

North Ayrshire Council Equality and Children's Rights Impact Assessment

This form will assist in carrying out an Equality Impact Assessment (and where appropriate Children's Rights Impact Assessment) 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: Details

1.1: Directorate: Communities & Education
Section: Education

1.2 Name of Policy or Practice being assessed:

One off savings in ELC due to the August 2024 opening of Montgomerie Park School.

Please indicate if it is:

New: ☐ **Existing:** ☐ **Budget Proposal:** ☒

Budget Reference Number (if applicable): SP/COM/24/02

Amount (£) of saving if appropriate (or N/A): £160,381

1.3 List of participants in Equality (& CRIA) Impact Assessment:

Alison Mair and Lynn Taylor

1.4 Manager responsible for impact assessment:

Name: Andrew McClelland

Designation: Head of Service

1.5 Timetable:

Date Assessment started: 05/02/2024

Interim Review Date: 07/02/2024

Section 2: Aims & Relevance

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

Within ELC a full year's budget has been set aside from the specific grant funding to cover the cost of the nursery provision within the new school for the Montgomerie Park area. As the school is now planned to be operational from August 2024, the full year costs will not be required in the first financial year.

2.2 Who (indicate the equality groups is affected by the policy or practice as an internal or external service user?

None

2.3 Are there any children's rights *(based on the Articles of the UNCRC – Appendix 2)* **that are impacted on through the proposal?** *(for further information please refer to the Equality and Children's Rights Toolkit)*

Yes - ☐ Please **also** complete the CRIA questions in Appendix.

No - ☒ Please complete this form only.

Questions 2.4 – 2.6 refer to the 'Three Key Needs' of the Equality Duty

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

The policy does not have an impact on any equality groups, therefore, unlawful discrimination, harassment and victimisation are not applicable to this proposal.

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

The policy does not have an impact on any equality groups.

2.6 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).*

The policy does not have an impact on any equality groups.

2.7 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)?

The policy does not have an impact on any equality groups.

2.8 If Crosscutting issues identified with other Services, what discussion/interaction has taken place to mitigate any potential negative impacts of accumulated proposals?

The policy does not have an impact on any equality groups.

Section 3: Collecting Information

3.1 What evidence were you able to access about the needs of relevant protected groups?

Potential sources of Evidence:

Not applicable as protected groups are not impacted.

Source(s) of Evidence used for this assessment:

Not applicable.

3.2 Are there any gaps in your evidence?

Not applicable.

Section 4: Impacts

4.1 From the list of protected characteristic groups identified in section 2.3 please identify any potential positive and negative impacts on any of these protected characteristics?

| Protected Characteristic | Yes | No | Please Explain (Positive or Negative |
|---|--------------------------|-------------------------------------|--------------------------------------|
| Age - Older people, children and young people – please identify which categories will be affected | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Not impacted by this proposal. |
| Disability - Physical and Learning | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Not impacted by this proposal. |
| Gender reassignment - Where a person is living as the opposite gender to their birth | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Not impacted by this proposal. |
| Pregnancy and Maternity | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Not impacted by this proposal. |
| Race, ethnicity, colour, nationality or national origins - (including gypsy/ travellers, refugees and asylum seekers | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Not impacted by this proposal. |
| Religion or belief - Includes religious and philosophical beliefs, including no belief | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Not impacted by this proposal. |
| Sex - Women and Men | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Not impacted by this proposal. |
| Sexual Orientation - Lesbian, gay and bisexual people | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Not impacted by this proposal. |
| Marriage and Civil Partnership - marriage between same sex couples is included | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Not impacted by this proposal. |
| 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 . | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Not impacted by this proposal. |
| Other - Poverty, homelessness, ex-offenders, isolated rural communities, carers, part-time workers, or people in a marriage/civil partnership | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Not impacted by this proposal. |

4.2 If there is a possibility that Young People will be impacted through this policy either directly or indirectly – please complete the Children's Rights Assessment in Appendix 1.

No impact on our young people.

4.3 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 ([further guidance is available here](#)).

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).

Please explain/explore the key issues below:

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

There is no impact on inequalities of outcome caused by socio-economic disadvantage.

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.

There is no impact on inequalities of outcome caused by socio-economic disadvantage.

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

There is no impact on inequalities of outcome caused by socio-economic disadvantage.

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

There is no impact on inequalities of outcome caused by socio-economic disadvantage.

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

There is no impact on inequalities of outcome caused by socio-economic disadvantage.

4.5 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.

Section 5: Assessment

5.1 Is there any evidence that the policy:

- may result in less favourable treatment for particular groups?
- may give rise to direct or indirect discrimination?
- may give rise to unlawful harassment or victimisation?

Yes: ☐

No: ☐

No evidence: ☒

If yes, give details:

Not applicable.

5.2 If you have identified a negative impact for any protected characteristic, how will you modify this?

Not applicable.

5.3 Is the policy or practice intended to promote equality by permitting positive action to remove or minimise disadvantage?

Yes: ☐

No: ☒

If Yes, please give details:

Not applicable.

5.4 Will the policy lead to positive outcomes for people based on a protected characteristic? (please explain):

Not applicable.

Section 6: Consultation & Recommendations

6.1 Describe the consultation undertaken with equality groups, including details of the groups involved and the methods used.

Consultation is not appropriate as this is a one-off budget saving linked to the opening of a new build school.

Section 7: Outcome of Assessment

Please ensure children's rights have been considered (appendix 1) before completing this section

7.1 Please detail the outcome of the assessment by choosing an option below:

1. No major alterations to the policy assessed: the ECRIA (and socio-economic impact) demonstrates the policy is robust and there is no possible discrimination or adverse impact. All opportunities to promote equality have been taken. ☒
2. Adjust the policy: the ECRIA (and socio-economic impact) identifies potential problems of missed opportunities. Adjust the policy to remove barriers or better promote equality. ☐
3. Continue the policy: the ECRIA (and socio-economic impact) identifies the potential for adverse impact or missed opportunities to promote equality. Set out the justifications for continuing with it in the ECRIA, in line with the duty to have due regard. For the most important policies, compelling reasons will be needed. ☐
4. Stop and remove the policy: the policy shows actual or potential unlawful discrimination. It must be removed or changed ☐

7.2 For Outcome 2. in section 7.1 above - please detail recommendations, including any action required to address negative impacts identified or to better promote equality.

Not applicable.

7.3 Please state the key issues and recommendations arising from the Children's Rights Impact Assessment (if applicable).

Not applicable.

7.4 If Outcome 3 is chosen from section 7.1 above, please outline the justifications for continuing the policy/procedure.

Section 8: Monitoring

8.1 Describe how you will monitor the impact of this policy e.g. performance indicators used, other monitoring arrangements, who will monitor progress, criteria used to measure if outcomes are achieved.

There is no monitoring required as a part year budget saving only.

8.2 Describe how you will publish the results of monitoring arrangements?

There is no monitoring required as a part year budget saving only.

8.3 When is the policy or practice due to be reviewed?

There is no monitoring required as a part year budget saving only.

8.4 Head of Service who has approved impact assessment

Please insert name and title of the Head of Service who has approved this assessment.

Name: Andrew McClelland

Title: Head of Service

Date: 07/02/2024

Section 9: Publication

9.1 All Equality Impact Assessments must be published on the Council website. Please forward to Andrew Hale (andrewhale@north-ayrshire.gov.uk).

Useful Guidance

Equality and Human Rights Commission: Assessing impact and the public sector duty: A guide for public authorities (Scotland) (2012)

[Equality and Human Rights Website](#)

Children's Rights:

- [Childrens and Young People Commissioner Scotland website](#)
- [Scottish Government Website – Children's Rights](#)

Appendix 1

When considering the Children's Right's Impact process, some of the key considerations should be recorded in the EIA question section, including any evidence, research and consultation (including any consultation with young people)

Children's Rights Impact Assessment – Not Applicable as no direct or indirect impact on younger people ☒