

Equality Impact Assessment (EqIA)

The Equality Act 2010 introduced the Public Sector Equality Duty which states that a public authority must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

This document demonstrates how the Council is meeting the Public Sector Equality Duty by setting out the findings of an equality analysis that has been undertaken in relation to a proposed change to assess whether it has a disproportionate impact on people who share a protected characteristic, together with care leavers / care experienced adults, as the Council treats this group like a protected characteristic.

1. Background

Directorate	Children’s Services
Service area	Education
Title of the proposed change being assessed i.e. the policy, service, or other development	GCC Education Participation in the Southwest DfE SEND Change Partnership Programme
Describe the purpose of the proposed change and the intended outcomes	
<p>That Cabinet:</p> <ol style="list-style-type: none"> 1. Approves the receipt of £5.8 million of funding from the DfE to support: <ol style="list-style-type: none"> (a) GCC’s participation in the SEND Change Partnership Programme from September 2023 to April 2025; and (b) the appointment of GCC as the financial Lead Authority (LA) under that programme, with responsibility for apportioning the DfE Change Partnership Programme funding to Swindon Borough Council to support its participation . 2. Approves the execution of a Memorandum of Understanding (MoU) between GCC and the DfE relating to piloting and testing proposed SEND reforms under the DfE Change Partnership Programme; 3. Approves the formation of a partnership arrangement between GCC and Swindon Borough Council relating to their joint leadership of the Programme in the Southwest 	

4. Approves the execution of a MoU between GCC and Gloucestershire Integrated Care Board (GICB) relating to the Early Language and Speech Development programme if GICB is awarded funding for the Early Language Support for Every Child (ELSEC) Pathfinder Programme described in the NHS England guidance documentation.

If such funding is not received by GICB, the project will not be funded and will not proceed.

5. Approves the joint development by GCC and Swindon Brough Council of a Strategic Delivery Plan for the delivery of the Programme in Gloucestershire and Swindon.

Delegates authority to the Director of Education in consultation with the Cabinet Member for Education, Skills, and Bus Transport to allocate the above funding, subject to any individual decisions that in the event that the value of any individual proposed procurement exercise or grant exceeds £500,000, a separate key decision shall be sought in order to authorise that procurement exercise or grant.

Who is affected by the proposals?

Service users

Wider community

Workforce

	<p>Other, please specify:</p> <div data-bbox="810 255 1385 423" style="border: 1px solid black; height: 75px; width: 100%;"></div>
<p>Decision to be taken and decision maker</p>	<p>Cabinet approves Gloucestershire's participation in the Department for Education Special Educational Needs and Alternative Provision Change Programme as a joint lead southwest local authority.</p>
<p>Person(s) responsible for completing this assessment</p>	<p>Kirsten Harrison Director of Education</p>
<p>Date of this assessment</p>	<p>September, 2023</p>

2. Information and Data Collection

Summarise how you have collected the information and data required to assess the potential or actual impact of the proposed change on those who share the protected characteristics and care leavers / care experienced adults (e.g. survey of services users, community focus groups, analysing service usage data, engaging with the council's staff networks etc.). The actual information and data that has been collected and analysed should be set out in Appendix 1 (Service Users) and Appendix 2 (GCC staff).

If there are any gaps, include an action in section 4 to fill these. This doesn't mean that you can't complete the equality impact assessment, but you need to follow-up the action and revisit as part of the monitoring and review arrangements set out in section 5.

Stakeholders	Engagement and Consultation	Other Methods / Sources
Service Users / Wider Community	There will be extensive engagement with service users, including the wider community, in the local initiation and roll out of the Change Programme supported by communication resources from the Department for Education.	<ul style="list-style-type: none"> • Information Webinars • Presentations to school headteacher associations and early years providers through their established forums • Wider school workforce engagement, including SENCOs, through a range of media • Website documentation • Face to face Parent Carer Forum and Parent Carer Alliance Engagement
Workforce	There will be extensive engagement with core and wider education, social care, and health workforce members whose role come into the scope of the programme in the local initiation and roll out of the Change Programme	<ul style="list-style-type: none"> • Information Webinars & question and answer sessions • Workforce training and development provision

	supported by communication resources from the Department for Education.	
Partners	There will be extensive engagement with education settings in the local initiation and roll out of the Change Programme supported by communication resources from the Department for Education.	<ul style="list-style-type: none"> • Information Webinars • Presentations to school headteacher associations and early years providers through their established forums • Wider school workforce engagement, including SENCos, through a range of media
Other		

3. Equality Assessment

Indicate the impact on each group and explain how you have reached your conclusions (i.e. through analysis of the information and data that was collected through the engagement, consultation and other methods / sources that were set out in section 2).

Service Users					
Groups	Positive Impact	Neutral Impact	Negative Impact	Not Sure	Summary of Impact

Protected Characteristics (Equality Act 2010)	Age		x			<p>There is no identified negative impact. We will be expecting the Department for Education to have clear policies and practices in place in the proposed reform element testing to avoid discrimination against children and young people on the basis of age.</p> <p>Testing will be taking place across the full age range under the scope of the SEN Code of Practice.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>
	Disability		x			<p>There is no identified negative impact. The impact is potentially positive in that participation in the proposed reform testing will enable the voice of children and young people with special educational needs and their families to directly influence future national policy around local and national provision to meet their needs.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>
	Sex		x			<p>There is no identified negative impact. We will be expecting the Department for Education to have clear policies and practices in place in the proposed reform element testing to avoid discrimination against children and young people on the basis of gender.</p> <p>Testing will be taking place for both boys and girls.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>
	Race		x			<p>There is no identified negative impact. We will be expecting the Department for Education to have clear policies and practices in place in the proposed reform element testing to</p>

					<p>avoid discrimination against children and young people on the basis of race.</p> <p>No particular ethnic or cultural group is over-represented in the number of service users nor are there any identified restrictions in terms of being able to participate in the reform testing.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>
	Gender reassignment		x		<p>There is no identified significant impact. We will be expecting the Department for Education to have clear policies and practices in place in the proposed reform element testing to explain how the processes will meet additional needs of learners who identify as non-binary gender identity.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>
	Marriage & civil partnership		x		<p>There is no identified significant impact. Parental and carer responsibility is not determined by marriage or civil partnership arrangements, and we have not identified any restrictions in terms of being able to participate in the reform testing.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>
	Pregnancy & maternity		x		<p>There is no identified significant impact. For pregnant women or those on maternity leave, we have not identified any restrictions in terms of being able to participate in the reform testing.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>

	Religion and/or belief		x			<p>There is no identified significant impact. We will be expecting the Department for Education to have clear policies and practices in place in the proposed reform element testing to avoid discrimination on the basis of religion and/or belief and will promote modern British values which includes mutual respect for and tolerance of those of those with different faiths and beliefs.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>
	Sexual orientation		x			<p>There is no identified significant impact. We will be expecting the Department for Education to have clear policies and practices in place in the proposed reform element testing to avoid discrimination against children and young people on the basis of sexual orientation.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>
Additional Groups	Care leavers / care experienced adults		x			<p>There is no identified significant impact. We will be expecting the Department for Education to have clear policies and practices in place in the proposed reform element testing to explain how the processes will meet any additional needs or arrangements for learners who are care leavers or care experienced.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>

Groups	Positive Impact	Neutral Impact	Negative Impact	Not Sure	Summary of Impact
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Gloucestershire County Council Staff

Groups	Positive Impact	Neutral Impact	Negative Impact	Not Sure	Summary of Impact
Protected Characteristics (Equality Act 2010)	Age		x		There is no identified negative impact. We will be expecting the Department for Education to have clear policies and practices in place in the proposed reform element testing to avoid discrimination against any staff members on the basis of age. The 2014 SEND Code of Practice remains in force throughout the programme.
	Disability		x		There is no identified negative impact. The impact is potentially positive in that participation in the proposed reform testing will enable the voice of disabled people and those with special educational needs to directly influence future national policy around local and national provision to meet children and young people's needs. The 2014 SEND Code of Practice remains in force throughout the programme.
	Sex		x		There is no identified negative impact. We will be expecting the Department for Education to have clear policies and

					<p>practices in place in the proposed reform element testing to avoid discrimination against staff on the basis of gender.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>
	Race		x		<p>There is no identified negative impact. We will be expecting the Department for Education to have clear policies and practices in place in the proposed reform element testing to avoid discrimination against staff on the basis of race.</p> <p>No particular ethnic or cultural group is over-represented in the number of service users nor are there any identified restrictions in terms of being able to participate in the reform testing as a service user or a staff member.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>
	Gender reassignment		x		<p>There is no identified significant impact. We will be expecting the Department for Education to have clear policies and practices in place in the proposed reform element testing to explain how the processes will meet any additional needs for staff members who identify as non-binary gender identity.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>
	Marriage & civil partnership		x		<p>There is no identified significant impact. There are no identifiable restrictions in terms of staff being able to participate in the reform testing on the basis of marriage or civil partnership.</p>

						The 2014 SEND Code of Practice remains in force throughout the programme.
	Pregnancy & maternity		x			<p>There is no identified significant impact. For pregnant staff or those on maternity leave, we have not identified any restrictions in terms of being able to participate in the reform testing.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>
	Religion and/or belief		x			<p>There is no identified significant impact. We will be expecting the Department for Education to have clear policies and practices in place in the proposed reform element testing to avoid discrimination on the basis of religion and/or belief and will promote modern British values which includes mutual respect for and tolerance of those with different faiths and beliefs.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>
	Sexual orientation					<p>There is no identified significant impact. We will be expecting the Department for Education to have clear policies and practices in place in the proposed reform element testing to avoid discrimination against any staff member on the basis of sexual orientation.</p> <p>The 2014 SEND Code of Practice remains in force throughout the programme.</p>

Additional Groups	Care leavers / care experienced adults		x			There is no identified significant impact. We will be expecting the Department for Education to have clear policies and practices in place in the proposed reform element testing to explain how the processes will meet any additional needs or arrangements for staff members who are care leavers or care experienced. The 2014 SEND Code of Practice remains in force throughout the programme.
Groups	Positive Impact	Neutral Impact	Negative Impact	Not Sure	Summary of Impact	

4. Action Plan

Set out the key actions that will be undertaken, following the equality assessment in section 3, to further maximise the positive impact or mitigate the negative impact of the proposal on those who share the protected characteristics and care leavers / care experienced adults (any negative consequences should be eliminated, minimised or counter-balanced by other measures):

Identified Potential or Actual Impact	Recommended Action(s)	Owner	Target Completion Date
<p>The self-selecting children and families opting into the Change Partnership Programme do not reflect the trends and patterns in the make up of the global SEND cohort in the county.</p> <p>In the county SEND Special educational needs remain more prevalent in boys than girls, with boys representing 74% of pupils with an EHCP and 61% of pupils with SEN support.</p> <p>In the county, in terms of ethnic groups, White British accounts for approximately 80% of pupils with an EHCP. The percentage of pupils with an EHCP with a mixed ethnic background has increased over the</p>	<p>Monitoring of the representation in participation in the Change Partnership Programme Testing of children and families in terms of these global SEND cohort patterns will be undertaken as part of the data capture and analysis.</p> <p>Proactive communication and engagement with identified groups will be undertaken to achieve representation as close to the global trends as can be achieved.</p> <p>Monitoring, assessment, and actions will be taken in terms of equalities impacts to identify whether there are any opportunities as part of the roll out of the programme to:</p>	<p>Amanda Henderson HoS SEND</p>	<p>Ongoing through the project programme.</p>


<p>last five years to 5.8%. Other black background (6.5%) and from the Bangladeshi ethnic group (5.26%). Travellers of Irish heritage ethnic group at 5.9% in the county. The lowest rate for pupils with an EHCP in the county is in the Indian ethnic group 1.84%. In Gloucestershire, children aged 11 to 15 years old continue to account for the highest percentage of children and young people with an EHC plan (38.1%)</p>	<ul style="list-style-type: none"> • Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act • Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it • Foster good relations between persons who share a relevant protected characteristic and persons who do not share it 		


5. Monitoring and Review

Public bodies must have regard to the aims of the duty not only when a policy, service or development is being created and decided upon, but also when it is implemented and at regular intervals afterwards. The Equality Duty is a continuing duty.

Lead officer(s):	Kirsten Harrison, Director of Education
Frequency of the monitoring and review:	<p>Monitoring will be undertaken by:</p> <ul style="list-style-type: none"> • Fortnightly meetings between Gloucestershire and Swindon LAs and the DFE programme leads • Monthly SILAP Programme Board progress reviews • Bi-monthly SEND and Inclusion Local Area Partnership (SILAP) Board meeting update reports • The EIA will be updated at each stage of the Change Programme roll out
How the impact of the policy, service or development will be measured, including the data and information that will be used:	<ul style="list-style-type: none"> • A comprehensive baseline data set will be established at the start of the programme, alongside the detailed data sets established in the DfE Delivering Better Value programme. • The Department for Education will be providing a benchmarking toolkit that will be used to track progress and impact of the reform testing.
Stakeholders who will be involved:	Children and young people, parents, carers, leaders, and specialist staff, including SENCos, in education settings from Early Years to post 16 providers

6. Approval

Signature of Senior Officer	
Name of Senior Officer	Ann James
Date	7 th November 2023

Signature of Decision Maker	
Name of Decision Maker	Cllr Philip Robinson
Date	7 th November 2023

Appendix 1 – Service User Data and Information

Details of service users affected by the proposed activity:

Groups	Service User Data and Information
Age	Children and young people 0-25
Disability	Special Educational Needs and Disability – all identified needs in line with the 2014 SEND Code of Practice
Sex	Boys and Girls
Race	All faiths and beliefs and those without faith
Gender reassignment	Where identified
Marriage & civil partnership	
Pregnancy & maternity	
Religion and/or belief	
Sexual orientation	
Care leavers / care experienced adults	

Appendix 2 – Gloucestershire County Council Staff Data and Information

Details of Gloucestershire County Council staff affected by the proposed activity:

Groups	GCC Workforce Data and Information
Age	All ages
Disability	None
Sex	Male and female
Race	All faiths and beliefs and those without faith
Gender reassignment	N/A
Marriage & civil partnership	N/A
Pregnancy & maternity	
Religion and/or belief	
Sexual orientation	
Care leavers / care experienced adults	

