

North Ayrshire Council

Equality & Children's Rights Impact Assessment (Full Form)

Introduction

This form will assist in carrying out an **Equality Impact Assessment** and where appropriate, **Socio-Economic, Children's Rights, Island Communities and Consumer Duty Impacts** of new, revised and existing policies and practices. Guidance on how to complete assessments is given in the Council's **Equality and Children's Rights Impact Assessment Toolkit**.

The form is mandatory and must be published on the Council website once the policy or practice has been approved.

Section 1 - General Details

1.1 Directorate/Service: Education:
Section: Education

1.2 Name of Policy, Practice or Proposal being assessed and determination of whether this is a new, existing or a budget proposal: :

Redesign of the music service

This is a budget proposal.

Please insert Budget Reference number (if applicable) SP/ED/25/11

1.3 List of participants in the assessment

Andrew McClelland

1.4 Manager responsible for the impact assessment

Name: Andrew McClelland

Designation: Head of Service

1.5 Timetable (should be started during the development phase of the proposal)

Date Assessment Started: 9 September 2024

Interim Review Date: Not applicable

Final sign off by Head of Service at the end of the form.

Section 2 – Aims and Relevance

2.1 What is the purpose of the policy practice or proposal?

Redesign of service provision within the music service to account for reduction in school rolls, whilst retaining our commitment to supporting authority-wide access to instrumental tuition across a broad range of instrumental categories.

Section 3 – Equality and Diversity

3.1 What evidence were you able to access about the relevant needs of protected groups as outlined in section 3.3 below (Please include your sources – links to equality providers and evidence can be found in both the toolkit and the [Promoting Equality](#) Page on Connects).

1) Education service leadership team and establishment leadership team knowledge of the operational and strategic delivery of the education in North Ayrshire. 2) Direct engagement with relevant protected groups and stakeholders as part of the pre-budget engagement exercise.

3.2 Are there any gaps in your evidence or areas of uncertainty?

Direct engagement with impacted music tuition service providers.

3.3 From the list of protected characteristic groups identified in the table below please identify any potential positive and negative impacts on any of these protected characteristics?

Protected Characteristic	Impact on the Protected Characteristics (yes or no)	Please Explain (Positive or Negative or Neutral)
Age - Older people, children and young people – please identify which categories will be affected	Yes	Potential for negative impact on children and young people as this proposal may reduce opportunities to learn a musical instrument as part of the education curriculum. Click or tap here to enter text.
Disability - Physical and Learning	Yes	Potential for negative impact on children and young people with disabilities who might wish to learn a musical instrument as part of the education curriculum. Click or tap here to enter text.
Gender reassignment - Where a person is living as the opposite gender to their birth	No	No comment

Protected Characteristic	Impact on the Protected Characteristics (yes or no)	Please Explain (Positive or Negative or Neutral)
Pregnancy and Maternity	No	No comment
Race, ethnicity, colour, nationality or national origins (including gypsy/ travellers, refugees and asylum seekers)	No	No comment
Religion or belief (includes religious and philosophical beliefs, including no belief)	No	No comment
Sex - Women and Men	No	No comment
Sexual Orientation - Lesbian, gay and bisexual people	No	No comment
Marriage and Civil Partnership - marriage between same sex couples is included	No	No comment
Human Rights	No	No comment

Protected Characteristic	Impact on the Protected Characteristics (yes or no)	Please Explain (Positive or Negative or Neutral)
<p>Care Experienced - This term refers to anyone who is currently in care or has been for any length of time regardless of their age and includes Kinship Care (other family members); Looked After at Home (with support from social work); Residential Care; Foster Care; Secure Care; Adoption.</p>	Yes	Potential for negative impact on care experienced children and young people who might wish to learn a musical instrument as part of the education curriculum.
<p>Other - Poverty, homelessness, ex-offenders, isolated rural communities, carers, part-time workers, or people in a marriage/civil partnership</p>	Yes	Potential for negative impact on children and young people impacted by poverty who might wish to learn a musical instrument as part of the education curriculum.

3.4 Describe any consultation or engagement undertaken, including details of the groups involved and the methods used.

An online prebudget engagement was undertaken by North Ayrshire Council in late 2024 that was completed by 714 respondents. This included engagement with a wide range of groups including children and young people; care experienced young people; young ambassadors; North Ayrshire Youth Executive; Joint Cabinet Café Conversation; Employee Disability Forum; ESOL learners Syrian / Afghan / Ukrainian / Russian speakers; NAFCO; Men's and she sheds; long covid group; parents and carers supported via employability services; Equal groups; New Scots groups; and North Ayrshire tenants. A summary of the key findings in relation to this proposal has been provided below: Many responses mentioned the importance of music education in North Ayrshire schools and the significant negative impact any reduction in music services would have on students, particularly those from disadvantaged backgrounds. Many respondents said that music provision offers critical

benefits beyond musical skills, including improved mental health, enhanced academic performance, social development, and increased confidence. The music service is described as a lifeline for students who may not otherwise have access to music tuition, especially in deprived areas. Some respondents did indicate that if cuts needed to be made, they would prefer to keep AIWs and PSAs. The comments show concern about a potential negative impact of reducing or cutting music services in schools, particularly for children from low-income or disadvantaged backgrounds. Many responses referenced the importance of universal access to music education, with many expressing that it provides opportunities for mental health benefits and skill development that may not be available through private tuition due to financial constraints. A number of responses said that removing or limiting music provision would exacerbate social inequality, creating a divide where only affluent families can afford private lessons. A recurring theme in the responses was the lack of alternative resources and opportunities for music tuition on Arran compared to the mainland. Concerns were raised about potential cuts disproportionately impacting these isolated communities due to logistical difficulties, limited access to private tutors, and fewer extracurricular options. Many responses said that reducing music services on Arran would exacerbate existing inequalities and called for equity for all students, especially in remote communities. Feedback provided by North Ayrshire's local branch of Educational Institute of Scotland (EIS) stated the Instrumental Music Service is an effective provision that sees high pupil uptake. Any reduction to this service would mean that some pupils will need to go without. The Scottish Government removed fees for music tuition in 2021 to ensure that all children could access tuition without financial barriers. NAC is an area of high deprivation, those living in poverty could be impacted most.

Questions 3.5 – 3.7 refer to the ‘Three Key needs (or aims) [of the Equality Duty](#)’.

- 3.5 Which aspects of the policy eliminate unlawful discrimination, harassment and victimisation?

Budget saving proposal will not unlawfully discriminate, cause harassment or result in victimisation to any specific group. HR policies and procedures will be followed to progress PSA reductions.

- 3.6 Which aspects of the policy advance equality of opportunity between people who share a relevant protected characteristic and those who do not?

The budget saving proposal will potentially result in less equality of opportunities for children with relevant protected characteristics. As a result, this budget saving proposal is unlikely to advance equality of opportunity between people who share a relevant protected characteristic and those who do not.

- 3.7 Which aspects of the policy foster good relations between people who share a protected characteristic and those who do not? (Does it tackle prejudice and promote a better understanding of equality issues).

Budget saving proposal will not detrimentally impact good relations between people who share a protected characteristic and those who do not

- 3.8 If you have identified any negative impacts of your proposal how will you mitigate these?

The Education Service will seek to minimise any negative impact of the reduction to the Music Service, by ensuring that all instrumental categories continue to be covered across the service. The Music Service is currently staffed at 12 FTE. The proposal to reduce the service provision by the equivalent of 1 FTE reflects a reduction in the overall school rolls across North Ayrshire over the last few years since Music Service staffing levels were last reviewed. The practical impacts of this staffing reduction will be carefully managed and distributed proportionately across all 60 schools, ensuring continuity of provision for existing service users.

- 3.9 Is the policy or practice intended to promote equality by permitting positive action or lead to positive outcomes for people based on a protected characteristic?

No

Section 4 – The Fairer Scotland Duty

The Fairer Scotland Duty ('the Duty'), Part 1 of the Equality Act 2010 places a legal responsibility on the Council to actively consider ('pay due regard to') how we can reduce inequalities of outcome caused by socio-economic disadvantage when making decisions.

- 4.1 Does the proposal have the potential to have a significant impact on inequalities of outcome caused by socio-economic disadvantage? (consider low income; low wealth; material deprivation; area deprivation; communities of place or interest, socio-economic background).

Yes, the proposal has the potential to have a significant impact on inequalities of outcome caused by socio-economic disadvantage.

If No, please go to Section 5.

If Yes please provide more information under any of the below headings which are relevant, highlighting any evidence and sources of evidence used to inform your information.

The redesign of the music service could have a negative impact by reducing opportunities for children and young people to learn a musical instrument as part of their education curriculum. This may be particularly challenging for families from socio-economically disadvantaged backgrounds without financial means to privately fund music lessons.

- 4.2 Low Income/Income Poverty: Cannot afford to maintain regular payments such as bills, food and clothing

Reduced opportunities for children and young people to learn a musical instrument as part of their education curriculum could detrimentally impact learners and families without financial means to privately fund music lessons.

- 4.3 Low/and or no wealth: Having enough money to meet basic living costs and pay bills but have no savings to pay for any unexpected spends and no provision for the future.

Reduced opportunities for children and young people to learn a musical instrument as part of their education curriculum could detrimentally impact learners and families without financial means to privately fund music lessons.

- 4.4 Material Deprivation: Being unable to access basic goods and services, i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies

None directly related to this budget saving proposal.

Version: 6.0

- 4.5 Area Deprivation: Where you live (rural areas), where you work (accessibility of transport).

None directly related to this budget saving proposal.

- 4.6 If impacts have been identified how will these be mitigated or explored in more detail? (please outline below)

The education leadership team will ensure early engagement with establishments to explore the potential impact this will have of learners and families without means to privately fund music lessons. Where possible the service will seek to explore alternative sources of external funding and prioritise available resource to meet need.

Section 5 – Children’s Rights

When considering the Children’s Right’s Impact process, some of the key considerations include any evidence, research and consultation (specifically including any consultation or engagement with young people).

- 5.1 Are any Children’s Rights impacted by this proposal? ([The Children’s Rights Articles](#) have been matched against the GIRFEC Wellbeing Indicators – where relevant these are highlighted in 5.4 below).

Yes Children’s Rights are impacted by this proposal.

- 5.2 Please indicate, if possible, how many children and young people (nearest estimate) are likely to be affected by the policy or measure?

There are 17,400 learners across the Education Service in total. Currently over 1,250 learners in total access weekly instrumental lessons (with almost 40% of this group living in SIMD Quintile 1 postcodes (most deprived)). On average, each music instructor provides lessons on a weekly basis for around 95 learners.

- 5.3 Are some children and young people more likely to be affected than others?

Yes some children and young people more likely to be affected than others

If, Yes what groups? (consider protected characteristics – for example, disabled young people, LGBT etc)

Children impacted by socio-economic deprivation may potentially be affected, which could include those within protected characteristic groups.

- 5.4 The following [Children's Rights](#) and Wellbeing Indicators are likely to be affected by the policy/proposal:-

Wellbeing indicator (for example, safe, healthy etc)	Children's Right (for example, 22 – refugee children)
<p>Safe, Healthy, Achieving, Nurtured, Responsible, Included</p>	<p>3 – best interests of the child 'Children and Young People have the right to' have their interests considered if a decision is being made by any person about them. What is best for them is what matters. 29 - goals of education 'Children and Young People have the right to' learn and develop their skills and personality fully, teach them about their own and other people's rights and prepare them for adult life. 20 - children deprived of a family 'Children and Young People have the right to' special care if they can't live with their parents. They may be looked after by other members of their family or by a different family. 12 - respect for the views of the child 'Children and Young People have the right to' speak up and have their opinions listened to and be taken seriously by adults on things that affect them. 23 - children with disabilities' Children and Young People have the right to' if they have any kind of disability, have special help to make sure they can join in with things.</p>

- 5.5 What likely impact will the policy/proposal have on Children's Rights and Wellbeing? Either Positive, Negative or Neutral.

Children Rights -

A reduction in opportunities to access music tuition as part of the education curriculum may be detrimental to current approaches to meeting Children's Rights that have been mapped to wellbeing indicators.

Other Protected Characteristics

A reduction in opportunities to access music tuition as part of the education curriculum could negatively impact learners with protected characteristics and more specifically children and young people living in socio-economic deprivation.

- 5.6 What consultation or engagement has taken place with young people?

All budget proposals were discussed with secondary aged young people as part of the Joint Cabinet and Youth Conference events as well as with primary aged pupil representatives at a focus group meeting.

- 5.7 If Negative impacts are identified how will these be mitigated, or the effect reduced?

Further work will be undertaken to explore appropriate mitigation to enable protected characteristic groups, as well as learners impacted by socio-economic deprivation, to access music tuition as part of the curriculum. Approaches that will be considered include prioritising support and identifying external funding sources

Section 6 – Island Communities Impact (or Island Proofing)

Island Proofing is about considering the particular needs and circumstances of island communities when public sector organisations exercise their functions and make decisions. This has been added to the process of assessing the Council Plan and includes a range of issues such as access to services, digital connectivity, employment and access to education, transport and access to goods and services.

6.1 Do the intended outcomes of the proposal potentially differ or have a different impact for our Island Communities?

No

Section 7 – The Consumer Duty

The Consumer Duty is about the impact of Council proposals on consumers in Scotland. A Consumer is an individual or a small business that purchases, uses or receives goods or services in Scotland, that are supplied either by a business or a public body – please see [What is the Consumer Duty](#).

7.1 Will your proposal impact on consumers?

Yes, the proposal will impact on consumers

If no, please complete the 'Assessment not required' template by emailing northayrshireperforms@north-ayrshire.gov.uk

7.2 What are the impacts, if any, on consumers in general? Is it likely that consumers will experience harm because of this proposal?

Consumers in general would include all children and young people who currently access weekly music lessons. The redesign of the music service could have a negative impact on consumers by reducing opportunities to learn a musical instrument.

7.3 What are the impacts if any, on consumers in vulnerable circumstances? Is it likely that consumers in vulnerable circumstances will experience harm because of this proposal? (please include any relevant evidence or engagement with consumers)

*Vulnerable circumstances may be temporary in nature and may or may not arise as a result of a consumer's protected characteristics. For more information, please see [page 31 of Consumer Scotland's draft guidance on the consumer duty](#).

The proposal may have a negative impact on vulnerable consumers. Children impacted by socio-economic deprivation, children with disabilities and care experienced children may experience a more exacerbated impact as a result of the proposal than typical consumers.

7.4 What consultation and engagement has taken place with consumers around your proposal?

As detailed at 3.4.

7.5 What alternative proposals are there that could improve outcomes for consumers and/or reduce harm to consumers? How do these compare to the original proposal?

Further work will be undertaken to explore appropriate mitigation to enable protected characteristic groups, as well as learners impacted by socio-economic deprivation, to access music tuition as part of the curriculum. Approaches that will be considered include prioritising support and identifying external funding sources.

Section 8 – Crosscutting Impacts

- 8.1 Have any cross-cutting impacts been identified from other Council Services or Partner Agencies (multiple discrimination or accumulated effects of multiple proposals on a protected characteristic group)?

No cross-cutting impacts identified.

Section 9 – Outcome of the Assessment

There are four potential outcomes for this assessment which are:

- No major alterations to the policy assessed
- Adjust the policy as potential problems or missed opportunities identified.
- Continue the policy - justification required as potential for adverse impact has been identified.
- Stop and remove the policy or proposal, as potential for discrimination or other harmful impact.

9.1 Please detail the outcome of the assessment:

Continue the policy: the Impact Assessment identifies the potential for adverse impact or missed opportunities to promote equality. Set out the justifications for continuing with it in section 9.3. For the most important policies and proposals, compelling reasons will be needed.

9.2 Please outline the justifications for continuing the policy/procedure.

North Ayrshire Council's budget pressures in both the short- and long-term necessitate the need for action now to achieve a balanced budget within 2025/26 as well as an ongoing focus on achieving financial sustainability. Consequently, whilst this saving is anticipated to have a low negative impact on learners, including those with protected characteristics, it is recommended for implementation to support the Council to reach a balanced budget position for 2025/26 financial year. As outlined above, further work will be undertaken to explore appropriate mitigation to enable protected characteristic groups and more specifically those impacted by socio-economic deprivation to access music tuition as part of the curriculum. Approaches that will be considered include prioritising support and identifying external funding sources.

9.3 Please state the key issues, recommendations and future actions arising from the Integrated Impact Assessment.

None

Section 10 – Monitoring

10.1 Describe how you will monitor the impact of this policy for example, performance indicators used, other monitoring arrangements, who will monitor progress, criteria used to measure if outcomes are achieved, timescales including any future reviews of the impact of the proposal?

Impact will be monitored throughout the implementation of this proposal. This will include a range of measures managed by the service.

Section 11 – Sign Off

11.1 Head of Service who has approved the impact assessment.

Name: Andrew McClelland

Title: Head of Service/ Education

Date: 18 February 2025

Section 12 – Publication

12.1 Following approval by Head of Service, completed Impact Assessments need to be published on the Council's External Website.

Please email: northayrshireperforms@north-ayrshire.gov.uk