
NORTH AYRSHIRE COUNCIL

18 February 2020

Cabinet

Title: Closure of Garnock Valley Early Years Centre and relocation of provision to St Bridget's Primary School Early Years Class.

Purpose:

- i) To seek Cabinet's approval for the Council's response to the conditions imposed on it following the call in by Scottish Ministers on the proposal to close Garnock Valley Early Years Centre and relocate the provision for early learning and childcare for children aged 2-3 years to St Bridget's Primary School Early Years Class.
- ii) To inform Cabinet of the transitional arrangements for children attending GVEYC and St Bridget's Early Years Classes during the forthcoming building and refurbishment programme at St Bridget's.

Recommendation: That Cabinet agrees the proposal to close Garnock Valley Early Years Centre and relocation to St Bridget's Primary School Early Years Class.

1. Executive Summary

- 1.1 Following the Statutory Public Consultation on the proposed closure of Garnock Valley Early Years Centre (GVEYC), the Council received a Call-In Notice under Section 15(3) of the 2010 Act. The Council is required to submit its response to Scottish Ministers by April 2020.
- 1.2 Three conditions were imposed on the Council and its responses to each of these conditions are contained within this paper.
- 1.1 The Call-In has resulted in a delay to the proposed refurbishment programme and this means that the planned works will not now be complete until December 2020. Arrangements are being progressed to ensure that there is a smooth transition to the new provision within St Bridget's Primary School.
- 1.4 In order to undertake the building works and to ensure that there is minimal disruption for the children and the school, a decision has been taken to decant the current early years provision at St Bridget's PS into the Garnock Valley Early Years Centre for the duration of the works.

2. Background

- 2.1 On 14 May 2019, Cabinet approved the proposal to close Garnock Valley Early Years Centre (GVEYC) and relocate the provision for 2-3 year olds to newly refurbished provision within St Bridget's Primary School Early Years Class. This decision followed a period of statutory public consultation which ran from 23 January 2019 to 8 March 2019.
- 2.2 Following Cabinet approval, and in line with the Schools (Consultation) (Scotland Act) 2010 (as amended), the Council was required to notify Scottish Ministers within 6 days of making that decision.
- 2.3 Scottish Ministers then had a period of eight weeks in which to decide whether to call in the decision. The Council can only implement the proposal when the affirmative decision is made by Scottish Ministers.
- 2.4 On 8 July 2019, Scottish Ministers issued a Call-In Notice under Section 15(3) of the 2010 Act to North Ayrshire Council ("the Education Authority") in relation to the decision by the Education Authority to discontinue the early learning and childcare provision at GVEYC and relocate the provision to St Bridget's Primary School Early Year Class.
- 2.5 Scottish Ministers considered that there may be two potential failures by the Council to comply with the requirements of the 2010 Act:
 - In respect of the requirement to notify Scottish Ministers of a decision to implement a closure proposal in terms of section 15(2) of the Act
 - In respect of the requirement to publish a website notice confirming the Council's decision in terms of section 15 (2A) of the Act.
- 2.6 As required by the Act, a Scottish Government School Closure Review Panel was convened on 10 July 2019 to review the proposal.
- 2.7 The Panel's decision would usually be intimated to the Council within eight weeks from the date of constitution of the Panel. However, the Panel extended the period of the review for a further 8 weeks and this expired on 30 October 2019.
- 2.8 The Council was then notified of the Panel's decision to grant consent with conditions to North Ayrshire Council's proposal to discontinue the early learning and childcare provision at GVEYC and relocate the provision to St Bridget's Primary School Early Year Class.
- 2.9 Three conditions were imposed on the Council by the School Closure Review Panel in line with section 17C(1)9c) (i) of the 2010 Act. The proposed responses to each of the conditions are detailed below:
 - 2.9.1 **Condition 1**

The Education Authority shall carry out a full impact assessment of the proposal to remove the free transport currently available to 2-3 year old children attending (or due to attend) GVEYC or St Bridget's. This shall include, inter alia, consultation with the parents of children who will be affected by the decision. A report of the impact assessment shall be considered by Council for a further decision as to whether to proceed with the removal of this service. Until such a decision to withdraw free transport

is made, the transport shall continue to be provided to all children who would be eligible under the present terms.

Council Response

For some years now, there has been provision of a unique transport service for children who attend GVEYC. This involves the provision of a minibus which collects and drops off some children to support their attendance at their ELC provision. Not all children attending GVEYC receive this service, and allocation is based on historical custom and practice, for example, the location of their home, the health of their parents or carers, the location of their sibling's primary school, etc. As this service is not available to any other family in North Ayrshire, despite similar circumstances prevailing, it could be considered inequitable for those families who do not receive this unique transport provision, and therefore it is proposed that it is ceased.

Following receipt of the Scottish Government decision all families with 2-3 year old children attending GVEYC were consulted on proposed changes to transport arrangements. As at February 2020, nine families were potentially affected by the proposed changes to transport and further engagement took place with them at this time. This aimed to ensure that all parents of children currently attending or due to attend GVEYC or St Bridget's from August 2020 were consulted. Of the nine families potentially affected, four are unaffected as they will transition to their 3-5 years provision from August 2020 and the remaining five children will be assessed for transport under the Council's Transport Policy. These families have raised no significant issues either in terms of equalities or otherwise. These families live relatively close to GVEYC.

Accordingly, no significant equalities impacts were identified in relation to the proposal that transport arrangements are aligned with the Council's Transport Policy. Nevertheless, and as required by the Scottish Government, an Equalities Impact Assessment has been undertaken and is attached at Appendix 1. This assessment ensures that when planning services, the Council is not adversely affecting or discriminating against any groups within a community, is promoting equality, and considering the specific needs of children and young people.

The conclusion of this assessment is that there are no significant equalities impacts in aligning the proposed transport arrangements with those of the Council's Transport Policy.

In summary, this Policy sets out the terms for the provision of free transport in North Ayrshire and adheres to the national legislation on school transport.

The policy includes the provision of free transport for children to attend early learning and childcare establishments in the following circumstances:

- A child has additional support needs and will benefit from attending ELC provision.
- A child lives more than 5 miles from the nearest ELC provision.

Engagement has also taken place with Health Visitors who make referrals to the service. This is to ensure they are aware of the removal of the transport provision, and the terms of the Council's Transport Policy. In turn this will help them support families to consider their transport requirements when selecting the most appropriate ELC establishment for their child.

2.9.2 **Condition 2**

The Education Authority shall prepare a report fully detailing the reduction of staffing levels for 2-3 year old children at St Bridget's that is envisaged by the Proposal when compared with the existing staffing levels at GVEYC. The report shall include an assessment of the impact that this reduction will have on the services currently provided both to children and to their parents who attend, or will in future attend, GVEYC or St Bridget's. No reductions to the staffing levels shall be implemented until a decision to do so has been taken by Council following consideration of that report.

Council Response

In summary, the provision of 1140 hours for 2-3 year-old children at St Bridget's will mean that the current allocation of Early Years Practitioners will require to increase by 1.38 FTE which takes account of the additional hours of ELC being provided.

Due to the proposed relocation of the provision to St Bridget's PS Early Years Class, 3 Early Years posts will no longer be required. These are:

- The Head of Centre post;
- The Driver / Handyman post; and
- The Education Assistant (Support) post.

This is because the Early Years Class will be led by the St Bridget's school leadership team including a new Early Years Manager and supported by the existing school's Education Assistant (Support) team. It is anticipated that the early years practitioners currently working with 2-3 years olds at GVEYC will relocate to St Bridget's PS Early Years Class with the children and their families, thereby providing continuity and stability during the transition.

Due to the proposed removal of the transport provision, there will be no requirement for the Driver/Handyman role.

The proposed staffing model for the 2-3 year old provision at St Bridget's PS Early Years Class is the same model that is in place across all other ELC provision for 2 – 3 year olds within Council run early years establishments and complies with Care Inspectorate and Education Scotland requirements.

2.9.3 **Condition 3**

The Education Authority shall send a report to the Scottish Ministers in April 2020 detailing its progress in complying with the two conditions set out above.

Council Response

It is proposed that this Report and its appendix, along with the minute of the Cabinet meeting which details Cabinet's decision, are submitted to Scottish Ministers in April 2020.

Proposed Transition Plan for GVEYC

2.10 The call in by the School Closure Review Panel has resulted in a delay to the proposed refurbishment programme at St Bridget's PS Early Years Class and means that the planned works will not now be completed until December 2020 at the earliest.

2.11 In order to undertake the building works and to ensure that there is minimal disruption for the children and the school, a decision has been taken to decant the current early

years provision at St Bridget's PS into the Garnock Valley Early Years Centre for the duration of the works. Both the Head Teacher, St Bridget's and the Head of Centre, GVEYC, have been involved in the consideration of options to ensure that these interim arrangements are suitable and can be managed effectively.

- 2.12 The decant will take place during the Easter break to allow works to commence at the end of April. From April to the end of June, both services (GVEYC 2-3 years and St Bridget's 3-5 years) will operate from the GVEYC building. GVEYC will continue to operate the restricted service over the summer.
- 2.13 From the start of the new session in August 2020, the GVEYC will close and the new St Bridget's 2-5 years (1140 hours) service will commence, from the GVEYC building, until December 2020, when the newly refurbished and extended facilities within St Bridget's Primary School will be open and ready for use from January 2021.
- 2.14 The GVEYC building will be declared surplus subject to approval of this report.

3. Proposals

- 3.1 i) To seek Cabinet's approval of the Council's response to the conditions imposed on it following the call in by Scottish Ministers on the proposal to close Garnock Valley Early Year Centre and relocate the provision for early learning and childcare for children aged 2-3 years to St Bridget's Primary School Early Years Class.
- ii) To inform Cabinet of the transitional arrangements for children attending GVEYC and St Bridget's Early Years Classes during the forthcoming building and refurbishment programme at St Bridget's.

4. Implications/Socio-economic Duty

Financial

- 4.1 None directly related to the current report.

Human Resources

- 4.2 The proposed staffing models retain existing terms and conditions for employees. The revised staff structure at St Bridget's Early Years class has some implications for some staff and these will be dealt with under standard HR processes.

Legal

- 4.3 This report responds to the legal requirements imposed by Scottish Ministers in relation to Section 15(3) of the 2010 Act to North Ayrshire Council ("the Education Authority") in relation to the decision by the Education Authority to discontinue the early learning and childcare provision at GVEYC and relocate the provision to St Bridget's Primary School Early Year Class.

Equality/Socio-economic

- 4.4 The attached ECRIA considers the implications for children and families who use the services under consideration and provides reassurance that no children will be disadvantaged within the new proposals.

Environmental and Sustainability

- 4.5 Investment in St Bridget's Early Years facilities will ensure high quality and sustainable accommodation for the new provision.

Key Priorities

- 4.6 North Ayrshire's children and young people have the best start in life.
- We will expand our early learning and childcare provision to make sure all eligible children are able to access 1140 hours of free early learning and childcare each year.

Community Wealth Building

- 4.7 None directly related to the current report.

5. Consultation

- 5.1 Consultation and engagement with key groups is a strong focus of the Early Learning and Childcare Expansion Programme (ELCEP) Board. A small number of families are affected by the proposals and all appropriate consultation with staff and parents in relation to the transport provision has been undertaken in relation to the ECRIA. All families are also aware of and planning for the proposed interim arrangements as described in the report.

Caroline Amos
Head of Service

For further information please contact **Doreen Walkinshaw, Business Manager**, on **01294 324175**.

Background Papers

Appendix 1: ECRIA: The provision of free and dedicated transport for children to Garnock Valley Early Years Centre

North Ayrshire Council Children's Rights Impact Assessment Form

Equality and Children's Rights Impact Assessment

This form will assist in carrying out an Equality Impact Assessment (and where appropriate Children's Rights Impact Assessment) of new, revised and existing policies and practices. Guidance on how to complete assessments is given in the Council's **Equality and Children's Rights Impact Assessment Toolkit**. The form is mandatory and must be published on the Council website once the policy or practice has been approved.

Section 1 - Details

1.1 Service: Section:

1.2 Name of Policy or Practice being assessed:

**The Provision of Free and Dedicated Transport for Children to
Garnock Valley Early Years Centre.**

Is its new ☐

Existing ☒

Budget Proposal ☐

*Budget Ref Number (if applicable)

1.3 List of participants in Equality (& CRIA) Impact Assessment

Caroline Amos, Head of Service (Education)
Lynn Taylor – Senior Manager Infrastructure and Resources
Calum Maxwell, Senior Manager Early Years
Doreen Walkinshaw, Business Manager
Diane Ferguson, Early Years Coordinator
Catriona Mulhern, Head of Centre
Donna Reid, Senior Project Officer
Andrew Hale, Health Improvement & Equalities Officer, Democratic Service

1.4 Manager responsible for impact assessment

Name:

Designation:

1.5 Timetable

Date assessment started:

Interim review date:

2.1 What is the purpose of the policy, practice or proposal?

The Impact Assessment has been prepared to review the practice of providing free transport to children attending GVEYC.

Garnock Valley Early Years Centre (GVEYC) delivers early learning and childcare to children aged 2 -3 years who are eligible and those who are referred by health visitors.

A unique part of the service, which was introduced in 2002, is the offer of a free transportation service to and from the centre, by minibus, with a dedicated driver and escort provision. The decision to provide transport was taken at the time of the introduction of the service, and was an initiative derived from Surestart funding.

At present, transport is provided for children who live in Kilbirnie, who attend GVEYC.

After Statutory Public Consultation, a decision was taken to close GVEYC and relocate to new provision at St Bridget's PS. It is proposed that this unique transport service ceases when GVEYC closes in August 2020.

2.2 Who (indicate the equality groups*) is affected by the policy or practice as an internal or external service user?

Age

There are currently 9 children who attend GVEYC who reside in Kilbirnie. This included one child who enrolled in the service in January 2020. Four of the children will transition to their 3-5 years provision from August 2020 and the remaining five children will be assessed for transport under the Council's Transport Policy.

Parents/carers of any new children starting in GVEYC will be made aware that the free and dedicated transport service is due to cease in August 2020, when the GVEYC provision ceases and children re-locate to St Bridget's PS Early Years Class.

2.3 Are there any children's rights (based on the Articles of the UNCRC – Appendix 2) that are impacted on through the proposal? (for further information please refer to the Equality and Children's Rights Toolkit)

Yes - ☐ Please **also** complete the CRIA questions in Appendix.

No - ☒ Please complete this form only.

2.4 Which aspects of the practice eliminates unlawful discrimination, harassment and victimisation?

GVEYC is the only centre with a free and dedicated local transport service. This service is not available to any other early years’ class or centre and therefore creates inequity for all other children across North Ayrshire. Where there is an identified need for transport at any centre, including GVEYC, it would be arranged and provided for a child meeting the criteria and conditions set out within the Council’s Transport Policy.

2.5 Which aspects of the practice advance equality of opportunity between people which share a relevant protected characteristic and those who do not?

The Council’s Transport Policy has been developed to align to national legislation. This means that all children who meet certain criteria and conditions, as laid out within the Council’s transport policy, will receive the transport they require. This should include those children at GVEYC and will be used to determine provision for any child affected following the removal of the free, dedicated, local transport for GVEYC.

Attendance data analysis has shown that the attendance rates at other Council early years centres are similar to the attendance rates at GVEYC, which suggests that attendance is not improved by the existence of a unique transport provision.

The removal of the unique transport arrangements at GVEYC will bring the transport provision into line with arrangements for all other children attending Early Years (EY) centres and classes across North Ayrshire.

2.6 Which aspects of the policy foster good relations between people who share a protected characteristic and those who do not? (Does it tackle prejudice and promote a better understanding of equality issues).

N/A

2.7 Have any cross-cutting impacts been identified from other Council Services or Partner Agencies (multiple discrimination or accumulated effects of multiple proposals on a protected characteristic group)?

There are no direct cross-cutting or accumulated effects, however the Education Service will work closely in partnership with Health Visitors to ensure that all professionals have information about the full range of ELC services to support parents to make more informed choices, particularly in relation to their responsibility to transport their children to their chosen early years provision. This would include a full range of ELC providers: funded providers, child minders and other local authority service providers, within their locality and community.

Free transport will be provided in line with the Council’s Transport Policy.

2.8 If Crosscutting issues identified with other Services, what discussion/interaction has taken place to mitigate any potential negative impacts of accumulated proposals?

The Garnock Valley Health Visiting Team are being briefed on the proposed changes to ensure they have a clear understanding of the Council's Transport policy and how it is operated for early years children and families in other localities across the Council. Health Visitors will support parents to make informed decisions about the most appropriate ELC service for their child and the family. If children meet the criteria to receive transport provision, they will receive transport in line with the Council's Transport Policy.

Section 3 – Collecting Information

3.1 What evidence were you able to access about the needs of relevant protected groups?

Potential sources of Evidence:

Attendance data
Geographical Data
Internal Practice – North Ayrshire Council's Transport Policy

Source(s) of Evidence used for this assessment:

Attendance Data

The attendance records at GVEYC and other NA ELC establishments in similar SIMD areas.

Geographical Data

At present, all children who are transported to and from the GVEYC reside in Kilbirnie. Distance range is from 0.3 to 1.3 miles.

There are 3 local authority establishments which currently offer 2 year old provision in the Garnock Valley – Dalry Early Years Centre, Garnock Community Campus Early Years Centre. In addition, there are funded providers, including childminders in the local area.

Internal Practice

GVEYC is the only centre with a dedicated transport facility. This service is not available to any other early years' class or centre. Where there is an identified need for transport this is, in all other instances, arranged and provided following the criteria and conditions set out within the Transport Policy.

Engagement with Service Users

The small number of families affected by the proposals have all been consulted in relation to the new arrangements.

3.2 Are there any gaps in your evidence?

None Identified

Section 4 – Impacts

4.1 From the list of protected characteristic groups identified in section 2.3 please identify any potential positive and negative impacts on any of these protected characteristics?

Protected Characteristic	Yes	No	Please Explain (Positive or Negative)
Age (Older people, children and young people – please identify which categories will be affected)	X		This practice change affects some children aged 2 – 4 years.
Disability (Physical and Learning)	X		Children who require transport because of their assessed need will not be negatively impacted because they will be provided with transport in line with the Council's existing Transport Policy.
Gender reassignment (Where a person is living as the opposite gender to their birth)		X	
Pregnancy and Maternity		X	
Race, ethnicity, colour, nationality or national origins (including gypsy/ travellers, refugees and asylum seekers)		X	
Religion or belief		X	
Sex Women and Men)		X	
Sexual Orientation (Lesbian, gay and bisexual people)		X	
Other (Poverty, homelessness, ex-offenders, isolated rural communities, carers, part-time workers, or people in a marriage/civil partnership)		X	

4.2 If there is a possibility that Young People will be impacted through this policy either directly or indirectly – please complete the Children’s Rights Assessment in Appendix 1.

There is no impact identified in relation the UN Children’s Rights.

Section 51 of the **Education (Scotland) Act 1980**, makes it clear that free school transport must be provided for primary school age children who live 2 miles or more (if aged under 8) and who live more than three miles or more (if aged 8 and or over) from their catchment school.

It should be noted that the arrangements for school transport in North Ayrshire Council are more favourable than that noted in the legislation as all primary aged children living more than 2 miles from their catchment school will receive school transport.

A child attending an early years’ establishment will not normally be provided with free school transport except in the following circumstances:

- A child with additional support needs who will benefit from attendance;
- A child lives 5 or more miles away from the nearest local early years provision.
- During school holidays, certain children who require access to provision through referral and have been identified as requiring support.

Fairer Scotland Duty

4.3 The Fairer Scotland Duty (‘the Duty’), Part 1 of the Equality Act 2010 places a legal responsibility on the Council to actively consider (‘pay due regard to’) how we can reduce inequalities of outcome caused by socio-economic disadvantage when making decisions ([further guidance is available here](#)).

Does the proposal have the potential to have a significant impact on inequalities of outcome caused by socio-economic disadvantage?(consider low income; low wealth; material deprivation; area deprivation; communities of place or interest, socio-economic background).

Please explain/explore the key issues below:

The Council’s Transport Policy and the current practice of transport provision at GVEYC have been developed to meet very specific needs in relation to additional support needs and/or geographic location. Therefore, there is no assessment of income or any other socio-economic factors. However, it is recognised that whilst there may be some socio-economic impact for some families, there is no evidence to suggest this is the case for families who currently use the service, all of whom live 1.3 miles or less from GVEYC. They are therefore resident within the National Guidance of 5 miles or more from the nearest ELC facility. GVEYC is the only establishment in North Ayrshire that provides this transport service for early years children.

4.4 If impacts have been identified how will these be mitigated or explored in more detail? (please outline below)

There are currently 9 children who attend GVEYC who reside in Kilbirnie and are currently accessing the transport provision. Four of the children will transition to their 3-5 years provision by August 2020 and their transport provision will cease as they are no longer attending GVEYC. In January 2020, new enrolments included one child who has been identified and currently receiving transport and this child is included in the total number of nine children. The remaining five children will be assessed in relation to transport under the Council's Transport Policy.

Parents and carers of all new children joining the service from February 2020 will be made aware of the planned cessation of the GVEYC service provision in August and the transition to the new 1140 St Bridget's Early Years Class. All children joining the service will be assessed in relation to transport under the Council's Transport Policy from August 2020.

4.5 Island Proofing

Island Proofing is about considering the particular needs and circumstances of island communities when public sector organisations exercise their functions and make decisions. This has been added to the process of assessing the Council Plan and includes a range of issues such as access to services, digital connectivity, employment and access to education; transport and access to goods and services.

N/A

Section 5 – Assessment

5.1 Is there any evidence that the policy:

- may result in less favourable treatment for particular groups?
- may give rise to direct or indirect discrimination?
- may give rise to unlawful harassment or victimisation?

Yes ☐

No ☒

No evidence ☐

If yes, give details

N/A

5.2 If you have identified a negative impact for any protected characteristic, how will you modify this?

5.3 Is the policy or practice intended to promote equality by permitting positive action to remove or minimise disadvantage?

Yes ☒

No ☐

If Yes, please give details

Any transport arrangements for children attending the new provision located within St Bridget's Primary School Early Years Class will be in line with all other local authority early years classes and centres.

5.4 Will the policy lead to positive outcomes for people based on a protected characteristic? (please explain)

When the dedicated transport arrangements cease, transport will be provided for any child who meets the qualifying criteria in line with the Council's Transport Policy.

Section 6 – Consultation & Recommendations

6.1 Describe the consultation undertaken with equality groups, including details of the groups involved and the methods used.

- Prior to the Statutory Public Consultation (SPC), pre-engagement sessions were held with parents and staff of GVEYC and St Bridget's Primary School Early Years Class and health visitors. These meetings included the GVEYC Head of Centre and the Head Teacher from St Bridget's Primary School.
- A public meeting was held at St Bridget's Primary School during the SPC process. This meeting was attended by the Head of Centre and staff from GVEYC, one parent, and a local Councillor.
- Following receipt of the Scottish Government decision, in June 2019, all families with 2-3 year-old children attending GVEYC were consulted on proposed changes to transport arrangements. These engagement sessions were led by the Head of Centre and parents were offered a follow up session with the Senior Manager (Early Years).
- Further consultation took place in February 2020 to ensure that all parents due to attend GVEYC or St Bridget's were consulted.
- Engagement has taken place with Health Visitors in North Ayrshire to ensure they are aware of the Council's Transport Policy and the criteria that are applied to early years children. They are supporting families to consider the most appropriate early years placement for their child.

Section 7 - Outcome of Assessment – please ensure children’s rights have been considered (appendix 1) before completing this section.

7.1 Please detail the outcome of the assessment:

1. No major alterations to the policy assessed: the ECRIA (and socio-economic impact) demonstrates the policy is robust and there is no possible discrimination or adverse impact. All opportunities to promote equality have been taken. ☒
2. Adjust the policy: the ECRIA (and socio-economic impact) identifies potential problems of missed opportunities. Adjust the policy to remove barriers or better promote equality. ☐
3. Continue the policy: the ECRIA (and socio-economic impact) identifies the potential for adverse impact or missed opportunities to promote equality. Set out the justifications for continuing with it in the ECRIA, in line with the duty to have due regard. For the most important policies, compelling reasons will be needed. ☐
4. Stop and remove the practice: the practice shows actual or potential unlawful discrimination. It must be removed or changed ☐

7.2 For Outcome 2. in section 7.1 above - please detail recommendations, including any action required to address negative impacts identified or to better promote equality

The removal of the dedicated transport at GVEYC will not happen until the service ceases in August 2020. Any new requests for transport will adhere to the Council’s Transport Policy ensuring that NAC’s Early Learning and Childcare services comply with the policy. Parents in the Garnock Valley locality will also be able to explore other options, including placing their child in an early learning and childcare provision which is more accessible, or which better meets the needs of their family circumstances.

7.3 Please state the key issues and recommendations arising from the Children’s Rights Impact Assessment (if applicable)?

It is recommended that the free and dedicated local transport service associated with GVEYC is removed when the GVEYC provision ceases and the Council’s Transport Policy is applied for any child who is assessed to be entitled to free transport according to the criteria within the Policy.

7.4 If Outcome 3 is chosen from section 7.1 above, please outline the justifications for continuing the policy/procedure.

N/A

Section 8 – Monitoring

- 8.1 Describe how you will monitor the impact of this policy e.g. performance indicators used, other monitoring arrangements, who will monitor progress, criteria used to measure if outcomes are achieved.**

Review of children's attendance patterns.

- 8.2 Describe how you will publish the results of monitoring arrangements?**

The Communities Directorate (Education) oversees all the work relating to the 1140 expansion programme in North Ayrshire. It will be responsible for monitoring the impact of the GVEYC closure and the new provision at St Bridget's Primary School Early Years Class.

- 8.3 When is the policy or practice due to be reviewed?**

The Council's Transport Policy is due to be reviewed within the next 12 months. This will involve the Council's Transport Hub, the Communities Directorate (Education) and Legal.

- 8.4 Head of Service who has approved impact assessment**

Please insert name and title of the Head of Service who has approved this assessment.

Name:

Title:

Date:

Section 9 – Publication

- 9.1 All Equality Impact Assessments must be published on the Council website. Please forward to Andrew Hale (ahale@north-ayrshire.gov.uk)**

Useful Guidance

Equality and Human Rights Commission: Assessing impact and the public sector duty: A guide for public authorities (Scotland) (2012)

<http://www.equalityhumanrights.com>

Children's Rights:

- <https://www.cypcs.org.uk/rights/uncrcarticles>
- <http://www.gov.scot/Topics/People/Young-People/families/rights>

Appendix 1

When considering the Children's Right's Impact process, some of the key considerations should be recorded in the EIA question section, including any evidence, research and consultation (including any consultation with young people)

Children's Rights Impact Assessment – Not Applicable as no direct or indirect impact on younger people ☐

Assessing the Impact and Presenting Options

- Please indicate if possible how many children and young people (nearest estimate) are likely to be affected by the policy or measure?**

Five children currently access the GVEYC transport provision and therefore will be impacted by the proposal to cease this provision.
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- Are some children and young people more likely to be affected than others?**
If, Yes what groups? (consider protected characteristics – e.g. disabled young people, LGBT etc)

Yes – disabled children

- What Children's Rights are likely to be affected by the policy/proposal?**
Please refer to Table 2 (Appendix 2) – summary of Children's Rights measured against the Children's Wellbeing indicators and insert the relevant rights and indicators in the table below.

Wellbeing indicator (e.g. safe, healthy etc)	Children's Right (e.g. 22 – refugee children)
Included	23 – Children with disabilities

- What likely impact will the policy/proposal have on Children's Rights and Wellbeing? Positive/negative**

	Positive (Explain)	Negative (Explain)
Wellbeing Indicators/ Children's Rights -		A child may be unable to access their entitlement to ELC.
Other Protected Characteristics	Positive (Explain)	Negative (Explain)

5. If Negative impacts are identified how will these be mitigated or the effect reduced?

If a child has an additional support need or disability and is assessed to be in need of transport to access their ELC entitlement then this will be provided in line with the Council's Transport Policy.

6. Are there any resource implications of policy modification or mitigation?

If so please state

No

7. Conclusions and Recommendations from Children's Rights Assessment (please transfer these to section 7.3 of the main Equality and Children's Impact Assessment report above)

It is recommended that the free and dedicated local transport service associated with GVEYC is removed when the GVEYC provision ceases and the Council's Transport Policy is applied for any child who is assessed to be entitled to free transport according to the criteria within the Policy.

Appendix 2

Wellbeing Indicators (GIRFEC)

Safe	<ul style="list-style-type: none"> Protected from abuse, neglect and harm
Healthy	<ul style="list-style-type: none"> Having the best possible standards of physical and mental health; support to make healthy, safe choices
Achieving	<ul style="list-style-type: none"> Accomplishing goals and thereby boosting skills, confidence and self-esteem; 'being all they can be'.
Nurtured	<ul style="list-style-type: none"> Having a loving and stimulating place to live and grow
Active	<ul style="list-style-type: none"> Having opportunities to take part in a wide range of activities
Respected	<ul style="list-style-type: none"> Being enabled to understand their world, being given a voice, being listened to, and being involved in the decisions that affect their wellbeing.
Responsible	<ul style="list-style-type: none"> Taking an active role within their home, school and community.
Included	<ul style="list-style-type: none"> Being a full member of the communities in which they live and learn; receiving help and guidance to overcome inequalities.

Links between Wellbeing Indicators and Articles of the UNCRC

Wellbeing Indicator	Articles of the UNCRC (Rights of the Child)
Safe	<p>11 - abduction and non-return of children 'Children and Young People have the right to' be protected from being kidnapped or taken out of the country when they shouldn't be.</p> <p>19 - protection from violence, abuse and neglect 'Children and Young People have the right to' be kept safe from harm and protected against violence. They must be given proper care by those looking after them.</p> <p>22 - refugee children 'Children and Young People have the right to' special help and be allowed to live somewhere that is safe if they are a refugee.</p> <p>32 - child labour 'Children and Young People have the right to' protection from doing work which would be dangerous or interfere with their education. If they are under 16 there are laws about where, when and for how long they can work</p> <p>33 - drug abuse 'Children and Young People have the right to' be protected from dangerous drugs.</p>

	<p>34 - sexual exploitation 'Children and Young People have the right to' never be pressurised or forced into doing anything sexual. They have the right to be protected from it.</p> <p>35 - abduction, sale and trafficking 'Children and Young People have the right to' be protected from being abducted or sold. People should never make them do anything against their will, like marry someone.</p> <p>36 - other forms of exploitation 'Children and Young People have the right to' be protected from being taken advantage of in any way and have the right to be protected from any sort of exploitation.</p> <p>37 - inhumane treatment and detention 'Children and Young People have the right to' be treated with respect if they have committed a crime. They should not be locked up unless it is absolutely necessary and they will get legal help.</p> <p>38 - war and armed conflicts 'Children and Young People have the right to' not to be forced to go into the army or take part in war if they are under 15. In Scotland, they have to be 16 to join and are not normally allowed to fight until they are 18.</p>
Healthy	<p>3 – best interests of the child 'Children and Young People have the right to' have their interests considered if a decision is being made by any person about them. What is best for them is what matters.</p> <p>6 – life, survival and development 'Children and Young People have the right to' be kept safe from harm, they have the right to be alive, survive and develop through life.</p> <p>24 - health and health services 'Children and Young People have the right to' if they are ill, be given good healthcare so they can get well again. They have the right to live in a safe, healthy environment with good food and clean drinking water.</p> <p>39 - recovery and rehabilitation of child victims 'Children and Young People have the right to' special support to help them recover if they have been hurt or badly treated.</p>
Achieving	<p>4 – 'Children and Young People have the right to' have their rights are protected and an environment where they can grow up safe.</p> <p>18 - parental responsibilities and state assistance</p>

	<p>'Children and Young People have the right to' both parents having the main responsibility to bring them up and should always consider what is best for them.</p> <p>28 - right to education 'Children and Young People have the right to' have an education. In Scotland education is free and children three years old are entitled to a free nursery place.</p> <p>29 - goals of education 'Children and Young People have the right to' learn and develop their skills and personality fully, teach them about their own and other people's rights and prepare them for adult life.</p>
Nurtured	<p>4 – Children and Young People have the right to' have their rights are protected and an environment where they can grow up safe</p> <p>5 - parental guidance and a child's evolving capacities 'Children and Young People have the right to' their parents being responsible to guide them through their childhood and help them learn how to use their rights.</p> <p>18 - parental responsibilities and state assistance 'Children and Young People have the right to' both parents having the main responsibility to bring them up and should always consider what is best for them.</p> <p>20 - children deprived of a family 'Children and Young People have the right to' special care if they can't live with their parents. They may be looked after by other members of their family or by a different family.</p> <p>21 - adoption 'Children and Young People have the right to' if they are being adopted, this must only happen under very strict rules which make sure that what is happening is best for them.</p> <p>25 - review of treatment in care 'Children and Young People have the right to' if they are looked after in a care home or somewhere else away from home, have their living arrangements looked at regularly to make sure they are still what's best for them.</p> <p>27 - adequate standard of living 'Children and Young People have the right to' a safe place to live, food, clothing and to take part in things they enjoy.</p>
Active	<p>3 - best interests of the child 'Children and Young People have the right to' have their interests considered if a decision is being made by any person about them. What is best for them is what matters.</p>

	<p>23 - children with disabilities 'Children and Young People have the right to' if they have any kind of disability, have special help to make sure they can join in with things.</p> <p>31 - leisure, play and culture 'Children and Young People have the right to' rest, play and have the chance to join a wide range of activities. It is really important to remember to have a balance in their life.</p>
Respected	<p>2 - non-discrimination 'Children and Young People have the right to' have the convention that applies to everyone under the age of 18, no matter who they are, whether they are a boy or a girl, what their religion is, whether they have a disability, or what type of family they come from.</p> <p>3 - best interests of the child 'Children and Young People have the right to' have their interests considered if a decision is being made by any person about them. What is best for them is what matters.</p> <p>4 - Children and Young People have the right to' have their rights are protected and an environment where they can grow up safe</p> <p>5 - parental guidance and a child's evolving capacities 'Children and Young People have the right to' their parents being responsible to guide them through their childhood and help them learn how to use their rights.</p> <p>8 - protection and preservation of identity 'Children and Young People have the right to' know who they are – official records should be kept. If they are over 16 years old and adopted, they can try to find out who they birth parents are.</p> <p>12 - respect for the views of the child 'Children and Young People have the right to' speak up and have their opinions listened to and be taken seriously by adults on things that affect them.</p> <p>13 - freedom of expression 'Children and Young People have the right to' say whatever they believe as long as it does not harm or offend other people. They also have the responsibility to respect the rights and freedom of others.</p> <p>14 - freedom of thought, belief and religion 'Children and Young People have the right to' to choose their own religion and beliefs. Their parents should help them think about this.</p>

	<p>16 - right to privacy 'Children and Young People have the right to' their own space and privacy. For example, they shouldn't have their personal letters opened or anyone listening in to their personal phone calls.</p> <p>17 - access to information; mass media 'Children and Young People have the right to' access information which is important to their wellbeing. Adults should help them find information they are looking for and make sure it's not harmful.</p> <p>18 - parental responsibilities and state assistance 'Children and Young People have the right to' both parents having the main responsibility to bring them up and should always consider what is best for them.</p> <p>30 - the right to learn and use the language, customs and religion of their family 'Children and Young People have the right to' enjoy their own culture, use their own language and practise their own religion.</p>
Responsible	<p>3 - best interests of the child 'Children and Young People have the right to' have their interests considered if a decision is being made by any person about them. What is best for them is what matters.</p> <p>12 - respect for the views of the child 'Children and Young People have the right to' speak up and have their opinions listened to and be taken seriously by adults on things that affect them.</p> <p>14 - freedom of thought, conscience and religion 'Children and Young People have the right to' choose their own religion and beliefs. Their parents should help them think about this.</p> <p>15 - freedom of association 'Children and Young People have the right to' join and form groups and make friends – as long as this does not harm other people.</p> <p>40 - juvenile justice 'Children and Young People have the right to' be given legal assistance if they have committed a crime. The Convention also states that they should only be sent to prison if they have committed a serious crime.</p>
Included	<p>3 - best interests of the child 'Children and Young People have the right to' have their interests considered if a decision is being made by any person about them. What is best for them is what matters.</p>

6 - life, survival and development

'Children and Young People have the right to' be kept safe from harm, they have the right to be alive, survive and develop through life.

18 - parental responsibilities and state assistance

'Children and Young People have the right to' both parents having the main responsibility to bring them up and should always consider what is best for them.

23 - children with disabilities

'Children and Young People have the right to' if they have any kind of disability, have special help to make sure they can join in with things.

26 - social security

'Children and Young People have the right to' help and financial support from the Government if they need it.

27 - adequate standard of living

'Children and Young People have the right to' a safe place to live, food, clothing and to take part in things they enjoy.