

Equality Impact Assessment (EIA) Report – Appendix A

This form should be completed for each Equality Impact Assessment on a new or existing function, a reduction or closure of service, any policy, procedure, strategy, plan or project which has been screened and found relevant to equality.

Please refer to the ‘EIA Report Form Guidance’ while completing this form. If you need further support please contact acesstoservices@swansea.gov.uk.

Where do you work?
Service Area: Planning and Resources
Directorate: Education

(a) This EIA is being completed for a:

Service/ Function	Policy/ Procedure	Project	Strategy	Plan	Proposal
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(b) Please name and describe here:

Increased Planned Places at Ysgol Pen-y-Bryn

Special school places in Swansea are running at maximum capacity, and increasing demand for places is projected for the future. The significant demand for places is leading the local authority to have no other option than to place pupils into independent and out-of-county schools.

Ysgol Pen-y-Bryn has recently been given approval to take over the vacated Arfryn Pupil Referral Unit building that is approximately a mile away from their main site, to provide additional space and facilities. 14 additional planned places will be funded at the school from April 2021 to help to ease the pressure outlined in section 1 of this report. These places can be added without the need for a statutory proposal, as the additional places do not breach the 10% increase threshold that is specified in regulations.

School organisation regulations require a statutory proposal to take place if a special school increases their planned places by more than 10% (or 20 places, whichever is the lesser). Assessments indicate that the Arfryn site can accommodate a maximum of 45 special school places, taking the total number of places at Ysgol Pen-y-Bryn to 190 places, and this increase triggers the need for a statutory proposal if we are to fully utilise the Arfryn site. Therefore a statutory proposal would be needed to add 31 extra planned places to the school (as 14 of the 45 extra places can be added without a proposal).

Increasing planned places at Ysgol Pen-y-Bryn would alleviate pressure on the moderate ASD STFs. The pupils with the more severe needs (i.e. high ASD symptomatology) could transfer to Ysgol Pen-y-Bryn, allowing the authority to place pupils with moderate ASD into the appropriate STFs. It would also alleviate pressure on mainstream schools and STFs that are struggling to cope with the demands of managing pupils with more severe learning difficulties.

(c) It was initially screened for relevance to Equality and Diversity on: 02/02/2021

(d) It was found to be relevant to...

Children/young people (0-18).....	<input checked="" type="checkbox"/>	Sexual orientation.....	<input type="checkbox"/>
Older people (50+).....	<input checked="" type="checkbox"/>	Gender reassignment.....	<input type="checkbox"/>
Any other age group	<input checked="" type="checkbox"/>	Welsh language.....	<input type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	Poverty/social exclusion	<input type="checkbox"/>

- | | | | |
|---------------------------------|--------------------------|--------------------------------------|-------------------------------------|
| Race (including refugees) | <input type="checkbox"/> | Carers (including young carers)..... | <input type="checkbox"/> |
| Asylum seekers..... | <input type="checkbox"/> | Community cohesion | <input checked="" type="checkbox"/> |
| Gypsies & Travellers..... | <input type="checkbox"/> | Marriage & civil partnership | <input type="checkbox"/> |
| Religion or (non-)belief..... | <input type="checkbox"/> | Pregnancy and maternity..... | <input type="checkbox"/> |
| Sex..... | <input type="checkbox"/> | | |

(e) Lead Officer

Name: Rhodri Jones

Job title: Head of Performance

Date: 16/03/2021

(f) Approved by Head of Service

Name: Brian Roles

Date: 16/03/2021

***Reviewed on 21/05/2021 after the completion of the consultation**

***Reviewed on 19/08/2021 after the completion of the statutory notice period (no objections received)**

Section 1 – Aims (See guidance):

Briefly describe the aims of the initiative:

What are the aims?

Increasing planned places at Ysgol Pen-y-Bryn would enable the authority to better meet the needs of more pupils in local provision. Pupils requiring special school ASD places could be offered places at Ysgol Pen-y-Bryn, as opposed to provision in the independent sector or out of county, and would also alleviate pressure on mainstream schools and STFs that are struggling to cope with the demands of managing pupils with more severe learning difficulties.

Who has responsibility?

If approved, the overall responsibility would be with Swansea Council's Education Directorate.

Who are the stakeholders?

Each stakeholder group requires a specific method of communication to promote key messages during the project. A broad approach for communications methods is outlined below. It draws on corporate methods of communicating to staff in general as well as some established meeting structures within the project.

Audience	Methods
Pupils	Face to face school visits, social media
Parents	Letters, media, social media, website
Governors	Face to face briefing, emails
Head and Management Team	Face to face briefing, emails,
School Staff	Face to face, letter, Newsletter, media, social media, website
All other schools	Face to face, letter, email, newsletter
CMT	Face to face briefing, newsletter, email
Cabinet	Face to face briefing, newsletter, email
Group Leaders	Face to face briefing, newsletter, email
Ward Members	Email, phone call
Trade Unions	Face to face briefing, email
Press/Media	Face to face briefing, press release
Welsh Government	Letter, local media, email

Estyn	email
AMs/MPs	letter, email
Education SLB/EDSLT/DMT	email, newsletter, face to face
O and S Chairs and V Chairs	Email, letter
Community groups	Letter and liaison with Community Regen, social media, website
All Council staff	Staffnet, website, social media
Swansea residents	Media, website, social media
Local businesses	Media, letters, website, social media

Section 2 - Information about Service Users (See guidance):

Please tick which areas you have information on, in terms of service users:

Children/young people (0-18).....	<input checked="" type="checkbox"/>	Sexual orientation.....	<input type="checkbox"/>
Older people (50+).....	<input checked="" type="checkbox"/>	Gender reassignment.....	<input type="checkbox"/>
Any other age group	<input checked="" type="checkbox"/>	Welsh language.....	<input checked="" type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	Poverty/social exclusion	<input type="checkbox"/>
Race (including refugees)	<input checked="" type="checkbox"/>	Carers (including young carers).....	<input type="checkbox"/>
Asylum seekers.....	<input type="checkbox"/>	Community cohesion	<input type="checkbox"/>
Gypsies & Travellers.....	<input type="checkbox"/>	Marriage & civil partnership	<input type="checkbox"/>
Religion or (non-)belief.....	<input type="checkbox"/>	Pregnancy and maternity.....	<input type="checkbox"/>
Sex.....	<input checked="" type="checkbox"/>		

Please provide a snapshot of the information you hold in relation to the protected groups above:

The following information is collated as part of the annual pupil census that is carried out in January of each year. The below is from the January 2020 PLASC:

Number of pupils on roll:

School	1	2	3	4	5	6	7	8	9	10	11	12	13	14	Total
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YGG Pen-y-Bryn	1	7	4	6	3	1	20	12	17	20	14	15	15	11	146
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	2017-2018	2018-2019	2019-2020
Percentage of total pupils on roll living in areas classed in Welsh Index of Multiple Deprivation (WIMD) as being in the most deprived 30% of all areas	48.1%	49.6%	47.9%
Percentage claiming Free School Meals	40.2%	44.6%	41.0%
Percentage with Special Educational Needs (SEN)	100%	100%	100%

In January 2020 the breakdown for SEN was as follows:

Need	School Action	School Action Plus	Statement	Total
Attention Deficit Hyperactivity Disorder	0	0	7	7
Autistic Spectrum Disorders	0	0	85	85
Behavioural, Emotional & Social Difficulties	0	0	3	3
Dyscalculia	0	0	0	0
Dyslexia	0	0	0	0
Dyspraxia	0	0	1	1
General Learning Difficulties	0	0	29	29
Hearing Impairment	0	0	6	6
Moderate Learning Difficulties	0	0	59	59
Multi-Sensory Impairment	0	0	1	1
Physical and Medical Difficulties	0	0	34	34
Profound & Multiple Learning Difficulties	0	0	2	2
Severe Learning Difficulties	0	0	43	43
Speech, Language and Communication Difficulties	0	0	20	20
Visual Impairment	0	0	6	6
Total	0	0	296	296

Ethnic Background

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	Total
Not English/Welsh	0	1	0	0	0	0	1	0	0	3	1	2	3	0	11

Any actions required, e.g. to fill information gaps?

Staff Headcount and Full-time Equivalent

Headcount of Staff							Full Time Equivalent of Staff (1 FTE = 32.5 hrs/wk)						
Teachers			Support Staff			Overall	Teachers			Support Staff			Overall
Male	Female	Total	Male	Female	Total	Total	Male	Female	Total	Male	Female	Total	Total
5	18	23	11	68	79	102	5.0	15.6	20.6	8.7	49.6	58.3	78.9

Section 3 - Impact on Protected Characteristics (See guidance):

Please consider the possible impact on the different protected characteristics.

	Positive	Negative	Neutral	Needs further investigation
Children/young people (0-18)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Thinking about your answers above, please explain in detail why this is the case.

(0-18) – Increasing planned places at Ysgol Pen-y-Bryn would enable the authority to better meet the needs of more pupils in local provision. Pupils requiring special school ASD places could be offered places at Ysgol Pen-y-Bryn, as opposed to provision in the independent sector or out of county. Remaining in their home City would allow them to be closer to their families and wider support network.

(Older People 50+/Any other age group/Carers) – The staff, parents, carers and wider school community will benefit greatly from increasing the number of places. It would ensure that more parents have their child closer to home rather than travelling sometimes great distances to access a specialist provision out of county.

Disability – The design, delivery and implementation of this project will take full consideration of the social model of disability, which recognises that people are disabled by the barriers of society (e.g. physical, environmental, organisational, and attitudinal, communication, etc.) rather than by any physical condition. The re-modelling and the running of the school will continue to ensure that more pupils can make the most of their improved environment.

Section 4 - Engagement:

Please consider all of your engagement activities here, e.g. participation, consultation, involvement, co-productive approaches, etc.

What engagement has been undertaken to support your view? How did you ensure this was accessible to all?

In order to create a further 31 planned places at Ysgol Pen-y-Bryn (with the use of Arfryn), a statutory consultation was held. A summary of the consultation results is as follows:

Children and Young People

A consultation document was shared with all learners at the school and discussed with staff during lessons. The paper explained the proposal and included a reply slip for learners to respond. 28 learners responded (19% of learners at the school).

The majority of pupils supported the proposal and gave positive comments around welcoming new pupils and having more friends. Six pupils stated they did not know how they would feel having more pupils attend the school. One stated that they felt nervous about meeting new people, and one commented they felt the school already had enough pupils. This is an understandable response from learners with complex needs, which include severe and complex learning difficulties and associated social anxieties. However, school staff are skilled in managing transitions and change, and understand learners' concerns. Also the additional places will not change routines that are already well established.

Staff, Governors, Parents and Other Interested Parties

During the consultation period 10 responses were received to the online survey. 100% of the responses were supportive of the proposal. The main comments raised on the survey were:

- Support for the proposal and an acknowledgment of the need to increase special school places due to increasing demand
- Support for the increase in local provision rather than out of county, which is also a more efficient use of the education budget in Swansea
- The need for the school to be funded for the additional places and staffing (with no increase to existing class sizes, as this would disadvantage existing pupils)
- Highlighting the need for the local authority to continue to review all special school provision (including STFs) in order to meet future demands

A response was also received from Estyn that stated *that this proposal is likely to have a positive impact on the standard of education provision in the area.*

A report is now being taken to Cabinet seeking authorisation to go to Statutory Notice for this proposal. This gives all stakeholders a further opportunity to support or object to the proposal.

What did your engagement activities tell you? What feedback have you received?

Please see above.

How have you changed your initiative as a result?

Given that nearly all responses were supportive of the proposal no major changes have been actioned. However, school staff will work with the children and young people to manage any transitions and changes, and understand learners' concerns.

Any actions required (e.g. further engagement activities, mitigation to address any adverse impact, etc.):

Further work with the children and young people on the above.

Section 5 – Other impacts:

Please consider how the initiative might address the following issues - see the specific Section 5 Guidance

Foster good relations between different groups	Advance equality of opportunity between different groups
Elimination of discrimination, harassment and victimisation	Reduction of social exclusion and poverty

Please explain any possible impact on each of the above.

Impact on...
Foster good relations between different groups
This increase to the provision would allow the wider support network of families to grow by bringing them in as part of the Pen-y-Bryn family.
Advance equality of opportunity between different groups
This would provide greater access to a local school for more local families.
Elimination of discrimination, harassment and victimisation
This would mean that less families have to seek a specialist provision outside of the borders of the city and county of Swansea.

What work have you already done to improve any of the above?

The school has already increased its capacity to provide places for another 14 learners.

Is the initiative likely to impact on Community Cohesion? Please provide details.

No direct impact is envisaged at this time.

How does the initiative support Welsh speakers and encourage use of Welsh?

Pen-y-Bryn, like all other schools in Swansea provides Welsh as part of its curriculum offer. With more students staying in Swansea (and Wales) this will provide more learners with an opportunity to learn about the language.

Actions (to mitigate adverse impact or to address identified gaps in knowledge).

Section 6 - United Nations Convention on the Rights of the Child (UNCRC):

Many initiatives have an indirect impact on children and you need to consider whether the impact is positive or negative in relation to both children's rights and their best interests. Please read the UNCRC guidance before completing this section.

Will the initiative have any impact (direct or indirect) on children and young people (think about this age group holistically e.g. disabled children, those living in poverty or from BME communities)? If not, please briefly explain your answer here and proceed to Section 7.

The impact will have a direct impact on children and young people.

All initiatives must be designed / planned in the best interests of children and young people.

Best interests of the child (Article 3): The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for

children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.

Please explain how you meet this requirement:

The initiative is planned to increase the number of places available in our local specialist provision thus giving children and young people the best opportunity of achieving to their full potential locally. The proposal relates to the following articles:

Article 3 - All organisations concerned with children should work towards what is best for each child.

Article 12 - Respect for the views of the child

Article 18 - Both parents share responsibility for bringing up their children. We should help parents by providing services to support them.

Article 28 - Children have a right to an education. Discipline in schools should respect children's human dignity.

Article 29 - Education should develop each child's personality and talents to the full.

Article 30 - Children have a right to learn and use the language and customs of their families.

Actions (to mitigate adverse impact or to address identified gaps in knowledge).

Section 7 - Monitoring arrangements:

Please explain the monitoring arrangements for this initiative:

Monitoring arrangements: The initiative will be closely monitored by the Education Directorate and the school by using well established project and programme management boards.

Actions:

Section 8 – Outcomes:

Having completed sections 1-5, please indicate which of the outcomes listed below applies to your initiative (refer to the guidance for further information on this section).

Outcome 1: Continue the initiative – no concern

Outcome 2: Adjust the initiative – low level of concern

Outcome 3: Justify the initiative – moderate level of concern

Outcome 4: Stop and refer the initiative – high level of concern.

For outcome 3, please provide the justification below:

For outcome 4, detail the next steps / areas of concern below and refer to your Head of Service / Director

for further advice:

Section 9 - Publication arrangements:

On completion, please follow this 3-step procedure:

1. **Send this EIA report and action plan to the Access to Services Team for feedback and approval – acesstoservices@swansea.gov.uk**
2. **Make any necessary amendments/additions.**
3. **Provide the final version of this report to the team for publication, including email approval of the EIA from your Head of Service. The EIA will be published on the Council's website - this is a legal requirement.**

EIA Action Plan:

Objective - What are we going to do and why?	Who will be responsible for seeing it is done?	When will it be done by?	Outcome - How will we know we have achieved our objective?	Progress
Report to Cabinet to seeking approval to consult on the proposal	Head of Service	18 March 2021	Cabinet approval to consult	Approved
Statutory consultation – to give all interested parties an opportunity to share their views	Head of Service	10 May 2021	Consultation completed	Completed
Report to Cabinet to decide if to go out to Statutory Notice	Head of Service	17 June 2021	Statutory Notice publication approved	
Report to Cabinet following the statutory notice period seeking approval, as no objections received	Head of Service	16 September 2021	Increase in planned places approved for January 2022	

*** Please remember to be 'SMART' when completing your action plan (Specific, Measurable, Attainable, Relevant, Timely).**