

Equality Impact Assessment:

Purpose of the Equality Impact Assessment:

The Equality Act 2010 introduced a Public Sector Equality Duty (PSED) requiring public bodies to give due regard to the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity
- Foster good relations

Consideration must be given to the protected characteristics covered by the Equality Act. Assessments should 'consider relevant evidence relating to persons with protected characteristics in relation to assessments of impact'.

The purpose of an Equality Impact Assessment (EQIA) is to ensure that policies, functions, plans or decisions (hereafter referred to as 'policy') do not create unnecessary barriers for people protected under the Act. Where negative impacts are identified these should be eliminated or minimised, and opportunities for positive impact should be maximised.

Screening is a short exercise to determine if a policy is relevant to equality and whether a full equality impact assessment (EQIA) should be carried out.

Title/description of the policy	Care and Learning Service - ASN Redesign/Transformational Change
Name of the person(s) carrying out the assessment?	Bernadette Cairns/James Vance
Service and Department	Care and Learning – ASN Service
Date of assessment	26/11/18 Updated 7 February 2019 following further work
What are the aims and objectives of the policy/function/strategy?	
<p>The changes are proposed as a means of meeting several pressures and priorities in Highland currently:</p> <ul style="list-style-type: none"> • The drive for a more inclusive approach to supporting children and young people in mainstream schools, using staff resources to enable this, allowing the resources to be allocated to pupils with the highest needs • The need to support the development of a more skilled front-line staff group, both class teachers and ASN specialist staff • To reduce the inconsistency in support provided and to ensure support is based on best practice guidance • To ensure equity of resource for the three special schools in Highland, to address the annual overspend in these schools • To take into account the pressures identified in relation to ASN in early years as we move towards the provision of 1140 hours • To ensure collaboration across services in meeting need, making best 	

<p>use of the resources available from a wide range of services</p> <ul style="list-style-type: none"> • To streamline and improve the process of allocating and managing any additional resource. • To moderate assessment of need across the Highlands. 	
Who may be affected by the policy	<ul style="list-style-type: none"> • ASN staff, including managers, officers, teachers and PSAs. • School staff, including Headteachers and class teachers. • Families and young people.
How have stakeholders been involved in the development of the policy?	<ul style="list-style-type: none"> • Discussion with parents and staff in a variety of roles through the ASN Review and ASN Redesign processes to inform the recommendations. • Consultation was conducted face to face by the Chief Executive, the Budget Leader and the Interim Director. • Online consultation by Highland Council asking views on budget priorities.
<i>Which parts of the public sector duty is the policy relevant to?</i>	
1. Eliminate unlawful discrimination	X Ensure all children and young people with ASN have their needs considered and addressed in relation to education policy and practice.
2. Advance equality	X Focus on inclusion by skilling up staff in schools and early years establishments to support their understanding of ASN and how to better support children/young people.
3. Promote good relations	X Ensure children and young people with ASN are educated alongside their peers.

Screening: Which of the protected characteristics is the policy relevant to?
Tick and briefly describe any likely equalities impact (positive/negative/neutral).

Characteristic	Positive	Negative	Neutral	comments
Gender (pupils)			X	All pupils, no matter their gender, will be affected equally by the proposed changes.
Gender (staff)		X		Any reductions in staff will largely impact on females as this is the gender of the majority of ASN staff.
Age (staff)			X	There are no specific implications for staff in any particular age group.

Disability (pupils)		X		Any reduction in ASN staffing and specialist teams may mean a change in the type of support provided to pupils with a range of disabilities.
Religion or Belief		X		There is a possibility of reduced support provided to Syrian New Scots (refugees) and also pupils from gypsy/traveller families.
Race		X		There is a possibility of reduced support provided to Syrian New Scots (refugees) and also pupils from gypsy/traveller families.
Sexual Orientation		X		There is potential that some pupils from particular groups may be more impacted by any changes to support.
Gender reassignment		X		There is potential that some pupils from particular groups may be more impacted by any changes to support.
Pregnancy/maternity		X		Older pupils who currently access offsite provision and tuition while pregnant may have their access to education reduced as a result of a reduction in support and tuition services.
Marriage and Civil Partnership* (staff)			X	There are no issues specifically related to marital status for ASN staff.

*applies only to Employment and the duty to give regard to the elimination of discrimination

Recommend this policy for full Equality Impact Assessment?

Yes/No

If the answer is "Yes", continue to the next section. If the answer is "No", please give brief reasons here.

--

Equality impact Assessment:

Evidence and consultation	
<p>What existing sources of information have you gathered to help identify how people covered by the protected characteristics may be affected by this policy or service? Eg Consultations, national or local data and/or research, complaints or customer feedback. Are there gaps in available data?</p>	
<ul style="list-style-type: none"> • Consultations for the original ASN Review and ASN Redesign process. • Current consultations by Budget Leader, Head of Education and Chief Executive etc. noting issues around current ASN process. • National data on ASN and comparative data gathered across local authorities. • Local data on pupils with ASN – type, level, numbers and spread. • Local data on the budget spend, numbers and types of staff. • Feedback from parents re how ASN support is working just now – ASNT references, FOIs, complaints etc. 	
Impact	
<p>a) Describe any evidence of, or potential for, negative impact and/or</p> <p>b) Does the policy contribute positively to the promotion of equality on any particular group</p>	
Gender:	The transformation will involve a reduction in staffing. The majority of ASN staff are female. We aim to use vacancy controls, staff turnover, transition and retraining to avoid job losses.
Age:	n/a
Disability:	<p>A reduction in ASN staffing and specialist teams may change the type and level of support and specialism available to support pupils with a range of disabilities.</p> <p>Transformational change of Additional Support Needs (ASN) will support the move to where the allocation of resource, monitoring and training of staff and the assessment and planning of need, is more embedded into the daily functioning of a school and can target support to those pupils with the greatest need. Current staffing approaches are resulting in inefficiencies as the resource is not able to quickly follow the child. Headteachers will work in area cluster groups to devise a more flexible and efficient approach to staffing which will reduce current overspends with PSAs.</p> <p>The staff training proposed is intended to promote a</p>

	greater understanding of disability with a positive focus on inclusion where class/subject teachers assume a greater level of responsibility for all pupils in their classes, rather than relying on ASN specialists, Pupil Support Assistants or non-mainstream education provision.
Religion or belief:	Those with the highest needs will not be affected.
Race:	Those with the highest needs will not be affected. There is a possibility of reduced support provided to Syrian New Scots (refugees) and also pupils from gypsy/traveller families.
Sexual Orientation:	<p>There is potential that some pupils from particular groups may be more impacted by the changes in support and specialism.</p> <p>Extensive engagement will take place with all staff to re-design how we provide support to all our young people. This will include staff training, development of parent/carer community support networks and will embrace the Council's ambition to be focused on embedding localised and targeted support i.e. having the right kind of support in the right place e.g.</p> <ul style="list-style-type: none"> • School cluster approaches to supporting autism, • Community based approaches to supporting young people with anxiety and mental and emotional health challenges, and • The development of whole school approach to strategies for dyslexia, dyspraxia and dyscalcula. <p>Training support in PSE, sexual health and relationships, wellbeing, bullying and mental health for school staff will help address this issue as school staff develop greater confidence in supporting these areas.</p>
Gender reassignment:	<p>There is potential that some pupils from particular groups may be more impacted by the reduction in support and specialism.</p> <p>Extensive engagement will take place with all staff to re-design how the Council provides support to young people. This will include staff training, development of parent/carer community support networks and will embrace the Council's ambition to be focused on embedding localised and targeted support i.e. having the right kind of support in the right place e.g.</p> <ul style="list-style-type: none"> • School cluster approaches to supporting autism, • Community based approaches to supporting young people with anxiety and mental and emotional health challenges, and

	<ul style="list-style-type: none"> The development of whole school approach to strategies for dyslexia, dyspraxia and dyscalcula. <p>Training support in PSE, sexual health and relationships, wellbeing, bullying and mental health for school staff will help address this issue as school staff develop greater confidence in supporting these areas.</p>
Pregnancy/maternity:	Older pupils who currently access offsite provision and tuition while pregnant may have their access to education reduced as a result of a reduction in support and tuition services.
Marriage and civil partnership:	n/a
Justification	
If negative impact is identified, can this be justified?	<p>There is some rationalisation of support that can be supported with school staff acquiring greater levels of skill and confidence in supporting pupils with ASN. This will be balanced against the reduction in overall resources and oversight of the impact will need to be maintained.</p> <p>Transformational change of Additional Support Needs (ASN) will support the move to where the allocation of resource, monitoring and training of staff and the assessment and planning of need, is more embedded into the daily functioning of a school, targeting support to those pupils with the greatest need. Current staffing approaches are resulting in inefficiencies as the resource is not able to quickly follow the child. Headteachers will work in area cluster groups to devise a more flexible and efficient approach to staffing which will reduce current overspends with PSAs. In years 2 and 3, following extensive training and support programmes for all staff and the development of a localised whole system approach to inclusion, levels of resource will be more in line with successful, family group comparator schools.</p> <p>There will continue to be a focus on providing the same levels of support for young people with severe and complex needs.</p> <p>At the end of the transformation process, improved outcomes are expected i.e. attainment of all pupils, reduced exclusions, and reduced outwith area placements.</p>
Mitigation	
Can the potential for negative impact on	Transformational change of Additional Support Needs (ASN) will support the move to where the allocation of

<p>particular groups be removed or minimised?</p>	<p>resource, monitoring and training of staff and the assessment and planning of need, is more embedded into the daily functioning of a school, targeting support to those pupils with the greatest need.</p> <p>Training will be targeted to support a variety of disabilities – understanding how disability affects learning and how to differentiate the curriculum to support pupils. Training will also include Equality and Diversity, bullying prevention, building positive relationships, Adverse Childhood Experiences, Sexual Health and Relationships Education, Scottish Mental Health First Aid.</p> <p>With greater understanding, skill and knowledge, it is expected that staff will be able to manage more pupils without reference to additional adult support in the classroom. Additional support will therefore be able to be targeted towards the physical/medical support needs of pupils. There will continue to be a focus on providing the same levels of support for young people with severe and complex needs.</p>
<p>Actions</p>	
<p>Are there actions identified to advance or promote equality, or to mitigate potentially negative impact? Please detail or attach an action plan.</p>	
<p>Extensive engagement will take place with all staff to re-design how the Council provides support to young people. This will include staff training, development of parent/carer community support networks and will embrace the Council's ambition to be focused on embedding localised and targeted support i.e. having the right kind of support in the right place.</p> <p>Schools will utilise the Rights Respecting Schools Programme, which will provide an overview of children's rights and promote equality and equity within schools.</p> <p>Headteachers have been required to attend the Council's Equality and Diversity training and to ensure an equalities policy is created for each school.</p> <p>The ASN policy framework supports the promotion and advancement of equality and provides a clear framework to support education staff and managers in meeting Additional Support Needs.</p>	

Please provide details of arrangements to monitor and review the policy and any mitigating actions or actions to promote equality.

- The Council will continue to track the level of need to ensure the changes do not result in a rise in ASN.

Please state where the EQIA will be published:

- The assessment will be published on the Council website.

Equality Impact Assessment Sign off: For completion by Director or Head of Service

1. Please check if you are satisfied that the following elements of the EQIA have been considered:

- Gathering information
- Consultation and involvement
- Assessing impact for all protected characteristics
- Mitigating actions identified (if required)
- Opportunity to promote equality
- Arrangements to monitor and review
- Publication arrangements

2. a) Are you prepared to sign off the EQIA? YES XNO

b) If "NO" provide details of why and next steps

Name: Donna Manson

Position: Chief Executive

Date: 7/02/2019