hambleton and Scarborough. As the funding changes and the delivery of apprenticeships becomes the core focus of the service the areas that will be targeted by ALSS are Hambleton (as there is no FE college in the area), Harrogate (as there are identified skills gaps in the area) and Scarborough (as there are significant skills gaps). This does not mean that the service will rule out working in Selby, Ryedale, Richmondshire and Craven but it is proposed that this will be administered from the 3 main bases. The service is conscious of the support needed by the most disadvantaged learners and there will be a team of front line staff (Learning Support Officers) whose role is to support learners to access appropriate learning opportunities.

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?)

A Staff Engagement session was held in September 2015. This was very well attended and considerable feedback was gathered. Much of this has been taken into account in the proposed structure.

There will be a full 45 day consultation process with all affected staff which is due to start on 22nd February. All affected members of staff will be encouraged to contribute their ideas and comments.

The service is currently working with Technology and Change on Customer Journey Mapping. All current learners and employers have been consulted on what improvements could be made to the service and this feedback will be considered in detail during the 45 day consultation process. It is anticipated that this will impact on the final outcome as the voice of the customer is critical in providing effective learning opportunities. As part of the Customer Journey Mapping 1,966 surveys have been sent to current learners. The response rate is 25% and the majority of these learners are taking leisure based courses although there have been responses from targeted learners and the majority of these have been referred from Job Centre Plus. A significant number of all learners want to see better marketing and improved information on the internet and the service will be responding to this. The service does survey all learners annually at the end of their course and this information is analysed and the information from the 2014/15 academic year will be fed into the consultation process.

The report outlining the proposed restructure has been signed off by the Children and Young People's Leadership Team and the Executive Member who has ALSS in their portfolio.

The Principal Officer of the service will be consulting with key partners on the shape of the service and this will include; the York, North Yorkshire and East Riding Local Enterprise Partnership (LEP); the heads of the local authority adult learning services in York and the East Riding; the Chief Executive of Your Consortium Ltd (an umbrella organisation for the voluntary sector); the head of the NYCC Stronger Communities team; the NYCC 16-18 Skills Manager. This feedback will be fed into the 45 day consultation process.

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

The service is funded for the delivery of teaching and learning by the Skills Funding Agency and the Education Funding Agency and it does not receive any funding from the County Council for this delivery. The proposal will be cost neutral on council budgets.

The service will still be subject to recharges and these could potentially be reviewed in the future.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age	X	X		<p>Customer: The service will continue although there will be a stronger focus on employer engagement. Older learners will be specifically targeted where there are issues around social isolation. This work will be undertaken in partnership with the Stronger Communities team and the voluntary sector and this is in line with Government priorities around the use of the Community Learning funding that the service receives. In 2014/15 10% of learners (across all funding streams) were under 24, 57% were 24 – 49, 17% were 50 – 59 and 16% were 60+. The service will also be focussing on increasing delivery to young people through the offer of apprenticeships and traineeships. The proposed staffing structure has an increase of 3fte Engagement Officers (from 2fte – 5fte) whose role it is to find appropriate employers to offer relevant apprenticeships and traineeships. The service delivers one study programme to learners in Nidderdale aged 16-18 at risk of becoming NEET (not in employment, education or training) and this will continue. There is scope within the new structure to develop this provision across other geographic areas.</p> <p>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.</p>
Disability	X			<p>Customer: There will be no impact on learners or on the community as a result of these changes. Provision for learners with disabilities will continue. There is a focus on supporting people into work through social enterprises and the service delivers Personalised Learning Pathways in Northallerton, Scarborough, Selby and Harrogate to young</p>

	X		<p>people aged 19-25 who have an Education and Health Care Plan and who would have otherwise accessed learning outside of the local authority. The service offers learning opportunities across the county and whilst the administration of these courses will change and move to three main bases learning will still be delivered where there is local need in line with service priorities.</p> <p>Staff: No impact is anticipated as a result of the changes. The changes will not introduce in 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> <p>Premises: The service uses venues that enable learners to have equal access to learning opportunities. There is a considerable amount of partnership work undertaken to meet the needs of targeted groups and learning is often delivered in the partners' venue which is a place the learners would already be familiar with. As part of the current project with Technology and Change venues will be looked at to ensure they are fit for purpose and disability compliant.</p>
Sex (Gender)	X		<p>Customers: The service offers targeted provision where there is an identified gap in learning opportunities. This could for example be family learning delivered specifically for 'dads and lads' as family learning provision is accessed more by females than males.</p> <p>Staff: The current gender profile of affected staff is 85% female; 15% male. This is similar to the corporate profile. Appointments to the new structure will follow NYCC policies and procedures and will be made on merit.</p>
Race	X		<p>Customers: No impact is anticipated as a result of these changes. The service offers learning opportunities for learners whose first language is not English- English for Speakers of Other Languages (ESOL) and this provision will continue following these changes. The service is involved in the Syrian refugee resettlement programme and we will be offering ESOL provision to refugees to aid their integration</p>

	X			<p>into the local community and into work.</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>
	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 HE 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 the issues of sexuality and identity.</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 HE 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 the issues of sexuality and identity.</p>
	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. No impact is anticipated and will not introduce any change in terms of the current profile. As an organisation, NYCC should continue to make effort to accommodate the needs of individuals in terms of religion or belief.</p>
Religion or belief	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. No impact is anticipated and will not introduce any change in terms of the current profile. As an organisation, NYCC should continue to make effort to accommodate the needs of individuals in terms of religion or belief.</p>
	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. No impact is anticipated and will not introduce any change in terms of the current profile. As an organisation, NYCC should continue to make effort to accommodate the needs of individuals in terms of religion or belief.</p>

Pregnancy or maternity	X			Customer: No impact is anticipated as a result of the changes.
	X			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.
Marriage or civil partnership	X			Customer: No impact is anticipated as a result of the changes.
	X			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.

Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
..live in a rural area?			X	The service will reduce the number of area bases through these proposals but there will still be delivery of learning in rural areas where there is an identified need that meets the priorities of the service. This will be based on viability in relation to the numbers of learners and availability of qualified teachers. It is however recognised that due to funding changes there may not be as many learning opportunities in rural areas as in previous years. The service will endeavour to address these through distance learning or by referring the learner to another learning provider. It is recognised that that due to lack of access there will be some people affected in all parts of the county. Update - as a result of the feedback received during the consultation the smaller bases that were proposed to be closed will now remain open. An action plan will be developed with Property Services for each base to ensure it continues to meet the needs of the service and the learners and that it is in

				line with the corporate property rationalisation strategy
...have a low income?		x		The service will, in 2016/17, be offering an increased amount of provision that is targeted (20% more than in the current academic year) This will be focussed in areas of deprivation. Update There was an expectation, based on information available at the time, that there would be a reduction in funding of £250,000 for the 2016/17 academic year. However the funding allocations have now been received and this prediction was unfounded. There will now be more learning opportunities offered especially in relation to employability skills which will positively impact on people who are unemployed.

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 being applied equitably across the Adult Learning Service and all employees in the posts impacted by these changes will be subjected to the same process. As a result there is no impact on a combination of any protected characteristics.

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)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	X
2. Adverse impact - adjust the proposal - 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.	
3. Adverse impact - continue the proposal - 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)	
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
Explanation of why option has been chosen. (Include any advice given by Legal Services.)	
There will be no negatives impact on the majority of learners. There will however be some impact on some learners in rural areas but the service will endeavour to address these through distance learning or by referring the learner to another learning provider.	

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 formal Post Implementation Review in March 2017 six months after the proposed structure has been implemented.

As a result of the work currently being undertaken with Technology and Change the service is looking to implement new processes which will ensure the service is more efficient, consistent and is responding to customer feedback. These changes will be reviewed with customers in March 2017 to ensure the changes have made a real difference to customers.

The service will assess the number of compliments or complaints that are received through the corporate system that are in relation to the changes made. Anecdotal evidence will also be analysed to address any unexpected impact the changes have on customers.

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
Diary a review of the implementation of staffing structure	LB	March 2017		Post implementation review
Monitor and review the provision	LB	March 2017		Via Leadership meetings and customer feedback
Undertake reviews with customers (learners and employers)	LB	March 2017		Customer surveys via email
Undertake data analysis on the outcome of all surveys	LB	March 2017		Quality Improvement Cycle

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.

This EIA has highlighted that in the main there will be limited negative impact on customers due to the changes that are proposed. There are opportunities to positively affect some of the protected characteristics in relation to further development of programmes for 16-18 year olds. There will be some impact on learners who currently undertake leisure learning opportunities as these will, in line with the government funding guidance, become full cost courses in the 2016/17 academic year. This will mean that learners who can afford to pay, will need to pay for their learning but the service currently has a subsidy for learners who are on benefits and this would continue to enable all learners to continue to access this type of learning. Where this is being offered as targeted work to specific groups in order to engage or re-engage them in learning this would continue to be fully subsidised and therefore free to the learner. There may be some impact on learners living in rural areas as there are challenges in terms of viability of numbers, transport and staffing availability. The service will try and mitigate this where possible by referring people on to other providers. This EIA will be reviewed in line with the timetable above.

Update The 45 days consultation period was extended to 56 days to allow further feedback from staff following the publication of alternative proposals as a result of staff feedback. A number of group and 1:1 consultation meetings have been held and staff have been listened to very carefully. 55 questions and comments were received from staff, all of which have been provided with detailed responses. Regard has been paid to impact of the proposals on learners and in the community and this has been the focus of changes to the original proposal. Two specific roles affecting 16 employees will not now be disestablished from the structure.

Nothing has arisen in the feedback which would require amendments to the impacts stated above for each projected characteristic other than the updates provided in section 7.

Confirmation of the 2017/17 funding allocation sees the service better placed than expected and this has been incorporated into the alternative proposals allowing the service to make investment into key areas in respect of underpinning the stated aims to meeting service objectives and funding priorities. The service is working with Technology and Change to improve the learner experience and as a result of this the processes used for learner engagement and examinations will be simplified and there will be more on line presence in response to learner feedback.

Section 13. Sign off section

This full EIA was completed by:

Name: Linda Burgon
Job title: Principal Officer Adult Learning & Skills service
Directorate: Children & Young People's Service

Signature: Linda Burgon

Completion date: 17.2.16 updated 25 April 2016

Authorised by relevant Assistant Director (signature): Jill Hodges

Date: 22.2.16 updated 25 April 2016