




Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer or www.somerset.gov.uk/impactassessment

Organisation prepared for (mark as appropriate)	 Somerset Council	 NHS Somerset	 NHS Somerset NHS Foundation Trust
Version	0.2	Date Completed	23/10/2024
Description of what is being impact assessed			
<p>As a result of council-wide restructuring, the Education service is proposed to be remodelled with extensive impact on teams delivering SEND and inclusion services. The specific changes are to:</p> <ul style="list-style-type: none"> • Reduce the size of the Assessment and Reviewing Officer (ARO) staff group. The current establishment is 28 and the proposal is to reduce this staff group to 24 FTE. • Redeploy the responsibilities of the Statutory SEND team into: 1) Brokerage 2) New Disputes and Accountability team 3) Combined function with Education Psychology in new SEND Assessment and Review team 4) Combined function in new phase based Virtual School team. • Reduce the number of staff on Lead Professional teaching pay scales (UPS3) from 72 to 32. • Increase the number of Grade 12 Learning Mentor roles with the aim of increasing the number of roles available to work directly with children, schools and families in localities from 10 to 32. • Integrate separate teams (Virtual School, Access to Inclusion, Education Psychology, EY SEND, Somerset Works and Statutory SEND) into two new multi-disciplinary functions (Virtual School and SEND Assessment and Review) 			

- Integrate separate teams delivering curriculum and teaching support so that mainstream expertise and inclusive expertise are delivered through a single team. The total support is not directly comparable in terms of headcount because of changing role responsibilities but has been designed to provide an increase in capacity.
- Change the mix of roles dedicated to supporting Children Looked After, and other groups of children who form part of the responsibilities of the Head of Virtual School. The total proposed headcount is proposed to change from 14 to 75 where all 75 would share general responsibility for the statutory cohort, but where 12 roles are dedicated to the statutory cohort, plus access to support from 12 (headcount) business support roles.
- Redeploy the responsibilities of the Area Partnerships function into: 1) Combined team with Family Intervention Service 2) New Attendance Monitoring team 3) New Preventing Exclusion team 4) Expanded Education Relationship Management team 5) Locality working through a new SEND Assessment and Review team. This has been designed to preserve a comparable level of headcount but with increased capability through greater efficiency and focus.
- Change the structure of the Hearing and Vision Support team to simplify line management arrangements. Reduce teacher establishment headcount in line with current delivery staffing.

Evidence

What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset's Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#),, should be detailed here

Many parents have told us that their preferred goal is having their child attend a local mainstream school where their child flourishes and progresses. However, the ability of mainstream schools to provide for children with additional needs is coming under pressure.

When mainstream schools struggle or children's needs go unmet, this can result in a range of consequences:

- Some children respond to that situation with disruptive behaviour which can culminate in **suspension and exclusion**. In the latest national data, Somerset was had the third highest rate of exclusions for children with SEND and the second highest rate of suspensions in England. Children excluded and suspended (from Somerset state-funded schools): 147 pupils were permanently excluded in 2023/24 (of which 83 had identified SEND); 3,522 individual pupils received one or more suspension during 2023/24 (of which 1,658 had identified SEND). [Special educational needs in England, Academic year 2023/24 - Explore education statistics - GOV.UK \(explore-education-statistics.service.gov.uk\)](#).

- Some children have their place in school break down, and this results in them being placed in an **independent special school** at comparatively high cost. The average annual cost for an independent special school placement is more than 10 times higher than for a mainstream school. Somerset's budget for independent special school's places is £20m higher than its budget for mainstream school support. There are 12,912 pupils in state-funded schools and 2,497 pupils in independent schools (Source is DfE/school censuses, Jan 2024) Children in INMS (with an EHCP maintained by Somerset LA): 409. (Source is SEN2 data national return, January 2024. [Education, health and care plans, Reporting year 2024 - Explore education statistics - GOV.UK \(explore-education-statistics.service.gov.uk\)](https://explore-education-statistics.service.gov.uk))
- Some children are **taken out of school** because their needs are not being met and either try and educate them at home or the child access something called 'Education Otherwise than at School'. However, this can put significant pressure on families and sometimes these arrangements are not successful. Children in EHE: 1,786. Source is Capita One, as at end August 2024. This is also supported by operational performance reporting and our EHE Dashboard.
- Some children feel so anxious or unwell at the prospect of attending school that they experience **severe non-attendance**. Somerset has seen a 22.6% increase in pupils severely absent from school since 2022. There were 7,452 children of compulsory school age (NCY 1 to 11) with 15 or more days illness absence during 2023/24, of which 2,147 had identified SEND.
- When children are not in full-time education this can put extreme pressure on parents' employment, such that too many parents have felt **forced to leave employment** in order to ensure that their child is safe and supervised. There are currently around 60,000 people of working age in Somerset who are classed as 'economically inactive' because they are not seeking employment.
- Some children end up **taken into care** because the pressure on families of not having a successful full-time school place becomes so great that the family no longer feels able to care for their child. Somerset's children social care budget in 2023/24 was overspent by £11.9m.
- Some schools can get into serious difficulties and underperformance because of the challenges involved in meeting the breadth of need within the school. The proportion of **schools judged inadequate** by Ofsted in Somerset is above the national average.

In the school system, we know how many children have diagnosed disability and SEND. As at August 2024, there were 5,557 children with EHCPs maintained by Somerset LA (Children's Performance Scorecard, August 2024 as referenced in our Children's Operational Performance Dashboard. However, the evidence of the impacts above is that there are likely far more children with conditions, needs and disabilities than have been identified or diagnosed. Any situation where there are significant impacts may be

an indicator of disability and should be treated as such. This consultation aims to bring forward proposals to better identify need and respond appropriately.

Who have you consulted with to assess possible impact on protected groups and what have they told you? If you have not consulted other people, please explain why?

During summer term 24/25 consultations were undertaken on reforming SEND services in Somerset. Four sessions were held with school leaders and Somerset Parent Carer Forum hosted a consultation event with parents. Extensive consultation was undertaken with children and young people in the context of a new Children and Young People's Plan. As part of these consultations, we heard that:

-67% of school leaders supported our proposals for change to the SEND system

-37% of school leaders agreed that there are too many children who are 'stuck' right now without satisfactory solutions or progress, this has been going on a long time and resolving these hard cases is an immediate priority that can't wait.

-43% of school leaders agreed that it feels too hard and takes too long to get children's needs assessed and funded

-62% of school leaders agreed that specialist support from the LA is valued, but it can be too complicated or too expensive to access. The challenges being faced by some schools are so great that the help on offer is too limited or too slow to have a real impact

-61% of school leaders agreed that professionals and parents are carrying too much knowledge of risk to children that is not being acted on. The way we share this knowledge is too complicated and no one in the system seems to have an overview of where risk is the greatest.

-48% of school leaders agreed that early identification of social need is not resulting in long term impact. PRU's (Pupil Referral Units) are facing numerous pressures which are restricting their ability to do their job. This is no clearly identified budget for preventing exclusion work and thresholds for help with social need feel high.

-44% of school leaders agreed it can be hard to a response from LA staff and it would be positive if LA staff could be located on school sites. Some difficult decision can only be made by schools, but they need more options and advice from specialists when they do so.

-We met with focus groups of parents and carers to discuss their experiences. They described a range of issues in the system including:

- Mainstream schools should have been able to support their children, but because the school couldn't find a way to do what was needed, the relationship broke down
- It can be too difficult to get support for whole school changes, such as training all teachers on specific conditions

- Getting an EHCP takes too long and trying to get a special school place can feel like a battle
- Some children's education is now costing the LA a lot of money, but it didn't have to be that way because their child should have been able to succeed in their mainstream school

-Over 6,000 children and young people were asked for their views on what was important, including 14 focus groups, and they said what mattered to them was:

- **Children and young people have asked that schools, colleges and education help students to feel more included and supported.** They told us that in order to improve attendance and attainment there should be less disruptive behaviour in classrooms and quiet spaces in schools and colleges.
- **Children and young people want to be supported to lead healthier lives in Somerset.** They told us that they need better access to healthy sport and leisure activities, advice and improved communication and contact with health professionals.
- **Children and young people want support to lead happy lives and help in their schools, colleges and communities if their mental health deteriorates.** They told us that they need better support for self-injury, better training of staff in schools and colleges and faster referrals and access to the right support.
- **Children and young people have told us that they want to live in safe communities where streets and parks feel safe at night.** They told us that they want fewer children and young people involved in county lines and fewer incidents of violence.
- **Children and young people want support to build better connections with their families, friends and relationships.** They told us that they need to know what's available in their local communities to meet and make new friends; and where to get advice on relationships and sexual health.
- **Children and young people told us that they need cradle to career support to become independent and prepared for adulthood.** They want life skills to be taught in schools and colleges and help to find jobs, apprenticeships and supported employment.

-We informally consulted school leaders on the possibility of changing funding arrangements, structures and our model of provision. They said that it was a high priority for changes to funding to be brought forward as quickly as possible.

Following the consultation a detailed analysis has been completed within Appendix 4. This includes a section on Equalities, where the agreement against the proposals have been analysed against the protected characteristics. The analysis clearly shows that

there is a strong agreement with all proposals, and this doesn't change when splitting out the responses into the different groups using the protected characteristics.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> The proposal to phase the introduction of higher funding would impact children of different ages at different times. This means that there could be some older children past the age of phase transfer who do not receive the funding that they would have received if they were younger. However, these children are most likely of any children to currently succeeding in their school placement at the current level of funding. These children will also have access to interim and emergency funding which is not currently available. Proposals also include the ability for schools to invest additional funding in ways that benefit more children than the child who has been allocated the funding. On balance, the impact of greater funding is likely to be positive for all children, with lesser positive impacts for some children based on their age. No child would receive less funding than they currently receive. NEUTRAL 	□	XX	□

Disability	<ul style="list-style-type: none"> • These proposals have been explicitly designed to support an overall strategy to tackle spiralling demand and improve outcomes for children with SEN and disabilities and their families, which are of concern in relation to exclusion, placement breakdown, conflict scenarios and educational underachievement. New roles and team structures have changed to reduce pressure on local authority budgets but in such a way as to avoid negative impact on ability to deliver for children. While the aim of proposals is designed to be positive, the evidence base nationally in this area is poor and therefore it is impossible to be assured that changes will achieve the needed positive impact therefore this is assessed as NEUTRAL 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<ul style="list-style-type: none"> • No identified impact 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage and civil partnership	<ul style="list-style-type: none"> • No identified impact 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<ul style="list-style-type: none"> • No identified impact 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race and ethnicity	<ul style="list-style-type: none"> • No identified impact 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Religion or belief	<ul style="list-style-type: none"> No identified impact 	□	□	□
Sex	<ul style="list-style-type: none"> It is very difficult to ascertain this with available assessments and data, but there is a likelihood that the impact of SEND not being appropriately identified and needs met manifests in different impacts for girls and boys. Evidence suggests that boys are more likely to exhibit externalised anxiety and girls internalised. This can result in gender disparities in different groups, for example higher proportions of boys in groups where there is behaviour that challenges (exclusion, suspension and SEMH) and higher proportions of girls where there is internally directed harm (mental health, emotionally based school avoidance and self-harm). These proposals are intended to bring all these impacts into a single system with the aim of achieving more positive impacts for both groups. POSITIVE 	□	□	☒
Sexual orientation	<ul style="list-style-type: none"> No identified impact 	□	□	□
Armed Forces (including serving personnel, families and veterans)	<ul style="list-style-type: none"> No identified impact 	□	□	□

<p>Other, e.g. carers, low income, rurality/isolation, etc.</p>	<ul style="list-style-type: none"> Other risk factors can be exacerbating factors that increase the chance that a child with SEND struggles in a mainstream school. These proposals are intended to create a stronger system to identify and mitigate these effects. POSITIVE 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Negative outcomes action plan
Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
<p>There is an extensive multi-agency SEND action plan which sets out a detailed plan under four headings based on the SEND Strategy which was developed in co-production with children and families:</p> <ul style="list-style-type: none"> Working Together (Lead: Richard Selwyn, Org: Children's Commissioning, Somerset Council) Getting Help as Early and Possible (Lead: Alison Rowswell, Org: NHS Somerset ICB) Accessing to the Right Support and Provision (Lead: Amelia Walker, Org: Education, Somerset Council) Preparing for the Future (Lead: Emily Fulbrook, Org: Adult Services, Somerset Council) 	<p>Timescales are determined at action level and vary accordingly</p>	<p>Multi-agency leads as appropriate to the action</p>	<p>The SEND action plan is being monitored by the SEND Partnership which reports into the ICB Children and Families Board. Council-specific actions are reported into the Children's Transformation Board which reports into the Corporate</p>	<input type="checkbox"/>

			Transformation Board.	
If negative impacts remain, please provide an explanation below.				
Not applicable				
Completed by:	Andrew Hedges			
Date	17/12/24			
Signed off by:	Amelia Walker			
Date	06/01/25			
Equality Lead sign off name:	Tom Rutland			
Equality Lead sign off date:	15/01/2025			
To be reviewed by: (officer name)	Amelia Walker			
Review date:				