

## APPENDIX C – Equality Impact analysis

### Action A. To Assess or Not to Assess

To determine whether an EIA is required, please read the questions below and indicate your answer by putting an X in the box to the right of the “Yes” or “No” at the end of each question.

Does the service affect the public or staff directly?	Yes	X	No	
Does it affect how other services are provided?	Yes		No	X
Is there information e.g. survey data or complaints that suggests that it is affecting particular groups of people?	Yes		No	X
Does it have employment implications?	Yes		No	X

If you have answered “Yes” to one or more of the questions listed above, you will need to continue with a full equalities impact assessment (EIA).

However, if you have carried out an assessment of this strategy/policy or service in the past two years, for example, as part of the transformation programme, or there has been an external audit of the service, which has resulted in explicitly stated equalities outcomes, you will not need to continue with an in depth EIA. You will, instead, need to consider any gaps in relation to the groups identified under “Purpose” and agree actions/targets.

If you have answered “No” to all of the above the statements, you will not need to continue with a full EIA because it is not relevant to the strategy/policy or service.

Please send this document to your Service equalities representative (see “Equalities” on the intranet for a current list) and copy it also to Angie Sarchet, Cohesion & Equalities Manager, Room 2, 5-7 Walton Street or via email to [asarchet@buckscc.gov.uk](mailto:asarchet@buckscc.gov.uk). Ensure you do this prior to final sign off by the Head of Service to enable the challenge process to be applied effectively.

**Section B. Reviewing the design**

Questions to consider	The Findings
<p>1. <b>Why is the strategy/policy or service necessary?</b> What are the key aims and objectives? What outcomes is it designed to achieve and for whom?</p>	<p>Adult Learning requires a fees/concessions policy, approved by the relevant Cabinet Member, to demonstrate that the service is member led and so that the rationale for the fee levels is clear, can be explained to the council tax payers using the service and is seen to be approved by the political leadership.</p>
<p>2. Consider your answers at question 1. <b>How have the needs of different groups of people, where relevant/appropriate, been taken into account?</b> What does needs assessment data tell you about who should be benefitting from the strategy/policy or using the service? What else do you know about people’s needs or views? What information do you have from consultations/focus groups, national or local published research reports, satisfaction surveys, service monitoring data, benchmarking with other providers, demographic data or other information that has been used to formulate the design and delivery of the strategy/policy/ or service. Also refer to the council’s “Research” information on the website.</p> <p>If you identify a gap in information, for example, about the needs of a particular group of people, include this as an action point in the equalities improvement plan.</p>	<p>The guidance given by the Education and ESFA is that those who are able to pay should do so and support should be given to the most vulnerable. However, they also set rules about those for whom fees should be waived where they are doing accredited courses and mostly this is linked to attaining the skills to gain employment. So although adults with learning difficulties and disabilities (ALDD) are a vulnerable group, they do not generally obtain fee remission unless they are studying English or maths or plan to enter employment and need the skills to do so. By looking at what other providers are charging, costs that need to be recovered, delivery priorities and what groups need to be supported, we arrive at an over-arching policy.</p> <p>Priority groups for the ESFA are those undertaking English, maths and apprenticeships. For BCC, the unemployed who need the skills to enter employment are also a priority. Apart from apprentices, these groups have their provision fully funded by the ESFA</p> <p>Feedback from our customers is that our fees are high, but they fit within the range of what other providers are charging and we need to be seen by the ESFA to be collecting fees to supplement our grant.</p>

Questions to consider	The Findings
<p>3. <b>Are other organisations responsible for delivering the strategy/policy or service?</b> If yes, how have you incorporated the council's cohesion and equalities priorities into the procurement process or contractual arrangements? How is compliance monitored? What steps have you taken to reduce the council's legal liability where services are being delivered on our behalf? If not relevant, go on to question 4.</p>	<p>We do sub-contract, as part of the tendering process sub-contractors provide us with their own fees policies.</p>
<p><b>Section C. Reviewing the implementation/delivery</b></p>	
<p>4. <b>Does the strategy/policy need to be communicated to the public/our employees or does accessing the service depend on information being communicated to the public?</b> If yes, how will this be achieved? Consider the information we already have about how our residents prefer us to communicate with them and consider the ways that different groups of people generally find out information. How do you or how will you ensure that communication is appropriate to meet the different communication needs of different groups of people? If not relevant, go to question 5.</p>	<p>The fees policy translates into the prices we actually charge for our courses and these will be evident from our 19/20 prospectus and on our web-site. We also explain in this prospectus about our fee levels and concessions, and this should be sufficient.</p> <p>For some targeted groups, e.g. ALDD learners, we deal with brokers and thus conversations will take place about fee levels and also whether we can offer bespoke provision and offer any sort of discount for larger programmes, to meet the needs of specific groups.</p>
<p>5. <b>Is delivery of the strategy/policy or service dependent upon particular buildings, open space or mode of transport being used by the public?</b> If yes, what facilities and transport access arrangements have been put in place to ensure that the needs of different groups of people have been addressed? See the EIA guidance notes for suggested issues that you need to think about. If not relevant, go to question 6.</p>	<p>No</p>

Questions to consider	The Findings
<p>6. <b>Review any processes people need to go through to be able to use the service or to benefit from the strategy/policy.</b> For example criteria that are applied to determine eligibility for receiving the service and the completion of forms. Do these processes/criteria effectively prevent groups of people of people from using the service or benefiting from the strategy/policy?</p> <p>(Ideally you should be aiming to only keep those processes and criteria that are essential to implementation/delivery, for example, because they are a legal requirement.)</p>	<p>The service is a universal service for those aged 19 and over, although different fee rates depending on eligibility, according to ESFA rules, and in the light of our own fee/concession policy.</p> <p>We offer concessions to those for whom financial difficulties would preclude participation but these are limited due to financial constraints and the need to run a viable business operation. However, we offer concessions to a wider group of people than are eligible for free accredited courses under ESFA rules (based on financial status) and in particular offer concessions to those on disability living allowance so as to ensure this group is not disadvantaged.</p>
<p>7. <b>What particular skills and knowledge will relevant staff need</b> to ensure that the strategy/policy is properly implemented or that the service is delivered appropriately to meet people’s individual needs?</p>	<p>Front line staff, contact centre staff and staff from our enrolment team in Count Hall all need to receive training to understand the fees policy. Applying the correct course fee is fairly straightforward as each course is set up with the correct fee and this will be visible when the student enrolls.</p>
<p><b>Section D. Assessing for differential impact and discrimination</b></p>	
<p>Consider the answers given in questions 1 through to 7 and assess whether the strategy/policy or service results, or could result, in differential impacts on particular groups of people. <b>Essentially you are looking to identify and deal with any actual or potential unfairness, disadvantage or discrimination.</b> (See the guidance notes for a more detailed explanation.)</p> <p>If you consider that there is a differential impact, or the potential for a differential impact, you will need to assess whether this constitutes discrimination (i.e. detrimental to a group or particular groups of people) and whether the impact is justifiable as a proportionate means of achieving a legitimate business aim. You are required to give your reasons for this.</p>	<p><b>General PCDL courses (learning for leisure/personal development):</b></p> <p>Our most common fee rate will be £5.80 per hour for 2019/20. This is applied across the board, apart for lip-reading (see below), and no individual group should be unfairly disadvantaged.</p> <p>We also use part of our grant income to support those on low incomes to encourage them to participate, up to a maximum of £275 per learner and subject to sufficient funds being available</p> <p>We do run small groups at a higher fee rate of £8.05 per hour. This fee level is set so as to ensure we receive the same level of income overall, despite the lower class number.</p>

**Lip Reading:**

Of our non-accredited learning, this is the one area where the skills learned can be a life-line and prevent isolation. Our fees are competitive with other local authorities who deliver as we offer these classes at a lower fee rate, which will be £4.70 per hour in 2019/20, a £1.10 discount on the full fee rate.

**ALDD learners:**

The £4.70 per hour rate is £1.10 per hour less than for other learners but is defensible on the grounds that we are supporting vulnerable learners. On the non-accredited programme, we have previously charged them the same as everyone else. However in all other areas the accredited and non-accredited rates are the same. Having different rates is inconsistent and confusing. We have now closed this gap. For 2019/20 we will charge the ALDD learners £4.70 per hour for all courses. Concessions will be available and the majority of learners will either obtain a concessional rate or be able to use personal budgets to pay, should learning be what they identify as their priority.

**ESOL:**

English for Speakers of Other Languages. This is a large area of our provision and many learners need English skills to integrate properly into their community. To achieve a level of English that enables them to function adequately involves them undertaking programmes twice-weekly on a full-year basis, which results in the absolute fees being quite high, which would be unaffordable were we to charge £5.80 per hour. Also, other regional providers who deliver this type of provision charge from £1.90 - £5.00, so we need to charge within this range to remain competitive. We are not putting the fees up for 2019/20 and the cost per session will remain at £3.80 with exam costs at £60.

If you have identified a differential impact that constitutes illegal discrimination, you are required to take action to remedy this immediately.

If you have identified a differential impact that is justifiable or legitimate, you may need to consider what actions are necessary to mitigate its effect on particular groups of people. This arises out of the duty to promote good relations between people of different groups and is in keeping with the Council's approach to "Strong & Cohesive Communities in Bucks".

**Ensure that these actions are listed in the attached equalities improvement plan.**

If you do not have the authority to take the action required, you will need to alert the relevant service manager to your findings.

## Section E. Ensuring continuous improvement

Questions to consider	The Findings
<p><b>9. What measures will you be using to monitor the impact of the strategy/policy or service over the next three years?</b></p> <p>The council is committed to mainstreaming equalities, ensuring that it is integrated into our performance management frameworks and subject to continuous improvement through performance monitoring. We also have legal duties to ensure we are not discriminating against groups of people in the provision of goods, services and facilities or in our role as an employer.</p> <p>You should only expect to carry out an equalities impact assessment every three years (unless you are introducing a significant change in the interim). You will, therefore, need to have information systems in place that will enable you to analyse and interpret information to:</p> <ul style="list-style-type: none"><li>• Show the numbers of particular groups using the services and what</li></ul>	<p>We measure and monitor enrolments/take-up on a monthly basis and will be able to see the impact of our fees policy. This will influence our decisions about fees in 17/18. Should the take-up of our concessions be low, we can amend this in-year to make the offer more attractive.</p> <p>Fees for 2019/20 will remain the same as 2018/2019 The fees for ALDD and lip-reading continue to be set at the same levels. The rate is still £1.10 below the general fee rate. If learners can demonstrate that they would be unable to access their course for financial reasons, we should be able to provide financial support.</p> <p>An EIA was carried out last year. No gaps were identified. We rigorously monitor participation data and take-up by various groups. As priorities for us are around those with poor basic skills, ESOL and ALDD learners and the unemployed, we naturally attract higher numbers of disadvantaged learners. We rigorously monitor achievement of different groups and include measure to address any significant achievement gaps, whether by ethnicity, gender, disability, learning difficulty or age</p>

- outcomes they experience
- Show under-use of a service by an equalities group
  - Show over-use by an equalities group
  - Reveal discrimination
  - Demonstrate that services are not discriminatory
  - Measure the effectiveness of service changes
  - Identify the need for new or changed services

Please refer to the council’s monitoring guidance (see intranet) to decide what type of monitoring is appropriate and what information you will need to gather.

Also consider whether you need have some targeted actions with particular groups of people to address the issues identified above. **Please ensure that these are listed in the attached equalities improvement plan.**

**Section F. Opportunities for community cohesion or promoting good relations between different groups of people**

Community cohesion and equalities are priorities for Buckinghamshire County Council.

Community cohesion is the outcome of understanding and respect between different communities and a sense of identification with a wider community. In essence it’s about promoting a sense of connection, trust and belonging both within geographical communities and across groups of people. It is at risk where illegal discrimination exists, or is perceived to exist, when stereotypes and disinformation go unchallenged and where lack of knowledge about, or experience of, different groups of people leads to fearfulness and segregation.

Equalities in Buckinghamshire are at risk when we fail in our duty to provide an appropriate and professional service that takes account of the different needs of groups of people as a consequence of their colour, culture and ethnic origin, gender, disability, age, religion/belief or sexual orientation or as a result of living in a rural community, lower socio economic group or being a new group to this country and/or county (migrant worker, refugee or asylum seeker).

**Questions to consider**

**The Findings**

10. **Consider what opportunities and risks to the Council's community cohesion and equalities priorities could arise**, for example:

- (a) Are there ways in which your service could bring different groups of people together, for example to develop future provision through consultation exercises?
- (b) Are there ways in which existing groups could interact with the service, for example, as part of ongoing monitoring of service provision?
- (c) Could the way you provide the service bring different groups of people together to use the service?
- (d) Does the way in which your service is provided have the potential to lead to resentment between different groups of people? How can you compensate for perceptions of preferential or differential treatment? Consider the role, or potential role, of the media and extremist groups when formulating your communication actions.
- (e) If the improvement plan identifies addressing a gap in the service for a particular group of people, have you also addressed the potential for perceptions of preferential treatment for the group? How will you ensure that people will understand the need for the actions proposed as a result of this impact assessment?

**Ensure that the actions you identify are put into the attached equalities improvement plan.**

We have set up learner councils at the two centres where the majority of our ESOL learners attend. We will obtain feedback from them on our curriculum offer, fee levels and any other issue that they want to address and use this to influence future strategies.

By keeping a lower hourly fee rate for ESOL provision we are encouraging take-up, which should lead to social cohesion.

Service managers meet with brokers to design enhanced provision for ALDD learners. Closing the gap on the accredited and non-accredited rate will help brokers and carers to choose the best offer that meets their needs, without reference to price.

Bringing learners of different ages, backgrounds and ethnic origins together and actively promoting equality and diversity in the classroom, leads to greater understanding, tolerance and respect.



## **EQUALITIES IMPROVEMENT PLAN**

Please list all the equalities actions and targets that result from the Equalities Impact Assessment (continue on separate sheets as necessary). These also need to be integrated into the relevant service plan for mainstreaming and performance management purposes.

None identified for this EIA. All such issues are picked up in the service's annual Quality Improvement Plan

**Once the challenge process has been completed, please return the agreed Equalities Impact Assessment Form (signed by your Head of Service) and equalities improvement plan, to Angie Sarchet, Cohesion & Equalities Manager, Room 2, 5-7 Walton Street or via email to [asarchet@buckscc.gov.uk](mailto:asarchet@buckscc.gov.uk) and also copy to your service equalities representative (see "Equalities" on the intranet for an up to date list of service representatives).**