

Equality impact assessment form

Directorate: People's Directorate

Service area: Specialist Teaching and Psychology Service

Name of policy, strategy, review or function being assessed: Proposed Restructure of the Specialist Teaching Service

Date of assessment: 12.03.19

Name of Director/Head of Service signing it off: Paula Nightingale

Decision of Cabinet, Personnel Committee or Chief Officer Group:

Date published on website:



Derby City Council



Please note:

What's the name of the policy you are assessing?

Achieving Change Consultation Document - Specialist Teaching Service

The Assessment Team

Team leader's name and job title: **Paula Nightingale (Head of Service)**

Other team members:

| Name(agreed to be named in list) | Organisation | Area of expertise |
|---|---|--------------------------|
| Alice Jeffries | Guide Dogs for the Blind | Visual Impairment |
| Andy Findlay | Equality Hub Representative | |
| Ann Rowland | Equality Hub Representative/ Umbrella | Disability |
| Ann Webster | Equality and Diversity Lead | Equality & Diversity |
| Eleanor Moore | Specialist Teaching Service Manager | Specialist Teaching |
| Evan Blackwood-Pitter | Equality Hub Representative | |
| Fiona Colton | Early Help and Safeguarding | Early Help |
| Judi Bateman | Equality Hub Representative | |
| Kim Rankin | Best Start Nursery Sinfon | Early Years |
| Leanne Oliver | Harrington Nursery | Early Years/ Schools |
| Lorraine Mann | Quality Standards and Performance | Early Years/ Settings |
| Michelle Lowe | Special Educational Needs and Disabilities Information and Advice Service | SEND/ Parents and Carers |
| Moira Findlay | Equality Hub Representative | |
| Pamela Thompson | Engagement Officer | Equality and Diversity |
| Philippa Roe | National Autistic Society, Derby Branch | Autism |
| Rachel Rule | Parents and Carers Together | SEND/ Parents & Carers |
| Tendai Ngwerume | Audiology – Royal Derby Hospital | Hearing impairment |

1 What are the main aims, objectives and purpose of the policy? How does it fit in with the wider aims of the Council and wider Derby Plan? Include here any links to the Council Plan, Derby Plan or your Directorate Service Plan.

The Achieving Change Consultation document (dated 15.02.19) sets out proposed changes to be made to the Specialist Teaching Service Teams and a reduction of 5.3 full time equivalent in staffing.

The Dedicated Schools Grant High Needs Block is under significant pressure for 2019/20 financial year and these changes have been proposed within this context.

The [Derby City Vision for SEND](#) is for children and young people with Special Educational Needs and Disabilities (SEND) to:

- Be happy, health and safe with good relationships
- Be informed about the choices they have available
- Feel involved in setting their own goals and types of support
- Be able to access the right support at the right time
- Live independently and achieve their full potential

The council has an [Equality Dignity and Respect Policy](#) which is pertinent to this proposal.

The Specialist Teaching Service (STS) Teams support the Derby City Vision for SEND by identifying and supporting children and young people with SEND in mainstream/ non-specialist schools, early years settings and in the home. The service comprises specialist teachers, advisors, early years and support staff.

Currently the numbers of children identified with support needs are:

| | Pre-school children (home and PVI) | Nursery Schools (maintained) | Infant, Junior and Primary Schools | Secondary Schools | Total |
|--|------------------------------------|------------------------------|------------------------------------|-------------------|-------|
| Autism Diagnosis | 41 | 12 | 405 | 186 | 644 |
| Hearing Impairment | 37 | 4 | 206 | 159 | 406 |
| Visual Impairment | 9 | 3 | 167 | 124 | 303 |
| Physical Impairment | n/k | n/k | n/k | n/k | 121 |
| Early Years Support (known) | 167 | n/a | n/a | n/a | 167 |
| Early Years Support (includes not known) | 334 | n/a | n/a | n/a | 334 |

Based on current staffing levels this equates to staff : child ratios as follows.

| | |
|---------------------|-------|
| Autism Diagnosis | 1:115 |
| Hearing Impairment | 1:123 |
| Visual Impairment | 1:152 |
| Physical Impairment | 1:121 |
| Early Years Support | 1:53 |

The proposed restructure would change the staff: child ratios as follows.

| | |
|---------------------|-------|
| Autism Diagnosis | 1:248 |
| Hearing Impairment | 1:123 |
| Visual Impairment | 1:152 |
| Physical Impairment | 1:121 |
| Early Years Support | 1:84 |

2 Who delivers/will deliver the policy, including any consultation on it and any outside organisations who deliver under procurement arrangements?

The proposed restructure of the Specialist Teaching Service Teams is currently subject to an internal consultation with staff who could be effected by the change and relevant trade unions, in accordance with the Achieving Change process. The consultation is being led by Paula Nightingale (Head of Inclusion Services).

There has been a financial consultation with schools.

3 Who are the main customers, users, partners, employees or groups affected by this proposal?

Staff employed to work in the Specialist Teaching and Psychology Service - (employees)

Pre-school children with SEND (users)

The parents, families and carers of children with SEND (users)

Children and young people with SEND (users)

Private, Voluntary and Independent Early Years Settings (users)

Schools (users)

Other LA services/ teams including quality standards and performance, early help, social care, SEND Team, New Communities and Achievement team, SEND Information and Advice Service, adult services (partners)

Health services/ teams including paediatricians, specialist health visitors, speech therapists, occupational therapists, physiotherapists (partners)

4 Who have you consulted and engaged with so far about this policy, and what did they tell you? Who else do you plan to consult with? – tell us here how you did this consultation and how you made it accessible for the equality groups, such as accessible locations, interpreters and translations, accessible documents.

The Achieving Change Consultation Document is available in other formats as requested and a BSL interpreter can be provided.

The following groups have been consulted:

- Staff employed to work in the specialist teaching service teams
- Unions
- Schools

Staff comments/ feedback relating to the impact on people with protected characteristics will be considered and included as part of this EIA.

5 Using the skills and knowledge in your assessment team, and from any consultation you have done, what do you already know about the equality impact of the policy on particular groups? Also, use any other information you know about such as any customer feedback, surveys, national research or data. Indicate by a tick for each protected characteristic group whether this is a negative or a positive impact. If it's negative, fill in the mitigation section as well to explain how you are going to lessen the impact.

| Equality Group | What do you already know? | Positive impact | Negative impact | Mitigation |
|-----------------------|---|------------------------|------------------------|--|
| Age | <p>Support to pre-school children with SEND would be reduced under the proposals.</p> <p>The staff to child ratios in the early years would increase from 1:53 to 1:84</p> <p>There would be less support for SEND from the LA to the private, voluntary and independent early years sector.</p> <p>Derby City would no longer provide a Portage home visiting service for parents of children with SEND in the early years.</p> <p>A previous EIA relating to SEND provision in Derby City refers to support for children in the</p> | | X | <p>The restructure still includes support for pre-school children (albeit reduced). The restructure includes 1 Early Intervention Team Leader post and 3 fulltime equivalent Early Intervention Practitioner posts who would work to provide support in the 3 locality areas.</p> <p>Early Intervention Practitioners would get to know the settings in their Locality and settings would have a named person providing support.</p> <p>Working in Localities would develop closer partnership working between specialist teaching staff and children's centre staff and health visitors.</p> <p>Post holders would focus on supporting the LA to meet its</p> |

| Equality Group | What do you already know? | Positive impact | Negative impact | Mitigation |
|----------------|--|-----------------|-----------------|--|
| | <p>early years from the Specialist Teaching Service (specifically the Early Intervention Team) as mitigation against proposed changes being made to funding and provision to maintained nursery schools.</p> | | | <p>statutory duties to identify and take responsibility for pre-school children with SEND.</p> <p>The National Association for SEN is receiving £1.4million pounds from the government to improve access and inclusion in the early years. This funding will include a training offer for early years settings and an accredited SENCO award.</p> <p>Teaching School Alliances, Enhanced Resource Schools and Special Schools are increasing their training offer to early years settings.</p> <p>The LAs quality standards and improvement team have a role in supporting PVI settings.</p> <p>There is a PVI section on the Schools Information Portal specifically designed for settings; providing information on training, funding, links to useful resource etc.</p> |

| Equality Group | What do you already know? | Positive impact | Negative impact | Mitigation |
|-------------------|---|-----------------|-----------------|--|
| | | | | <p>Whilst the service would no longer be able to maintain accreditation as a registered Portage service providing weekly/ fortnightly visits it is anticipated that staff would continue to be able to do home visits. These would be less frequent and the focus would be on identification of SEND needs and transition into a setting.</p> <p>Reasonable adjustments would be made to home visiting support provided for disabled parents/ carers</p> |
| Age | <p>The numbers of staff falling within the following age bands are:</p> <p>34-43 years 1 44-53 years 8 54-63 years 6</p> | | x | <p>The Council can provide support and help to employees in finding a new job e.g. interview skills, CV writing</p> |
| Disability | <p>The reduction in staffing within the Social Communication and Autism team would mean less training and support for schools and early years settings.</p> <p>The numbers of</p> | | x | <p>The restructure still includes support for Autism (albeit reduced).</p> <p>Teaching School Alliances, Enhanced Resource Schools and Special Schools are increasing their training offer to other schools and this</p> |

| Equality Group | What do you already know? | Positive impact | Negative impact | Mitigation |
|----------------|--|-----------------|-----------------|---|
| | <p>children with a diagnosis of Autism in mainstream/ non-specialist settings is currently 664.</p> <p>The staff to child ratios for children with a diagnosis of Autism would increase from 1:115 to 1:248.</p> <p>The government are planning to extend the Autism Strategy Statutory Guidance for LAs and NHS organisations to include Children and Young People with Autism. The document is expected to be published in 2019 and is likely to include requirements on the LA to deliver training, in identification, provision, leadership, prevention in relation to safeguarding, reasonable adjustments and support for challenging behaviour.</p> | | | <p>includes training in Autism.</p> <p>The Social Communication and Autism Outreach service (SCAOS) is currently a partnership between STePs, St Martins and Springfield ER.</p> <p>The Specialist Teaching Service teams are planning to invite mainstream schools to join the SCAOS partnership to further develop school to school support.</p> <p>Childrens Centre staff would be able to continue to run a drop in for parents/ carers of children with a diagnosis of Autism but they could not provide the specialist support/ advice currently offered by staff in the specialist teaching service.</p> <p>The team would look at the possibility of offering a one off session for parents with children with a new diagnosis.</p> |

| Equality Group | What do you already know? | Positive impact | Negative impact | Mitigation |
|-------------------|---|-----------------|-----------------|--------------|
| | <p>The potential loss of expertise is a risk given the uncertainty in regard to the LAs statutory obligations in this area.</p> <p>The Social Communication and Autism Team would not be able to provide regular (weekly/ fortnightly) support for children in mainstream schools with high needs.</p> <p>The reduction in full time equivalent within the Social Communication and Autism team would mean less support for parents of children with Autism.</p> <p>The National Autistic Society have reduced support in Derby City and have had to stop running the helpline.</p> | | | |
| Disability | The proposals | | x | Settings and |

| Equality Group | What do you already know? | Positive impact | Negative impact | Mitigation |
|----------------|--|-----------------|-----------------|---|
| | <p>would mean there would be no specialist teaching service staff working during school holidays.</p> <p>Early Years Panels (including referral and funding panels) would become term time only.</p> <p>PVI settings are open during school holidays and would not have access to support year round (as currently).</p> <p>Some staff may need to find a second job due to a loss in earnings.</p> <p>Staff who are left are at risk of feeling over loaded and under pressure.</p> | | | <p>professionals would be informed of the change to term time working to ensure they plan their referrals and requests for funding and equipment in time.</p> <p>A time of in lieu arrangement would be put in place for urgent/ essential work during the holiday period.</p> <p>The service would need to change and would not continue with the current system of referrals.</p> |
| Gender | <p>All employees at risk of redundancy are women.</p> <p>There are more boys diagnosed with Autism than girls.</p> | | | <p>Staff would be offered support and advice according to council policies and signposted to other services/ agencies who may be able to help.</p> <p>See previous</p> |

| Equality Group | What do you already know? | Positive impact | Negative impact | Mitigation |
|---------------------------------------|---|------------------------|------------------------|--|
| | | | | mitigation in relation to the Social Communication and Autism Team. |
| Marriage and civil partnership | No impact identified | | | |
| Pregnancy and maternity | In the event of employees on maternity leave providing cover would be difficult leading to further pressures on remaining staff. Children and young disabled people who are pregnant require more support | | x | Support would be reduced across the sector/ caseload if staff were required to cover for people who are off. Support for a young person who is pregnant would be provided and considered on a case-by-case basis. |
| Race | Some specific minority ethnic groups need more support to maintain engagement. The social communication and autism team would not be able to continue to run sessions for specific minority ethnic groups in understanding your child's diagnosis in | | x | The remaining staff will work together with early help colleagues, the new communities and achievement team, settings and schools to identify and support these groups. |

| Equality Group | What do you already know? | Positive impact | Negative impact | Mitigation |
|-----------------------------------|---|------------------------|------------------------|---|
| | <p>partnership with the new communities and achievement team.</p> <p>This might lead to less engagement from specific groups and less access to services.</p> | | | |
| Religion or belief or none | Childrens Centres provide somewhere for prayer and reflection for users and employees. | x | | |
| Sexuality | Children and Young people with Social Communication and Autism are more likely to need support in regard to sexuality, self-esteem and identity. | x | | Derbyshire LGBTQ+ can provide training and support in all areas of LGBTQ+ and in the diversity within the LGBTQ+ community such as disabled people. |
| Trans gender | The number of children/ young people questioning their gender identity is higher in the population for children with social communication and autism. | x | | National organisation Mermaid can deliver support and advice to children and young people, parents/ carers and other supporting adults. Our own local Derbyshire LGBTQ+ can also offer support and advice |

6 From the information you have collected, how are you going to lessen any negative impact on any of the equality groups? How are you going to fill any gaps in information you have discovered?

The mitigation described above has been considered in full by the EIA assessment team. The EIA included representation from a wide range of sectors/ organisations.

Further discussion is needed with schools and in particular teaching schools, special schools and enhanced resource schools. This may help identify further mitigation.

7 What outcome does this assessment suggest you take? – You might find more than one applies. Please also tell us why you have come to this decision?

| | |
|------------------|--|
| Outcome 1 | No major change needed – the EIA hasn't identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken |
| Outcome 2 | Adjust the policy to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified? |
| Outcome 3 | Continue the policy despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are: <ul style="list-style-type: none"> • sufficient plans to stop or minimise the negative impact • mitigating actions for any remaining negative impacts • plans to monitor the actual impact. |

| | | |
|------------------|----------|---|
| Outcome 4 | x | Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination |
|------------------|----------|---|

Our Assessment team has agreed outcome number(s)

Outcome 4: **Stop and rethink** the policy when the EIA shows actual or potential unlawful discrimination

Why did you come to this decision?

The following points were considered pertinent by the EIA assessment team...

- The proposal to cut funding from the Specialist Teaching Service Teams sets one group of children with needs up against another (all of whom would be considered to have a protected characteristic).
- The proposals impact unduly on one particular age group (pre-school children)
- The anticipated changes in the LA’s statutory duties to supporting children and young people with autism anticipated in 2019 have not been taken into account
- The mitigation is not considered strong enough
- The proposals are not in line with the Council’s own vision for SEND.
- The proposals contradict mitigation in relation to a previous EIA
- The proposals need to be comprehensively rethought.

If you have decided on **Outcome 3**, then please tell us here the justification for continuing with the policy. You also need to make sure that there are actions in the Equality Action Plan to lessen the effect of the negative impact. This is really important and may face a legal challenge in the future.

If you have decided on **Outcome 4** then if the proposal continues, without any mitigating actions, it may be likely that we will face a legal challenge and possibly a Judicial Review on the process - it is really important that the equality impact assessment is done thoroughly, as this is what the Judge will consider.

8 Fill in this table with the equality actions you have come up with during the assessment. Indicate how you plan to monitor the equality impact of the proposals, once they have been implemented.

Equality Action Plan –setting targets and monitoring

| What are we going to do to advance equality | What difference will it make | When will we do it and who will lead | Monitoring arrangements |
|--|--|---|--------------------------------|
| Review the proposals and consider alternatives. | Ensure full consideration of all possible alternatives have been explored. | Paula Nightingale March/ April 2019 | |
| | | | |

We can give you this information in any other way, style or language that will help you access it. Please contact us on: 01332

Minicom: 01332 640666

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Polish

Aby ułatwić Państwu dostęp do tych informacji, możemy je Państwu przekazać w innym formacie, stylu lub języku.

Prosimy o kontakt:

Tel. tekstowy: 01332 640666

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Punjabi

ਇਹ ਜਾਣਕਾਰੀ ਅਸੀਂ ਤੁਹਾਨੂੰ ਕਿਸੇ ਵੀ ਹੋਰ ਤਰੀਕੇ ਨਾਲ, ਕਿਸੇ ਵੀ ਹੋਰ ਰੂਪ ਜਾਂ ਬੋਲੀ ਵਿੱਚ ਦੇ ਸਕਦੇ ਹਾਂ, ਜਿਹੜੀ ਇਸ ਤੱਕ ਪਹੁੰਚ ਕਰਨ ਵਿੱਚ ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਕਰ ਸਕਦੀ ਹੋਵੇ। ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਟੈਲੀਫੋਨ ਮਿਨੀਕਮ 01332 640666 ਤੇ ਸੰਪਰਕ ਕਰੋ।

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Slovakian

Túto informáciu vám môžeme poskytnúť iným spôsobom, štýlom alebo v inom jazyku, ktorý vám pomôže k jej sprístupneniu. Skontaktujte nás prosím na tel.č:

Minicom 01332 640666

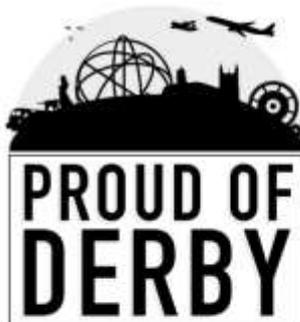
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Urdu

یہ معلومات ہم آپ کو کسی دیگر ایسے طریقے، انداز اور زبان میں مہیا کر سکتے ہیں جو اس تک رسائی میں آپ کی مدد کرے۔ براہ کرم

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