

Equality Impact Assessment (EIA) and our equality duty

The Equality Duty helps public bodies to deliver their overall objectives for public services, and as such should be approached as a positive opportunity to support good decision-making.

It encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

Complying with the Equality Duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve providing a service in a way which is appropriate for people who share a protected characteristic, such as providing computer training to all people to help them access information and services.

Whilst [the Gunning Principles](#) set out the rules for consulting with 'everyone', additional requirements are in place to avoid discrimination and inequality.

Cheshire East Council is required to comply with the Equality Act 2010 and the Public Sector Equality Duty. The Equality Act 2010 simplified previous anti-discrimination laws with a single piece of legislation. Within the Act, the Public Sector Equality Duty (Section 149) has three aims. It requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act, by consciously thinking about equality when making decisions (such as in developing policy, delivering services and commissioning from others)
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, by removing disadvantages, meeting their specific needs, and encouraging their participation in public life
- foster good relations between people who share a protected characteristic and people who do not

The Equality Act identifies nine 'protected characteristics' and makes it a legal requirement to make sure that people with these characteristics are protected from discrimination:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnerships
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Applying the equality duty to engagement

If you are developing a new policy, strategy or programme you may need to carry out an Equality Impact Assessment. You may be able to ascertain the impact of your proposal on different characteristics through desk-based research and learning from similar programmes, but you also need to carry out some primary research and engagement.

People with protected characteristics are often described as ‘hard to reach’ but you will find everyone can be reached – you just need to tailor your approach, so it is accessible for them.

Please feel free to contact the [Equality and Diversity mailbox](#) who will try to help you to assess the impacts of your proposals and will ensure that you help the Council to comply with the Equality Act 2010 and the Public Sector Equality Duty.

Section 1 – Details of the service, service change, decommissioning of a service, strategy, function or procedure

(Please delete the guidance in italics once you complete a section)

Proposal Title	Proposed change to the age range of St Mary’s Catholic Primary School, Middlewich from 4 – 11 to 3 -11 for implementation in January 2025.
Date of Assessment	13.9.2024
Assessment Lead Officer Name and other officers involved	Joanne Prophet Val Simons Emma Mason
Directorate/ Service	Children and Families
Details of the service, service change, decommissioning of the service, strategy, function or procedure.	The local authority is proposing a change to the age range for St Mary’s Catholic Primary School from 4 -11 to 3 – 11 for implementation in January 2025. The outcomes of the 4-week consultation will be summarised in a decision report to the Children and Families Committee meeting on 11 November 2024. DfE guidance makes clear that the decision maker should consider the views expressed during consultation and take into account the Equality Impact Assessment. It is therefore essential that full details of all views submitted are made available at the decision meeting.
Who is impacted?	<ul style="list-style-type: none"> • Children and young people • Parents and carers • Headteachers of schools in the local area of Middlewich • Early years providers in the Middlewich area

<p>Links and impact on other services, strategies, functions or procedures.</p>	<p>Section 6 of the Childcare Act 2006 places a duty on local authorities to secure sufficient childcare for working parents. Section 7 requires them to secure provision of the free early education entitlements.</p>
<p>How does the service, service change, strategy, function or procedure help the Council meet the requirements of the Public Sector Equality Duty?</p>	<p>As mentioned above, the local authority has a duty to provide sufficient childcare places for working parents.</p> <p>The local authority has identified a growing need in the Middlewich area for childcare places and St Mary's has expressed a desire to expand its provision on site in order to ensure the best possible transition from Early Years Foundation Stage into the main school.</p> <p>Schools undertake the administration for nursery admissions and, whilst there is no DfE admissions code for nursery admissions, schools must have a policy which is in line with the Equality Act 2010.</p>

Section 2 - Information – What do you know?

<p>What do you know?</p>	<p>Early education entitlements are extending for working families and demand will increase. From April 2024, all working parents of 2-year-olds can access 15 hours per week. From September 2024, all working parents of children aged 9 months up to 3-years-old can access 15 hours per week. From September 2025, all working parents of children aged 9 months up to 3-years-old can access 30 hours free childcare per week.</p>
<p>Information you used to arrive at the decision</p>	<p>The 2022 Childcare Sufficiency Assessment for Middlewich School planning area identified that five new early years and childcare places for 0–4-year-olds would be required by 2027 to maintain the 2022 sufficiency ratio and there was no evident intention from existing providers to expand. Introduction of the new early education entitlements since the 2022 assessment is expected to result in a 60% increase in children accessing the early education entitlements.</p> <p>Cheshire East Council supports extending the age range at St Mary's Catholic Primary School, Middlewich. The additional early education places contribute to meeting the statutory duties set out in sections 6 and 7 of the Childcare Act 2006. There may be insufficient early education entitlement places in Middlewich if the school does not extend the lower age range.</p>
<p>Gaps in your Information</p>	<p>The need for additional places in the Middlewich area has been identified by the local authority. This proposal supports the local authority in its statutory duty to provide sufficient childcare places.</p>

Section 3 - Information - What did people tell you?

What did people tell you about your proposals?	No feedback has been received to date.
Details and dates of the consultation/s and/or engagement activities	<p>A public notice was published in the Northwich Guardian on Thursday 12 September. The 4-week consultation period will run from 3 September 2024 until 11 October 2024.</p> <p>The council's web page went live on 13 September and there is an electronic survey and a feedback form that anyone can use to feedback their views. Emails have been sent to all the key stakeholders including the local ward members, MP, Dioceses, Middlewich Town Council, local parish councils and Cheshire West and Chester Council. Emails were also sent to all local surrounding schools together with a letter for them to distribute to their parents/ carers or use the information to put in a newsletter etc.</p> <p>Once the consultation closes on 11 October, the feedback will be collated, and a report on the outcomes presented to the Children and Families Committee meeting on 11 November for a decision.</p>
Are there any gaps in consultation and engagement feedback?	<p>The consultation undertaken when making changes to maintained schools is governed by the DfE guidance “<i>Making significant changes (prescribed alterations) to maintained schools</i>” which came into force in January 2023.</p> <p>The statutory consultation has been carried out in accordance with this guidance.</p>

Section 4 - Review of information, consultation feedback and equality analysis

Protected characteristics groups from the Equality Act 2010	What do you know? <i>Summary of information used to inform the proposal</i> <u>Refer to Section 2</u>	What did people tell you? <i>Summary of customer and/or staff feedback</i> <u>Refer to section 3</u>	What does this mean? <i>Impacts identified from the information and feedback (actual and potential).</i> <i>These can be either positive, negative or have no impact.</i>
Age	The need for additional places in the Middlewich area has been identified by the local authority. This proposal supports the local authority in its statutory duty to	A public notice was published in the Northwich Guardian on Thursday 12 September. The 4-week consultation period will run from 3 September 2024	This will positively impact on the number of school places for young children of pre-school age and thereby increasing parental choice, in line with DfE guidance.

	provide sufficient childcare places.	until 11 October 2024.	
Disability	The need for additional places in the Middlewich area has been identified by the local authority. This proposal supports the local authority in its statutory duty to provide sufficient childcare places.	A public notice was published in the Northwich Guardian on Thursday 12 September. The 4-week consultation period will run from 3 September 2024 until 11 October 2024.	The proposal will have a marginally positive impact on young children and parents with a disability because the provision of additional places overall will provide sufficient places closer to their place of residence. The proposal will also offer greater parental choice for those families with wider caring responsibilities for household members with a disability.
Gender reassignment	The need for additional places in the Middlewich area has been identified by the local authority. This proposal supports the local authority in its statutory duty to provide sufficient childcare places.	A public notice was published in the Northwich Guardian on Thursday 12 September. The 4-week consultation period will run from 3 September 2024 until 11 October 2024.	Admission authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in respect of gender reassignment.
Pregnancy and maternity	The need for additional places in the Middlewich area has been identified by the local authority. This proposal supports the local authority in its statutory duty to provide sufficient childcare places.	A public notice was published in the Northwich Guardian on Thursday 12 September. The 4-week consultation period will run from 3 September 2024 until 11 October 2024.	Admission authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect. All applications are considered against the over subscription criteria on an equal basis without reference to the pregnancy or maternity status of the parent/carer.
Race/ethnicity	The need for additional places in the Middlewich area has been identified by the local authority. This proposal supports the local authority in its statutory duty to provide sufficient childcare places.	A public notice was published in the Northwich Guardian on Thursday 12 September. The 4-week consultation period will run from 3 September 2024 until 11 October 2024.	Admission authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in respect of race/ethnicity. The local authority has no reason to believe that any proposed change to the age range of the school would

			result in an overall change to the current demographics.
Religion or belief	The need for additional places in the Middlewich area has been identified by the local authority. This proposal supports the local authority in its statutory duty to provide sufficient childcare places.	A public notice was published in the Northwich Guardian on Thursday 12 September. The 4-week consultation period will run from 3 September 2024 until 11 October 2024.	Religion and belief do not form part of the arrangements for admission to the pre-school and all applications will be considered on an equal basis irrespective of religion or belief.
Sex	The need for additional places in the Middlewich area has been identified by the local authority. This proposal supports the local authority in its statutory duty to provide sufficient childcare places.	A public notice was published in the Northwich Guardian on Thursday 12 September. The 4-week consultation period will run from 3 September 2024 until 11 October 2024.	The local authority has no reason to believe that any proposed age range change would result in an overall change to the current demographics
Sexual orientation	The need for additional places in the Middlewich area has been identified by the local authority. This proposal supports the local authority in its statutory duty to provide sufficient childcare places.	A public notice was published in the Northwich Guardian on Thursday 12 September. The 4-week consultation period will run from 3 September 2024 until 11 October 2024.	Admission authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in respect of sexual orientation.
Marriage and civil partnership	The need for additional places in the Middlewich area has been identified by the local authority. This proposal supports the local authority in its statutory duty to provide sufficient childcare places.	A public notice was published in the Northwich Guardian on Thursday 12 September. The 4-week consultation period will run from 3 September 2024 until 11 October 2024.	Admission authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect. All applications are considered against the over subscription criteria on an equal basis without reference to the marital status of the parent/carer.

Section 5 - Review of information, consultation feedback and equality analysis

Mitigation	What can you do to mitigate any negative impacts or further enhance positive impacts?
	The public notice was published in the Northwich Guardian on Thursday 12 September. The 4-week consultation period will run from 3 September 2024 until 11 October 2024. Any mitigation measures required will be assessed after 11 October once the feedback has been received and collated and any issues raised have been considered.


Section 6 – Monitoring and review

Details of monitoring activities	The council will liaise with the school regarding numbers on roll.
Date and responsible officer for the review of the EIA	The EIA will be reviewed by Val Simons, Pupil Place Planning Officer, at the start of the summer term. The nursery will have been in operation for one term by this date.

Section 7 – Sign off

When you have completed your draft EIA, it should be sent to the [Equality, Diversity and Inclusion Mailbox](#) for review.

If your EIA is approved, it must then be signed off by a senior manager within your Department (Head of Service or above).

Name	Gill Betton
Date	17.September 2024
Signature	

Once the EIA has been signed off, please forward a copy to the [Equality, Diversity and Inclusion mailbox](#) for it to be published on the website.

For Transparency, we are committed to publishing all Equality Impact Assessments relating to public engagement.

Help and support - For support and advice please contact the [Equality, Diversity and Inclusion mailbox](#)