

# Analysing Impact on Protected Groups

## Section 31 Assessment of HM Treasury's 2010 Spending Review

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## EXECUTIVE SUMMARY

1. The Equality and Human Rights Commission (EHRC) conducted a Section 31 Assessment of Her Majesty's Treasury's 2010 Spending Review to assess to what extent and in what manner HM Treasury complied with the race, disability and gender equality duties in place during the 2010 Spending Review process and took into account differences in the potential impact of proposed spending and policy changes by protected groups. As part of the Assessment, the EHRC commissioned the National Institute of Economic and Social Research (NIESR) to provide a technical assessment of the extent to which differential impacts could have been examined and, for four Spending Review policies, to review evidence on potential differential impacts. This report presents the findings.
2. The first part of the report analyses HMT's general approach to impact assessment. In respect of protected groups, the assessment was qualitative. While containing some useful information, it lacked detail. In contrast, HMT took a much more comprehensive and systematic quantitative approach to analysing the distributional impacts of the Spending Review by income decile and quintile.
3. We considered whether a similar approach would have been possible for the protected groups. Our analysis suggests that a quantitative assessment of Spending Review impacts on protected groups would have faced a number of challenges. Inevitably, such an analysis would have had limitations in methodological terms and coverage. Nonetheless, the task would have been feasible insofar as the required data was available and would have allowed, at least, an exploratory but systematic examination and estimation of impacts on protected groups.
4. In the second part, the report surveys HMT's published analysis of the impact on protected groups in relation to Spending Review decisions to abolish the Education Maintenance Allowance (EMA), introduce a Pupil Premium, remove financial ring-fencing of Sure Start, and extend Early Years Education (EYE) to disadvantaged 2-year olds. As above, the published assessment was found to be a limited qualitative comment on the possible impacts.
5. Our analysis proceeded to survey existing evidence on possible equality impacts of changes to these four policies. This found robust evidence indicating likely negative impacts of the withdrawal of EMA, with females and ethnic minority students likely to be most affected. We cannot comment on the impact on disabled students due to insufficient data. While the effect of introducing a Pupil Premium depends largely on how schools choose to use the extra funding, this should generally have a positive impact on educational attainment. This is expected to benefit ethnic minority pupils, while further analysis of the National Pupil Dataset should shed light on the impact on gender and disability. Similarly, the impacts of Sure Start funding changes will largely depend on how local authorities will respond to the overall reduction in central government funding. We suspect that the austerity measures will reduce incentives to local authorities to retain Sure Start at current levels. This, in turn, should adversely impact on protected groups, particularly women, while impacts on ethnic minorities and disabled are more difficult to evaluate. In contrast, we expect that the extension of EYE to two-year olds will have a positive impact on protected groups, primarily through the benefits to mothers and possibly ethnic minority and disabled children.
6. Our analysis concluded that while the evidence was not always available or conclusive, it would have been possible to produce a more comprehensive assessment of the impact of these spending decisions on women, ethnic minorities and disabled individuals. In many cases, this would have been possible by relying exclusively on official evaluation documents and simple tabulations from Department for Education datasets.

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7. The high levels of uncertainty associated with the equality impacts of most of the policy changes addressed here point to the need for careful monitoring of impacts as these changes are being implemented. Notably, new policies should be carefully evaluated not only with respect to their general impact and cost-effectiveness, but also their equality impacts in the medium- and long-term.

## INTRODUCTION

8. The Equality and Human Rights Commission (EHRC) commissioned the National Institute of Economic and Social Research (NIESR) to provide an assessment as analysts of what HM Treasury (HMT) could have technically and feasibly done to take into account differences in the potential impact of proposed spending and policy changes by gender, ethnicity and/or disability status (i.e. by 'protected groups') in the 2010 Spending Review (SR 2010). As part of this assessment, the study also reviewed the evidence base with respect to impacts on protected groups for four changes in educational policy proposed in the SR 2010. The policies affected are the Education Maintenance Allowance, the Pupil Premium, Sure Start, and Early Years Education.
9. The results presented by NIESR in this report focus exclusively on the analytical feasibility of such evaluations and are not intended as a legal assessment of HMT's compliance with their duties in respect to equalities. Our emphasis is on the analytical value and feasibility of options to evaluate the impact of policy changes on protected groups that would have been available to HMT in the run up to the Spending Review, not on the identification of the how this analysis would satisfy HMT's legal responsibilities on equalities.
10. It is also important to acknowledge that our review of the nature and extent of HMT's SR 2010 equality assessments is limited to published HMT documents and other published documents to which HMT referred in their impact analyses. No additional information about the Spending Review process or any data or tools that were used in the Spending Review, were made available to the researchers. Our comments, therefore, reflect the nature and detail of the published documentation. For a review of unpublished analysis undertaken by HMT during the Spending Review, readers are directed to the EHRC's Section 31 Assessment report.
11. The Government's approach to the SR 2010 was initially set out on 8 June 2010 and the SR 2010 itself was announced on 20 Oct 2010 (HMT 2010a). These two dates set the parameters for assessing the scale and scope of any equality impact assessment that HMT could *reasonably* have been expected to undertake. A period of little over four months between the commencement and the publication of the SR may limit the detail and/or complexity of such an assessment.
12. In addition, when reviewing the evidence base of known or potential equality impacts of the proposed policy changes, this review should only consider evidence that was in the public domain prior to the SR announcement, i.e. prior to October 2010.<sup>1</sup> Only evidence available at that time could have been expected to be known to HMT and to Government Departments affected by the SR.
13. This report is divided into three parts. In the first part, we analyse HMT's general approach to impact assessment. In the second part, the report presents the findings from the review of the four educational policies. The third part summarises the main findings of this assessment.

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<sup>1</sup> For the literature review reported in Part II, we used August 2001 as the latest publication date.

## **PART I HMT GENERAL APPROACH TO IMPACT ASSESSMENT**

14. The Spending Review 2010 included two types of impact assessments: an equality impact (EI) study (HMT 2010b) and a Distributional Impact Analysis (DIA) (HMT 2010a, Appendix B; and HMT 2010c). Both assessments are reviewed in Part I.
15. Part I is divided into five parts. Following this introductory section, we will first describe HMT's equality impact assessment. Second, we will analyse the approach taken by HMT in assessing the distributional impact of the SR 2010. Third, we review the information and data that were used for the impact assessment, and alternative data that could have been used to research distributional impacts on equality groups. Finally, we will discuss whether it would have been feasible that additional, more detailed distributional or equality impact assessments could have been prepared.

### **HMT GENERAL EQUALITY IMPACT ASSESSMENT**

16. HMT's EI study presents the findings from what is described as "a qualitative approach to determining what [the equality] impacts [of spending] might be" (HMT 2010b, p. 5). For this "qualitative approach", HMT had requested equality impact information from Government Departments. This information was then used as a basis for HMT to comment upon the potential impacts of selected policy changes on the protected groups. The precise content of the information that HMT had received from the departments is not further described in the EI report.
17. The methodology of the equality assessment is somewhat unclear. The report does not further elaborate on the process that determined how the qualitative assessments were focussed, how comprehensive the review was and whether there might have been omissions.
18. The report does, however, explain that its qualitative analysis of impacts focused on nine Government Departments whose services may not only provide universal public goods (defence is given as an example of the latter), but may have "inequalities impacts" (ibid p.5). These departments were:
  - Department for Business, Innovation and Skills (BIS)
  - Department for Communities and Local Government (CLG)
  - Department for Culture, Media and Sport (DCMS).
  - Department for Education (DfE)
  - Department for Environment, Food and Rural Affairs (DEFRA)
  - Department of Health (DoH)
  - Ministry of Justice (MoJ)
  - Department for Transport (DfT)
  - Department for Work and Pensions (DWP)
19. With respect to the three protected groups, the EI report notes specific public services or policies that, if they were in any way modified, may impact particularly on those groups. Thus, it notes the potentially greater impacts of changes in:
  - health, social care and early years/childcare provisions on women rather than men, whilst acknowledging the analytical difficulty of separating household budgets between men and women when estimating differential impacts of taxation (e.g. Working Tax Credit (WTC)) or benefit (e.g. Child Benefit) changes;

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- services targeting people on low income (or areas with high concentrations of people on low income) on ethnic minority populations. Likewise, the assessment acknowledges that the proposed benefit cap may disproportionately affect ethnic minority populations if they typically have larger than average families, as would the increase in working-hours requirement of the WTC; and
  - health, social care, services targeted on people on low incomes, and in the Disabled Facilities Grant, on disabled people. Here the assessment notes the exemption of “the most severely disabled” from some of the policy changes (e.g. the Employment and Support Allowance (ESA) and Income Related ESA time limits; the WTC increased working-hours requirement; and the cap on total household welfare payments).
20. None of the above assessments appeared to be based on, or backed up by, evidence from the DIA, the results of which were published as part of the main SR 2010 report (HMT 2010a). Overall, the assessment - perhaps inevitably given the way information was collected from Departments – appears to have been less systematic than may have been desirable. Thus:
- it is unclear on what basis policies were included or excluded from the assessment. A number of policies which are clearly likely to have an impact are not mentioned (e.g. Education Maintenance Allowance);
  - the assessment contains a mix of qualitative and quantitative information, with the latter generally not presented on a comparable basis; and
  - most of the information is unsourced.
21. We therefore proceed to consider whether a more systematic quantitative approach would have been possible. The starting point for this is HMT's assessment of the distributional impacts of the Spending Review.

## HMT DISTRIBUTIONAL IMPACT ASSESSMENT

22. HMT (in HMT 2010a, Appendix B) undertook two types of distributional impact assessments based on micro-simulations. The first simulation, HMT's distributional analysis (DA) model, estimated the impacts of proposed *spending* changes on household income groups. The second, HMT's tax and benefit micro-simulation (TBMS) model, estimated the impact of *tax* and *benefit* changes on household income groups. The DA model was newly developed, specifically for the Spending Review 2010. In contrast, the TBMS is a long-established tax and benefit simulation model.
23. The findings from both analyses were disseminated under the title of “Distributional Impact Analysis” and published with charts and graphs displaying the estimated distributional impacts of the proposed spending, taxation and benefit changes by household net income quintiles and deciles. The DIA was restricted to the geographical area of England. It explicitly excluded the jurisdictions and departmental expenditures of the devolved governments. In contrast, the TBMS, when used on its own, covered the entire United Kingdom.

## The Micro-Simulation Models

24. HMT used the **TBMS** model for estimating and analysing household income quintiles and deciles, drawing on data from the Family Resources Survey (FRS) and the Expenditure and Food Survey (EFS). It is our understanding that the EFS was used to model the impact of changes in indirect taxation (VAT), whereas the FRS was used to model the effect of changes in benefits and direct taxation, although no such distinction is made in the published documents.

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25. In the case of the EFS, three years of data collected between March 2005 and March 2008 were combined. This resulted in a sample of households that was sufficiently large to conduct a statistically robust analysis of income distributions. FRS data were from the survey conducted in 2007-08. Both datasets were “uprated appropriately to reflect the tax year being modelled” (HMT 2010c, p.3). Reflecting the DIA’s focus on England, only survey data for England were used. The distributional impacts were themselves estimated for household *net* incomes.
26. In practice, the DIA involved the simulation of the effects of proposed tax and benefit changes on households within given income ranges. The effects of *proposed* tax and benefit regimes on household incomes are then compared with the effects of *current* tax and benefit regimes. The difference between the two simulations is the impact of the proposed tax and changes. These impacts were estimated by *household net income deciles* for 2012-13.
27. Less information has been forthcoming about the precise content and working of the **DA** model. HMT report that the model was based on information about the public’s use of services provided by Government Departments upon the request of HMT. Documents describing the distributional analysis methodology and accompanying HMT Spending Review 2010 offer limited further detail about the scope and scale of the information that was provided. It is our understanding that *public service usage information was ‘mapped’ onto the household income distribution model of the TBMS* to simulate the differential use of public services and any differential impacts of changes in service provisions.
28. Since public service usage is difficult to allocate with any precision to households within different income ranges, this mapping was done by household net income quintiles (rather than deciles). The impacts were estimated for 2010-11 and 2014-15. HMT documentation explains the principles of the mapping as follows:
29. First, the distribution of public usage was measured in terms of ‘input costs’, that is, “[t]he benefits accrued to the household is valued at the cost of providing the services weighted across households according to their usage” (HMT 2010a, p. 91). Input costs were used because there were no known and universally agreed market values (or prices) that could have been assigned to public goods. Hence, costs were the next best proxy for measuring public benefit.
30. Second, distributional impacts were estimated “only for public services which are differentially used by households” (ibid p. 90). Government departmental expenditure with no clearly defined end user or deemed to benefit all households was hence excluded from the DIA. This was similar to the approach taken in the general qualitative equality impact assessment described above.
31. Third, largely because of the previous condition, the DIA was limited to Departmental Expenditure Limit (DEL) expenditure for the same Government Departments as noted above, except for DEFRA, which was excluded. At the same time, the DEL impact analysis included the Department of Energy and Climate Change (DECC) and Local Government (LocGov) expenditure, neither of which were covered in the qualitative impact assessment.
32. According to HMT, the total expenditure thus included in the DIA covered about two-thirds of resource DEL expenditure, including both final spending decisions and provisional spending decisions, where a final decision had not yet been reached.
33. Having run the simulations, HMT then merged the two approaches for analysing distributional effects employed by the TBMS and the DA models into one **combined impact model**. The model estimated impacts as they were expected for 2014-15. Once again, because of the uncertainty surrounding the allocation of departmental expenditure to household income groups, the impact mapping was restricted to household net income *quintiles*.



### **Publications Submitted by Departments as Additional Evidence**

34. In addition to public service usage data provided by the Government Departments (but not further specified in documentation published by HMT), it is understood that the same departments supplied additional information about public service usage in the form of statistical publications. The exception appears to have been the Ministry of Justice for whom no additional information was cited in the relevant HMT document (HMT 2010c). A complete list of these publications, adapted from HMT (2010c) can be found in Appendix A.
35. Table 1 below summarises the key features of these publications, notably their content or main topic, and their baseline population or, in the case of a secondary analysis, survey source. The data sources provide snapshots of a range of public service user populations, although they often appear to be only fractions of all potential users of services provided by the relevant department. For instance, CLG information is limited to homeless people and data about households below average incomes (also submitted by DWP), while the DfT publication cited is a technical report about the National Travel Survey. Other Government Departments, for instance DfE, appeared to have submitted more comprehensive information about the public's use of their services.

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**Table 1 - Details of Public Spending Distribution Provided by Government Departments**

Department	Content/Topic	Baseline population/Source
<b>BIS</b>		
Hefce (2010)	Ethnicity of first degree students	Baseline population are students in student domicile in the UK
Fong & Phelps (2008)	Apprenticeship pay	Apprenticeship trainees in one of the largest 11 Apprenticeship sector frameworks
<b>CLG</b>		
CLG (2010)	Local Authority homelessness returns	Administrative data – Quarterly P1(E) returns
DCLG (2010)	As above	As above
<b>DCMS</b>		
DCMS (2010)	Adults’ and children’s use of public leisure services (galleries, archives; arts; libraries; heritage) and participation in sports	Adults aged 16 or over living in private households in England. Randomly selected child in households with at least one child aged 5-10
<b>DECC</b>		
CLG (2010)	Survey of housing conditions and housing and tenancy types	32,100 addresses drawn as a systematic random sample from the Postcode Address File (small users). 17,691 addresses interviewed
<b>DWP</b>		
DWP (2010)	Survey of the income sources in GB households, notably income from work and benefits	Family Resources Survey (FRS). Full interviews were completed with 23,163 households in Great Britain and 1,929 households in Northern Ireland (2008/09). Supplementary analysis of the British Household Panel Survey (BHPS)
<b>DfE</b>		
DCSF (2009)	2 surveys of the educational pathways of young people, their (pro- and anti-) social activities, aspirations, and perceptions of relationships with parents	Samples of two cohorts of young people who were in Year 11 (age 15/16) in 2005/06
DfE (2010a)	Administrative school enrolment data	School Census returns, School Level Annual School Census returns and Pupil Referral Unit Census returns made to the Department in January each year
DfE (2010b)	School, further and higher education enrolment data from administrative and survey data	Schools’ Census, Individual Learner Records, HEFCE stats, LFS
<b>DoH</b>		
Barnard (2010)	Statistical estimation of income effects of taxes and social security benefits	Living Costs and Food Survey (LCF): about 5,800 private households in the UK
<b>LocGov</b>		
CLG (2009)	Local authority budgets: income and expenditure (by type and source)	Administrative (financial) data
DCMS (2010)	Adults’ and children’s use of public leisure services (galleries, archives; arts; libraries; heritage) and participation in sports	Adults aged 16 or over living in private households in England. Randomly selected child in households with at least one child aged 5-10
<b>DfT</b>		
Anderson et al. (2010)	Technical report of the implementation of the National Travel Survey of 2009	Random sample of 15,048 private households, drawn from the Postcode Address File (PAF); representative of GB population

36. In all instances, however, *it remains unclear (because unreported) how HMT used this information in their DA model.*

37. The cited publications contain some relevant public service use information, including statistics that are broken down by protected groups. This is illustrated in Table 2. The table shows that, apart from

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one publication submitted by BIS and another submitted by DfT, all publications provide statistical data relating the topic of their study to one or, typically, all three protected groups. For instance, the report by Fong and Phelps (2008) submitted by BIS provides a gender breakdown of apprentices (p.6), including by sector (p.8), and an analysis of the gender pay gap (p. 26).

**Table 2 - Equality Scope of Public Spending Distribution Information Provided by Government Departments**

Department	Focus or Scope of Publication (Protected groups covered or addressed)			
	Gender	Disability	Ethnicity	Generic only
<b>BIS</b>	Hefce (2010)	Hefce (2010)	Hefce (2010)	
	Fong & Phelps (2008)			
				BIS (2010)
<b>CLG</b>	CLG (2010)	CLG (2010)	CLG (2010)	
			DCLG (2010)	
<b>DCMS</b>	DCMS (2010)	DCMS (2010)	DCMS (2010)	
<b>DECC</b>	CLG (2010)			
<b>DWP</b>	DWP (2010)	DWP (2010)	DWP (2010)	
<b>DfE</b>	DCSF (2009)	DCSF (2009)	DCSF (2009)	
	DfE (2010a)	DfE (2010a)	DfE (2010a)	
	DfE (2010b)			
<b>DoH</b>	Barnard (2010)	Barnard (2010)		
<b>LocGov</b>		CLG (2009)		
	DCMS (2010)	DCMS (2010)	DCMS (2010)	
<b>DfT</b>				Anderson et al. (2010)

38. Likewise, data presented in CLG (2010) covering homelessness statistics include a breakdown of local authorities' homelessness acceptances by gender, ethnicity and priority need category, which includes disability. Similar statistical breakdowns of users or service beneficiaries by one or more protected groups can be found in most of the other publications. It is perhaps surprising, however, that the DfT publication cited is a technical report of the National Travel Survey. There are, in fact, at least two analytical reports available that are based on that survey and that report on the travel behaviour of two of the three protected groups (DfT 2010a; DfT 2010b).

## **SURVEY DATA – COVERAGE OF PROTECTED GROUPS**

39. In order to determine whether this methodology based on public spending distribution estimates could have been used to assess the impact on the relevant protected groups, it is necessary to examine whether the underlying survey data contained information on those groups. As noted earlier, HMT used the Family Resources Survey (FRS) 2007-08 and the Expenditure and Food Surveys (EFS) March 2005 - March 2008 for estimating distributional impacts of tax, benefit and departmental spending changes stipulated in the Spending Review 2010. The EFS has since been replaced by the Living Costs and Food Survey (LCFS).
40. In this section, the FRS and the LCFS are reviewed to allow a better understanding of the extent to which they may have been used for estimating SR 2010 impacts on protected groups. Two prominent alternative datasets are also reviewed with a view to establishing if they may have yielded more detailed information about impacts on protected group.
41. As already noted, the Spending Review 2010 estimated distributional impacts only for England, using department input costs pertaining only to England. Our own examination of the FRS and the LCFS, hence, also focussed on sub-samples for England.

### **The FRS**

42. The FRS 2007-08 contained valid data from 30,960 adults living in England (Table 3). The survey included sufficient information for identifying protected groups among adult participants.
43. The adult FRS covered 16,373 women and 14,587 men. It identified 27,976 white participants and 2,984 non-white participants.
44. In the case of disability, the *adult* FRS recorded a number of potential indicators, including whether participants:
  - had a long-standing illness or disability
  - had an illness or disability that limited their (daily) activities
  - were in receipt of a disability benefit.
45. The data in Table 3 reveal that between 3,038 and 9,850 individuals reported each of these conditions. Combining the latter two indicators provides a strong measure of disability and of belonging to this protected group. In 2007-08, 2,677 adults in the FRS reported an illness or disability that limited their activities and being in receipt of a disability benefit.

**Table 3 - Presences of Protected Groups in the FRS 2008-09 and LCFS 2008 (England)**

	FRS 2008-9 Adults	Living Costs and Food Survey 2008 Adults
Total	31,208	8,185
Men	14,784	3,945
Women	16,424	4,237
Ethnicity: white	28,413	6,648*
Ethnicity: other	2,795	598*
Long-standing illness of disability	9,850	
Illness/disability that limits activities	6,641	
In receipt of a disability benefit	3,038	605**
In receipt of disability benefit & illness/disability that limits activities	2,677	
Registered blind, partially sighted or deaf		
Date of First Edition	24 July 2009	25 March 2010

Source: LFS 2008-09, LCFS 2008. Own analysis.

Note: all frequencies are unweighted. \* Household reference person and partner of HR person. \*\*Incapacity Benefit, SDA (self or mobility), Severe Disablement Benefit, Attendance Allowance.

## The LCFS

46. In 2008, the LCFS replaced the EFS that had been used in the Spending Review 2010 distributional impacts analysis. The 2008 LCFS appears not to have been one of the three surveys merged in the analysis of the EFS 2005 - 2008. HMT report that EFS data from March 2005 to March 2008 were used. Data for that precise time period, which also corresponds to financial years, are not available from the UK Data Archive, from where NIESR obtains copies of survey data. The EFS was moved from a financial year to a calendar year basis from January 2006. However, we understand that for modelling departmental spending and taxation impacts, data based on financial years were more appropriate than data based on calendar years.
47. For the illustrative purpose of this analysis, however, the LCFS 2008 offers adequate data. The survey had been available from March 2010 and, in principle, could have been used in the DIA. Since sample sizes were not affected by the change from financial to calendar year, the frequency counts in Table 3 can be seen to be indicative of the case numbers (pertaining to one of the three combined years) available for analysis for the Spending Review 2010.

48. The 2008 LCFS surveyed 8,185 adults in the UK, including 363 non-white individuals who also were the household reference person. The survey does not specifically record disabilities, but does ask participants if they are in receipt of a disability benefit. These benefits include Incapacity Benefit, SDA (self or mobility), Severe Disablement Benefit, and Attendance Allowance. In total, 605 adults in the LCFS were in receipt of one or more these benefits.
49. Had, as in SR 2010, three years of LCFS data been merged, the above statistics would have approximately trebled. This would have provided sufficient case numbers of the analysis of protected groups, although the identifier of people with disability may be considered weak.

### Survey Data Alternatives

50. A number of alternative data sources could be considered when estimating policy impacts, although few of them have income data of the same quality as the FRS. Two surveys, the Health Survey for England and the Life Opportunities Survey provide information about public service usage.
51. The *Health Survey for England* (HSE) collects detailed information about the health of adults and children living in England. In addition to recording health conditions, the survey records risk factors associated with these conditions, such as eating habits, smoking and alcohol consumption, and physical activities. For individuals who gave their consent, NHS Central Register and Hospital Episodes Statistics can also be appended to the dataset. This makes the HSE a potentially rich source of information for analysing the public use of health services that may be further differentiated by priority groups.
52. The HSE 2008 surveyed 22,623 individuals in 31,927 households between January and December 2008. The first edition of the dataset was released on the Data Archive on 11 March 2010. A revised second edition was released on 13 October 2010.
53. The *Life Opportunities Survey* (LOS) is a new longitudinal survey of disability in Great Britain that started in June 2009. The survey covers both disabled people and non-disabled people, totalling 23,366 individuals aged 16 and over and living in private households in its first edition. It was first released on the UK Data Archive on 24 January 2011, that is, after the completion of the SR 2010.

### Suitability Assessment

54. For the purposes of the distributional analysis, the FRS must be considered the best source for financial information, offering also a reasonable sample size, including for the protected groups. No other survey holds as much detailed and reliable income information as the FRS. The FRS also contains a sufficient number of respondents from the protected groups to allow at least some analysis of these individuals and their households.
55. The LCFS equally qualifies as the richest source of information of English household expenditure patterns, although its identification of individuals with disabilities appears too narrowly focused on the receipt of disability-related social security benefits.
56. Whereas both the FRS and LCFS provide the basis for a robust analysis of income and expenditure, neither provides a basis for investigating public service use. For this reason, it must be assumed, HMT requested public usage information directly from the Government Departments.
57. The HSE and the LOS, may, now or in the future, help to provide service use information. The HSE is especially valuable because it can be linked to NHS Central Register and Hospital Episodes Statistics. The LOS, on the other hand, is the most obvious future source for information about disabled and non-disabled persons' living conditions and uniquely, if only in approximate outline, the use of public

services.<sup>2</sup> The survey also records income information (including source of income), although the accuracy and reliability of this information could not be tested.

58. While the LOS was not available at the time of the Spending Review 2010, the HSE was. Of the two, the HSE is the larger of the surveys, bearing in mind that it only covered England. Its major asset is the opportunity to link at least some participants' responses to administrative data (notably, Hospital Episodes Statistics). This makes the HSE the potentially most insightful source for information about the distribution of the public's health service use in England. It is unclear to what extent this type of information was used in the Spending Review's DIA.

## DISCUSSION

59. With the Spending Review 2010, HMT entered new analytical territory as it attempted to estimate not only the impact of proposed changes to taxation and benefits on households by levels of income, but also, for the first time, the impact of spending changes on those households.
60. Since the Government's approach to the Spending Review 2010 was set out on 8 June 2010 and the Review itself published on 20 October 2010, there was relatively little time for HMT to conduct more than a preliminary and exploratory examination of the likely impacts of departmental spending changes. To extend HMT's distributional analysis to the relevant protected groups would have been an additional major innovation. We have taken this into account in our own assessment of the feasibility of such a project.
61. The main challenge for HMT and the other Government Departments was to obtain relatively reliable information about the distribution of public service usage. It would be fair to assume, although we have not been able to research this in greater detail than reported here, that such information is very case-specific and unlikely to be readily available for all areas of departmental spending. However, as Table 4 illustrates, most departmental expenditure is concentrated in one principal service category, although within that, there would be diverse user groups. Table 4 also highlights some readily available data sources that can be used for identifying public usage of (broad categories of) services.

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<sup>2</sup> The LOS asked participants about their accessing the following services in the previous 12 months: health service, justice services (police, courts, prisons), benefits and pensions service (DWP, Job Centre), culture, sports or leisure services, tax services (Inland Revenue/HM revenue and customs) and Social Services.

**Table 4 - Main Area of Public Expenditure, by Government Department, and survey data sources**

Department	Main Spending Area (as % of all expenditure on services)	Survey Data Source
<b>BIS</b>	Education (67%)	National Pupil Database, Individual Learner Records, Student Income and Expenditure Survey
<b>CLG</b>	Housing and community amenities (45%)	Survey of English Housing
<b>DECC</b>	Environment protection (60%)	
<b>DWP</b>	Social Protection (98%)	FRS
<b>DfE</b>	Education (88%)	National Pupil Database, Individual Learner Records
<b>DoH</b>	Health (88%)	Health Survey for England
<b>Local Govt</b>	n/a	
<b>DfT</b>	Transport (90%)	National Travel Survey

Source: HMT 2010d (own calculations)

62. HMT SR 2010 documentation suggests that Government Departments were able to provide public usage information in the form of resource distributional data and that HMT were able to integrate this into their DA and TBMS models. Whereas HMT used this information to estimate distributional impacts by household net income groups (quintiles and deciles), no such attempt was made to apply this same quantitative approach to the protected groups. However, HMT did publish a “qualitative” assessment of the impact of the SR 2010 on equalities.
63. Our examination of HMT’s models’ main data sources, the FRS and LCFS, suggests that the number of survey participants from protected groups covered in these datasets would have allowed some additional, if cursory and exploratory, quantitative equality impact assessment. As in the case of HMT’s models, to boost numbers and thus enhance the robustness of such analysis, two or more years of data may be pooled, if necessary. Our first conclusion is therefore that in principle there is no reason why the quantitative approach used by HM Treasury in the DIA could not have been applied to the protected groups.
64. However, a number of challenges would have to have been addressed.
65. First, as acknowledged in HMT (2010b), differential impacts across gender are difficult to estimate outside one-person households especially because taxation and benefit rules and entitlements are more complex in couple/larger households. Moreover, differences in the intra-household allocation and sharing of resources are typically difficult to quantify, yet lead to public policy changes having (often unintended) gender-differential impacts (cp. Browne 2011; Sands 2011).
66. Second, as acknowledged in HMT (2010c), departmental spending is often difficult to allocate with any precision to public users or beneficiaries (hence the use of quintiles rather than deciles in much of the DIA). A more precise DIA would require considerably more detailed information about different types of users (including from protected groups) and about different service types than is currently available (or, certainly, is in the public domain).



67. Our own exploration, however, suggests that considerably more detailed impact analysis of proposed policy changes on protected groups may have been possible and that this analysis could have been feasible within the timeframe set by the Spending Review, although it might have required a certain amount of additional resources. The analytical options would have been:

**a. Obtaining and Analysing Public Usage Information**

68. Where departmental information was insufficiently detailed to estimate service usage by protected groups, additional information could have been obtained from one or more of the surveys listed in Table 4.

69. Survey data might have been used to:

- estimate the share of protected groups among all service users; or
- the share of specific public services among all public services accessed by protected groups.

70. The first approach would allow estimates of the relative weight of the impact of changes falling on protected groups (similar to proposition b. below). The second approach focuses more directly on the services affected by policy changes and their 'importance' as a resource for protected and all other groups. Appendix B provides an example illustrating the difference.

71. Coverage of service use in social surveys, however, remains sketchy and there are clear limitations to adopting this approach.

**b. Illustrating the share and distribution of protected groups**

72. The DIA could have sought to report the proportion of protected groups among households in the income quintiles and deciles. This would have provided some illustration of differential effects, albeit this effect would not necessarily have been quantified. Proportions could have been more readily estimated for the protected groups of disabled people and of people of different (non-white) ethnic background, using the FRS and, if with less accuracy, the LCFS (cp. Table 3). In such instances, it is common practice to record and analyse households (as 'disabled households') or heads of households (re ethnicity), thus circumventing the problem that data are collected at household level, whereas equality rights apply to the person (as well as group of persons).

73. The same type of household-level analysis could not have been meaningfully applied to the gender group, for reasons indicated above. However, certainly for illustrate purposes, the proportion of male- and female-headed single-person households and, albeit statistically less reliably, same-sex couple households<sup>3</sup> in the income quintiles and deciles (and their distribution across) may have been estimated. Alongside an estimate of the proportion of larger households, including mixed-sex couple households, these calculations would have given an impression of the likely distribution of effects (if, again, without quantification).

**c. Bespoke Estimation of Protected Group Impacts**

74. A bespoke estimation of impacts of policy changes on protected groups would have required detailed public service use data, which may or may not be available from Government Departments or social surveys.

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<sup>3</sup> The FRS 2007-08 includes 231 male same-sex two-person households and 271 female same-sex two-person households.

75. An indirect approach – and one in principle available to an investigator without the requirement of additional data – may have compared the household net income distributions across quintiles and deciles of protected groups with that of the general population that was used in HMT's DIA. A proportional re-weighting of the income distributions generated by the DIA to match those of protected groups may have provided some, if very provisional, indication of the potential impacts of policy changes on those groups. This approach would have assumed that household income patterns were the main determinant of equality impacts. This assumption is questionable in so far as disability, gender and ethnicity can generate *additional* costs and barriers to equality that require *additional* resource to compensate for this effect.

## **SUMMARY**

76. HMT's assessment of the impact of the Spending Review 2010 on the relevant protected groups, while containing some useful information, lacked detail. HMT took a much more comprehensive and systematic quantitative approach to analysing the distributional impacts of the Spending Review by income decile and quintile. We therefore considered whether such an approach would have been possible for the protected groups.
77. Our analysis suggests that a quantitative assessment of Spending Review impacts on protected groups would have faced a number of challenges. Inevitably, such an analysis would have had limitations in methodological terms and coverage (as did HMT's published distributional analysis). The task would nonetheless have been feasible insofar as the data that would have been required for it are available and would have allowed, at least, an exploratory, but systematic examination and estimation of impacts on protected groups.

## **PART II EVALUATING EQUALITY IMPACTS OF EDUCATION POLICY DECISIONS**

78. Part II of this report turns to HMT's assessment of the impact of key education spending decisions on the three protected groups. Specifically, the EHRC has requested NIESR to concentrate on the decision to:
- end the Education Maintenance Allowance in England after January 2011
  - introduce a Pupil Premium, a funding top-up given to schools for each materially disadvantaged pupil enrolled
  - maintain Sure Start funding in cash terms and refocus it on improving the life chances of disadvantaged children
  - confirm a universal entitlement of 15 hours of free early years education per week for all three and four year olds and to announce an extension of the entitlement to all disadvantaged two-year old children from 2012-13.
79. These spending decisions were not made exclusively by the Department for Education (DfE) within an overall spending envelope set by HMT but, rather, were explicitly taken and announced by HMT at the Spending Review with a considerable degree of public prominence.
80. The main task of this paper is therefore to discuss the EIA prepared by HMT to assess its adequacy. In order to do so, we identify the relevant evidence that could, in principle, have been used by HMT to assess potential equality impacts, and to examine whether new analysis of existing data sources could have been carried out where evidence was lacking. We also consider whether HMT could reasonably have been expected to consult the existing evidence and/or commissioned analysis in the course of the preparation of the SR.
81. Part II of this report is structured as follows. The next section briefly discusses HMT's assessment of equality impacts in relation to the proposed education policy changes. The section after that introduces the evidence related to the four key policies identified above that was available at the time of the SR. This is followed by a presentation of the methodological approach we took to assess whether the proposed policy changes could be expected to have adverse impacts on women, ethnic minorities and disabled individuals. The four policy changes are then discussed in turn. Where possible, we also indicate where simple new analysis could have been carried out. The penultimate section in Part II briefly explores whether it would have been reasonable to expect HMT officials to have undertaken similar evaluations in the run up to the SR. The last section concludes the presentation of Part II findings.

### **HMT'S EQUALITY IMPACT ASSESSMENT**

82. HMT's analysis of equality impacts (HMT, 2010b) presents the findings using what is described as a 'qualitative approach'. Unfortunately, the methodology of the equality assessment is generally unclear. It does not explain what criteria determined the inclusion or exclusion of each qualitative assessment or how comprehensive these are. The Spending Review document (HMT, 2010a) includes a text box on Equalities (Box 1.4) that contains very similar content.
83. The narrative presented in HMT (2010b) makes some reference to the education policies considered in this report. It states that women are likely to benefit from the decision on Early Years Education and Sure Start, while ethnic minorities and disabled individuals, both over-represented among low-income groups, will benefit from education measures targeting disadvantaged groups: the Pupil

Premium and the extension of Early Years Education to disadvantaged two-year olds. It does not mention changes to the Education Maintenance Allowance.

84. The document emphasises that the SR consists of setting Departmental envelopes, while it is up to individual Departments to take decisions on how to make use of the allocated resources. It therefore argues that, in this context, HMT's role with regards to equalities is not to consider the impact of individual policies but rather to consider the impact of overall set of choices made in the SR. At the same time, HMT (2010b) makes clear that Departments will need to give due consideration to the equality impacts of their individual policy choices as and when these are announced.
85. However, as mentioned above, the four education policies considered in this document were announced by HMT as part of the SR, and, therefore may have warranted the publication of their own EIA's, rather than the small amount of qualitative information published by HMT in relation to these four education decisions. We therefore proceed to the main subject of this report: whether a more comprehensive evaluation would have been possible and whether HMT could reasonably have carried this out.

### **TIMELINE OF EXISTING EVIDENCE**

86. NIESR conducted a search for publications relevant to the four education policy changes under consideration to identify the available evidence base at the time of the Spending Review. Based on the timeline presented in the Government's Spending Review Framework (HMT, 2010e), it would be reasonable to assume that any information and evidence published or otherwise available to HMT and/or other Government Departments by August 2010 could have informed Spending Review decisions.
87. We focused initially on the sources from the main actors and commentators in the arena of education policy, including Government-commissioned research reports and publications from independent institutions, including the Institute for Fiscal Studies (IFS), Institute of Education (IoE) and the Centre for Research in Social Policy (CRSP). This was supplemented by a general web search.
88. A scan of Government and research centre websites identified 34 documents of potential relevance to evaluating the equality impacts of the four specific policies and published no later than August 2010 (Table 5).<sup>4</sup> Full bibliographic references to the documents can be found in Annex A.

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<sup>4</sup> The list excludes generic literature on the four policies or policy areas, for instance, reports on the general nature and impact of school funding.

**Table 5 - Evaluation reports by policy and source of publication**

	Sure Start	Early Years	Pupil Premium	EMA
DfE (including NESS)	8	2		12
CEE			1	1
CRSP	1			1
IFS			2	1
IoE	1	2	1	
Other	1	3	-	-
<b>Total</b>	<b>9</b>	<b>6</b>	<b>4</b>	<b>15</b>

Note: To avoid double-counting, reports produced by research centres and also published by DfE are assigned to DfE only. In case of multiple authorship, the study is assigned to the lead organisation.

Legend: DfE = Department for Education; NESS = National Evaluation Sure Start; CEE = Centre for the Economics of Education; CRSP = Centre for Research in Social Policy; IFS = Institute for Fiscal Studies; IoE = Institute of Education.

## NIESR EVIDENCE REVIEW METHODOLOGY

89. Before reviewing the impact of the four policy changes on equality groups, this section briefly presents the approach taken to evaluate whether a policy has an adverse impact on a given group.
90. At the simplest level, it is important to check whether a given group is over-represented among the policy's recipients. If a group is more prevalent among a policy's user group, it will be more at risk of being disproportionately affected by any changes to the policy. This check can be easily done by comparing the prevalence of individuals from a given group among policy users to their share in the wider population. In the sections that follow, we indicate where such comparisons have been made in the literature, or suggest data sources that could have been used for this purpose with relative ease.
91. Where a policy involves a direct transfer to users (be this cash or in-kind), receipt implies some form of *material* benefit. In this case, over-representation of a given group among the users of a policy will also imply that the group will experience a disproportionate *material* impact from any change to the policy.
92. However, from the perspective of the Government's evaluation of the equality impacts of a policy change, it is equally if not more important to explore whether a policy indeed helps beneficiaries move towards the policy's objectives. This would allow the Government to gauge whether any changes might disproportionately affect a group's chances of achieving the policy objectives. Our review will therefore consider the extent to which the four policies have been shown to achieve an impact by drawing on existing Government evaluations and those carried out by independent researchers. Identifying such effect is not necessarily straightforward as the data need to be analysed in such a way as to identify the true causal effect of the policy. This is generally well understood and addressed in the evaluation documents surveyed. However, a thorough critique of the methodologies used is beyond the scope of this work.
93. Finally, it is instructive to explore whether the given policy has been shown to have a differential impact across population sub-groups, and the three protected groups in particular. Indeed, if an intervention has an above average impact on a given group, this group will also be disproportionately affected by any policy changes regardless of whether the group is over-represented among recipients. For this reason, where possible, we have identified where the literature finds differential impacts across the three protected groups.

94. In line with the above, policy changes will be defined as having a disproportionate impact on a given group if any of the following apply: a) the group is over-represented in the population in receipt of transfers in relation to the policy, b) the group is over-represented in the population using the policy's services *and* these have been shown to have an impact, and c) the policy has a differential impact on the given group, regardless of whether the group is or is not over-represented among the beneficiaries of the policy. It is worth noting, however, that these channels can yield offsetting effects. For example, a policy may deliver above average results among participating members of a given group, but that group may exhibit very low take-up rates. Evaluating equality impacts will therefore need to consider the overall effect across the three channels identified above, and may ultimately also require a judgement call to balance the competing effects of each.

## REVIEW OF EDUCATION POLICY IMPACT EVIDENCE

95. This section reviews the evidence and data sources for assessing the equality impact of the four education policies affected by changes announced in the SR. References cited here can be found, in full, in Appendix C under the relevant policy heading.

### Education Maintenance Allowance

96. The Education Maintenance Allowance (EMA) provides financial support to disadvantaged students aged 16-19. The SR announced the Government's intention to re-focus the support currently provided by EMA on the most disadvantaged students. In practice, this means that EMA applications will not be accepted in England after January 2011. Some of the savings from ending the EMA will be recycled into a centralized fund, expected to give 12,000 of the most disadvantaged 16 to 19 year olds bursaries of £1,200 per year, and an expanded version of the Learner Support Fund, which is given to schools to help disadvantaged students with schooling costs.<sup>5</sup>
97. Establishing whether women, ethnic minorities and disabled individuals are over-represented in the population of EMA recipients is relatively straightforward. Firstly, whereas the literature does not carry out a systematic description of the distribution of equality groups among the EMA population, it nevertheless includes descriptive statistics that provide useful evidence for an EIA. For example, Middleton et al. (2006) discuss awareness and take-up of EMA across ethnic groups, with Indian and Pakistani/Bangladeshi youth reporting the highest levels in both. Similarly, reporting on pilot areas in London and Leeds, Hartfree and Middleton (2004) indicate that EMA receipt is more prevalent among female students. This is driven by higher participation in non-compulsory education, in line with national figures.<sup>6</sup> On the other hand, Perren and Middleton (2005) describe how awareness of EMA is lower among individuals with both special needs and a disability compared to individuals with neither. This is driven by the concentration of disabled individuals in specialist schools, which may have been more isolated from campaigns promoting EMAs.
98. Moreover, it is possible to make a systematic comparison of the distribution of gender, ethnicity and disability among EMA recipients and the whole 16-19 year old population using the Longitudinal Study of Young People in England and the Youth Cohort Study. These large sample surveys allow cross-tabulation of gender, ethnicity and disability with EMA receipt, broken down by the amount of the EMA award. Indeed, Bolton (2011), published by the House of Commons after the SR, presents such tabulations for gender and ethnicity. Comparing these with the distribution of the characteristics across the age group would show which equality groups are over-represented among the population of EMA recipients and would therefore be disproportionately affected by changes to the policy regime.

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<sup>5</sup> BBC, Q&A: EMA grants, 28 March 2011, <http://www.bbc.co.uk/news/education-12209072>

<sup>6</sup> DfE, DfE: Participation in Education, Training and Employment by 16-18 Year Olds in England, <http://www.education.gov.uk/rsgateway/DB/SFR/s000938/index.shtml>

99. Since EMA was a cash transfer, the over-representation of a protected group among the beneficiaries automatically implies that individuals in that group would suffer a disproportionate *financial* impact from the abolition of the scheme. However, as mentioned above, from the Government's perspective it is equally if not more important to explore if the end of the scheme implies a disproportionate impact on the *educational prospects* of the recipients. This will depend on whether the EMA was actually generating a positive impact on educational outcomes.
100. Studies attempting to measure such effects are unanimous in indicating that EMA had a substantial impact on the education decisions of individuals (Middleton et al. 2003; Middleton et al. 2005, Dearden et al. 2008). Furthermore, the studies also provide some important detail on how this impact differed across recipients in the three equality groups.
101. Male students appeared to respond more strongly to the incentive provided by the EMAs. For example, Dearden et al. (2006) estimate that the subsidy increased educational participation among young males by 4.8 percentage points and among young females by 4.2 percentage points in the first year, and respectively 7.6 and 5.3 percentage points in the second year. Other studies, including the official EMA evaluation, find similar results both in magnitude and the relative dimension across genders (Middleton et al. 2003; Middleton et al. 2005; Hartfree and Middleton 2004). In contrast to the above, Chowdry et al. (2008) find the average impact to be higher for females than males. However, using administrative data, the authors had fewer control variables available to correct for factors (e.g. parental background, pupil motivation) that may affect these impacts. This, they argue, reduced the robustness of their impact estimates.
102. At the same time, however, administrative data allow for more detailed analysis of impacts by population subgroups, notably in the case of Chowdry et al. (2008), because these data more reliably collected information about race. By using rigorous analytical techniques, the authors find that the effect of EMA on participation in education at age of 16 is confined to white students (both male and female) and black females, and fail to find any statistical effect on the participation of students from other ethnic groups. These results echo more descriptive analysis found in Middleton et al. (2003) and could be driven by the already above-average participation levels found among ethnic minority students (Middleton et al. 2006). Indeed, despite the absence of participation effects on ethnic minority students, Chowdry et al. (2008) find substantial effects on attainment among Asian females and black students (male and female). Middleton et al. (2006) provide some further descriptive evidence of the differential impact of the EMA across ethnic groups.
103. Unfortunately, the literature seems to offer only scant comment on the impact of EMA on students with disabilities. Perren and Middleton (2005) report that students with special needs (with and without a formal disability) were most likely to say that receipt of an educational award was important for their staying in FT education.
104. Overall, the existing evidence seems to indicate that females and individuals from ethnic minorities are generally over-represented among EMA recipients and would therefore have been disproportionately affected by the financial loss as a result of the ending of EMA. Simple analysis of the Longitudinal Study of Young People in England and the Youth Cohort Study would have allowed further substantiation of such a claim, as well as providing an indication of whether disabled individuals would also have been disproportionately affected. From an educational perspective, the schooling decisions of males and white students and black female students appear to be the most responsive to changes in EMA. However, while there is evidence that female students and ethnic minority students may be less likely to leave school with the withdrawal of the EMA, their educational attainment appears more likely to suffer than that of other groups.

## Pupil Premium

105. The SR announced the allocation of £2.5 billion to fund a Pupil Premium, that is, a funding top-up given to schools for each materially disadvantaged pupil enrolled. This will be implemented alongside maintaining per pupil funding in cash terms. The best way to identify materially disadvantaged pupils was under consultation at the time of the SR, and the Government's preferred flag was pupils in receipt of Free School Meals (FSM).<sup>7</sup>
106. The surveyed literature does not provide a breakdown of the pupils likely to benefit from the premium by gender, ethnicity or disability. However, this can be produced from the Department for Education's National Pupil Dataset. Covering all pupils in English state schools, it records the gender, ethnicity, special educational needs (SEN) and, importantly, receipt of free school meals (FSM) (Chowdry et al. 2008; Chowdry et al. 2010). Unfortunately, it does not record disability explicitly, only recording those with SEN. By comparing the distribution of gender, ethnicity and SEN of pupils receiving FSM to that of the whole student population, it would be fairly easy to identify groups that are over-represented among the beneficiaries of the premium. A priori, it is likely that this would find that pupils from at least some ethnic minorities are over-represented<sup>8</sup>, whereas results from comparing the gender and, possibly, disability distributions among the recipients would probably be less clear cut.
107. The Pupil Premium will be added to a given school's budget and, depending on how the school makes use of these funds, it may or may not have a genuine impact on pupil attainment and the attainment of disadvantaged pupils in particular. Indeed, the schools' freedom to invest the Pupil Premium and other similar funding top-ups as they see fit, may be at the root of why a large part of the literature on the relationship between student performance and school resources does not find a strong or consistent causal link (Chowdry et al. 2010). However, Chowdry et al. (2010) report that more recent evidence on the UK has found evidence of some small resource effects. This is the case, for example, in Holmlund et al. (2009). Furthermore, while the evidence is generally inconclusive as to whether advantaged or disadvantaged pupils benefit most from additional resources, the review in Chowdry et al. (2010) indicates that economically disadvantaged pupils are likely to benefit as much as advantaged pupils. On this basis, we can therefore reasonably expect groups over-represented among the beneficiaries of the Pupil Premium to benefit from improved educational attainment.
108. Unfortunately, the literature surveyed is generally silent on whether the effect of additional financial resources has a differential impact on the educational attainment of individuals in the three protected groups. As an exception to this, Holmlund et al. (2009) find little difference in the impact of additional expenditure based on whether pupils speak English as a second language, which could serve as an, albeit limited, proxy for lack of differential effects on ethnic minorities.<sup>9</sup>

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<sup>7</sup> At the time of the Spending Review, the Government was consulting on their intention for the premium to also cover looked after children (DfE 2010). However, the consultation document states these children will only constitute a very small minority of the target population, and cautions on the reliability of administrative data identifying this group. On this basis, our discussion concentrates only on pupils eligible for FSM.

<sup>8</sup> In line with the findings for London schools in Gibbs (n.d.)

<sup>9</sup> The limitations to using 'English as a second language' as a proxy for membership of an ethnic minority should not be overlooked. In their analysis of the National Pupil Database (NPD), Simpson et al. (2011) find relatively strong evidence of such a correlation (See Table 7 in the cited document). For example, the NPD records a very high percentage of children of Indian, Pakistani and Bangladeshi ethnicity as having a first language other than English (from 80 per cent to 97 per cent) compared to much lower incidences of English as a second language among children of Other White ethnicity (30.5%) and of course White British (0.3%). However, the fact that 88% children of White Eastern European ethnicity report English as a second language reminds us how the correlation between ethnicity and native language changes over time and is particularly sensitive to migration patterns.



109. Overall, the literature supports the view that top-up funding delivered through the Pupil Premium should have a genuine impact on educational attainment. While detailed evidence on whether this funding would benefit pupils differentially by protected groups was not available at the time of the SR, existing analysis indicates that, in schools in receipt of the Pupil Premium, the impact should be similar for economically disadvantaged and advantaged pupils. Through a relatively simple analysis of the National Pupil Database, it would have been possible to present the extent to which individuals in the three protected groups were represented among the beneficiaries. Given the relative economic disadvantage of ethnic minorities, it is likely that this would have shown pupils from ethnic minorities to be over-represented in schools receiving the Pupil Premium and, thus, ethnic minorities relatively advantaged by the Pupil Premium. The results from comparing the gender and, possibly, disability distributions among the recipients would be less clear-cut.

### **Sure Start**

110. Sure Start centres are responsible for providing services aimed at enhancing the life chances for young children growing up in disadvantaged neighbourhoods. The SR announced that funding for Sure Start services will be maintained in cash terms, but refocused on their original purpose of improving the life chances of disadvantaged children and that new investment would be allocated to Sure Start health visitors.
111. In the context of the Government's emphasis on reducing expenditure, this announcement was presented as support for the policy and protection of its services. However, the SR also announced that Sure Start funding would be merged with other funding streams into a new Early Intervention Grant to local authorities. Importantly, as none of the individual streams in the Grant are ring-fenced, local authorities may in fact not maintain Sure Start cash levels as promised, especially in the context of reductions to other funding streams. While the responsibility for any cuts to Sure Start services will ultimately rest with local authorities, HMT's removal of the ring-fence will have been an enabling prerequisite to this. In any case, whether the announcement is considered to have strengthened support for the policy or withdrawn it does not affect how an impact assessment for the change could have been carried out, but only the direction of the impact.
112. We can identify two main groups among the beneficiaries of Sure Start services: children and parents (primarily mothers). In principle, separate EIAs could be made for both children and parents. However, the Government evaluation reports appear to focus their attention on the children and usually make reference to the impact on parents primarily in relation to aspects of their life that will ultimately affect the child. In line with this, much of what follows focuses on evaluating the equality impacts among children, though comments in relation to parents are made where relevant.
113. The Government has collected data on Sure Start users as part of the programme's evaluation. As seen in National Evaluation Sure Start (2008), these data include information on the gender and ethnicity children benefiting from Sure Start services. This means that the prevalence of such groups among the beneficiaries can be easily compared with child population estimates obtainable from large sample social surveys, such as the Annual Population Survey (APS) or the UK census. For example, when comparing the ethnic make-up of Sure Start areas to the total UK population as characterised in the 2001 Census, National Evaluation Sure Start (2007b) shows the former included a larger share of ethnic minority individuals.
114. Unfortunately, information on disability among Sure Start children does not seem to have been collected as part of the evaluation dataset. For mothers, only very high-level information on maternal self-reported cognitive difficulties was collected. National Evaluation Sure Start (2007a) carried out a series of interviews with Sure Start staff to explore the experience of Sure Start with disabled children. They cite that children with disabilities represented around 5 per cent of a typical Sure Start centre population, which could have been compared with the prevalence of disability among the UK child population.

115. Evidence on the impact of engagement with Sure Start centres available at the time of the SR generally revealed beneficial impacts across a variety of child development indicators (National Evaluation Sure Start 2008). The evaluation study of the impact on three year olds also found almost no differences in the effects of Sure Start for particular subgroups. The only exception to this was that the impact of Sure Start on positive social behaviour was found to be positive for children of white ethnic background, negative for Black-Caribbean children and insignificant for all other ethnic groups.
116. However, some researchers have highlighted the limitations of the evaluation results, citing the fact that the large variety of practices and services offered across Sure Start centres make it difficult to pin down causal effects arising from a specific Sure Start intervention. The robustness of the earlier results was further challenged after the latest evaluation report, published after the SR, found only mixed impacts on Sure Start children (National Evaluation Sure Start 2010).
117. Given the limited quantitative results presented above, some qualitative evidence from the literature in relation to the three equality groups could have been helpful.
118. Given Sure Start's focus on support starting from pregnancy, it is likely that mothers would have had more opportunities to benefit from the centres than fathers. In particular, this is by definition the case with pregnant lone mothers. Furthermore, a scheme within Sure Start, called Sure Start Plus, was targeted primarily at pregnant young women under the age of 18.
119. Detailed studies on the work of Sure Start centres with ethnic minority families were scarce, at least in the initial years of the programme (National Evaluation Sure Start 2006). National Evaluation Sure Start (2007b) therefore considered this aspect in greater depth and found that Sure Start experiences varied widely and delivered mixed results. Some centres successfully understood the increased complexity determined by a given local ethnic composition and responded flexibly to deliver the services needed. However, other centres encountered difficulties in successfully obtaining the communities' trust. The limited extent to which ethnic minority staff were employed in senior positions and the lack of effective use of translation services were also cited as obstacles. This evidence may imply that the impact of Sure Start on families and children from ethnic minorities may have been uneven across the areas served.
120. A similar variety in approaches, and therefore success, is described in relation to disabled individuals. National Evaluation Sure Start (2007a) explores this and concludes that clearer guidance on services to disabled individuals was required. While based on very limited evidence, it would therefore appear that Sure Start may have achieved only patchy success in supporting disabled children.
121. Overall, the varied nature of Sure Start centres, the limitations of quantitative evaluations and the limited qualitative evidence mean that it is difficult to make an assessment of equality impacts. However, data from the Government-commissioned evaluations and the corresponding reports should nevertheless be sufficient to allow at least some initial comment on the likely effects of this policy on the three protected groups.

### **Early years education**

122. Early Years Education (EYE) usually refers to the care and teaching of pre-school children by people other than their family or in settings outside of the home. The SR confirmed a continued universal entitlement of 15 hours of free EYE per week for all three and four year olds and announced an extension of the entitlement to all disadvantaged two-year old children from 2012-13. It also stated that the definition of disadvantage would be arrived at after consultation with the Early Years sector and voluntary groups.

123. Given that the entitlement to EYE for three- and four-year olds is universal and available to all children in that age group, it cannot, by definition, have a disproportionate impact on any given subgroup. In any case, as this part of the SR announcement was a continuation of existing policy it would also not normally have required an EIA.
124. The situation is different for the extension to disadvantaged two-year olds. Here the policy is intended to target both children (who benefit from the educational services) and parents (who receive access to free childcare). We will consider each in turn.
125. The free entitlement is an in-kind subsidy to parents, where participation in itself implies a material advantage to the users. As such, an equality impacts assessment should consider whether this transfer is disproportionately benefiting (or failing to benefit) parents in the three equality groups by exploring the demographics of the user population. Administrative data were obviously not available at the time of the SR, as the extension to two-year olds is a new policy. However, any large social survey containing information on the age, gender, ethnicity, and disability of each individual and some measure of economic disadvantage should have allowed an exploration of the demographics of the eligible population. Possible candidate datasets include, besides the FRS used by HMT in the DIA (using household income as a proxy for disadvantage), the Annual Population Survey and the Millennium Cohort Study (both using parental earnings as a proxy for disadvantage). A cross-tabulation comparing the characteristics of parents of disadvantaged two-year olds to the parents of all two-year olds would have uncovered any over-representation among the parents benefiting from the extension of childcare services.
126. Much the same applies to identifying the demographic characteristics of the children benefiting from free EYE. Using the same datasets, a cross-tabulation of the characteristics of disadvantaged two-year olds and those of the whole population of two-year olds would have allowed a comparison of their demographics with respect to gender, ethnicity and disability.
127. Moving on to whether pre-school experience is necessarily beneficial to child development, the literature surveyed fails to reveal a consensus. A number of studies generally find positive effects, though most emphasise the importance of high-quality care (DfE 2004, Penn et al. (2006), Misia Coghlan et al. 2008). For example, DfE (2009), which specifically piloted EYE for disadvantaged two-year olds, found that this did not, on average, significantly improve the cognitive and social development of the children receiving the free childcare. However, this hides important variation in the impact on different population sub-groups. Specifically, those children in relatively high-quality care settings developed improved vocabulary and parent-child relationships. However, no impact was detected on other outcomes, including child non-verbal reasoning, social development, and the home learning environment, regardless of the quality of the care setting. Indeed, Mitchell et al (2008) find evidence of negative effects on antisocial or anxious behaviour for Australian children who enter low-quality childcare at a very early age.
128. Mitchell et al. (2008) also examine whether there is evidence of differential outcomes for specific groups of children. They conclude that positive impacts are not limited to any particular group, implying that disadvantaged children are likely to benefit at least as much as other children. However, none of the studies surveyed explicitly addressed whether girls, ethnic minority children or those with disabilities responded differently to pre-school education. However, DfE (2004) and Misia Coghlan et al. (2008) cite a number of studies that found that knowing English as a second language can be a barrier to effective pre-school learning. This could imply that at least some children from ethnic minority backgrounds may not benefit as much from the extended entitlement.<sup>10</sup>
129. While generally more positive than negative, the evidence on the likely impact of pre-school education for two-year olds on child development is limited and unclear. Nevertheless, when complemented with some descriptive statistics on the group of eligible two-year olds sourced from

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<sup>10</sup> See above footnote about the relationship between ethnicity and English as a second language.

survey data, it should provide some initial evidence to form the basis for a high-level comment on the equalities dimension of the policy change.

## HMT EQUALITIES EVALUATION

130. The previous section showed that it could have been possible, with the information available at the time, to produce a considerably more comprehensive assessment of the impact of HMT spending decisions on the protected groups than was in fact produced.
131. The principal obstacle to conducting the above work would have been gaining access to the necessary datasets. The relevant social surveys (APS, FRS, and Census) are publicly available, as of course are published evaluation and research reports. Primary datasets from pilots and evaluations, as well as the National Pupil Dataset, are owned by DfE. The additional analyses suggested in this report would appear feasible to undertake.
132. As noted above, HMT (2010b) takes the view that so long as the impact of the entire SR was considered, the impact of individual policies need not be considered in as much depth. Indeed, starting from the June 2010 Budget, the Government has sought transparency by publishing DIAs of announcements made at fiscal events that had not been released by previous Governments. Part I of this report explored whether this was adequately used, or could have been used, to evaluate the equality impacts of the whole SR.

## SUMMARY

133. Part II of this report surveyed HMT's published analysis of the impact of the SR on protected groups in relation to decisions regarding Sure Start, Early Years Education, the Education Maintenance Allowance and the Pupil Premium. The published assessment was found to be limited to a relatively patchy qualitative comment on the possible impacts.
134. Our analysis proceeded to survey existing evidence on possible equality impacts of changes to these four policies. Table 6 below summarises the key features of the policy changes and the three main criteria used for assessing their likely impact on the protected groups, namely the type of, or effect on, immediate material benefits that may arise from a policy change; the extent to which protected groups may be over-represented among policy recipients; and the extent to which the policy itself is or was known to have the intended impact.
135. Our analysis concluded that while the evidence was not always available or conclusive, it could have been possible to produce a more comprehensive assessment of the impact of these spending decisions on women, ethnic minorities and disabled individuals. In many cases, this would have been possible by relying exclusively on official evaluation documents and simple tabulations from DfE datasets.
136. Based on the evidence available to us, our assessment of the likely direction of impact of the policy changes on the protected groups is summarised in Table 7. The aggregate evidence is clearest for EMA, where females and ethnic minority students are likely to be most affected by the withdrawal. We cannot comment on the impact on disabled students due to insufficient data. Secondly, while we would expect the aggregate impact of the Pupil Premium to be positive, this will depend greatly on how schools choose to use the extra funding. If positive, the impact of this change should benefit ethnic minority pupils, while further analysis of the National Pupil Dataset would shed light on the impact on gender and disability.
137. Commenting on the equality impacts of changes to Sure Start and EYE is made more difficult due to the lack of rich quantitative data. With the removal of ring-fencing, local authority spending on Sure Start is no longer guaranteed, and, at a time of decreasing central government allocation to local

## Analysing impact on protected groups

authorities, is vulnerable to reductions. If Sure Start services are reduced, we expect this will have a detrimental impact on women, while impacts on ethnic minorities and disabled are more difficult to evaluate. On the other hand, we expect the extension of EYE to disadvantaged two-year olds to have mild positive effects, primarily affecting mothers and possibly ethnic minority and disabled children.

138. It is likely that some, if not all, interventions will interact. However, these combined and, possibly, cumulative effects are impossible to gauge without much more careful study and technically more challenging analysis than this review was able to conduct.
139. The high levels of uncertainty associated with the equality impacts of most of the policy changes addressed here point to the need for careful monitoring of impacts as these changes are being implemented. Notably, new policies, such as the Pupil Premium and the extension of the EYE, should be carefully evaluated not only with respect to their general impact and cost-effectiveness, but also their equality impacts in the medium- and long-term.

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**Table 6 - Policy change and ex-ante evidence of impact on protected groups**

Policy	Policy Change	Immediate material benefit	Representation among policy recipients	General policy impact (helping people to move towards objectives)
EMA	Abolition (closure to new applicants after Jan 2011)	Financial transfer: all	Protected groups over-represented: all.	Increased participation among protected group: gender, black females. Attainment effect on protected groups: Asian females, black students (male and female).
Pupil Premium	Introduction	None	Protected groups over-represented: disadvantaged pupils.	No policy-specific ex-ante evidence available. Secondary evidence suggests possibly no impact on BME pupils.
Sure Start	Merged in with new Early Intervention Grant. End of ring-fencing. New investment to Sure Start health visitors	Service benefits' maintained Sure Start, but removed ring-fencing. The latter may reduce service provisions in some local authorities.	No clear ex-ante evidence, but focus on disadvantaged neighbourhood suggests over-representation of some protected groups.	No unambiguous evidence of net impacts.
Early Years Education	Retained for all 3-4 year olds; extension of entitlement (to 15 hours of EYE per week) to disadvantaged 2-year olds	Service benefits.	Universal eligibility. No evidence of over-representation. Planned focus on disadvantaged 2-year olds may result in over-representation of some protected groups.	DfE pilot study evidence of high quality care on child vocabulary and parent-child relationships.

## Analysing impact on protected groups

**Table 7 - Summary of likely direction of impact of policy change on protected groups**

Policy	Protected group	Representation among policy recipients	General policy impact, all groups	Differential policy impact, for equality group	Overall differential effect <sup>a</sup>
Ending EMA	Gender	Over	-	-	-
	Ethnicity	Over		-	-
	Disability	?		?	?
Introducing Pupil Premium	Gender	?	+	?	?
	Ethnicity	Over		?	+
	Disability	Over		?	+
Removal of Sure Start ring-fence	Gender	Over <sup>b</sup>	(-)	?	-
	Ethnicity	(Over)		?	(-)
	Disability	(Over)		?	(-)
Early Years Education for disadvantaged 2-year olds.	Gender	Over <sup>b</sup>	(+)	?	+
	Ethnicity	(Over)		?	(+)
	Disability	(Over)		?	(+)

Legend: over = over-representation; ( ) = evidence is weak; + = positive; - = negative; = unknown.

<sup>a</sup> Taking into account policy impact (general and differential), immediate material benefits and representation of equality groups.

<sup>b</sup> While girls are unlikely to be overrepresented among the children in receipt of Sure Start services and Early Years Education, parents are direct beneficiaries from these policies. Mothers are more likely than fathers to benefit directly from policies relating to the care of children and so females are over-represented among recipients of these policies.

## PART III OVERALL ASSESSMENT

140. This assessment of the SR 2010 examined the distributional impact analysis and the equality impact assessment analysis that had been undertaken alongside the Spending Review. In addition, we identified and reviewed the evidence that was available about the actual or potential impact of proposed policy changes affecting four education policies: the abolition of the Education Maintenance Allowance, the introduction of the Pupil Premium, the removal of the financial ring-fencing of Sure Start, and the extension of Early Years Education.
141. Our analysis of HMT's general approach to estimating the distributional impact of proposed spending changes concluded that it had been unduly limited to income groups, when data may have allowed an exploratory examination of impacts on protected groups. Moreover, the "qualitative" (HMT 2010b, p. 5) equality impact assessment that HMT had conducted was found to be lacking in detail, frequently un-sourced, and not entirely systematic.
142. We found HMT's published equality impact assessment of educational policy changes to have shown some lack of focus and rigour. Our own search for, and review of, assessments of the education policies' actual or anticipated impacts on protected groups found robust evidence indicating likely negative impacts of the withdrawal of EMA. While the impact of the Pupil Premium depends largely on how schools choose to use the extra funding, this should generally have a positive impact on educational attainment. We would expect ethnic minorities to be over-represented in schools receiving the Pupil Premium and so to be relatively advantaged by it. Further analysis of the National Pupil Dataset would shed light on the impact on gender and disability. Similarly, the impacts of Sure Start funding changes will largely depend on how local authorities will respond to the overall reduction in central government funding. We suspect that the austerity measures will reduce incentives to local authorities to retain Sure Start at current levels. This, in turn, would adversely impact on protected groups. In contrast, we assume that the extension of EYE to two-year olds will have a positive impact on protected groups.
143. In all instances, this evidence would have been available to HMT for review. Where the existing evidence was unclear and missing, we have highlighted data sources that could have been used for estimating potential impacts.



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## APPENDIX A

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## APPENDIX B

### Obtaining and Analysing Public Usage Information

The difference between the two approaches proposed in Part I can be seen in this simple, made-up example.

Let's assume Protected Group X (PG-X) makes up 10 percent of the population. The group also makes up 10 percent of the users of Public Service Y, i.e. in proportion to its share in the population. But it makes up 20 percent of users of Public Service Z, i.e. twice as much as its population share. A reduction of Public Service Z (or an increase in its price) would appear to disproportionately affect PG-X.

However, Government also has the option to retain Public Service Z, while cutting or stopping Public Service Y.

If Service Y was used by every individual of PG-X, but only every other individual of that group used Service Z (and their higher share among users was due to even lesser use among all others), service Y could well be the more 'important' resource for PG X, as nominally more individuals use it – as shown in the numerical example in Table B.2 below.

None of these calculations, of course, take into account any actual monetary or subjective value of services Y and Z.

Table B.1 Protected Group and Service Shares (%)

	Protected Group X	Other
Population share	10	90
Service Y	10	90
Service Z	20	80

Table B.2 Protected Group and Service User Numbers (fictitious example)

	Protected group Z	Other	Total
Pop share	600	5400	6000
Service Y	600	5400	6000
Service Z	360	1440	1800

## APPENDIX C

### LITERATURE USED IN THE FOUR POLICY REVIEWS

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