



Equality and Human Rights Impact Assessment - the Form

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form. Throughout the form, **proposal** should be understood broadly to include the full range of our activities and could refer to a decision, policy, strategy, plan, procedure, report or business case, embracing a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Essentially everything we do!

STEP 1: Identify essential information

1. Committee Report No.

2. Name of proposal.

3. Officer(s) completing this form.

Name	Designation	Service	Directorate
Sarah Webb	Head Teacher	Schools	Education Culture and Sport

4. Date of Impact Assessment.

5. When is the proposal next due for review?

6. Committee Name.

7. Date the Committee is due to meet.

8. Identify the Lead Council Service and who else is involved in delivering this proposal (for example other Council services or partner agencies).

Education Culture and Sport

9. Please summarise this Equality and Human Rights Impact Assessment (EHRIA). This must include any practical actions you intend to take or have taken to reduce, justify or remove any adverse negative impacts. This must also include a summary of how this proposal complies with the public sector equality duty for people with protected characteristics - see Step 2. **Please return to this question after completing the EHRIA.**

People with disabilities may find the change in nursery hours difficult as they will not coincide with Primary School hours as the length of the day will be different. Head Teachers will be asked to consider the timings of the nursery classes to link as closely as possible with Primary times to minimise the amount of time parents will have to wait between the different sessions.

10. Where will you publish the results of the Equality and Human Rights Impact Assessment? Tick which applies.

- Para 9 of EHRIA will be published in committee report in Section 6 "Impact"
- Full EHRIA will be attached to the committee report as an appendix
- Copied to Equalities Team to publish on the Council website

STEP 2: Outline the aims of the proposal

11. What are the main aims of the proposal?

To comply with national legislation and increase pre school education for all 3 and 4 year old children from 475 to 600 hours over a school year and for Looked After Children who are 2 years of age.

12. Who will benefit most from the proposal?

Pre – school children and their parents.

13. You should assess the impact of your proposal on equality groups and tell us how implementing this proposal will impact on the needs of the public sector equality duty to: eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations.

All parents of children who are 3 or 4 years of age have the entitlement to apply for a nursery place in Aberdeen City or with a partner provider to allow their child to attend nursery.

The Children and Young People Bill (Scotland) April 2013 also includes provision for 2 year old children who are Looked After and Accommodated, or in kinship care. Other parents may wish their 2 year old child to attend nursery if they are aware that some children are getting provision – however this is the legislation from the Scottish Government.

STEP 3: Gather and consider evidence

15. What **evidence** is there to identify any potential positive or negative impacts in terms of involvement, consultation, research, officer knowledge and experience, equality monitoring data, user feedback and other? You must consider relevant evidence, including evidence from equality groups.

Consultations have been issued to all parents by an online survey or through hard copy where requested.

A few parents indicated that they thought that the current 475 hours was sufficient for children to be at nursery, however the majority of parents who completed the survey indicated a preference.

STEP 4: Assess likely impacts on people with Protected Characteristics

16. Which, if any, people with protected characteristics and others could be affected positively or negatively by this proposal? Place the symbol in the relevant box. Be aware of cross-cutting issues, such as older women with a disability experiencing poverty and isolation.

(Positive +, neutral 0, - negative)

Protected Characteristics					
Age - Younger Older	0	Disability	0	Gender Reassignment*	0
Marriage or Civil Partnership	0	Pregnancy and Maternity	0	Race**	0
Religion or Belief	0	Sex (gender)***	0	Sexual orientation****	0
Others e.g. poverty	+				

Notes:

* Gender Reassignment includes Transsexual

** Race includes Gypsy/Travellers

*** Sex (gender) i.e. men, women

**** Sexual orientation includes LGB: Lesbian, Gay and Bisexual

17. Please detail the potential positive and/or negative impacts on those with protected characteristics you have highlighted above.

In making the assessment you must consider relevant evidence, including evidence received from individuals and equality groups. Having considered all of these elements, you must take account of the results of such assessments. This requires you to consider taking action to address any issues identified, such as removing or mitigating any negative impacts, where possible, and exploiting any potential for positive impact. If any adverse impact amounts to **unlawful discrimination**, the policy must be amended to avert this. Detail the impacts and describe those affected.

<p>Positive impacts (describe protected characteristics affected) All parents of 3 and 4 year old children will benefit as their children will get longer sessions at pre school nursery.</p>	<p>Negative Impacts (describe protected characteristics affected) Not all parents of 2 year old children will be able to access a nursery place.</p>
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STEP 5: Human Rights - Apply the three key assessment tests for compliance assurance

18. Does this proposal/policy/procedure have the potential to interfere with an individual's rights as set out in the Human Rights Act 1998? State which rights might be affected by ticking the appropriate box(es) and saying how. **If you answer "no", go straight to question 22.**

- Article 3 – Right not to be subjected to torture, inhumane or degrading treatment or punishment
- Article 6 – Right to a fair and public hearing
- Article 8 – Right to respect for private and family life, home and correspondence
- Article 10 – freedom of expression
- Other article not listed above

How?

Legality

19. Where there is a potential negative impact is there a legal basis in the relevant domestic law?

No – this change is reflecting and implementing a change in the law

Legitimate aim

20. Is the aim of the policy identified in Steps 1 and 2 a legitimate aim being served in terms of the relevant equality legislation or the Human Rights Act?

Yes

Proportionality

21. Is the impact of the policy proportionate to the legitimate aim being pursued? Is it the minimum necessary interference to achieve the legitimate aim?

Yes - this will give children greater opportunity to study the curriculum in greater depth and make appropriate connections in their learning. Sessions at nursery will be less rushed and children will be able to explore new learning through play opportunities.

STEP 6: Monitor and review

22. How will you monitor the implementation of the proposal? (For example, customer satisfaction questionnaires)

The policy will be reviewed on an annual basis linked in with the nursery admissions policy.

23. How will the results of this impact assessment and any further monitoring be used to develop the proposal?

As part of the government guidance we will have to consult with parents every 2 years. As part of this consultation all parents will be given the opportunity to comment on positive or negative impacts of the increase in nursery hours.

STEP 7 SIGN OFF

The final stage of the EHRIA is formally to sign off the document as being a complete, rigorous and robust assessment.

Person(s) completing the impact assessment.

Name	Date	Signature

Quality check: document has been checked by

Name	Date	Signature

Head of Service (Sign-off)

Name	Date	Signature

Now –

Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal to:

Equalities Team
Customer Service and Performance
Corporate Governance
Aberdeen City Council
Business Hub 13
Second Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

