

## Stage 2 Full Equality Impact Assessment

|                            |                               |
|----------------------------|-------------------------------|
| <b>Assessor(s)Name(s):</b> | Andrew Briggs<br>Janet Newton |
| <b>Directorate:</b>        | Schools and Learning          |
| <b>Date of Completion:</b> | 2 <sup>nd</sup> May 2012      |

### Name of Policy/Strategy/Service/Function Proposal

Restructure of the Education Participation Team (Connexions)

### The Aims, Objectives and Expected Outcomes:

*Using the information provided in your initial screening, write a brief description of your policy, strategy, service or council function under assessment. It is important to focus on the reasons for a new or changed approach and what it intends to achieve. Include who the main beneficiaries or users are and the main groups of people with protected characteristics who are affected. State how this proposal fits with the council's corporate priorities.*

The landscape for the provision of Information, Advice and Guidance (IAG) for young people in schools relating to careers, education, employment and training is changing. The Education Act moves Section 43 statutory duty to 'secure independent careers guidance for young people in schools during the relevant phase of their education' from Local Authorities to schools, in a phased approach beginning in September 2011 and finishing in September 2012. Local Authorities retain the Section 68 statutory duty to 'assist, enable and encourage young people to engage in education, employment and training', particularly those who are NEET (Not in Education, Employment or Training) or who are at risk of becoming NEET. The LA will also have to provide statistical information to the Department of Education on educational places made to Years 11 young people and on Year 11 destinations. The Learning and Skills Act (revised 2008) describes the support the Local Authority provides with transition planning and progression for students with statements of special educational needs and those who are in Further Education. The guidance states the following::

- Section 139A of the Learning and Skills Act 2000 Act places local authorities under a duty to arrange for a Learning Disability Assessment (LDA) to be conducted for all persons in respect of whom they maintain a statement of Special Educational Needs and who they expect to leave school at 16-19 to receive post 16 education, training or higher education.

- Local authorities also have the power to undertake a LDA for those young people who do not have a statement but appear to have learning difficulties, and are receiving or are likely to receive post 16 education.
- In exercising its functions under this section an authority must have regard to this guidance issued by the Secretary of State.

The IW Council provides this support through the Education Participation Team via the Schools and Learning Division to support the delivery of these duties. The standards for its delivery are described in the 'Quality Standards for Young People's Information Advice and Guidance' (DCFS 2007) which can be downloaded from [www.cegnet.co.uk](http://www.cegnet.co.uk), including the minimum guidance practitioner standard at Level 4 (to be replaced by QCF level 6 in 2012)

Changes are proposed to support the changes in the Education Act to reflect the loss of our statutory responsibility for Section 43 and secure our statutory responsibility for Section 68. Savings will be achieved where appropriate through reduction in staffing numbers whilst ensuring the correct skills and capacity is retained to deliver our statutory functions. The review is intended to achieve both the financial remit and a sustainable organisation that is focused on delivering services to appropriate young people

The Councils budget was agreed on Wednesday 29<sup>th</sup> February 2012. Reflecting the statutory changes the EPT budget was reduced from £538,422 to £250,000

As the statutory service of Information Advice and Guidance (Careers) continues for the end user, it will not have any adverse affect for young people. The focus of the EIA is on roles within the Local Authority and its service. A detailed timetable showing the full implications of the restructure and its implications can be found on page 6.

### **Statutory Duty**

Notwithstanding other legislative changes local authorities will retain their statutory duty to encourage, enable and assist young people to participate in education or training (Section 68(1) of the Education and Skills Act 2008). They will also continue to be responsible for completing learning difficulty assessments (under section 139a of the Education and Skills Act 2000 for those young people with a learning difficulty and/or disability up to the age of 25.

Local authorities must consider what arrangements they should put in place to ensure all young people, including those who will complete year 11 this summer, get access to the careers guidance they need in advance of this new duty being placed on schools, and of the establishment of the new careers service which was launched in April 2012. The Early Intervention Grant has supported the local authorities' transitional responsibilities in respect of careers guidance in advance of these changes coming into effect but this funding has now ceased.

Local authorities will retain their statutory duty to encourage, enable or assist young people's participation in education or training. As we maintain the commitment to raise the participation age to 18 by 2015, the Early Intervention Grant will help local authorities to support vulnerable young people to engage in education and training, intervening early with those who are at risk

of disengagement. It is for local authorities to determine what services are necessary to fulfil their statutory responsibility.

Within the Local Authority there must be good mechanisms for tracking young people's participation in order to identify those who need support. The local Client Caseload Information System (CCIS) provides local authorities with the means of recording young people's post-16 plans and the offers they receive along with their current circumstances and activities. The National CCIS Management Information Requirements available from the [DfE website](#) sets out the 6 data areas that should continue to be reported to DfE each month from the local CCIS system.

Local Authorities' will still be required to report centrally to the Department of Education each month against the 6 NCCIS areas, and the Year 11 educational offers and destination targets are being retained because of its key contribution to the Raised Participation Age which will come into force from September 2013 which means that all 16 year old will be expected to stay in education, training or employment with training. The data stored on CCIS provides information needed by LA's to track all young people and identify those in need of support. Schools will wish to share pupil data to enable collection of this data All schools enter into a data sharing protocol with the Local Authority on an annual basis. They inform parents/carers on the data they share with organisations. .

Key Stage 4 and Key stage 5. Phase 1 (First publication date spring 2012 alongside KS4 and KS5 performance tables) will include all education destinations. Phase 2 (published 2013) will include more complex employment and work based learning destinations. Phase 1 data will be collected centrally from a from National Client Caseload Information system (NCCIS),, the post 16 Individual Learning Record and school census data. Phase 2 data will also include Department of Works and Pensions (DWP)and Her Majesties Revenue and Customs (young people in employment)

Local authorities will be required to continue to maintain close links with Jobcentre Plus to ensure that young people who are NEET receive a complementary package of support to find employment or to re-engage in education or training. Any young person wishing to make a claim must first register with the Local Authority. The requirement to register with the Local Authority is in legislation and is a condition of benefit entitlement for under 18s. Supporting processes are currently in place to notify Jobcentre Plus that a young person has registered with Local Authority and is therefore eligible for benefit. The young person's details are then recorded on NCCIS as 'NEET – seeking employment, education or training'. Local authorities are expected to follow the processes set out in the '[Benefits Liaison Guidance](#)' issued by DWP (see <http://www.dwp.gov.uk/docs/young-benefit-claimants-services.pdf>) to ensure that benefit regulations are adhered to. In certain circumstances young people (16-18) can receive jobseekers allowance Young people may receive it, if for example they are forced to live away from their parents or will suffer severe hardship if jobseekers allowance is not paid for example if the parents /carers of the young person are on benefits.

To claim, young people need to register through the Education Participation Team for training and for work The Young Person will draw up an action plan and complete a form called an ES9 which will need to be produced at Jobcentre Plus. The young person must have regular contact with the Education Participation Team to retain this benefit.

Based on the statutory duties above, the Education Participation Team current roles are being reviewed to support the statutory duties as identified above

The Council has, through setting its budget for 2012/13, agreed a set of principles that underpin the Corporate Plan.

These include:

- The continuation of statutory and regulatory service provision to ensure our responsibilities are adequately met.
- There will be less resource within the council as secondary schools take on the responsibility of Information Advice and Guidance (Career Advice) , leading to a team with a smaller resource
- Young People who have left school/College or training providers will still have access to a service centre in Newport

The review of the staffing structure within this area contributes to the Delivering Better Services of the council – (11) Enhance the council's reputation, (12) Improve performance and value for money, (13) Work consistently and cohesively with partners and (14) prioritise and rationalise resources

- This is a proposed review of an existing service

### **Scope of the Equality Impact Assessment**

The scope of this EIA focuses on the Education Participation Team (Connexions) currently made up of 11 staff which equates to 10 Full Time Equivalent. The administration post has already undergone a restructure and is therefore exempt from this assessment

The team consist of 4 males (two are full time, two have part time contracts ) and 7 females (six full time and one part time) all are classed as flexible workers

Information regarding the changes has been discussed and consulted in the following ways:

Director Team meetings

Cabinet Report Wednesday 7th December 2011 and Wednesday 29<sup>th</sup> February 2012

Employment Committee

Chief Executive briefings and presentations

Directorate Management Team meetings/consultation

Division Team meetings/issue of information

Staff briefings

EIA of proposed structure of the Education Participation Team

Specific meetings and dates with team:

All 14-19 Providers supported from September 2011 through the transitional phase of Careers handover (Sept 11-August 12)

All 14-19 Providers offered a commissioned carers service from September 2012  
Draft Structure announced : Team meeting 22 March 2012  
Consultation with UNISON and Team – 28<sup>th</sup> March 2012  
Consultation over Learning Disability Assessment (S139a) and Special Educational Needs/Learners with Learning Difficulties or Disabilities – Team meeting 4<sup>th</sup> April 2012  
All Education Participation Team have had a 1:1 meeting with the Commissioning Manager for 14-19 to discuss the proposed structure

Demographic data - IW facts and figures information:

[http://www.iwight.com/council/facts\\_and\\_figures/Information\\_Factsheets/](http://www.iwight.com/council/facts_and_figures/Information_Factsheets/)

Census data

Changes reflected in the Education Act 2011

Reduced funding associated with the reduction of our statutory responsibilities

Meeting notes

Council papers and reports

Media reports

Knowledge and experience of members of the Education Participation Team (Connexions)

Full details of the Isle of Wight's equalities profile are attached via the link

[http://www.iwight.com/council/facts\\_and\\_figures/images/Diversitypages,2011-12,v.3Aug2011.pdf](http://www.iwight.com/council/facts_and_figures/images/Diversitypages,2011-12,v.3Aug2011.pdf)

## **Analysis and assessment**

*Given the available information, what is the actual or likely impact on minority, disadvantaged, vulnerable and socially excluded groups? Is this impact positive or negative or a mixture of both? In particular set out how the council as a public body has met its duty to pay regard to eliminate unlawful discrimination, harassment and victimisation and advance the equality of opportunity and to foster good relations between people who share a protected characteristic and people who do not.*

*Detail what concerns were identified during any consultation exercises together with any positive impact that has been identified and how this can be promoted or enhanced. Are there any concerns from consultation and data gathering that have not been taken on board, if so, please justify and explain the reason for this.*

*Does the proposal have the potential to cause unlawful discrimination (for example is it possible that the proposal may exclude certain groups of people from obtaining services or limit their participation in any aspect of public life?)*

*Set out in light of the consultation and data gathering what changes, if any you will make to the*

*proposal*

*What can be done to reduce the effects of any negative impacts? Where negative impact cannot be completely diminished, can this be justified and is it lawful?*

The Education Participation Team (Connexions) is currently made up of 11 staff which equates to 10 Full Time Equivalent staff. This consists of 4 males (two are full time, two have part time contracts ) and 7 females (six full time and one part time) all are classed as flexible workers and from the 1<sup>st</sup> April are all on Council terms and conditions.. The administration post has already undergone a restructure and is therefore exempt from this assessment

Consultations on the changes within the Education Act have taken place from November 2011. This has been carried out at team meetings over the past few months and includes discussions on the future needs of the team.

A formal four week consultation period began on 2<sup>nd</sup> April 2012 where the team were presented with the proposed new structure and responsibilities. During the consultation careful management of the changes by keeping staff informed, delivering against agreed timescales including meaningful consultation prior to changes, to ensure minimal disruption to staff. In addition, individual consultation meetings with staff undertaken with a manager. At these sessions staff were able to request representation and address training needs and other concerns. Updated information and consultations were provided to the main recognised trade unions. As part of the consultation process staff are required to work within the Equal Opportunities Policy and to take account of equality and diversity considerations when making operational decisions. Following the close of the consultation process on 1<sup>st</sup> May 2012 any subsequent changes to structure will be carried out in accordance with the Councils agreed operational procedures.

Timeline:

| <b>March 2012 – May 2012</b>   | <b>Education Participation Team</b>              |
|--|--|
| <b>Draft paper out for Consultation</b>  | 22 <sup>nd</sup> March 2012                      |
| <b>Draft job descriptions and person specifications</b>  | 23 <sup>rd</sup> March 2012                      |
| <b>30 day Consultation period</b>  | 2 <sup>nd</sup> April-1 <sup>st</sup> May 2012   |
| <b>1:1 can be requested with 14-19 Commissioning Manager in Education and Skills and requests for consideration of 80% fit</b> | 2 <sup>nd</sup> April – 1 <sup>st</sup> May 2012 |
| <b>Final Structure Published</b>   | 2 <sup>nd</sup> May 2012                         |
| <b>Assimilation requests agreed by:</b>  | 3 <sup>rd</sup> May 2012                         |
| <b>(NOTE: if there are more assimilations</b>  |  |

|   |   |
|---|---|
| <b>than there are posts for a particular area then candidates will be notified and will move to the interview timeframe – see below)</b>  |   |
| <b>Assimilation interviews</b>  | 4 <sup>th</sup> ,10 <sup>th</sup> , 11 <sup>th</sup> May 2012 |
| <b>Posts not being filled by assimilation identified and circulated to those at risk to apply by Expression of Interest (1:1 available if requested)<br/>[Post/s will also go on the redeployment register]</b> | 4th May 2012  |
| <b>Assimilation interview results out</b>   | 14 <sup>th</sup> May 2012                                     |
| <b>Expression of Interest Submitted for non assimilated posts</b>   | 16 <sup>th</sup> May 2012                                     |
| <b>Interviews for non assimilated posts</b>   | 18 <sup>th</sup> May 2012                                     |
| <b>Interview results</b>  | 22 <sup>nd</sup> May 2012                                     |
| <b>Redundancy Notices for Unsuccessful candidates and 1:1's</b>   | Up to 31 <sup>st</sup> May 2012                               |

There is ongoing training provision within the service area to ensure that staff are kept up to date with all legislation and procedures. Training issues will be identified as part of the 1-1 session as posts are redefined (through the review process) as well as through the annual PDR and monthly 1-1 meetings with managers processes.

There may be a negative impact for some staff in terms of pay scale reflecting the reduction in the statutory responsibilities within the new roles and a reduction in staff numbers.. However, it must be noted that this is based on roles and not on individuals in the posts and will not affect any of the protected characteristics

The revised provision will provide focussed, improved services to Island young people and support the national government initiatives as well as local reengagement programmes in readiness for the "Raised Participation Age from September 2013.

### **Recommendations**

*Please summarise the main recommendations arising from the assessment. If it is not possible to diminish negative impacts to an acceptable or even a lawful level the recommendation should be that the proposal or the relevant part of it should not proceed.*

The council must ensure that the loss of specific knowledge is replaced by appropriate training for the new team and that the statutory responsibilities under Section 68 of the Education Act can be fulfilled.

The council must monitor the transition of Section 42 of the Education Act into the secondary schools and consult if there is a loss in service for the Young People. Although it is supporting the transition year (September 2011-August 2012). It will need to continue advising schools in the new academic year 2012/13.



## Action/Improvement Plan

The table below should be completed using the information from your equality impact assessment to produce an action plan for the implementation of the proposals to:

1. Remove or lower the negative impact, and/or
2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact

| Area of impact | Is there evidence of negative positive or no impact? | Could this lead to adverse impact and if so why?                      | Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?  | Please detail what measures or changes you will put in place to remedy any identified impact<br><br>(NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive) |
|----------------|--|---|--|--|
| Age            | No Impact  | No- it has been identified that there will be no impact for this area | The aim of this change is to meet our statutory responsibilities as outlined in the Education Act (2011). The Council have agreed a new budget for this team in line with these changes and this is reflected within the restructuring. The restructuring will be in line with council policies and not favour one group over another. | Staff support is available to those directly affected by the reorganisation  |

| Area of impact      | Is there evidence of negative positive or no impact? | Could this lead to adverse impact and if so why?   | Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?   | Please detail what measures or changes you will put in place to remedy any identified impact<br><br>(NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive)   |
|---------------------|--|--|---|--|
| Disability          | No impact  | <p>The work with SEN(Special Educational Needs)/LLDD (Learners with Learning Difficulties and Disabilities) young people will continue and will not have an impact on the proposed changes, however, it is the responsibility of these providers to set up independent information advice and guidance for young people.</p> <p>We will work to the SEN code of practice, however we are mindful that this is under review</p> | <p>The aim of this change is to meet our statutory responsibilities as outlined in the Education Act (2011) and the SEN code of practice. The Council have agreed a new budget for this team in line with these changes and this is reflected within the restructuring. The restructuring will be in line with council policies and not favour one group over another. All staff are aware of their roles and responsibilities and the need for the council to reduce costs in an ever decreasing pool of corporate resources</p> | <p>Training to raise awareness of roles and responsibilities under SEN/LLDD in both employment requirements and service delivery to young people. All staff to receive equality and diversity training in order to understand the implications or have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity and to foster good relations between people.</p> <p>This will include information in relation to the nine protected characteristics of the Equality Act 2010</p> |
| Gender Reassignment | No impact  | No- it has been identified that there will be no impact for this area  | <p>The aim of this change is to meet our statutory responsibilities as outlined in the Education Act (2011). The Council have agreed a new budget for this team in line with these changes and this is reflected within the restructuring. The restructuring will be in line with council policies and not favour one group over another.</p>   | <p>Review of procedures and practices on a regular basis to ensure that any adverse impacts are addressed on a regular basis</p>   |

| Area of impact               | Is there evidence of negative positive or no impact? | Could this lead to adverse impact and if so why?                      | Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?   | Please detail what measures or changes you will put in place to remedy any identified impact<br>(NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive) |
|------------------------------|--|---|---|--|
| Marriage & Civil Partnership | No impact  | No- it has been identified that there will be no impact for this area | The aim of this change is to meet our statutory responsibilities as outlined in the Education Act (2011). The Council have agreed a new budget for this team in line with these changes and this is reflected within the restructuring. The restructuring will be in line with council policies and not favour one group over another | Review of procedures and practices on a regular basis to ensure that any adverse impacts are addressed on a regular basis  |

| Area of impact        | Is there evidence of negative positive or no impact? | Could this lead to adverse impact and if so why?   | Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?   | Please detail what measures or changes you will put in place to remedy any identified impact<br><b>(NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive)</b>  |
|-----------------------|--|--|---|--|
| Pregnancy & Maternity | No impact  | If a member of staff is due to take maternity leave. The needs of this member of staff will be taken into account during the recruitment process to the new structure. | The aim of this change is to meet our statutory responsibilities as outlined in the Education Act (2011). The Council have agreed a new budget for this team in line with these changes and this is reflected within the restructuring. The restructuring will be in line with council policies and not favour one group over another | <p>Staff support is available to those directly affected by the reorganisation</p> <p>Training to raise awareness of roles and responsibilities under pregnancy and maternity in both employment requirements and service delivery to young people. All staff to receive equality and diversity training in order to understand the implications or have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity and to foster good relations between people.</p> <p>This will include information in relation to the nine protected characteristics of the Equality Act 2010</p> |

| Area of impact    | Is there evidence of negative positive or no impact? | Could this lead to adverse impact and if so why?                      | Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?  | Please detail what measures or changes you will put in place to remedy any identified impact<br><br>(NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive) |
|-------------------|--|---|--|--|
| Race              | No impact  | No- it has been identified that there will be no impact for this area | The aim of this change is to meet our statutory responsibilities as outlined in the Education Act (2011). The Council have agreed a new budget for this team in line with these changes and this is reflect within the restructuring. The restructuring will be in line with council policies and not favour one group over another. | Review of procedures and practices on a regular basis to ensure that any adverse impacts are addressed on a regular basis  |
| Religion / Belief | No impact  | No- it has been identified that there will be no impact for this area | The aim of this change is to meet our statutory responsibilities as outlined in the Education Act (2011). The Council have agreed a new budget for this team in line with these changes and this is reflect within the restructuring. The restructuring will be in line with council policies and not favour one group over another. | Review of procedures and practices on a regular basis to ensure that any adverse impacts are addressed on a regular basis  |

| Area of impact          | Is there evidence of negative positive or no impact? | Could this lead to adverse impact and if so why?  | Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group or any other reason?  | Please detail what measures or changes you will put in place to remedy any identified impact<br><b>(NB: please make sure that you include actions to improve all areas of impact whether negative, neutral or positive)</b> |
|-------------------------|--|---|--|---|
| Sex<br>(male or female) | Positive   | The roles are open to both male and female. Job Share or reduced hours will be offered to both males and females. within the new team. Currently there are a higher number of part time males | The aim of this change is to meet our statutory responsibilities as outlined in the Education Act (2011). The Council have agreed a new budget for this team in line with these changes and this is reflect within the restructuring. The restructuring will be in line with council policies and not favour one group over another. | Staff support is available to those directly affected by the reorganisation   |
| Sexual Orientation      | No impact  | No- it has been identified that there will be no impact for this area   | The aim of this change is to meet our statutory responsibilities as outlined in the Education Act (2011). The Council have agreed a new budget for this team in line with these changes and this is reflect within the restructuring. The restructuring will be in line with council policies and not favour one group over another. | Review of procedures and practices on a regular basis to ensure that any adverse impacts are addressed on a regular basis   |

Please remember - actions should have SMART targets and be reported to the Diversity Board (this should be done via your Directorate representative) and incorporated into your service/team Plans and /or objectives of key staff



| Summary                                       |                              |
|---|------------------------------|
| <b>Date of Assessment:</b>                    | 2 <sup>nd</sup> May 2012     |
| <b>Signed off by Head of Service/Director</b> | Janet Newton<br>Steve Beynon |
| <b>Review date</b>                            | 31 <sup>st</sup> August 2012 |
| <b>Date published</b>                         | 2 <sup>nd</sup> May 2012     |

| <b><i>Publishing checklist</i></b>  | <b>Yes</b> | <b>No</b> |
|---|------------|-----------|
| • <i>Plain English – will your EIA make sense to the public?</i>  | ✓          |           |
| • <i>Acronyms – check you have explained any specialist names or terminology</i>  | ✓          |           |
| • <i>Evidence – will your evidence stand up to scrutiny; can you justify your conclusions?</i>  | ✓          |           |
| • <i>Stakeholders and verification – have you included a range of views and perspectives to back up you analysis?</i>                 | ✓          |           |
| • <i>Gaps and information – have you identified any gaps in services or information that need to be addressed in the action plan?</i> | ✓          |           |
| • <i>Success stories – have you included any positive impacts that have resulted in change for the better?</i>                        | ✓          |           |
| • <i>Action plan – is action plan SMART? Have you informed the relevant people to ensure the action plan is carried out?</i>          | ✓          |           |
| • <i>Review have you included a review date and a named person to carry it out?</i>   | ✓          |           |
| • <i>Challenge – has your equality impact assessment been taken to Diversity Board/Call Over for challenge?</i>                       | ✓          |           |
| • <i>Signing off – has your Head of Service/Director signed off your EIA?</i>   | ✓          |           |
| • <i>Basics – have you signed and dated your EIA and named it for publishing?</i>   | ✓          |           |
| • <i>A signed version to be kept by your team for review and electronic version to be uploaded on to the council's website</i>        | ✓          |           |