

Bolton Council

Report to:	Executive Cabinet Member – Children's		
Date of meeting:	30 th November 2020		
Report of:	Bernie Brown, Director of Children's Services	Report Number:	2414
Reporting Officer:	Paul Rankin, Deputy Director of Children's Services	Telephone Number:	2010
Contact Officer:	Helen Shearer, Head of Start Well	Telephone Number:	4246
Report title:	Review of Harvey Nursery		
Non-Confidential This report does not contain information which warrants its consideration in the absence of the press or members of the public			
Purpose:	This report sets out proposals to relieve the financial and council business pressures affecting nursery provision at Harvey Nursery		
Recommendations:	The Executive Cabinet Member is recommended to approve the attached report for consultation purposes with trade unions, staff, service users and stakeholders.		
Decision:			
Background documents:	An Executive Summary is set out within the report below which includes the following appendices: Appendix 1 Existing Organisational Structure Appendix 2 Equality Impact Assessment		
Signed:	Leader/Executive Cabinet Member	Monitoring Officer	
Date:			

Consultation with other officers			
Finance	Yes/	12/10/2020	Katie Harris
Legal	No	Insert date	Insert name
HR	Yes/No	12/10/2020	Dawn Longworth and Ann Bone
Climate Change	Yes/No	Insert date	Insert name
Equality Impact Assessment	Yes	12/10/2020	Andy Bent and Rachel Storey

(a) Pre-consultation reports Is there a need to consult on the proposals?	Yes	
Vision outcomes Please identify the appropriate Vision outcome(s) that this report relates or contributes to by putting a cross in the relevant box.	1. Start Well	x
	2. Live Well	
	3. Age Well	
	4. Prosperous	
	5. Clean and Green	
	6. Strong and Distinctive	

1. BACKGROUND

- 1.1 In September 2017, the Executive Cabinet Member approved a report setting out proposals to close Harvey Nursery at the end of the 2017/2018 academic year, which was released for consultation with staff, elected members, trade unions, service users and other relevant stakeholders.
- 1.2 Before the end of the consultation the Deputy Leader of the council at the time released a statement outlining the council's decision to continue to operate the nursery. There would be a staged move to increase income generated from fees and from consumables to reduce the level of subsidy which the Council provided.
- 1.3 A final report was approved in December 2017 by the Executive Cabinet member which recommended the following actions:
- To maintain places for all children currently on roll at the nursery
 - To maintain the current capacity of the nursery and admit to vacant places for children age 3-4 years on a fixed term contract initially to 31.03.2018
 - To recruit to vacant posts on the staffing structure to reflect the level of demand in the nursery
 - To undertake a review of fees and charges for consumables and to implement a new fees and charging structure
 - To form a Harvey Nursery Collaborative Management Committee to develop a business plan for the future sustainability of the nursery from April 2018 to reduce the deficit and current level of subsidy provided by Bolton Council.
- 1.4 Harvey Nursery Collaborative Management Committee met between February 2018 and June 2018. See Appendix 1 for membership and terms of reference for this group.

2. RATIONALE FOR PROPOSED CLOSURE OF HARVEY NURSERY

- 2.1 This report sets out the details of proposals for consultation on the closure of nursery provision at Harvey Nursery in response to the challenges. If agreed, the proposals would ensure the cessation of an additional annual budget pressure of £103,886.
- 2.2 Harvey Nursery has not set a sustainable budget and is encountering an increasing deficit. This is due to a number of factors.
- 2.3 Harvey Nursery Collaborative Management Committee business case explored a number of financial models and concluded that Harvey Nursery could be sustainable if the following changes were implemented.
- Increase the occupancy of the nursery from 46 full time equivalent nursery places for 0-5-year-olds to 68 full time equivalent nursery places This equated to 680 sessions of childcare across all age phases.
 - Increase places for 15 hours a week free early education for the most disadvantaged two year olds to 24 full time places and up to 32 full time places for 30 hours funded childcare for eligible three and four years olds.

- Create up to 12 full time places for children under two years. They will be fee paying places and charged at actual cost without any subsidy.
- Ensure wraparound childcare for 2,3- and 4-year olds to meet parental demand is charged at full cost. (Working parents can claim up to 70% of childcare costs through Childcare tax credits subject to income)
- Revise the staffing structure and job descriptions and recruit to vacant posts. Also review of staff hours and reduced dependency on agency staff.
- Reorganise the internal layout to maximise occupancy and reduce space within Harvey Start Well Centre. This included adaptation and merger of childcare rooms and Daycare space to accommodate additional childcare places.
- Increase nursery fees in line with current Bolton childcare costs. The fee structure was to include the cost of meals, snacks and other additional consumables which would represent a 20% increase.
- Introduced revised session times to maximise capacity and income of the nursery, contributing to the nursery reaching its 75% occupancy target.

2.4 The nursery manager implemented a marketing strategy which included: Open days to raise awareness of the nursery provision; Leaflet drops; Bespoke banners, Updated information pack for new enquiries; Harvey Nursery Facebook page to raise awareness of the nursery; Inviting parents to comment and to make recommendations. Despite this the occupancy has not reached the target of 75%. Between 2018 and 2020 the maximum nursery occupancy was 44%. Occupancy of Harvey Nursery is summarised in the Table 1 below.

Table 1-Actual Nursery Occupancy 2018-2020

Age phase	March 2018		March 2019		March 2020		September 2020	
	Sessions occupied	% of available sessions take up	Sessions occupied	% of available sessions take up	Sessions occupied	% of available sessions take up	Sessions occupied	% of available sessions take up
0-2	25	20%	25	20%	30	25%	22	18%
2-3	100	41%	135	52%	145	60%	145	60%
3-4	175	56%	135	42%	111	34%	111	34%
Total	300	44%	270	39%	286	42%	286	42%

2.5 The inability to sustain occupancy above 44% is due to current childcare sufficiency in Bolton. Across the Borough there is a surplus of childcare places available for all children eligible for early years free entitlement provision.

2.6 Harvey Nursery is located within the Great Lever ward of Bolton and there are 20 childcare and early education providers within this ward. This is an increase of 3 providers since September 2017; Childcare provider numbers have increased across the three wards of Great Lever, Rumworth and Halliwell from 42 providers to 47 providers.

2.7 The impact of Covid 19 has had a direct effect on the take up of childcare places across the Borough. Childcare requirements are changing due to changes in employment circumstances, and less full-time

places are therefore required. This has impacted on all childcare providers. There is a higher proportion of childcare vacancies, and several providers have raised concerns about sustainability.

- 2.8 The increase in the number of providers alongside the reduced take up of childcare places has put a strain on the early years sector across the borough. Competition to fill places remains high and is proportionately higher than before the COVID-19 pandemic. This has further impacted on Harvey Nursery.
- 2.9 The overall number of childcare places for eligible 2-year olds and 3- and 4-year olds is sufficient, based on the current provision in these 3 wards. The Families Information Service has not reported any unmet demand for childcare places in these 3 wards.
- 2.10 Building charges and overheads associated to the building for the space that Harvey Nursery occupies have been calculated to be £49,600 per annum. If these were charged, it would mean that Harvey Nursery would have an increased deficit. As this is a Council run nursery within a council building, the business model did not propose to recharge the premises costs to the Day Care budget.
- 2.11 The proposals indicate a potential overall reduction in staff establishment by 19 posts, which equates to 15.32 Full-Time Equivalents (FTE).
- 2.12 The proposed closure of Harvey Nursery should not result in a negative impact on childcare places for families within the local community.
- 2.13 If agreed, these proposals would form the basis for consultation with trades unions, staff, elected members and key service users. Final proposals, with any changes where appropriate, will be considered after an appropriate period of consultation, with anticipated implementation by the end of March 2021.

3. CURRENT ORGANISATION

- 3.1 Harvey Nursery has a dedicated Nursery Manager who is, on occasion, required to support direct practice; a Nursery Deputy Manager who deputises for the Nursery Manager and is included within staffing ratios; Senior Early Years Workers who are room leaders within the provision; and Early Years Workers. In addition to staff directly working with children there is a Cook who prepares and provides meals for the nursery.
- 3.2 Harvey Nursery has been reorganised as agreed in the September 2018 report, to maximise sustainability; and whilst this has effectively reduced some of the budget pressures it has not been successful in reducing the deficit.
- 3.3 The Nursery Manager, recruited in 2019, has been actively involved in the monitoring of fees, implementing the new staff structure; implementation of a new invoicing system; recruitment to vacant posts, the revision of policies and analysis of need in relation to changes in provision.
- 3.4 The September 2018 report business case outlined that the viability of the nursery was based on 75% occupancy for the percentage of places taken up in each age phase.
- 3.5 There are currently 41 children accessing funded early education places, and 41% of these live in the wards of Great Lever, Halliwell and Rumworth. 20 children accessing the 3 and 4-year-old early year entitlement with 6 entitled to the Early Years Pupil Premium (EYPP). There are 57 children on roll.

3.6 Based on September 2019 headcount, 13% of funded children at Harvey Nursery were entitled to the EYPP. There are currently no children accessing the early years Inclusion fund; 13 children are due to transition to school in September 2021.

4. OPTIONS

4.1 To do nothing is not an option due to the ongoing budget pressures.

4.2 Despite implementing the business case to try to secure viability, the occupancy levels have remained below 44% and Harvey Nursery continues to cause the Council significant budget pressures. The proposed option is to close the provision in March 2021.

5. PROPOSALS FOR CHANGE

5.1 The proposals within this report include timescales for formal consultation on the closure of Harvey Nursery due to continued financial pressures associated with the provision, and the inability to set a sustainable budget.

5.2 Deficit projections have been based on assumptions from past experience; information available regarding demand for places and children currently on roll at the nursery; and on changes in early education funding. The projected deficit for the 20/21 financial year is £103,886. The deficit projections could however increase or decrease based on parental demand following the publication of the proposed closure.

5.3 Children currently attending the nursery and their families would be supported in making smooth transitions into alternative nursery provision from April 2021 and support will be available for parents who need help in securing alternative provision.

5.4 The Families Information Service will provide guidance to parents on alternative high-quality early education provision within the local area. This service can also provide an individual brokerage service to help source alternative wrap around childcare for any parents the closure will impact upon.

6. IMPACTS AND IMPLICATIONS

6.1 Financial

6.1.1 Harvey Nursery operates as a traded service which holds the expectation that the income that it generates should at least cover the direct costs of running the service.

6.1.2 The financial position over recent years for Harvey Nursery operating as a traded service can be seen in the table below. This shows the nursery has operated at a loss over these years and in the 20/21 financial year Harvey Nursery is projected to run at a deficit of £103,886.

6.1.3 The table below excludes premises costs. In the September 2018 report the Executive Cabinet Member agreed that the premises costs would not be charged to the Day Care budget, as it would not be viable to do so.

Table 2-Outturn Position 2017-2021

	17/18 Outturn	18/19 Outturn	19/20 Outturn	20/21 Projection
<i>Employees</i>	267,541	234,577	286,208	329,399
<i>Premises</i>	1,333	869	0	2,038
<i>Transport</i>	0	0	0	0
<i>Supplies</i>	19,488	20,147	14,620	10,899
<i>Third Party</i>	82,469	78,496	27,768	7,675
<i>Central Support</i>	1,628	869	636	1,337
<i>Capital Financing</i>	0	0	0	0
<i>Income</i>	-315,282	-257,637	-278,565	-247,462
Deficit	57,177	77,321	50,667	103,886

6.1.4 Not charging premises costs of £49,600 per annum for the space Harvey Nursery occupies contributes to a loss of income to the council.

6.1.5 As well as the direct costs of running the service Harvey Nursery receives additional support to the value of £62,200 per annum. This support charge is often calculated for traded services to show the true cost of running the service and includes costs associated with Leadership, ICT and all other support services. This support charge is not included in table 2 above.

6.1.6 Since September 2018 all third-party childcare leasing space within council premises have been charged at full cost. Harvey Nursery is not a third-party nursery provision but is a Local Authority run nursery.

6.1.7 The deficit of £103,886 creates a financial pressure to the department. If these proposals were approved, it would ensure cessation of future financial pressures in respect of the deficit at Harvey Nursery.

6.2 Legal

6.2.1 No Implications

6.3 Staff and Establishment Implications

6.3.1 Subject to approval of the proposals at the end of the consultation period, all staff employed within the nursery will be in a redundancy situation. Staff will be managed and supported in line with the Council's restructure, redundancy and redeployment policy framework.

Table A: The following posts (currently held vacant) would be disestablished:

FTE	Existing Job Title	Grade
0.86	Senior Early Years Worker	D
1.81	Early Years Worker	B

Table B: The following posts would be redundant from the current structure:

FTE	Existing Job Title	Grade
1	Manager	G
1	Deputy Manager	F
1.3	Senior Early Years Worker	D
8.47	Early Years Worker	B
0.88	Cook	C

6.4 Climate Change

No Implications

6.5 Other

No Implications

7. EQUALITY IMPACT ASSESSMENT (EIA)

7.1 Under the Equality Act 2010, the council must have due regard to:

- Eliminating unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act
- Advancing equality of opportunity between people who share a protected characteristic and people who do not share it
- Fostering good relations between people who share a protected characteristic and people who do not share it.

7.2 It is therefore important to consider how the proposals contained within this report may positively or negatively affect this work. To support this analysis, an Equality Impact Assessment (EIA) has been carried out on the proposals outlined in this report (Appendix 2).

7.3 The EIA looks at the anticipated (positive and/or negative) impacts of the proposal on people from Bolton's diverse communities, and whether any group (or groups) is likely to be directly or indirectly differentially affected.

7.4 The equality considerations are set out in more detail in the EIA. Should the proposals be approved by the Executive Cabinet Member, they will be kept under review as part of the consultation process with service users and their carers.

8. CONSULTATION

8.1 The proposals set out in the report are for consultation only at this stage. It is intended that the proposals contained within this report be the subject of an appropriate period of formal consultation with trade unions, staff, service users and stakeholders. Key features of this consultation include:

- Staff briefing sessions will be arranged for staff affected by the proposals, including those at risk of redundancy, and a staff pack will be provided explaining the proposals and what this could mean for their employment;
- Staff at risk of redundancy will be issued with letters following approval of this report for consultation;

- Regular meetings will take place with trade unions to work through the proposals and their implications for staff.
- A staff SharePoint site will be maintained for all affected staff with key information, dates and frequently asked questions.
- Individual and corporate support sessions for staff; and
- Stakeholder consultation with children and families accessing provision at Harvey Nursery, local children, families and the community, local childcare and early education providers and other council departments.

8.2 Following the close of consultation, proposals will be amended to take account of the responses received and alternatives put forward as appropriate. It is anticipated that implementation of the final (revised, if appropriate) proposals will commence on approval, with full implementation by the end of March 2021.

8.3 Depending on the outcome of the consultation appropriate support and advice will be provided to service users, children and families. This may include support to access childcare going forward; maximisation of space and staff capacity; and management of both fee-paying income and funding to the end of March 2021.

9. RECOMMENDATIONS

9.1 The Executive Cabinet Member is recommended to approve the attached report for consultation purposes with trade unions, staff, service users and stakeholders.

Harvey Nursery Collaborative Management Committee TERMS OF REFERENCE

1. Purpose

The primary aim of the Harvey Nursery Collaborative Management Committee is to develop a business plan for the future sustainability of the nursery from September 2018 to reduce the deficit and current level of subsidy provided by Bolton Council.

The purpose of the group is to:

- A. Review fees and charges and to consider proposals that were suggested through Consultation with parents including:
 - Changes to opening hours/times/ term-time options
 - Changes to the admission range and numbers
 - Staffing organisation
 - Use of space and organisation of the rooms
 - Fee income and charges for consumables
 - Additional services that could be provided to generate income
- B. To consider the role of Harvey Nursery within Bolton's Early Years SEND hub and base model. (This a partnership delivery model with Nursery/Special Schools, a specialist SEND Voluntary sector provider and the Local Authority)

2. Membership

The core membership of this group will consist of the following Start Well Central Team representative

Designation
Alexandra Nursery school Head teacher (Chair)
Start Well Strategic Lead for Early Years
Harvey Nursery Acting Manager
Harvey Nursery Acting Deputy Manager
Start Well Early Years and Childcare Adviser
Senior Administer
Deputy HR Business Partner,
Principal Group Accountant,
<i>Parent representative</i>
<i>Parent representatives</i>
Unison Steward
Governor service Clerk

In addition to the above, the Group may wish to seek the attendance from other internal and external bodies, dependent upon the nature of the business being considered. This will be at the Chair's discretion.

3. Attendance

All members are expected to attend these meetings. Members who cannot attend may where appropriate send a deputy.

4. Chair

Meetings will be chaired by Independent chair

5. Minutes

To be taken by Governor Service Clerk and to be circulated to the group.

6. Quorum

Eight members of the core membership of the group (this should include one representative from each team)

7. Frequency of meetings

To be confirmed as the initial meeting.

8. Accountability

To the Assistant Director Education and Learning and Lead members as outline in the report attached

10. Date Terms of Reference agreed:

14th February 2018

11. Review Date:

Equality Impact Assessment

Title of report or proposal:
Review of Harvey Nursery

Department:	Children Services
Section:	Start Well
Date:	30 th November 2020

Public sector bodies need to be able to evidence that they have given due regard to the impact and potential impact on all people with 'protected characteristics' in shaping policy, in delivering services, and in relation to their own employees.

Under the Equality Act 2010, the council has a general duty to have **due regard** to the need to:

1. **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
2. **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
3. **foster good relations** between people who share a protected characteristic and people who do not share it.

By completing the following questions the three parts of the equality duty will be consciously considered as part of the decision-making process.

Details of the outcome of the Equality Impact Assessment must also be included in the main body of the report.

1. **Describe in summary the aims, objectives and purpose of the proposal, including desired outcomes.**

In September 2017, the Executive Cabinet Member approved a report setting out proposals to close Harvey Nursery in July 2018, at the end of the 2017/2018 academic year, which was released for consultation with staff, elected members, trade unions, service users and other relevant stakeholders.

The Nursery was not, in fact, closed at that time - subject to its transition to a financial model which recovered the operational costs of the Nursery. To this end, the Nursery was internally reorganised, and a new fees model introduced to maximise sustainability. Whilst this has

effectively reduced some of the budget pressure, the low take up of available places mean that the nursery continues to operate at a deficit.

This report sets out the details of proposals for consultation on the closure of nursery provision at Harvey Centre in response to the challenges. If agreed, the proposals would ensure the cessation of an additional annual budget pressure of £103,886. The proposals indicate a potential overall reduction in staff establishment by 19 posts, which equates to 15.32 Full-Time Equivalents (FTE).

If agreed, these proposals would form the basis for consultation with trades unions, staff, elected members and key service users. Final proposals, with any changes where appropriate, will be considered after an appropriate period of consultation, with anticipated implementation end of March 2021.

2. Is this a new policy / function / service or review of existing one?

This is a review of an existing service. The Start Well service in its existing configuration was established by a review in December 2016 and reviewed in September 2018.

3. Who are the main stakeholders in relation to the proposal?

- Children and families
- Staff
- Trade Unions
- Local Childcare providers
- Other Council Departments
- Ward Members

4. In summary, what are the anticipated (positive or negative) impacts of the proposal?

The proposal would ultimately see the closure of the day nursery at Harvey Start Well centre and a reduction in the Council's staff establishment.

5. What, if any, cumulative impact could the proposal have?

This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else.

Our most recent information suggests there are vacant places across all age groups in excess of those currently provided at Harvey Nursery, and the proposed closure of Harvey Nursery should not result in a significant negative impact on childcare places for families within the local community. Nonetheless we will continue to monitor provision in the area and will seek to encourage new providers into the market if we become concerned about the amount and range of provision available.

6. With regard to the stakeholders identified above and the diversity groups set out below:

Impact on children and families

Consider:

- How to avoid, reduce or minimise negative impact (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- How to **advance equality of opportunity**. This means considering the need to:
 - Remove or minimise disadvantages suffered by people with protected characteristics due to having that characteristic.
 - Take steps to meet the needs of people with protected characteristics that are different from people who do not have that characteristic
 - Encourage protected groups to participate in public life and in any other activity where participation is disproportionately low
- How to **foster good relations**. This means considering the need to:
 - Tackle prejudice; and
 - promote understanding between people who share a protected characteristic and others.

	Is there any potential for (positive or negative) differential impact? Could this lead to adverse impact and if so what?	Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group, or for any other reason? Please state why	Please detail what actions you will take to remedy any identified adverse impact i.e. actions to eliminate discrimination, advance equality of opportunity and foster good relations
Race (this includes ethnic or national origins, colour or nationality, and caste, and includes refugees and migrants; and gypsies and travellers)	Whilst it is acknowledged that the nursery supports a part of the borough that has a comparatively high proportion of families from minority ethnic backgrounds, it is not anticipated that this in itself raises potential for significant differential impact on the grounds of race.	With regard to all the groups identified in this assessment, it should be noted that this proposal is driven by the corporate and departmental need to significantly reduce spend in line with national budget reductions and the need to set a balanced budget.	The most recent information suggests there are vacant childcare and early years education places across all age groups, in excess of the places currently provided at Harvey Nursery. The proposed closure of Harvey Nursery should not result in a significant negative impact on childcare places for families within the local

	<p>Families are assured that a range of providers in the area will continue to provide services and activity, provided or funded by the local authority, that is culturally sensitive and relevant to the needs of Bolton's diverse communities.</p> <p>There are currently 47 childcare and early education providers within the three wards identified as the current catchment area for the nursey. There is a surplus of childcare places across Bolton currently for all children eligible for early years free entitlement provision, including the most vulnerable children who are eligible to access 2 year old funding. It is not anticipated that the overall number of childcare places for eligible 2 year olds, 3 and 4 year olds in the area served by the nursery will be reduced to an inadequate level by this proposal but availability of provision in this area will continue to be monitored.</p>	<p>In the specific case of this proposal, it is believed that there will be no adverse impact on children and families in relation to race but will test this belief during the consultation period.</p>	<p>community. Nonetheless, provision will continue to be monitored in the area and new providers will be encouraged into the market if the number and quality of provision available becomes a concern.</p>
<p>Religion or belief (this includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief)</p>	<p>No differential impact is anticipated on grounds of religion or belief.</p>	<p>See comments under Race.</p>	<p>See comments under Race.</p>
<p>Disability (a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities)</p>	<p>Whilst any concern that families might feel about moving from local authority provision which has a sound track record in providing inclusive services is acknowledged, families are reminded that early years' providers have duties under the Equality Act 2010. In particular, they must not discriminate against,</p>	<p>See comments under Race.</p>	<p>See comments under Race.</p>

	harass or victimise disabled children, and they must make reasonable adjustments, including the provision of auxiliary aids and services for disabled children, to prevent them being put at substantial disadvantage. In consequence, no differential impact is anticipated on the grounds of disability.		
Sex / Gender	No differential impact is anticipated on the grounds of sex / gender.	See comments under Race.	See comments under Race.
Gender reassignment / Gender identity (a person who's deeply felt and individual experience of gender may not correspond to the sex assigned to them at birth, they may or may not propose to, start or complete a process to change their gender. A person does not need to be under medical supervision to be protected)	<p>Whilst it is acknowledged that the provision, whose removal is proposed, is one in which staff would be sensitive to the needs of people who do not identify as cisgender, it is not anticipated that this raises potential for any differential adverse impact</p> <p>Families are assured that any activity funded via the scheme for provision of free early years education and childcare will meet all statutory obligations on grounds of equality and discrimination against people because of their gender identity.</p>	See comments under Race.	See comments under Race.
Age (people of all ages)	<p>Whilst it is acknowledged that this proposal seeks permission to consult on the removal of provision for children aged under 4 years old, it is not anticipated that this will in itself present a differential impact on the grounds of age.</p> <p>There are currently 47 childcare and early education providers within the three wards identified as the current catchment area for the nurse. There is a surplus of</p>	See comments under Race.	See comments under Race.

	<p>childcare places across Bolton currently for all children eligible for early years free entitlement provision, including the most vulnerable children who are eligible to access 2 year old funding. It is not anticipated that the overall number of childcare places for eligible 2 year olds, 3 and 4 year olds in the area served by the nursery will be reduced to an inadequate level by this proposal but availability of provision in this area will continue to be monitored.</p>		
<p>Sexual orientation - people who are lesbian, gay and bisexual.</p>	<p>No differential impact is anticipated on the grounds of sexual orientation.</p>	<p>See comments under Race.</p>	<p>See comments under Race.</p>
<p>Marriage and civil partnership (Only in relation to due regard to the need to eliminate discrimination)</p>	<p>No differential impact is anticipated on the grounds of marriage and civil partnership.</p>	<p>See comments under Race.</p>	<p>See comments under Race.</p>
<p>Caring status (including pregnancy & maternity)</p>	<p>Whilst it is acknowledged that this proposal seeks permission to consult on the removal of provision for children aged under 4 years old, it is not anticipate that this removal will in itself present a significant differential impact for parents and carers on the grounds of caring status.</p> <p>There are currently 47 childcare and early education providers within the three wards identified as the current catchment area for the nursey. There is a surplus of childcare places across Bolton currently</p>	<p>See comments under Race.</p>	<p>See comments under Race.</p>

	<p>for all children eligible for early years free entitlement provision, including the most vulnerable children who are eligible to access 2 year old funding. It is not anticipated that the overall number of childcare places for eligible 2 year olds, 3 and 4 year olds in the area served by the nursery will be reduced to an inadequate level by this proposal but availability of provision in this area will continue to be monitored.</p>		
<p>Socio-economic</p>	<p>Most recent data suggests the number of the pupils attending Harvey Nursery who are eligible for Early Years Pupil Premium has fallen.</p> <p>This in itself does not raise concerns regarding significant differential impact on socio-economic grounds as families are assured that a range of providers in the area will continue to make childcare available to families who receive support through the scheme which provides free early education and childcare to eligible children.</p> <p>There are currently 47 childcare and early education providers within the three wards identified as the current catchment area for the nursey. There is a surplus of childcare places across Bolton currently for all children eligible for early years free entitlement provision, including the most vulnerable children who are eligible to access 2 year old funding. It is not anticipated that the overall number of childcare places for eligible 2 year olds, 3 and 4 year olds in the area served by the nursery will be reduced to an inadequate level by this proposal but availability of</p>	<p>See comments under Race.</p>	<p>See comments under Race.</p>

	provision in this area will continue to be monitored.		
Other comments or issues.			
Please provide a list of the evidence used to inform this EIA, such as the results of consultation or other engagement, service take-up, service monitoring, surveys, stakeholder comments and complaints where appropriate.	Usage, population and sufficiency data for Rumworth, Halliwell and Great Lever wards.		

Impacts on Staff

Consider:

- How to avoid, reduce or minimise negative impact (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- How to **advance equality of opportunity**. This means considering the need to:
 - Remove or minimise disadvantages suffered by people with protected characteristics due to having that characteristic.
 - Take steps to meet the needs of people with protected characteristics that are different from people who do not have that characteristic
 - Encourage protected groups to participate in public life and in any other activity where participation is disproportionately low
- How to **foster good relations**. This means considering the need to:
 - Tackle prejudice; and

- promote understanding between people who share a protected characteristic and others.

Any redundancies that may result from the proposed restructure will comply with the Council's Human Resources procedures which are designed to treat all staff equally and do not discriminate against any group of people. If a redundancy situation is identified the Council endeavours to address this by workforce planning procedures, including staff redeployment, consideration of voluntary redundancy or VER and all other reasonably practical measures. It has been sought to reduce the impact of these proposals on staff by deleting posts which are already vacant wherever possible.

Detailed consideration of the staff cohort affected by this proposal in this assessment would risk identifying individual members of staff due to the comparatively small numbers of staff involved. The implications of the review will be monitored as part of the Council's wider diversity monitoring and all decisions will be taken in accordance with the Council's existing policies. Nevertheless, there are important diversity issues which need to be considered in any review of the early years workforce. This section of the assessment will set these out. The extent of their applicability to Bolton and their implications for the review will be tested at consultation.

	Is there any potential for (positive or negative) differential impact? Could this lead to adverse impact and if so what?	Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group, or for any other reason? Please state why	Please detail what actions you will take to remedy any identified adverse impact i.e. actions to eliminate discrimination, advance equality of opportunity and foster good relations
Race (this includes ethnic or national origins, colour or nationality, and caste, and includes refugees and migrants; and gypsies and travellers)	No differential impact is anticipated on the grounds of race.	With regard to all the groups identified in this assessment, it should be noted that this proposal is driven by continued financial pressures associated with the provision, and the inability to set a sustainable budget.	As outlined above, the proposals are for consultation purposes with staff, stakeholders and trade unions, and the analysis of equality impact will be tested during consultation. An updated EIA will be included with the report setting out the final proposals. All staff displaced as a result of this proposal will receive the assistance available through the Council's programme of Review, Redeployment, Job Search & Retirement Support

Religion or belief (this includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief)	No differential impact is anticipated on the grounds of race.	See comments under Race.	See comments under Race.
Disability (a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities)	No differential impact is anticipated on the grounds of disability.	See comments under Race.	See comments under Race.
Sex / Gender	Early years and childcare services in England are predominantly, although not exclusively, staffed by women. Any impacts of the proposal could therefore have a negative effect on women because they form the greatest proportion of the workforce.	This is a result of wider social pressures and historic issues relating to the gender balance within the early years sector. As Cameron and Moss's research for the University of London makes clear, this problem is not unique to Bolton – or even to the UK	As outlined above, the proposals are for consultation purposes with staff, stakeholders and trade unions, and the analysis of equality impact will be tested during consultation. An updated EIA will be included with the report setting out the final proposals. Staff will be managed and supported in line with the Council's restructure, redundancy and redeployment policy framework.
Gender reassignment / Gender identity (a person who's deeply felt and individual experience of gender may not correspond to the sex assigned to them at birth, they may or may not propose to, start or complete a process to change their gender. A person does not need to be under medical supervision to be protected)	No differential impact is anticipated on the grounds of gender reassignment/gender identity.	See comments under Race.	See comments under Race.

Age (people of all ages)	No differential impact is anticipated on the grounds of age. No age group predominates in the staffing cohort of the nursery.	See comments under Race.	See comments under Race.
Sexual orientation - people who are lesbian, gay and bisexual.	No differential impact is anticipated on the grounds of sexual orientation.	See comments under Race.	See comments under Race.
Marriage and civil partnership (Only in relation to due regard to the need to eliminate discrimination)	No differential impact is anticipated on the grounds of marriage and civil partnership.	See comments under Race.	See comments under Race.
Caring status (including pregnancy & maternity)	Early years and childcare services in England are predominantly, although not exclusively, staffed by women, who in turn are more likely to, but not exclusively, have a caring status. Therefore, because they form the greatest proportion of the workforce, any impacts of the proposal could therefore have a negative effect on people with a caring status.	It should be noted that this proposal is driven by continued financial pressures associated with the provision, and the inability to set a sustainable budget.	As outlined above, the proposals are for consultation purposes with staff, stakeholders and trade unions, and the analysis of equality impact will be tested during consultation. An updated EIA will be included with the report setting out the final proposals. Staff will be managed and supported in line with the Council's restructure, redundancy and redeployment policy framework.
Socio-economic	A notable proportion of the posts affected are at Grade D or below. As a result the impact of the proposal will be felt by lower paid workers.	With regard to all the groups identified in this assessment, it should be noted that this proposal is driven by continued financial pressures associated with the provision, and the inability to set a sustainable budget.	As outlined above, the proposals are for consultation purposes with staff, stakeholders and trade unions, and the analysis of equality impact will be tested during consultation. An updated EIA will be included with the report setting out the final proposals. Staff will be managed and supported in line with the Council's restructure, redundancy and redeployment policy framework.

Other comments or issues.	
Please provide a list of the evidence used to inform this EIA, such as the results of consultation or other engagement, service take-up, service monitoring, surveys, stakeholder comments and complaints where appropriate.	<i>Cameron, C., Moss, P and Owen, C. (1999) Men in the Nursery: Gender and Caring Work. London: Paul Chapman Publishing</i> <i>Local Workforce Data</i>

This EIA form and report has been checked and countersigned by the Directorate Equalities Officer before proceeding to Executive Cabinet Member(s)

Please confirm the outcome of this EIA:

No major impact identified, therefore no major changes required – proceed	<input type="checkbox"/>
Adjustments to remove barriers / promote equality (mitigate impact) have been identified – proceed	<input checked="" type="checkbox"/>
Positive impact for one or more groups justified on the grounds of promoting equality - proceed	<input type="checkbox"/>
Continue despite having identified potential for adverse impact/missed opportunities for promoting equality – this requires a strong justification	<input type="checkbox"/>
The EIA identifies actual or potential unlawful discrimination - stop and rethink	<input type="checkbox"/>

Contact Officer

Name: Helen Shearer

Date: 17/11/2020

Directorate Equalities Lead Officer

Name: Rachael Storey

Date: 17/11/2020
