

Equality Impact Assessment (EIA) Template – Part 1

Policy title and purpose (brief outline):	Non Statutory Guidance for Local Authorities on Elective Home Education
Name of official:	Gemma Wilks
Department:	DfES – Support for Learners
Date:	29th April 2015
Signature:	

1. Please provide a brief description of the policy/decision.

For example what is the overall objective of the policy/decision, what are the stated aims (including who the intended beneficiaries are), a broad description of how this will be achieved, what the measure of success will be, and the time frame for achieving this?

The Minister for Education and Skills announced in a written statement in Spring 2014 that more up to date information was required regarding the elective home education (EHE) community in Wales, and that the existing guidance on EHE needed to be updated and refreshed. The non statutory guidance will be consulted on for eight weeks and it is anticipated that the final guidance will be published in September 2015.

Intended beneficiaries include:

- Home educated children and their families (including Gypsy and Traveller Families, ethnic minorities and children with special educational needs);
- LAs; and
- Organisations with a responsibility for children.

2. We have a legal duty to engage with people with protected characteristics under the Equality Act 2010 (please refer to Annex A of the EIA guidance) identified as being relevant to the policy. What steps have you taken to engage with stakeholders, both internally and externally?

The EHE community is considered extremely diverse group of families and for that reason we sought to make the engagement process as inclusive as possible. A web-link and survey was created and circulated for all local authorities (LAs) to make available to the EHE community within each LA area. The link was also circulated to LA Traveller Education Services and onward to Gypsy & Traveller communities across Wales as well as surveys being sent to local Gypsy & Traveller projects to be shared with known Gypsy & Traveller local families.

In addition to the web-link and survey responses, face to face and telephone interviews were conducted across ten local authority areas. Many of the interviews were arranged in conjunction with local authority EHE coordinators.

Interviews were also undertaken with a small number of key stakeholder organisations. These included the office of the Children's Commissioner for Wales, the Association of Directors of Education in Wales (ADEW), Save the Children and SNAP Cymru.

By canvassing the opinions of a large number of EHE parents and children, and those responsible for supporting them, we hoped to gain a better insight into the main issues relating to EHE in order to help inform the development of the new guidance.

The new guidance will be publicly consulted on in May 2015 and an easy-read, youth-friendly version of the consultation document will be published at the same time.

3. Your decisions must be based on robust evidence. What evidence base have you used? Please list the source of this evidence e.g. National Survey for Wales. Do you consider the evidence to be strong, satisfactory or weak and are there any gaps in evidence?

The engagement process described at question 2 provided the evidence base with which the new guidance has been developed.

The web-link survey was well received; 354 adults completed the parents' survey and 97 children and young people. To ensure a rigorous in depth understanding of the experience of EHE with regard to the guidance, 72 face to face interviews were carried out and a further 13 respondents were interviewed over the telephone. We also conducted a survey of local authorities EHE coordinators. Some co-ordinators preferred to conduct the survey via a telephone interview. This allowed for a more detailed discussion relating to the issues for local authorities in relation to EHE. In addition, throughout this period of engagement, we met with a number of local authority EHE co-ordinators both individually and as part of larger meetings and forums in order to listen to and understand their views in relation to EHE.

A summary of the engagement process and its findings will be published with the final guidance in September 2015.

It is important to note any opportunities you have identified that could advance or promote equality.

Impact

Please complete the next section to show how this policy / decision / practice could have an impact (positive or negative) on the protected groups under the Equality Act 2010 (refer to the EIA guidance document for more information).

Lack of evidence is not a reason for *not* progressing to carrying out an EIA. Please highlight any gaps in evidence that you have identified and explain how/if you intend to fill these gaps.

4.1 Do you think this policy / decision / practice will have a positive or negative impact on people because of their age?

Age	Positive	Negative	None / Negligible	Reasons for your decision (including evidence) / How might it impact?
Younger people <i>(Children and young people, up to 18)</i>	X			This proposed document has been specifically targeted at LAs with a view to providing advice and guidance on improving their ongoing support for children and young people receiving elective home education
People 18-50			X	
Older people (50+)			X	

4.2 Because they are disabled?

Impairment	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?



Visual impairment	X			Although the EHE community is diverse 31% of parents responding during the engagement process identified a school's inability to provide for their child's Special Educational Need as being a factor in their decision to provide to provide EHE.
Hearing impairment	X			Although the EHE community is diverse 31% of parents responding during the engagement process identified a school's inability to provide for their child's Special Educational Need as being a factor in their decision to provide to provide EHE.
Physically disabled	X			Although the EHE community is diverse 31% of parents responding during the engagement process identified a school's inability to provide for their child's Special Educational Need as being a factor in their decision to provide to provide EHE.
Learning disability	X			Although the EHE community is diverse 31% of parents responding during the engagement process identified a school's inability to provide for their child's Special Educational Need as being a factor in their decision to provide to provide EHE.

Mental health problem	X			Although the EHE community is diverse 31% of parents responding during the engagement process identified a school's inability to provide for their child's Special Educational Need as being a factor in their decision to provide to provide EHE.
Other impairments issues	X			Although the EHE community is diverse 31% of parents responding during the engagement process identified a school's inability to provide for their child's Special Educational Need as being a factor in their decision to provide to provide EHE.

4.3 Because of their gender (man or woman)?

Gender	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Male			X	
Female			X	

4.4 Because they are transgender?

Transgender	Positive	Negative	None / Negligible	Reason for your decision

				(including evidence) / How might it impact?
			X	

4.5 Because of their marriage or civil partnership?

Marriage and Civil Partnership	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Marriage			X	
Civil Partnership			X	

4.6 Because of their pregnancy or maternity?

Pregnancy and Maternity	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Pregnancy			X	
Maternity (the period after birth)			X	

4.7 Because of their race?

Race	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Ethnic minority people e.g. Asian, Black,	x			The EHE community is diverse in Wales, and a proportion of EHE come from ethnic minority communities who have chosen to opt out of mainstream schooling for possibly cultural, religious or ideological or philosophical reasons. This non-statutory guidance will assist LAs to better support those families who choose to home educate.
National Origin (e.g. Welsh, English)	x			The EHE community is diverse in Wales, and a proportion of EHE are national origin who have chosen to opt out of mainstream schooling for any number of reasons, some of which could be cultural, religious, ideological or philosophical reasons, This non-statutory guidance will assist LAs to better support those families who choose

				to home educate.
Asylum Seeker and Refugees			X	
Gypsies and Travellers	X			The EHE community is diverse in Wales, and a proportion of EHE come from the Gypsy and Traveller community who have chosen to opt out of mainstream schooling for possibly cultural, religious or ideological and or philosophical reasons. This non-statutory guidance will assist LAs to better support those families who choose to home educate.
Migrants			X	
Others			X	

4.8 Because of their religion and belief or non-belief?

Religion and belief or non – belief	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Different religious groups including Muslims, Jews, Christians, Sikhs, Buddhists, Hindus, Others			X	

(please specify)				
Belief e.g. Humanists			X	
Non-belief			X	

4.9 Because of their sexual orientation?

Sexual Orientation	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Gay men			X	
Lesbians			X	
Bi-sexual			X	

4.10 Do you think that this policy will have a positive or negative impact on people’s human rights? Please refer to point 1.4 of the EIA Annex A - Guidance for further information about Human Rights.

Human Rights	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Human Rights including Human Rights Act and UN Conventions	X			A separate Children’s Rights Impact Assessment has been completed in respect of the United Nations Convention on the Rights of the Child.

If you have identified any impacts (other than negligible ones), positive or negative, on any group with protected characteristics, please complete Part 2.

Only if there are no or negligible positive or negative impacts should you go straight to part 2 and sign off the EIA.

Equality Impact Assessment – Part 2

1. Building on the evidence you gathered and considered in Part 1, please consider the following:

1.1 How could, or does, the policy help advance / promote equality of opportunity?

For example, positive measures designed to address disadvantage and reach different communities or protected groups?

The non-statutory guidance will help LAs to provide effective support to children and young people, and their families, who are pursuing elective home education and thereby help to promote and encourage the educational attainment of these learners.

Protected groups or communities that are expected to benefit from this guidance include Gypsy and Traveller Families, ethnic minorities and children with special educational needs.

Potential positive impacts for children and young people and their families include:

- Better clarity on the legislation regarding home education;
- Better clarity on the rights, roles and responsibilities of LAs in relation to home education;
- A more consistent approach across Wales to how LAs liaise with home educating families avoiding a “postcode lottery” – the guidance will aim to highlight good practice by LAs;
- Clarity on what support is available to them from LAs.

1.2 How could / does the policy / decision help to eliminate unlawful discrimination, harassment or victimisation?

This guidance is designed to assist local authorities to provide effective support. This is a non-statutory document and is unlikely to have any impact on potential unlawful discrimination, harassment or victimisation.

1.3 How could/does the policy impact on advancing / promoting good relations and wider community cohesion?

This guidance builds upon and replaces the guidance relating to elective home education issued in 2006 contained within the Welsh Government's Inclusion and Pupil Support guidance. It seeks to help build consensus and trust between local authorities and EHE families in Wales, and develop positive engagement and appropriate support.

2. Strengthening the policy

2.1 If the policy is likely to have a negative effect ('adverse impact') on any of the protected groups or good relations, what are the reasons for this?

What practical changes/actions could help reduce or remove any negative impacts identified in Part 1?

Not Applicable.

2.2 If no action is to be taken to remove or mitigate negative / adverse impact, please justify why.

(Please remember that if you have identified unlawful

discrimination (immediate or potential) as a result of the policy, the policy must be changed or revised.)

Not Applicable.

3. Monitoring, evaluating and reviewing

How will you monitor the impact and effectiveness of the policy?

List details of any follow-up work that will be undertaken in relation to the policy (e.g. consultations, specific monitoring etc).

The draft guidance will be issued for public consultation in May 2015. The responses to the consultation will be considered before the final guidance is published in September 2015.

We will monitor and measure the effectiveness of the non-statutory guidance through ensuring ongoing dialogue and engagement with LAs and EHE stakeholders across Wales.

The results of all impact assessments where the impact is significant will be published on the Welsh Government's website.

This Equality Impact Assessment and the Children's Rights Impact Assessment will be published simultaneously with the public consultation document.

4. Declaration

***Please delete as appropriate:**

The policy does not have a significant impact upon equality issues

Official completing the EIA
Name:
Gemma Wilks
Department:
Department for Education and Skills
Date:
29 April 2015
Signature:
Head of Division (Sign-off)
Name:
Emma Williams
Job title and department:
Head of Support for Learners Division – Department for Education and Skills
Date:
Signature:
Review Date: September 2015