

# Fairness and Equalities Impact Assessment (FEIA)

This is an integrated Impact Assessment which aims to ensure Newport City Council makes decisions which are fair, take account of relevant evidence, and seek to secure the best outcomes for our communities. **An FEIA should be used to inform the first steps of decision-making, at concept stage, not when a decision is already made, or at the point when it cannot be influenced.** This impact assessment considers our legislative responsibilities under:

- The Equality Act (2010), including the Socio-economic Duty
- The Wellbeing of Future Generations (Wales) Act (2015)
- The Welsh Language (Wales) Measure (2011)

The FEIA process is not intended to prevent decisions being made, but to ensure we have considered their potential impact. An FEIA also helps us to focus on how we can reduce any negative impacts, and provides us with evidence that we have met our legal duties.

*For support to complete your FEIA, please contact the [Connected Communities Team](#)*

## What do we mean by Fairness?

The Newport Fairness Commission is an independent body which advises the council on the best use of resources and powers to achieve the fairest outcomes for local people. The Fairness Commission has established four **Principles of Fairness** which should be considered as part of any decisions that the council make – the questions below are useful to reflect on before you start your FEIA.

<b>Equity</b>	Are people being treated in a consistent way, whilst acknowledging their differences (for example, need, barriers to accessing services)?
	Will the gap between those with more, and those with less be reduced?
	Have the interests of different groups affected (including minority or disadvantaged communities) been taken into account?
<b>Priority</b>	Have the needs of the most disadvantaged and vulnerable across the city been given priority?
	Have you considered possible indirect consequences for minority/disadvantaged communities when other priorities are directing decisions?
<b>Inclusion</b>	Will the voices of all those affected by your decision be heard?
	Are people able to participate in and shape a service, as well as receiving it?
	Have you considered the impact of your decision on the relationship between communities, and the spaces they share?
<b>Communication</b>	Are decisions being made transparently and consistently?
	How will decisions be communicated to people who are affected in a clear way, with the opportunity for feedback?

## Part 1: Identification

Name of person completing the FEIA	Sheree Davies
Role of person completing the FEIA	<b>Education Information &amp; Development Officer</b>
Date of completion	<b>20/01/2023</b>
Head of Service who has approved this FEIA	<b>Sarah Morgan</b>

### 1. What is being assessed? *(Please double click on the relevant box(es) (X) and select 'checked' as appropriate)*

- New or revised policies, practices or procedures (which modify service delivery or employment practices)
- Service review or re-organisation proposals which affect the community and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- Decisions affecting service users, employees or the wider community including (de)commissioning or revising services
- New project proposals affecting staff, communities or access to the built environment
- Public events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Service Boards
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services
- Other *please explain in the box below:*

## 2. Please describe the overall aims, objectives and intended outcomes of your decision

The intended outcome is to obtain permission to publish a Statutory Notice concerning the proposal to establish a 20 place Autistic Spectrum Disorder (ASD) Additional Learning Needs (ALN) base at Llanwern High School from September 2023. The proposal is considered necessary to appropriately meet the needs of learners entering secondary school who have complex Autism and where additional specialist support is required.

Llanwern High School previously hosted specialist provision for students with a diagnosis of Social Emotional Behavioural Difficulties (SEBD). As part of the budget determinations for the 2017/2018 financial year, Newport City Council's Cabinet took a decision to withdraw the funding associated with this provision. This supported the strategy that individual pupil needs could be better met at more inclusive Additional Learning Needs (ALN) settings within mainstream host schools, and would also reduce the significant operational running costs of the provision. The provision was closed in April 2018 and the five students accessing the provision transferred to mainstream education with additional support. Four of these pupils lived within the designated catchment area for Llanwern High School, with the fifth within the Lliswerry High School catchment area.

Since the closure of the original specialist provision at Llanwern High School, the pupil cohort in receipt of a formal diagnosis of Autistic Spectrum Disorder (ASD) across Newport has been increasing. Whilst the majority of pupils with this condition are able to attend mainstream schools with varying levels of support, a growing cohort require more specialist provision in order to meet their needs. The identified needs of pupils in Newport schools shows that demand for places in ASD specialist provision is exceeding current provision available within the city.

Newport City Council currently have two specific ASD provisions within the City:

1. Ysgol Bryn Derw is an ASD specific school which was established in 2017. All pupils who attend the school have a formal diagnosis of Autism which is complex in nature and their needs cannot be met at a mainstream or Learning Resource Base (LRB) provision. To meet increasing demand, the capacity of this school has increased from 48 when it opened to 96 from April 2022, firstly through refurbishment of an annexe building within the school grounds and more recently through the creation of a dedicated foundation phase satellite base on the site of the former Kimberley Nursery School. There are currently 86 pupils registered at the school.
2. The John Frost School hosts an ASD-specific learning resource base. All pupils who attend have a formal diagnosis of Autism. The capacity of this base is 20 pupils but as of May 2022, a total of 25 pupils are placed in the base.

Llanwern High School is an English-medium, community maintained secondary school, situated in the Llanwern ward of Newport and is one of nine secondary schools within the city. The school accommodates pupils aged between 11-18 years with a capacity of 1,450 pupils and has a Published Admission Number (PAN) of 260.

It is proposed that the new provision will open to four Year 7 pupils from September 2023 to meet the demand anticipated as pupils transition from primary to secondary school. This pattern will continue over the next four years until the full 20-place capacity is realised from September 2027.

This eventual capacity will align with the size of the already established base at The John Frost School and will result in equitable provision on the East and West of the City so that pupils are able to attend a school more local to their home addresses and reduce out-of-county placement and transport costs.

The consultation period which ran from 23<sup>rd</sup> November 2022 to 6<sup>th</sup> January 2023, enabled Newport City Council to seek views on the proposal.

**3. Who are the main stakeholders who may be impacted by your decision and what data do you hold on them? Consider communities of place (people who live in the same geographic area) and communities of interest (people who share particular characteristics but may live in different geographic areas). Stakeholders may include residents, local businesses, community groups, staff or partners.**

The key stakeholders are:

- Pupils and families of pupils with ASD currently in specialist classes in mainstream primary schools across Newport
- Pupils attending Llanwern High School
- Teachers, staff and governors at Llanwern High School
- Teachers, staff and governors at Ysgol Bryn Derw

The statutory code outlines key stakeholders, however, this list is not exclusive, and the Council has identified and added to this because of feedback received in relation to previous proposals. An invitation to engage with the consultation process was sent to the following stakeholder groups:

- Parents, carers and guardians of pupils attending all schools affected or potentially affected by this proposal;
- Pupils attending all schools affected or potentially affected by this proposal;
- Parents, carers and guardians of pupils with a diagnosis of ASD and attending specialist classes in mainstream primary schools in Newport;

- Members of staff currently employed at all schools affected or potentially affected by this proposal;
- Neighbouring Local Authorities across the South East Wales Consortium area;
- The Headteacher and Governing Bodies of all Newport schools;
- All Newport City Council elected members;
- All Newport Community Councils;
- The Welsh Ministers;
- Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by the school subject to the proposal;
- Other Local Authorities across the South East Wales Consortium region, including relevant Transport departments;
- The South East Wales Education Achievement Service;
- The Church in Wales, Diocese of Monmouth;
- Roman Catholic Archdiocese;
- Estyn;
- Teaching and staff trade unions representing teachers and staff at all Newport schools;
- The Early Years Development and Childcare Partnership
- The Police and Crime Commissioner for Gwent;
- The Welsh Language Commissioner;
- Gwent Police;
- South Wales Fire and Rescue Service;
- Aneurin Bevan University Health Board;
- Public Health Wales;
- Newport Serennu Centre;
- SNAP Cymru;
- Gwent Association of Voluntary Organisations;
- Preventative Services.

Consultation with stakeholder groups also included pupils at Llanwern High School, by arrangement with the school leadership team.

The people who may be affected by the proposal will most likely live in the East of the City. The proposal is to establish an ASD base at Llanwern High School. This school is identified as the affected school.

The population of the Llanwern ward is growing, with the age range 0-15 noted as growing the most within the ward, the 0-15 population rose by 26.42% between 2011. The Llanwern ward in 2017 also had the highest percentage of under 5 year olds in Newport and the lowest

percentage of over 85 year olds of all the wards in Newport. This data shows the ward demographic is weighted towards young families and the building of housing in the area may see this demographic increase further.

The tables below show that over the last 5 years there has been an overall slight increase in the percentage of pupils eligible for Free School Meals at Llanwern High School and across Newport and Wales. The Llanwern High School percentage is notably higher than both the Local Authority average and National average.

<b>Free School Meals (FSM)</b>					
	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Llanwern High School</b>	35.4%	33.7%	33.1%	33.7%	36.9%
<b>Newport</b>	18.4%	17.5%	17.3%	17.7%	19.5%
<b>Wales</b>	17.0%	16.6%	16.5%	17.0%	18.7%

Llanwern High School is located in the Ringland ward and the FSM data aligns with the ward profile data that shows the Ringland ward recorded significantly higher working age benefit claimants than the Newport and Wales average, five of the six Lower Super Output Areas (LSOA) recorded more than twice the Newport rate. All six of the Ringland ward LSOAs rank within 'The Welsh Index of Multiple Deprivation' (WIMD) rank range of the 50% most deprived in Wales, this includes Ringland 4 and Ringland 5 ranking in the top 10% most deprived.

The Llanwern High catchment area also covers the Alway ward, and is located within this ward. Ward data shows that three of the six LSOAs recorded significantly higher working age benefit claimant rates than the Newport and Wales average, with Alway 2 and 4 at nearly twice as high. Four of the six LSOAs rank in the WIMD rank range of the 50% most deprived in Wales, including Alway 2 and Alway 4 ranking within the top 10% most deprived.

The proportion of pupils for whom English is an additional language has slightly increased over the past 5 years. The table below shows that the percentage attending Llanwern High School is well below the Local Authority average but is above the national average.

<b>English as an additional language (EAL)</b>					
	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Llanwern High School</b>	3.8%	3.9%	3.9%	4.8%	5.3%
<b>Newport</b>	11.1%	11.5%	12.6%	13.1%	14.0%
<b>Wales</b>	3.0%	3.0%	2.9%	2.8%	2.9%

Following formal consultation, a Consultation Report was prepared and published on the Council website, and will be used to determine whether or not to move to publication of a statutory notice. The FEIA has been updated at this stage. The publication of a statutory notice enables stakeholders to lodge legal objections against a proposal.

## Part 2: Engagement

When completing this section, you need to consider whether you have sufficient information about the views and experiences of people who your decision will impact upon. If you don't, you may need to undertake a period of engagement/consultation before continuing. An FEIA is a live document, so can be updated with consultation findings, and amended as needed during the decision-making process.

The council has a duty to consult and engage with people who may experience inequalities as a result of your decision. This includes people **who share Protected Characteristics** (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and people who **have lived experience of socio-economic disadvantage**. The council's Youth Promise also requires us to ensure **all young people in Newport are listened to and included in decisions affecting them**.

The council also has a duty to ensure that any consultation is available bilingually (in Welsh as well as English), and you may like to consider any other community languages that are spoken by people who may be impacted by your decision. Below are some questions that should be included in any public consultation relating to a decision which may impact on the use of Welsh language in Newport:

1. Do you believe that the proposed decision/policy will have a positive or negative effect on opportunities to use the Welsh language?
2. If you think it will have a negative effect, what steps could we take to lessen or remove this and improve positive effects?
3. Do you believe that the proposed decision/policy will treat the Welsh language less favourably than the English language?

## 1. How have you engaged with people who may be affected by your decision (the stakeholders you have identified)?

The consultation was undertaken in accordance with the requirements of the statutory School Organisation Code.

The consultation period ran from 23<sup>rd</sup> November 2022 to 6<sup>th</sup> January 2023 and represented an opportunity for people to learn about the proposal, ask questions and make comments that have been recorded and summarised in a consultation report.

### **Distribution of Information**

In addition to the formal (main) consultation document, a Children & Young People's Everyday Summary version and ASD friendly version were also produced, to help ensure that the consultation process was inclusive and accessible to all concerned. All documents were available bilingually in Welsh and English and questions and concerns were welcomed in both Welsh and English. Any questions or concerns submitted in Welsh would have received an answer in the same language.

Digital copies of the 3 documents were/are available online on the Newport City Council website at [www.newport.gov.uk/schoolreorganisation](http://www.newport.gov.uk/schoolreorganisation). Hard copies could have been requested by emailing [school.reorg@newport.gov.uk](mailto:school.reorg@newport.gov.uk) or by telephoning 01633 656656, although no such requests were received.

Hard copies of the full consultation document, the Children and Young People's Everyday Summary version, and the ASD friendly version were provided to Llanwern High School and the six primary schools within the Llanwern High School cluster (Alway Primary School, Eveswell Primary School, Llanmartin Primary School, Milton Primary School, Ringland Primary School, and Somerton Primary School) to be available for staff, pupils and parents.

The consultation documents contained a consultation response pro-forma that could have either been submitted to the address provided, via post or email. The responses could have also been submitted online from the link provided on the council's school reorganisation web pages. Questions and concerns could have also been submitted in writing via post or email. The response pro-forma asked respondents whether they support the proposal; partly support the proposal; or do not support the proposal; and provided a free-text box to give reasons or comments. The response pro-forma also asked whether the proposal would have a positive, negative or neutral effect on opportunities to use the Welsh language, and whether the proposal would treat the Welsh language less favourably than the English language.

An invitation to engage in the consultation process was emailed to the stakeholder list above, including parents/carers of children with ASD, pupils and staff of the identified affected schools. Stakeholder emails were also sent to Newport City Council education partners. The proposal was published on the Newport City Council website and Llanwern High School's website. The consultation information has been shared on the Newport City Council's Facebook and Twitter pages and was included in the Residents Newsletter on the 1st December 2022.

### **Drop-in Sessions**

The consultation involved 2 drop-in sessions at Llanwern High School with those affected by the proposal. Council officers were on hand to explain the proposal in more detail and answer any questions or concerns raised by the public. Drop-in Session 1 was held on Tuesday 6th December 2022 and was attended by 10 stakeholders, including parents/guardians, teachers/school staff, and Governors.

Drop-in Session 2 was held on Thursday 15<sup>th</sup> December 2022 and was attended by 16 stakeholders, including parents/guardians of pupils accessing the current school SLC provision, teachers/school staff, and Governors.

Hard copies of all versions of the consultation document were available at both sessions. The consultation response pro-forma was offered to all attendees to complete at both sessions, although none of the attendees took up the offer.

### **Pupil Voice Session**

The Council was keen to gain the views of learners, and this was facilitated with pupils from the School Council at Llanwern High School on Tuesday 6th December 2022. Approximately 35 pupils attended and they were given the opportunity to ask questions and complete surveys.

A pupil voice session to include pupils with ASD was considered. However, as pupils with a diagnosis of Autistic Spectrum Disorder can have high anxiety levels and struggle with change, and because the proposal is only at the formal consultation stage, this was not undertaken. If the proposal moves to the next stage, this will be re-considered.

Following consultation, Newport City Council's Cabinet Member for Education and Early Years will consider the views expressed and then decide whether to proceed with the proposal. If the decision is taken to proceed, a statutory notice will be published on the Newport City Council website and notices posted on the school gates at all affected schools. The statutory notice period will last for 28 days following the date of publication and enables people to express their views in the form of supporting or objecting to the proposals. If no objections are received following the publication of the statutory notice, the Cabinet Member for Education and Early Years will make the final decision as to whether

to proceed. If any objections are received and not subsequently withdrawn during this notice period, the Council's Cabinet will determine the final decision.

## 2. What do you know about the views or experiences of people who may be affected by your decision?

The people affected by the decision are school aged children and their families and some of them will be affected by an ASD diagnosis.

Pupils in ASD specialist provision within primary schools across Newport are key stakeholders in this proposal and will likely be the most affected. Currently there are 94 pupils receiving ASD specialist provision, ranging between Reception and Year 6 (ages 4-11). The table below show the 94 pupils broken down by year group.

**Primary ASD Pupils in ASD specialist provision within primary schools – May 2022**

<b>Year</b>	<b>Reception</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>	<b>Year 6</b>	<b>Total</b>
2021/22	7	14	14	15	14	12	18	<b>94</b>

Pupils attending Llanwern High School are also key stakeholders in this proposal, due to the proposed ASD base being situated at the School. There are currently 965 pupils on roll at Llanwern High School in Years 7 – 13 (ages 11-18). The table below shows the total pupil numbers at the school broken down by year group.

Llanwern High School (Whole School)								
Pupil Numbers – January 2022 PLASC								
Year	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Total
Llanwern High School	186	162	167	162	136	71	81	965

Consultation took place with the stakeholders listed above and feedback/views were gained from:

- Response pro forma (digitally and via hard copies)
- Drop-in sessions
- A pupil voice session

### **Response Pro Forma Results**

97 responses were received via the response pro-forma, with 74% supporting the proposal. Respondents supported the proposal as the provision is vital and there are currently not enough secondary ALN places in Newport. Some noted that children and parents need high quality provision close to home and the proposal will reduce transport and travel cost/times.

5% of respondents supported the proposal 'In-part' and commented that the proposed 20 places was not enough. Another comment was made that the proposed ASD base is supported, but not at the expense of those currently in the SLC at Llanwern High School moving to mainstream classes.

21% of respondents did not support the proposal. All but two of the respondents that did not support the proposal noted that they believed the proposed provision would entail the closure of the existing SLC provision at the school, and would negatively affect the education and wellbeing of the pupils currently accessing this provision, as they would be moved into large mainstream classes.

### **Drop-in Sessions**

The consultation involved 2 drop-in sessions at Llanwern High School with those affected by the proposal.

### **Drop-in Session 1**

The stakeholders in attendance expressed concern that the proposal would entail the closure of the existing school SLC provision and that the pupils currently accessing this provision would be returned to large mainstream classes. It was explained that this was not the case, but that the existing provision would need to be relocated within the school. It was also explained that the Council considers that there is sufficient capacity within the school building to facilitate this. Stakeholders expressed frustration and anxiety that a solution for the existing SLC provision had not been put forward as part of this proposal. A parent governor in attendance queried the validity of the consultation process. Council Officers confirmed that the consultation was being conducted in accordance with the requirements of the School Organisation Code.

The Council's response provided to the questions raised at the drop-in session has been published as a 'Question and Answer' section on the council's website, and are also detailed in the published consultation report

### **Drop-in Session 2**

Stakeholders attending the second drop-in event included parents, carers and families of pupils currently benefitting from the school's SLC provision, and teachers and staff of the school. Attendees raised the same concerns as those attending the first session.

Hard copies of all versions of the consultation document were available for attendees at both drop-in sessions. The Consultation response pro-forma was offered to all attendees to complete so their comments and views on the proposal could be recorded in this consultation report. None of the attendees took up the offer of completing a hard copy pro-forma at the drop-in session.

### **Pupil Voice Session**

During the session, the pupils had the opportunity to ask questions/raise comments. The pupils raised the following:

- Why move the SLC to a different location?
- The proposal may affect pupils currently in the SLC
- The SLC needs to be replicated elsewhere in the school

The pupils completed hard copies of the Response Pro-forma during the session. 20 responses were received, and all pupils supported the proposal. A number of similar comments were raised, and these are summarised below:

- Great opportunity to increase support for pupils with ASD.
- Children with ASD need that additional space/help.
- The base may help reduce pupils being bullied for their disability.
- The base will be a safe place for pupils with ASD. If pupils feel overwhelmed, they are in a safe environment.
- The proposal may affect pupils currently in the SLC. The SLC needs to be replicated elsewhere in the school.

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## Part 3: Assessment

This section requires you to assess the potential impact of your decision on a range of groups who may experience specific disadvantages. Your assessment should be supported by evidence – either from your own engagement/consultation, similar or previous engagement, what you already know about the people who access your service, or from local and national sources of information.

Useful documents which set out information about how communities are impacted by inequalities include [EHRC – Is Wales Fairer?](#) and the council’s [COVID-19 Community Impact Assessment](#). Your decision may have both positive and negative impacts – if this is the case, please place a cross in both boxes.

### 1. Impact on people that share Protected Characteristics

[Protected Characteristics](#) are defined under the Equality Act 2010, and describe groups of people who are protected from discrimination, either in the workplace, or through the provision of goods and services. The council must consider how decisions may impact on people differently because of a protected characteristic, and how any negative impact could be reduced. National guidance on assessing equality impacts and the Public Sector Equality Duty can be found [here](#). You can also access further advice and examples of positive and negative impacts [here](#).

Protected characteristic	Impact:			<p><b>Provide further details about the nature of the impact in the sections below, considering the Public Sector Equality Duty that the council has to:</b></p> <ol style="list-style-type: none"> <li>Promote equal opportunity across different groups</li> <li>Promote community cohesion</li> <li>Help eliminate unlawful discrimination/ harassment/ victimisation</li> </ol>
	Positive	Negative	Neither	
Age	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposal to increase provision with an additional resource base at Llanwern High School will likely have a positive impact in the future for current primary school aged pupils with ASD, when they move into

Protected characteristic	Impact:			<p><b>Provide further details about the nature of the impact in the sections below, considering the Public Sector Equality Duty that the council has to:</b></p> <ol style="list-style-type: none"> <li>Promote equal opportunity across different groups</li> <li>Promote community cohesion</li> <li>Help eliminate unlawful discrimination/ harassment/ victimisation</li> </ol>
	Positive	Negative	Neither	
				<p>secondary school education. By providing more ASD secondary places within the city, this will allow pupils to attend a school closer to home and minimise the number of pupils having to attend out of County provision.</p> <p>Some consultees thought that the proposal would entail the closure of a current school provision which supports 23 pupils who benefit from smaller class sizes and tailored support. This is not the case, but the proposal will entail that provision being relocated to another area within the school. This may well be distressing for some of the pupils in the short term, and this is identified as a negative impact of the proposal.</p>
<b>Disability</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Providing an additional resource base at Llanwern High School will provide a clear transition pathway between primary and secondary education phases for pupils with diagnoses of ASD living in the East of the city and reduce the level of reliance on of out of county placements for pupils living in Newport. The new resource base will be fully accessible and DDA compliant. The proposal will therefore have a positive impact on secondary school aged pupils with ASD.</p> <p>Some consultees thought that the proposal would entail the closure of a current school provision which supports 23 pupils with varying learning needs who benefit from smaller class sizes and tailored support. This is not the case, but the proposal will entail that provision being relocated to another area within the school. This may well be distressing for some of the pupils in the short term, and this is identified as a negative impact of the proposal.</p>
<b>Gender Reassignment</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence that suggests the proposal will have a disproportionate impact on people that share this Protected Characteristic.

Protected characteristic	Impact:			<p><b>Provide further details about the nature of the impact in the sections below, considering the Public Sector Equality Duty that the council has to:</b></p> <ol style="list-style-type: none"> <li>1. Promote equal opportunity across different groups</li> <li>2. Promote community cohesion</li> <li>3. Help eliminate unlawful discrimination/ harassment/ victimisation</li> </ol>
	Positive	Negative	Neither	
<b>Marriage or civil partnership</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence that suggests the proposal will have a disproportionate impact on people that share this Protected Characteristic.
<b>Pregnancy or maternity</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence that suggests the proposal will have a disproportionate impact on people that share this Protected Characteristic.
<b>Race</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence that suggests the proposal will have a disproportionate impact on people that share this Protected Characteristic.
<b>Religion or Belief or non-belief</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence that suggests the proposal will have a disproportionate impact on people that share this Protected Characteristic.
<b>Sex</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence that suggests the proposal will have a disproportionate impact on people that share this Protected Characteristic.
<b>Sexual Orientation</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence that suggests the proposal will have a disproportionate impact on people that share this Protected Characteristic.

## 2. Impact on Welsh Language

The Welsh Language (Wales) Measure specifies that for all policy decisions, the council must consider the effects (both positive and negative) on the Welsh language. For further guidance on Welsh language considerations see [here](#).

	Impact:			
	Positive	Negative	Neither	
<b>Welsh Language</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>There is no evidence that suggests the proposal will have a disproportionate impact on people that share this Protected Characteristic.</p> <p>The pupils that will be offered places at the ASD base will have transitioned from English-medium primary schools. In English-medium primary schools, English is the school's main language of internal communication as well as with parents and carers. There is recognition that creating a Welsh language ethos within the school will support and encourage positive attitudes towards Welsh language use. A learner in a school of this category will be able to read, write, speak and listen in English according to age and ability, and will have some understanding of Welsh. Welsh will be taught and assessed as part of the Area of Learning and Experience (AoLE) for languages, literacy and communication. At least 15% of the learners' school activities (both curricular and extra-curricular) will be in Welsh, promoting the use of the Welsh language in everyday life. The proposal is likely to increase the number of jobs requiring the Welsh language skill and will encourage teachers and staff at English-medium schools to use the Welsh language more and will provide the opportunity to pass the Welsh language on from one generation to the next.</p> <p>The council's Welsh in Education Strategic Plan (WESP) sets out a commitment to open a Welsh-medium Primary Learning Resource Base at Ysgol Gymraeg Nant Gwenlli, and an assessment of pupil needs will inform the appropriate time for this to be established. The new provision will assist other Welsh-medium schools in identifying pupils with underlying ALN, and a collaborative approach will identify the best ways in which to meet these needs.</p> <p>The development of a primary LRB will impact on secondary provision, therefore consideration will need to be given regarding specialist ALN provision within Ysgol Gyfun Gwent Is Coed for pupils transitioning from the primary sector Learning Resource Base. The development of a secondary LRB will be reviewed on an</p>

	Impact:			
	Positive	Negative	Neither	
				<p>annual basis in light of data trend analysis following the opening of the primary LRB. This will ensure that the ALN needs of pupils transitioning to the secondary school can be met in a timely manner.</p> <p>By establishing a primary LRB at Ysgol Gymraeg Nant Gwenlli and specialist ALN provision within Ysgol Gyfun Gwent Is Coed in the near future, will promote more opportunities for pupils with ALN to study through the medium of Welsh. The Welsh-medium specialist bases will lead to an increase in the number of jobs requiring Welsh language skills and will have a positive effect on making the Welsh language more visible.</p> <p>The ALN Act aims to be a bilingual system of support and protects children who need additional learning provision in Welsh. If a child's provision is required to be in Welsh, this must be documented in the Individual Development Plan and 'all reasonable steps' taken to ensure that it's provided.</p> <p>The ALN Act acknowledges there may be circumstances where provision cannot reasonably be provided in Welsh in the case of specialised services or treatments where it is not possible to obtain a Welsh speaking practitioner despite attempts to find one.</p> <p>The proposal has no impact on the Council's plans for growing Welsh-medium education provision across Newport as outlined in our 10-year Welsh in Education Strategic Plan. It is acknowledged that this proposal will not contribute to the Council's targets in relation to Cymraeg 2050.</p>

**1. Please describe how you have ensured your engagement has considered the view of Welsh speakers in Newport and the impact of your decision on the Welsh language.**

The consultation ran bilingually, and the views of Welsh speakers were captured as all consultation documentation was bilingual and distributed and shared with all schools including Welsh-medium.

All responses were welcomed to be submitted in Welsh and if required a response would have been provided in Welsh.

In order to ensure that an equitable consultation was achieved in both Welsh and English, Newport City Council:

- Ensured all publicly available documentation was available bilingually
- Ensured all stakeholder emails were bilingual
- Ensured there was a Welsh language version of the consultation web page on the NCC website
- Offered translation services at drop-in sessions if required
- Encouraged stakeholders to respond to the consultation in Welsh
- Ensured the consultation questionnaire asked specific questions in relation to the project's potential positive or negative impact on opportunity to promote and use the Welsh language

96 out of 97 respondents answered the question: '*Do you believe that the proposal will have a positive or negative effect on opportunities to use the Welsh language?*'. 24 respondents (25%) answered 'Positive', 62 respondents (64%) answered 'No effect', and 10 respondents (10%) answered 'Negative', although from the comments left it appears the question was misunderstood.

In response to the question '*Do you believe that the proposal will treat the Welsh language less favourably than the English language?*', 16 respondents answered 'Yes'. However as with the previous question most respondents appear to have misunderstood the question.

Following consultation, Newport City Council's Cabinet Member for Education and Early Years will now consider the views expressed and then decide whether to proceed with the proposal. If the decision is taken to proceed, a statutory notice will be published and the list above will apply at the Statutory Notice stage.

### 3. The Sustainable Development Principle

The Well-being of Future Generations Act puts in place a sustainable development principle which helps organisations consider the impact they could have on people living in Wales in the future, and ensure they are focused on tackling long-term challenges. Below, consider how your decision promotes, advances, or contradicts the [5 ways of working](#) which underpin the sustainable development principle. You can access further guidance on considering the sustainable development principle [here](#).

<p>Long term</p> 	<p><i>The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs.</i></p>	<p>The intended outcome is to establish a 20 place Autistic Spectrum Disorder (ASD) Additional Learning Needs (ALN) base at Llanwern High School from September 2023, to meet the needs of learners entering secondary school who have complex Autism and additional specialist resource is required.</p> <p>Newport City Council has an increasing pupil cohort in receipt of a formal diagnosis of Autistic Spectrum Disorder (ASD). Whilst the majority of pupils with this condition are able to attend mainstream schools with varying levels of support, a growing cohort requires more specialist provision in order to meet their needs. This requirement exceeds provision available within the existing ASD Base at The John Frost School whereas of May 2022, there are 25 pupils in a 20 place provision.</p> <p>The base at Llanwern High School would initially start with 4 places and would grow each academic year by 4 until the base reaches 20 places, taking 5 years.</p> <p>This balances the short term needs over the next 5 years by incrementally increasing the provision each year when required. The provision will remain at 20 places, most likely an average of 4 placements per year group to meet needs over the long term.</p> <p>Demand for Additional Learning Needs places is under continual review and reported through the Council’s Planning of School Places group. Council officers continue to consider further options for future ALN provision in line with demand.</p>
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<p>Prevention</p> 	<p><i>Putting resources into preventing problems occurring or getting worse</i></p>	<p>Establishing an Autistic Spectrum Disorder (ASD) Additional Learning Needs (ALN) base at Llanwern High school will prevent pupils in the future having to travel to out of county placements and will be able to attend a school closer to home.</p> <p>The proposed base at Llanwern High School will also prevent further pressure at the currently oversubscribed base at The John Frost School.</p>
<p>Integration</p> 	<p><i>Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.</i></p>	<p>A formal statutory consultation has been carried out and has been supported at each stage by a FEIA to consider the impact of the proposal. This proposal supports the "A prosperous Wales", "A more equal Wales" and "A Wales of cohesive communities" Well-being Goals and has no adverse effect on any of the other Well-being Goals.</p> <p>In addition, this proposal supports the Newport City Council Well-being Objective "To improve skills, educational outcomes and employment opportunities".</p> <p>Wellbeing and attitudes to learning have been judged to be excellent at Ysgol Bryn Derw. The ASD base at Llanwern High School will be developed with input and training from Ysgol Bryn Derw to ensure that it will have a positive impact on pupil wellbeing and attitudes to learning, in line with the curriculum.</p>
<p>Collaboration</p> 	<p><i>Working together to deliver objectives.</i></p>	<p>A formal consultation has been carried out with the opportunity for engagement with all stakeholders and supported at each stage by a FEIA to consider impact.</p> <p>The members of the education department, the Special Educational Needs team, Ysgol Bryn Derw and Llanwern High School will work together to deliver the ASD base.</p>
<p>Involvement</p> 	<p><i>Involving those with an interest and seeking their view - ensuring that those people reflect the diversity of the area.</i></p>	<p>Newport City Council engaged with stakeholders (listed in Section 3) and the schools affected by the proposal. Public drop-in sessions were held, where council officers were on hand to explain the proposal and answer questions.</p>

		<p>The consultation documents were/are available online at <a href="http://www.newport.gov.uk/schoolreorganisation">www.newport.gov.uk/schoolreorganisation</a> and physical consultation documents were available on request. Several copies of the documents were delivered to Llanwern High School and the primary schools within the cluster.</p> <p>A Children and Young Person's consultation document and an ASD friendly version have been made available and were distributed to the affected schools. These were also provided at the pupil voice session.</p> <p>A Pupil Voice session was held at Llanwern High School to gain the pupils thoughts on the proposal.</p>
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#### 4. Socio-economic Duty

The [Socio-economic Duty](#) is set out in the Equality Act 2010, and requires the council, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage. Inequalities of outcome are felt most acutely in areas such as health, education, work, living standards, justice and personal security, and participation.

A 'strategic decision' is defined by Welsh Government as a decision **which affects how the council fulfils its statutory purpose over a significant period of time and does not include routine 'day to day' decisions.** Strategic decisions include:

- Corporate plans
- Setting wellbeing, equality and other strategic objectives
- Changes to, or development of public services
- Strategic financial planning
- Strategic policy development

If you do not think your decision meets this definition, and you do not plan on carrying out a Socio-economic Duty Assessment in this section, please provide your rationale below. Any decision which is presented to a Cabinet Member, at Cabinet or Council will be viewed as a strategic decision.

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If your decision does meet the definition, please consider the impact of your decision on the socio-economically disadvantaged groups, and areas of inequality that may arise from socio-economic disadvantage contained in the matrix below. The groups listed are not exhaustive and you should consider any additional groups relevant to your decision who may experience socio-economic disadvantage in the following ways:

- **Low Income/Income Poverty** - cannot afford to maintain regular payments such as bills, food, clothing, transport etc.
- **Low and/or no Wealth** - enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provisions for the future
- **Material Deprivation** - unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, hobbies etc.)
- **Area Deprivation** - where you live (rural areas), where you work (accessibility of public transport)
- **Socio-economic Background** – for example, parents’ education, employment and income

Indicate a positive or negative impact, or both where they apply, and the severity of this impact by coding the sections of the grid based on the below. *If there is no/neutral impact, please leave blank.*

Negative Impact		Positive Impact	
N1	Negative impact – mild	P1	Positive impact – mild
N2	Negative impact – moderate	P2	Positive impact – moderate
N3	Negative impact – significant	P3	Positive impact – significant
N4	Potential for negative impact (but unsure)	P4	Potential for positive impact (but unsure)

Areas of inequality that may arise from socio-economic disadvantage – definitions
<b>Education</b> : The capability to be knowledgeable, to understand and reason, and to have the skills and opportunity to participate in the labour market and in society
<b>Work</b> : The capability to work in just and favourable conditions, to have the value of your work recognised, even if unpaid, to not be prevented from working and to be free from slavery, forced labour and other forms of exploitation
<b>Living Standards</b> : The capability to enjoy a comfortable standard of living, in appropriate housing, with independence and security, and to be cared for and supported when necessary.
<b>Justice, Personal Security and Community Safety</b> : The capability to avoid premature mortality, live in security, and knowing you will be protected and treated fairly by the law
<b>Health</b> : The capability to be healthy, physically and mentally, being free in matters of sexual relationships and reproduction, and having autonomy over care and treatment and being cared for in the final stages of your life

<b>Participation:</b> The capability to participate in decision making and in communities, access services, know your privacy will be respected, and express yourself							
<b>Groups</b>	<b>Areas of inequality</b>						
	Living Standards	Work	Health	Education	Justice and community safety	Participation	Physical Environment
Children living in poverty			P2	P2		P2	P3
Low income households without dependent children							
Unemployed young people		P4					
Long term unemployed		P4					
Homeless households							
Refugees, migrants and asylum seekers		P4	P4	P2			P2
Deprived neighbourhoods - WIMD rank in 10% most deprived LSOA							
People on Universal Credit / income related benefits			P4	P4			
Adults with no qualifications or low qualifications							
People living in low quality housing or in Houses of Multiple Occupation			P4	P4		P4	P4

### 1. What evidence do you have about socioeconomic disadvantage and inequalities of outcome in relation to this decision?

As an 'Education' plan, it will reduce potential inequalities of outcome in education by increasing the number of ASD placements across the city. This will positively impact on wellbeing goals a prosperous Wales and a more equal Wales and the wellbeing objective to improve skills, educational outcomes and employment opportunities.

Admission to the proposed Autistic Spectrum Disorder (ASD) Additional Learning Needs (ALN) base will not be via the Council's usual admission arrangements. Instead, admission is based on individual need following an assessment undertaken by the Education Inclusion Team. Increased provision for pupils with ASD would have a beneficial impact on equality of access to appropriate education.

**2. Please describe how you have ensured your engagement has considered the views of people living in Newport who are affected by socio-economic disadvantage.**

The consultation information was made available and shared with all groups across Newport. Versions of the documents were available in the form of the full version, a shortened easy read version aimed at children and young people and an ASD friendly version. These documents were available digitally and in hard format on a variety of digital platforms online and at various locations across the city. On the inside cover of the consultation documents, a list of languages was provided that the document could have been translated into on request. This enabled people from all groups to access the consultation. The published consultation report provides a summary of the responses received regarding the proposal, and this will be considered by the Cabinet Member when deciding how to proceed.

**3. Does this decision contribute to a cumulative impact?**

Yes. This is the third proposal to increase provision for pupils with ASD since the establishment of Ysgol Bryn Derw in 2017. The previous two proposals increased the capacity of Ysgol Bryn Derw from 48 to 68, and from 68 to 96, as outlined in this assessment.

## Part 3: Actions and Outcomes

Considering any negative impacts that you have identified, indicate below how you will reduce these, increase the potential for positive impacts, and how you will monitor those impacts. Further guidance on how to complete your action plan can be found [here](#).

IMPACT ON PEOPLE THAT SHARE PROTECTED CHARACTERISTICS			
Summary of impact	Action to reduce negative impact / opportunities to increase positive impacts	How this impact will be monitored	Owner
Relocation of current SLC provision accessed by 23 Llanwern High School Pupils to another area of the school is likely to cause some short-term anxiety	The provision will be relocated to another part of the school, and the pupils will continue to be supported by the same teachers and staff, in familiar surroundings. The Health, safety and wellbeing of all pupils is the primary concern of both the Local Authority and Llanwern High School.	The happiness and wellbeing of pupils accessing the SLC provision will be assessed by teachers and staff with support from Newport City Council's Additional Learning Needs team.	NCC ALN team

and distress to some pupils and their families			
<b>IMPACT ON WELSH LANGUAGE</b>			
<b>Summary of impact</b>	<b>Action to reduce negative impact / opportunities to increase positive impacts</b>	<b>How this impact will be monitored</b>	<b>Owner</b>
<b>SOCIO-ECONOMIC IMPACTS</b>			
<b>Summary of impact</b>	<b>Action to reduce negative impact / opportunities to increase positive impacts</b>	<b>How this impact will be monitored</b>	<b>Owner</b>
<b>SUSTAINABLE DEVELOPMENT PRINCIPLE</b>			
<b>Summary of impact</b>	<b>Action to reduce negative impact / opportunities to increase positive impacts</b>	<b>How this impact will be monitored</b>	<b>Owner</b>

Once your FEIA is complete, please forward to [ncequality@newport.gov.uk](mailto:ncequality@newport.gov.uk)