

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:

- Age
- Disability
- Gender Re-assignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion, Belief or Non-Belief
- Sex
- Sexual Orientation
- 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*	21 st Century Schools and Colleges Programme - Band B Phase 1 - Trinity Fields School Resource Centre
DIRECTORATE	Education and Corporate Services
SERVICE AREA	Education Planning and Strategy
CONTACT OFFICER	Andrea West
DATE FOR NEXT REVIEW OR REVISION	As or when required



Ysgolion yr 21ain Ganrif
21st Century Schools



***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 Council wishes to make a ‘regulated alteration’ to a special school.</p> <ul style="list-style-type: none">• To expand the existing Trinity Fields School and Resource Centre, via a new building extension and outdoor play space with an anticipated completion date of September 2022.<ul style="list-style-type: none">➤ The proposed new building will provide additional facilities to accommodate growing demand for places and provide additional classrooms, specialist intervention areas and outdoor play space/➤ It is proposed the additional facility will also house a new flexible hall, hydrotherapy pool and soft play facilities to increase provision on site which will also be considered for community use at suitable times in keeping with the curriculum timetable.• To future proof the current site by ensuring that it can cater for the changing and more complex needs of Additional Learning Needs (ALN) pupils across the Authority, both now and in the future and ensure compliance with the new Additional Learning Needs and Education Tribunal (Wales) Act.• To agree for officers to proceed to procurement and construction and agree the establishment of an earmarked reserve facility in the Education area of the Council’s accounts.
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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> <p>The following service users have been identified:</p> <ul style="list-style-type: none">• Pupils• Parents, prospective parents, guardians and carers of all pupils of the school directly affected by the proposal• Staff linked to the school directly affected by the proposal, including: Teachers/Administrative Team/Catering/Cleaning/Transport/Leisure/Inclusion Services/ Social Services / Health Team• Disabled Children, Young People and those with Additional Learning Needs• Local Community• Local Rugby Club
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In addition, in line with the guidelines provided by Welsh Government as part of their School Organisation Code 2018 (Statutory document 011/2018). We will consult with the following interested parties:

- Parents, prospective parents, guardians and carers of all pupils of schools directly affected by the proposal
- Headteacher, staff and governors of schools directly affected by the proposal
- Pupils/Pupil Councils of schools directly affected by the proposal
- Directors of Education of all bordering LAs – Blaenau Gwent, Caerphilly, Cardiff, Merthyr Tydfil, Newport, Powys, RCT, Torfaen
- Catholic Diocesan Board of Education
- Church in Wales Diocesan Board
- Local Standing Advisory Council on Religious Education (SACRE)
- Governing body of other schools which the proposer considers are likely to be affected by the proposal
- Local CCBC Members
- All Assembly Members and Members of Parliament representing the area served by the schools directly affected by the proposal
- Welsh Ministers
- ESTYN
- Teaching Associations
- Support Staff Associations
- South East Wales Consortium (EAS)
- South East Wales Transport Alliance (SEWTA)
- Gwent and South Wales Police and Crime Commissioners
- Local Town and Community Councils
- Menter Iaith
- Early Years Development and Childcare Partnership
- Parent Network
- Welsh in Education Strategic Forum

No data gaps identified

IMPACT ON THE PUBLIC AND STAFF

3 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?

(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?)

Community Use:

Those that attend, work and use the building will benefit from a fit for purpose, innovative 21st Century facility. In addition, the proposal intends to extend access at the new premises to include community use.

As part of the 21st Century School remit, consideration must be given for the school to benefit from enabling the facilities to be shared with the wider community. The proposed project will consider the desire to encourage and facilitate community use of the asset. To this end the design process will seek to include measures to enable safe 'zoning' of parts of the new school building, including hydrotherapy pool and soft play facilities which could be adapted for use. The Wi-Fi and Information Technology infrastructure will be established to support public access and community use. The use of outdoor facilities will also be considered for community access at suitable times, in keeping with the curriculum timetable.

Active Travel:

There is a Statutory duty placed upon the Authority to provide pupils with free transport to their nearest suitable school if they reside beyond 'walking distance' to that school. All pupils are assessed in accordance with the Learner Travel (Wales) Measure 2008. However, the Authority does offer a more generous policy than what is statutorily required by the Measure.

Free transport is provided to all pupils who attend special resource bases and our Special School (Trinity Fields), irrespective of distance and family circumstances and Pupils are provided with the appropriate transport arrangements, as determined by the individual needs of the child.

The catchment area for the school will remain unchanged and as the location of the school is not anticipated to change, therefore there is no impact to current journey times. As a result of the proposals, the authority is projecting that the number of pupils being transported to this site will increase with the additional intake.

Childcare:

The Foundation Phase provision at Trinity Fields offers full time Education so does not need wraparound childcare provision and in line with the recommendations of many eminent researchers, early intervention is essential for pupils with ALN in order to improve their life chances.

There are several day nurseries in the local area to Trinity, many of whom are contracted on the Assisted and Supported Places scheme; however this provision would not be accessible for pupils with highly complex medical and learning needs (pupils who require oxygen, nasogastric feeding tubes, gastrostomies etc.).

There are strong links between the School, the Local Authority's Early Years Manager and with the Integrated Service for Children with Additional Needs (ISCAN) to ensure pupils have early access the appropriate provision to meet their highly complex needs.

In addition, Trinity School is registered as a childcare provider to run holiday childcare provision and had a successful Care Inspectorate Wales inspection last year with an excellent rating. As a result there is limited need to develop childcare provision on site and it is more preferable to upskill providers across the borough to meet needs of children prior to starting in the nursery.

Welsh Language in the Community:

The Local Authority is fully aware of its obligations under the Welsh Language Standards and to support the provision of Welsh Language Education as set out in its Welsh in Education Strategic Plan where Caerphilly's commitment to the promotion of Welsh language and the provision of quality, attractive educational facilities is evident.

A Welsh medium education assessment in accordance with the (Wales) Regulations 2013 has been conducted in accordance with the 3-year cycle requirement. A parental demand survey was also undertaken in 2018. These are the basis for all trend future projections of demand and provide evidence of need for additional places and location in the borough.

In relation to this particular facility, as acknowledged in the recent Estyn inspection report, "All of the pupils are from English-speaking backgrounds." However, the school employs a number of teachers and teaching assistants who are Welsh 1st language and as such ALN provision through the medium of Welsh could be provided if required. School has responsibility to understand and record the home language of all the pupils and actively offer Welsh provision if the home language is Welsh. Welsh provision is already offered in the Specialist Resource Base in Ysgol Gynradd Cwm Derwen and Ysgol Gyfun Cwm Rhymni.

Impact on other schools:

There is no identified negative impact on other schools within the authority, although the school development will positively support the children across the borough and actively work with SRB in other primary schools.

4	Is your proposal going to affect any people or groups of people with protected characteristics? <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>	
Protected Characteristic	Positive, Negative, Neutral	What will the impact be? If the impact is negative how can it be mitigated?
Age	Positive	The proposal seeks to cater for pupils aged 3-19 and with plans to support community usage, has the potential to benefit all age ranges.
Disability	Positive	The proposal seeks to increase provision to provide facilities for some of our most vulnerable individuals.
Gender Reassignment	Neutral	No anticipated change
Marriage & Civil Partnership	Neutral	No impact
Pregnancy and Maternity	Neutral	No impact
Race	Neutral	No anticipated change
Religion & Belief	Neutral	No anticipated change
Sex	Neutral	No anticipated change
Sexual Orientation	Neutral	No anticipated change

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 21st Century Schools and Colleges Programme supports the provision of Welsh Medium Education and supporting opportunities for persons to use the Welsh Language which is critical to both the Welsh Education Strategic Plan and the Welsh Language Standards plan.</p> <p>All parents receive information on Welsh medium education from Caerphilly <i>Starting School booklet</i> which is distributed with school application forms as well as available on the Caerphilly CBC website and is available in Welsh and English. Parents are able to access information on Welsh medium childcare and Early Years Education provision through Family Information Services.</p>
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In relation to this proposal, there is currently no evidence of demand from parents for Welsh medium provision at the school as no requests for such provision have been received by the school and this is also acknowledged in the recent Estyn inspection. However, the school already employs a number of teachers and teaching assistants who are Welsh speakers, and as such the Head Teacher and Local Authority are confident that an effective ALN provision through the medium of Welsh could be provided if Welsh speaking families are identified. The school also works closely with the Specialist Resource Bases in Primary Schools across the borough; one in Ysgol Gynradd Cwm Derwen and secondary in Ysgol Gyfun Cwm Rhymini which are both Welsh medium schools.

As part of the policy making process, all consultation documentation will be made available in hardcopy and online in both Welsh and English medium in the first instance with other formats available upon request. The Authority already has a clear protocol established in relation to responding to any customer interaction. Correspondence can be in any language or format and corresponding in Welsh will not lead to any delay. In addition, anyone attending the consultation meetings will have the opportunity to conduct the session in their preferred language.

The consultation document itself will contain specific sections that will proactively encourage all interested parties to consider the effect of the proposals on the Welsh Language and have the opportunity to comment on any reasonable actions that would enable the proposal to have a more positive effect/less adverse effect on the Welsh Language as well as the impact to relocate the school will have on the opportunities to use the Welsh Language. The Welsh language will also be a consideration of the procurement and tendering process.

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>There is growing demand for specialist school provision within Caerphilly county borough. The Local Authority works closely with multiagency professionals in the field as well as the school, Early Years, Flying Start and Health Visitors. A fortnightly placement panel convenes to calculate the number of places that are required on site and utilising data from ISCAN and reviewing the trend data since 2012, growth has been identified as an area requiring action. There is a similar picture across Wales in terms of increasing numbers of pupils accessing special schools.</p> <p>Trinity Fields School and Resource Centre is the only special school in the Authority which provides education and specialist facilities. It caters for a wide range of ages, with pupils from the foundation phase (3-7), school curriculum (7-14) and learning pathway (14-19). At present the school has 180 pupils on roll with more admissions anticipated and no capacity or space to expand within the current building configuration.</p> <p>The school caters for pupils with a wide range of Special Educational Needs and requirements, ranging from physical and medical difficulties, profound multiple learning difficulties and severe learning difficulties. Trinity Fields School and Resource Centre was purpose built in September 1998, and was considered to be “Innovative”, however over the years pupils needs have become more complex and challenging and the school’s infrastructure is now becoming an obstacle that is preventing the school from developing further in supporting pupils with Additional Learning Needs (ALN) across the county borough.</p> <p>It is the Authority’s aim, wherever possible, to educate all pupils within the county borough. This prevents the need for out of county provision, which is not only costly but can also have a significant impact on individual families.</p> <p>The proposal will benefit pupils across the whole of the Authority as the additional facilities and adaptations will support children and young people who have specialist needs in an appropriate and secure environment that will create a holistic approach towards learning and development.</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>The consultation process will proceed in line with the requirements of Welsh Government Statutory Code document no 011/2018 - School Organisation Code 2nd Edition 2018.</p> <p>A prescribed list of recipients (as outlined in Section 2) will be written to and provided with sufficient information through the publication of a consultation document for intelligent consideration. All documentation will be made available in both Welsh and English throughout the process and other formats on request.</p> <p>The principles of engagement outlined in the Local Authority's Consultation and Engagement Framework 2020 will also be acknowledged and the project team will engage with any additional 'interested parties' as required.</p> <p>A consultation document will be published in hard copy and online in both Welsh and English and include a response pro-forma to enable collection of the views of various persons. This document will be live during the consultation period which lasts for approximately 6 weeks. Adequate time will be provided for consideration and response and conscientious consideration will be given to any responses received.</p> <p>It is also envisaged that a series of targeted sessions will be held over a given day between the hours of 10am and 8pm to provide information and the opportunity to pose questions to designated officers concerning the proposal. Individuals will be required to book 10 minute appointment slots and a translator will be available if required. As part of this process, the target audiences who will be engaged with include – Pupils (School Council), School Staff, School Governors, Parents/Guardians and the wider Community.</p> <p>Officers have already begun to engage in discussions with the local rugby club to look at mitigating any impact the development may pose. The proposed site for the location of the works is an adjacent piece of land to the current site owned by the local authority and utilised for recreational use. The land in question is currently configured as a rugby/football pitch available on a “pay as you use” basis and the only club using the pitch is Penallta RFC. The authority is aware that the team access the Centre of Excellent 3G provision for training and that the majority of their matches are played at this location, however will work closely with the club to look at potential options for the remaining 2 pitches on site and any other actions considered appropriate.</p> <p>The 21st Century Schools Team has also acknowledged that the pupil voice is essential and involving children and pupils as active participants in the development, delivery, management and improvement of their educational and</p>
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student experience needs. This information should be at the heart of the planning, provision and evaluation processes. Trinity Fields School and Resource Centre has a very active school Council that ensures pupils are kept at the heart of delivery. This ethos is embedded into practice by working with pupils from the school and the Authority's Property Services team has already undertaken pupil engagement utilising eye-recognition software and head maps for those with communication difficulties in relation to the 'wish' list for any developments. Furthermore, the Head Boy for the school has been heavily involved in assisting in discussions around colour scheme and layout, which has benefitted both the design team and pupil himself through social skills development.

MONITORING AND REVIEW

8 **How will the proposal be monitored?**

(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?)

The programme is managed by a Project Board comprising of the Corporate Director – Education and Corporate Services, Head of Education Planning and Strategy, Chief Education Officer, Cabinet Member for Education and Achievement, Interim Head of Property Services and 21st Century Schools Manager. The Project Board provides the overall direction, management and control for the Programme, being accountable for the success of the Programme and is the ultimate decision making body for the Programme.

A Project Management Team comprising of the Head of Education Planning and Strategy, and resources and staff from Property Services will oversee the day to day development and implementation of each constituent project, reporting to the Board and other relevant senior officers, as appropriate.

Project management principles will be followed (Prince2 and MS Project) throughout the programme. Programme management principles will be employed for the overarching Band B programme and the project will utilise the experience of the project team involved in the Band A project. This will commence with a Programme execution plan that will define the programme objectives, responsibilities, dependant actions and risks. The latter will include risk elimination or mitigation actions and risk owner. An overall programme monitoring tool will integrate and coordinate procurement, design and construction programmes and will highlight key dependencies and the critical path.

The Council recognises that the whole organisation must be skilled in making the very best use of available resources. Good project management is recognised as being an essential ingredient to success in tackling our strategic work programme.

<p>9</p>	<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>The Council produces a protocol document for each school opening/closure/amalgamation project. This outlines individual and team responsibilities for the full list of actions required over the 3 stages of design and pre-construction, construction and school occupation and decommissioning.</p> <p>Regular monitoring meetings take place and typically involve 21st Century Schools Team, Headteachers, Education advisers, Property Services, Catering Services, ICT, Traffic Management, Procurement and Audit representation. Relevant stakeholders will also be involved in post project evaluation to review outcomes to ensure improvements are made for future projects.</p> <p>Benefits Realisation will be monitored by the project team and Caerphilly County Borough Council and reported to Welsh Government through the project closure report and other relevant documentation. Community benefits will be reported quarterly and yearly and when the project ends.</p> <p>The project will be subject to gateway review as required by the funding agreement. The review is one by which independent practitioners from outside the programme/project use their experience and expertise to examine the progress and likelihood of successful delivery of the programme or project. Any recommendations of the review team will be taken on board and implemented as appropriate.</p> <p>A post contract review will also be undertaken.</p>
<p>10</p>	<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>Key personnel have received Equality Impact Awareness and Equalities Awareness Training and attended training and information sessions undertaken by Welsh Government. Training needs will be constantly reviewed throughout the process and addressed when the need is evident.</p> <p>In addition, the 21st Century Schools Manager and Principal Officer have met with representatives from the Equalities, Welsh Language and Consultation Team to take guidance where required.</p>
<p>11</p>	<p>If any adverse impact has been identified, please outline any mitigation action.</p> <p>The proposal is to provide inspirational 21st Century facilities and an expanded facility that will further support our most vulnerable pupils. The proposal will also develop facilities that will be accessible for community use will be a positive impact when compared with the current availability.</p>

The Authority has identified that there will be an adverse impact on the local rugby club in relation to the piece of land identified for the developmental works although this is perceived as minimal for the following reasons:

- The piece of land, directly adjacent to the current Trinity Fields site, is owned by the local authority.
- The land is currently utilised for recreational use as a Football/Rugby pitch and is 1 of 3 pitches at that location.
- The pitch in question is available for “pay as you use” usage and therefore no lease or automatic rights are in place.
- The only club currently using the identified land is Penallta RFC and within the last 12 months, the club is only recorded as having paid for use 17 times. In addition, their 1st Team and Youth Team train and hold the majority of their home matches on the 3G provision at the Centre of Excellence which is 0.2 miles / within 5 minutes walking distance.

Officers are meeting with representatives of the club to discuss viable mitigations such as developments to the 2 remaining pitches but these are currently being negotiated via the Asset Management Team.

12 What wider use will you make of this Equality Impact Assessment?

(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?)

The Equality Impact Assessment will be appended to the report. This is a working document and will be updated throughout the process.

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:	Andrea West
Job Title:	21 st Century Schools Manager
Date:	01/09/2020

Head of Service Approval	
Name:	Sue Richards
Job Title:	Head of Education Planning and Strategy
Signature:	S.Richards
Date:	01/09/2020