



REPORT TITLE: Approval to establish a new special school and identify a suitable academy trust to operate the new 60 place special school for children aged 4-11 years with Moderate and Additional Learning Difficulties

Dates between which decision will be taken	Earliest date: 17 May 2022 Latest date: 20 May 2022
Cabinet Member	Cllr Philip Robinson, Cabinet Member with responsibility for Economy, Education and Skills
Key Decision	Yes

Purpose of Report	<p>To seek approval to:</p> <ul style="list-style-type: none">• establish a new special school and to identify a suitable academy trust to operate the new 60 place special school for children aged 4-11 years with Moderate and Additional Learning Difficulties.• delegate authority to the Executive Director of Children’s Services to make a recommendation to the Secretary of State as to the academy trust to be appointed, upon completion of the presumption competition;• delegate authority to the Assistant Director of Asset Management and Property Services to award, from the council’s approved Major Works Framework, a contract for the capital improvement works required. <p>The opportunity to utilise the former Severn View Primary Academy site to meet the increasing demand for special school places has arisen earlier than had been expected, now it is confirmed that temporary accommodation is not required for Brook Academy. The purpose of seeking to include all these elements of approval into one Individual Cabinet Member decision is to allow officers to progress the matter sooner than would otherwise be the case if taken to a Cabinet meeting later in the year. Individual Cabinet Member approval at this earlier stage provides the opportunity for an Academy Trust to be appointed as early as September 2022 and for pre-opening activities to start in good time for September 2023.</p>
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Recommendations	<p>That the Cabinet Member for Economy, Education and Skills:</p> <ol style="list-style-type: none">1. approves the establishment of a new 60 place special school for children aged 4- 11 years with Moderate and Additional Learning Difficulties, to open in September 2023, and delegates authority to the Executive Director of Children’s Services, in consultation with the Cabinet Member for Economy, Education and Skills to:<ol style="list-style-type: none">(i). conduct a free school presumption competition process in accordance with Section 6A of the Education and Inspections Act 2006 and the Department for Education’s “The free school presumption” Departmental advice for local authorities and new school proposers in order to identify a suitable Academy Trust to sponsor such school.(ii). recommend to the Secretary of State for Education, following the conclusion of such a competition process, the Council’s findings from its assessment of such prospective sponsors in order to enable him/her to decide upon the most suitable Academy Trust proposer to take the new school forward.2. delegates authority to the Assistant Director of Asset Management and Property Services in consultation with the Cabinet Member for Economy, Education and Skills, to conduct a competitive procurement process in accordance with rules of a public sector designed and managed framework agreement and using the approved GCC major works procurement framework for the purpose of awarding a contract for capital improvement works, estimated to be in the region of £0.65m, required at the former Severn View Primary Academy site.
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<p>Reasons for recommendations</p>	<p>An analysis of demand for special school places indicates the need to create further school places of this type in time for September 2023.</p> <p>Creating greater capacity within the county will reduce the need to make placements out of area and in the independent and non-maintained sector, which are often at considerable cost.</p> <p>Recent stakeholder engagement shows that there continues to be support for further developing local provision as an alternative to making placements out of area and in the independent non-maintained sector and, specifically, strong support for establishing a new special school of this type in this location.</p> <p>Under Section 6A of the Education and Inspections Act 2006 (the ‘free school presumption’) where a local authority identifies the need to establish a new school it must, in the first instance, seek proposals to establish an academy.</p> <p>Delegating authority to the Executive Director of Children’s Services to recommend an academy trust for appointment upon completion of the competition process; and delegating authority to the Assistant Director of Asset Management and Property Services to appoint a contractor from the GCC Contractor Framework, will allow the proposal to progress in a timely way to ensure the additional special school places can be provided in time to meet the projected demand.</p>
<p>Resource Implications</p>	<p>There are no immediate resource implications arising from the decision to initiate a free school presumption competition. The costs associated with running a free school presumption competition, and any subsequent implementation of the proposal, will be met from within existing resources. Longer-term, the proposal will make better and more efficient use of High Needs Funding. SEN Capital funding will be used to adapt the identified site and an update on the capital implications of this will be provided as part of a Children and Families Capital update at a Cabinet meeting later in the year. Initial assessments indicate that the adaptations to the Severn View site will be in the region of £0.650m.</p>

Background Documents	<p>Published decision report, 18 March 2022 Approval to enter into a period of stakeholder engagement on the proposal to establish a new special school for children aged 4-11 years with Moderate and Additional Learning Difficulties to be based at the site of the former Severn View Primary Academy</p> <p>Public engagement document, March 2022 and Frequently Asked Questions published on the GCC public website</p> <p>Gloucestershire's High Needs Strategy.</p> <p>Consultation report (2018) – High Needs Strategy</p> <p>Gloucestershire's SEND Commissioning Strategy 2019-2024.</p>
Statutory Authority	<p>Education and Inspections Act 2006</p>
Divisional Councillor(s)	<p>The proposed site for the new school is located within the Stroud Central division: Cllr Dr David Drew</p> <p>The school is a county wide provision and will draw children from across the county</p>
Officer	<p>Any representations should be sent to:</p> <p>Officer: Clare Medland, Head of Commissioning for Learning Tel: 01452 328686 Email: universalcommissioning@gloucestershire.gov.uk</p> <p>By 5pm on 16 May 2022</p>
Timeline	<p>If approval is given, the free school presumption competition will be initiated on 30 May 2022 and academy trusts will have four weeks during which to apply.</p>

Background

- 1.1 Gloucestershire County Council has identified the need to establish a new 60-place special school for primary aged children with Moderate and Additional Learning Difficulties (MALD) to open in the academic year 2023/24. We have identified a suitable council owned site in Stroud which was, until August 2021, occupied by a mainstream primary school (Severn View Primary Academy). This school was closed by the academy trust as a result of falling numbers.
- 1.2 Developing and expanding local specialist provision is a key element of Gloucestershire's [High Needs Strategy](#). In 2018 Gloucestershire County Council consulted extensively on the development of this strategy and there was strong endorsement for our proposal that, where children have very high levels of need, we should create support packages closer to home rather than rely on schools outside of Gloucestershire. (96% of those that responded agreed). The full report on the consultation and findings can be [viewed here](#).
- 1.3 The need to increase the number of special school places within the county is set out in [Gloucestershire's SEND Commissioning Strategy 2019-2024](#). Consultation on this document (with schools, parent carer forums, partner agencies as well as the wider public) took place in 2019. More recent stakeholder engagement confirms the ongoing wide support for creating additional special school places within the county.
- 1.4 The total number of children and young people in Gloucestershire with significant special education needs and disabilities (SEND) who have an Education Health Care Plan (EHCP) has continued to increase. There is a similar picture across the country. In Gloucestershire the number has increased from 3,922 in January 2020 to 4,332 in January 2021 (an increase of 10.5%) to 4,854 in January 2022 (an increase of 12% from January 2021).
- 1.5 Since the SEN reforms came into effect in September 2014 the number of children and young people with an EHCP in Gloucestershire has more than doubled (2,425 children and young people had a statement or an EHCP in January 2015 and there are currently 4,906 children and young people with an EHCP as at 1st March 2022).
- 1.6 This proposal would create an additional 60 places for children aged 4-11 years with Moderate and Additional Learning Difficulties (MALD) and is in response to an increasing demand for special school places. The establishment of this additional school (there are currently ten state maintained special schools in Gloucestershire and there will be eleven in September 2022) does not directly impact on, or result in any changes to, the existing schools. Opportunities to further expand existing schools to the extent required are severely limited.
- 1.7 Before seeking Cabinet Member approval to initiate a free school presumption competition, a period of stakeholder engagement was undertaken. This ran for four weeks and concluded on 20 April 2022. The results of this are set out in the 'consultation' section of this report. The feedback provided by those who responded to the engagement exercise indicates that there is a high level of support for the establishment of a new special school of this type and that

the former Severn View Primary Academy represents a good choice of location.

Options

1.1 **Option 1:** Not increasing the number of special school places

The option of not establishing a new special school was rejected on the grounds that without increasing additional special school places within the county, the council is at risk of being unable to fulfil its statutory responsibilities to provide sufficient school places. There is limited scope and potential to further increase capacity at existing special schools. Furthermore, not establishing a new special school will not reduce the need to commission places out of county. The average cost of a placement of this type in the local state maintained special schools is approximately £18,400 (comprised of an average 'top up' cost to GCC of £8,400 per pupil in addition to the standard £10k placement cost provided by ESFA) compared to approximately £45,000 in the independent/non-maintained sector. Given the increasing level of demand and associated costs of independent specialist placements, the commissioning of further additional places from the independent/non-maintained schools to compensate for a lack of suitable places in state funded special schools is not a viable option.

1.2 **Option 2:** increasing the number of special school places outside of the free school presumption competition route

There is a government policy presumption in favour of new schools being established as free schools (academies). Under Section 6A of the Education and Inspections Act 2006 (the 'free school presumption') where a local authority identifies the need to establish a new school it must, in the first instance, seek proposals to establish an academy. The option of working with one of the existing special schools to establish a satellite base was considered by officers but discounted as doing so risks overlooking the potential benefits that opening this opportunity to the wider market might bring to the educational landscape within the county. Furthermore, this is the route recommended by the RSC given the scale of the number of additional places required. Expansions are envisaged to create only one or two additional classes. Therefore, this option is not preferred by officers.

1.3 **Option 3:** initiate a free school presumption competition to identify a suitable academy trust to establish and operate a new school of this type to open in September 2023 to meet the projected demand for special school places and enable the council to meet its statutory responsibilities. This is the recommended option put forward by officers for the reasons set out above.

Risks

3.1 **Risk:** That there is insufficient interest on the part of academy trusts, very few trusts apply or it is not possible to appoint a suitable trust

- 3.2 **Mitigation:** the competition will be widely advertised, nationally, through established routes and processes that are widely accessed by academy trusts across the country. In addition, we plan to liaise closely with the Regional Schools Commissioner to ensure that this opportunity is widely advertised and known to a range of providers.
- 3.3 **Mitigation:** We will undertake some 'market warming' activity ahead of the launch which provides an opportunity for trusts to contact the LA ahead of formal launch and the competition. This provides an opportunity to understand any aspects of the proposal that may deter trusts from applying and for officers to consider any facets that need revising, for example: the proposed build-up rate for pupil intake or contingency planning aspects.
- 3.4 **Mitigation:** in the unlikely event of being unable to appoint a trust there is the potential to develop option two (above) and collaborate with an existing provider over the establishment of a satellite base for one of the existing and successful special schools or academies in the county. However, it is considered very unlikely that we will be unable to attract a suitable trust given the last time we launched a free school presumption route competition to establish a new special school, in 2019, we received six applications and shortlisted four strong candidates for interview. We anticipate a good level of interest on the part of established and experienced academy trusts.

Financial implications

- 4.1 There are no immediate resource implications arising from the decision to initiate a free school presumption competition. The costs associated with running a free school presumption competition, and any subsequent implementation of the proposal, will be met from within existing resources.
- 4.2 Longer-term the proposal will make better and more efficient use of High Needs Funding as we see a decrease in the number of costly out of area and independent school placements. On-going revenue costs, along with a one off lump sum of £50,000 for start-up costs, and underwriting of placement costs to allow for diseconomies of scale as the school builds up to capacity during the first two years will be met from the High Needs Block of the Dedicated Schools Grant (DSG).
- 4.3 Feasibility work is ongoing to fully confirm the capital expenditure required to undertake the necessary adaptations. However, initial estimates indicate that the costs of these adaptations will be in the region of £0.650m.
- 4.4 It is intended to use the High Needs Provision Capital Grant fund received in 2021/22 to adapt the identified site and a Children and Families Capital Programme update will be presented to Cabinet later in the year to confirm and approve the level of capital expenditure.

- 4.5 It is proposed that any adaptations required to the building to meet the needs of this particular group of children will be delivered using the Council's approved Major Works framework.

Climate change implications

- 5.1 The existing building contains significant amounts of embedded carbon. By making use of an existing asset, rather than constructing a new asset, the proposal is making use of this embedded carbon and avoiding the need for a new construction, which would be likely to have require some GHG generating materials (e.g. concrete). The procurement arrangements used when appointing the contractor to undertake the adaptations will be undertaken in line with the council's approved social value policy.

Equality implications

- 6.1 An Equalities Impact Assessment has been completed. The Cabinet Member should read and consider the Equalities Impact Assessment in order to satisfy themselves, as decision makers, that due regard has been given.
- 6.2 We have considered the potential or actual impact of initiating the free school presumption competition and the establishment of this new school on individuals with protected characteristics and initial work, along with the data obtained during the stakeholder engagement period, has indicated that that there will be no negative impact on staff or service users with protected characteristics. The anticipated impact on the range and type of SEN provision available in the county as a result will have a positive impact for children and young people with SEN and disabilities.
- 6.3 All key stakeholders had the opportunity to be involved in the early engagement activity and no group with a particular protected characteristic was disadvantaged from providing a comment. Particular care will continue to be given to ensure the views of those from hard to reach communities are sought.

Data Protection Impact Assessment (DPIA) implications

- 7.1 Having completed a Data Protection Impact Assessment (DPIA) checklist it is judged that a DPIA is not required for this decision.

Social value implications

- 8.1 Initiating a free school presumption competition to establish the new school will not result in the loss or reduction of services to the community. An important element of the specification available to prospective academy trusts at the tender stage is that the building and grounds should be made available for community use once the school is open.

8.2 The procurement arrangements used when appointing the contractor to undertake the adaptations will be undertaken in line with the council's approved social value policy.

Consultation feedback

9.1 Before seeking Cabinet Member approval to initiate the free school presumption competition to identify a trust to run the new school a period of stakeholder engagement was undertaken. This ran for four weeks and concluded at noon on 20 April 2022.

9.2 Two informal drop-in events were held for members of the public to meet council officers to ask questions about the proposals (12th April 2022 and 13th April 2022). The first was held during the day and the second in the evening to make it possible for as many people as possible to attend.

9.3 Nine people attended the drop in event on 12th April including the GCC divisional councillor and two councillors from Stroud Town Council. Five people attended the event on 13th April which included one elected representative from Stroud Town Council.

9.4 Briefing sessions were held with the two community groups that use the buildings on the wider site and briefing meetings offered to elected representatives from the District and Town Councils.

9.5 The engagement period provided an opportunity for key stakeholders to comment on the proposal that has been developed and to offer an opinion on other options that could be considered and was extended to:

- Headteachers of Gloucestershire Schools;
- The Gloucestershire Parent Carer Forum;
- Relevant GCC divisional councillors and ward councillors at the district and town councils;
- People living locally to the proposed site of the new school;
- Members of the wider public.

9.6 A detailed engagement document was produced and made available to the stakeholders listed above along with a questionnaire. Respondents were able to give their views in a number of different ways, including via an online survey as well as a FREEPOST address and a direct dial phone number to a named officer.

9.7 In total 354 people viewed the engagement document on the website during the four-week engagement period and 193 people chose, after reading the information, to respond to the survey (some did not respond to each question), and these are broken down as follows:

Type of response	Number
Parent/carers of a child	95
Headteacher of a Gloucestershire school	3
Member of the public	62
Resident of GL5 postcode	51
Elected representative	3
Other	33
Total NB (some respondents may have identified themselves in one or more groups)	247

9.8 The majority of respondents (182) chose to use the online survey facility, whilst a smaller number (11) completed the questionnaire provided at the end of the engagement document and e-mailed or posted this through to the address provided.

Analysis of results:

10.1 The feedback provided by those who responded to the engagement exercise indicates that there is a very high-level support for the establishment of a new school of this type and in this location.

- 98.5% of respondents (190 people) either 'agreed' or 'strongly agreed' that we should establish a new school.
1% of respondents (2 people) neither 'agreed' nor 'disagreed' that we should establish a new school.
- 0.5% of respondents (1 person) 'disagreed' or 'strongly disagreed' that we should establish a new school.
- 96.4% of respondents (186 people) 'agreed' or 'strongly agreed' that this represents a good use of the proposed site.
- 1% of respondents (2 people) neither 'agreed' nor 'disagreed' that this represents a good use of the proposed site.
- 2.6% of respondents (5 people) 'disagreed' or 'strongly disagreed' that this represents a good use of the proposed site.

NB. The data above includes the responses from those who chose to respond via methods other than by using the online portal.

The survey allowed for more 'free text' responses to be given. The following themes emerged:

- Wide support for increasing the number of special school places where they are needed;
- A number of respondents considered that this should be the first of a number of proposals to increase the number of special school places across the

county. There was disappointment that this proposal creates only an additional 60 places, but it is viewed as a welcome start;

- A view amongst some respondents that there are other parts of the county in which there is a sparsity of SEN provision and further special school places should be created in the Forest of Dean and the North Cotswolds;
- Any future proposals to increase the number of special school places should focus on provision for higher functioning children and young people with autism and those who do not have a learning difficulties profile;
- Further places should be created for secondary aged children and young people. There was disappointment that this proposal creates only primary aged special school places;
- Concern amongst some in the local community that the new school will be an academy rather than a LA maintained school, linked to the community's experience with the academy trust that ran Severn View Primary Academy;
- The importance of the school and its pupils being part of the community and of the school facilities and grounds being made available for community use outside of school hours;
- Wide agreement that this proposal makes good use of an existing building and financial sense.

10.2 If approval is given to initiate a free school presumption competition the academy trust that is appointed is under a duty to hold a consultation exercise, under Section 10 of the Academies Act 2010, to determine whether the Secretary of State should enter into a funding agreement with the trust. This further consultation will allow parents of children in Gloucestershire, prospective pupils, staff and governors from local schools, local authorities, councillors, local residents and any other interested parties to learn more about the trust's plans for the school and share their views. In the event of planning approval being required for any of the planned adaptations required to the building to meet the needs of this particular group of children, further engagement and consultation will be undertaken on those specific aspects.

Officer recommendations

- 11.1 In light of the high level of support on the part of key stakeholders in favour of establishing new special school at the proposed site, officers recommend that option 3 be approved and that a free school presumption competition is launched to identify a suitable academy trust to establish and operate a new 60 place special school for children with Moderate and Additional Learning Difficulties from the former Severn View Primary Academy school building in Stroud.
- 11.2 That the cabinet member with responsibility for Economy, Education and Skills delegates authority to the Executive Director of Children's Services to make a recommendation to the Secretary of State as to the academy trust to be appointed

- 11.3 That the cabinet member with responsibility for Economy, Education and Skills delegates authority to the Assistant Director of Asset Management and Property Services to award, from the council's approved contractor framework, a contract for the capital improvement works required.
- 11.4 Not progressing with this option will significantly risk the council's ability to fulfil its statutory responsibility to provide suitable special school places, closer to home. for children who need them. We will need to continue to place children out of the area and in non-maintained independent special schools which often come at high cost.
- 11.5 The opportunity to utilise the former Severn View Primary Academy site to meet the increasing demand for special school places has arisen sooner than had been expected now it is confirmed that temporary accommodation is not required for Brook Academy. The purpose of seeking to include all these elements of approval in to one Individual Cabinet Member decision is to allow officers to progress the matter sooner than would otherwise be the case if taken to the June 2022 Cabinet meeting. Individual Cabinet Member approval at this earlier stage provides the opportunity for a Trust to be appointed as early as September 2022 and for pre-opening activities to start in good time for September 2023.

Performance Management/Follow-up

- 12.1 This project will be managed and kept under review by the Head of Commissioning for Learning.

Equality Impact Assessment (EIA)

This document demonstrates how the council is meeting its duties under the Equality Act 2010, by giving due regard to the requirement to: eliminate discrimination; advance equality of opportunity; and promote good relations.

1. Background

Directorate	Children's Services
Service area	Education
Title of the activity being assessed i.e. the strategy, plan, policy or service	The establishment of a new 60 place special school for children aged 4-11 years with Moderate and Additional Learning Difficulties, opening in September 2023 from the former Severn View Primary Academy site.
Brief outline of the proposal(s)	<p>An analysis of demand for special school places indicates the need to create further school places of this type in time for September 2023.</p> <p>Creating greater capacity within the county will reduce the need to make placements out of area and in the independent and non-maintained sector, which are often at considerable cost.</p> <p>Recent stakeholder engagement shows that there continues to be support for further developing local provision as an alternative to making placements out of area and in the independent non-maintained sector and, specifically, strong support for establishing a new special school of this type in this location.</p> <p>Under Section 6A of the Education and Inspections Act 2006 (the 'free school presumption') where a local authority identifies the need to establish a new school it must, in the first instance, seek proposals to establish an academy.</p>
Who is affected by the proposals?	<p>Service users Workforce</p> <p style="text-align: center;"> <input checked="" type="checkbox"/> <input type="checkbox"/> </p> <p>Other, please specify: residents close to the proposed site in Stroud</p>
Decision to be taken and	That the Cabinet Member for Cabinet Member for

<p>decision maker</p>	<p>Economy, Education and Skills:</p> <p>1. approves the establishment of a new 60 place special school for children aged 4- 11 years with Moderate and Additional Learning Difficulties, to open in September 2023, and delegates authority to the Executive Director of Children’s Services, in consultation with the Cabinet Member for Economy, Education and Skills to:</p> <p>(i). conduct a free school presumption competition process in accordance with Section 6A of the Education and Inspections Act 2006 and the Department for Education’s “The free school presumption” Departmental advice for local authorities and new school proposers in order to identify a suitable Academy Trust to sponsor such school.</p> <p>(ii). recommend to the Secretary of State for Education following the conclusion of such competition process, the Council’s findings from its assessment of such prospective sponsors in order to enable him/her to decide upon the most suitable Academy Trust proposer to take forward the new school.</p> <p>2. delegates authority to the Assistant Director of Asset Management and Property Services in consultation with the Cabinet Member for Economy, Education and Skills to conduct a procurement process in accordance with rules of a public sector designed and managed framework agreement known as the “GCC procurement framework” for the purpose of awarding a contract for capital improvement works required at former Severn View Primary Academy site</p> <p><i>Decision maker: Cabinet member with responsibility for Economy, Education and Skills</i></p>
<p>Person(s) responsible for completing this assessment</p>	<p>Nathan Roe Education Planning Manager, Gloucestershire County Council</p>
<p>Date of this assessment</p>	<p>25 April 2022</p>

2. Information Gathering

Briefly outline your approach to consultation and engagement, together with details of any other information and data sources you have utilised:

Research, Consultation and Engagement	
Service users	<p>A four-week engagement period closed on 20 April 2022 and provided key stakeholders with an opportunity to express a view on the proposal. The feedback from this exercise will inform the decision to be made by the Cabinet Member on whether to initiate the free school presumption competition. The Gloucestershire Parent Carer Forum, elected members, the head teachers of Gloucestershire schools and members of the public were all invited to participate in the engagement activity. A range of methods of engaging were offered including a phone number to ring, a free post address and an online survey. There were also face to face drop in events (one held during the day one in the evening).</p> <p>Information extracted from the Capita database has been used to research pupil level data.</p>
Workforce	
Partners	
Other	

3. Equality Assessment

Protected Characteristic	Service Users	Workforce
Age	<p>There is no identified significant negative impact. An analysis of the trends and levels of demand show that it is the age range 4-11 yrs where there is a shortage of provision for children and young people with MALD needs. The provision of a new school will afford a significant opportunity to deliver bespoke enhanced support to meet the needs of all pupils across the 4-11 age range. We will be expecting the school to have clear policies and practices in place that actively seek to avoid discrimination against pupils and staff on the basis of age (expect where pupils fall outside of the age range of the school).</p>	
Disability	<p>There is no identified significant impact. The impact is positive in that the new school will increase the number of school places available, closer to home, for children with special educational needs and disabilities (SEND). In the specification for the new school, which prospective academy trusts will use to</p>	

	<p>structure their applications, we have prompted the applicants to explain how they will meet additional needs (beyond MLD) that may fall within the definition of a disability such as a physical impairment. In planning the adaptations to the existing school building, due consideration will be given to the needs of users with a disability(ies).</p>
Sex	<p>There is no identified significant negative impact. We will be expecting the school to have clear policies and practices in place that actively seek to avoid discrimination against pupils and staff on the basis of sex. The school is open to both boys and girls.</p>
Race	<p>There is no identified significant negative impact. No particular ethnic or cultural group is over-represented in the numbers of services users for this type of provision nor are there any identified restrictions in terms of them being able to access such. We will be expecting the school to have clear policies and practices in place that actively seek to avoid discrimination against pupils and staff on the basis of race.</p>
Gender reassignment	<p>There is no identified significant impact. In the specification for the new school, which prospective academy trusts will use to structure their applications, we have prompted the applicants to explain how they will meet additional of learners who identify as having non-binary gender identity</p>
Marriage & civil partnership	<p>There is no identified significant impact. We will be expecting the school to have clear policies and practices in place that actively seek to avoid discrimination against staff on the basis of marriage and civil partnership.</p>
Pregnancy & maternity	<p>There is no identified significant impact. We will be expecting the school to have clear policies and practices in place that actively seek to avoid discrimination against staff on the basis of pregnancy and maternity.</p>
Religion and/or belief	<p>There is no identified significant impact. As part of their funding agreement with the ESFA the academy will be expected to promote modern British values which includes mutual respect for and tolerance of those with different faiths and beliefs and for those without faith.</p>
Sexual orientation	<p>There is no identified significant impact. We will be</p>

	expecting the school to have clear policies and practices in place that actively seek to avoid discrimination against pupils and staff on the basis of sexual orientation.
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4. Completed Actions

Set out how the proposed activity has already been amended following the equality assessment, to maximise the positive impact or minimise the negative impact:

Change	Reason for Change
None	NA

5. Planned Actions

Set out improvements that will be undertaken, following the equality assessment, to further maximise the positive impact or minimise the negative impact:


Potential impact (positive or negative)	Action	By when	Owner
	None		

6. Monitoring and review


The following processes/actions will be put in place to keep this 'activity' under review:
<p>Results of the stakeholder engagement will be considered by the Cabinet Member for Education, Economy and Skills when the decisions are made on this proposal.</p> <p>This EIA will be updated at each stage of the process.</p>

7. Officer / Decision-maker Sign off

Officer: By signing this statement off as complete you are confirming that 'you' have examined sufficient information across all the protected characteristics and used that information to show due regard to the three aims of the general duty. This has informed the development of the activity

Signature of Senior Officer	
Name of Senior Officer	Clare Medland, Head of Commissioning for Learning
Date	21 April 2022

Decision maker: I am in agreement that sufficient information and analysis has been used to inform the development of this 'activity' and that any proposed improvement actions are appropriate and I confirm that I, as the decision maker, have been able to show due regard to the needs set out in section 149 of the Equality Act 2010.

Signature of decision maker	
Name of decision maker	Cllr Philip Robinson, Cabinet Member with responsibility for Economy, Education and Skills
Date	06 May 2022

8. Publication

If this document accompanies a Cabinet report or an Individual Cabinet Member (ICM) decision report it will be published, as part of the report publication process, on the GCC website. If this statement is not to be submitted with a Cabinet report or an Individual Cabinet Member (ICM) decision report, please maintain a copy for your own records that can be retrieved for internal review and also in case of future challenge.

Appendix 1 – Service User Data

Details of service users affected by the proposed activity

Protected Characteristic	Service User Data and Information		
<p>Age <i>percentage/profile of service user ages</i></p>	<p>There are 4,906 children and young people with Education Health Care Plans (EHCPs) maintained by Gloucestershire County Council (March 2022)</p>		
	<p>Key Stage (based on current NCY):</p>	<p>No.</p>	<p>%</p>
	EY (nursery years)	59	1.20%
	Early Years (NCY Reception)	159	3.24%
	Key Stage 1 (NCY 1, 2)	418	8.52%
	Key Stage 2 (NCY 3, 4, 5, 6)	1,322	26.95%
	Key Stage 3 (NCY 7, 8, 9)	1,108	22.58%
	Key Stage 4 (NCY 10, 11)	662	13.49%
	Key Stage 5 (NCY 12, 13)	601	12.25%
	Above Y13	577	11.76%
	Total	4,906	
<p>Sex <i>percentage/profile of service users who are male and who are female</i></p>	<p>Gender:</p>		
	Female	1,326	27.03%
	Male	3,579	72.95%
	Not known	1	0.02%
	Total:	4,906	
Disability	All of the children who will attend the new school will have EHCPs in recognition of their significant and complex		

*percentage/profile
of service users
who have a
disability*

special educational needs. In some cases, their special educational needs may have such as a substantial, long-term and adverse effect on that child's ability to carry out normal day-to-day activities they may also identify as having a disability. There is no separate data held on the number of children with a declared disability in addition to their special educational needs.

In March 2022 the Special Educational Needs and Disability (SEND) profile of the children and young people with EHCPs maintained by Gloucestershire County Council was as follows:

Type of need:

Primary Need (as recorded in the EHCP):	No.	%
ASD - Autistic Spectrum Disorder	940	19.16%
HI - Hearing Impairment	51	1.04%
MLD - Moderate Learning Difficulty	1,312	26.74%
MSI - Multi-Sensory Impairment	10	0.20%
OTH – Other	0	0.00%
PD - Physical Disability	279	5.69%
PMLD- Profound & Multiple Learn Diff	75	1.53%
SEMH - Social, Emotional and Mental Health	1,091	22.24%
SLCN - Speech Lang & Comm Needs	863	17.59%
SLD - Severe Learning Difficulty	154	3.14%
SPLD - Spl Learning Diff	96	1.96%
VI - Visual Impairment	35	0.71%
Total	4,906	

<p>Race <i>percentage/profile of service users who are from black and minority ethnic backgrounds</i></p>	<p>In March 2022 the ethnicity profile of the children and young people with EHCPs maintained by Gloucestershire County Council was as follows:</p> <table border="1" data-bbox="465 352 1850 735"> <thead> <tr> <th>Ethnicity:</th> <th>No.</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Asian</td> <td>87</td> <td>1.77%</td> </tr> <tr> <td>Black</td> <td>79</td> <td>1.61%</td> </tr> <tr> <td>Chinese</td> <td>10</td> <td>0.20%</td> </tr> <tr> <td>Mixed</td> <td>207</td> <td>4.22%</td> </tr> <tr> <td>White British</td> <td>3,452</td> <td>70.36%</td> </tr> <tr> <td>Other White</td> <td>177</td> <td>3.61%</td> </tr> <tr> <td>Any Other Ethnic Group</td> <td>20</td> <td>0.41%</td> </tr> <tr> <td>Unclassified</td> <td>874</td> <td>17.81%</td> </tr> <tr> <td>Total</td> <td>4,906</td> <td></td> </tr> </tbody> </table>	Ethnicity:	No.	%	Asian	87	1.77%	Black	79	1.61%	Chinese	10	0.20%	Mixed	207	4.22%	White British	3,452	70.36%	Other White	177	3.61%	Any Other Ethnic Group	20	0.41%	Unclassified	874	17.81%	Total	4,906	
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Total	4,906																														
<p>Marriage & civil partnership <i>percentage/profile of service users who are married or in a civil partnership</i></p>	<p>We do not hold any data regarding the number of children and young people at these settings with this protected characteristic. This would not apply given the age of the service users.</p>																														
<p>Religion and/or belief <i>percentage/profile of service users religious beliefs</i></p>	<p>We do not hold any data regarding the number of children and young people at these settings with this protected characteristic.</p>																														
<p>Gender reassignment <i>percentage/profile</i></p>	<p>We do not hold any data regarding the number of children and young people at these settings with this protected characteristic.</p>																														

<p><i>of service users who have indicated they are transgender</i></p>	
<p>Pregnancy & maternity <i>percentage/profile of service users who are female and who are pregnant or on a maternity leave</i></p>	<p>We do not hold any data regarding the number of children and young people at these settings with this protected characteristic.</p>
<p>Sexual orientation <i>percentage/profile of service users who are lesbian, gay, bisexual, heterosexual</i></p>	

Appendix 2 – GCC Workforce Data

Details of Gloucestershire County Council staff affected by the proposed activity

Protected Characteristic	Total number of GCC staff affected: None
Age	Not applicable
Disability	
Sex	
Race	
Gender reassignment	
Marriage & civil partnership	
Pregnancy & maternity	
Religion and/or belief	
Sexual orientation	