

Equality Impact Assessment

Context

1. under s.149 of the Equality Act 2010, when making decisions, Essex County Council must have regard to the Public Sector Equality Duty, ie have due regard to:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - gender and sexual orientation.
3. In addition to the above protected characteristics you should consider the cross-cutting elements of the proposed policy, namely the social, economic and environmental impact (including rurality) as part of this assessment. These cross-cutting elements are not a characteristic protected by law but are regarded as good practice to include.
4. The Equality Impact Assessment (EqIA) document should be used as a tool to test and analyse the nature and impact of either what we do or are planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. Use the questions in this document to record your findings. This should include the nature and extent of the impact on those likely to be affected by the proposed policy.
6. Where this EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. The EqIA will be published at:
<http://cmis.essexcc.gov.uk/essexcmis5/Home.aspx>
8. All **Cabinet Member Actions, Chief Officer Actions, Key Decisions** and **Cabinet Reports must be** accompanied by an EqIA.
9. For further information, refer to the EqIA guidance for staff.
10. For advice, contact:
Shammi Jalota shammi.jalota@essex.gov.uk
Head of Equality and Diversity
Corporate Law & Assurance



Section 1: Identifying details

Your function, service area and team: Education, SEND Strategy and Innovation

If you are submitting this EqlA on behalf of another function, service area or team, specify the originating function, service area or team:

Title of policy or decision: Fairview Pupil Referral Unit (Basildon)

Officer completing the EqlA: Ralph Holloway Tel: 03330 322691 Email: ralph.holloway@essex.gov.uk

Date of completing the assessment: 24/02/22

Section 2: Policy to be analysed

2.1	Is this a new policy (or decision) or a change to an existing policy, practice or project? Yes new decision
2.2	<p>Describe the main aims, objectives and purpose of the policy (or decision): Decision to enter into an NEC Construction Contract to demolish the existing pupil referral unit at Fairview, Basildon and the subsequent new build of the same provision.</p> <p>What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)? Delivery of specialist education services.</p>
2.3	<p>Does or will the policy or decision affect:</p> <ul style="list-style-type: none"> • service users • employees • the wider community or groups of people, particularly where there are areas of known inequalities? <p>This decision will impact very positively on some of the most vulnerable children and young people in Essex. Essex CC has a legal duty to offer a school place to each child residing in the County and the proposal will help to discharge that duty..</p> <p>Will the policy or decision influence how organisations operate? No</p>
2.4	<p>Will the policy or decision involve substantial changes in resources? Yes, the decision is in line with the Property Policy to make best use of property assets. The decision is in line with legislation (s123 of Local Government Act) to achieve 'best consideration' in property transactions. The alternative education and SEND provision in Essex contributes to a number of ECC's strategies: to increase educational achievement and enhance skills; to improve public health and wellbeing across Essex and, safeguard vulnerable people of all ages.</p>

2.5	<p>Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes?</p> <p>Yes, the decision is in line with the Property Policy to make best use of property assets. The decision is in line with legislation (s123 of Local Government Act) to achieve 'best consideration' in property transactions. The alternative education and SEND provision in Essex contributes to a number of ECC's strategies: to increase educational achievement and enhance skills; to improve public health and wellbeing across Essex and, safeguard vulnerable people of all ages.</p>
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Section 3: Evidence/data about the user population and consultation¹

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.1	What does the information tell you about those groups identified? In arriving at a strategy to meet the needs of children and young people with special educational needs, ECC consulted with Schools Forum, the professional associations representing primary and secondary schools in Essex and parent representative groups. The opportunity to have the special needs of very vulnerable children met near to their communities reduces stress on families and helps young people make links and connections locally which they take into adulthood which increases their independence.
3.2	Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision? N/A no consultation considered necessary.
3.3	If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary: N/A no consultation considered necessary .

¹ Data sources within EEC. Refer to Essex Insight:
<http://www.essexinsight.org.uk/mainmenu.aspx?cookieCheck=true>
with links to JSNA and 2011 Census.



Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	Positive, for those young people with additional needs who will be able to access relevant provision locally.	H
Disability	Positive, these school places are only available to children and young people unable to access a mainstream school place.	H
Gender	Neutral	L
Gender reassignment	Neutral	L
Marriage/civil partnership	Neutral	L
Pregnancy/maternity	Neutral	L
Race	Neutral	L
Religion/belief	Neutral	L
Sexual orientation	Neutral	L
Cross-cutting themes		
Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Socio-economic	Neutral	L
Environmental, eg housing, transport links/rural isolation	Neutral	L



Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqlA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	No <input checked="" type="checkbox"/>	
		Yes <input type="checkbox"/>	If ' YES ', use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.



Section 6: Action plan to address and monitor adverse impacts

What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.



Section 7: Sign off

**I confirm that this initial analysis has been completed appropriately.
(A typed signature is sufficient.)**

Signature of Head of Service: Clare Kershaw

Date:

Signature of person completing the EqlA: Ralph Holloway

Date: 24/02/22

Advice

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqlA you undertake to the director responsible for the service area. Retain a copy of this EqlA for your records. If this EqlA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.

