

# Fairness and Equalities Impact Assessment (FEIA)

Version 1 – 4<sup>th</sup> December 2020

The purpose of this assessment is to provide balanced information to support decision making and to promote better ways of working in line with equalities (Equalities Act 2010), Welsh language promotion (The Welsh Language (Wales) Measure 2011), sustainable development (Wellbeing of Future Generations (Wales) Act 2015), and the four parameters of debate about fairness identified by the Newport Fairness Commission (NFC Full Report to Council 2013).

**Completed by:** Katy Rees      **Role:** Assistant Head of Education

**Head of Service:** Sarah Morgan      **Date:** 04/12/2020

**I confirm that the above Head of Service has agreed the content of this assessment**

Yes

**When you complete this FEIA, it is your responsibility to submit it to**  
impact.assessment@newport.gov.uk

## **1. Name and description of the policy / proposal being assessed. Outline the policy's purpose.**

This proposal sets out the intention to revise the staffing structure of the Additional Learning Needs Team to achieve savings for realisation in the 2021/22 financial year. This involves reducing the number of weeks worked by the full time, permanent Teacher Advisor to 41 weeks a year. The other member of the ALN Team, the Curriculum Improvement Advisor post is already contracted to work 39 weeks per year.

## **2. Outline how you have/ will involve stakeholders who will be affected by the policy/proposal**

Formal consultation will take place as part of the Council's budget setting process for 2021/22.

This proposal will be subject to standard consultation processes as part of the Council's budget setting arrangements for 2021/22 before a decision is taken by Cabinet as to whether or not to proceed with the proposal. All stakeholders will be encouraged to participate in the consultation.

## **3. What information/evidence do you have on stakeholders? e.g. views, needs, service usage etc. Please include all the evidence you consider relevant.**

There are 57 schools in Newport, each having a responsibility to work with pupils and families to support their Wellbeing and engagement in learning. The ALN Teacher Advisor plays a pivotal role in training and advising Schools and families on how to support pupils/children with Social, Emotional and Behavioural Difficulties to help them maintain their educational placements. The ALN Teacher Advisor co-ordinates the LA Restrictive physical Intervention policy, processes and training across all Schools ensuring a rigorous safeguarding system of recording and

reporting are in place. The monitoring of Restrictive Physical Interventions and calming room use is integral to our LA safeguarding procedures'. The ALN Teacher Advisors' work with families extends beyond the school day and the support also continues during school holiday periods.

Stakeholders will include:

- All staff within the ALN and wider Inclusion Enrichment Team;
- Other staff across the wider Central Education Service;
- Headteachers and those School staff with Responsibility for pupils with Additional Learning Needs;
- Young people and families supported by the ALN Team;
- Wider partners who are impacted by the work undertaken by the ALN Team.




#### 4. Equalities and Welsh language impact



Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
<b>Age</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The Autumn 2020 Pupil Census indicates that there are 26,756 pupils being educated in Newport. Approximately 21% (5618) of these pupils are identified as having an Additional Learning Need; approximately 5% (281) of the pupils with ALN have social, emotional and behavioural difficulties. In terms of the Teacher Advisor, this proposal will adversely affect these children and young people as they are the primary clients of the Additional Learning needs Team.
<b>Disability</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This proposal will impact on disabled children and young people as this group faces barriers related to learning or health that may affect their attendance at school. These pupils attend mainstream schools across the city or may also be one of the 227 pupils that attend one of the 2 special schools located in Newport (October 2020 PLASC data).  To ensure disabled children and young people are not disadvantaged by the decision to reduce the number of days worked by the ALN Teacher Advisor during the school holiday periods, the ALN Teacher Advisor will be available for 2 out of the 13 school holiday weeks. This will allow schools, pupils and their families to access some support during this period.

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
				There is no evidence to suggest that this proposal will have an impact on staff that share this characteristic
<b>Gender reassignment/transgender</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence to suggest that this proposal will have an impact on people that share this characteristic
<b>Marriage or civil partnership</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence to suggest that this proposal will have an impact on people that share this characteristic
<b>Pregnancy or maternity</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence to suggest that this proposal will have an impact on people that share this characteristic
<b>Race</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There is no evidence to suggest that this proposal will have an impact on people that share this characteristic. We do not hold data on the ethnicity of ALN pupils.
<b>Religion or Belief or non-belief</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence to suggest that this proposal will have an impact on people that share this characteristic
<b>Sex/ Gender Identity</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed cuts would have an adverse impact on the male workforce
<b>Sexual Orientation</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence to suggest that this proposal will have an impact on people that share this characteristic
<b>Welsh Language</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Of the 57 schools in Newport, 4 are Welsh medium with 1 of these being a secondary school and 3 being primary schools. A fourth Welsh-medium primary school will open in September 2021. The Autumn 2020 School census records 1241 pupil as attending these schools. These schools, their pupils and families will be affected equally by any reductions to the ALN Team.  From employee surveys that have been undertaken, most of potentially affected employees state they have no or little Welsh language skills.



## How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Long Term</p> <p>Balancing short term need with long term and planning for the future</p>	<p>The Council must achieve a balanced budget and maintain the best service for its customers. Customers are wider than those in schools alone. This budget proposal prevents a further, disproportionate funding reduction to wider Council services.</p> <p>There are no options available within the ALN Team other than to make savings linked to staff reductions. Without the ALN Team making a significant saving, there will be an exacerbated pressure on other services within Central Education. The ALN Team is however in a position where any reduction in staffing will affect the success criteria in this area.</p> <p>There are two members of staff within the team. The Additional Learning Needs and Tribunal (Wales) Act 2018, a new statutory framework for supporting pupils with ALN extended the age range of ALN pupils to 0-25 years. The ALN Code of Practice is due to be implemented in September 2021. There is a requirement following implementation of the Code to provide preventative training and support to Schools, Early Years providers and Post 16 provisions. This will cause additional pressure on the ALN Team.</p> <p>This would increase the probability of the Council not meeting the statutory responsibilities. This would undoubtedly lead to significant complaints from schools and families directed at officers and elected members.</p>
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>This proposal does not aid collaboration. A reduction in the staffing compliment will affect relationships with colleagues in schools, other service areas and other LAs. The ALN Teacher Advisor leads training for health and social care colleagues during the holiday periods to ensure a consistent approach to meeting the needs of Children and Young people.</p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>All budget proposals will be consulted upon. Key stakeholders linked to this proposal include Chairs of Governors, Head teachers, Trade Unions, parents, pupils, Schools Forum, the Youth Council and Newport City Council staff.</p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>The Council must achieve a balanced budget and maintain the best service for its customers. Customers are wider than those in schools alone. This budget proposal prevents a further, disproportionate funding reduction to wider Council services.</p>
 <p>Integration</p> <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p><b>A prosperous Wales</b> Maintaining an ALN Team, albeit on reduced contracted hours of working, continues to support children and young people to attend and succeed in school, which in turn will support their progress into employment, education, or training on leaving school.</p> <p><b>A resilient Wales</b> This proposal demonstrates the flexibility of the Education Service in developing changes in ways of working based on need, context and environment. The ALN Teacher Advisor will be available for 2 out of the 13 school holiday weeks. This will allow schools, pupils and their families to access some support during this period.</p> <p><b>A healthier Wales</b> By working with schools to maximise attendance, learner wellbeing, physical, emotional and social, is also supported. This in turn will lead to improved examination outcomes and life chances.</p> <p><b>A more equal Wales</b> This proposal supports the local authority's work to improve educational attainment by ensuring some school holiday support is available from the Teacher Advisor to support pupils who are disadvantaged by poverty.</p> <p><b>A Wales of more cohesive communities</b> This proposal aims to mitigate against the long-term impacts of potential educational disparity, by enabling learners and families to access the support of an ALN Teacher Advisor for a reduced period over the school holidays.</p> <p><b>A Wales of vibrant culture an thriving Welsh Language</b> This proposal will have a positive impact on ensuring that pupils are supported to attend schools and continue to access opportunities to develop the Welsh language.</p> <p><b>A globally responsible Wales</b> A reduction in staffing will require a more agile approach to work by the ALN Team, and will hopefully contribute to the work of the modernised council.</p>

## **5 What will the impact be on the wellbeing goals (under Wellbeing of Future Generations Act 2015)?**

The proposal will likely have a negative impact on services provided by the ALN Team. There will be a reduced capacity to support young people and families through the holiday periods and to offer Restrictive Physical Intervention training and support to other service areas. Due to the lack of on-going family advice and support through the holiday period there is a risk of increased exclusions on the pupils return to School. High exclusions have been demonstrated to align with poorer academic outcomes and therefore, reduced employment opportunities. Reducing School exclusions is a key performance indicator for the Local Authority.

## **6 Will the proposal/policy have a disproportionate impact on a specific geographical area of Newport?**

The ALN Team operates citywide; the ALN Teacher Advisor is also responsible for monitoring the reporting and recording of restrictive physical interventions and calming room access across the city. Children and Young people with social, emotional and behavioural difficulties are often from the most deprived areas of Newport.

## **7 How does the proposal/policy relate to the parameters of debate about Fairness identified by the Newport Fairness Commission**

The budget process considers where the Council's reducing financial resources should be spent. These services affect children that are vulnerable. The proposal should be seen collectively alongside other proposals.

## **8 Taking this assessment as a whole, what could be done to mitigate any negative impacts of your policy and better contribute to positive impacts?**

The reduction in the contracted hours of working for the Additional Learning Needs Team is likely to have an impact on the local authority's rate of primary and secondary exclusions and attendance. In light of this budget saving proposal, the ALN Team would continue support schools during term time whilst making some support available to all schools for around 2 out of the 13 school holiday weeks.

## **9 Monitoring, evaluating and reviewing**

School exclusions are monitored monthly and reported to Welsh Government and Council Scrutiny annually. School exclusion rates are a key performance indicator for the Local Authority.

Monitoring of the learners' most affected by this proposal will be ongoing by schools and by central education.

## **10 Involvement**

This proposal is being made as part of the Council's 2021/22 budget process which will include consultation and engagement with relevant key stakeholders.

## **11 Summary of Impact (for inclusion in any report)**

### **Equality Act 2010 AND Welsh Language**

The proposal will have an impact on services for Children and Young People. The impact will negatively affect children and young people in vulnerable groups as there will be a significant reduction in the support provided to families. This may result in an additional number of pupils reporting as school phobic / refusers as well as potentially increasing the number of pupil exclusions. The proposal will have an impact on services for Children and Young People as there will be reduced capacity for direct services for disabled children and young people.