

Equality Analysis

Directorate: Education	Lead Officer: Tom Knott (SEND Commissioning Officer)
Service Area: Special Educational Needs and Disabilities	Date completed: 31 October 2018
Service / Function / Policy / Procedure to be assessed:	
Proposed expansion and change in the designation of need catered for at Penn Hall School.	
Is this: New / Proposed <input checked="" type="checkbox"/> Existing/Review <input type="checkbox"/> Changing <input type="checkbox"/> (Please tick appropriate box)	Review date:

Part A – Initial Equality Analysis to determine if a full Equality Analysis is required.

What are the aims and objectives/purpose of this service, function, policy or procedure?

Penn Hall School is currently designated as a community special school with a capacity of 76 which caters for students with physical difficulties aged 3-19. It is proposed that with effect from 1 September 2019:

- The capacity of Penn Hall School is increased from 76 places to 100 places.
- The type of needs that Penn Hall School is registered to cater for are extended from Physical Disability to Physical Disability, Severe Learning Difficulty, Profound and Multiple Learning Difficulty and Autistic Spectrum Disorder.

By providing for a larger, more diverse school population Penn Hall School would better support the changing needs of the City's population, enable a wider range of pupils to benefit from the education and support provided by Penn Hall School, and reduce the potential need for expensive out of City placements.

Please indicate its relevance to any of the equality duties (below) by selecting Yes or No?

	Yes	No
Eliminating unlawful discrimination, victimisation and harassment		X
Advancing equality of opportunity	X	
Fostering good community relations	X	

If not relevant to any of the three equality duties and this is agreed by your Head of Service, the Equality Analysis is now complete - please send a copy to the Equality & Diversity Team. **If any of the three equality duties are relevant**, a Full Equality Analysis will need to be undertaken (PART B below).

PART B: Full Equality Analysis.

Step 1 – Identifying outcomes and delivery mechanisms (in relation to what you are assessing)

What outcomes are sought and for whom?	To increase the capacity of Penn Hall School and extend the type of needs catered for at Penn Hall School with effect from 1 September 2019.
Are there any associated policies, functions, services or procedures?	<p>Relevant Legislation</p> <ul style="list-style-type: none"> • Schools Organisation Regulations 2013 • Education Act 2002 • The Education Act 2011 • The Education and Inspections Act 2006 • Equality Act 2010 • Children and Families Act 2014 • Human Rights Act 1998. <p>Local Policy:</p> <ul style="list-style-type: none"> • City of Wolverhampton Council's Corporate Plan • City of Wolverhampton Council's Vision for School Organisation

	2018-2020 <ul style="list-style-type: none"> City of Wolverhampton Council's Joint Special Educational Needs and Disabilities Strategy.
If partners (including external partners) are involved in delivering the service, who are they?	Penn Hall School

Step 2 – What does the information you have collected, or that you have available, tell you?

What evidence/data already exists about the service and its users? (in terms of its impact on the 'equality strands', i.e. race, disability, gender, gender re-assignment, age, religion or belief, sexual orientation, maternity/pregnancy, marriage/civil partnership and other socially excluded communities or groups) and **what does the data tell you?** e.g. are there any significant gaps?

Age:
 In January 2018, there were 82 pupils on roll at Penn Hall School. Pupils were spread across the age range 3 to 18.

Disability:
 In January 2018, all pupils on roll at Penn Hall School had a special educational need or disability. 74 pupils had an Education, Care and Health Plan (EHCP), 5 pupils had a Statement of Special Educational Need and 3 pupils were identified as requiring SEN Support.

Gender:
 In January 2018, 50 pupils were male and 32 pupils were female.

Ethnicity:
 In January 2018, 41 pupils on roll at Penn Hall School were identified as being White British.

Has there been any consultation with, or input from, customers / service users or other stakeholders? If so, with whom, how were they consulted and what did they say? If you haven't consulted yet and are intending to do so, please list which specific groups or communities you are going to consult with and when.

The change proposals qualify as prescribed alterations which require the undertaking of statutory consultation and decision making processes in accordance with 'The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013' and 'The Education and Inspections Act 2006 – as amended by The Education Act 2011.

Figure 1 below outlines the consultation and decision making process:

Figure 1: Consultation and Decision Making Process

Date	Process
14 May 2018 to 17 June 2018	Pre-publication Consultation
17 July 2018	The Cabinet Member for Education and Skills, in consultation with the Director of Education; considered all outcomes of Pre-publication Consultation and approved progression to a period of Representation.
10 September 2018 to 7 October 2018	Representation Period.
21 November 2018	Cabinet consider all outcomes of consultation and make a final decision on the proposals.
27 November 2018 to 24 December 2018	Appeals Period.
1 September 2019	Subject to approval, proposals are formally implemented.

Pre-publication Consultation

Pre-publication Consultation ran from 14 May 2018 to 17 June 2018. During the Pre-publication Consultation period, more than 400 letters and consultation documents were distributed to stakeholders. Stakeholders included the Governing Board of Penn Hall School, members of staff at Penn Hall School, parents/carers of pupils attending Penn Hall School and all schools in Wolverhampton.

During the Pre-publication Consultation period, 47 written responses were received by the City of Wolverhampton Council (as summarised in Figure 2). These were completed by a range of stakeholders including members of staff at Penn Hall School, parents/carers of pupils attending Penn Hall School and members of Penn Hall School's Governing Board.

Figure 2: Written Responses Consultation Summary

Consultation Question	Number of Responses Received	Yes	No	Don't Know	Abstained
a. Do you agree with the proposal to extend the type of needs that Penn Hall is registered to cater for?	47	37 (79%)	7 (15%)	1 (2%)	2 (4%)
b. Do you agree with the proposal to increase the capacity of Penn Hall School?	47	34 (72%)	8 (17%)	3 (6%)	2 (4%)

Respondee Summary:

- Age: The age ranges of respondees to Pre-publication Consultation were 2 (16-24), 6 (25-34), 8 (35-44), 14 (45-54), 12 (55-64), 2 (65+) and 3 (abstained).
- Gender: The genders of respondees to Pre-publication Consultation were 35 (female), 9 (male) and 3 (abstained).
- Gender Identity: 42 respondees to Pre-publication Consultation were identified as having the same gender identity as assigned at birth, 5 respondees abstained.
- Sexual Orientation: The sexual orientation of respondees to Pre-publication Consultation were 42 (Heterosexual) and 5 (abstained).
- Ethnic Origin: The ethnic origin of respondees to Pre-publication Consultation was 1 (Any Other), 3 (Asian or Asian British - Indian), 2 (Asian or Asian British - Pakistani), 36 (White British), 1 (White Irish), and 4 (abstained).
- Religion: The religion of respondees to Pre-publication Consultation was 26 (Christian), 2 (Hindu), 2 (Muslim), 12 (No religion) and 5 (abstained).
- Disability: 6 respondees to Pre-publication Consultation were identified as having a disability, 37 respondees did not have a disability and 4

respondees abstained.

Representation Period

The Representation Period commenced on 10 September 2018 and concluded on 7 October 2018. At the start of the consultation period, a Statutory Notice was published in the Express and Star Newspaper and consultation documentation was published on the Council's website and distributed to relevant stakeholders.

The City of Wolverhampton Council received two responses during Representation:

- "My son has many disability and phobia he getting better care and support from penn hall school every children who has multiple disabilities and need any support penn hall could make their future and they can make better life and future"
- "I do not object to the expansion; I have a reservation regarding increased employee numbers and possible associated parking problems. At present employees use the school's car parking areas. At times those are full and vehicles are parked in The Avenue and in two areas adjacent to the school - near the closed iron gates and wooden doors on Vicarage Road. Problems occur when all these areas are full. There is a car parking area near St Bartholomew's church, some 75 metres away, but this is not generally used. Consequently vehicles are parked on Vicarage Road, where there is no footpath for 50 metres, and on the footpath/highway opposite the school. The latter is very common causing parents/carers, often with pushchairs, and children to walk in the road. This in itself is a significant safety issue. Vicarage Road is a busy road especially at peak times when buses arrive and depart from Penn Hall School. So a combination of possible increased parked vehicles, buses and pedestrians causes me and other residents concerns. Are there proposals to create additional parking space for employees and visitors?"

Are there any complaints, compliments, satisfaction surveys or customer feedback that could help inform this assessment? If yes, what do these tell you?

A number of supportive comments regarding the proposals were received during Pre-publication Consultation including:

- "We need to move with the growing population needs. To make the proposed changes needs to be done to cater for children, giving them the best care and attention we can" (P24 - Member of Staff at Penn Hall School)
- "Looking forward to the new challenges within the school" (P27 – Member of Staff at Penn Hall School)
- "I see that the school needs to reflect the needs of children citywide. Our school can provide its existing expertise to provide care across a wider designation of pupil needs." (P37 – Member of staff at Penn Hall School)
- "There are strong foundations to support change in this outstanding school. With a strong working relationship between the school and the local authority, backed by appropriate funding these proposed changes will allow Penn Hall to provide an excellent learning environment for children and young people." (P39 – Member of staff at Penn Hall School)
- "Penn Hall is a wonderful school and I think it is wonderful if it can provide for more children, every child deserves the best care and education." (P47 – Parent/Carer of a pupil at Penn Hall School).

A number of concerns and considerations regarding the proposals were also identified during Pre-publication Consultation including:

- “I have concerns that the extra security needed to cater for the additional AS pupils will effect our wheelchair users. Their independence may be reduced as doors will need extra handles/locks and may restrict the movement around the school and grounds.” (P28 - Member of staff at Penn Hall School)
- “Think that extending the types of needs catered for will fundamentally change the calm atmosphere and culture of the school and potentially increase risk levels for children who are already vulnerable due to their physical needs.” (P29 - Parent/Carer of a pupil at Penn Hall School)
- “It is wrong to create more capacity for children with learning difficulty, because of need, but not have the high standard of teaching already in place. Penn Hall School may acquire the skills in due time for this new student group but, till then, such students should not go to this school.” (P33 - Governor Broadmeadow Special School)
- “Expansion is exciting but needs appropriate funding/building to meet the needs of the growing population.” (P34 – Member of staff at Penn Hall School)
- “Why fix something that is not broken. It is a special school in its particular field which is children with physical disabilities, hence its reputation and track record is based on this field so adding children with multiple learning difficulties will not be beneficial to the school and existing pupils, or teachers. Instead maybe a additional centre or school be opened to cater for there needs.” (P35 - Parent/Carer of a pupil at Penn Hall School).

Step 3 – Identifying the negative impact.

a. Is there any negative impact on individuals or groups in the community?

Barriers:

What are the potential or known barriers/impacts for the different ‘equality strands’ set out below?
Consider:

- **Where** you provide your service, e.g. the facilities/premises;
- **Who** provides it, e.g. are staff trained and representative of the local population/users?
- **How** it is provided, e.g. do people come to you or do you go to them? Do any rules or requirements prevent certain people accessing the service?
- **When** it is provided, e.g. opening hours?
- **What** is provided, e.g. does the service meet everyone’s needs? How do you know?

* Some barriers are justified, e.g. for health or safety reasons, or might actually be designed to promote

equality, e.g. single sex swimming/exercise sessions, or cannot be removed without excessive cost. If you believe any of the barriers identified to be justified then please indicate which they are and why.

Solutions:

What can be done to minimise or remove these barriers to make sure everyone has equal access to the service or to reduce adverse impact? Consider:

- Other arrangements that can be made to ensure people's diverse needs are met;
- How your actions might help to promote good relations between communities;
- How you might prevent any unintentional future discrimination.

Equality Themes	Positive Impacts	Negative Impacts identified	Solutions (ways in which you could mitigate the negative impact)
Age (including children, young people and older people)	Not applicable to children under 18.	Not applicable to children under 18.	Not applicable to children under 18.
Disability (including carers)	The proposals aim to better support the changing needs of the City's population with SEND, enable a wider range of pupils to benefit from the education and support provided by Penn Hall School, and reduce the potential need for expensive out of City placements.	Concerns identified regarding the impact of the proposals on existing pupils at the school – facilities, independence and support.	Not applicable – Capital investment to support the temporary changes to provision has ensured the delivery of appropriate accommodation and supplied revenue funding supports both training and staffing requirements.
Gender (men and women)	The proposals aim to better support the changing needs of the City's population with SEND regardless of gender.	Not applicable.	Not applicable.
Race (including Gypsies & Travellers and Asylum Seekers)	The proposals aim to better support the changing needs of the City's population with SEND regardless of race.	Not applicable.	Not applicable.

Religion or belief (including people of no religion or belief)	The proposals aim to better support the changing needs of the City's population with SEND regardless of religion or belief.	Not applicable.	Not applicable.
Gender Re-assignment (those that are going or have gone through a transition: male to female or female to male)	The proposals aim to better support the changing needs of the City's population with SEND regardless of gender re-assignment.	Not applicable.	Not applicable.
Pregnancy and Maternity	Not applicable.	Not applicable.	Not applicable.
Sexual orientation (including gay, lesbian, bisexual and heterosexual)	The proposals aim to better support the changing needs of the City's population with SEND regardless of sexual orientation.	Not applicable.	Not applicable.
Marriage and Civil Partnership	Not applicable.	Not applicable.	Not applicable.
Human Rights	Not applicable.	Not applicable.	Not applicable.

Step 4 – Changes or mitigating actions proposed or adopted

Having undertaken the assessment are there any changes necessary to the existing service, policy, function or procedure? What changes or mitigating actions are proposed?

No proposed changes necessary.

Step 5 – Monitoring

How are you going to monitor the existing service, function, policy or procedure ?

School Census information relating to the characteristics of pupils in schools in Wolverhampton are monitored on a termly basis along with the undertaking of established School Standards monitoring practices.

Part C - Action Plan

Barrier/s or improvement/s identified	Action Required	Lead Officer	Timescale
Not applicable.	Not applicable.	Not applicable.	Not applicable.

Equality Analysis approved by:

Head of Service: Adrian Leach

Date: 31.10.18