

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 type="checkbox"/>	<input checked="" 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.**

In developing the proposal, consideration has been given to the following:

- Section 315 of the **Education Act 1996** requires Councils to ensure that ALN provision is kept under review.
- The **Additional Learning Needs and Education Tribunal (Wales) Act 2018** (The ALNET Act 2018) requires Councils to keep under review the arrangements for supporting pupils with ALN within their area and consider whether these are sufficient. The ALNET Act 2018 is supported by the statutory **Additional Learning Needs Code 2021**.
- Powers for Councils to develop school organisation proposals are governed by the **School Standards and Organisation (Wales) Act 2013** which is supported by a statutory **School Organisation Code (2nd Edition) (011/2018)**.

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. • Proposed additional classes will enhance LSC capacity across all age ranges. 	<p>Since the inception of the Early Years Forum in September as at 30th January 2023, 294 pupils have been discussed by the Forum. Of these pupils, 40 have been allocated placements within specialist settings and an additional 14 pupils have changed placement from mainstream to specialist provision following a period of assessment.</p> <p>During the academic year 2022/23, the Welsh Complex Needs Team supported 12 pupils with an age range of Year 2 to Year 11.</p> <p>It has been identified through data analysis that as of 30th January 2023, the potential number of pupils transitioning in 2023/24 (Year 6 to Year 7) without a Year 7 placement is 14.</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?
<p>Disability <i>(people with visible and non-visible disabilities or long-term health conditions)</i></p>	<p>Positive</p> <p style="text-align: center;">+</p> <p>Negative</p>	<p>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. The increase of classes will enable more students to access fully accessible LSC provision while reducing unnecessary transition.</p> <p>LSC re-alignment will inevitably cause some disruption and uncertainty for parents and pupils for a period of time, although experience shows that this can be kept to a minimum and the children's education and wellbeing does not suffer. Access & Inclusion will provide support to eradicate or minimise any potential negative impact.</p> <p>All the required impact assessments have been undertaken, LSC re-alignment will inevitably cause some disruption and uncertainty for parents and pupils for a period of time, although experience from previous LSC realignments has</p>	<p>Delivery of new LSC provision enhances the educational opportunities for pupils with significant additional learning needs and will provide the required additional LSC provision.</p> <p>The positive impact that the proposal will have far outweighs the short-term negative impact.</p>

		<p>been positive. Access & Inclusion will provide support to eradicate or minimise any potential negative impact. This will involve collaboration between current LSC staff, Access and Inclusion staff, pupils and their families to ensure a person-centred approach is taken to meeting the educational and wellbeing needs of pupils.</p> <p>Concerns have been raised that the proposals will have a negative impact on pupils and may require some pupils to undertake additional transitions to another setting. However, it is important to highlight that all learners accessing Observation and Assessment placements do so on a short term basis whilst their needs are being assessed and identified to inform a longer term placement. Concerns were also raised regarding the transition of older pupils currently in the class from Abercynon as there would be an extra transition and the potential negative impact of this. The staff mentioned that pupils will experience anxiety and stress as a consequence of the proposed move.</p> <p>Robust transition plans will be put in place for any pupils directly affected by the proposals, which will be planned collaboratively with parents and staff and involve additional</p>	
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		support from specialist members of staff from Access and Inclusion.	
Gender Reassignment <i>(anybody who's gender identity or gender expression is different to the sex they were assigned at birth including non-binary identities)</i>	Neutral	This proposal is not expected to have a direct impact on characteristics relating to Gender Reassignment. The implementation of this proposal will be monitored routinely. Should an impact arise relating to Gender Reassignment, this impact assessment will be updated to reflect this.	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?
Marriage or Civil Partnership <i>(people who are married or in a civil partnership)</i>	Neutral	This proposal is not expected to have a direct impact on characteristics relating to Marriage or Civil Partnership. The implementation of this proposal will be monitored routinely. Should an impact arise relating to Marriage or Civil Partnership, this impact assessment will be updated to reflect this.	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	This proposal is not expected to have a direct impact on characteristics relating to Pregnancy or Maternity. The implementation of this proposal will be monitored routinely. Should an impact arise relating to Pregnancy or Maternity, this impact assessment will be updated to reflect this.	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>	Positive	The proposal will have a positive impact on children and young people between the ages of 3 to 19 with ALN. As a result of the proposal, the Council is expected to deliver increased ALN provision.	When looking at ethnicity data, 2022 PLASC data shows 93.9% of statutory school aged pupils were white British, 5.9% were classified as any other ethnic background whilst 0.2% were unknown.

<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	This proposal is not expected to have a direct impact on characteristics relating to Religion or Belief. The implementation of this proposal will be monitored routinely. Should an impact arise relating to Religion or Belief, this impact assessment will be updated to reflect this.	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	This proposal is not expected to have a direct impact on characteristics relating to Sex. The implementation of this proposal will be monitored routinely. Should an impact arise relating to Religion or Belief, this impact assessment will be updated to reflect this.	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	This proposal is not expected to have a direct impact on characteristics relating to sexual orientation. The implementation of this proposal will be monitored routinely. Should an impact arise relating to sexual orientation, this impact assessment will be updated to reflect this.	There is no evidence to suggest that the proposal will have an impact on people that share this characteristic. Where a potential impact arises Access & Inclusion Service will ensure the host schools and LSCs follow Council guidance on support pupils with LGBTQ+ community.

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?
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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/Income Poverty <i>(cannot afford to maintain regular payments such as bills, food, clothing, transport etc.)</i></p>	<p>Neutral</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. <p>A disadvantage could potentially include additional travel for some pupils. However, transport would be provided in line with the Council's Learner Travel Policy and placement made in the nearest and most appropriate specialist setting. If placed within a LSC pupils may be required to travel out of catchment although Access & Inclusion will endeavour to place pupils in the nearest appropriate LSC to their home address. ITU also have a Gatekeeping process to consider requests for transport that fall outside of the policy where it is felt that</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.

		it would be reasonable for parents to provide home school transport.	
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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>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>Neutral</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 need. • 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 have 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. <p>A disadvantage could potentially include additional travel for some pupils. However, transport would be provided in line with the Council's Learner Travel Policy and placement made in the nearest and most appropriate specialist setting. If placed within a LSC pupils may be</p>	<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.

		required to travel out of catchment although Access & Inclusion will endeavour to place pupils in the nearest appropriate LSC to their home address.	
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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>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. • 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. • Compliance with a core aim of ALNET Act to create a bilingual ALN system. • The new LSC provision will be hosted by schools that have the 	<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.

		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>Negative</p>	<p>The LSCs 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> <p>If placed within a LSC pupils may be required to travel out of catchment although Access & Inclusion will endeavour to place pupils in the nearest appropriate LSC to their home address.</p> <p>Significant emphasis has been raised in relation to the perceived advantages of one community to another. All schools are required within the new Curriculum for Wales to develop their individual curriculum building on the opportunities available in the school's locality. Due to this requirement each curriculum will be unique to each setting but there is an expected consistency in the range of learning opportunities and the specialist</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>It must be noted that both LSCs are thriving and as noted above it has been pleasing to receive such positive feedback regarding both provisions during this consultation.</p>

		<p>provision available in LSCs.</p> <p>During the consultation the following question was asked: How will their children continue to have the same opportunities that they enjoy now? Such as weekly library visits, trips to the local shops, time at the organics garden, swimming once a week, horse riding attended through use of private minibus.</p> <p>School Council at Perthcelyn Community Primary School noted that pupils in the LSC could access local resources such as the park, community centre (clubs) and the fields. Perthcelyn has lots of countryside surrounded the school and is located close to the local village. A lot of community activities are available including using the paddling pool and the church.</p>	<p>In line with new curriculum for Wales, the curriculum is designed by the school to build on the opportunities available in the school's locality. This will be unique to each setting but there is an expected consistency in the range of learning opportunities and the specialist provision available in LSCs and beyond.</p>
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<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> <p>ALN to benefit from having the opportunity to be taught in brand new facilities fit for the 21st century.</p> <p>The new host schools will be fully accessible and compliant with the Equality Act 2010. Accommodation will consist of:</p> <ul style="list-style-type: none"> • modern, flexible learning environments for all pupils, a hall/dining area, and a multi-purpose learning resource area; • enhanced outdoor spaces to support the full range of curriculum activities; • traffic management systems including on-site pupil bus drop off, and on-site staff parking. 	<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.
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<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.
	<p>Negative</p>	<p>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. This was raised by School Council at Penrhiwceiber Primary School who felt the children may initially find it 'tricky' to settle as they are not used to it. However, they also noted that the children would be able to make more friends in a new school and should move due to larger space to move around for play.</p>	

		<p>Those affected will be supported by Access & Inclusion during the transition phase. Those staff working in a LSC that is proposed to be relocated will move with the LSC pupils to ensure their expertise is maintained and that the pupils have continuity of staff supporting them.</p> <p>The proposed change in provision has some implications for a small number of pupils (currently 3 pupils) who currently attend an affected LSC but were due to transfer to Abercynon LSC in September 2023. To minimise any potential negative impact upon individual pupils, parents have been provided with the option to move to Abercynon LSC or to remain in Perthcelyn with additional support provided within the current Perthcelyn ASD LSC in September 2023. These arrangements will remain in place until a decision regarding the proposal has been reached, parents have been made fully aware of the implications of the option they have chosen.</p>	
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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.**

Overall no substantial negative impacts have been identified in this equality impact assessment. However, a potential negative impact has been identified in relation to the short term disruption of pupils attending the LSCs proposed to relocate. To mitigate this potential impact, staff working in a LSC that is proposed to be relocated will move with the LSC pupils to ensure their expertise is maintained and that the pupils have continuity of staff supporting them.

- 4.b) **If ways of reducing the impact have been identified but are not possible, please explain why they are not possible.**
The potential negative impact has been mitigated as detailed above.

- 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.**

- Data analysis is based on data derived from the Access & Inclusion data systems and PLASC where appropriate.
- Qualitative reasoning gathered from the Councils Directorate of Education and Inclusion Services 21st Century Schools Team and Access and Inclusion Team and the Council's Corporate Estates Team.

- 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.**

In line with the School Organisation Code detailed cabinet reports, consultation documentation and consultation feedback reports have been written at each stage of the process to support the proposed realignment of LSC provision. All reports clearly identify the need for additional LSC provision and the data rationale behind the proposal. The consultation was undertaken between the 5th June and 14th July 2023 the consultation report will shortly be shared with cabinet and all relevant stakeholders. It is noted that there has been a good response to this statutory consultation process; 127 completed questionnaires, 12 letters/emails and 3 petitions. A further online petition was submitted by the Perthcelyn Community, however it has not been considered as it was received after the deadline. Meetings have been held with all impacted Schools Councils, Governing Bodies and staff. The feedback received has informed amendments to the proposal for Cabinet to consider further. Details can be found in the Consultation Feedback Report.

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

Yes

No

The consultation was undertaken on 5th June 2023 - 14th July 2023.

Face to face meetings were held with the staff, School Councils and Governing Bodies of the special schools across RCT.

A Consultation Response Form has also been available at on the Council's website on the 'Get Involved' page. The Consultation Response Form enabled consultees to indicate if they wished to be notified of the publication of the Consultation Report, once presented to the Council's Cabinet.

Consultees have also been welcomed to put their views, comments, and any questions in writing to:

Director of Education and Inclusion Services
Access & Inclusion Service
Ty Trevithick
Abercynon
CF45 4UQ

Or

E-mail: A&IService@rctcbc.gov.uk

Children and young people have a right to express their views in all matters affecting them and for their views to be heard and considered in accordance with their age and maturity. As such, the Councils Directorate of Education and Inclusion Services Access & Inclusion Service held meetings with the School Councils of all potentially impacted host schools, children and young people will be encouraged to be active participants throughout this process.

A drop in session was arranged so that members of the public could discuss the proposal with Officers from the Councils Directorate of Education and Inclusion Services.

This Equality Impact Assessment was updated following the completion of the consultation to include any necessary feedback.

SECTION 5 – MONITORING AND REVIEW

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

The proposal is made in accordance with the School Organisation Code 2018 (011/2018). Section 2.1 of the School Organisation Code 2018 refers to elements of school organisation that require the publication of proposals, including:

- The opening of a maintained school (including special school).
- The closing of a maintained school (including special school).

The consultation started on 5th June 2023 and completed at 17:00 on 14th July 2023.

Face to face meetings were arranged with the staff, School Councils and Governing Bodies of the host schools across RCT.

A Consultation Response Form was available at on the Council's website on the 'Get Involved' page. The Consultation Response Form enabled consultees to indicate if they wished to be notified of the publication of the Consultation Report, once presented to the Council's Cabinet.

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 have been welcomed to put their views in writing to:

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

Children and young people have a right to express their views in all matters affecting them and for their views to be heard and considered in accordance with their age and maturity. As such, the Councils Directorate of Education and Inclusion Services Access & Inclusion Service held meetings with the School Councils of all potentially impacted host schools, children and young people will be encouraged to be active participants throughout this process.

A drop in session was arranged so that members of the public could discuss the proposal with Officers from the Councils Directorate of Education and Inclusion Services.

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

The Council's Cabinet will consider the Consultation Report and decide, based on the feedback, whether to proceed with the proposal, amend the proposal or not proceed with the proposal. If the Council's Cabinet decides not to proceed, that will be the end of the proposal.

If the Council's Cabinet decide to proceed with the proposal, a Statutory Notice will be published providing a 28 day notice period for objections. The School Standards and Organisation (Wales) Act 2018 requires that anyone wishing to make objections to a school organisation proposal can do so. To be considered as statutory objections, objections **must** be made in writing or by email, and sent to the Council within 28 days of the date on which the Statutory Notice was published.

The Council's Cabinet will consider the outcome of the Statutory Notice at the next available Cabinet meeting and determine the proposal.

If there are objections, the Council's Director of Education and Inclusion Services will publish an Objection Report providing a summary of the objections and the response to them within seven days of the day of the determination of the proposal.

If the Council's Cabinet approve the proposal, it will be implemented in accordance with the date stated in the Statutory Notice or any subsequently modified date. In the case of the proposal, the implementation date will be no later than the 2026 academic year.

5.c) **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.

5.d) **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
<ul style="list-style-type: none"> • In general, the Impact Assessment could be strengthened by using the information contained within the consultation report as there is a wealth of information from Estyn, School Council etc to make it more robust and demonstrate due regard. • Disability section – requires more information given the nature of the proposal as ASD counts as disability under the Equality Act. • Page 125 – Transition plans and mitigation to be included; • Page 141 – Transition comments from teachers could be included. • Disability section – It notes that individuals may experience uncertainty for a period of time but this could be more specific and there is an opportunity for more clarity as to why it is both a positive and a negative i.e. is one long term, etc. 	<p>5th September 2023</p>	<p>Review Panel Comments have been noted and actioned as appropriate.</p> <p>Narrative from the Consultation Feedback Report has been included within the assessment including pupils’ comments where appropriate.</p> <p>Review Panel comments regarding transport have been noted but as agreed in the panel discussions pupils will not be disadvantaged as the home to school transport policy will be applied equitably. However, the assessment has been strengthened by including reference to the Gatekeeping process undertaken by ITU.</p>

<ul style="list-style-type: none"> • Socio-economic – more data from the consultation would make it more robust (location and transport need to be addressed). • Pages 125-127 - Area deprivation – There’s several comments in respect of the move to Abercynon – include 125/126/127 mitigations and the opportunities for children – Estyn comments 133 could be added. • Pages 127 and 141 - Pupil comments to be included to show you’ve engaged. • Good use of the Welsh Index for Multiple Deprivation within the socio-economic section. • Area Deprivation section - Transport has been flagged but is there a need to be more specific on numbers and if there’s a financial detriment to families as parents have raised this in the consultation? Opportunity to state that parents aren’t losing out financially, that it is consistent with mainstream pupils and in line with existing home to school policy. • Section 4B has merged with 4A - HD to send LC/CJ a clean copy of an EIA to ensure the correct format is used; • Section 4C needs to be clear with the amount of engagement undertaken. • Section 6 needs to be updated to demonstrate that a number of potential negatives and mitigations have been put in place. 		
Consultation Comments	Date Considered	Brief description of any amendments made following consultation
No comments have been received during the LSC consultation process regarding this assessment.	5 th June – 14 th July	

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 mitigations have been provided for any potential negative impacts upon pupils with 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: Ceri Jones

Position: Head of Inclusion Services

Date: 19th April 2023

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