

EQUALITY IMPACT ASSESSMENT FORM INCLUDING SOCIO-ECONOMIC DUTY

(Revised March 2021)

Please refer to the current Equality Impact Assessment guidance when completing this document. If you would like further guidance please contact the Diversity and Inclusion Team on 01443 444529.

An equality impact assessment **must** be undertaken at the outset of any proposal to ensure robust evidence is considered in decision making. This documentation will support the Council in making informed, effective and fair decisions whilst ensuring compliance with a range of relevant legislation, including:

- Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- Socio-economic Duty – Sections 1 to 3 of the Equality Act 2010.

This document will also contribute towards our duties to create a More Equal Wales within the

- Well-being of Future Generation (Wales) Act 2015.

The [‘A More Equal Wales – Mapping Duties’](#) guide highlights the alignment of our duties in respect of the above-mentioned legislation.

SECTION 1 – PROPOSAL DETAILS

Lead Officer: Lisa Carter

Director: Gaynor Davies

Service Area: Education and Inclusion Services, Access & Inclusion

Date: 15/03/2023

1.a) What are you assessing for impact?

Strategy/Plan	Service Re-Model/Discontinuation of Service	Policy/Procedure	Practice	Information/Position Statement
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1.b) What is the name of the proposal?

CONSULTATION ON THE PROPOSALS TO REALIGN ADDITIONAL LEARNING NEEDS MAINSTREAM LEARNING SUPPORT CLASS PROVISION WITHIN RHONDDA CYNON TAF

1.c) Please provide an overview of the proposal providing any supporting links to reports or documents.

Section 315 of the Education Act 1996 requires LAs to regularly review arrangements for supporting pupils with SEN/ALN and to ensure that provision is sufficient and meets the needs of its communities. The priority for the Education and Inclusion Service Directorate is to continue to focus on driving up standards in schools and to improve the outcomes for all children and young people. In light of the Welsh Government ALNET Act and the Council's vision to increase the number of Welsh medium learners in its schools by responding proactively to both national and local strategies, such as the Welsh Government Welsh Language Strategy: Cymraeg 2050, Rhondda Cynon Taf's Welsh in Education Strategic Plan and the current 21st Century Schools Programme to increase and improve Welsh medium provision RCT, it is essential to enhance ALN provision within RCT.

The proposals will address surplus capacity issues and a lack of capacity in key provisions allowing resources to be directed to enhance capacity for mainstream inclusion, early intervention and preventative approaches. In addition, the proposals will address the current imbalance between the number of primary and secondary provisions, transition and accessibility issues. The proposals also seeks to

address the need to create additional Welsh medium specialist LSC provision, in line with the requirements of the Additional Learning Needs Education Tribunal (ALNET) Act (2018) to provide a bilingual Additional Learning Needs (ALN) system.

The proposals seek to achieve the following aims:

- reducing unnecessary transition across schools by establishing cross phase specialist provisions within individual schools where possible
- developing a robust continuum of provision that effectively addresses a wide range of need across all year groups and builds upon effective early intervention and prevention approaches.
- establishing LSC provisions in fully accessible settings that provide a learning environment fit for the 21st Century.
- establish Welsh-medium provision to facilitate the learning of pupils with significant ALN in the Primary Phase.

1.d) Please outline where delivery of this proposal is affected by legislation or other drivers such as code of practice.

Section 315 of the Education Act 1996
Additional Learning Needs and Education Tribunal Act Wales (2018)

1.e) Please outline who this proposal affects:

- Service users
- Employees
- Wider community

SECTION 2 – SCREENING TEST – IS A FULL EQUALITY IMPACT ASSESSMENT REQUIRED?

Screening is used to determine whether the initiative has positive, negative or neutral impacts upon protected groups. Where negative impacts are identified for protected groups then a full Equality Impact Assessment is required.

Please provide as much detail as possible of how the proposal will impact on the following groups, this may not necessarily be negative, but may impact on a group with a particular characteristic in a specific way.

Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011

The Public Sector Equality Duty requires the Council to have “due regard” to the need to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity between different groups; and foster good relations between different groups. Please take an intersectional approach in recognising an individual may have more than one protected characteristic.

<u>Protected Characteristics</u>	Does the proposal have any positive, negative or neutral impacts	Provide detail of the impact	What evidence has been used to support this view?
<p>Age (<i>Specific age groups i.e. young people or older people</i>)</p> <p>Reception – Yr2 (formerly Foundation Phase) Yr 3 – 6 (formerly Key Stage 2) Yr 7 – 11 (formerly Key Stage 3&4)</p>	<p>Positive</p>	<ul style="list-style-type: none"> • Appropriate placements which are well matched to pupils' primary needs • Improved educational outcomes and pupil engagement due to meeting identified pupil needs more effectively. • Greater opportunities for mainstream inclusion in local community schools • Improved continuum of learning provision which improves life chances for our most vulnerable learners • Bilingual opportunity of LSC through provision for pupils with ALN 	<p>Using provision mapping, it was identified that an increase in LSC provision is needed.</p>

<u>Protected Characteristics</u>	Does the proposal have any positive, negative or neutral impacts	Provide detail of the impact	What evidence has been used to support this view?
Disability <i>(people with visible and non-visible disabilities or long-term health conditions)</i>	Positive	The review of LSC provision will allow the LA to better meet the needs of its ALN pupils. The proposed mainstream schools hosting the LSC will be fully compliant with all disability legislation.	Delivery of new LSC provision enhances the educational opportunities for pupils with significant additional learning needs
Gender Reassignment <i>(anybody who's gender identity or gender expression is different to the sex they</i>	Neutral	N/A	There is no evidence to suggest that the proposal will have an impact on people that share this characteristic

<u>Protected Characteristics</u>	Does the proposal have any positive, negative or neutral impacts	Provide detail of the impact	What evidence has been used to support this view?
<i>were assigned at birth including non-binary identities)</i>			
Marriage or Civil Partnership <i>(people who are married or in a civil partnership)</i>	Neutral	N/A	There is no evidence to suggest that the proposal will have an impact on people that share this characteristic
Pregnancy and Maternity <i>(women who are pregnant/on maternity leave)</i>	Neutral	N/A	There is no evidence to suggest that the proposal will have an impact on people that share this characteristic
Race <i>(ethnic and racial groups i.e. minority ethnic groups, Gypsy, Roma and Travellers)</i>	Neutral	N/A	There is no evidence to suggest that the proposal will have an impact on people that share this characteristic

<u>Protected Characteristics</u>	Does the proposal have any positive, negative or neutral impacts	Provide detail of the impact	What evidence has been used to support this view?
Religion or Belief <i>(people with different religions and philosophical beliefs including people with no beliefs)</i>	Neutral	N/A	There is no evidence to suggest that the proposal will have an impact on people that share this characteristic
Sex <i>(women and men, girls and boys)</i>	Neutral	N/A	There is no evidence to suggest that the proposal will have an impact on people that share this characteristic
Sexual Orientation <i>(bisexual, gay, lesbian, straight)</i>	Neutral	N/A	There is no evidence to suggest that the proposal will have an impact on people that share this characteristic

In addition, due to Council commitments made to the following groups of people we would like you to consider impacts upon them:

	Does the proposal have any positive, negative or neutral impacts	Provide detail of the impact	What evidence has been used to support this view?

Armed Forces Community <i>(anyone who is serving, has served, family members and the bereaved)</i>	Positive	The increase in LSC provision will provide greater opportunity for pupils with significant ALN to access specialist provision.	Increased numbers of LSC places will result in the ability to accommodate more children with significant ALN
Carers <i>(anyone of any age who provides unpaid care)</i>	Positive	Increased potential to access appropriate specialist provision. Increase opportunity for parents/carers to choose appropriate Welsh medium specialist provision.	The establishment of more LSC provision will result in the ability to support more children with significant ALN.

If the initial screening test has identified negative impacts then a full equality impact assessment (section 4) **must** be undertaken. However, if after undertaking the above screening test you determine a full equality impact assessment is not relevant please provide an adequate explanation below:

No negative impacts have been identified for protected groups. All impacts on protected groups will be either neutral or positive.

Are you happy you have sufficient evidence to justify your decision? Yes No

Name: Lisa Carter

Position: Inclusion Co-ordinator

Date: 15/03/2023

Please forward a copy of this completed screening form to the Diversity and Inclusion Team.

PLEASE NOTE – there is a separate impact assessment for Welsh Language. This must also be completed for proposals. Section 3 Socio-economic Duty needs only to be completed if proposals are of a strategic nature or when reviewing previous strategic decisions. Definition of a ‘strategic nature’ is available on page 6 of the [Preparing for the Commencement of the Socio-economic Duty](#) Welsh Government Guidance.

SECTION 3 – SOCIO-ECONOMIC DUTY (STRATEGIC DECISIONS ONLY)

The Socio-economic Duty gives us an opportunity to do things differently and put tackling inequality genuinely at the heart of key decision making. Socio-economic disadvantage means living on a low income compared to others in Wales, with little or no accumulated wealth, leading to greater material deprivation, restricting the ability to access basic goods and services.

Please consider these additional vulnerable groups and the impact your proposal may or may not have on them:

- Single parents and vulnerable families
- Pensioners
- Looked after children
- Homeless people
- Students
- Single adult households

- People living in the most deprived areas in Wales
- People with low literacy and numeracy
- People who have experienced the asylum system
- People misusing substances
- People of all ages leaving a care setting
- People involved in the criminal justice system

<u>Socio-economic disadvantage</u>	Does the proposal have any positive, negative or neutral impacts	Provide detail of the impact	What evidence has been used to support this view?
<p>Low Income/<u>Income Poverty</u> <i>(cannot afford to maintain regular payments such as bills, food, clothing, transport etc.)</i></p>	<p>Positive</p>	<p>The advantages of implementing the proposed change includes:</p> <ul style="list-style-type: none"> • an enhanced focus on improved mainstream LSC provision which provides improved life chances for our most vulnerable learners • appropriate continuum of provision which is well matched to pupils' primary needs • improved educational outcomes and pupil engagement due to effectively meeting pupil needs • greater opportunities for mainstream inclusion in a local community school 	<ul style="list-style-type: none"> • Previous establishment of new LSC provision throughout the county borough • Increase in the capacity of the LA to support pupils with additional learning needs • Positive impact of establishing the LSCs on the school and wider communities.

<u>Socio-economic disadvantage</u>	Does the proposal have any positive, negative or neutral impacts	Provide detail of the impact	What evidence has been used to support this view?
<p>Low and / or No Wealth <i>(enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provisions for the future)</i></p>	<p>Positive</p>	<p>The advantages of implementing the proposed change includes:</p> <ul style="list-style-type: none"> • ensuring that LSC provision is situated within an education setting that is accessible and appropriate for pupils with wide ranging needs, including physical and medical needs • improving the range and quality of facilities and learning resources available to the benefit of all pupils • compliance with a core aim of ALNET Act to create a bilingual ALN system. • the new LSC provisions will be hosted by schools that has the capacity for the development of an additional class due to surplus spaces and can accommodate the additional pupils who will be placed in the school. 	<ul style="list-style-type: none"> • Previous establishment of new LSC provision throughout the county borough • Increase in capacity of the LA to support pupils with additional learning needs • Positive impact of establishing the LSCs on the school and wider communities.

<u>Socio-economic disadvantage</u>	Does the proposal have any positive, negative or neutral impacts	Provide detail of the impact	What evidence has been used to support this view?
<p><u>Material Deprivation</u> <i>(unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, hobbies etc.)</i></p>	<p>Positive</p>	<p>The advantages of implementing the proposed change includes:</p> <ul style="list-style-type: none"> • an enhanced focus on improved mainstream LSC provision which provides improved life chances for our most vulnerable learners • appropriate continuum of provision which is well matched to pupils' primary needs • compliance with one of the underpinning principles of the ALNET Act that all pupils should access mainstream education where possible • improved educational outcomes and pupil engagement through effectively meeting pupils' needs • greater opportunities for mainstream inclusion in a local community school • ensuring that LSC provisions are situated within education settings that are accessible and appropriate for pupils with wide ranging needs, including physical and medical needs • improving the range and quality of facilities and learning resources available for the benefit of all pupils 	<ul style="list-style-type: none"> • Previous establishment of new LSC provision throughout the county borough • Increase in capacity of the LA to support pupils with additional learning needs • Positive impact of establishing the LSCs on the school and wider communities.

		<ul style="list-style-type: none">• compliance with a core aim of ALNET Act to create a bilingual ALN system.• the new LSC provision will be hosted by schools that has the capacity for the development of an additional class due to surplus spaces and can accommodate the additional pupils who will be placed in the school.	
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<u>Socio-economic disadvantage</u>	Does the proposal have any positive, negative or neutral impacts	Provide detail of the impact	What evidence has been used to support this view?
<p><u>Area Deprivation</u> <i>(where you live (rural areas), where you work (accessibility of public transport))</i></p>	<p>Positive</p>	<p>The LSC's will be hosted in an accessible location to allow pupils across the LA access to the specialist provision. Transport to the provision will be provided in line with RCT Learner Travel policy so no pupils will be adversely impacted by distance. The increase in LSCs will provide additional opportunities for pupils with significant ALN to access local LSC provision.</p>	<ul style="list-style-type: none"> • Previous establishment of new LSC provision throughout the county borough • Increase in the capacity of the LA to support pupils with additional learning needs • Positive impact of establishing the LSCs on the school and wider communities.

<p>Socio-economic background <i>(social class i.e. parents education, employment and income)</i></p>	<p>Positive</p>	<p>Improving specialist provision for pupils in RCT has been at the heart of the decision-making process in relation to the proposal.</p> <p>All decisions have been made with a full understanding of the needs of the pupils and with the aim of providing high quality, fully accessible 21st Century specialist provision for pupils who require specialist provision in a LSC within a fully inclusive mainstream setting.</p>	<ul style="list-style-type: none"> • Previous establishment of new LSC provision throughout the county borough • Increase in the capacity of the LA to support pupils with additional learning needs • Positive impact of establishing the LSCs on the school and wider communities.
<p>Socio-economic disadvantage <i>(What cumulative impact will the proposal have on people or groups because of their protected characteristic(s) or vulnerability or because they are already disadvantaged)</i></p>	<p>Positive</p>	<p>The new LSCs will positively impact pupils with significant additional learning needs and their parents/carers.</p> <p>The proposed changes to the current and establishment of new LSC provisions provides pupils with significant learning needs the bilingual opportunity for pupils to attend LSC provision in mainstream schools.</p> <p>There is no negative impact to any individual who may be financially or materially disadvantaged, as the new provisions will provide additional opportunities for children to access Welsh medium, Early Years and Autistic Spectrum Disorder specialist provision.</p>	<ul style="list-style-type: none"> • Previous establishment of new LSC provision throughout the county borough • Increase in the capacity of the LA to support pupils with additional learning needs • Positive impact of establishing the LSCs on the school and wider communities.

	Negative	For those pupils attending provision that will be relocating there will be some short term disruption that may incur a level of anxiety to both parents and pupils. However, those affected will be supported by Access & Inclusion during the transition phase.	
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SECTION 4 – FULL EQUALITY IMPACT ASSESSMENT

You should use the information gathered at the screening stage to assist you in identifying possible negative/adverse impacts and clearly identify which groups are affected.

- 4.a) In terms of disproportionate/negative/adverse impacts that the proposal may have on a protected group, outline the steps that will be taken to reduce or mitigate the impact for each group identified. **Attach a separate action plan where impacts are substantial.**

There is no evidence to suggest that the proposal will have a disproportionate / negative / adverse impact on a protected group.

- 4.b) If ways of reducing the impact have been identified but are not possible, please explain why they are not possible.

There is no evidence to suggest that the proposal will have a disproportionate / negative / adverse impact on a protected group

- 4.c) Give sufficient detail of data or research that has led to your reasoning, in particular, the sources used for establishing the demographics of service users/staff.

There is no evidence to suggest that the proposal will have a disproportionate / negative / adverse impact on a protected group

- 4.d) Give details of how you engaged with service users/staff on the proposals and the steps taken to avoid any disproportionate impact on a protected group. Explain how you have used feedback to influence your decision.

There is no evidence to suggest that the proposal will have a disproportionate / negative / adverse impact on a protected group

- 4.e) Are you satisfied that the engagement process complies with the requirements of the Statutory Equality and Socio-economic Duties?

Yes

No

SECTION 5 – MONITORING AND REVIEW

5a) Please outline below how the implementation of the proposal will be monitored:

The Council's Access & Inclusion Service will be fully engaged in supporting the head teacher and governing body to establish the LSC provision through its well-established line management and quality assurance processes relating to its management of LSC provisions. In line with the requirements of the Additional Learning Needs and Education Tribunal Act (ALNET) and Education Act 1996, the LA will continue to keep its LSC provision under review to ensure that it meets the identified needs of its learners with ALN in RCT.

Interested parties are also welcomed to put their views in writing to:

Director of Education and Inclusion Services
Rhondda Cynon Taf County Borough Council
Ty Trevithick
Abercynon
CF45 4UQ
or e-mail ALNAS@rctcbc.gov.uk

A number of consultation events are planned for pupils, staff and the Governing Body in June 2024. Officers from the Council's Access & Inclusion Service will monitor the proposal throughout the consultation and implementation process.

5b) When is the evaluation of the proposal due to be reviewed?

Reports will be presented to Cabinet at regular intervals as the proposal progresses

5c) Who is responsible for the monitoring and review of the proposal?

Officers from the Access & Inclusion Service will monitor the proposal throughout the consultation and implementation period.

5d) How will the results of the monitoring be used to develop future proposals?

The Access & Inclusion Service will undertake a 'Lessons Learnt' review at the end of the implementation phase and this will feed into future projects so that each project improves and benefits from lessons learnt (positive and negative) during previous projects.

SECTION 6 – REVIEW

As part of the Impact Assessment process all proposals that fall within the definition of ‘Key Decisions’ must be submitted to the Review Panel. This panel is made up of officers from across Council Services and acts as a critical friend before your proposal is finalised and published for SLT/Cabinet approval.

If this proposal is a Key Decision please forward your impact assessment to Councilbusiness@rctcbc.gov.uk for a Review Panel to be organised to discuss your proposal. The EqIA guidance document provides more information on what a Key Decision is.

It is important to keep a record of this process so that you can demonstrate how you have considered equality and socio-economic outcomes. Please ensure you update the relevant sections below

Officer Review Panel Comments	Date Considered	Brief description of any amendments made following Officer Review Panel considerations
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Consultation Comments	Date Considered	Brief description of any amendments made following consultation

SECTION 6 – SUMMARY OF IMPACTS FOR THE PROPOSAL

Provide below a summary of the impact assessment. This summary should be included in the equality and socio-economic impact section of the Cabinet report template. The impact assessment should be published alongside the report.

In summary, the Equality Impact Assessment identifies positive and neutral impacts, and no negative impacts upon the protected characteristics.

- The impact on age is extremely positive as they will have the full benefit of being educated in specialist LSC provision based in fantastic facilities fit for the 21st Century. Providing an inclusive model of specialist provision hosted by a mainstream school that can meet their identified needs within their local community
- The buildings will be fully compliant with the Equality Act 2010 thereby ensuring that no pupil, staff member, parent/carer or member of the wider community is prevented from fully accessing the whole extent of the new facilities.
- There will be positive impact on the Welsh language as the proposal seeks to establish more Welsh medium specialist LSC provision, in line with the requirements of the Additional Learning Needs Education Tribunal (ALNET) Act (2018) to develop a bilingual Additional Learning Needs (ALN) system. It also aims to assist with the delivery of strategic priorities within RCTCBC's WESP.

There is an expectation that pupils in all LSCs will have mainstream inclusion opportunities. The LSCs are integral to the ethos of the host schools and families and pupils are treated equitably alongside mainstream peers. The realignment of LSCs and establishment of the proposed LSCs will ensure the LA has bilingually provided suitable provision to support children with ALN.

SECTION 7 – AUTHORISATIONS

Lead Officer:

Name: Lisa Carter

Position: Inclusion Co-ordinator

Date: 15/03/2023

I recommend that the proposal:

- Is implemented with no amendments
- Is implemented taking into account the mitigating actions outlined
- Is rejected due to disproportionate negative impacts on protected groups or socio-economic disadvantage

Head of Service/Director Approval:

Name: Gaynor Davies

Position: Director of Education and Inclusion Services

Date: 19th April 2023

Please submit this impact assessment with any SLT/Cabinet Reports.