

Equality Impact Assessment / Equality Analysis

Title of service or policy	BANES New Free Special School
Name of directorate and service	Education Inclusion Service
Name and role of officers completing the EIA	Rosemary Collard – Head of Education Inclusion Capital & Strategy
Date of assessment	

Equality Impact Assessment (or ‘Equality Analysis’) is a process of systematically analysing a new or existing policy or service to identify what impact or likely impact it will have on different groups within the community. The main aim is to identify any discriminatory or negative consequences for a particular group or sector of the community, and also to identify areas where equality can be better promoted. Equality impact Assessments (EIAs) can be carried out in relation to services provided to customers and residents as well as employment policies/strategies that relate to staffing matters.

1. Identify the aims of the policy or service and how it is implemented.		
	Key questions	Answers / Notes
1.1	<p>Briefly describe purpose of the service/policy e.g.</p> <ul style="list-style-type: none"> • How the service/policy is delivered and by whom • If responsibility for its implementation is shared with other departments or organisations • Intended outcomes 	<p>To build a new 120 place special school within the BANES locality to cater for children with Autism Spectrum Disorder (ASD), Severe Learning Difficulties (SLD) and Profound and Multiple Learning Difficulties (PMLD), co-educational and ages 4 -19</p> <p>The build will be controlled by the DfE and the running of the school will be by a Multi-Academy Trust and decided through a DfE run tender process working closely with the LA</p> <p>To increase the sufficiency of places within BANES for children and young people (CYP) with and EHCP within the identified groups above. Due to the lack of places in existing BANES Special Schools and to prevent further out of county placements</p>
1.2	<p>Provide brief details of the scope of the policy or service being reviewed, for example:</p> <ul style="list-style-type: none"> • Is it a new service/policy or review of an existing one? • Is it a national requirement?). • How much room for review is there? 	<p>This will be a totally new build. The scope of this assessment is to ascertain the impact this will have on existing schools, BANES SEND cohort and the area as a whole.</p> <p>This is underpinned by the Children & Young People’s plan 2021-23 and the SEND Education Strategy and Action Plan – Transformation and Sufficiency 2021-2024</p> <p>The impact will be reviewed at each stage of the phased process for</p>

		build and implementation
1.3	Do the aims of this policy link to or conflict with any other policies of the Council?	There is no conflict – see above for the evidence that it is supported and underpinned by the council strategies
2. Consideration of available data, research and information		
<p>Monitoring data and other information should be used to help you analyse whether you are delivering a fair and equal service. Please consider the availability of the following as potential sources:</p> <ul style="list-style-type: none"> ● Demographic data and other statistics, including census findings ● Recent research findings (local and national) ● Results from consultation or engagement you have undertaken ● Service user monitoring data (including ethnicity, sex, disability, religion/belief, sexual orientation and age) ● Information from relevant groups or agencies, for example trade unions and voluntary/community organisations ● Analysis of records of enquiries about your service, or complaints or compliments about them ● Recommendations of external inspections or audit reports 		
	Key questions	Data, research and information that you can refer to
2.1	What equalities training have staff received to enable them to understand the needs of our diverse community?	All staff have attended mandatory equalities training available on the Council's Learning Pool. The Lead Officer has worked in SEND for 21 years and has full knowledge of the Council strategies, the Equalities Act, The Children & Families Act 2014, the SEND Code of Practice 2015 and the recent SEND Improvement Plan 2023
2.2	What is the equalities profile of service users?	The current cohort of young people with SEND and an EHCP are as follows: Male = 66.68% Female = 32.97%

		Other including transgender = 0.25% For further details on the breakdown of ethnicity and disability see attached (Appendix 1)
2.4	Are there any recent customer satisfaction surveys to refer to? What were the results? Are there any gaps? Or differences in experience/outcomes?	See attached the data from the recent SEND Survey (Appendix 2)
2.5	What engagement or consultation has been undertaken as part of this EIA and with whom? What were the results?	We have engaged at length with our community (incl. neighbouring LAs, schools and parent & carer forums) through communications, emails (200+, surveys 44 responses), and face-to face events about our intentions for the school (Engagement Report attached – Appendix 3). We received support letters from LAs, and Multi-Academy Trusts in BANES. Main feedback themes identified indicated a lack of SEND provisions in the area, current provision oversubscribed and not meeting requirement for children with SEND (incl. dyslexia and ADHD), drastic rise in demand for places. Those community concerns support the proposal of having a new Specialist School in BANES and are reflected in our SEND strategy (There are plans for new resourced provisions for needs such as dyslexia or ADHD).
2.6	If you are planning to undertake any consultation in the future regarding this service or policy, how will you include equalities considerations within this?	There will be full consultation at each stage of the process. This will involve the Bath Parent Carer Forum, Black Families for example and other relevant groups, together with groups of young people through the BANES participation strategy. All Local groups within the local area of the proposed build site and all statutory consultation linked to the build process
3. Assessment of impact: ‘Equality analysis’		
	Based upon any data you have considered, or the results of consultation or research, use the spaces below to demonstrate you have analysed how the service or policy: <ul style="list-style-type: none"> ● Meets any particular needs of equalities groups or could help promote equality in some way. ● Could have a negative or adverse impact for any of the equalities groups 	

		Examples of what the service has done to promote equality	Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this
3.1	Issues relating to all groups and protected characteristics	The new school will not discriminate based on protected characteristics. The school will be open to all those whose needs meet the designations of ASD, SLD & PMLD with EHCPs aged 4 - 19	As this new school is only at phase 2 there are no potential negative or adverse impacts. The school will be run by a Multi-Academy Trust. The LA will work closely with the MAT and the DfE to ensure that all steps are taken to prevent any negative or adverse impact to groups with protected characteristics
3.2	Sex – identify the impact/potential impact of the policy on women and men.	As above	As above
3.3	Pregnancy and maternity	The school would be open to young people who are pregnant, dependant on their education status as above	If the young people need additional support to access education over and above that in their EHCP this will be provided in order to support their continued access to education
3.4	Gender reassignment – identify the impact/potential impact of the policy on transgender people	The gender reassignment process can impact on mental health needs. The LA is often aware of the pronoun requirements of young people. This is highlighted as part of the EHCP process, and the LA is very supportive and experienced in young people going through gender reassignment or exploring their gender identity. The school will include unisex and gender-neutral toilets.	As this new school is only at phase 1 there are no potential negative or adverse impacts. The school will be run by a Multi-Academy Trust. The LA will work closely with the MAT and the DfE to ensure that all steps are taken to prevent any negative or adverse impact to groups with protected characteristics
3.5	Disability – identify the impact/potential impact of the policy on disabled people	The school will be built in order to fulfil a local capacity gap for CYP with complex needs who are currently underserved and	This service will be positively discriminating disabled young people, as the service will be primarily for young people with complex

	(ensure consideration both physical, sensory and mental impairments and mental health)	often need to move considerable distances from their families in order to receive support.	needs.
3.6	Age – identify the impact/potential impact of the policy on different age groups	The school will cater for the needs of children and young people aged 4-19	The service is going to discriminate on age, as it will be solely for ages 4 -19 with the identified educational need and with an Education Health and Care Plan.
		Examples of what the service has done to promote equality.	Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this
3.7	Race – identify the impact/potential impact on across different ethnic groups	See above and the provided data	As this new school is only at phase 1 there are no potential negative or adverse impacts. The school will be run by a Multi-Academy Trust. The LA will work closely with the MAT and the DfE to ensure that all steps are taken to prevent any negative or adverse impact to groups with protected characteristics
3.8	Sexual orientation – identify the impact/potential impact of the policy on lesbian, gay, bisexual, heterosexual people	The school will not discriminate based on this protected characteristic. Sexual orientation is taken into account within these services, for example gender neutral toilets	There is no expected negative impact
3.9	Marriage and civil partnership – does the policy/strategy treat married and civil partnered people equally?	This will need to be determined on a case-by-case basis and in conjunction with the school/MAT policies. However, there is no intention to discriminate where possible	As above
3.10	Religion/belief – identify the impact/potential impact of the policy on people of different religious/faith groups and also upon those with no religion.	There will be no discrimination on the basis of religion and/or belief.	As above

3.11	<p>Socio-economically disadvantaged* – identify the impact on people who are disadvantaged due to factors like family background, educational attainment, neighbourhood, employment status can influence life chances (this is not a legal requirement, but is a local priority).</p>	<p>There will be no discrimination or disadvantages for families due to family backgrounds, neighbourhood or employment.</p> <p>In relation to educational attainment this will be the drive of this school to ensure that all pupils have equal opportunity to attain their highest possible goals.</p>	As above
3.12	<p>Rural communities* identify the impact / potential impact on people living in rural communities</p>	<p>Transport and support with travel will be provided in-line with the statutory requirement of distance. In addition, all requests for support with travel will be considered on an individual basis and will take into account e.g. family circumstances, low income. Therefore, there will be no potential impact on rural communities</p>	As above
3.13	<p>Armed Forces Community ** serving members; reservists; veterans and their families, including the bereaved. Public services are required by law to pay due regard to the Armed Forces Community when developing policy, procedures and making decisions, particularly in the areas of public housing, education and healthcare (to remove disadvantage and consider</p>	<p>There will be no discrimination or disadvantage for armed force families with CYP who meet the educational criteria for the new school</p>	As above

special provision).

4. Assessment of impact: 'Impact Analysis'

Based upon any data you have considered, or the results of consultation or research, use the spaces below to demonstrate you have analysed how the service or policy:

- Meets any particular needs of equalities groups or could help promote equality in some way.
- Could have a negative or adverse impact for any of the existing educational settings in BANES

		Data and Information on the Impact of the New Free Special School	Examples of what steps have been or could be taken to address this
4.1	Increase of placements in the special school sector within BANES	<p>Currently all the special schools within BANES are full:</p> <p>Three Ways (generic special school):</p> <ul style="list-style-type: none"> • Maximum number 220 • Current number 229 <p>Due to moving of the special nursery 20 more places have been freed up for 2023/24 taking numbers to 240</p> <p>Fosse Way (generic special school):</p> <ul style="list-style-type: none"> • Maximum and current number 220 <p>Aspire (SEMH)</p> <ul style="list-style-type: none"> • Maximum number 120 • Current number 103 <p>This is a new increase due to an extension to the school and will reach capacity in 2023/24.</p>	<p>All steps have been taken as follows:</p> <p>Three Ways – there is no room on the existing site to extend the school.</p> <p>Part of the school was occupied by Bath Opportunity Pre-School this is being re-located increasing the available places at Three Ways by 20. These places are already filled for September 2023.</p> <p>Fosse Way - there is no room on the existing site to extend the school. A 6th form was built on the school site and there is no further room for expansion.</p> <p>Aspire – This school has been expanded into the building that was previously occupied by the Bath Studio School and an additional</p>

		All 3 schools wrote and supported the bid showing their agreement that a new special school is needed in the area.	classroom added. Vocational training has been a great addition however this school will now reach capacity in the academic year 2023/24
4.2	Increase of placements in the special school sector within BANES	There are insufficient special places within BANES, meaning some students attend out-of-county provision. In addition to dramatically increasing travel expenditure, this negatively impacts our ability to monitor this cohort's progress.	Due to the existing lack of provision in BANES schools the first mitigation of this is to place within other LA/MAT schools in the surrounding area. The increasing demand on special school placements has also impacted on neighbouring special schools which are also now to a large extent full. These schools always form part of the first round of consults but when these are unable to offer places the outcome is to look into placing in the independent special sector.
4.3	Mainstream Schools have a high number of EHCPs	BANES are a high academised LA. 14% of EHCPs are in Secondary Mainstream 24% of EHCPs are in Primary Mainstream Due to the lack of special school places mainstream schools are needing to be able to work with more complex CYP which puts a strain on staff and budgets	The new special school will offer a further 120 places in BANES which will ease the pressure on the mainstream sector. Part of the offer of the new service will be an outreach offer to mainstream schools to support the inclusion of CYP with EHCPs BANES are also committed to support mainstream schools by opening additional Resource Base Provision

*There is no requirement within the public sector duty of the Equality Act to consider groups who may be disadvantaged due to socio economic status, or because of living in a rural area. However, these are significant issues within BANES and have therefore been included here.

** The Equality Act does not cover armed forces community. However, the Armed Forces Bill (which came in on 22 Nov 2022) introduces a requirement to pay 'due regard' to make sure the Armed Forces Community are not disadvantaged when accessing public services.

5. Sign off and publishing

Once you have completed this form, it needs to be 'approved' by your Divisional Director or their nominated officer. Following this sign off, send a copy to the Equalities Team (equality@bathnes.gov.uk), who will publish it on the Council's and/or NHS BANES' website. Keep a copy for your own records.

Signed off by: Chris Wilford

(Divisional Director or nominated senior officer)

Date: 18th May 2023