

Appendix 4 Equality Impact Assessment Form

Department	Children' s Services Education and Learning	Version no	V1.0
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The Equality Act 2010 requires the Council to have due regard to the need to

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups

Section 1: What is being assessed?

1.1 Name of proposal to be assessed.

Increasing Specialist Provision for children and young people with special educational needs and disabilities (SEND) by:

- Increasing specialist places for children and young people with SEND at Bradford's Special Schools, including Academies
- Developing and Increasing specialist places in Designated Specialist Provision (DSP) in maintained schools and academies for children and young people with a range of SEND
- Developing specialist places in new Resourced Provisions (RP) in maintained schools and academies for children and young people with a range of SEND

1.2 Describe the proposal under assessment and what change it would result in if implemented.

Developing and Increasing specialist places in special schools, DSPs and RPs for children and young people with a range of SEND

The proposals will lead to an additional: across the primary and secondary sector

- 175 Special School places
- 44 Designated Specialist Provision places
- 135 Resourced Provision places

Section 2: What the impact of the proposal is likely to be?

2.1 Will this proposal advance equality of opportunity for people who share a protected characteristic and/or foster good relations between people

who share a protected characteristic and those that do not? If yes, please explain further.

These proposals will expand and develop further specialist provision to enhance the network of Special Schools, DSPs, ARCs and Nursery Schools (EYESPs) which form part of:

- A coherent geographical spread of provision across the District
- A dynamic network
- A Flexible and responsive provision

These proposals are intended to advance the equality of opportunity and a range of improved outcomes for children and young people with a full range of Special Educational Needs and Disabilities (SEND) by creating additional specialist places:

The proposals will lead to an additional: across the primary and secondary sector

- 175 Special School places
- 44 Designated Specialist Provision places
- 135 Resourced Provision places

The development of additional specialist places is based on the following principles:

- All children to be valued equally, regardless of their ability, behaviour, family circumstances, ethnic origin, gender and sexual orientation
- All children are to be provided with the best learning opportunities, environment and experience which maximises inclusion into mainstream classes where appropriate
- All children are entitled to a broad, balanced and relevant curriculum which is differentiated to meet individual needs
- Children's diverse special educational needs require a range of flexible and varied provision
- All children are to be valued equally, regardless of their ability, behaviour, family circumstances, ethnic origin, gender and sexual orientation
- All children are to be provided with the best learning opportunities, environment and experience which maximises their learning
- All children are entitled to a broad, balanced and relevant curriculum which is differentiated to meet individual needs
- Children's diverse special educational needs and disabilities require a range of flexible and varied provision

2.2 Will this proposal have a positive impact and help to eliminate discrimination and harassment against, or the victimisation of people who share a protected characteristic? If yes, please explain further.

Yes – by providing and expanding additional specialist places for children and young people with SEND alongside their mainstream peers where appropriate, this will help to eliminate discrimination and harassment by fostering a greater understanding of each other's needs, and through early identification, assessment and intervention using specialists and high quality practitioners improve outcomes for all children with SEND.

2.3 Will this proposal potentially have a negative or disproportionate impact on people who share a protected characteristic? If yes, please explain further.

No - The equality impact assessment indicates that these proposals are likely to have no impact and that there is no disproportionate impact on any group who share protected characteristics.

Children and Young People with SEND, including social emotional and mental health needs (SEMH) will be predominantly affected by these proposals. However the focus of the proposals will be on providing additional specialist places for children and young people with SEND, therefore any impact on protected characteristics will be minimal.

2.4 Please indicate the level of negative impact on each of the protected characteristics?

(Please indicate high (H), medium (M), low (L), no effect (N) for each)

Protected Characteristics:	Impact (H, M, L, N)
Age	N
Disability	N
Gender reassignment	N
Race	N
Religion/Belief	N
Pregnancy and maternity	N
Sexual Orientation	N
Sex	N
Marriage and civil partnership	N
Additional Consideration:	
Low income/low wage	N

2.5 How could the disproportionate negative impacts be mitigated or eliminated?

(Note: Legislation and best practice require mitigations to be considered, but need only be put in place if it is possible.)

The Local Authority and strategic partners have made significant efforts to mitigate against any negative impacts and will continue to promote the move to a school-led system; whilst continuing to use High Needs Block funding to intervene early and use it effectively to improve outcomes for Children and Young people with SEND.

Council officers continue to play an important role to support the changes.

In order to manage any negative effects, the proposals will be implemented using a phased approach, so any risks can be identified.

We are carrying out extensive consultation with all interested parties, to ensure we capture all the identifiable risks.

We will further review the potential impact on protected characteristics as part of the development of the delivery programme.

Section 3: Dependencies from other proposals

3.1 Please consider which other services would need to know about your proposal and the impacts you have identified. Identify below which services you have consulted, and any consequent additional equality impacts that have been identified.

There has been considerable analysis undertaken to identify the need for increasing and developing specialist provision places for children and young people across the district. We have assessed the optimal location of the proposed provisions. Part of this work has been considering the need and also the availability of suitable accommodation, alongside schools with falling numbers and within Capital constraints.

The initial consultation period commenced on 14th March 2019 and ran for 4 weeks until 11th April 2019. The Local Authority is supporting academies with their consultation process.

We have consulted with all interested parties, please see below:

- Parents/Carers
- School staff and Governors
- Bradford and Airedale Parents Forum
- Bradford and Airedale NHS Trusts/CCG's
- Elected members
- Local MPs
- Trade Unions
- Neighbouring Authorities
- SENDIASS - Barnado's
- Parish & Mosque Councils
- Muslim Association
- CoE and Catholic Diocese for Bradford/Leeds
- Relevant charities and voluntary organisations
- Any other interested parties

The additional SEND places have been commissioned by the School's Forum and will be funded from the High Needs Block.

Section 4: What evidence you have used?

4.1 What evidence do you hold to back up this assessment?

The proposals have all been informed by the extensive evidence and analysis from a range of sources:

- Bradford SEND Strategic Review 2016-2020
- Bradford SEND Needs Assessment 2015 (in depth report) and updated Joint Strategic Needs Assessment (JSNA) SEND chapter (2018) and related documents
- Strategic aims and objectives set out in related strategies and plans and initiatives including the Education and School Improvement plan
- The Children and Families Act 2014 and the SEND 0-25 Code of Practice 2014
- Bradford District Education Organisational Plan
- Analysis of the number of children and young people going out of authority
- The commissioning of 360 additional places by Schools Forum

- The commissioning of 354 additional specialist places by the Schools Forum January 2019.

Extensive evidence and data has been used including identifying the incidence of SEND across the district; by type, the number of referrals received, the type of referrals, the age of the children and young people, the type of special educational needs and disabilities, and the number and geographical spread of Education and Health Care Plan assessments.

To note:

- We have a growing population of children and young people in Bradford and proportionally have a growing population of children and young people with SEND;
- There is an urgent need for more specialist places in Bradford due to the increase in population
- The complexity of special needs in Bradford is increasing - as a result there is a need for more specialist places.
- Bradford has a growing need for more specialist places to meet need and demand
- We are working in a challenging and changing landscape both financially and educationally.

These proposals will continue to make a range of specialist provision available across the District to ensure the needs of all children and young people in Bradford can be met.

4.2 Do you need further evidence?

Before the Local Authority can increase provision in maintained schools, there is a statutory process that we must follow. Whenever the Local Authority proposes to increase places or make changes to specialist provision, all interested parties who are likely to be affected by the Councils proposals must be consulted in the development of the proposals prior to publication of statutory notices.

In relation to the academies proposals, the academies will consider the responses to the consultation and decide whether to submit a proposal for change and full business case to the Regional Schools Commissioner for permission in relation to their proposals.

A further report will be presented to Director of Children's Services following the publication of Statutory Notices and the consultation responses received from this period will be fully analysed.

Section 5: Consultation Feedback

5.1 Results from any previous consultations prior to the proposal development.

The Council Executive report April 2018 had full consultation feedback

Principles:

Children and Young People with a range of Special Educational Needs and Disabilities will continue to be well served in Bradford. The council is looking at the best way to offer a full range of provision locally for all children. We believe that a flexible district wide model will be able to respond effectively to local changes in demand.

The proposed changes will ensure the continued delivery of high quality and cost effective provision for the Children and Young People of Bradford.

The Council intend to have a District wide structure of Specialist Places across a number of settings that will:

- Provide local specialist places, reducing the need for pupils to travel long distances across the District
- Provide an equitable distribution of specialist places for children and young people with special educational needs and disabilities
- Provide increased access to the curriculum; both social and academic will be increased due to the staffing experience and capacity of the provisions. It will be possible to individually differentiate and support the work and potential of each individual pupil
- Provide an increased level of available support to all pupils and will give the greatest opportunity to increase inclusion
- Provide an improved support network, especially related to training that will support and develop the proposals
- Extend and target multi-agency support into the specialist provisions, especially from the health authority and more specifically speech and language therapy
- Provide a progression pathway from Primary phase to Secondary phase

5.2 The departmental feedback you provided on the previous consultation (as at 5.1).

Headteachers and school staff recognise the urgent need for more specialist places and the Schools Forum has agreed to fund an additional 354 places from the High Needs block.

5.3 Feedback from current consultation following the proposal development (e.g. following approval by Executive for budget consultation).

As a result of the initial and statutory consultation processes any changes required to the proposals will result in an updated EIA being produced if necessary.

5.4 Your departmental response to the feedback on the current consultation (as at 5.3) – include any changes made to the proposal as a result of the feedback.

Feedback from all interested parties will be used to refine the proposals. However, in general the feedback received to date has been very supportive of the proposals to increase and develop additional specialist places for children and young people with SEND.

We will share the report following publication of the Statutory Notices and a further report will be shared with the DCS following the end of the statutory consultation period.

We are committed to on-going dialogue with all interested parties on the delivery of the proposals.

