

Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated May 2015)

Welburn Residential Proposals

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	Inclusion - CYPS
Lead Officer and contact details	Jane Le Sage, AD Inclusion
Names and roles of other people involved in carrying out the EIA	Sarah-Jane Hill, SEND Strategic Plan Implementation Officer Chris Reynolds, Head of SEND Provision and Resources
How will you pay due regard? e.g. working group, individual officer	Working Group
When did the due regard process start?	July 2021

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

It is proposed to change the existing post 16 residential offer at Welburn Hall school so that it is open to Welburn's full designated age range from September 2022.

Residential places would continue to be allocated based on the educational, health and social care needs of individual children and young people described in their EHCPs and as set out in the LA agreed criteria.

It is expected that this would result in a number of residential places for children and young people with some of the most complex and care led needs.

Day pupils at Welburn Hall school would no longer automatically receive a residential placement as part of the post 16 provision, however residential provision will remain for individuals who require this as a result of the needs and provision detailed in their EHCP.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

The LA has a statutory responsibility under the Children and Families Act 2014 to keep its special educational provision under review, to ensure sufficiency in placements to meet the needs of children and young people with special educational needs and/or disabilities (SEND), working with parents/carers, young people and providers.

Our vision is for all children and young people with SEND in North Yorkshire:

- To have the best educational opportunities so that they achieve the best outcomes.
- To be able to attend a school or provision locally, as close to their home as possible, where they can make friends and be part of their local community.
- To make progress with learning, have good social and emotional health, and to prepare them for a fulfilling adult life.

The number of children requiring the current maintained residential offer is declining, and is forecast to continue to fall, and will therefore present a viability issue within the next 3 years. In addition to the 53 residential places commissioned from the two maintained schools a further 26 young people have residential placement in either an independent or out of county setting.

Independent and out of county placements account for almost a third of all residential placements at a cost of £4,673,943 per year. These costs are funded from High Needs Block for educational needs and from Children and Families or Health and Social Care for the care elements.

Section 3. What will change? What will be different for customers and/or staff?

Currently the LA commissions seventy day places at Welburn Hall school of which 24 FTE access four-night boarding provision. All boarding provision is currently for post 16 students, supporting the school's Preparing for Adulthood offer. Criteria for residential placement was updated in 2017, however since that time this has not been applied consistently, with a residential offer continuing to follow the historical model of being the accepted pathway for CYP entering post 16 provision at Welburn regardless of need.

Currently, children and young people who are pre 16 with AS / SLD and require residential provision to meet their needs are placed in independent or out of county settings due to a

lack of any suitable LA provision in North Yorkshire. This is often a significant distance from their home.

Under the new proposals the following differences will be seen from the current model:

- age range of the children and young people will move from post 16 to the full age range with the school's designation, 8-19.
- Children and young people who are under 16 with complex needs requiring residential provision will be able to be educated closer to their family and community.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

Key stakeholders have been involved in the development of the proposal and have included:
 NYCC Health and Adult Social Care
 NYCC Children and families service, including Disabled Children's Service
 Welburn Hall School Leadership team and Governors

Feedback from all stakeholders involved to this point has been positive and in support of the proposed change in order to better support the CYP with complex needs and their families that this change will benefit.

Under section 27 of the Children & Families Act 2014 public consultation with all stakeholders will be required. This is proposed to take place over at least 7 weeks and will give all stakeholders and residents of North Yorkshire the opportunity to respond in a variety of ways. Details of the consultation, subject to approval, will be published on the North Yorkshire County Council website and will follow the agreed procedure.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

This proposal will reduce costs across council budgets. By having a maintained offer for children and young people with Autism and learning difficulties who have an assessed need for residential school placement there will be a more cost effective option than the current independent and out of county placements which need to be used.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age		✓		The new proposal will be open to a wider age range meaning that a child's age will no longer be a barrier to accessing a residential placement if this is needed.
Disability		✓		The new proposal increases the local authority's residential offer for children and young people with disabilities. Children with the most complex needs will be able to be educated closer to their homes.
Sex	✓			It is anticipated there would be no identifiable impact on SEND pupils as the school and residential offer is co-educational.

Race	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their race.
Gender reassignment	✓			It is anticipated there would be no identifiable impact on SEND pupils due to gender reassignment.
Sexual orientation	✓			It is anticipated there would be no identifiable impact on SEND pupils due to sexual orientation
Religion or belief	✓			It is anticipated there would be no identifiable impact on SEND pupils due to religion or beliefs.
Pregnancy or maternity	✓			It is anticipated there would be no identifiable impact on SEND pupils due to pregnancy or maternity.
Marriage or civil partnership	✓			It is anticipated there would be no identifiable impact on SEND pupils due to marriage or civil partnership.

Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Live in a rural area?	✓			It is anticipated there would be no identifiable impact on SEND pupils due to living in a rural area.
...have a low income?	✓			It is anticipated there would be no identifiable impact

Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.

This proposal is likely to make things **better** for younger children with SEND as there will be a maintained residential offer which may enable them to remain closer to their families and allow them to be educated in their local community. This is currently not an option for children under 16 with primary assessed needs of ASD and learning difficulties.

Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	✓
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons	

for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
Explanation of why option has been chosen. (Include any advice given by Legal Services.)	
No adverse impact has been identified. Positive impacts on particular groups and council budgets have been identified and outlined above.	

Section 10. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)
Number of placements at Welburn Hall will be monitored alongside number of placements for children and young people with similar needs being placed in out of county or independent settings. Feedback will be sought from parents / carers of children and young people with SEND to determine lived experience impact. This is likely to be through EHCP annual reviews and ongoing engagement with North Yorkshire Parent Carer Voice.

Section 11. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.				
Action	Lead	By when	Progress	Monitoring arrangements
Post Implementation Review	Head of SEND Strategic Planning	Sept 2024		Via SEND Programme Board

Section 12. Summary
In carrying out this EIA no adverse impact has been identified. This proposal is likely to make things better for younger children with SEND as there will be a maintained residential offer which may enable them to remain closer to their families and allow them to be educated in their local community. This is currently not an option for children under 16 with primary assessed needs of ASD and learning difficulties. This proposal will reduce costs across council budgets. By having a maintained offer for children and young people with Autism and learning difficulties who have an assessed need for residential school placement there will be a more cost effective option than the current independent and out of county placements which need to be used. Key stakeholders have been involved in the development of the proposal and have included: NYCC Health and Adult Social Care NYCC Children and families service, including Disabled Children’s Service Welburn Hall School Leadership team and Governors Under section 27 of the Children & Families Act 2014 public consultation with all stakeholders will be required. This is proposed to take place over at least 7 weeks and will give all stakeholders and residents of North Yorkshire the opportunity to respond in a variety of ways.

Section 13. Sign off section
This full EIA was completed by:

Name: Sarah-Jane Hill
Job title: SEND Strategic Plan Implementation Officer
Directorate: Inclusion
Signature:

Completion date: 23.07.2021

Reviewed: 25.02.2022

Authorised by relevant Assistant Director (signature):

Date: