



## Equality Impact Assessment Toolkit (May 2014)

### Section 1: Your details

**EIA lead Officer:** Julia Hassall

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**Head of Section:** Philip Ward (SEND)

**Chief Officer:** Julia Hassall

**Directorate:** CYPD

**Date:** 05<sup>th</sup> December 2014

### Section 2: What Council proposal is being assessed?

The conclusion of the statutory representation period following publication of a statutory notice relating to the closure of The Lyndale School. A final decision has not yet been made.

### Section 2a: Will this EIA be submitted to a Cabinet or Policy & Performance Committee?

Yes

If 'yes' please state which meeting and what date

Cabinet 17<sup>th</sup> December 2014

Please select hyperlink to where your EIA is/will be published on the Council's website ([please select appropriate link & delete those not relevant](#))

**Families & Well-Being** (Adult Social Services, Children & Young People, Sport & Recreation)

<https://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-april-2014/eias-families-wellbeing>

**Section 3:** Does the proposal have the potential to affect..... (please tick relevant boxes)

**Services**

**The workforce**

**Communities**

**Other** (please state eg: Partners, Private Sector, Voluntary & Community Sector)

If you have ticked one or more of above, please go to section 4.

**None** (please stop here and email this form to your Chief Officer who needs to email it to [engage@wirral.gov.uk](mailto:engage@wirral.gov.uk) for publishing)

**Section 4:**

**Could the proposal have a positive or negative impact on any protected groups (race, gender, disability, gender reassignment, age, pregnancy and maternity, religion and belief, sexual orientation, marriage and civil partnership)?**

**You may also want to consider socio-economic status of individuals.**

**Please list in the table below and include actions required to mitigate any potential negative impact.**

| <b>Which group(s) of people could be affected</b>  | <b>Potential positive or negative impact</b>  | <b>Action required to mitigate any potential negative impact</b>  | <b>Lead person</b> | <b>Timescale</b>                                     | <b>Resource implications</b>    |
|--|---|---|--------------------|--|---------------------------------|
| Pupils with special educational needs and disabilities who attend The Lyndale School and the two other CLD primary special schools | <ul style="list-style-type: none"> <li>It is possible that there may be negative impact on existing pupils of the school if the decision is to close the school. A new environment together with new staff for both parents and pupils may have an initial impact as with any transfer to a new school. However, the remaining pupils will be found another school/setting with special educational provision that can cater for each pupil's educational health and care needs by undertaking the relevant statutory processes. This will provide new and different opportunities for the children and families dependent on the organisation</li> </ul> | <p>Should the school close the local authority will discuss with each parent, individually their preferences for other schools. This will be planned with the school and each family over the coming terms in readiness for transfer if closure agreed.</p> <p>Every effort is currently being made to ensure that the needs assessment of each child is maintained by the school, family and the</p> | Phil Ward          | During the implementation period if proposal agreed. | From within the schools budget. |

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|  | <p>and curriculum delivery of successor schools.</p> <ul style="list-style-type: none"> <li>• The children at The Lyndale School can access provision at Elleray Park School and Stanley School taking into account parental preference. Both schools cater for primary aged children with CLD including PMLD. Both schools and the Council have confirmed that they are able to meet the needs of the children of The Lyndale School. This was reported to Cabinet on the 4<sup>th</sup> September 2014.</li> <li>• It is recognised that the transfer of pupils during the school year and from one phase to the same phase in another school could disrupt the educational provision for the children of The Lyndale School but every care will be taken by the Council and receiving school to mitigate this.</li> <li>• It is also recognised that children will need to adapt to a new environment and new staff.</li> </ul> | <p>Council via the ongoing work with the statutory assessment team with the support of continuing care and other professionals where appropriate where appropriate.</p> <p>Discussions are being held with each family about transferring from having a statement of special educational needs to having an education, health and care plan. The EHCP will provide greater knowledge and understanding about the needs which will need to be met in a new school setting should this be agreed by Cabinet on the 17<sup>th</sup> December 2014.</p> <p>Should there be an increase in the numbers attending the other CLD primary special schools for children with CLD any potential negative impact on the children already attending these schools will be mitigated by careful planning by the receiving schools, parents and the Council.</p> |  |  |  |
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| <p>The Lyndale parents and others consulted.</p> | <ul style="list-style-type: none"> <li>• During the consultation parents of pupils at the school and others such as teachers, governors and members of the community expressed opposition to the proposal to close the school.</li> <li>• Many concerns were raised about the health and safety of the children should they need to move to another school. Throughout the consultation assurances have been given to the parents and others that health and safety will be paramount in any new provision and the two other schools supporting children with complex learning difficulties have given their assurances about their ability to support the Lyndale children.</li> <li>• It is recognised that some training will need to be provided to receiving schools depending on the specific needs of individual children. The need for further/specific training will be</li> </ul> | <p>This means that the Council and the relevant school will consider issues raised by the school or parent which may take into account the physical environment and staffing related matters which will need resolution.</p> <p>The Council and other primary special schools gave assurance that the children of the Lyndale School would have their needs met and that where training or capital investment was required to support the children this would be provided. Work is currently underway at Elleray Park School and further discussions are taking place about potential additional capital work that may need to be considered. Similar discussions are taking place with Stanley School in relating to potential reconfiguration of existing space at the school</p> | <p>Phil Ward</p> | <p>Dependent on Cabinet decision</p> | <p>Schools budget and capital programme</p> |
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| <p>Other schools and staff</p>         | <p>ascertained during discussions with parents and the receiving schools well in advance of any child's admission to a new school.</p> <ul style="list-style-type: none"> <li>Any receiving school will need to adjust to the additional requirements to meet the needs of the children and any supportive action by the Council and schools will need to be planned for September 2016.</li> </ul> | <p>and potential enhancement to the existing new building.</p> <p>Any potential negative impact in relation to training or suitability of the environment will be addressed by the Council and schools.</p> <p>There will be close collaborative working between the receiving schools and the Council with regard to any adjustments that may need to be carried out in relation to the physical environment and buildings. This will also include skills training for staff where needed.</p> | <p>Council and receiving schools</p> | <p>Dependent on Cabinet decision</p> | <p>Schools Budget</p>                          |
| <p>The staff of The Lyndale School</p> | <ul style="list-style-type: none"> <li>Staff of the Lyndale School may not secure employment should the school close.</li> <li>Some staff may be recruited by the receiving schools depending on the</li> </ul>   | <p>Governing bodies take decisions about the employment of staff. The Council does not have a</p>   | <p>The Council</p>                   | <p>Dependent on Cabinet decision</p> | <p>School redundancy/ premature retirement</p> |

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|                  | <p>decision taken by the governing bodies but it is also possible that some staff may become redundant.</p>  | <p>redeployment policy in respect of maintained schools.</p> <p>A commitment has been given by the Council to staff at the Lyndale School to help them find suitable alternative employment as far as possible either in Wirral or another Council.</p> <p>Receiving schools will be encouraged to consider the skills and experience of the staff of The Lyndale School in any recruitment process. The Council will consider the most effective way it can support staff in seeking future employment if the decision is made to close the school and this will be communicated to staff.</p> |           |                                | costs |
|                  |  |   |           |                                |       |
| Community Groups | <ul style="list-style-type: none"> <li>• A range of community groups use the facilities of the school in both school hours and out of school hours ranging from gardening to the use of the pool.</li> <li>• With the closure of the school there is likely to be an initial negative impact on</li> </ul> | <p>If the proposal to close the school is approved every effort will be made to help staff find alternative facilities to meet their needs. It may be that these groups</p>   | Phil Ward | Dependent on Cabinet decision. |       |

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|  | <p>the groups using the school facilities but every effort will be made to assist these groups to find suitable alternative provision.</p>  | <p>will need to access similar facilities but in different venues. There will be a discussion with lead members of individual groups to explore to access to alternative venues.</p>   |  |  |  |
| <p>Equality Impact on those with a protected characteristic.</p> | <ul style="list-style-type: none"> <li>• <b>Disability:</b> There is likely to be some initial negative impact on pupils of The Lyndale who are disabled, i.e., those with profound and multiple learning difficulties. Children and families will need to become familiar with a new environment. Alternative provision will cater for all the needs of the children.</li> </ul> | <p>The other schools for which parents may express a preference can cater for the needs of the children. The option of ( Stanley and Elleray Park Schools) has been assessed by the SEN Improvement Test as <i>likely to lead to improvement in the standard, quality and/or range of education provision for the children ( Appendix 1(7.7) Independent’s Consultant’s Report: Cabinet Report 4<sup>th</sup> September 2014)</i></p> <p>The Council has given its assurance that every support will be given to receiving schools to support the needs of any child transferring. These</p> |  |  |  |

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|  | <ul style="list-style-type: none"> <li>• <b>Race/Ethnicity:</b> The Council holds no information which indicates that there will be any impact on race or ethnicity. This did not emerge as an issue during the consultation processes or representation period and has not arisen as an issue subsequently.</li> <li>• <b>Gender, gender reassignment, sexual orientation.</b> The Council holds no information which indicates that there will be any impact on gender reassignment or sexual orientation.</li> </ul> | <p>assurances have been given in meetings with the parents, staff and in the public consultation process. The two schools providing for primary aged children with CLD are confident of their ability to ensure a continuing quality of provision. Both schools are experienced in the admission of new children to their schools and any transition arrangements which may need to take place prior to and during early admission to the school.</p> |  |  |  |
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|  | <p>This did not emerge as an issue during the consultation process or representation period and has not arisen as an issue subsequently.</p> <ul style="list-style-type: none"> <li>• The majority of the staff at The Lyndale School are female. Some members of staff may be employed by receiving schools. However, there may be redundancies. The future of the staff was raised in the public consultations as a concern. The Council has no responsibility in maintaining the employment of staff should the school close. Governing bodies of schools employ their staff.</li> <li>• <b>Religion and belief:</b> The Council holds no information which indicates that there will be any impact on religion and belief. This did not emerge as an issue during the consultation process or representation period and has not arisen as an issue subsequently.</li> <li>• <b>Age, pregnancy and maternity:</b> The Council holds no information which indicates that there will be any impact on age, pregnancy or maternity. This did not emerge as an issue during the consultation process or representation period and has not arisen as an issue subsequently.</li> <li>• <b>Socio-Economic:</b> There will be some</li> </ul> | <p>The Council has given its assurance that should the school close it will support staff in seeking employment if it is requested to do so.</p> <p>The impact may be</p> |  |  |  |
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|  | <p>impact following any admission of children from The Lyndale School which could be either positive or negative. For example additional travel costs.</p> <ul style="list-style-type: none"> <li>• <b>Marriage and Civil partnership:</b> The Council holds no information which indicates that there will be any impact on marriage and civil partnership. This did not emerge as an issue during the consultation process or representation period and has not arisen as an issue subsequently</li> </ul> | <p>mitigated by the provision of a different and potentially wider curriculum and other activities at alternative schools. It is recognised that every school will have differing approaches to the broader curriculum offer. Children will continue to be provided with free home to school transport.</p> |  |  |  |
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**Section 4a: Where and how will the above actions be monitored?**

Monitoring will be through an operational group set up to oversee the outcome of the proposal if agreed. This will be chaired in future by the senior SEN Manager.

Any new issues which may emerge during the current representation period which is due to close on the 19th November 2014, which may impact on equality issues, will lead to a further EIA update being produced.

**Section 4b: If you think there is no negative impact, what is your reasoning behind this?**

N/A

**Section 5: What research / data / information have you used in support of this process?**

Past, current and future pupil numbers.

Financial/funding data held by the children's department. Employment of an independent consultant to comment on options and the SEN Improvement Test.

Views expressed during the consultation period that took place between 2nd April 2014 and 25th June 2014.

**Section 6: Are you intending to carry out any consultation with regard to this Council proposal?**

See below. Consultation has already taken place.

(please stop here and email this form to your Chief Officer who needs to email it to [engage@wirral.gov.uk](mailto:engage@wirral.gov.uk) for publishing)

**Section 7: How will consultation take place and by when?**

A public consultation commenced on the 2 April 2014 which complied with all the necessary legislative requirements and ended on the 25<sup>th</sup> June 2014. A series of six public meetings were held as part of that consultation process. Anyone with questions and views had the

opportunity to contact the Department and express their views by way of on line responses, writing to the Department and completion of response forms provided at the consultation meetings. A full response was made to Cabinet on the 4th September 2014 and to the Coordinating Committee held on the 2nd October 2014.

Before you complete your consultation, please email your preliminary EIA to [engage@wirral.gov.uk](mailto:engage@wirral.gov.uk) via your Chief Officer in order for the Council to ensure it is meeting it's legal publishing requirements. The EIA will need to be published with a note saying we are awaiting outcomes from a consultation exercise.

Once you have completed your consultation, please review your actions in section 4. Then email this form to your Chief Officer who needs to email it to [engage@wirral.gov.uk](mailto:engage@wirral.gov.uk) for publishing.

**Section 8: Have you remembered to:**

- a) **Select appropriate directorate hyperlink to where your EIA is/will be published** (section 2a)
- b) **Include any potential positive impacts as well as negative impacts?** (section 4)
- c) **Send this EIA to [engage@wirral.gov.uk](mailto:engage@wirral.gov.uk) via your Chief Officer?**
- d) **Review section 4 once consultation has taken place and sent your updated EIA to [engage@wirral.gov.uk](mailto:engage@wirral.gov.uk) via your Chief Officer for re-publishing?**