

## Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated May 2015)

### *Strategic Plan for SEND Educational Provision – May 2018*

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email [communications@northyorks.gov.uk](mailto:communications@northyorks.gov.uk).



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھیے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	Children and Young People's Service – NYCC Inclusion Service
Lead Officer and contact details	Jane Le Sage - Assistant Director – Inclusion
Names and roles of other people involved in carrying out the EIA	Jane Harvey - Senior Planning & Development Officer (SEND) Sarah Whorlton – 2020 Project Manager
How will you pay due regard? e.g. working group, individual officer	This project has been governed through a strategic Project Board and monitored through Children and Young People's Leadership Team.  All changes are going through the formal public consultation process and the EIA will be reviewed and finalised depending on the outcome of the consultation. Following this any changes to be made to SEND education

	provision will be signed off by the Council's Executive in September 2018.
When did the due regard process start?	Project started May 2017 with ongoing informal engagement to March 2018. Public consultation commences 18 <sup>th</sup> May 2018

**Section 1. Please describe briefly what this EIA is about.** (e.g. are you starting a new service, changing how you do something, stopping doing something?)

The local authority has a statutory responsibility, under the Children and Families Act 2014, to keep its special educational provision under review, to ensure sufficiency in placements to meet the needs of children and young people with Special Education Needs/Disabilities (SEND), working with parents/carers, young people and providers.

This review identified the need for a county wide strategic plan for SEND education provision for North Yorkshire. In this document we refer to this as the Strategic Plan.

This EIA considers the impact of the implementation of changes arising from the proposals which are being put forward in the Strategic Plan.

The overarching changes which NYCC is intending to go out to public consultation on is in relation to:

- **A revised continuum of special education provision for North Yorkshire for ages 0 - 25.**
- **Revised governance arrangements for SEND education provision**
- **A review of and reshaping of High Needs Funding allocation and processes**

Full details outlining the rationale for proposed changes that the Strategic Plan will deliver can be viewed in the consultation document 'Strategic Plan for SEND Education Provision 2018 – 2023' at the following link [www.northyorks.gov.uk/sendplan](http://www.northyorks.gov.uk/sendplan)

**Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it?** (e.g. to save money, meet increased demand, do things in a better way.)

The proposals put forward are to ensure that the local authority can achieve its statutory responsibilities in relation to education provision for children and young people with SEND.

The changes aim to

- Ensure that children and young people with SEND have the best education possible and that as many as possible are educated within North Yorkshire;
- Ensure that North Yorkshire has a wider geographic spread of SEND provision and the capacity in place to deliver this;
- Ensure that available funding is used in the most efficient and effective way to meet children's needs.

The authority hopes to achieve;

- Improved outcomes for children and young people with SEND;
- The ability to meet increased demand for SEND provision;
- Increased numbers of young people being educated in North Yorkshire.

### **Section 3. What will change? What will be different for customers and/or staff?**

With regard to customers it is anticipated that any impact arising from changes to current provision will be mitigated by achieving better outcomes for individual young people with SEND.

The proposed revised governance arrangements for SEND provision will support local approaches meaning more decisions can be taken in individual localities, and for example may enable faster decision making, leading to earlier intervention. Proposals will also enable localities to identify training needs and provide peer support and challenge to better meet the needs of young people. Local approaches to governance would also enable parent/carer representation to ensure customer perspectives to be considered in relation to provision.

The proposed review and reshaping of High Needs Budget allocation and processes will ensure funding is allocated and used as effectively as possible. Proposed changes will ensure SEND education provision is delivered within the available budget.

The proposals outline a revised continuum of special education provision for North Yorkshire for ages 0 - 25. The continuum aims to ensure young people with SEND have the right support, at the right time, and in the right place. For example, by ensuring more of our young people can be educated in their local communities, this may reduce social isolation that some of our young people and their parents currently experience. To support the implementation there will be

- The introduction of a continuous professional development prospectus and identification of evidenced-based approaches to support a consistent offer across the county;
- An improved universal offer for children and young people with SEND to ensure as many North Yorkshire children and young people as possible can be educated in their local setting, school or other education provider;
- The introduction of more school-based targeted provision across the county to enable children and young people to be educated in their local community;
- Implementation of the approved actions for the Special Provision Capital Funding (<https://www.northyorks.gov.uk/send-specialist-support-and-provision>);
- The development of new specialist provision to meet need in more areas of the county.
- New county wide and local governance arrangements for SEND education provision;
- The establishment of locality multi-disciplinary teams of specialists to strengthen the local offer of support to education providers and families.

### **Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)**

Involvement and consultation has been undertaken through a phase of informal engagement, followed by a formal consultation process.

#### **Development of proposals for the Strategic Plan - April 2017 – October 2017**

Workshops dedicated to specific strands of SEND provision were facilitated across the county during April to October 2017. This was with the intention of enabling parents/carers and professionals to comment on current provision and to put forward ideas on how provision could be delivered more effectively both in their specific locality, but also across the county.

These strands of SEND provision are;

- Social Emotional and Mental Health (SEMH)
- Communication and Interaction (Speech Language and Communication Needs, and Autism)
- Cognition and Learning (C&L)
- Sensory, Physical and Medical (SPM).

Alongside this, with a view to building on information arising from the above engagement, a significant number of meetings were scheduled with key stakeholders who are intrinsic to delivering future provision. These meetings were used to share early feedback from localities, and to work with stakeholders to understand and shape ideas around future provision. These stakeholders included head teachers of special schools, Pupil Referral Services (PRS) and Enhanced Mainstream Schools (EMS). Updates and ongoing engagement has also taken place with the parent carer forum for North Yorkshire (NYPACT) along with information to be shared widely with parents and carers about events and/or ways to feedback and engage.

Use of a survey and feedback form have allowed those who were unable to attend events to provide feedback. Briefing papers were developed to update professional colleagues to share widely, and the NYCC SEND webpage has been updated and used as a central point for sharing updates and information about progress, events, next steps and timescales. The webpage also provided an email address to enable ongoing feedback throughout this phase of engagement.

Young people with SEND have also provided informal feedback through:

- A Flying High workshop, by answering some questions in relation to their experiences, of special education provision, but to also shape the questions for wider use with other young people with SEND;

Feedback from all the above engagement resulted in the development of some draft proposals for special educational provision across all strands of SEND which will inform the Strategic Plan.

#### **Informal engagement – November 2017 – March 2018**

During the next stage of the work a proposal document was shared, alongside some underlying principles to underpin culture and ethos across the county, and ambitions for future provision. Proposed priority outcomes for the Strategic Plan were also discussed. These align with statutory and strategic responsibilities that the LA and schools and settings must achieve.

The purpose of the further engagement was to build on the previous feedback, to provide an update on progress, and to inform of proposals being recommended to be included in the Strategic Plan. This was a further opportunity to be involved and provide feedback before formal consultation commenced in 2018.

This engagement included meetings and events with head teachers, parents and carers, young people with SEND, NYPACT, health colleagues, and governors across the county. A Snap survey was also developed and placed on the NYCC SEND webpage with a link to the same information being shared at events and meetings, and allow feedback on proposals.

#### **Formal consultation – May 18<sup>th</sup> – June 28<sup>th</sup> 2018**

- A public consultation is scheduled to take place from 18<sup>th</sup> May to 28<sup>th</sup> June 2018 for 6 weeks. An online survey will be available on the NYCC website with paper copies made available for those who require this. Easy Read versions can also be made available. Public engagement events in localities will also be held during the public consultation period and will include events in localities for parents/carers/groups, children and young people with SEND and for education and SEND health professionals.
- During this time we will also be using existing communication methods such as promoting the consultation and events through the council's e-red bag to schools, our Local Offer, NYPACT and a virtual reference group to disseminate information to parents and carers, our NYCC website, and corporate Facebook and Twitter accounts.

- Additional communication is also planned via a poster campaign in libraries and children's centres to raise awareness of the consultation and events for parents and carers.

**Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?**

Please explain briefly why this will be the result.

The Council receives around £44.8m million in high needs budget to deliver provision for children and young people with SEND. There is significant pressure on this budget as a result on the increase in numbers of children and young people with SEND and the demand for specialist placements. Currently the budget overspends by around £3 million.

The proposals in the strategic plan are designed to strengthen provision at universal and targeted levels, to reduce the number of children and young people needing specialist places, and to have a better offer within North Yorkshire. This should enable provision to be delivered within budget, therefore more efficiently, but also with better outcomes for children and young people.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age	✓	✓		<p><b>Customer:</b> A revised continuum of special education provision for North Yorkshire for ages 0 – 25 will mean a strengthened offer across the age range.</p> <p>It is anticipated there would be no negative impact on specific age groups as a result of the project. However, for some young people of school age increased places for special education provision will provide more opportunity for children and young people to be educated in North Yorkshire/locally and improve outcomes.</p> <p>For young people aged 16-25 the plan will develop an improved offer of provision and preparing for adulthood opportunities.</p> <p>We will review this as the plan develops and through consultation to mitigate any adverse impact.</p> <p><b>Staff:</b> No identified impact.</p>
Disability		✓		<p><b>Customer:</b> For young people with a disability and special educational needs. A strengthened</p>

	✓			<p>offer of special education provision which will aim to increase the number of children and young people educated in North Yorkshire and improved outcomes.</p> <p>Further work to identify specific impacts will be undertaken as the project progresses.</p> <p><b>Staff:</b> No identified impact.</p>
Sex (Gender)		✓		<p><b>Customer:</b> Current provision will not be sufficient for young females with Social Emotional and Mental Health (SEMH) needs. Whilst it is anticipated there will no negative impact, proportionately there may be an improvement for more girls than boys with SEMH needs.</p> <p>Whilst it is anticipated there will no negative impact, as the SEND population of young people with an EHCP plan is higher amongst boys, proportionately there may be an improvement for more boys than girls.</p> <p>The current service is not targeted at or restricted to those of specific genders. This will remain the case for any new service arising from this project</p> <p><b>Staff:</b> No identified impact.</p>
Race	✓			<p><b>Customer:</b> It is anticipated there would be no identifiable impact on specific ethnic groups as a result of the project.</p> <p><b>Staff:</b> No identified impact.</p>
Gender reassignment	✓			<p><b>Customer:</b> It is anticipated there would be no identifiable impact in relation to gender reassignment as a result of the project.</p> <p><b>Staff:</b> No identified impact.</p>
Sexual orientation	✓			<p><b>Customer:</b> It is anticipated there would be no identifiable impact in relation to sexual orientation as a result of the project.</p> <p><b>Staff:</b> No identified impact.</p>
Religion or belief	✓			<p><b>Customer:</b> It is anticipated there would be no identifiable impact on specific religious groups or beliefs as a result of the project.</p>

	✓			<b>Staff:</b> No identified impact.
Pregnancy or maternity	✓			<b>Customer:</b> It is anticipated there would be no identifiable impact as a result of the project.
	✓			<b>Staff:</b> No identified impact.
Marriage or civil partnership	✓			<b>Customer:</b> It is anticipated there would be no identifiable impact as a result of the project.
	✓			<b>Staff:</b> No identified impact.

<b>Section 7. How will this proposal affect people who...</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
..live in a rural area?		✓		<b>Customer:</b> At this early stage it is not possible to identify specific impacts on people who use the services, carers or staff, as proposals are still being formulated.  There may however be a beneficial impact on those living in rural areas if more local places are created. Further work will be undertaken to identify the demographics and any potential impacts for those who live in rural locations, as part of the work on the wider strategic plan.
	✓			<b>Staff:</b> No identified impact.
...have a low income?	✓			<b>Customer:</b> No identified impact.
	✓			<b>Staff:</b> No identified impact.

**Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.**

It is anticipated any changes to the current services will impact more on the following: Young people with special educational needs and disabilities

These groups are more likely to find change challenging if changes are made to current services they will need support to make the transition.

Further work will be undertaken, once proposals have been through the decision making process.

<b>Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)</b>	<b>Tick option chosen</b>
<b>1. No adverse impact - no major change needed to the proposal.</b> There is no potential for discrimination or adverse impact identified.	✓
<b>2. Adverse impact - adjust the proposal</b> - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
<b>3. Adverse impact - continue the proposal</b> - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
<b>4. Actual or potential unlawful discrimination - stop and remove the proposal</b> – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
<b>Explanation of why option has been chosen.</b> (Include any advice given by Legal Services.)	
Actual impact will not be known until consultation and decision on proposals is made. During the consultation and decision making process there will be ongoing consideration to any equality impacts that arise, and how these can be mitigated.	

<b>Section 10. If the proposal is to be implemented how will you find out how it is really affecting people?</b> (How will you monitor and review the changes?)
A decision on monitoring and review requirements will be taken once a decision on proposals is made as clear and measurable outcomes to be monitored will be agreed through consultation.
If proposals are approved we will monitor and review via:
<ul style="list-style-type: none"> <li>• A monthly SEND Strategic Plan Project Board to discuss issues, resources and provide direction and resolution.</li> <li>• Reviews through a new county wide multi-disciplinary 0-25 SEND strategic partnership (frequency to be determined).</li> <li>• An annual review of the Strategic Plan for SEND Provision to understand the impact on provision, finances, the service and lessons learned. This review will also monitor progress toward achieving the agreed outcomes, and include feedback from professionals and service users on the success of the new working arrangements. The plan will be amended accordingly.</li> </ul>

<b>Section 11. Action plan.</b> List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.				
Action	Lead	By when	Progress	Monitoring arrangements
Formal consultation	Jane Le Sage	28 <sup>th</sup> June 2018		Through the Project Board.

Publication of Strategic Plan	Jane Le Sage	October 2018		Through the Project Board.
Review of Strategic Plan	Jane Le Sage	October 2019		Through the Project Board.

**Section 12. Summary** Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

This section will be updated during and following consultation to ensure any unidentified impacts can be considered.

### Section 13. Sign off section

This full EIA was completed by:

**Name: Sarah Whorlton**  
**Job title: Project Manager**  
**Directorate: Technology and Change**  
**Signature: S. Whorlton**

**Name: Jane Harvey**  
**Job title: Strategic Planning and Development Officer**  
**Directorate: Children and Young People's Service**  
**Signature: J. Harvey**

**Completion date: 10.05.18**

**Authorised by relevant Assistant Director (signature):**

**Signature: J Le Sage**  
**Date: 15.5.18**