

# Equalities Impact Assessment

## 1. Proposal Summary Information

EAA Title	Fielding Primary School ARP Award of Contract
Please describe your proposal?	<b>Scheme:</b> Award the contract for construction of an ARP (Additionally Resourced Provision) at Fielding Primary School providing facilities for children aged 4-11 with an Education Health and Care Plan with needs on the Autistic Spectrum or related Speech, Language and Communications needs.
Is it HR Related?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Corporate Purpose	<b>Cabinet Decision</b>

### 1. What is the Initiative/Function/Policy/Project/Scheme (*pick one*) looking to achieve? Who will be affected?

Seeks Cabinet approval to award the contract for construction of an ARP (Additionally Resourced Provision) at Fielding Primary School providing facilities for children aged 4-11 with an Education Health and Care Plan with needs on the Autistic Spectrum or related Speech, Language and Communications needs.

### 2. What will the impact of your proposal be?

The impact of the Fielding Primary School ARP proposal is to ensure sufficient specialist Special Education Need and Disability (SEND) school places are available to serve the local community.

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### 2. Impact on Groups having a Protected Characteristic

**AGE:** *A person of a particular age or being within an age group.*

**State whether the impact is positive, negative, a combination of both, or neutral: Positive**

**Describe the Impact**

The proposal is part of the Council's programme to provide sufficient school places including for High Needs places to serve the local community has a positive impact on those who are of school age. If there are insufficient school places in an area then not all children of a particular age will be able to have the option of attending school as close as possible to their homes unless there is an expansion of school provision. If there are not sufficient specialist SEND school places in an area then pupils may not be able to access provision most appropriate to meet their needs. There is inequality between those of the same age living in the same area as some children either have to remain in a mainstream school with additional support at a higher cost than an ARP or will be offered places in an ARP (if available) much further away.

**Alternatives and mitigating actions which have been considered in order to reduce negative effect:**

**Describe the Mitigating Action**

No negative effect identified.

**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 their ability to carry out normal day to day activities<sup>1</sup>.*

**State whether the impact is positive, negative, a combination of both, or neutral: Positive**

**Describe the Impact**

It is considered that this will have a positive impact for children and young people with Special Educational Needs, specifically with needs on the Autistic Spectrum or related Speech, Language and Communications needs.

The ARP accommodation is designed to meet the needs of people with disabilities by taking steps to take account of their disabilities and making reasonable adjustments. The proposal prioritising the needs of pupils on the Autistic Spectrum or related Speech, Language and Communications needs on the basis that they are particularly affected by the proposal.

**Alternatives and mitigating actions which have been considered in order to reduce negative effect:**

<sup>1</sup> Due regard to meeting the needs of people with disabilities involves taking steps to take account of their disabilities and may involve making reasonable adjustments and prioritizing certain groups of disabled people on the basis that they are particularly affected by the proposal.

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Describe the Mitigating Action
No negative effect identified.

<b>GENDER REASSIGNMENT:</b> <i>This is the process of transitioning from one sex to another. This includes persons who consider themselves to be trans, transgender and transsexual.</i>
<b>State whether the impact is positive, negative, a combination of both, or neutral:</b> Neutral
<b>Describe the Impact</b>
Neutral impact. Persons who are undergoing gender reassignment or consider themselves to be trans, transgender and transsexual may have children at, or intending to attend, the school.
<b>Alternatives and mitigating actions which have been considered in order to reduce negative effect:</b>
<b>Describe the Mitigating Action</b>
No negative effect identified.

<b>RACE:</b> <i>A group of people defined by their colour, nationality (including citizenship), ethnic or national origins or race.</i>
<b>State whether the impact is positive, negative, a combination of both, or neutral:</b> Neutral
<b>Describe the Impact</b>
Neutral impact. Places at the school are available to all, and there is no discrimination by race, ethnic origins or nationality.
<b>Alternatives and mitigating actions which have been considered in order to reduce negative effect:</b>
<b>Describe the Mitigating Action</b>
No negative effect identified.

<b>RELIGION &amp; BELIEF:</b> <i>Religion means any religion. Belief includes religious and philosophical beliefs including lack of belief (for example, Atheism). Generally, a belief should affect a person's life choices or the way you live for it to be included.</i>
<b>State whether the impact is positive, negative, a combination of both, or neutral:</b> Neutral
<b>Describe the Impact</b>
The school is open to young people of all religions and beliefs, and there would be no negative impact to people of any faith or belief as a result of this proposal.
<b>Alternatives and mitigating actions which have been considered in order to reduce negative effect:</b>
<b>Describe the Mitigating Action</b>
No negative effect identified.

<b>SEX:</b> <i>Someone being a man or a woman.</i>
<b>State whether the impact is positive, negative, a combination of both, or neutral:</b> Neutral
<b>Describe the Impact</b>
Neutral effect identified in terms of the above recommendations.

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<b>Alternatives and mitigating actions which have been considered in order to reduce negative effect:</b>
<b>Describe the Mitigating Action</b>
No negative effect identified.

<b>SEXUAL ORIENTATION:</b> <i>A person's sexual attraction towards his or her own sex, the opposite sex or to both sexes.</i>
<b>State whether the impact is positive, negative, a combination of both, or neutral:</b> Neutral
<b>Describe the Impact</b>
No differential impact on people based on sexual orientation so neutral impact identified.
<b>Alternatives and mitigating actions which have been considered in order to reduce negative effect:</b>
<b>Describe the Mitigating Action</b>
No negative effect identified.

<b>PREGNANCY &amp; MATERNITY:</b> <i>Description: Pregnancy: Being pregnant. Maternity: The period after giving birth - linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.</i>
<b>State whether the impact is positive, negative, a combination of both, or neutral:</b> Neutral
<b>Describe the Impact</b>
There should be a neutral impact on pregnancy & maternity.
<b>Alternatives and mitigating actions which have been considered in order to reduce negative effect:</b>
<b>Describe the Mitigating Action</b>
No negative effect identified.

<b>MARRIAGE &amp; CIVIL PARTNERSHIP:</b> <i>Marriage: A union between a man and a woman. or of the same sex, which is legally recognised in the UK as a marriage Civil partnership: Civil partners must be treated the same as married couples on a range of legal matters.</i>
<b>State whether the impact is positive, negative, a combination of both, or neutral:</b> Neutral
<b>Describe the Impact</b>
There should be a neutral impact on marriage & civil partnership.
<b>Alternatives and mitigating actions which have been considered in order to reduce negative effect:</b>
<b>Describe the Mitigating Action</b>
No negative effect identified.

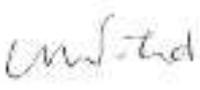
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<b>3. Human Rights<sup>2</sup></b>
<b>4a. Does your proposal impact on Human Rights as defined by the Human Rights Act 1998?</b>  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>4b. Does your proposal impact on the rights of children as defined by the UN Convention on the Rights of the Child?</b>  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>4c. Does your proposal impact on the rights of persons with disabilities as defined by the UN Convention on the rights of persons with disabilities?</b>  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
The proposal links to article 28 (right to education) as defined by the UN Convention on the Rights of a Child. The Act facilitates the education of the most educationally and physically disabled children. It supports high aspirations and plans around the child. This provision will enhance the education and life chances of such children.

<b>4. Conclusion</b>				
The proposals will not disadvantage any group or individual with a protected characteristic. The proposal will have a positive impact for children with Special Educational Needs, specifically with needs on the Autistic Spectrum or related Speech, Language and Communications needs.				
<b>4a. What evidence, data sources and intelligence did you use to assess the potential impact/effect of your proposal? Please note the systems/processes you used to collect the data that has helped inform your proposal. Please list the file paths and/or relevant web links to the information you have described.</b>				
SEN Code of Practice; Special Educational Needs and Disability Regulations 2014; Children and Families Act 2014; Early Years Census Data reports; Connexions data on attendance at Ealing Youth Centres.				
<b>5. Action Planning: (What are the next steps for the proposal please list i.e. what it comes into effect, when migrating actions<sup>3</sup> will take place, how you will measure impact etc.)</b>				
<b>Action</b>	<b>Outcomes</b>	<b>Success Measures</b>	<b>Timescales/ Milestones</b>	<b>Lead Officer (Contact Details)</b>
<b>Additional Comments:</b>				
No mitigating actions to be taken.				
<b>6. Sign off: (All EAA's must be signed off once completed)</b>				

<sup>2</sup> For further guidance please refer to the Human Rights & URNC Guidance on the Council Equalities [web page](#).  
<sup>3</sup> Linked to the protected characteristics above

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Completing Officer Sign Off:	Service Director Sign Off:	<i>HR related proposal (Signed off by directorates HR officer)</i>
Signed:    Name (Block Capitals):  L M FIELD  Date:  22 <sup>nd</sup> April 2021	Signed:    Name (Block Capitals):  T QUINN  Date:  22 <sup>nd</sup> April 2021	Signed:     Name (Block Capitals):     Date:
For EA's relating to Cabinet decisions: received by Committee Section for publication by (date):		

### Appendix 1: *Legal obligations under Section 149 of the Equality Act 2010:*

- As a public authority we must have due regard to the need to:
    - a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
    - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
    - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
  - The protected characteristics are: AGE, DISABILITY, GENDER REASSIGNMENT, RACE, RELIGION & BELIEF, SEX, SEXUAL ORIENTATION, PREGNANCY & MATERNITY, MARRIAGE & CIVIL PARTNERSHIP
  - Having due regard to advancing equality of opportunity between those who share a protected characteristic and those who do not, involves considering the need to:
    - a) Remove or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
    - b) Take steps to meet the needs of persons who share a relevant characteristic that are different from the needs of the persons who do not share it.
    - c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
  - Having due regard to fostering good relations between persons who share a relevant protected characteristic and persons who do not, involves showing that you are tackling prejudice and promoting understanding.
- Complying with the duties may involve treating some people more favourably than others; but this should not be taken as permitting conduct that would be otherwise prohibited under the Act.