

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	People		
Service Area:	Education and Skills		
Name of the proposal :	The SEND Capital Plan		
Lead officer:	Maxine Squire		
Date assessment completed:			
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Claire McCormick	Planning and Policy Officer	CYC	Capital project management
Alison Kelly	Planning and Policy Officer	CYC	Capital project management
Sarah Moir	School Place Planning Officer	CYC	Sufficiency planning
Lynne Johns	Specialist Teaching Team Manager		Education provision for SEND
Dan Bodey	School Inclusion Adviser		Education provision for SEND
Mike Barugh	Principal Accountant for Children and Education	CYC	High needs finance

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.
	To complete a range of capital projects in school buildings to create more appropriate school places for children and young people with special educational needs and disabilities.
1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	The 1996 Education Act, the 2014 Children and Families Act and 2015 SEND code of practice.
1.3	Who are the stakeholders and what are their interests? Children and young people, parents and carers
1.4	What results/outcomes do we want to achieve and for whom? This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.

Step 2 – Gathering the information and feedback

2.1	What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.	
	Source of data/supporting evidence	Reason for using
	The Inclusion Review consultation	This was a city -wide consultation involving children and young people, parents and carers and professionals
	SEND sufficiency data	Provides evidence about the sufficiency of in-city provision and the future demographic trends

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.	
	Gaps in data or knowledge	Action to deal with this
	It is difficult to accurately predict the number of new Education, health and care plans and also parental preference	We are examining existing trends data and also taking action to further develop the graduated response to better support inclusion in mainstream settings and schools.

Step 4 – Analysing the impacts or effects.

4.1	<p>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.</p>		
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	The proposed capital projects will develop provision across the age range from early years to post 16	+	H
Disability	The projects will improve the accessibility and inclusivity of provision in each of the school capital projects	+	H
Gender			
Gender Reassignment			
Marriage and civil partnership			
Pregnancy and maternity			
Race			
Religion and belief			
Sexual orientation			

Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer			
Low income groups			
Veterans, Armed Forces Community			
Other			
Impact on human rights:			
List any human rights impacted.	The capital projects support the right to education for children and young people with SEND	+	H

Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a **POSITIVE** impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a **NEGATIVE** impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a **NEUTRAL** effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p>High impact (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p>Medium impact (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p>Low impact (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
Each of the capital projects have been designed to improve the access to suitable school places for children and young people with SEND. The proposals to develop additional enhanced resource provision has been supported by feedback gained through the Inclusion Review consultation.	

Step 6 – Recommendations and conclusions of the assessment

6.1	Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:
- No major change to the proposal – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.	

- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	Conclusions/justification
No major change to the proposal	The proposed capital works will deliver the aim of developing additional suitable in-city education provision for children and young people with SEND.

Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale

Step 8 - Monitor, review and improve

8. 1	How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	The delivery of each project will be subject to a fully monitored project plan.