

Equality Impact and Needs Analysis Guidance and Template : 2021

**Budget Equality Analysis Full
Template: 2023**

Guidance notes

Things to remember:

Under the Public Sector Equality Duty (PSED) public authorities are required to have due regard to the aims of the general equality duty when making decisions and when setting policies. Understanding the affect of the council's policies and practices on people with different protected characteristics is an important part of complying with the general equality duty. Under the PSED the council must ensure that:

- Decision-makers are aware of the general equality duty's requirements.
- The general equality duty is complied with before and at the time a particular policy is under consideration and when a decision is taken.
- They consciously consider the need to do the things set out in the aims of the general equality duty as an integral part of the decision-making process.
- They have sufficient information to understand the effects of the policy, or the way a function is carried out, on the aims set out in the general equality duty.
- They review policies or decisions, for example, if the make-up of service users changes, as the general equality duty is a continuing duty.
- They take responsibility for complying with the general equality duty in relation to all their relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- They consciously consider the need to do the things set out in the aims of the general equality duty not only when a policy is developed and decided upon, but when it is being implemented.

Best practice guidance from the Equality and Human Rights Commission recommends that public bodies:

- Consider all the [protected characteristics](#) and all aims of the general equality duty (apart from in relation to marriage and civil partnership, where only the discrimination aim applies).
- Use equality analysis to inform policy as it develops to avoid unnecessary additional activity.
- Focus on the understanding the effects of a policy on equality and any actions needed as a result, not the production of a document.
- Consider how the time and effort involved should relate to the importance of the policy to equality.
- Think about steps to advance equality and good relations as well as eliminate discrimination.
- Use good evidence. Where it isn't available, take steps to gather it (where practical and proportionate).

- Use insights from engagement with employees, service users and others can help provide evidence for equality analysis.

Equality analysis should be referenced in community impact statements in Council reports. Community impact statements are a corporate requirement in all reports to the following meetings: the cabinet, individual decision makers, scrutiny, regulatory committees and community councils. Community impact statements enable decision makers to identify more easily how a decision might affect different communities in Southwark and to consider any implications for equality and diversity.

The public will be able to view and scrutinise any equality analysis undertaken. Equality analysis should therefore be written in a clear and transparent way using plain English. Equality analysis may be published under the council's publishing of equality information, or be present with divisional/departmental/service business plans. These will be placed on the website for public view under the council's Publications Scheme. All Cabinet reports will also publish related

Equality analysis should be reviewed after a sensible period of time to see if business needs have changed and/or if the effects that were expected have occurred. If not then you will need to consider amending your policy accordingly. This does not mean repeating the equality analysis, but using the experience gained through implementation to check the findings and to make any necessary adjustments.

Engagement with the community is recommended as part of the development of equality analysis. The council's Community Engagement Division and critical friend, the Forum for Equality and Human Rights in Southwark can assist with this (see section below on community engagement and www.southwarkadvice.org.uk).

Whilst the equality analysis is being considered, Southwark Council recommends considering Socio-Economic implications, as socio-economic inequalities have a strong influence on the environment we live and work in. As a major provider of services to Southwark residents, the council has a legal duty to reduce socio-economic inequalities and this is reflected in its values and aims. For this reason, the council recommends considering socio-economic impacts in all equality analyses, not forgetting to include identified potential mitigating actions.

Section 1: Equality impact and needs analysis details

Proposed policy/decision/business plan area to which this equality analysis relates		Prioritise delivery of Education Psychology Team to delivery of statutory duties and support to the most in need pupils			
Equality analysis author		Michael Crowe, Strategic Programme Lead			
Strategic Director:		David Quirke-Thornton, Strategic Director			
Department		Children & Adults Services	Division		Education
<p>Period analysis undertaken Please note that the equality analysis informs all stages of the budget setting process up to final decision making. It can be built upon at all stages.</p> <p>It can be further built upon and reviewed at implementation stage.</p>		<p>Please Indicate which stage of the Budget Proposal decision making process this equality analysis is informing:</p> <ul style="list-style-type: none"> • Budget Challenge and date • December Equality Analysis • January Cabinet Equality Analysis • January Overview and Scrutiny Committee • February Council Assembly 			
Indicative date of implementation of budget proposal if known		April 2025 – to March 2027			
Sign-off		Position		Date	

Section 2: Description of budget proposal

Please provide full details of the budget proposal and the predicted saving

These proposals are directly linked to the delivery our Safety Valve Special Educational Needs and Disability (SEND) Programme.

Our plans are to deliver wholesale reform in the SEND system to increase the capacity of our mainstream schools to support children with additional needs, and reduce the need for children to have Education, Health and Care Needs Assessments (EHCNAs) and Plans (EHCPs). We have already and will continue to invest in capacity to reduce the need for these assessments and plans.

We are investing in school support workers and transformation capacity to increase skills and knowledge within our schools to be able to support children with additional needs earlier and better.

This will over time reduce the need for formal needs assessments (EHCNAs) to take place and we will be in a position to reduce the existing capacity to undertake those assessments.

If delivered successfully this will reduce the need for our Educational Psychology resources which are a part of formal EHCNAs.

Educational Psychology capacity to undertake assessments is a statutory duty. If we are unable to successfully reduce the need for assessments we will be statutorily unable to reduce our capacity, making the deliverability of this savings target high risk.

Projected saving of £0.280m



Section 3: Overview of service users and key stakeholders consulted

2. Service users and stakeholders	
Key users of the department or service	<p>Children with additional needs Parents of children with additional needs Schools leaders and staff</p>
Key stakeholders were/are involved in this policy/decision/business plan	<p>Children's Services Leaders and staff Health Service leaders and staff Adults social care leaders and staff School leaders and staff Children, parents and carers</p> <p>As these proposals are mitigated by a wider transformation programme and may or may not be progressed pending the successful delivery of that programme it is felt that it would be disproportionate and could cause undue alarm or concern to consult, particularly with service users and parents, on the draft proposal at this stage. Full consultation including with children and families will be undertaken if the proposals are to be progressed before any final implementation decision is taken.</p>

Section 4: Pre-implementation equality impact and needs analysis

This section considers the potential impacts (positive and negative) on groups with 'protected characteristics', the equality information on which this analysis is based and any mitigating actions to be taken, including improvement actions to promote equality and tackle inequalities. An equality analysis also presents as an opportunity to improve services to meet diverse needs, promote equality, tackle inequalities and promote good community relations. It is not just about addressing negative impacts.

The columns include societal issues (discrimination, exclusion, needs etc.) and socio-economic issues (levels of poverty, employment, income). As the two aspects are heavily interrelated it may not be practical to fill out both columns on all protected characteristics. The aim is, however, to ensure that socio-economic issues are given special consideration, as it is the council's intention to reduce socio-economic inequalities in the borough. Key is also the link between protected characteristics and socio-economic disadvantage, including experiences of multiple disadvantage.

Socio-economic disadvantage may arise from a range of factors, including:

- poverty
- health
- education
- limited social mobility
- housing
- a lack of expectations
- discrimination
- multiple disadvantage

The public sector equality duty (PSED) requires us to find out about and give due consideration to the needs of different protected characteristics in relation to the three parts of the duty:

1. Eliminating discrimination, harassment and victimisation
2. Advancing equality of opportunity, including finding out about and meeting diverse needs of our local communities, addressing disadvantage and barriers to equal access; enabling all voices to be heard in our engagement and consultation undertaken; increasing the participation of under represented groups
3. Fostering good community relations; promoting good relations; to be a borough where all feel welcome, included, valued, safe and respected.

The PSED is now also further reinforced in the two additional Fairer Future For All values: that we will

- Always work to make Southwark more equal and just
- Stand against all forms of discrimination and racism

<p>Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.</p>	<p>Potential Socio-Economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)</p>
<p>The reduction in capacity without mitigation could lead to delays in children receiving an assessment of their additional needs and a subsequent delay in appropriate support being provided to them to secure an effective education and be provided with the environment they need to achieve positive life outcomes.</p>	<p>Children with an EHCP in Southwark are disproportionately from disadvantaged families, reduction in the capacity to deliver timely support to those children could exacerbate the existing disadvantage faced by those from deprived socio-economic backgrounds</p>
<p>Equality information on which above analysis is based</p>	<p>Socio-Economic data on which above analysis is based</p>
<p>By their nature education, health and care needs assessments are age restricted to children and young people 0-25. Therefore any reduction in the capacity to deliver the assessments would disproportionately impact the protected characteristic of age.</p>	<p>50.2% of children currently with an EHCP plan also being eligible for free school meals against 30% of the overall pupil population</p>
<p>Mitigating and/or improvement actions to be taken</p>	
<p>These proposals are based on the successful delivery of the wider SEND Transformation programme which plans to reduce the demand on the service to undertake statutory EHCNAs, thus realising capacity in parallel need to undertake these assessments.</p> <p>The mitigating action will be to terminate these and identify alternative proposals if the expected success in reducing demand is not realised.</p>	

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Please note that under the PSED due regard includes:

Giving due consideration in all relevant areas to "the steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities." This also includes the need to understand and focus on different needs/impacts arising from different disabilities.

Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
<p>The reduction in capacity without mitigation could lead to delays in children receiving an assessment of their additional needs and a subsequent delay in appropriate support being provided to them to secure an effective education and be provided with the environment they need to achieve positive life outcomes.</p>	
Equality information on which above analysis is based	Socio-economic data on which above analysis is based
<p>On average national and in Southwark the conversion rate from EHC Needs Assessment to EHC Plan is over 90%. This indicates that almost all children who do receive an assessment either already do have a diagnosis of additional need/disability or will go on to a confirmed diagnosis of special educational need and/or disability. Therefore any reduction in capacity to deliver assessments will disproportionately impact the protected characteristic of disability.</p>	
Mitigating and/or improvement actions to be taken	
<p>These proposals are based on the successful delivery of the wider SEND Transformation programme which plans to reduce the demand on the service to undertake statutory EHC Needs Assessments, thus realising capacity in parallel need to undertake these assessments.</p> <p>The mitigating action will be to terminate these and identify alternative proposals if the expected success in reducing demand is not realised.</p>	

<p>Gender reassignment: - The process of transitioning from one gender to another.</p> <p>Gender Identity: Gender identity is the personal sense of one's own gender. Gender identity can correlate with a person's assigned sex or can differ from it.</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.</p>	<p>Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)</p>
None	
<p>Equality information on which above analysis is based.</p>	<p>Socio-economic data on which above analysis is based</p>
No data is available which suggests any disproportionate impact on gender reassignment	
<p>Mitigating and/or improvement actions to be taken</p>	
N/a	

<p>Marriage and civil partnership – In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couples. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples and must be treated the same as married couples on a wide range of legal matters. (Only to be considered in respect to the need to eliminate discrimination.)</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)</p>
None	
<p>Equality information on which above analysis is based</p>	<p>Socio-economic data on which above analysis is based</p>
No data is available which suggests any disproportionate impact on marriage or civil partnership	

Mitigating or improvement actions to be taken	
N/a	

Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.	
Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
None	
Equality information on which above analysis is based	Socio-economic data on which above analysis is based
No data is available which suggests any disproportionate impact on pregnancy or maternity	
Mitigating and/or improvement actions to be taken	
N/a	

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. N.B. Gypsy, Roma and Traveller are recognised racial groups and their needs should be considered alongside all others	
Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
The reduction in capacity without mitigation could lead to delays in children receiving an assessment of their additional needs and a subsequent delay in appropriate support being provided to them to secure an effective education and be provided with the environment they need to achieve positive life outcomes.	

Equality information on which above analysis is based	Socio-economic data on which above analysis is based
<p>74.8% of children with an EHCP in Southwark are from a non-white background compared to 48.6% of the overall population.* Therefore any reduction in capacity to undertake timely assessments would disproportionately impact on the protected characteristic of race.</p> <p>*And also compared to 65% of the 0-17 population from Black, Asian and multi ethnic backgrounds.</p>	
Mitigating and/or improvement actions to be taken	
<p>These proposals are based on the successful delivery of the wider SEND Transformation programme which plans to reduce the demand on the service to undertake statutory EHC Needs Assessments, thus realising capacity in parallel need to undertake these assessments.</p> <p>The mitigating action will be to terminate these and identify alternative proposals if the expected success in reducing demand is not realised.</p>	

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.	
Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/needs/issues arising from socio-economic disadvantage (positive and negative)
None	
Equality information on which above analysis is based	Socio-economic data on which above analysis is based
No data is available which suggests any disproportionate impact on religion	
Mitigating and/or improvement actions to be taken	

N/a	
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Sex - A man or a woman.	
Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
The reduction in capacity without mitigation could lead to delays in children receiving an assessment of their additional needs and a subsequent delay in appropriate support being provided to them to secure an effective education and be provided with the environment they need to achieve positive life outcomes.	
Equality information on which above analysis is based	Socio-economic data on which above analysis is based
Historically our data tells us that males are more likely to require the additional support provided through and EHCNA and EHCP – in 2023 72% of children with and EHCP were male and 28% were female.	
Mitigating and/or improvement actions to be taken	
<p>These proposals are based on the successful delivery of the wider SEND Transformation programme which plans to reduce the demand on the service to undertake statutory EHC Needs Assessments, thus realising capacity in parallel need to undertake these assessments.</p> <p>The mitigating action will be to terminate these and identify alternative proposals if the expected success in reducing demand is not realised.</p>	

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes	
Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
None	

Equality information on which above analysis is based	Socio-economic data on which above analysis is based
No data is available which suggests any disproportionate impact on sexual orientation	
Mitigating and/or improvement actions to be taken	
N/a	

<p>Human Rights</p> <p>There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour , Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol</p>
Potential impacts (positive and negative) of proposed policy/decision/business plan
None
Information on which above analysis is based
No data is available which suggests any disproportionate impact on human rights
Mitigating and/or improvement actions to be taken

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Conclusions

Summarise main findings and conclusions of the overall equality impact and needs analysis for this area:

Have any potential significant concerns amongst service users or the wider community been identified?

Yes, there is continuing concern from service users on the capacity of services to deliver timely and high quality education, health and care needs assessments.

As these proposals are mitigated by a wider transformation programme and may or may not be progressed pending the successful delivery of that programme it is felt that it would be disproportionate and could cause undue alarm or concern to consult, particularly with service users and parents, on the draft proposal at this stage. Full consultation including with children and families will be undertaken if the proposals are to be progressed before any final implementation decision is taken.

Have any potential negative, disproportionate or adverse impacts on particular protected characteristics been identified?

Yes, by the nature of the service under consideration there would be a significantly disproportionate impact of reduced capacity on those aged 0-25 and disabled children and young people.

In addition to the target groups the service works with our local data tells us that the service is disproportionately used by males, those from a non-white background and those families whose children are eligible for free schools meals thus from socio-economically disadvantaged backgrounds.

However, the equalities risks level assigned to these proposals is low due to the mitigating action which will see these proposals terminated and replaced with alternative proposals if we are unable to reduce overall demand for the service successfully through our wider transformation programme.

Have you identified any negative or positive impacts re: the promotion of good community relations ?

No

Are there any specific implications for groups experiencing socio-economic disadvantage ?

Yes, half of all children subject to an EHCP are eligible for free school meals, compared to just a third of all pupils in the borough.

Are there any specific implications for groups experiencing socio-economic disadvantage and protected characteristics?

Yes, as stated above there is a significant interrelationship between the target groups of the service (0-25 year olds and disabled children) and those being from deprived socio-economic backgrounds.

Are there any specific implications for Borough Plan priorities or commitments ?

Whilst there is no specific reference in the Borough Plan to children with special educational needs and disabilities the commitment support children and young people to thrive, could be negatively impact by reductions in the capacity to ensure children with special educational needs and disabilities are properly assessed and supported.

Section 5: Further equality actions and objectives

5. Further actions			
Based on the initial analysis above, please detail the key mitigating and/or improvement actions to promote equality and tackle inequalities; and any areas identified as requiring more detailed analysis.			
Number	Description of issue	Action	Timeframe
1	Reduction in EHC Needs assessment capacity leads to delays in children receiving support commensurate with their identified needs	Investment in mainstream school capacity to support children without the need for an EHCP	March 2025
2		Investment in early years support provision to deliver intervention early to young children and reduce levels of complex need in later life, reducing the need for EHCPs	March 2025
3		Investment in early intervention support for older children to address issues as they arise and reduce the need for EHCPs	March 2025

5. Equality and socio-economic objectives (for business plans)

Based on the initial analysis above, please detail any of the equality objectives outlined above that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.

Objective and measure	Lead officer	Current performance (baseline)	Targets	
			Year 1	Year 2
Increase the capacity of mainstream schools to support children with additional needs (Existing)	Anna Chiva	EHCPs 3277	Reduction in EHCPs to 3200	Reduction in EHCPs to 3107
Improve the early years identification and response to children with developmental issues (existing)	Anna Chiva	EHCPs 3277	Reduction in EHCPs to 3200	Reduction in EHCPs to 3107
Investment in early intervention support for older children to address issues as they arise and reduce the need for EHCPs	Jenny Brennan	EHCPs 3277	Reduction in EHCPs to 3200	Reduction in EHCPs to 3107

6. Review of implementation of the equality objectives and actions

**Implementation Equality Impact and Needs Analysis of budget proposal:
proposed date if known**