

Equality Impact Assessment / Equality Analysis

(Version 4)

Item name	Details
Title of service or policy	Commissioning placements at Fosse Way House
Name of directorate and service	Education & Safeguarding
Name and role of officers completing the EqlA	Laura Donnelly- Head of SEND Olwyn Donnelly-Head of Education Commissioning
Date of assessment	29.04.25

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 people and different groups within our community. The main aim is to identify any adverse impacts (i.e. discriminatory or negative consequences for a particular group or sector of the community, and to identify areas where equality can be better promoted). Equality impact Assessments (EqIAs) can be carried out in relation to services provided to customers and residents as well as employment policies/strategies that relate to staffing matters.

This toolkit has been developed to use as a framework when carrying out an Equality Impact Assessment (EqIA) or Equality Analysis. **Not all sections will be relevant – so mark N/A any that are not applicable.** It is intended that this is used as a working document throughout the process, and a final version will be published on the Council’s website following relevant service lead approval.

1.1 Identify the aims of the policy or service and how it is implemented

Key questions	Answers / notes
<p>1.1 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>Fosse Way House (FWH) is a residential provision that caters for up to eleven students, all of whom must have a diagnosis of Autism to access the provision. Students stay each week from Monday to Friday, returning home every weekend and holidays to their parents/carers. Only pupils on roll at Fosse Way School are eligible to attend its residential provision and when a child is placed in Fosse Way House, it is with the clear understanding that it is for one academic year.</p> <p>Fosse Way House is not registered with Ofsted or the CQC as a Children’s Home and so is unable to cater for children/young people who are under Children’s Social Care and require accommodation 7 days a week and 52 weeks of the year.</p> <p>Local Authorities, including B&NES, can commission placements at Fosse Way House if children have been identified whose Education Health and Care Plans (EHCPs) indicate that they have specific</p>

educational needs requiring a 24-hour curriculum. A 24-hour curriculum not only extends beyond the school day, but into waking hours for the child or young person. This means curriculum delivered through the night as required. This is often because long breaks in the school day are required, for example for medical reasons.

B&NES commissioned year-long placements at Fosse Way House for a small number of pupils (data sensitive so unable to provide an exact number) for the academic year 24-25. The children currently placed there will be able to complete this year-long placement.

Early in this academic year (17.10.24) we met The Partnership Trust to give them advance notice that we were unlikely to need to commission places at Fosse Way House for the following year, starting in September 2025. This was not due to budget pressures but because no new B&NES children have been identified whose Education Health and Care Plans indicate that they have specific educational needs requiring a 24-hour curriculum.

Although we do not plan to commission places for the coming academic year 25-26 this would not prevent The Partnership Trust offering places to other local authorities who have children placed at Fosse Way School.

Fosse Way House is not a council-run facility and decisions about its future are ultimately matters for The Partnership Trust.

<p>1.2 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>Statutory guidance regarding a Local Authority's responsibilities to meet the needs of children/young people with Special Educational Needs and/or Disabilities (SEND) is laid out in the 2014 Children & Families Act.</p>
<p>1.3 Do the aims of this policy link to or conflict with any other policies of the Council?</p>	<p>Not applicable</p>

2. Consideration of available data, research and information

Key questions	Data, research and information that you can refer to
<p>2.1 What equality focussed training have staff received to enable them to understand the needs of our diverse community?</p>	<p>All staff have attended mandatory equalities training available on the Council's Learning Pool</p>
<p>2.2 What is the equality profile of service users?</p>	<p>Must have a diagnosis of autism and must attend Fosse Way School</p>
<p>2.3 Are there any recent customer satisfaction surveys to refer to? What were the results? Are there any gaps? Or differences in experience/outcomes?</p>	<p>A recent Ofsted inspection included feedback and consultation with service users and parents/carers https://reports.ofsted.gov.uk/provider/10/SC041476</p>
<p>2.4 What engagement or consultation has been undertaken</p>	<p>A recent Ofsted inspection included feedback and consultation with service users and parents/carers https://reports.ofsted.gov.uk/provider/10/SC041476</p>

as part of this EIA and with whom? What were the results?	
2.5 If you are planning to undertake any consultation in the future regarding this service or policy, how will you include equality considerations within this?	Not applicable

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:

- 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 equality groups

Key questions	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	<p>The needs of children and young people, as identified using a multi-agency approach, and are detailed in their EHC plan. Provision and placement is agreed using the process outlined in the code of practice section 9, underpinned by the CFA 2014 and associated case law.</p> <p>Families can access independent support from SENDIAS and the Banes Parent</p>	<p>The group of young people in the provision will be determined by their need.</p> <p>Within SEN there is a legal requirement to consult for places within a school or setting and this process is followed. The school or setting then agrees to meet the provision in section F of the plan, and has flexibility to do this using methods</p>

	<p>Carer Forum to help them navigate this process, and formal mediation is available, funded by the LA, should support a disagreement be required.</p> <p>The LA funds the parent carer forum to support families with this process if needed.</p>	<p>available to them. For example, a reading intervention must be provided but the specific program used, time of day, and type of group decided by the school or setting.</p> <p>The LA would expect “reasonable adjustments” and flexibility based on person centred planning through the EHCP to be made to accommodate the young people within the consultation process, ensuring the provision listed in section F to be met by the school.</p>
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*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 B&NES 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.

***The Equality Act does not cover care experienced people. B&NES adopted this group as a protected characteristic in March 2024 alongside over 80 other Local Authorities. Although we have data for care leavers and children/young people who are currently in the care of B&NES we do not have wider data on disadvantage experienced through being in care.

4. Bath and North East Somerset Council Equality Impact Assessment Improvement Plan

Please list actions that you plan to take as a result of this assessment/analysis. These actions should be based upon the analysis of data and engagement, any gaps in the data you have identified, and any steps you will be taking to address any negative impacts or remove barriers. The actions need to be built into your service planning framework. Actions/targets should be measurable, achievable, realistic and time framed.

Issues identified	Actions required	Progress milestones	Officer responsible	By when

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 Equality Team (equality@bathnes.gov.uk), who will publish it on the Council's website. Keep a copy for your own records.

Signed off by:

(Divisional Director or nominated senior officer)

Date: