

EQUALITY IMPACT ASSESSMENT FORM

July 2019

THE COUNCIL'S EQUALITIES STATEMENT

This Council recognises that people have different needs, requirements and goals and we will work actively against all forms of discrimination by promoting good relations and mutual respect within and between our communities, residents, elected members, job applicants and workforce.

We will also work to create equal access for everyone to our services, irrespective of ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, use of Welsh language, BSL or other languages, nationality, responsibility for any dependents or any other reason which cannot be shown to be justified.

EIAs are a legal requirement under equalities legislation (Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011) where the potential for a significant negative impact has been identified. This legislation has been in place since 2000. We also have a legislative duty to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

The Act explains that having due regard for advancing equality involves:

- removing or minimising disadvantages experienced by people due to their protected characteristics
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- encouraging people with protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

The protected characteristics are:

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|----------------------------------|----------------------------------|
| • Age | • Race |
| • Disability | • Religion, Belief or Non-Belief |
| • Gender Re-assignment | • Sex |
| • Marriage and Civil Partnership | • Sexual Orientation |
| • Pregnancy and Maternity | • Welsh Language* |

* The Welsh language is not identified as a protected characteristic under the Equality Act 2010, however in Wales we also have to treat Welsh and English on an equal basis as well as promoting and facilitating the use of the Welsh language.

THE EQUALITY IMPACT ASSESSMENT

NAME OF NEW OR REVISED PROPOSAL*	EOTAS strategy
DIRECTORATE	Education & Lifelong Learning
SERVICE AREA	LEI
CONTACT OFFICER	Sarah Ellis Rhys Evans
DATE FOR NEXT REVIEW OR REVISION	July 2020

***Throughout this Equalities Impact Assessment Form, ‘proposal’ is used to refer to what is being assessed, and therefore includes policies, strategies, functions, procedures, practices, initiatives, projects and savings proposals.**

The aim of an Equality Impact Assessment (EIA) is to ensure that Equalities and Welsh Language issues have been proactively considered throughout the decision making processes governing work undertaken by every service area in the Council as well as work done at a corporate level.

The Council’s work across Equalities, Welsh Language and Human Rights is covered in more detail through the **Equalities and Welsh Language Objectives and Action Plan 2016-2020**.

When carrying out an EIA you should consider both the positive and negative consequences of your proposals. If a project is designed for a specific group e.g. disabled people, you also need to think about what potential effects it could have on other areas e.g. young people with a disability, BME people with a disability.

There are a number of supporting guidance documents available on the **Corporate Policy Unit Portal** and the Council’s Equalities and Welsh Language team can provide advice as the EIA is being developed. Please note that the team does not write EIAs on behalf of service areas, the support offered is in the form of advice, suggestions and in effect, quality control.

Contact equalities@caerphilly.gov.uk for assistance.

PURPOSE OF THE PROPOSAL

1	<p>What is the proposal intended to achieve? <i>(Please give a brief description and outline the purpose of the new or updated proposal by way of introduction.)</i></p> <p>The EOTAS strategy outlines the ambition of the LA to meet the needs of all vulnerable learners and how this will be achieved.</p> <p>The LA aims to ensure that there is</p> <ul style="list-style-type: none">• a core entitlement for all learners• a high quality workforce who have access to appropriate professional learning• a high quality bespoke curriculum and progression pathway for learners• a focus on reintegration into mainstream education• a focus on collaboration and partnership working• a focus on preventative strategies to:<ul style="list-style-type: none">• make sure that any additional support needs that children have are recognised as early as possible• appropriate intervention is in place as early as possible• reduce the number of children and young people requiring alternative provision as far as possible, linked to appropriate early intervention• suitable arrangements are made to avoid exclusion• reduce the numbers of young people who are becoming Not in Education, Employment or Training (NEET)• clear processes and procedures• rigorous monitoring and evaluation• excellent leadership and management
2	<p>Who are the service users affected by the proposal? <i>(Who will be affected by the delivery of this proposal? e.g. staff members, the public generally, or specific sections of the public i.e. youth groups, carers, road users, people using country parks, people on benefits etc. Are there any data gaps?)</i></p> <ul style="list-style-type: none">• Young people who at a given point in time are assessed as being unable to access education through mainstream opportunities and are therefore at risk of exclusion from mainstream provision and of becoming NEET• Head Teachers and school staff• LA staff• Parents / carers• Community• Alternative providers

IMPACT ON THE PUBLIC AND STAFF

3	<p>Does the proposal ensure that everyone has an equal access to all the services available or proposed, or benefits equally from the proposed changes, or does not lose out in greater or more severe ways due to the proposals?</p> <p><i>(What has been done to examine whether or not these groups have equal access to the service, or whether they need to receive the service in a different way from other people?)</i></p> <p>;</p> <p>The Local Authority (LA) is committed to ensuring that all learners have equality of opportunity and recognise the right of all children and young people to receive high quality education. The proposal will ensure that for all learners whose educational opportunity may not be accessed through mainstream settings there is equality of access to appropriate pathways and relevant interventions.</p>
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4	<p>Is your proposal going to affect any people or groups of people with protected characteristics?</p> <p><i>(Has the service delivery been examined to assess if there is any indirect effect on any groups? Could the consequences of the policy or savings proposal differ dependent upon people's protected characteristics?)</i></p> <p>There are no negative consequences. The positive consequences for young people are greater support to remain in education and training. The service will be delivered to vulnerable young people regardless of race, gender, sexuality, language or religious belief.</p>
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Protected Characteristic	Positive, Negative, Neutral	What will the impact be? If the impact is negative how can it be mitigated?
Age	positive	All children will be supported to remain in school wherever possible. Where it has been identified that a school placement cannot be maintained based on identified need, children will be provided with appropriate support regardless of protected characteristics.
Disability	positive	All children will be supported to remain in school wherever possible. Where it has been identified that a school placement cannot be maintained based on identified need, children will be provided with appropriate support regardless of protected characteristics.
Gender Reassignment	positive	All children will be supported to remain in school wherever possible. Where it has been identified that a school placement cannot be maintained based on identified need, children will be provided with appropriate support regardless of protected characteristics.
Marriage & Civil Partnership	NA	
Pregnancy and Maternity	positive	All children will be supported to remain in school wherever possible. Where it has been identified that a

		school placement cannot be maintained based on identified need, children will be provided with appropriate support regardless of protected characteristics.
Race	positive	All children will be supported to remain in school wherever possible. Where it has been identified that a school placement cannot be maintained based on identified need, children will be provided with appropriate support regardless of protected characteristics.
Religion & Belief	positive	All children will be supported to remain in school wherever possible. Where it has been identified that a school placement cannot be maintained based on identified need, children will be provided with appropriate support regardless of protected characteristics.
Sex	positive	All children will be supported to remain in school wherever possible. Where it has been identified that a school placement cannot be maintained based on identified need, children will be provided with appropriate support regardless of protected characteristics.
Sexual Orientation	positive	All children will be supported to remain in school wherever possible. Where it has been identified that a school placement cannot be maintained based on identified need, children will be provided with appropriate support regardless of protected characteristics.

5	<p>In line with the requirements of the Welsh Language Standards. (No.1) Regulations 2015, please note below what effects, if any (whether positive or adverse), the proposal would have on opportunities for persons to use the Welsh language, and treating the Welsh language no less favourably than the English language.</p> <p><i>(The specific Policy Making Standards requirements are Standard numbers 88, 89, 90, 91, 92 and 93. The full detail of each Standard is available on the Corporate Policy Unit Portal. Although it is important that what is outlined in the proposal is available in Welsh and English, please consider wider impacts on Welsh speakers.)</i></p> <p>The proposed strategy could have a positive effect on the opportunity for persons to use the Welsh language. The LA is committed to developing opportunities for provision to be delivered through the medium of Welsh where possible. As part of any recruitment process the ability to speak Welsh would be considered to be desirable</p>
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INFORMATION COLLECTION

6	<p>Please outline any evidence and / or research you have collected which supports the proposal? This can include an analysis of service users. <i>(Is this service effectively engaging with all its potential users or is there higher or lower participation of uptake by one or more protected characteristic groups? If so, what has been done to address any difference in take up of the service? Does any savings proposal include an analysis of those affected?)</i></p> <p>Welsh Government and Estyn have historically reviewed practices in relation to pupil placement and EOTAS. This information as outlined below has been used as the context for developing the LA Strategy in terms of effective practice and legislation whilst developing this strategy. We have also considered self-evaluation findings from our current practice whilst looking to develop this strategy.</p> <p>Estyn:– Effective use of managed moves(2018) Healthy and Happy (2019) Pupil registration practices(2019) Eotas (2016)</p> <p>Welsh Government: Framework for action (2017) Statistical release (EOTAS)</p> <p>Welsh Government are currently reviewing processes and procedures in relation to PRUs and reviewing EOTAS guidance for delivering and commissioning services. Caerphilly officers are part of the advisory group for Welsh Government linked to this work and therefore can keep up to date with any relevant changes.</p>
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CONSULTATION


7	<p>Please outline the consultation / engagement process and outline any key findings. <i>(Include method of consultation, objectives and target audience. What steps have been taken to ensure that people from various groups have been consulted during the development of this proposal? Have you referred to the Equalities Consultation and Monitoring Guidance?)</i></p> <p>There is an ongoing audit of current provision including stakeholder feedback (student voice). This will be ongoing.</p> <p>The strategy has been circulated to all headteachers within Caerphilly. It has also been shared with senior members of the local authority for consultation. All of the initial responses at this point have been positive.</p>
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MONITORING AND REVIEW

8	<p>How will the proposal be monitored? <i>(What monitoring process has been set up to assess the extent that the service is being used by all sections of the community, or that the savings proposals are achieving the intended outcomes with no adverse impact? Are comments or complaints systems set up to record issues by Equalities category to be able analyse responses from particular groups?)</i></p> <p>This development is a priority in the Service improvement plan and will be monitored through the Directorates self evaluation processes.</p> <p>Rigorous monitoring and evaluation process will be developed as part of the strategy itself including improvement actions, target setting, progress towards targets, and stakeholder engagement activities.</p> <p>There will also be engagement with EAS in their role to support and challenge schools.</p> <p>Provision will be subject to Estyn Inspection.</p>
9	<p>How will the monitoring be evaluated? <i>(What methods will be used to ensure that the needs of all sections of the community are being met?)</i></p> <p>Progress will be monitored through Education SMT, the management committee and Education Scrutiny Committee.</p>
10	<p>Have any support / guidance / training requirements been identified? <i>(Has the EIA or consultation process shown a need for awareness raising amongst staff, or identified the need for Equalities or Welsh Language training of some sort?)</i></p> <p>Training needs will be continually evaluated in light of National developments and Service developments and linked through the PDR process.</p>
11	<p>If any adverse impact has been identified, please outline any mitigation action.</p> <p>None identified.</p>
12	<p>What wider use will you make of this Equality Impact Assessment? <i>(What use will you make of this document i.e. as a consultation response, appendix to approval reports, publicity etc. in addition to the mandatory action shown below?)</i></p> <p>The assessment will form part of the appendices of the report to cabinet.</p>

13	<p>An equality impact assessment may have four possible outcomes, through more than one may apply to a single proposal. Please indicate the relevant outcome(s) of the impact assessment below.</p> <p style="text-align: right;">Please tick as appropriate:</p> <p>No major change – the impact assessment demonstrated that the proposal was robust; there was no potential for discrimination or adverse impact. All opportunities to promote equality have been taken. <input checked="" type="checkbox"/></p> <p>Adjust the proposal – the impact assessment identified potential problems or missed opportunities. The proposal was adjusted to remove barriers or better promote equality. <input type="checkbox"/></p> <p>Continue the proposal – the impact assessment identified the potential problems or missed opportunities to promote equality. The justification(s) for continuing with it have been clearly set out. (The justification must be included in the impact assessment and must be in line with the duty to have due regard. Compelling reasons will be needed for the most important relevant proposals.) <input type="checkbox"/></p> <p>Stop and remove the proposal – the impact assessment identified actual or potential unlawful discrimination. The proposal was stopped and removed, or changed. <input type="checkbox"/></p>
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Form completed by:	
Name:	Sarah Ellis / Rhys Evans
Job Title:	Lead for Inclusion and ALN / Head of provision for vulnerable learners
Date:	10.2.2020

Head of Service Approval	
Name:	Keri Cole
Job Title:	Chief Education Officer
Signature:	
Date:	10.2.2020