

Equality Impact and Needs Analysis Guidance and Template : 2021

Guidance notes

Things to remember:

Under the Public Sector Equality Duty (PSED) public authorities are required to have due regard to the aims of the general equality duty when making decisions and when setting policies. Understanding the affect of the council's policies and practices on people with different protected characteristics is an important part of complying with the general equality duty. Under the PSED the council must ensure that:

- Decision-makers are aware of the general equality duty's requirements.
- The general equality duty is complied with before and at the time a particular policy is under consideration and when a decision is taken.
- They consciously consider the need to do the things set out in the aims of the general equality duty as an integral part of the decision-making process.
- They have sufficient information to understand the effects of the policy, or the way a function is carried out, on the aims set out in the general equality duty.
- They review policies or decisions, for example, if the make-up of service users changes, as the general equality duty is a continuing duty.
- They take responsibility for complying with the general equality duty in relation to all their relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- They consciously consider the need to do the things set out in the aims of the general equality duty not only when a policy is developed and decided upon, but when it is being implemented.

Best practice guidance from the Equality and Human Rights Commission recommends that public bodies:

- Consider all the [protected characteristics](#) and all aims of the general equality duty (apart from in relation to marriage and civil partnership, where only the discrimination aim applies).
- Use equality analysis to inform policy as it develops to avoid unnecessary additional activity.
- Focus on the understanding the effects of a policy on equality and any actions needed as a result, not the production of a document.
- Consider how the time and effort involved should relate to the importance of the policy to equality.
- Think about steps to advance equality and good relations as well as eliminate discrimination.
- Use good evidence. Where it isn't available, take steps to gather it (where practical and proportionate).
- Use insights from engagement with employees, service users and others can help provide evidence for equality analysis.

Equality analysis should be referenced in community impact statements in Council reports.

Community impact statements are a corporate requirement in all reports to the following meetings: the cabinet, individual decision makers, scrutiny, regulatory committees and community councils. Community impact statements enable decision makers to identify more easily how a decision might affect different communities in Southwark and to consider any implications for equality and diversity.

The public will be able to view and scrutinise any equality analysis undertaken. Equality analysis should therefore be written in a clear and transparent way using plain English. Equality analysis may be published under the council's publishing of equality information, or be present with divisional/departmental/service business plans. These will be placed on the website for public view under the council's Publications Scheme. All Cabinet reports will also publish related

Equality analysis should be reviewed after a sensible period of time to see if business needs have changed and/or if the effects that were expected have occurred. If not then you will need to consider amending your policy accordingly. This does not mean repeating the equality analysis, but using the experience gained through implementation to check the findings and to make any necessary adjustments.

Engagement with the community is recommended as part of the development of equality analysis. The council's Community Engagement Division and critical friend, the Forum for Equality and Human Rights in Southwark can assist with this (see section below on community engagement and www.southwarkadvice.org.uk).

Whilst the equality analysis is being considered, Southwark Council recommends considering implications arising from socio-economic disadvantage, as socio-economic inequalities have a strong influence on the environment we live and work in. As a major provider of services to Southwark residents, the council has a policy commitment to reduce socio-economic inequalities and this is reflected in its values and aims. For this reason, the council recommends considering impacts/needs arising from socio-economic disadvantage in all equality analyses, not forgetting to include identified potential mitigating actions. **The Council has adopted the Socio-Economic Duty as part of its overall equality, diversity and inclusion policy commitments in the Southwark Equality Framework.** This requires us to ensure we do not make any conditions worse for those experiencing socio-economic disadvantage through our policies and practices.

Section 1: Equality impact and needs analysis details

Proposed policy/decision/business plan to which this equality analysis relates	Adult Community Learning Charges
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Equality analysis author	Richard Hunter				
Strategic Director:	David Quirke-Thornton				
Department	Children's and Adults'	Division	Children's and Adults' Services		
Period analysis undertaken	December 2023				
Date of review (if applicable)					
Sign-off		Position		Date	

Section 2: Brief description of policy/decision/business plan

1.1 Brief description of policy/decision/business plan

Access to the Adult Learning Service is based on a simple fee structure (See below). The cost of running Adult Learning courses is largely funded by Government with a percentage covered by course fees.

The Council has taken a position for 2024-25 of uprating all discretionary fees and charges in line with September CPI rounded to the nearest 5p.

The change in the Adult Learning Service Fee Structure will be as follows:

Fee	Current Fee	Proposed Fee	Actual Increase	Percentage Increase
Childcare fees per week	£264.00	£281.70	£17.70	6.70%
per hour	£6.60	£7.05	£0.45	6.82%
Adult Learning Standard Fee per hour	£5.50	£5.85	£0.35	6.36%
Adult Learning Standard Fee per hour - arts and creative sessions	£6.60	£7.05	£0.45	6.82%
Adult Learning Concessionary fee per hour	£2.75	£2.95	£0.20	7.27%

Section 3: Overview of service users and key stakeholders consulted

2. Service users and stakeholders	
Key users of the department or service	Southwark residents aged 19 years+ <ul style="list-style-type: none">• Parents, carers and families of those learners• Service staff (teaching or non-teaching)• Governors of the provision• Local Authority users (Children’s Social Care, Education)
Key stakeholders were/are involved in this policy/decision/business plan	Service interim lead and Principal Advisor, Southwark Learning and Achievement.

Section 4: Pre-implementation equality impact and needs analysis

This section considers the potential impacts (positive and negative) on groups with 'protected characteristics', the equality information on which this analysis is based and any mitigating actions to be taken, including improvement actions to promote equality and tackle inequalities. An equality analysis also presents as an opportunity to improve services to meet diverse needs, promote equality, tackle inequalities and promote good community relations. It is not just about addressing negative impacts.

The columns include societal issues (discrimination, exclusion, needs etc.) and socio-economic issues (levels of poverty, employment, income). As the two aspects are heavily interrelated it may not be practical to fill out both columns on all protected characteristics. The aim is, however, to ensure that socio-economic issues are given special consideration, as it is the council's intention to reduce socio-economic inequalities in the borough. Key is also the link between protected characteristics and socio-economic disadvantage, including experiences of multiple disadvantage.

Socio-economic disadvantage may arise from a range of factors, including:

- poverty
- health
- education
- limited social mobility
- housing
- a lack of expectations
- discrimination
- multiple disadvantage

The public sector equality duty (PSED) requires us to find out about and give due consideration to the needs of different protected characteristics in relation to the three parts of the duty:

1. Eliminating discrimination, harassment and victimisation
2. Advancing equality of opportunity, including finding out about and meeting diverse needs of our local communities, addressing disadvantage and barriers to equal access; enabling all voices to be heard in our engagement and consultation undertaken; increasing the participation of under represented groups
3. Fostering good community relations; promoting good relations; to be a borough where all feel welcome, included, valued, safe and respected.

The PSED is now also further reinforced in the two additional Fairer Future For All values: that we will

- Always work to make Southwark more equal and just
- Stand against all forms of discrimination and racism

<p>Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.</p>	<p>Potential Socio-Economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)</p>
<p>The Adult Learning Service works with specific age group of over 19s. Therefore any increase in the fees would adversely impact this protected characteristic, by reducing the accessibility of courses due to affordability</p>	<p>Southwark Adult-Learners from disadvantaged socio-economic backgrounds are well supported by the service, means tested fees are in place to ensure that those on a broad range of benefits automatically qualify for significantly reduced fees, additionally a large number of free courses are available universally to support individuals who specifically facing unemployment and difficulty accessing education and training due to socio-economic disadvantage. In addition the service retains discretion to address fees on a means test.</p>
<p>Equality information on which above analysis is based</p>	<p>Socio-Economic data on which above analysis is based</p>
<p>Nature of service</p>	<p>Current fee structure</p>
<p>Mitigating and/or improvement actions to be taken</p>	
<p>The cost increases are minimal but we recognise this is still within the context of significant difficulties for our communities in relation to the cost of living. Existing mitigation for those experiencing financial hardship is in place with the means tested concessionary fee remaining significantly below the standard fee, continued access to a number of free courses available universally, and retained discretionary application of fees within the service.</p>	<p>As above</p>

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Please note that under the PSED due regard includes:

Giving due consideration in all relevant areas to "the steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities." This also includes the need to understand and focus on different needs/impacts arising from different disabilities.

Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
Adult Learning services are disproportionately accessed by those with learning disabilities nationally. Increased fees could impact on the accessibility of services to those groups	
Equality information on which above analysis is based	Socio-economic data on which above analysis is based
Service user data	
Mitigating and/or improvement actions to be taken	
Service users with a disabilities are eligible for the concessionary fees rate, the percentage increase in the cost of concessionary fees is being increased at the same rate as the increase in Disability Living Allowance.	

<p>Gender reassignment: - The process of transitioning from one gender to another.</p> <p>Gender Identity: Gender identity is the personal sense of one's own gender. Gender identity can correlate with a person's assigned sex or can differ from it.</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.</p>	<p>Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)</p>
<p>We do not collect data on gender reassignment of service users currently in this area.</p>	
<p>Equality information on which above analysis is based.</p>	<p>Socio-economic data on which above analysis is based</p>
<p>Mitigating and/or improvement actions to be taken</p>	

<p>Marriage and civil partnership – In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couples. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples and must be treated the same as married couples on a wide range of legal matters. (Only to be considered in respect to the need to eliminate discrimination.)</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)</p>
<p>Equality information on which above analysis is based</p>	<p>Socio-economic data on which above analysis is based</p>
<p>We do not collect data on the marital status of service users</p>	
<p>Mitigating or improvement actions to be taken</p>	

<p>Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.</p>	<p>Potential socio-economic impacts/needs/issues arising from socio-economic disadvantage (positive and negative)</p>
<p>The service will aim to meet needs of adult learners with any specific needs and requirements relating to pregnancy and maternity.</p>	<p>Concessionary rates and free courses are available to meet needs arising from socio-economic disadvantage, sex; pregnancy and maternity.</p>
<p>Equality information on which above analysis is based</p>	<p>Socio-economic data on which above analysis is based</p>
<p>We do not collect data on pregnancy or maternity for service users</p>	
<p>Mitigating and/or improvement actions to be taken</p>	
<p>Concessionary rates and free courses are available to meet needs arising from socio-economic disadvantage, sex; pregnancy and maternity</p>	

<p>Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. N.B. Gypsy, Roma and Traveller are recognised racial groups and their needs should be considered alongside all others</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.</p>	<p>Potential socio-economic impacts/needs/issues arising from socio-economic disadvantage (positive and negative)</p>
<p>A potential impact of the proposed charges increases could be that the learners from an ethnic minority background could be disproportionately affected. Presently, the service users are majority Black and Minority Ethnic (BME) (i.e. non-White UK) but also non-BAME.</p> <p>Adult learners from Black, Asian and Multi-Ethnic backgrounds could be impacted by a rise in charges.</p>	<p>Concessionary rates and free courses are available to meet needs arising from socio-economic disadvantage and race/ethnicity.</p>
<p>Equality information on which above analysis is based</p>	<p>Socio-economic data on which above analysis is based</p>
<p>Analysis of current users and also historic applications to courses at the service.</p>	
<p>Mitigating and/or improvement actions to be taken</p>	
<p>Monitor the profile of users which is a requirement of some grant funding conditions.</p>	

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Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.	
Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
Equality information on which above analysis is based	Socio-economic data on which above analysis is based
We do not collect data on the religion or belief of service users.	
Mitigating and/or improvement actions to be taken	

Sex - A man or a woman.	
Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
The service is accessed by balance of males and females which is proportionate to the borough population, any increases in fees will not disproportionately impact this protected characteristic.	Concessionary rates and free courses are available to meet needs arising from socio-economic disadvantage and sex.
Equality information on which above analysis is based	Socio-economic data on which above analysis is based
Mitigating and/or improvement actions to be taken	

Monitor the uptake of courses and who is engaging with offers.	
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Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes	
Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
8.07% of the service user base identify as non-heterosexual, this is against 8.1% of the borough population, as such the service is proportionately accessed by the borough population and the increase in fees will not disproportionately impact this group.	
Equality information on which above analysis is based	Socio-economic data on which above analysis is based
Analysis of current users and also historic applications to courses at	
Mitigating and/or improvement actions to be taken	

Human Rights There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour, Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol
Potential impacts (positive and negative) of proposed policy/decision/business plan
In respect of the 16 rights listed, the proposal to increase charges will not affect any of those listed. This said, the "First Protocol", this states " <i>The first sentence of Article 2 of Protocol No. 1 guarantees an individual right to education.</i> " This proposal will also not affect the rights of learners or staff members as long as mitigating actions are taken to ensure access to courses where needed.
Information on which above analysis is based
Analysis of current users and also historic applications to courses at the service.

Mitigating and/or improvement actions to be taken

Conclusions

Summarise main findings and conclusions of the overall equality impact and needs analysis for this area:

The cost increases are minimal but we recognise this is still within the context of significant difficulties for our communities in relation to the cost of living. Existing mitigation for those experiencing financial hardship is in place with the means tested concessionary fee remaining significantly below the standard fee, continued access to a number of free courses available universally, and retained discretionary application of fees within the service.

Adult Learning services are disproportionately accessed by those with learning disabilities nationally. Increased fees could impact on the accessibility of services to those groups. Concessionary charges are available for disabled adult learners.

There are also large percentages of service users from Black, Asian and Minority Ethnic Backgrounds.

The increases to be implemented are low (<£0.50) and add to rather than create a cost for learners.

The increased rates bring the Adult Learning Services charges in line with other Council charges. Increases have not been implemented for more than four years, i.e. before COVID 19.

There is no particular group that will be significantly impacted due to the relatively small increases and the actual amount they equate to.

Section 5: Further equality actions and objectives

5. Further actions			
Based on the initial analysis above, please detail the key mitigating and/or improvement actions to promote equality and tackle inequalities; and any areas identified as requiring more detailed analysis.			
Number	Description of issue	Action	Timeframe
1	Ensure those most in need of financial support are signposted to it.	Centre staff to monitor	From start of new term or implementation of charges.
2	Ensure appropriate monitoring and evaluation is in place to gather quality	Head of Service monitoring program	Quarterly.

	data to measure impact of charges.		
3			
4			
5			
6			
7			

5. Equality and socio-economic objectives (for business plans)

Based on the initial analysis above, please detail any of the equality objectives outlined above that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.

Objective and measure	Lead officer	Current performance (baseline)	Targets	
			Year 1	Year 2
Learner profile established	Head of Service	Monitor current courses on offer	Profile is accurate and courses targeted.	
Secure support to enable full participation of any potential learner	Head of Service	Monitor current applications	Courses are fully accessible	

6. Review of implementation of the equality objectives and actions

Implementation Equality Impact and Needs Analysis