

# Equality & Poverty Impact Assessment 00974 (Version 1)

## SECTION ONE: ESSENTIAL INFORMATION

<b>Service &amp; Division:</b>	Children's Services Education	<b>Lead Officer Name:</b>	Lisa McCabe
		<b>Team:</b>	Service and School Improvement
		<b>Tel:</b>	01324 506670
		<b>Email:</b>	lisa.mccabe@falkirk.gov.uk
<b>Proposal:</b>	Early Learning & Childcare: reduce commissioning of funded ELC places from private partners	<b>Reference No:</b>	

<b>What is the Proposal?</b>	<b>Budget &amp; Other Financial Decision</b>	<b>Policy (New or Change)</b>	<b>HR Policy &amp; Practice</b>	<b>Change to Service Delivery / Service Design</b>
	Yes	Yes	No	Yes
<b>Who does the Proposal affect?</b>	<b>Service Users</b>	<b>Members of the Public</b>	<b>Employees</b>	<b>Job Applicants</b>
	Yes	No	No	No
<b>Other, please specify:</b>				

<b>Identify the main aims and projected outcome of this proposal (please add date of each update):</b>	
23/01/2025	This proposal aims to redesign the delivery of funded Early Learning & Childcare exclusively through Council run provisions, and to reduce delivery through private sector provision for 2-5 year olds. This proposal does not include childminders.
27/01/2025	This proposal would mean around 150 children would no longer receive funded Early Learning & Childcare places in private partner providers but would instead be accommodated in local authority run provisions and within existing staffing resources.
27/01/2025	The 16 2 year olds currently attending private partner provider nurseries would be accommodated in our own provisions and within existing staffing resources.

## SECTION TWO: FINANCIAL INFORMATION

For budget changes ONLY please include information below:		Benchmark, e.g. Scottish Average
Current spend on this service (£'0000s)	Total:	<p>23/24 (hourly rate not including lunches) - £2.3M</p> <p>3-5 year olds (financial year): 23/24 - £6.00 hourly rate 24/25 - £6.50 hourly rate</p> <p>For 3-5year olds there is an additional £0.43 per hour paid for hot meal provision (24/25)</p> <p>2 year olds (financial year): 23/24 - £6.00 hourly rate 24/25 - £7.05 hourly rate</p> <p>For 2 year olds there is an additional £0.43 per hour paid for hot meal provision (24/25)</p>
		<p>Hourly rate benchmarking for 23/24:</p> <p>Aberdeen City: £6.43 (2 yr olds) / £5.83 (3-5 yr olds)</p> <p>Aberdeenshire: £7.22 (2 yr olds) / £6.37 (3-5 yr olds)</p> <p>Angus: £7.68 (2 yr olds) / £5.98 (3-5 yr olds)</p> <p>Argyll &amp; Bute: £7.79 (2 yr olds) / £6.89 (3-5 yr olds)</p> <p>Clackmannanshire: £6.41 (2 yr olds) / £5.90 (3-5 yr olds)</p> <p>Dumfries &amp; Galloway: £7.42 (2 yr olds) / £6.30 (3-5 yr olds)</p> <p>East Ayrshire: £5.50 (2 yr olds) / £5.50 (3-5 yr olds)</p> <p>East Dunbartonshire: £7.09 (2 yr olds) / £5.89 (3-5 yr olds)</p> <p>East Lothian: £7.55 (2 yr olds) / £6.04 (3-5 yr olds)</p> <p>East Renfrewshire: £5.87 (2 yr olds) / £5.87 (3-5 yr olds)</p> <p>Edinburgh: £6.48 (2 yr olds) / £6.03 (3-5 yr olds)</p> <p>Eilian Siar: £5.75 (2 yr olds) / £5.55 (3-5 yr olds)</p> <p>Falkirk: £6.00 (2 yr olds) / £6.00 (3-5 yr olds)</p> <p>Fife: £6.52 (2 yr olds) / £6.52 (3-5 yr olds)</p> <p>Glasgow: £7.11 (2 yr olds) / £6.00 (3-5 yr olds)</p> <p>Highland: £6.66 (2 yr olds) / £5.75 (3-5 yr olds)</p> <p>Inverclyde: £5.87 (2 yr olds) / £5.87 (3-5 yr olds)</p> <p>Midlothian: £6.50 (2 yr olds) / £6.02 (3-5 yr olds)</p> <p>Moray: £7.95 (2 yr olds) / £6.62 (3-5 yr olds)</p> <p>North Ayrshire: £5.76 (2 yr olds) / £5.76 (3-5 yr olds)</p> <p>North Lanarkshire: £6.14 (2 yr olds) / £5.87 (3-5 yr olds)</p> <p>Perth &amp; Kinross: £5.79 (2 yr olds) / £5.59 (3-5 yr olds)</p> <p>Renfrewshire: £8.50 (2 yr olds) / £5.97 (3-5 yr olds)</p> <p>Scottish Borders: £7.17 (2 yr olds) / £6.83 (3-5 yr olds)</p> <p>Shetland Islands: £8.44 (2 yr olds) / £6.49 (3-5 yr olds)</p> <p>South Ayrshire: £6.33 (2 yr olds) / £6.05 (3-5 yr olds)</p> <p>South Lanarkshire: £6.53 (2 yr olds) / £5.88 (3-5 yr olds)</p> <p>Stirling: £6.51 (2 yr olds) / £6.00 (3-5 year olds)</p> <p>West Dunbartonshire: £5.84 (2 yr olds) / £5.84 (3-5 year olds)</p> <p>West Lothian: £6.50 (2 yr olds) / £6.50 (3-5 yr olds)</p>

<b>Reduction to this service budget (£'0000s)</b>	<b>Per Annum:</b>	<p>If the proposals is taken forward, there would be a reduction of c£1M – this is achievable within the existing staffing compliment and local authority provisions. This saving relates solely to 150 3-5 year olds being accommodated in our own provisions as opposed to private partner providers.</p> <p>If the proposals is taken forward, there would be a reduction of c£135K – this is achievable within the existing staffing compliment and local authority provisions. This saving relates solely to 16 2 year olds being accommodated in our own provisions as opposed to private partner providers.</p>	
<b>Increase to this service budget (£'000s)</b>	<b>Per Annum:</b>		
<b>If this is a change to a charge or concession please complete.</b>	<b>Current Annual Income Total:</b>		
	<b>Expected Annual Income Total:</b>		
<b>If this is a budget decision, when will the saving be achieved?</b>	<b>Start Date:</b>	01/08/2025	
	<b>End Date (if any):</b>	30/06/2028	

**SECTION THREE: EVIDENCE**

Please include any evidence or relevant information that has influenced the decisions contained in this EPIA. (This could include demographic profiles; audits; research; health needs assessments; national guidance or legislative requirements and how this relates to the protected characteristic groups.)

**A - Quantitative Evidence**

This is evidence which is numerical and should include the number people who use the service and the number of people from the protected characteristic groups who might be affected by changes to the service.

Total number of children placed in private partner providers: 454

Total number of 2 year olds placed in private partner providers: 16 (13 from families on low income and 1 who has a parent that is Care Experienced. There is also 1 young mum discretionary placement)

Total number of 3-5 year olds placed in private partner providers: 438 (6 of whom have an identified Additional Support Need) – 42 are blended places

**2 year olds placed in private partner (by provider)**

Carousel: 4

Corner House: 1

Cherry Tree: 0

First Step: 1

GB Brightons: 2

GB Carrongrove: 1

GB Larbert: 0

Kool Kidz: 1

Little Stars: 2

The Kidz Shop: 1

Top Toes: 1

Wellside: 1

Zetland: 1

**3-5 year olds placed in private partners (by provider)**

Carousel: 31

Corner House: 42

Cherry Tree: 22

First Step: 19

GB Brightons: 34

GB Carrongrove: 35

GB Larbert: 42

Kool Kidz: 40

Little Stars: 44

The Kidz Stop: 35

Top Toes: 31

Wellside: 40

Willow Den: 13

Zetland: 10

The following is based on 396 of the 3-5 year olds placed in our private partner providers excluding the 42 children in blended places:

**Sex**

Female: 199

Male: 197

**Religion**

Christian: 101

Hindu: 1

Jewish: 2

Muslim: 4

No Religion: 257

Not Disclosed: 11

Not Known: 12

Other: 8

**National Identity**

British: 58

English: 1

Not Disclosed: 3

Not Known: 1

Other: 11

Scottish: 317

**Main Language**

English: 387

Hungarian/Magyar: 2

Polish: 3

Romanian: 2

Russian: 1

Turkish: 1

**Local Authority ELC Provision – Current Nursery Class Capacities and (Capped Capacities) - as of January 2025 (\*\*3-5 year olds only)**

\*Please note Current Nursery Class Capacities refer to the capacity each nursery is registered with the Care Inspectorate for. The Capped Capacity refers to the current capacity based on staffing levels.

Airth: 40 (40)

Antonine: 48 (48)

Avonbridge: 24 (16)

Bainsford: 40 (40)

Bankier: 48 (40)

Bantaskin: 48 (40)

Beancross: 64 (64)

Bo'ness Public School: 32 (32)

Bowhouse: 56 (56)

California: 30 (16)

Carmuir: 48 (48)

Carron: 64 (64)

Carronshore: 56 (56)

Comely Park: 40 (40)

Deanburn: 72 (48)

Denny: 56 (48)

Dunipace: 32 (32)

Easter Carmuir: 48 (48)

Grange: 56 (48)

Head of Muir: 64 (64)

Kinneil: 64 (48)

Ladeside: 48 (40)

Larbert Village: 32 (32)

Laurieston: 64 (56)

Nethermains: 56 (40)

Sacred Heart: 56 (48)

Shieldhill: 64 (40)

Slamannan: 56 (32)

St Andrew's: 64 (56)

St Bernadette's: 40 (40)

St Francis: 64 (64)

St Joseph's: 32 (24)

St Mary's: 40 (32)

St Patrick's: 64 (64)

Stenhousemuir: 64 (56)

Victoria: 56 (56)

Wallacestone: 80 (80)

Westquarter: 48 (48)

Whitecross: 24 (16)

**Local Authority ELC Provision – Current ELC Capacities and (Capped Capacities) - as of January 2025 (\*\*3-5 year olds only)**

Abbotsgrange ELC: 88 (64)

Bonnypark ELC: 80 (80)

Borrowstoun ELC: 40 (32)

Camelon ELC: 48 (48)

Glenburn ELC: 72 (72)

Glendevon ELC: 104 (104)

Inchlair/Larbert ELC: 80 (72)

Kinnaird Waters ELC: 144 (144)

Langlees ELC: 40AM/40PM (40AM/40PM)

Myot View ELC: 56 (56)

Parkhill ELC: 104 (96)

Rannoch ELC: 60 (56)

Woodburn ELC: 48 (48)

Woodlands ELC: 40 (32)

**B - Qualitative Evidence**

This is data which describes the effect or impact of a change on a group of people, e.g. some information provided as part of performance reporting.

**Social - case studies; personal / group feedback / other**

### Session 2022/2023

- Of 4 care inspections of private nurseries, 2 (50%) were judged to have fallen **below** the minimum National Standard of good in one or more areas inspected; 1 (25%) private nursery was judged to be exceeding the minimum standard in one of the areas inspected.
- Of 20 care inspections of local authority nurseries, all 20 (100%) were judged to be **meeting** the minimum National Standard of good in one or more areas inspected; 13 (26%) nurseries were judged to be exceeding the minimum standard in all areas inspected.

### Session 2023/2024

- Of 7 care inspections of private nurseries, 4 (57%) were judged to have fallen **below** the minimum National Standard of good in one or more areas inspected; 1 (14%) private nursery (14%) was judged to be exceeding the minimum standard in two areas inspected.
- Of 10 care inspections of local authority nurseries, all 10 (100%) were judged to be **exceeding** the minimum National Standard of good in all areas inspected. 1 (10%) was awarded the highest grading of **excellent** in two areas inspected.

### Session 2024/2025 \*number of inspections as at 25/1/25

- Of 5 care inspections of private nurseries, 2 (40%) were judged to have fallen **below** the minimum National Standard of good in one or more areas inspected; 2 (40%) were judged to be **exceeding** the minimum standard in one or more areas inspected; and, 1 (10%) was given the highest grading of **excellent** in all areas inspected.
- Of 3 care inspections of local authority nurseries, all 3 (100%) were judged to be **meeting** the minimum National Standard of good in all areas inspected. 1 (33%) was judged to be **exceeding** the minimum standard in all areas inspected.

Best Judgement:	
Has best judgement been used in place of data/research/evidence?	No
Who provided the best judgement and what was this based on?	
What gaps in data / information were identified?	
Is further research necessary?	Yes
If NO, please state why.	

**SECTION FOUR: ENGAGEMENT**

Engagement with individuals or organisations affected by the policy or proposal must take place

<b>Has the proposal / policy / project been subject to engagement or consultation with service users taking into account their protected characteristics and socio-economic status?</b>	No	
<b>If YES, please state who was engagement with.</b>		
<b>If NO engagement has been conducted, please state why.</b>	If the proposal is agreed, discussions with private partner nurseries and families impacted will take place.	
<b>How was the engagement carried out?</b>	<b>What were the results from the engagement? Please list...</b>	
<b>Focus Group</b>	No	
<b>Survey</b>	No	
<b>Display / Exhibitions</b>	No	
<b>User Panels</b>	No	
<b>Public Event</b>	No	
<b>Other: please specify</b>		
<b>Has the proposal / policy/ project been reviewed / changed as a result of the engagement?</b>	Yes / No	
<b>Have the results of the engagement been fed back to the consultees?</b>	Yes / No	
<b>Is further engagement recommended?</b>	Yes	

## SECTION FIVE: ASSESSING THE IMPACT

**Equality Protected Characteristics:** What will the impact of implementing this proposal be on people who share characteristics protected by the Equality Act 2010 or are likely to be affected by the proposal / policy / project? This section allows you to consider other impacts, e.g. poverty, health inequalities, community justice, carers etc.

Protected Characteristic	Neutral Impact	Positive Impact	Negative Impact	Please provide evidence of the impact on this protected characteristic.
Age	✓			For both groups (2 year olds and 3-5 year olds) who are moved to local authority run provisions, they will still receive their entitled hours of Early Learning & Childcare.
Disability	✓			We do not have data to measure the impact on this group.
Sex	✓			There are no specific positive or negative impacts from this proposal based on sex.
Ethnicity	✓			There are no specific positive or negative impacts from this proposal based on ethnicity.
Religion / Belief / non-Belief	✓			There are no specific positive or negative impacts from this proposal based on religion/belief/non-belief.
Sexual Orientation	✓			We do not have data to measure the impact on this group.
Transgender	✓			We do not have data to measure the impact on this group.
Pregnancy / Maternity	✓			We do not have data to measure the impact on this group.
Marriage / Civil Partnership	✓			We do not have data to measure the impact on this group.
Poverty			✓	For families who have accessed private nurseries for under 2 year olds and become eligible for funded Early Learning & Childcare at 2, this would necessitate a change in placement and setting from the private sector to the local authority. This would be a transitional change for the child that they otherwise wouldn't have to make. However, this relates to 13 2 year olds in the current year.
Care Experienced	✓			There are no specific positive or negative impacts from this proposal based on Care Experienced
Other, health, community justice, carers etc.			✓	Working parents - there is a possibility that there is a reduction in parental choice for placements and in options to purchase additional wrap around care as most of the additional capacity in the local authority has been identified as term-time (9am – 3pm).
Risk (Identify other risks associated with this change)				

**Public Sector Equality Duty: Scottish Public Authorities must have 'due regard' to the need to eliminate unlawful discrimination, advance quality of opportunity and foster good relations. Scottish specific duties include:**

	<b>Evidence of Due Regard</b>
<b>Eliminate Unlawful Discrimination (harassment, victimisation and other prohibited conduct):</b>	Should the proposal progress to the next stage for consideration, the service will ensure that all stakeholders views are taken to enable the service to measure the impact in more detail ensuring that we are not unlawfully discriminating against any service users.
<b>Advance Equality of Opportunity:</b>	Should the proposal be agreed and implemented, the service will ensure that the statutory entitlement to Early Learning & Childcare that parents using private sector nurseries have is accommodated in local authority provision.
<b>Foster Good Relations (promoting understanding and reducing prejudice):</b>	Should the proposal progress to the next stage for consideration, the service will enter into discussions with our private partner providers to discuss the proposal, the likely impact on them as a business and the impact on parents/children who will require alternative placements. These views will inform an updated EPIA ahead of final decision.

**SECTION SIX: PARTNERS / OTHER STAKEHOLDERS**

<b>Which sectors are likely to have an interest in or be affected by the proposal / policy / project?</b>		<b>Describe the interest / affect.</b>
<b>Business</b>	Yes	Private nursery are business operators and will experience a reduction in the number of funded children attending their establishment as a result of this proposal. This will reduce their income turnover and profitability.
<b>Councils</b>	No	
<b>Education Sector</b>	No	
<b>Fire</b>	No	
<b>NHS</b>	No	
<b>Integration Joint Board</b>	No	
<b>Police</b>	No	
<b>Third Sector</b>	Yes	Third Sector partners are not in scope of this proposal. However, if it were to be taken forward, they may experience an increase in demand for services they provide in the absence of funded partner provider places.
<b>Other(s): please list and describe the nature of the relationship / impact.</b>		

## SECTION SEVEN: ACTION PLANNING

**Mitigating Actions:** If you have identified impacts on protected characteristic groups in Section 5 please summarise these in the table below detailing the actions you are taking to mitigate or support this impact. If you are not taking any action to support or mitigate the impact you should complete the No Mitigating Actions section below instead.

Identified Impact	To Who	Action(s)	Lead Officer	Evaluation and Review Date	Strategic Reference to Corporate Plan / Service Plan / Quality Outcomes
There will be fewer funded places available in private partner nurseries.	Service-users (Parents)	The local authority will continue to commission Early Learning & Childcare funded places from the private sector and through maximizing occupancy in local authority provision, in every Council ward, the Council's duty to ensure ELC provision for parents and children is maintained.	Lisa McCabe	01/08/2025	Service Plan
Potential for a reduction in job opportunities in the private partner providers. The workforce (both private and Council run) tend to be predominantly female so this could have a disproportionate impact on them. (Sex)	Staff in Private Partners	Due to the level of turnover in the local authority staffing, there is frequent vacancies available as well as medium and long term temporary cover.	Lisa McCabe	01/08/2025	Service Plan

**No Mitigating Actions**

**Please explain why you do not need to take any action to mitigate or support the impact of your proposals.**

<b>Are actions being reported to Members?</b>	Yes
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<b>If yes when and how ?</b>	This will be considered as part of the Council's 25/26 budget proposals in March 2025.
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**SECTION EIGHT: ASSESSMENT OUTCOME**

Only one of following statements best matches your assessment of this proposal / policy / project. Please select one and provide your reasons.

No major change required	Yes	Alternative places will be provided to pupils in local authority provision.
The proposal has to be adjusted to reduce impact on protected characteristic groups	No	
Continue with the proposal but it is not possible to remove all the risk to protected characteristic groups	No	
Stop the proposal as it is potentially in breach of equality legislation	No	

**SECTION NINE: LEAD OFFICER SIGN OFF**

Lead Officer:

Signature:	<i>Paul Wilcox</i>	Date:	05/02/2025
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**SECTION TEN: EPIA TASK GROUP ONLY**

<b>OVERALL ASSESSMENT OF EPIA:</b> Has the EPIA demonstrated the use of data, appropriate engagement, identified mitigating actions as well as ownership and appropriate review of actions to confidently demonstrate compliance with the general and public sector equality duties?	No
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<b>ASSESSMENT FINDINGS</b>  If YES, use this box to highlight evidence in support of the assessment of the EPIA  If NO, use this box to highlight actions needed to improve the EPIA	Sex, religion, National Identity and Main language data is provided for the breakdown of children using this provision is provided, with the capacity of local authority nurseries and ELCs. However, there has been no engagement with parents to ascertain the impact this will have on the children, parents and staff. The impact analysis is also limited as to how this proposal would affect those with protected characteristics.
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<b>Where adverse impact on diverse communities has been identified and it is intended to continue with the proposal / policy / project, has justification for continuing <u>without making changes been made</u>?</b>	Yes / No	If YES, please describe:
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**LEVEL OF IMPACT: The EPIA Task Group has agreed the following level of impact on the protected characteristic groups highlighted within the EPIA**

LEVEL	No	COMMENTS
<b>HIGH</b>	No	
<b>MEDIUM</b>	Yes	<p>Risk to female staff who work in private settings to loose their jobs, and there is no guarantee they will be able to work in local authority nurseries.</p> <p>There is an unknown impact to children and families due to lack of engagement with service users.</p> <p>Impact on working parents is unknown, especially with lack of childcare.</p> <p>Women are typically primary carers who would be most impacted and a reduction in parental choice for placements. The options to purchase additional wrap around care is unavailable as most of the additional capacity in the local authority has been identified as term-time (9am – 3pm).</p>
<b>LOW</b>	No	

**SECTION ELEVEN: CHIEF OFFICER SIGN OFF**

**Director / Head of Service:**

<b>Signature:</b>	<i>Jon Reid</i>	<b>Date:</b>	12/02/2025
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