

## **Equalities Analysis Assessment (EAA)**

### **1. Summary**

This document considers how the recommendations made in this report may affect different groups of young people (specifically those with 'protected characteristics') differently, and assesses whether these effects are positive or negative. It also outlines the activity that the Council will take to ensure that equal opportunities are promoted and that no group is discriminated against. Protected characteristics are: Race, Gender, Disability, Age, Sexual Orientation, Religion/Belief, Pregnancy and Maternity, Marriage and Civil Partnership, and Gender Reassignment.

The overall assessment of this EAA is that whilst the recommendations will affect different groups of young people differently, overall none of the protected characteristics will be disproportionately or negatively affected by the proposals.

### **2. What is an Equalities Analysis Assessment (EAA)**

An EAA is the process of analysing a proposed or existing policy, strategy or service to identify what effect, or likely effect, will follow from its implementation for different groups in the community. Assessments should consider the effect of a service on Race, Gender, Disability, Age, Sexual Orientation, Religion/Belief, Pregnancy and Maternity, Marriage and Civil Partnership, and Gender Reassignment. In addition, EAAs consider whether proposals might contravene human rights. By conducting an EAA, organisations can consider what good practice could be shared or what measures might need to be taken to address any adverse impact.

Lewisham's diversity is one of its key strengths and the Council is committed to supporting an inclusive and cohesive local community. EAAs support this intention, by identifying how the Council's services can actively promote equal opportunities and avoid direct and indirect discrimination.

#### ***Scope and structure of the EAA***

This document considers the equalities impact of the proposed changes to the Attendance and Welfare Service. It assesses the effect the recommendations will have on the specific groups involved as well as the wider community.

The EAA provides the answers to the following questions:

1. Will the proposed changes affect some groups in society differently?
2. Will the proposed changes disproportionately affect some groups more than others?
3. What actions can be taken to reduce any negative impact on particular groups?

### **3. Equalities context**

#### ***National context***

The Equality Act 2010 provides a legislative framework to protect the rights of individuals and advance equality of opportunity for all. It aims to deliver a simple and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

On 5 April 2011 the new public sector Equality Duty came into force. The Equality Duty replaces the three previous duties on race, disability and gender, bringing them together into a single duty, and extends it to cover age, sexual orientation, religion or belief, pregnancy and maternity, and gender reassignment. The aim of the Duty is for public bodies to consider the needs of all individuals in their day to day work, in developing policy, in delivering services, and in relation to their own employees.

This EAA has been undertaken in line with the Council's legal duties in relation to equality and, as such, has assessed the potential impact of the proposals in this report across the nine protected characteristics.

The Human Rights Act came into effect in the UK in October 2000. This means that people in the UK can take cases about their human rights as defined in the European convention on Human Rights to a UK court. At least 11 Articles of the European Convention on Human Rights have implications for the provision of public services and functions. This EAA assesses whether the proposed recommendations are in line with duties established by this Act.

### ***Local context***

Lewisham's commitment to promoting equalities is expressed in partnership and at the highest level. 'Shaping Our Future – Lewisham's Sustainable Community Strategy' establishes the overarching principle for all activity in the borough of 'Reducing inequality – narrowing the gap in outcomes for citizens.'

This commitment is reiterated in the Council's corporate priority to ensure that all of its services are delivered in an efficient, effective and equitable manner to meet the needs of the community. The Comprehensive Equalities Scheme is Lewisham Council's equality policy. It sets out the Council's commitment to equality and diversity and incorporates the Council's specific equality schemes covering the nine protected characteristics.

### **3. Restructuring the Attendance and Welfare Service**

The Mayor agreed in February 2013 to savings from the service of £200k, to assist in the requirement that the Council should meet its savings targets. Following the local government settlement, further savings are now required of £95m by 2017/18. The service also operates in a context where schools' budgets have been protected and other services regionally have already restructured. The budget of the Lewisham AWS has increased in the last three years to become the most expensive per pupil among its statistical neighbours. Performance in primary attendance has improved consistently over the years and in Spring 2013 was the best among statistical neighbours. Secondary attendance, while having also improved consistently, does not compare so well, being 9<sup>th</sup> out of 11 statistical neighbours for overall absence, and 10<sup>th</sup> for persistent absence.

The vision of Lewisham's Children and Young People's Strategic Partnership is as follows: 'Together with families, we will improve the lives and life chances of children and young people in Lewisham'. This vision underpins our aims for the service.

#### ***Aims of the service and the restructure***

The key aims of the service is to support schools in improving attendance, and to safeguard children in doing so. In restructuring, the service aims to fulfil its statutory duties, key among which are those for prosecution and child employment, and the underlying safeguarding responsibilities. While restructuring, it also aims to protect vulnerable groups, such as those with Child Protection Plans, with Complex Needs, Looked After Children, those known to MARAC, those previously persistently absent, and those previously the subject of prosecution.

### **4. Summary of local needs**

Lewisham is the second largest inner London borough. There are approximately 274,900 residents, and there is a younger age profile than the national average with 24.5% of residents aged 0-19 compared to 23.8% nationally. There was a 34% increase in births in Lewisham between 2000/1 and 2009/10. Deprivation is increasing in Lewisham. The 2010 Index of Multiple Deprivation ranked Lewisham 31st out of 354 local authorities in England compared to a rank of 39 in 2007. Of the specific indicator of income deprivation affecting children, 35 (of 166) of Lewisham's super output areas are in the 10% most deprived in the country. It is estimated that 20,355 0-18 year olds live in poverty.

The children and young people's population is ethnically diverse. Whilst 40% of our residents are from black and minority ethnic backgrounds, this rises to 77% amongst our school population, with 170 different languages spoken by our pupils. There is a wide range of religions represented amongst Lewisham's children and young people's population. According to the 2012 Schools Census, 371 14-19 year olds and 862 8-19 year olds in Lewisham have a statement of special educational needs (SEN).

Good attendance at school is key to good attainment and reducing achievement gaps, and is also a protective factor for children and young people, and the work that the Attendance and Welfare Service does is instrumental in achieving these outcomes. Although Lewisham performs relatively well in relation to our statistical neighbours at primary level, the challenges at secondary level remain significant. In addition, the restructure will mean there are greater expectations on schools to deliver support to parents in terms of attendance. They have resources to do this, though they will also be able to buy back into the central service if they wish. The role of the central service will focus more on supporting and challenging schools in fulfilling those responsibilities.

## **5. Equalities Analysis Assessment for restructuring the service**

The importance of ensuring that children attend school well is recognised across the Children and Young People's partnership. Responsibilities are shared in this area between parents, schools, the community, and the authority and its partners. Despite the constraints on resources, there must be sufficient capacity to ensure young people's safety and wellbeing.

The overall assessment of this EAA is that these proposals provides sufficient protection to meet the needs of groups with protected characteristics. The recommendations will not have a disproportionate impact on any group with a protected characteristic. This assessment also concludes that these recommendations do not contravene the Council's duties under the Human Right Act.

### ***SEN/ disability***

Analysis of the current caseload held by the service shows that 17 of the 230 primary and special school cases relate to pupils with statements of special educational needs. This is equivalent to 7.4%, and is higher than the proportion of the pupil population which has statements. Good attendance is a particular challenge for special schools, given factors such as recurring illness. The restructuring recognises the need to target pupils with complex needs for support. The view is that the proposal does not disproportionately disadvantage this group and the planned approach will prioritise them in terms of tracking and monitoring.

### ***Age***

The current service is weighted towards supporting primary and special schools, and this bias is likely to continue, but with less emphasis in future. Secondary schools already take responsibility for their own attendance, with support from the authority in certain defined and targeted areas, such as the issue of penalty notices, or year 6 to 7 transition. In future, Attendance and Welfare Officer (AWO) posts are likely to be more generic, and there may be greater flexibility in terms of staff switching between working with families with children in different phases. Given the distribution of resources, it is not felt that any age group is disadvantaged by the proposal.

### ***Faith***

Church schools generally have very good attendance. The service RAG-rates schools in terms of their attendance, and of the 21 'Green +' primary schools (with attendance of over 96%), 12 are faith schools. At secondary level, there are six schools with attendance over 95%, of which three are faith schools. Not all children attending church schools are members of the faith, though most are. There is no reason to suppose that the restructure will impinge on the successful work that these schools currently do. The proposals focus on pupils rather than schools, and it is not felt that they disadvantage any group in faith terms.

### ***Gender***

The current caseload of the service has 98 cases involving girls and 132 boys (42.6% compared with 57.4%). While not conclusive, this matches other data showing that boys are excluded more often than girls and as a consequence have more issues with attainment and engagement. Data is currently limited in terms of the prevalence of boys and girls in the priority groups listed above, but as the service intends to target these groups, the view is that the proposals do not disproportionately affect one gender over another.

### ***Ethnicity***

The largest group currently worked with by the service is White pupils (41.7%), followed by Black pupils (27.8%), and Mixed race (21.3%). Also on the caseload are smaller groups of Asian pupils (2.6%), Travellers (2.2%) and Others (1.3%). There are also 3% of cases where pupils' ethnicity is unknown. The service works predominantly with Lewisham schools rather than Lewisham residents (i.e. as the pupil is the responsibility of the school, the service does not do extensive work with Lewisham residents attending out-borough schools). As 77% of Lewisham's school population come from BME groups, there is over-representation of White pupils in the referrals made to the service. This has historically been the case and, apart from ethnicity, may be related to issues such as worklessness and generational expectations. The service will need to monitor the continuing impact on young people from different ethnic backgrounds and take steps to ensure services are delivered to under-represented groups.

### ***Sexual orientation***

The service does not collect data on this area and currently it is not possible to match it against the caseload of clients. If LGBTQ pupils are more likely to appear in the priority groups listed above, they will be targeted for tracking and monitoring by the service. It will be important for the service to understand whether factors such as bullying of pupils in this category is having an impact on attendance.

## **6. Decision**

Following the analysis of the data the following decision has been opted for:

*To continue with the proposal but with actions to minimise any negative impact on groups with protected characteristics and ensure compliance with the Equality Duty. These are listed below.*

## **7. Actions that will be taken to ensure compliance with the Equality Duty**

1. Review the impact of the restructure on protected categories from the implementation of the new service in September 2014, and regularly thereafter.
2. Improve the collection of data on groups worked with by the service, to establish their prevalence in vulnerable categories and to establish better profiling.
3. Ensure that data is available longitudinally, to improve understanding of the impact of the work carried out by schools and the authority.

