

Equality Impact Assessment / Equality Analysis

(Updated December 2022)

Item name	Details
Title of service or policy	SEND Collaboration for BaNES (Safety Valve)
Name of directorate and service	Children's Services & Education
Name and role of officers completing the EIA	Chris Wilford, Director of Education and Safeguarding
Date of assessment	30 th April 2024

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.

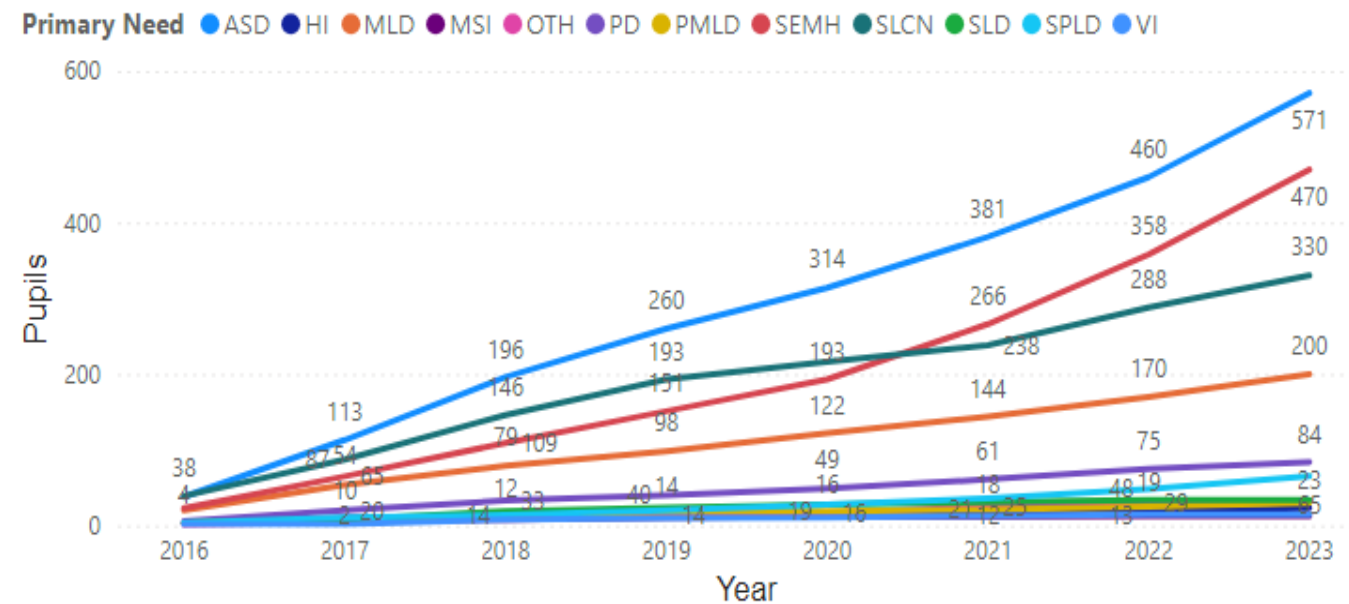
This toolkit has been developed to use as a framework when carrying out an Equality Impact Assessment (EIA) or Equality Analysis. **Not all sections will be relevant – so leave blank any that are not applicable.** It is intended that this is used as a working document throughout the process, and a final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

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

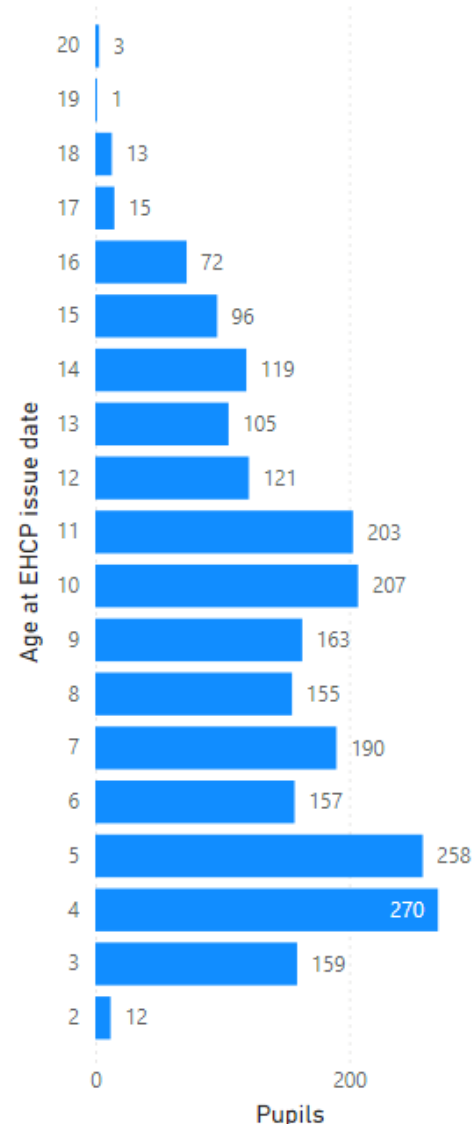
Key questions	Answers / notes
<p>1.1 Briefly describe purpose of the service/policy e.g.</p> <ul style="list-style-type: none"> ● How the service/policy is delivered and by whom ● If responsibility for its implementation is shared with other departments or organisations ● Intended outcomes 	<p>The SEND Collaboration for BaNES describes the response by the local authority and our partners to the issues facing support for children and young people with special educational needs and disabilities in Bath and North East Somerset (BaNES).</p> <p>It is an ambitious plan to provide major investment in services and support within BaNES.</p> <p>The plan intends to deliver the following outcomes:</p> <ul style="list-style-type: none"> ● Providing early intervention and preventative support so that all settings are able to deliver the inclusion agenda, and parents and carers are confident that their children will be supported well in an inclusive environment. ● Making sure we have enough high-quality local placements, of the right specialism and level to meet need now and in the future, and ensuring that we continue to focus on sufficiency as the needs of children and young people with SEND in the area change.

	<ul style="list-style-type: none"> • Making sure our SEND team is appropriately staffed and supported in order to provide the best possible support to children and young people with SEND and their families in B&NES.
<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>Every child deserves an education that helps them to reach their full potential. However, for those with special educational needs (SEN) or additional support needs, there are often difficulties in accessing suitable provision.</p> <p>Funding for SEN in England is part of the overall Dedicated Schools Grant (DSG) awarded to each local authority to fund their schools budget and is not allocated 'per pupil'. Local authorities are responsible for determining the individual allocation to schools, in consultation with their schools forums.</p> <p>The DSG is a ring-fenced budget which is allocated in four blocks: schools, early years, high needs and central school services. Since 2019/20 the Council has spent more than the funding provided and has been in a deficit (overspend) position. This deficit is attributable to the high needs block, i.e., to fund services to those with special educational needs and disabilities.</p> <p>The Department for Education (DfE) has established two programmes to support councils who have large deficits within their DSG high needs block; the Safety Valve (SV) and the Delivering Better Value programmes. Both programmes work with local authorities to develop recovery plans to achieve financial sustainability. The SV programme includes financial support from the DfE and is the subject of this programme.</p> <p>In 2022/23 the Council was successful in being accepted into this programme and the SV agreement and recovery plan were agreed with the DfE in January 2023, with ministerial approval granted in March 2023. The Council was successful in securing £19.22m to support the SV plans. The agreement with DfE is currently subject to review. Payments of grant have been suspended but will be made up if a revised agreement is reached.</p>
<p>1.3 Do the aims of this policy link to or conflict with any other policies of the Council?</p>	<p>The aims of this policy link closely with the following:</p> <ul style="list-style-type: none"> • SEND Education Strategy & Action Plan for Transformation and Sufficiency 2021-2024 • Children and young people's plan (currently being refreshed)

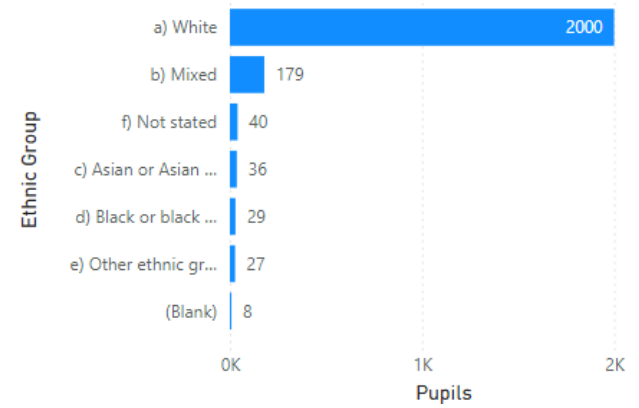
2. Consideration of available data, research and information

Key questions	Data, research and information that you can refer to																																																																																																																					
<p>2.1 What equalities training have staff received to enable them to understand the needs of our diverse community?</p>	<p>All council staff have mandatory Equalities training provided by the Council annually. Children's services and Education staff have access to additional training provided by SARI.</p>																																																																																																																					
<p>2.2 What is the equalities profile of service users?</p>	<p>The equalities profile at the time of writing of the current cohort of children and young people who have an EHCP is as follows:</p> <p>Primary Need for pupils with an EHCP as at the SEN2 Survey date</p>  <p>Primary Need ● ASD ● HI ● MLD ● MSI ● OTH ● PD ● PMLD ● SEMH ● SLCN ● SLD ● SPLD ● VI</p> <table border="1"> <thead> <tr> <th>Year</th> <th>ASD</th> <th>HI</th> <th>MLD</th> <th>MSI</th> <th>OTH</th> <th>PD</th> <th>PMLD</th> <th>SEMH</th> <th>SLCN</th> <th>SLD</th> <th>SPLD</th> <th>VI</th> </tr> </thead> <tbody> <tr> <td>2016</td> <td>38</td> <td>4</td> <td>4</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> </tr> <tr> <td>2017</td> <td>113</td> <td>8</td> <td>7</td> <td>5</td> <td>10</td> <td>20</td> <td>20</td> <td>54</td> <td>8</td> <td>10</td> <td>2</td> <td>2</td> </tr> <tr> <td>2018</td> <td>196</td> <td>14</td> <td>12</td> <td>33</td> <td>70</td> <td>109</td> <td>14</td> <td>146</td> <td>12</td> <td>33</td> <td>14</td> <td>14</td> </tr> <tr> <td>2019</td> <td>260</td> <td>14</td> <td>40</td> <td>14</td> <td>98</td> <td>14</td> <td>14</td> <td>193</td> <td>40</td> <td>14</td> <td>14</td> <td>14</td> </tr> <tr> <td>2020</td> <td>314</td> <td>16</td> <td>49</td> <td>16</td> <td>122</td> <td>16</td> <td>16</td> <td>193</td> <td>49</td> <td>16</td> <td>16</td> <td>16</td> </tr> <tr> <td>2021</td> <td>381</td> <td>18</td> <td>61</td> <td>18</td> <td>144</td> <td>18</td> <td>18</td> <td>266</td> <td>61</td> <td>18</td> <td>18</td> <td>18</td> </tr> <tr> <td>2022</td> <td>460</td> <td>19</td> <td>75</td> <td>19</td> <td>170</td> <td>19</td> <td>19</td> <td>358</td> <td>75</td> <td>19</td> <td>19</td> <td>19</td> </tr> <tr> <td>2023</td> <td>571</td> <td>23</td> <td>84</td> <td>23</td> <td>200</td> <td>23</td> <td>23</td> <td>470</td> <td>84</td> <td>23</td> <td>23</td> <td>23</td> </tr> </tbody> </table>	Year	ASD	HI	MLD	MSI	OTH	PD	PMLD	SEMH	SLCN	SLD	SPLD	VI	2016	38	4	4	2	2	2	2	2	2	2	2	2	2017	113	8	7	5	10	20	20	54	8	10	2	2	2018	196	14	12	33	70	109	14	146	12	33	14	14	2019	260	14	40	14	98	14	14	193	40	14	14	14	2020	314	16	49	16	122	16	16	193	49	16	16	16	2021	381	18	61	18	144	18	18	266	61	18	18	18	2022	460	19	75	19	170	19	19	358	75	19	19	19	2023	571	23	84	23	200	23	23	470	84	23	23	23
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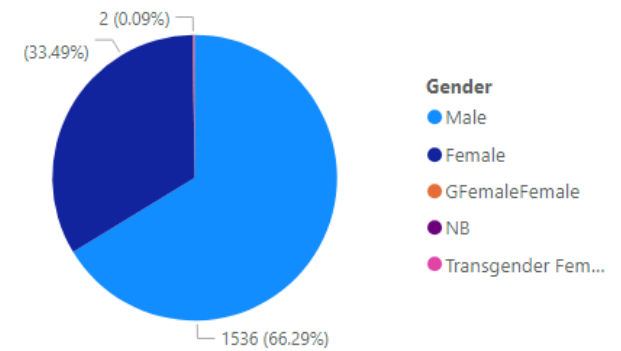
Age at EHCP issue date



Ethnicity



Gender



<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>The service has plans to reinstate the annual EHCP survey following recruitment to the team.</p>
<p>2.4 What engagement or consultation has been undertaken as part of this EIA and with whom? What were the results?</p>	<p>In the development of these plans, the BANES Parent Carer Forum (BPCF) has been consulted, and the plans include ways of increasing the participation of the BPCF in the work, to move towards a more co-production model. The ICB has also been sighted on the plans, along with Schools Forum, School Standards Board and school SENCo's.</p> <p>The plans have been adjusted based on the feedback from these groups.</p>
<p>2.5 If you are planning to undertake any consultation in the future regarding this service or policy, how will you include equalities considerations within this?</p>	<p>All the above are members of the Local Area Inclusion Partnership which is a core part of the governance of the SEND Collaboration for BaNES. There will be ongoing discussions, with a view to increasing the input of parent carers as we move towards a co-production model.</p>

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 equalities 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	The plans are intended to improve early support, more timely assessments and increase access to specialist local education placements wherever possible, and as such should improve equality for all children with SEND.	The plans are not intended to discriminate based on any protected characteristics, but some individuals may be more impacted than others.
3.2 Sex – identify the impact/potential impact of the policy on women and men.		There are not anticipated to be any adverse or negative impacts on this protected characteristic.
3.3 Pregnancy and maternity		There are not anticipated to be any adverse or negative impacts on this protected characteristic.
3.4 Gender reassignment – identify the impact/potential impact of the policy on transgender people		There are not anticipated to be any adverse or negative impacts on this protected characteristic.
3.5 Disability – identify the impact/potential impact of the policy on disabled people (ensure consideration both physical, sensory and mental impairments and mental health)	The plans are intended to improve early support, provide more timely assessments and increase access to specialist local education placements wherever possible, and as such should improve equality for all children with SEND.	
3.6 Age – identify the impact/potential impact of the policy on different age groups	One of the plans will be aiming to prepare young people for adulthood, to increase the support available for young adults to support them to remain within the local area.	These plans will only impact children and young people up to the age of 25.

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
3.7 Race – identify the impact/potential impact on across different ethnic groups	Children from ethnic minority groups in B&NES can have lower educational attainments. The development of the SEND and AP advice service will provide more support and challenge to schools around exclusions, and will work closely with our race equality task force to tackle areas of disproportionality in outcomes in schools in B&NES.	There are not anticipated to be any adverse or negative impacts on this protected characteristic.
3.8 Sexual orientation – identify the impact/potential impact of the policy on lesbian, gay, bisexual, heterosexual people		There are not anticipated to be any adverse or negative impacts on this protected characteristic.
3.9 Marriage and civil partnership – does the policy/strategy treat married and civil partnered people equally?		There are not anticipated to be any adverse or negative impacts on this protected characteristic.
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 are not anticipated to be any adverse or negative impacts on this protected characteristic.
3.11 Socio-economically disadvantaged* – identify the impact on people who are disadvantaged due to factors like family background, educational attainment, neighbourhood,	Children on free school meals are more likely to have SEND, and the improvement of support to children with SEND through these plans should improve the life chances of these children in the long term.	

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
<p>employment status can influence life chances (this is not a legal requirement, but is a local priority).</p>		
<p>3.12 Rural communities* identify the impact / potential impact on people living in rural communities</p>		<p>There are not anticipated to be any adverse or negative impacts on this protected characteristic.</p>
<p>3.13 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 special provision).</p>		<p>There are not anticipated to be any adverse or negative impacts on this protected characteristic.</p>

*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.

4. Bath and North East Somerset Council & NHS B&NES 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 Equalities Team (equality@bathnes.gov.uk), who will publish it on the Council's and/or NHS B&NES' website. Keep a copy for your own records.

Signed off by: Christopher Wilford (Director – Education & Safeguarding BANES)

A handwritten signature in black ink, appearing to read 'C Wilford', positioned below the text of the sign-off.

Date: 16.07.24