

## INTEGRATED IMPACT ASSESSMENT COVERING

- EQUALITIES & SOCIO ECONOMIC DUTIES
- HUMAN RIGHTS AND RIGHTS OF THE CHILD

### STAGE 1 - DO I NEED AN INTEGRATED IMPACT ASSESSMENT?

<b>Name of policy or proposal: Top Up Hours Service</b>	
Is this a	Mark X below
New activity, programme or policy?	
Change to an existing activity, programme or policy?	X
Budget proposal?	

Duties: tick the boxes you think apply	No	Maybe	Yes
<b>Equalities:</b> Will your proposal have an impact on groups with protected characteristics?  <i>Consider the impact of your proposal on people and how they access your services and information without barriers.</i>		X	
<b>Socio-economic</b>  <i>Not every person/family has access to regular income or savings. Will your proposal have an adverse impact on them</i>		X	
Does your proposal impact on the <b>human rights</b> of people?	X		
Does your proposal impact on the <b>rights of children</b> and young people		X	

**Reasoning**

Briefly describe your reasoning for the responses given above:

Currently top up hours are being offered to existing families attending 5 of the 6 local authority operated year round services. This is an optional service which parents/carers can choose to use on top of their funded 1140 hours entitlement.

It is proposed that the hourly charges for each additional top up hour of Early Learning and Childcare (ELC) be increased from £5.00 to £6.00 for one hour and £9.50 to £11.50 for two hours.

Children are entitled to one funded meal per day of attendance and one portion of healthy snack and milk during funded hours uptake; however, top up hours are not included in the funded entitlement for meals. It is therefore proposed that meals during top up hours will be charged at £1.95 for light teas and between 30-50p for a more substantial snack. This will be an optional charge if families wish for their child to receive a meal and/or enhanced snack during top up hours.

It is possible that the increasing costs will impact on those families which do not have access to regular income or savings.

**If you have answered “maybe” or “yes” to any of the Stage 1 questions above then proceed to complete the Stage 2 Integrated Impact Assessment questions below.**

**If you have answered “no” to the Stage 1 questions above then provide the details below and submit to [email]**

Lead Officer for developing the contract	
Other people involved in the screening (this may be council staff, partners or others i.e. contractor or community)	
Date	

**STAGE 2: INTEGRATED IMPACT ASSESSMENT****Brief description of the affected service**

1. Describe what the service does:

Early learning settings provide nursery care and education for children age 2 – 5.

Recent expansion in service with hours on offer = 1140 funded hours per child.

Service operates out of 64 centres (24 local authority and the remainder being privately run and in contract with Moray Council to offer funded hours) with setting capacities varying from as little as 16 to over 80 children at any one time. There are an additional 39 childminders in partnership with Moray Council to deliver funded childcare.

The total number of service users (children accessing hours) is approximately 1031 within our private nurseries and childminders and 617 in local authority nurseries (as of September 2023 however there is a January and April intake not factored in.)

There are six year round local authority operated services five of which offer top up hours in addition to funded Early Learning and Childcare hours. These settings are Seafeld Nursery and Linkwood Nursery in Elgin, Pilmuir Nursery in Forres, Lhanbryde Nursery in Lhanbryde, and Cullen Nursery in Cullen. Lady Cathcart Nursery in Buckie is the sixth year round service which will begin offering this service in the near future.

## 2. Who are your main stakeholders?

The children themselves and their parents/carers.

Total number of service users overall is noted above. The number of children in each of the 6 year round services is as follows as of September 2023:

Year Round Service	Number of children attending as of September 2023	Number of children accessing top up hours currently
Cullen Nursery	28	10
Lady Cathcart Nursery	37	0
Lhanbryde Nursery	17	8
Linkwood Nursery	55	8
Pilmuir Nursery	44	15
Seafeld Nursery	35	10

## 3. What changes as a result of the proposals? Is the service reduced or removed?

As a result of this proposal, the service would increase hourly charges for each additional top up hour of Early Learning and Childcare from £5.00 to £6.00 for one hour and £9.50 to £11.50 for two hours.

Children are entitled to one funded meal per day of attendance and one portion of healthy snack and milk during funded hours uptake; however, top up hours are not included in the funded entitlement for meals. It is therefore proposed that meals during top up hours will be charged at

£1.95 for light teas and between 30-50p for a more substantial snack. This will be an optional charge if families wish for their child to receive a meal and/or enhanced snack during top up hours.

Following recent consultation with partner provider ELC services, it was noted that the local authority year round services were charging an hourly rate for top up hours that was less than the average rate charged by those partner services which offer non-funded hour options for families.

The reason for this increase in hourly charges is to help ensure the top up hourly rate charged to parents by the local authority is a fair rate comparable with partner provider settings that offer non-funded childcare services.

The reason for the addition of charges for light teas/enhanced snacks during top up hours is to cover the operating costs associated with meals as part of this additional service.

**4. How will this affect your customers?**

It is possible that the increasing costs will impact on those families which do not have access to regular income or savings. It is proposed that as part of this Integrated Impact Assessment, consultation takes place with families at the six year round services to advise of the changes and determine mitigating actions to support parents/carers choosing to use the top up hours service before changes take effect from April 2024.

**5. Impact on staff providing the service**

There is no anticipated further impact on staff providing the service as this is an ongoing service.

**6. Please indicate if these apply to any of the protected characteristics**

<b>Protected groups</b>	<b>Potential impacts and considerations</b>
Race	A higher proportion of children with ASN come from ethnic minority groups with language barriers.
Disability	A proportion of children with ASN are viewed as having a disability with the terms of the Equalities Act.
Carers (for elderly, disabled or minors)	
Sex	Possibility exists for single mothers and/or fathers to be impacted.
Pregnancy and maternity (including breastfeeding)	
Sexual orientation	
Age (include children, young people, midlife and older people)	The service is specifically for children.
Religion, and or belief	

Gender reassignment	
Inequalities arising from socio-economic differences	Some families with children attending the year round services are from poorer socio-economic backgrounds.

**Human rights**

List of convention rights	Describe, where applicable, if and how specific rights are engaged
Article 5: Right to liberty and security	
Article 6: Right to a fair trial	
Article 8: Right to respect for private and family life, correspondence and the home	Potential to put additional pressure onto parents/families of children accessing top up hours or considering accessing top up hours.
<i>Article 10: Freedom of expression</i>	
<i>Article 11: Freedom of assembly and association</i>	
<i>Article 12: Right to marry</i>	
<i>Article 14: Prohibition of discrimination (in relation to the convention rights)</i>	
<i>Article 1 of Protocol 1: Protection of property</i>	
<i>Article 2 of Protocol 1: Right to education</i>	
<i>Article 3 of Protocol 1: Right to free elections by secret ballot</i>	

**Children’s Rights and Wellbeing**

Relevant articles – UNCRC	
Article 2 – Non discrimination	
Article 12 – Respect of the views of the child	
Article 3.1 – Best interest of the child	Potential to affect outcomes for children.
Article 6.2 – Right to survival and development	

**7. Evidence.** What information have you used to make your assessment?

Performance data	
Internal consultation	

<b>Consultation with affected groups</b>	<p>No consultation has taken place yet with families that have children attending the year round services but would be carried out in the start of the new year to advise of changes to be implemented from April 2024 and help identify mitigating actions to support families.</p> <p>Consultation has taken place with partner nurseries and childminders in partnership meetings and a survey conducted to determine the current fair market hourly rate for non-funded services.</p>								
<b>Local statistics</b>	<p>This survey with partner nurseries and childminders resulted in the following information being obtained:</p> <table border="1" data-bbox="506 617 1377 1108"> <thead> <tr> <th data-bbox="506 617 980 730"><b>ELC Service</b></th> <th data-bbox="980 617 1377 730"><b>Current Average Hourly Charges</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="506 730 980 844">Local Authority Nurseries 3-5 year olds</td> <td data-bbox="980 730 1377 844">£5.00 for 1 additional hour / £9.50 for 2 hours</td> </tr> <tr> <td data-bbox="506 844 980 995">Partner Provider Nurseries 3-5 year olds</td> <td data-bbox="980 844 1377 995">£6.02 excluding outlier low &amp; high figures / £6.11 including outlier figures</td> </tr> <tr> <td data-bbox="506 995 980 1108">Partner Provider Childminders 3-5 year olds</td> <td data-bbox="980 995 1377 1108">£5.23</td> </tr> </tbody> </table>	<b>ELC Service</b>	<b>Current Average Hourly Charges</b>	Local Authority Nurseries 3-5 year olds	£5.00 for 1 additional hour / £9.50 for 2 hours	Partner Provider Nurseries 3-5 year olds	£6.02 excluding outlier low & high figures / £6.11 including outlier figures	Partner Provider Childminders 3-5 year olds	£5.23
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Partner Provider Childminders 3-5 year olds	£5.23								
<b>National statistics</b>									
<b>Other</b>									

**8. Evidence gaps**

Do you need additional information in order to complete the information in the previous questions?

Consultation with service users will help explain the changes proposed and give an opportunity for their views to be considered. Additionally this is an opportunity to assess the potential impact on single mothers and/or fathers by confirming numbers of single family households accessing or considering accessing top up hour services within each of the year round nurseries and tease out any further issues which have not been identified.

**9. Mitigating action**

*Can the impact of the proposed policy/activity be mitigated? Please explain*

It is anticipated that by consulting with families attending the six year round services mitigating actions can be identified. The possibility of exploring tax free childcare credits could be considered to help cover costs associated with top up hours.

## **10. Justification**

If nothing can be done to reduce the negative impact(s) but the proposed policy/activity must go ahead, what justification is there to continue with the change?

In order to ensure the local authority services offering top up hours are charging a fair market rate, it is important that these changes should go ahead. This will demonstrate partnership working with the partner providers contracted to provide funded Early Learning and Childcare hours that also offer non-funded childcare services to the Moray communities and will help to support a sustainable ELC infrastructure overall.

As resources are a critical issue for the Council with a pressing need to reduce operating costs and bring the ELC budget in line, this change will help to cover the costs of providing additional hours of non-funded childcare as well as the costs of providing light teas and snacks during top up hours.

As the increase is relatively small, this makes the proposed revision to charges a proportionate means to achieving the legitimate aim of preventing unfair competition with other partner providers in Moray.

## SECTION 3 CONCLUDING THE IIA

### Concluding the IIA

1. No potential negative impacts on any of the protected groups were found.	
2. Some potential negative impacts have been identified.  The impacts relate to:  It is possible that increasing costs/adding meals and snack costs will impact on those families that do not have access to regular income or savings.	x
Reducing discrimination, harassment, victimisation or other conduct prohibited under the Equality Act 2010	
Promoting equality of opportunity	
Fostering good relations  The proposed changes will help to support partnership working between Moray Council and partner provider nurseries/childminders operating in Moray.	x
3. The proposals interfere with human rights and/or the rights of the child	
4. Negative impacts can be mitigated the proposals as outlined in question 9.	
5. The negative impacts cannot be fully mitigated but are justified as outlined in question 10.	x
6. Further consultation with affected groups is needed.	
7. It is advised not to go ahead with the proposals.	

#### **Decision**

Set out the rationale for deciding whether or not to proceed with the proposed actions:



At this stage a decision on whether or not to proceed with the proposed actions is pending following review of the Top Up Hours report by Education, Children’s and Leisure Services Committee on 28 November 2023. This is required before any changes can be formalised and shared with parents/carers through general consultation exercises.

**Date of Decision:** TBC

**Sign off and authorisation:**

<b>Service</b>	Early Learning and Childcare
<b>Department</b>	Education, Communities and Organisational Development
<b>Policy/activity subject to IIA</b>	Top up Hours Service
We have completed the integrated impact assessment for this policy/activity.	Name: Hazel Sly Position: Early Years’ Service Manager Date: <b>TBC</b>
Authorisation by head of service	Name: Vivienne Cross Position: Head of Education Date: <b>TBC</b>
Permission to publish on website - <b>TBC</b>	
Please return this form to the Equal Opportunities Officer, Chief Executive’s Office.	