

## Equality Impact Assessment (EIA) Template – Part 1

<b>Policy title and purpose (brief outline):</b>	<b>Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations</b>
<b>Name of official:</b>	<b>Lowri Reed</b>
<b>Department:</b>	<b>Department for Education and Skills</b>
<b>Date:</b>	<b>20.12.12.</b>
<b>Signature:</b>	

**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?**

There have been long standing concerns about the numbers of children who are overweight or obese, and the impact this has on health and well-being, especially in relation to reducing health inequalities. Poor diet is a major contributing factor. The food and drink provided in schools can make a positive contribution towards giving children and young people a healthy balanced diet and encouraging them to develop good eating habits. There are existing statutory standards in place, under the Education (Nutritional Standards for School Lunches) (Wales) Regulations 2001, however these are minimum compulsory standards which apply to school lunches only.

The Welsh Government's 'Appetite for Life Action Plan', published in 2008, recommended new stringent food and nutritional standards for food and drink provided during the school day. The Welsh Government has encouraged local authorities and maintained schools to work towards implementing these recommended standards since this date, supported by grant funding.

However, in the absence of legislation, there has been a resistance from some to making changes. As a consequence, not all schools are currently achieving the recommended standards. Regulations will require compliance with more challenging standards, to ensure that children and young people in all maintained schools are offered a healthy balance of food throughout the entire school day.

New regulations will be introduced under the Healthy Eating Schools (Wales) Measure.

**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 regulations will affect all children and young people in maintained nursery schools, primary schools, secondary schools, PRUs and special schools.

The consultation on the regulations will be published online, and an easy read version will be made available.

**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?**

**Evidence of obesity – strong evidence**

**1. Welsh Healthy Survey 2011:**

35% of children were classed as overweight or obese including 19% obese

Five years of data is available for children, commencing 2007. There has been little change in children's reported levels of overweight/obesity during this time.

**2. Health Behaviour in school aged children (HBSC) Survey, 2008:**

The survey found that among 13-year-olds 22% of boys and 17% of girls are classed as overweight, and 4% of boys and 2% of girls classed as obese. The figures for 15-year-olds are similar.

**Evidence that the food and nutritional standards introduced under the Appetite for Life initiative will help contribute towards a balanced diet – strong evidence**

The food and nutrient standards introduced under the Appetite for Life initiative were based on recommended nutrient and food based standards produced by the Caroline Walker Trust. Over time, the Appetite for Life standards have been refined, taking into account feedback received from local authorities and schools. The regulations will be based on the most recent Appetite for Life guidelines (Version6) published in May 2012.

***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?**

<b>Age</b>	<b>Positive</b>	<b>Negative</b>	<b>None / Negligible</b>	<b>Reasons for your decision (including evidence) / How might it impact?</b>
Younger people <i>(Children and young people, up to 18)</i>	√			By making a positive contribution towards giving children and young people a healthy balanced diet and encouraging them to develop good eating habits at all school age levels.
People 18-50	√			Applies to 18+ year olds still in sixth forms and to staff, where the food and drink will make a positive contribution towards a balanced diet
Older people (50+)	√			Applies to staff, where the food and drink will make a positive contribution towards a balanced diet

## 4.2 Because they are disabled?

Impairment	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Visual impairment	√			The regulations will ensure improved food and drink in schools, including special schools, which will make a positive contribution to the diets of children and young people, and help them to develop good eating habits, regardless of any disability or impairment.  Guidance issued will include a section on managing different dietary needs, including diets for pupils with complex physical, emotional, behavioural and medical needs.
Hearing impairment	√			
Physically disabled	√			
Learning disability	√			
Mental health problem	√			
Other impairments issues	√			

## 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	√			The regulations will ensure improved food and drink in schools which will make a positive contribution to the diets of children and young people, and help them to develop good eating habits, regardless of their
Female	√			

				gender.
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#### 4.4 Because they are transgender?

Transgender	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Applicable to transgender young people still in school	√			The regulations will ensure improved food and drink in schools which will make a positive contribution to the diets of children and young people, and help them to develop good eating habits

#### 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			√	
Civil Partnership			√	



#### 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	√			The regulations will ensure improved food and drink in schools which will make a positive contribution to the diets of young people, including young mothers in a school setting, and help them to develop good eating habits
Maternity (the period after birth)	√			

#### 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,	√			The regulations will ensure improved food and drink in schools which will make a positive contribution to the diets of children and young
National Origin (e.g. Welsh, English)	√			
Asylum	√			

Seeker and Refugees				people, and help them to develop good eating habits, regardless of their race.
Gypsies and Travellers	√			
Migrants	√			
Others	√			The regulations will ensure improved food and drink in schools which will make a positive contribution to the diets of children and young people, and help them to develop good eating habits

#### 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 (please specify)	√			The regulations will ensure improved food and drink in schools which will make a positive contribution to the diets of children and young people, and help them to develop good eating habits, regardless of their religion or beliefs.  This will be further supported through guidance that will recommend that the school, parents and pupils should be
Belief e.g. Humanists	√			
Non-belief	√			

				consulted when planning menus for pupils who follow particular religious or ethnic diets
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#### 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	√			The regulations will ensure improved food and drink in schools which will make a positive contribution to the diets of children and young people, and help them to develop good eating habits, regardless of their sexual orientation.
Lesbians	√			
Bi-sexual	√			

#### 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	√			The regulations will not contravene the HRA. A UNCRC

Act and UN Conventions				impact assessment has been completed.
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***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?

Introducing new statutory standards around the food and drink in schools will contribute towards reducing health inequalities arising from poor diet.

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

N/A

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

The policy could promote good relations and wider community cohesion by contributing towards reducing health inequalities.

## 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?**

N/A

**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.)**

N/A

### 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).

To ensure compliance with the regulations, the school meal provider (the local authority or the school if the school has opted out of local authority catering) will have to self monitor its compliance against the food and nutrient standards. This self monitoring will be supported by the WLGA, which employs a nutritionist and pays for nutritional analysis software for local authorities and opted out schools to use. (The Welsh Government currently funds the WLGA via a grant, from April 2013 the grant will transfer to the RSG.)

Welsh Government may commission a thematic survey at a future date, in order to gauge compliance with the regulations.

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

#### 4. Declaration

**\*Please delete as appropriate:**

**The policy ~~\*does/~~ does not have a significant impact upon equality issues**

<b>Official completing the EIA</b>
Name: Lowri Reed
Department: Education and Skills
Date: 20.12.12.
Signature:
<b>Head of Division (Sign-off)</b>
Name: Emma Williams
Job title and department: Head of Support for Learners Division, Department for Education and Skills.
Date: 4.1.13.
Signature:
Review Date:



