

CHILDREN AND YOUNG PEOPLE SELECT COMMITTEE

Report Title	Lewisham's Preparations for the Raising of the Participation Age		
Key Decision	No	Item No.	5
Ward	All		
Contributors	Executive Director, Children and Young People Head of Law		
Class	Part 1	Date:	12 th November 2014

1 Purpose

- 1.1 This report aims to inform Members of how the local authority is discharging its statutory duty under the Education and Skills Act 2008 relating to the participation of young people (aged 16-19 (up to 25 for LLDD) in education, employment or training.

2 Introduction

- 2.1 The majority of young people both locally and nationally already continue in education or training on completion of year 11. There remains a small group of young people who do not participate in education or training post sixteen. The legislation aims to ensure all young people take the opportunity to develop the skills needed for adult life and for them to achieve their full potential.
- 2.2 Young people who left Y11 in 2013 were required to participate in education or training for at least a further year until June 2014. However, those who left Y11 in summer 2014 need to continue in some form of education and training until at least their 18th birthday.

This can be through:

- full-time study in a school, college or with a training provider;
 - full-time work or volunteering (20 hours or more) combined with part-time education or training;
 - an apprenticeship or traineeship.
- 2.3 Local authorities are expected to play a key role in supporting young people to access education and training and to monitor participation. The duties on local authorities, and the roles that schools, colleges and training providers have in regard to post-16 participation are laid out in The DfE paper of September 2014: *Participation of young people in education, employment or training: Statutory guidance for local authorities* is attached at Appendix 1.
- 2.4 The DfE, while not prescriptive in how local authorities should carry out their duties, tracks the performance of local authorities in regard to participation post sixteen, using data collected by authorities and submitted to the National Client Caseload Information System (NCCIS).

2.5 In order to fulfil its duties the local authority is required to:

- secure sufficient suitable education and training provision for all young people aged 16 to 19 and for those up to age 25 with a learning difficulty assessment (LDA) or Education, Health and Care (EHC) plan in their area
- make available to all young people aged 13-19 and to those up to age 25 with an LDA or EHC plan, support that will encourage, enable or assist them to participate in education or training
- collect information about all young people, identifying those in their area who are covered by the duty to participate and that those young people who are not participating, or are NEET, can be identified and given support to re-engage.
- promote participation in education and training of 16 and 17 year olds in the area with a view to ensuring that they fulfil their duty to participate.

2.6 For the borough RPA is not only a matter of numbers participating it is about the quality of that engagement in education and training and the impact it has on achievement and progression.

3 Recommendations

That Members note the report.

4 Lewisham context

4.1 The Council monitors the EET status of the 16-19 year olds who reside within the borough. Indeed there has been a recent call by Ofsted for local councils to be given the authority to require educational providers to submit robust and timely data to assist in the reduction of NEETs and unknowns; a clear indication that there is an issue nationally. In line with national guidance, Lewisham has data sharing agreements with education providers, other public bodies and with some neighbouring boroughs. It continues to work with schools to identify those who are in need of targeted support or who are at risk of not participating post-16.

4.2 Locally, the relationship between the local authority and providers is strong and there are processes in place that assist with tracking and NEET reduction. The timely release of information by providers to the borough is critical for the local authority to fulfil its responsibilities and there are some local variations in this regard. This can impact on the borough's capacity to finalise the September Guarantee¹ data and to consider the needs of young people who have not been offered a place by the close of Y11. In addition to information received from schools and other providers tracking through residency has been operating quite successfully for three years.

¹ Every young person who reaches the age of 16 or 17 in any given academic year is entitled to an offer of a suitable place, by the end of September, to continue in education or training the following year. The local authority leads the September Guarantee process for 16 year olds who are educated in the area and 17 year olds who are resident in their area.

- 4.3 The Strategic Forum is the key 14-19 representative stakeholder group. Its membership comprises local authority officers, schools, colleges, higher education and other key stakeholders. It is chaired by the Head of Standards and Achievement. There is also a NEET Reduction Strategy Group. At provider level, the group is represented by heads and principals / senior leaders.
- 4.4 The local authority currently provides support for NEET young people and targeted support through Baseline, which is a drop in service for targeted Lewisham young people staffed by Youth Support Services keyworkers. The target client group are those who are NEET, and those young people identified as at risk of becoming NEET.
- 4.5 The responsibility for careers advice and guidance now rests with the schools; they have a duty to secure independent careers guidance for all year 8-13 pupils. An Ofsted report (2012) 'Going in the right direction?' showed that while some schools have responded well to the new duty, the majority of schools need to do more to set high expectations for all pupils and provide high quality advice and guidance that motivates them to succeed. In April 2014 the DfE published Careers guidance and inspiration in schools Statutory guidance for governing bodies, school leaders and school staff April 2014 laying out the responsibilities for providers and other agencies and stressing the need to ensure that guidance for young people is inspirational and impartial. Ofsted has been giving careers guidance a higher priority in school inspections since September 2013. There are also requirements on governing bodies to ensure that all registered pupils at the school are provided with independent careers guidance from year 8 (12-13 year olds) to year 13 (17-18 year olds).
- 4.6 With the local authority's duty to promote and encourage participation post sixteen, it continues to take a close interest in the content and quality of IAG. There is an active IAG Forum in the borough, an annual IAG conference and in recent months an extensive peer review of advice and guidance in local schools.
- 4.7 Schools have a statutory obligation to work with local authorities to support the more vulnerable young people including those with special educational needs, and those who are disengaged or at risk of disengaging.
- 4.8 Through the completion of 'Moving on Plans' (S139 Assessments) the Local Authority supports the transition of young people with learning disabilities and difficulties in to participation at post-16, either in mainstream and specialist provision, employment with training or apprenticeships.
- 4.9 NEET prevention surgeries are conducted at key stages throughout the year attended by providers and support agencies. Those at risk of dropping out of post sixteen provision for whatever reason are identified, information shared and re-engagement options put in place for individual young people
- 4.10 Destinations are part of the accountability framework for schools and colleges. One way that providers can measure the effectiveness of their careers activity is through monitoring student progression and destinations. In addition to the destinations data published by the DfE, Lewisham has developed a Student Tracking Tool which tracks student destinations/participation by provider for three years following completion of Y11. This tracking tool enables schools to follow the progress of each

Y11 cohort. It also informs the local authority's strategic overview of participation, local provision and progression. The reluctance of UCAS to release data to local authorities is however an issue when it comes to determining student outcomes post 18.

- 4.11 The local authority continues to produce and analyse data relating to school cohorts, risk of NEET indicators (RONI) and low achievement at KS2/3/4 to identify those at risk of becoming NEET. Evidence shows that the roots of disengagement often exist long before the age of 16. The local authority works with schools to identify particular cohorts and to map the interventions, support and provision in place for each 'at risk' cohort earlier.
- 4.12 Particular attention continues to be given to the contribution made by Alternative Provision at both pre and post 16. In January 2013 the Dfe published a report Alternative Provision Statutory guidance for local authorities, headteachers and governing bodies of all educational settings providing alternative provision. The local authority is fulfilling its responsibilities in line with this guidance. It undertakes a quality audit of alternative providers that wish to be included within the Lewisham AP directory. A new borough wide student monitoring process has been introduced this term. Providers meet with schools and other agencies in the various NEET meetings and surgeries and there will be a conference in late November to consider the future development of quality and collaborative provision that will best serve the needs and interests of the young people of Lewisham.

5 Progress against NEET targets

The target for 2013/2014 was to keep the NEET percentage to below 5% and to keep the percentage of unknowns to 10% or under.

5.1 16-19 NEETs: August 2014 figures

- 5.1.1 Lewisham NEETs are 4.7%. This is an increase of 0.4% on July 2014. It is below the national average of 5.5%, and the East London Average of 4.9% and at about the same level as the average for all of London 4.1%*. Greenwich is currently at 6.6%, Bromley 5.4%*, Tower Hamlets 4.7%. Southwark however is lower at 2.9%*. Lewisham was 4.2% June 2014.
(*the latest figures available are for June 2014)

5.2 16-19 Unknowns

- 5.2.1 Comparison between June 2013 and June 2014: Lewisham unknowns in June 2013 were 8.1%, but down to 6.7% in June 2014. This latter figure is below the England average of 8.6% but marginally above the London average of 6.5%, and the East London figure of 5.7%. We compare favourably with Tower Hamlets 9.25% and Barking and Dagenham 10.8%, with Bromley 7.2% and Southwark 7.7%, but less favourably with Greenwich at 5.4%. Since June the unknown % has increased to 8.8%.
- 5.2.2 There are points in the year when the numbers of NEETS and unknowns peak. Data on Y11 students resident in the borough but who attended schools out of borough is transferred to Lewisham at sixteen as part of the Y12 cohort for progression and NEET tracking purposes. This is a major challenge for NEET

tracking post sixteen as 510 young people are added to the existing known Y11 cohort. At this stage in the new term we don't yet have a complete picture as we only have data for those transferring from boroughs with which we have data sharing protocols. So for instance we know that there are 224 transferring to our Y12 numbers from Bromley and 139 from Southwark but we don't know the number transferring from Greenwich. Young people in private schools are not included in the activity survey, though those being electively home educated are.

5.3 16-19 'In Learning'

5.3.1 Lewisham has one of the highest 'in learning' percentages of the East London boroughs.

In June 2014, 86% of the 16-19 cohort were in learning compared to the East London average of 85%, and England average of 81.1% and at around the London average of 86.4%.

By way of comparison with neighbouring boroughs Greenwich 'in learning' figure is 82.7%; Bromley 82.9% Lambeth 84.9% and Southwark 87.3%.

By August 2014 the percentage of Y12 in learning was 94.6%, Greenwich 93.9%

5.3.2 Current intended destinations for Y11 is around 97% for progression to full time learning/training, although the process of data collection for this cohort is not yet complete.

The current figure (October 14) of offers made of education/training (i.e. the September Guarantee) is 98.55%.

For those who have just completed Y12, 75.5% have an offer recorded by the tracking team but again we are still receiving school/6th form and college lists and are calling young people.

For a closer analysis of 'In Learning' patterns see section 10 below.

6 Process

6.1 Collecting the information is a major undertaking. The operational lead for this is with three members of staff; a NEET tracking manager, a NEET tracking coordinator and a CallPoint employee; this is a small team for what is a challenging data collection exercise each year.

6.2 There is a Post-16 Tracking Action Plan to ensure ongoing improvements of the service and a tracking timetable for the year. The challenge is to reduce the number of 'unknowns' further. 'Unknown' young people are not necessarily NEET but their situation may have changed e.g. change of address, expired programme of study or studying outside the borough. Reducing unknowns and NEETs is a far greater challenge as RPA now extends to 18 as it is very difficult to track participation at 17, 18 and 19.

6.3 What the NEET tracking team collect

- Lewisham residents aged 16-19; details are entered into the IYSS database. This data includes personal details e.g. telephone number, email addresses, EET/NEET status.
- data from e.g. intended destinations / September offer / activity survey (final destinations).
- online forms completed by young people e.g. intended destination, are also distributed by schools and post 16 providers to students. Data collected this way is uploaded centrally on the IYSS system. Key staff in schools also have access to IYSS to record interventions.
- data collected by telephone tracking; where it has not been possible to collect data from a young person via an online survey, calls will be made to them. When calling young people, information, advice and guidance about Lewisham services is provided to support the young people into EET status.
- data collected by door knocking following up on those who it has otherwise been impossible to contact
- details of young people using Baseline.
- lists from other agencies – JCP, YOS, LAC, Admissions, 15billion and the Children’s Data Warehouse.

7 The Youth Service and Baseline

- 7.1 The Youth Service’s specialist support for young people in relation to education, employment and training currently consists of 9 specialist one-to-one youth workers, each holding a maximum caseload of 15 cases at any one time, with an annual service reach of c.270 young people. Alongside a one-stop ‘holistic support’ shop, Baseline, in Lewisham town centre and a variety of commissioned providers, the Service provides one-to-one youth work and information, advice and guidance for the Borough’s most vulnerable including support to young fathers, young women and those considering their sexuality. This is currently under review and is the subject of savings proposals, which, if taken, will reduce the management capacity. The service would also be likely to be run and funded differently, possibly through the re-specification and re-commissioning of the Targeted Family Support Service. Funding opportunities through the Government’s Troubled Families Grant are also proposed.
- 7.2 Additionally, the NEET Programme has been offering four 6 week work support programmes for young people who are not in education, employment or training. As a part of the 2013/14 restructure the scheme is changing to become a 12 week Government-recognised traineeship, in partnership with Bromley College. The programme will run 3 times a year in line with school terms. It will continue to work with the same cohort of vulnerable young people, however the longer traineeship will allow them to achieve more robust qualifications, offer accredited numeracy and literacy support and stronger pathways post completion. The scheme will also allow participants to continue to receive out of work benefits whilst on the scheme.

7.3 The NEET programme is also the subject of savings proposals, and although this will not impact on the changes detailed, alternative funding is also being sought through schools, colleges and the EFA.

7.4 All of these activities and support systems take place at Council-run youth centres and adventure playgrounds, via street based work, at Baseline and at a variety of non-council run venues across the Borough.

- Services include:
 - initial assessment of a young person's needs
 - one-to-one key worker support in emergency situations
 - 48-hour referral service for one-to-one key work support
 - signposting to other services, e.g. sexual health advice, Jobcentre Plus
 - computer access for information, advice and guidance
- The day-time services at Baseline are primarily aimed at young people aged 16-18 and up to 25 years for those with additional needs. Younger people aged 13 and over are able to access services at Baseline if they need to outside school hours.
- Parents, carers and professionals will also be able to use the service to support a young person if required to do so.
- Information about additional services provided by Lewisham local authority and its partners will also be made available. These include:
 - youth centres
 - housing agencies
 - career guidance

8 How NEET tracking sits within the wider strategy of NEET reduction, NEET prevention and RPA

8.1 Tracking is not only a statutory responsibility it also informs and supports every aspect of RPA strategy including:

- the suitability of provision for all young people 16-19 and up to 25 with LDA or EHC plan
- identifying those who are not participating or at risk of not participating
- promotion of effective participation
- borough wide provision of advice and support for young people to access education or training
- re-engagement strategies
- partnership working with neighbouring authorities

9 Overview of current performance and trends

9.1 The local authority is very much reliant on information received from schools and colleges in the early stage of each academic year before national statistics are made available from census returns in October. Collecting data from schools and

college in early September is a challenge for the local authority as it is tasked with the responsibility of confirming the September guarantee in good time. It is also difficult to collect details of young people who have not been made an offer and, more important, to do much to support them other than by dealing with individual inquiries.

- 9.2 Much of the focus so far has been on working with providers, both mainstream and alternative provision, to ensure a range of opportunities for young people. In the future more attention also needs to be given to opportunities provided by voluntary organisations and other agencies.
- 9.3 With RPA being raised to 18 there has been a significant increase in the scope of the responsibilities that rest with the local authority. There is an expectation that this will be delivered within existing resources.
- 9.4 Once young people have been identified as having dropped out or at risk of dropping out of valid activity to meet RPA expectations, the challenge is to re-engage them quickly in a suitable programme. There are plenty of agencies available to provide advice and support but there is a need to develop a coordinated approach to ensure that support is relevant and focused on outcomes. There is a need to develop a learning pathway action plan for each young person.
- 9.5 There is a need to have a good range of quality provision that is recognised by young people and their parents/carers as leading towards skills, qualifications and employment. Work is underway to ensure that there is a good range of high quality collaborative and alternative provision accessible to young people in Lewisham including traineeships. There is also the need to have better promotion in schools of apprenticeships. A number of initiatives will be brought together in a strategy to increase the take-up of apprenticeships. Current figures show that at 2% of the KS4 cohort in apprenticeships Lewisham is 1% below the London average. However at KS5 the percentage is 3%; 1% above the London average and fourth highest in the capital
- 9.6 The local authority continues to focus on those who are most vulnerable of becoming NEET, in particular teenage mothers, young carers, young offenders, young people with substance misuse, young people with learning difficulties and/or disabilities and our care leavers.
- 9.7 The 16-19 Bursary Fund is available to Lewisham post-16 learners and provides targeted support to help overcome any specific financial barriers to participation. The majority of this funding is administered by schools, colleges and training providers; funding for the most vulnerable young people is administered by EFA.
- 9.8 The fund particularly supports the most vulnerable young people (young people in care, care leavers, those on income support, and those in receipt of both Employment Support Allowance and Disability Living Allowance) receive a bursary of £1200. Beyond that, schools, colleges and training providers award bursaries to young people on a discretionary basis, to help those facing financial difficulties relating to participation. The local authority is not aware of any cases of barriers to learning as result of the changes to financial support.

- 9.9 The Lewisham post-16 transport policy ensures Lewisham young people are not prevented from participating because of the cost or availability of transport to post-19 education or training.

10 Participation in post-sixteen education

- 10.1 The Student Tracker data allows us to follow the Y11 (1879 students) cohort in Lewisham schools for three years. The last complete cycle tracked the young people who left Y11 in Lewisham schools in 2010 for the following three years up the academic year 2012/13. We will have the data on the 2011-2014 cohort shortly.
- 10.2 Of this cohort 71.6% progressed to level three programmes; 61% of those studying level 3 did so in a school sixth form, 39% of them in a college.
- 10.3 By the following year the percentage studying at level 3 had reduced to 68% of the original Y11 cohort (a reduction of 5.2% of the level 3 cohort). 58.7% of these were in a school, 41.3% in a college.
- 10.4 Of the young people studying at level 2 or below in Y12, 21% were in schools 79% in a college. 37.5% of these progressed to level 3 the following year. However also in the following year the number of young people studying at level 2 or below had risen by 6%; 14% of them in school, 86% in a college.
- 10.5 Of the cohort that began a level 3 programme in a school, 26.7% were still studying at this level (3) at a school or a college in Y14. Of those who embarked on a level 3 programme in a college in Y12, 30.9% were still on a level 3 programme in a school or college in Y14.
- 10.6 In total 28.4% of the Y11 cohort that began a level 3 course in Y12 were still on a level 3 programme in Y14.
- 10.7 7.4% of this original level 3 cohort were studying below level 3 three years after leaving Y11 to commence a level 3 programme.
- 10.8 It is a concern that a high number of young people who enrol on level 3 courses, and therefore are most likely to have met the GCSE entry criteria for courses at this level that are set by schools and colleges, are not successful on the courses they started in Y12 and nearly 30% of them are still studying at the same level after three years. Improved guidance for young people making choices at 16 might improve this picture. However an immediate concern for providers will be the significant changes to funding for 18 year olds and for those repeating subjects at the same level, together with proposed changes to league tables which will focus on progression outcomes not simply on courses studied. Only the achievement of the student's original learning goal will count as a successful outcome in the future reporting of results.

11 Local comparisons (2013)

- 11.1 Over the coming months we will be working with the neighbouring boroughs of Lambeth and Southwark to explore a range of RPA issues and to consider common

approaches to meeting the challenges of maximising participation and building success.

- 11.2 The following table compares 2013 participation data for the three boroughs. This is an extract from a more comprehensive set of data produced in July 2014 by MIME consulting and available on Intelligent London

factor	Lewisham	Lambeth	Southwark
participation aged 16	97%	93%	95%
participation 16-17	93%	93%	94%
KS5 points per entry	201	207	215
KS5 points per student	631	613	725
Level 2 incl. Eng and Maths by 19	56%	61%	61%
Level 3 by 19	56%	58%	61%
Student destinations the year after KS5: EET	77%	71%	68%
UK HE	63%	57%	54%
Russell Group incl. Oxbridge	7%	6%	7%

- 11.3 There is additional guidance for re-engagement i.e. where there is provision that has been put in place specifically to help young people to re-engage in sustained post-16 education or training. This will meet their RPA duty.
- 11.4 The government recognises there will always be a very small number of young people who require a temporary break in education or training (such as new mothers or the very ill). It is important that the local authority has in place the appropriate support mechanisms to enable these young people to return to education or training as soon as is reasonably possible.
- 11.5 Young people who have longer term medical needs that affect their studies but who do not have an LDA, SEN statement or an EHC plan may be unable to fulfil the full requirement of RPA: for example they may not be able to manage full-time education or working over 20 hours per week while studying. The local authority recognises that full compliance may not be possible for these young people.

12 Conclusions

- 12.1 The local authority is confident that there are systems and structures already in place to deliver the Raising of the Participation Age statutory duty. However the implementation will not be without challenges. The key challenges are as follows:
- 12.2 The general academic curriculum is extensive at level 3 but increasingly selective. There has been some small recent increase in level 2 and the vocational offer. Curriculum changes being introduced at a national level may have a considerable impact on the current high take-up of the educational offer. Provider accountability for student outcomes in GCSE maths and English, the phased introduction of linear A levels, and changes to the vocational learning pathways may all impact on the minimum entry requirements set by schools and colleges.

- 12.3 As the participation age reaches 18, there will be issues of engagement with the 17-18 age group. Data on this group is more difficult to collect than it is for Y12 young people and this is a resource issue for local authorities.
- 12.4 There is a need to develop advice and guidance that is truly impartial and inspirational. This will help all young people, including the most vulnerable, to make well informed decisions about the range of opportunities available to them. This should in turn reduce drop out and NEETs. While this is essential in the final years of secondary there is much that needs to be done much earlier than Y10 and also at post-sixteen. There are several regional initiatives that the local authority can access following on from the recent IAG peer review; these include the National Careers Service, Inspiring Learning (delivered by Prospects funded by the SFA) and London Ambitions (GLA)
- 12.5 There are new and exciting opportunities for young people to gain qualifications and develop the skills that will lead to meaningful employment and further learning. Traineeships, apprenticeships, and the new technical level qualifications are important additions to the offer. Take up however will in part depend upon better promotion of vocational pathways, informed choice and closer engagement of education providers with employers.
- 12.6 The engagement of all young people in learning is of course critical to the long term success of RPA. The most vulnerable young people post-sixteen are most likely to have been identified much earlier in the schools. Developing a range of opportunities that will encourage these young people to participate and develop through learning, linked with individual pathway plans and collaborative programmes between schools and other providers would decrease the likelihood of dis-engagement both pre and post sixteen.
- 12.7 For young people with learning difficulties and or disabilities the challenge is to ensure that there is both access and support to the full range of learning and career opportunities and that they are challenged to maximise their potential. In an increasingly selective and target driven educational environment the local authority will need to promote and safeguard the interests of these young people into adulthood.

13 Equalities Implications

- 13.1 The intended impact of RPA is to ensure that all young people continue in education after sixteen and have the opportunity to further enhance their qualifications. This is particularly important for the most vulnerable who may have underachieved at school. There are also positive implications for provision for young people with learning difficulties and/or disabilities.

14 Financial implications

- 14.1 Support for Raising of Participation Age is provided from both the General Fund and the Dedicated Schools Grant. The Specialist 1:1 Service: operated out of Baseline in Lewisham Town Centre (£450k) and the Mayor's NEET Programme (£197k) are both funded from the General Fund.

- 14.2 A contribution is made from the Dedicated Schools Grant (£146k) to cover the strategic lead on 14 -19 and their work.
- 14.3 These services are not solely focused on raising the participation age but help the authority fulfil its duties.
- 14.4 As part of the current savings round the Mayor is considering savings to services funded through the General Fund. Consideration is being given to reducing the Specialist 1:1 service budget to £390k and the NEET programme to £115k. Following the reduction to NEET programme, alternative sources of funding are being considered which would potentially come from schools, colleges and the Education Funding Agency.

15 Legal implications

- 15.1 Section 15ZA of the Education Act 1996 requires local authorities to secure enough suitable, full and part time education and training opportunities to meet the reasonable of the following people of its area:
- young people who are over compulsory school age but under 19; and
 - learners aged 19 or over, but under 256, who have (or should have had) a learning difficulty assessment under s 139A or 140 of the Learning and Skills Act 2000but the duty does not extend to persons subject to a detention order.
- 15.2 In securing education and training opportunities, local authorities must take account of people's ages, abilities and aptitudes; any learning difficulties they may have; the quality of education or training; and the locations and times at which those opportunities are provided.
- 15.3 Section 10 of the Education and Skills Act 2008 requires local authorities (so far as their powers extend) to promote the effective participation in education or training of persons belonging to its area to whom Part 1 of the Education and Skills Act applies, with a view to ensuring that those persons fulfil the duty to participate in education or training.
- 15.4 The duty to participate in education or training applies to all young people in England (from 28 June 2013) until the end of the academic year in which they turn 17; and from 26 June 2015, to their 18th birthday.
- 15.5 In fulfilling and exercising its functions relating to the participation of young people in education or training the local authority must have regard to statutory guidance from the Secretary of State.
- 15.6 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 15.7 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

15.8 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

15.9 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value.

15.10 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- the essential guide to the public sector equality duty
- meeting the equality duty in policy and decision-making
- engagement and the equality duty
- equality objectives and the equality duty
- equality information and the equality duty

15.11 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:
<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

16 Crime and Disorder Implications

16.1 There are no crime and disorder implications arising from this report.

17 Environmental Implication

17.1 There are no environmental implications arising from this report.

If there are any queries arising from this report please contact Sid Hughes on 020 8314 3499