



Equality Impact Assessment Record Form 2012-16

This form is to be used for recording the Equality Impact Assessment (EIA) of Council activities. It should be used in conjunction with the guidance on carrying out EIA in **Annex 2** of the Equality Scheme. The activities that may be subject to EIA are set out in the guidance.

EIA is particularly important in supporting the Council to make fair decisions. The Public Sector Equality Duty requires the Council to have regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations.

Using this form will help Council officers to carry out EIA in an effective and transparent way and provide decision-makers with full information on the potential impact of their decisions. The purpose is to avoid inadvertent disadvantage or discrimination resulting from decisions.

EIA is not a fixed process – it will vary according to the scale and type of activity. The form and guidance are designed to cover all eventualities. Officers should not be discouraged by the form, but should use their discretion in using it flexibly according to the activity they are assessing.

EIA does not happen at a single point in time. It is an ongoing and integral part of the development of the activity or proposal. This EIA template should be kept open and live as a planning document, and updated as the activity or proposal progresses.

Section 1 – Service Details and Summary of EIA Activity

Title of activity:	Accessibility Strategy – Education
Lead Officer responsible for this EIA:	Eleanor Marshall, School Forum Officer
Telephone:	01325 405902
Service Group:	Education
Service or Team:	Children, Families and Learning
Assistant Director accountable for this EIA	Steve Nyakatawa
Who else will be involved in carrying out the EIA:	

What stage has the EIA reached?

This table provides a ‘cover note’ of progress to be maintained as the EIA is developed over time.

Stage categories 1-3 listed below refer to the funnel model. Note the stage reached and any consultation or engagement carried out. Simple activities may not need all these stages. Provide details of population/individuals affected in Section 2

Stage	Date	Summary of position
Stage 1: Initial Officer Assessment. Whole Population likely to be affected identified	17/11/16	<i>Completed data gathering and analysis in relation to schools for which the Strategy applies.</i>
Stage 2: Further Assessment. Target Population likely to be affected identified	28/11/16	<i>Identified specific target population within schools by means of SEND data. Identified target groups to consult.</i>
Stage 3: Further Assessment. Individuals likely to be affected identified		<i>To be advised at consultation phase (mid-Dec-early Feb)</i>
Stage 4: Analysis of Findings		To be concluded by end February 2017.
Stage 5: Sign-Off		3 rd March 2017 – Director deadline.

Stage 6: Reporting and Action Planning		Following Cabinet approval, 4 th April. Initial implementation May/June 2017. Annual monitoring and review every 3 years of strategy.
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Section 2 – The Activity and Supporting Information

Details of the activity (including the main purpose and aims)

As set out in the Equality Act, Schedule 10, this activity relates to the need for Darlington Borough Council to set out in an Accessibility Strategy how it will work with maintained schools (including nurseries and the pupil referral unit) to:

- Increase the extent to which disabled children and young people can participate in the schools' curriculum;
- Improve the physical environment of schools
- Improve delivery of information to children and young people with disabilities and/or learning difficulties

Under the same Act, schools are required to publish an SEN Information Report and an Accessibility Plan, and schools should link their Accessibility Plans to the SEN Information Report or to include the Plan within the report.

Darlington Borough Council is committed to ensuring that the Council meets and, where practicable, exceeds its requirements under Schedule 10 of the Equality Act 2010. The main duties of Schedule 10 of the Equality Act are:

- The duty to not treat disabled pupils less favourably; and
- The reasonable adjustments duty – to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage.

The previous Accessibility Strategy (2009) was reviewed by the (as was) SEN Inclusion team and the team worked with schools to promote and reward good practice in schools through an Inclusion Award. Schools were required to take account of the Local Authority's Inclusion Policy and Access Strategy, and training and support was available for schools by the service.

The Council has therefore researched and developed a revised Accessibility Strategy to replace the out of date Strategy. Due to academisation, the role of the Local Authority in supporting schools changed significantly and the SEN Inclusion team was removed from the schools support services hence the services set out above are no longer available for schools. However, the Strategy aims to set out the best practice for its maintained schools and settings in order to comply with the same legislation. The Strategy will contain an Accessibility Plan template for schools to use and within current resources proposes that training be available to maintained schools in order for them to review their existing Accessibility Plans by unpacking the three key areas as above. The LA as good practice recommends that schools own Accessibility Plan's are a separate document which is therefore more readily accessed and understood.

Who will be affected by the activity?

See the guidance on carrying out equality impact assessment within the Equality Scheme 2012-16. Provide details of the groups and numbers of people affected below, updating the table as the EIA develops and the understanding of who will be affected emerges in more detail.

Whole population

All schools have the duty to support children and young people with disabilities and make reasonable adjustments.

School Census (Autumn 2016) figures reveal that there are **16,770 children on roll in Darlington Schools and settings (including nurseries).**

Around 2,500 (2.7%) of children in Darlington receive SEN Support or have an Education, Health and Care Plan (EHCP) or Statement of Special Educational Need (Statement).

The most recent figures available due to Census data collections (Spring Term 2016) show that :

Children with EHCP or Statement – 427
 Children receiving SEN Support – 2,073

The total population of children/young people in Darlington who have SEND registered primary needs are:

ASD	237	Other	27
Social, Emotional and Mental Health (SEMH)	493	Physical Disability	101
Hearing Impairment	50	Profound and multiple learning difficulty	32
Moderate Learning Difficulty	592	Speech, language and communication needs (SLCN)	537
Multi-Sensory Impairment	21	Severe Learning Difficulty	38
SEN support but no specialist assessment (NSA)	48	Specific learning difficulty	289
Visual Impairment	35		

Source: Darlington Joint Strategic Needs Analysis

Target population

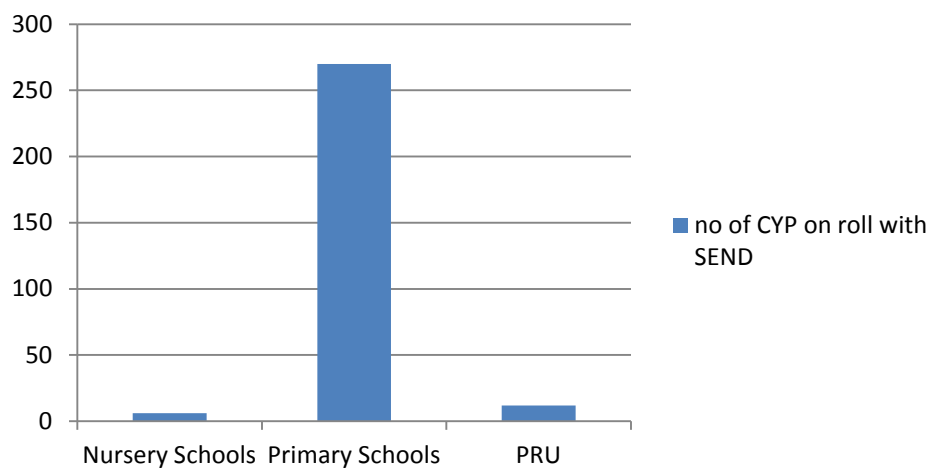
This EIA applies to the Accessibility Strategy for maintained schools and settings. It does not apply to Academies for which owners/governing bodies must produce their own Accessibility Strategy as required by the Equality Act 2010.

School Census (Autumn 2016) figures reveal that there are **1,998 number of children on roll at maintained schools and settings.**

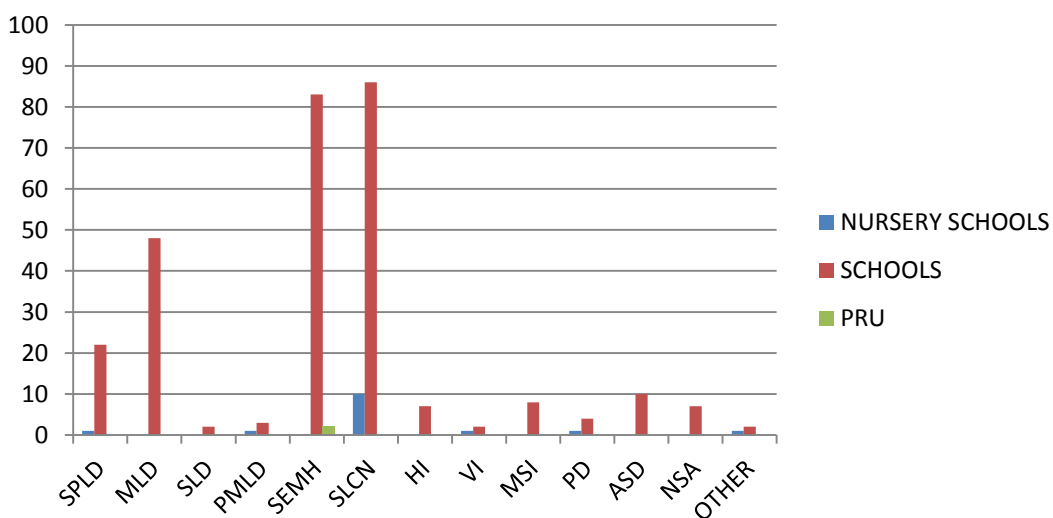
14.4% of the total number of children/young people in maintained settings have a Special Educational need or disability. This is presented below:

(NB 2017 data will be collected in January 2017 but not available until March 2017)

no of CYP on roll with SEND



The most recent figures available for the number of children/young people by primary need due to Census data collections (Spring Term 2016) is presented below :



The largest area of need is in speech, language and communication, in schools and nurseries, followed by social, emotional and mental health. The 5% attending the Pupil Referral Unit primary need is social, emotional and mental health.

Individuals

Children and young people affected by this strategy will be in school and subject to the nature of their disability or special education need, likely to require schools to make adjustments in respect to:

- Access to the curriculum
- Access to the physical environment
- Delivery of information

What data, research and other evidence or information is available which is relevant to the EIA?

The Equality Act sets out the requirements not to treat disabled pupils less favourably and the reasonable adjustments duty – to take reasonable steps to avoid putting disabled pupils/students at a substantial disadvantage:

Darlington's Children and Young People's Plan (CYPP) 2014-2017 is a key document which covers, in one place, the single strategic vision for all young people aged 0-25. The plan is currently under review. The plan states that standards in education attainment have improved from an already good level to some of the best in the country. Darlington has, on occasion, topped national league tables in a number of indicators since 2008. Attendance at school in the Reception year is higher than the national average. Educational attainment of looked after children, children from Black and ethnic minority communities, children with disabilities and those in receipt of free school meals are improving and generally closing the gap between them and their peers. However, some teaching is still not yet graded as good or better, too few young people stay in education or training beyond the age of 17, children witness too much domestic abuse, there are a growing number of children living in poverty and some young people are in less than adequate accommodation post 16. Teenage pregnancy rates, though falling, are still higher than the national average. Hospital admissions for self-harm and for non-accidental injury are too high.

Children's and Young Peoples Plan – external link (<http://www.darlington.gov.uk/education-and-learning/>)

Darlington's Health and Wellbeing Strategy focuses on wellbeing in its widest sense and identifies a broad spectrum of issues and priorities for action on health, the environment, the economy and civil society. It sets out the outcomes we want for our community and seeks to support health, happiness and fulfilment as a citizen of Darlington. The strategy provides a framework for action by the whole community and sets out these priorities – external link (<http://www.darlington.gov.uk/your-council/democracy/committees-meetings-and-involvement/other-committees-and-boards/health-and-well-being-board>)

Approximately 22,800 children and young people under the age of 18 years live in Darlington. This is 22% of the total population in the area.

Approximately 19% of the children in Darlington are living in poverty. The proportion of children entitled to free school meals:

- in nursery and primary schools is 20% (the national average is 17%)
- in secondary schools is 17% (the national average is 15%).

CYP from minority ethnic groups account for 11% of all children living in the area, compared with 29% in the country as a whole (Schools, pupils and their characteristics, Jan 2015 ONS data). The largest minority ethnic groups of children and young people in the area are Asian and mixed. Darlington has higher numbers of Gypsy or Roma travellers than the wider UK with approximately twice the national average.

The proportion of children and young people with English as an additional language:

- in primary schools is 4% (the national average is 18%)
- in secondary schools is 3% (the national average is 14%) (2013 data)

Check: before proceeding to the officer assessment, have you obtained all the data and information that is currently available?

Section 3: Officer Assessment

Use this table to record your views on potential impact on Protected Characteristics. As the activity and the assessment develop your views may change – record them here.

It is important to be searching and honest about this – many Council activities are planned to be of positive benefit to identified target groups but can often have the potential for inadvertent effects on other groups.

Protected Characteristics	Potential Impact Positive/Negative/ Not Applicable			Potential level of impact				Summary of Impact
	P	N	N/A	H	M	L		
Age	P					/		All children with disabilities, no matter what their age, will positively benefit from application of the strategy.
Race			N/A			/		We have not identified any specific impact in respect of this protected characteristic.
Sex			N/A			/		We have not identified any specific impact in respect of this protected characteristic.
Gender Reassignment	P				/			Schools have the duty to make reasonable adjustments for personal use of physical environment (eg toileting, changing etc)
Disability (summary of detail on next page)	P			/				This strategy will have a positive impact on all children with disabilities as it sets out schools duty not to treat disabled pupils less favourably and to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage.
Religion or belief			N/A			/		We have not identified any specific impact in respect of this protected characteristic.

Sexual Orientation			N/A			/		We have not identified any specific impact in respect of this protected characteristic.
Pregnancy or maternity			N/A			/		We have not identified any specific impact in respect of this protected characteristic.
Marriage/ Civil Partnership			N/A				N/A	We have not identified any specific impact in respect of this protected characteristic.

Section 3: Officer Assessment – continued

The Council must have due regard to disabled people’s impairments when making decisions about ‘activities’. This list is provided only as a starting point to assist officers with the assessment process. It is important to remember that people with similar impairments may in reality experience completely different impacts. Consider the potential impacts and summarise in the Disability section on the previous page. Officers should consider how the ‘activity’ may affect a disabled person.

	Potential Impact Positive/Negative/ Not Applicable			Potential level of impact			
	P	N	N/A	H	M	L	
Mobility Impairment	P			/			This strategy will have a positive impact on all children with disabilities as it sets out schools duty not to treat disabled pupils less favourably and to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage.
Visual impairment	P			/			This strategy will have a positive impact on all children with disabilities as it sets out schools duty not to treat disabled pupils less favourably and to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage.
Hearing impairment	P			/			This strategy will have a positive impact on all children with disabilities as it sets out schools duty not to treat disabled pupils less favourably and to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage.
Learning Disability	P			/			This strategy will have a positive impact on all children with disabilities as it sets out schools duty not to treat disabled pupils less favourably and to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage.

Mental Health	P				/		This strategy will have a positive impact on all children with disabilities as it sets out schools duty not to treat pupils less favourably and to take reasonable steps to avoid putting pupils at a substantial disadvantage.
Long Term Limiting Illness	P				/		This strategy will have a positive impact on all children with disabilities as it sets out schools duty not to treat pupils less favourably and to take reasonable steps to avoid putting pupils at a substantial disadvantage.
Multiple Impairments	P				/		This strategy will have a positive impact on all children with disabilities as it sets out schools duty not to treat pupils less favourably and to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage.
Other - Specify							

Cumulative Impacts	
<p>The officer responsible for this EIA should seek input from the Corporate Equalities Group on the potential for this activity to combine with other recent, current or proposed activities, both Council and in the external environment, to result in more severe impacts on people with Protected Characteristics through their cumulative effects. The Corporate Equalities Group will advise on the content for this section of the EIA.</p>	
Change activities	Potential cumulative impacts
<p>The 'One Darlington Perfectly Placed' SEND 0-25 Inclusion and Commissioning Strategy is currently being developed.</p>	<p>The Strategy sets out Darlington's response to the SEND reforms in the Children and Families Act 2014 which provides an opportunity to improve our support for CYP with SEND and their families, and to develop provision to meet their needs. The Strategy aims to review services and further develop partnerships in Darlington to deliver the SEND reforms. The Strategy makes reference to the Accessibility Strategy as a key means for Schools to make reasonable adjustments and meet their obligations under the Equality Act 2010.</p>

Section 4: Engagement Decision

The decision about who to engage with, and how and when to engage, is the key to effective EIA. Please see Annex 2 of the Equality Scheme for guidance on the engagement decision.

Is engagement with affected people with Protected Characteristics required, now or during the further development of the activity?	Yes
If YES, proceed to the next section. If NO, briefly summarise below the reasons why you have reached this conclusion.	
Engagement is primarily with schools, however, we have offered engagement opportunities in various ways – through meeting parents/carers and Children/young people with schools, and meeting parents/carers and children/young people through forums set up to do so.	

If you have come to the conclusion that engagement is not required, seek ratification from the Corporate Equalities Group through your service Equalities Co-ordinator.

If engagement is not required but the officer assessment has identified changes that should be made to the activity, please complete Sections 7 and 8. If not the assessment can be signed-off at Section 9.

Any reports to decision-makers during the development of the activity, for example feasibility or options appraisal reports, should include content on the latest thinking and findings of the EIA even though, like the activity, further development of the EIA may be required before final reporting.

The findings of the officer assessment should be included in any reports to decision-makers. These may be feasibility or options appraisal reports where the activity is at an early stage of development, but it is essential that any equality findings are taken into account in formal decisions at all stages of development of the activity.

Section 5 – Involvement and Engagement Planning

Has the assessment shown that the activity will treat any groups of people with Protected Characteristics differently from other people?

Yes – the activities that schools will plan for in order to support children and young people with disabilities will contribute positively by providing specialist help where possible to identify ways forward in increasing the inclusion of all the groups with protected characteristics in school.

Will the differential treatment advance equality for people with Protected Characteristics?

Yes schools will respond to disabled children and young people's diverse learning needs and overcome potential and perceived barriers to learning and assessment for all the groups with protected characteristics in school.

Will the differential treatment cause or increase disadvantage for people with Protected Characteristics?

By improving the physical environment of schools, improving delivery of information to parents/carers and pupils, and through increasing participation in the school curriculum, according to the need of the child/young person, this will address any inequalities for pupils with protected characteristics and thus will not create or increase disadvantage.

From the above, prepare a simple plan using the template overleaf for involving and engaging with the organisations, groups and individuals likely to be affected by the activity.

There may be several stages of involvement and engagement, particularly for more complex activities. Initially it may be possible to identify and engage only with stakeholder and representative organisations for the people with Protected Characteristics who may be affected. Further development of the activity may be required before the individuals who will be affected can be identified.

The Involvement and Engagement Plan should evolve accordingly, with new engagement proposals added as they are identified.

Involvement and Engagement Plan

Which organisations, groups and individuals do you need to involve or engage and how?

Date of plan entry	Organisation, Group or Individuals	Date of event or activity	Type of activity – venue, channels, method and staffing
1/11/16	Darlington Association on Disability Gordon Pybus – Chairman	Email Request meeting	To introduce activity.
3/11/16	Darlington Association on Disability Gordon Pybus – Chairman	3 rd November 2016	Meeting – to share draft strategy prior to formal consultation
November 2016	DAD Parent/Carer Forum	Emails to DAD Tracy Roberts and Carla Garraway 1/11/16; 10/11/16; 15/11/16; 17/11/16	Offer of: Meeting and on-line questionnaire Drop-in appointments
November 2016	DAD Young Leaders	Emails to DAD Tracy Roberts and Carla Garraway 1/11/16; 10/11/16; 15/11/16; 17/11/16	Offer of: Meeting and on-line questionnaire Drop-in appointments
November 2016	Youth MP/other forums as appropriate	Offer of : Meeting and On-line Questionnaire	Emails to Andy Whittam, Participation officer, Looked After Through Care team. 1/11/16; 10/11/16; 17/11/16

	Darlington Care Crew	Drop-in Appointments Meeting	30 th January 2017
October 2016 – February 2017	All Schools including Diocesan Authorities	Autumn Term 2016 15/12/16 Dec 2016/Jan 2017 27 th January 2017 and 2 nd February 2017 12 th January 2017	Governing Body Briefing Paper Letter and On-line Questionnaire (closing date 3 rd February) 11-19 Executive Meeting and Primary Forum Drop-in appointments School Forum

Engagement to identify impacts works best in face-to-face and small group settings

Section 6: Engagement Findings

	Date/summary of engagement carried out	Summary of impacts identified
Age		
Disability		
– Mobility Impairment		
– Visual impairment		
– Hearing impairment		
– Learning Disability		
– Mental Health		
– Long Term Limiting Illness		
– Multiple Impairments		
– Other - Specify		
Race		
Sex		
Gender Reassignment		
Religion or belief		
Sexual Orientation		
Pregnancy or maternity		
Marriage / Civil Partnership		

Drawing on the engagement findings and your understanding of the effects of the activity, indicate how it will contribute, if at all, to the three strands of the Public Sector Equality Duty.

a) How will the proposal help to eliminate discrimination, harassment and victimisation?
b) How will the proposal help to advance equality of opportunity?
c) How will the proposal help to foster good relations?

During the engagement process were there any suggestions on how to avoid, minimise or mitigate any negative impacts? If so, please give details.

This completes the assessment, but there will be further work to do to contribute to the reporting and implementation stages of the activity. First though, it is important to draw a line under the assessment to maintain a separation between assessment of impacts and any proposals to manage those impacts. The assessment should therefore be signed-off at this stage.

Section 7 - Sign-off when assessment is completed

Officer Completing the Form:		
Signed:	Name:	
	Date:	
	Job Title:	
Assistant Director:		
Signed:	Name:	Jane Kochanowski
	Date:	
	Service:	Children's Services

Section 8 – Reporting of Findings and Recommendations to Decision Makers

The findings of the EIA may be reported to decision-makers at several stages during the development of an activity. For example, the initial officer assessment findings may be included in a feasibility report or options appraisal to be considered by the Transformation Board or Chief Officers' Executive.

Any report for formal decisions by Cabinet or Council should include the latest findings of the EIA, even if these are at a relatively early stage. The report recommending final approval of the activity should await and include the findings of the completed EIA. The report should present clearly the impacts that have been identified through the engagement process, including potential cumulative impacts.

The report may include recommendations based on the findings of the EIA, but these should be separate from the reporting of impacts. Recommendations will be developed separately from the EIA and arise from considering equalities impacts combined with other aspects of the activity such as finance, the benefits of the activity, and so on.

Based on the EIA findings, the report may consider the options in the table below, but the report must contain a clear statement of the impacts so that decision-makers can understand the effects of the decision that is being recommended.

What does the review of the information show?	
a)	No negative impact on people because of their Protected Characteristics - continue with the activity and monitor progress on implementation
b)	Negative impact identified – recommend continuing with the activity; clearly specify the people affected and the impacts, and providing reasons and supporting evidence for the decision to continue
c)	Negative impact identified - adjust the activity in light of the identified impact to avoid, minimise or mitigate the impact

d) Negative impact identified - stop activity and provide an explanation why

Section 9 – Action Plan and Performance Management

The report to decision-makers, and the decision made may require actions to be taken to avoid, minimise or mitigate the negative impacts of the activity. Option C in the table in Section 8, combined with mitigation measures that may have been highlighted during engagement and listed in Section 6 (if adopted) will require action planning to implement them.

Any actions to address equalities impacts should be listed below, with performance management review proposals, to complete the full EIA.

What is the negative impact?	Actions required to reduce/eliminate the negative impact (if applicable)	Who will lead on action	Target completion date

Performance Management	
Date of the next review of the EIA?	
How often will the EIA action plan be reviewed?	
Who will carry out this review?	