



Equality Impact Analysis: (EIA)

Section 1: Introduction

Name of Proposal: Prescribed alterations to Hermitage School in order for them to develop an integrated, 12 place , co-educational Autistic Spectrum Condition (ASC) primary provision, as a Specialist Resourced Provision (SRP).

For the purpose of this document, 'proposal' refers to a policy, function, strategy or project)

Service area & Directorate responsible Pupil Services, Children & Culture

Name of completing officer John O'Shea

Approved by Director/Head of Service Pauline Maddison

Date of approval

Conclusion - To be completed at the end of the Equality Impact Assessment process

This summary will provide an update on the findings of the EIA and what the outcome is. For example, based on the findings of the EIA, the proposal was rejected as the impact on a particular group was disproportionate and the appropriate mitigations in place. Or, based on the EIA, the proposal was amended and alternative steps taken)

Based on the findings of this EIA, moving to agree the prescribed alterations would reduce inequalities in Tower Hamlets by ensuring primary age children, have access to specialist ASC provision. The proposal is therefore given a GREEN rating.

The new provision is expected to improve opportunities for all children ensuring improved access to a full inclusive curriculum, in a culturally mixed school.

The proposal will be recruiting staff, which should reduce the risk of redundancy for staff from other schools in Tower Hamlets where staffing is being reduced, through re-organisation and closure.

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act*
- Advancing equality of opportunity between those with 'protected characteristics' and those without them*
- Fostering good relations between those with 'protected characteristics' and those without them*

Where a proposal is being taken to a Committee, please append the completed equality analysis to the cover report.



This Equality Impact Assessment provides evidence for meeting the Council's commitment to equality and the responsibilities outlined above, for more information about the Council's commitment to equality; please visit the Council's website.

Section 2 – General information about the proposal

Provide a description of the proposal including the relevance of proposal to the general equality duties and protected characteristic pursuant to Equality Act 2010.

This Equality Impact Assessment concerns the proposal to make prescribed alterations to Hermitage School in order for them to develop an integrated 12 place, co-educational Specialist Resourced Provision for Autistic Spectrum Condition (SRP – ASC) primary provision.

The proposed prescribed alteration for Hermitage School is that it should :

- Establish an (up to 12 place) ASC specialist provision, the Specialist Resourced Provision for Autistic Spectrum Condition (SRP – ASC).

Tower Hamlets has a great tradition of excellent education; it values the important role that schools have in increasing the life chances of its children. Hermitage School is a fully inclusive successful school with demonstrable expertise and experience in both Special Educational Needs and flexible response to changing demographics.

Tower Hamlets has reviewed its SEND Strategy to improve the quality and range of provision, in order to optimise life chances for children with special educational needs and/or disabilities.

As part of this work a specification for a new ASC provision has been established. This set out the need for a new model for Primary ASC provision which addressed the lack of a specialist resourced provision for children working at age-appropriate levels with an ASC diagnosis. The model is based on Autism Friendly inclusive approaches, rather than driven by isolation and difference.

The work is being planned and supported through the LA's SEN Teams who play a key role in enabling schools to meet the challenge of ensuring that all children and young people in Tower Hamlets achieve the best possible outcomes and can flourish if schools are working in effective partnerships. Ultimately, the guiding principle for this work is that whatever is done should be in children's interests, looking at a range of achievable options that will enable proper opportunity to decide how best to deliver a high quality and sustainable provision. Access to good quality school places is essential to raising achievement and addressing poverty and inequality in the long term. Hermitage School has an excellent record of maintaining these principles.

Section 3 – Evidence (Consideration of Data and Information)

What evidence do we have which may help us think about the impacts or likely impacts on service users or staff?

Level of Need (Data from SEND Strategy 2020)



Children in Tower Hamlets

Tower Hamlets has a young population. There are 112,900 0-25 year olds in Tower Hamlets. There are also high levels of deprivation in the borough, with 32% of children growing up in poverty. Around 8% of the population was born outside the UK and 75% of primary school children speak a first language which is not English (compared to 54% in Inner London and 21% nationally).

Children with special educational need and disabilities

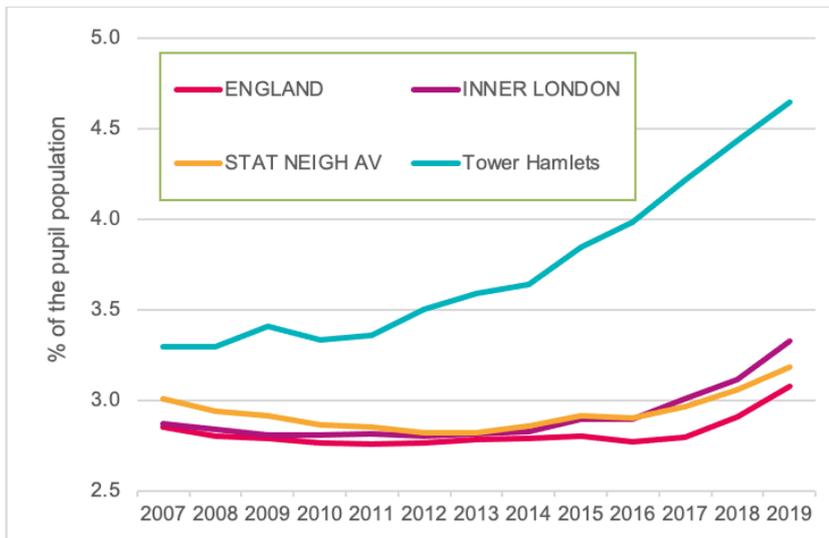
There are approximately 9,000 children and young people between 0 and 25 years with SEND resident in Tower Hamlets. The majority of these are supported by schools using their own budgets.

Approximately 3,300 children are given additional support (and resource) via an Education, Health and Care Plan (EHC plan).

There are more children with a special need in Tower Hamlets than in other areas, 17% of pupils in our schools have a special need or disability, compared to a national average of 15%.

Within schools the percentage of children and young people receiving SEN Support is 11.8%. This is lower than the average for England (12.1%) but in line with London averages. For children and young people with EHC plans the figure is 5.1%. This is significantly higher than both London (3.6%) and England (3.3%). This figure is increasing more quickly in Tower Hamlets than elsewhere.

Figure 1 - EHC Plans as percentage of the pupil population over time, 2007-2019

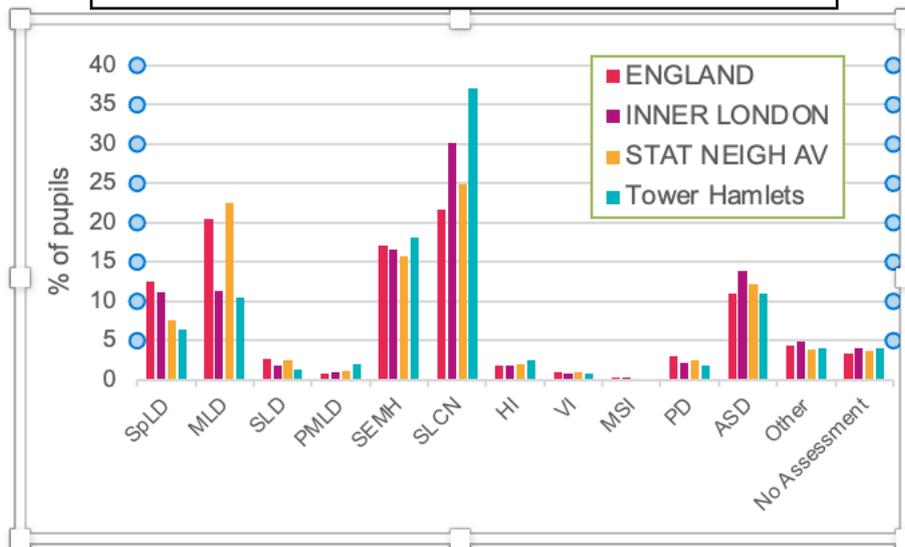


Children with ASC as their primary need

The proportion of children with ASC as their primary need continues to rise in Tower Hamlets, from 9% in 2017 to 12.8% in 2020. This was the first year that the Tower Hamlet's figure was higher than the national average (11.9%). The proportion with Speech, language and communication needs (SLCN) is significantly higher than elsewhere at 37%. Many children with SLCN needs have undiagnosed ASC or are yet to receive a diagnosis of ASC.

% EHCPs with ASC as primary need	2017	2018	2019	2020
Tower Hamlets	9%	10%	11%	12.8%
England	9.5%	10.3%	11%	11.9%

Figure 2 – Breakdown of primary need type



Ensuring Access to the full Curriculum for all children

Most children with ASC Needs should access a full curriculum in a mainstream school, with support.

Phoenix Special School Outreach Team offers support and advice to Mainstream Schools to help them meet the needs of children with Autistic Spectrum Conditions.

There is currently no identified Primary School which specializes in integrated mainstream support for children with ASC needs (unlike SLCN, HI, ASD and the SEMH provision being developed at Ben Jonson with Bowden House School).

Tower Hamlets currently has a specialist ASD School (Phoenix), which will have 450 places for children aged 2 – 19, in the 2021-22 academic year. Children placed at Phoenix are not able to access the Mainstream Curriculum.

A range of consultations fed into the pre-publication consultations for the proposed new ISP provision.

Revised SEN Strategy Consultation (2017)
SRP – ASC Specification (Summer 2020)



Hermitage School Stage One Consultation (Feb – March 2021) and Proposed Statutory Notice (May- Jun 2021)

The Hermitage School Governing Body were prompted by the Tower Hamlets SEN Strategy and SRP – ASC specification to express an interest in delivering the new proposed provision. In December they were selected for this opportunity and began work on developing their proposals further, supported by an independent consultant, Dr Helen Jenner, as well as the Local Authority SEN Team.

A Steering Group consisting of representatives from the Governing Body, supported by the Independent Consultant and senior school staff has led the work on developing the new SRP-ASC.

Due to the limitations imposed on public gatherings by COVID-19, it was not possible to hold face to face meetings for larger groups at the school or elsewhere. In order to ensure that pupils, parents, staff and the wider community were able to engage with and respond to consultation a range of opportunities will be organised as follows:

The Notices include information on how to make representations, including schools and Local Authority email and postal addresses

Email address are provided for representations to the school and Local Authority.

Virtual meetings were held during the Stage One Consultation

Governors agreed responses from the different forms of consultation should be summarised in a report for Governors, to be sent to the Steering Group, following the end of the Statutory Notice Period. The Steering Group and Governing Body will review feedback and use it to make a response to the council, on whether or not to recommend proceeding with the prescribed alterations. A report summarizing the feedback on the consultation will be available for staff and parents after Cabinet reach their decision in July 2021.

Other available evidence

Equality Act 2010

SEND Strategy

SRP-ASC specification

Minutes of meetings where the future provision has been discussed

Consultation Document

Consultation Feedback Report

School Policies (Equalities, SEND and Inclusion)



Name of officer completing the EIA: John O'Shea and Terry Bryan

Service area: C&C SPP

EIA signed off by:

Date signed off:



Section 4 – Assessing the impacts on residents and service delivery

	Positive	Negative	Neutral	Considering the above information and evidence, describe the impact this proposal will have on the following groups?
Age (All age groups)	X			<p>The prescribed alteration will improve specialist ASC provision and specialist support for primary children in Tower Hamlets</p> <p>There will also be opportunities to employ new staff for the provision, including the potential to redeploy some staff in schools where there is a risk of redundancy, subject to Hermitage Governing Body decision. This is likely to be through automatic inclusion in competitive interview for staff interested in employment who meet the selection criteria for new posts.</p> <p>Further work needs to be done in order to assess what job roles will be available, and the age range of applicants and successful candidates.</p>
Disability (Physical, learning difficulties, mental health and medical conditions)	X			<p>Pupils</p> <p>Currently the specialist support for Primary pupils with ASC needs is considered inadequate, with weaknesses in access to the whole primary curriculum, for children with age-appropriate skills. The new provision would enable access to a world class specialist resource within Tower Hamlets.</p> <p>Staff</p> <p>Recruitment processes will be mindful of the needs of applicants with SEND and take into account the Equality Act 2010 in order to ensure they are not discriminating against those with disabilities.</p>
Sex			X	<p>Pupils</p> <p>The provision will be co-educational</p> <p>Staff</p> <p>No impact – the prescribed alterations will not impact on existing staff</p>



			X	positions. Recruitment processes will ensure gender equality.
Gender reassignment			X	No impact - We do not have any data available on this protected characteristic for pupils or staff.
Marriage and civil partnership			X	No impact - We do not have any data available on this protected characteristic for pupils or staff.
Religion or philosophical belief			X	No impact - we do not have any data available on this protected characteristic for pupils or staff. However, as neither of the schools is a faith school, we do not expect there to be a disproportionate impact.
Race	X			<p>Pupils Hermitage Data</p> <p>The Local Authority does advise that multi-cultural schools are likely to be beneficial to fostering good relations between individuals in different ethnic and/or racial groups, as children will have the opportunity to make friends with children from different races to themselves at a formative stage of their personal development. Hermitage School is a diverse, inclusive school.</p> <p>Staff No impact – staff recruitment processes should ensure attention is paid to recruiting to reflect the local community.</p>
			X	
			X	



Sexual orientation				No impact - we do not have any data available on this protected characteristic for pupils or staff.
Pregnancy and maternity			X	No impact - we do not have any data available on this protected characteristic for pupils or staff.

Other

Socio-economic			X	<p>The percentage of children receiving FSM does vary across the neighbouring schools and tends to be higher for children with disabilities. In Tower Hamlets disadvantage is not seen as a barrier to achievement, and gaps in attainment are low. The ISP provision is expected to further enhance outcomes for disadvantaged children.</p> <p>Indeed, the speed and agility at which schools in LBTH moved to support parents with food vouchers and food parcels during the closure of schools owing to COVID 19 suggests that any children with FSM eligibility will be well supported at school in LBTH.</p> <p>IF we have FSM for EHCP needs insert here</p>
Parents/Carers			X	<p>Parents and carers responded positively to the Stage One Consultation. Any issues raised were responded to in meetings and through the Consultation Report.</p> <p>Parents and carers should continue to be heavily involved in the consultation process and beyond, as the new provision develops.</p>
People with different Gender Identities e.g. Gender fluid, Non-Binary etc			X	No impact - we do not have any data available on gender identity for pupils or staff.



Section 5 – Impact Analysis and Action Plan

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress
Further analysis of workforce recruitment data needs to occur	Request recruitment data from ISP	By end of recruitment process, as part of SLA	JO'S	
Provide support for parents/carers	Ensure work with parents and carers embedded in new provision	By end of statutory consultation period,	JO'S	
Ensure children supported to access friendship groups	Ensure this element included in Annual Review	Include in SLA and Ongoing throughout academic year	JO'S	
Ensure continued diversity and inclusion at Hermitage School	Governors review and benchmarking of Annual Census data	Ongoing throughout academic year	JO'S	
Ensure sufficient places for Wapping Area	Annual Census and Pupil Projection Planning	% of EHC Plans above Borough Levels Ethnic Diversity in governors staff and pupils reflects the Local Community	Governors	
		No group disadvantaged	TB	



Section 6 – Monitoring

Have monitoring processes been put in place to check the delivery of the above action plan and impact on equality groups?

Yes?

No?

Describe how this will be undertaken:

The SEN Team will monitor and review the action plan as part of SLA Reviews

The Pupil Planning Team will review the action plan as part of the Annual Admissions Review.

Appendix A

Equality Impact Assessment Decision Rating

Decision	Action	Risk
<p>As a result of performing the EIA, it is evident that a disproportionately negative impact (direct, indirect, unintentional or otherwise) exists to one or more of the nine groups of people who share a Protected Characteristic under the Equality Act. It is recommended that this proposal be suspended until further work is undertaken.</p>	<p>Suspend – Further Work Required</p>	<p>Red</p> 
<p>As a result of performing the EIA, it is evident that there is a risk that a disproportionately negative impact (direct, indirect, unintentional or otherwise) exists to one or more of the nine groups of people who share a protected characteristic under the Equality Act 2010. However, there is a genuine determining reason that could legitimise or justify the use of this policy.</p>	<p>Further (specialist) advice should be taken</p>	<p>Red Amber</p> 
<p>As a result of performing the EIA, it is evident that there is a risk that a disproportionately negatively impact (as described above) exists to one or more of the nine groups of people who share a protected characteristic under the Equality Act 2010. However, this risk may be removed or reduced by implementing the actions detailed within the Action Planning section of this document.</p>	<p>Proceed pending agreement of mitigating action</p>	<p>Amber</p> 
<p>As a result of performing the EIA, the proposal does not appear to have any disproportionate impact on people who share a protected characteristic and no further actions are recommended at this stage.</p>	<p>Proceed with implementation</p>	<p>Green:</p> 