

Equality Impact Assessment (EIA)

The separate EIA guidance notes outline what should be included for each section. Please read them before you begin. If you have any queries, contact your Corporate Equality Group rep, or the Engagement Team on 643 2828.

1. Author, service area, date

Michael Johnston, Commissioning & Asset Management, North Tyneside Council, 20 April 2020

2. Who else has been involved in writing this EIA?

Mark Taylor, Strategic Commissioning Manager, Children and Families;
Paul Quinn, Head Teacher, Longbenton High School;
John Lines, Head Teacher, Southlands School; and
Paul Stewart, HR Business Partner (Schools);
Felicity Shoesmith, (member of the Corporate Equality Group), Community and Voluntary Sector Liaison Manager; and
Anne Foreman, Policy and Performance Manager.

3. What proposal is this EIA assessing?

The EIA is assessing the impact of the proposed changes to provision at the Melrose Centre and Southlands School.

4. What is the purpose of your proposal and what is it expected to achieve?

This EIA is on proposed changes to the Melrose Centre at Longbenton High School and Southlands School. The changes proposed are:

- To change the leadership of Melrose Additionally Resourced Provision (ARP) from Longbenton High School to Southlands School;
- To change the designation of the type of Special Educational Needs provision offered by Southlands School; and
- For the changes to be in place from September 2020.

The Melrose Centre was established in 2009, as an ARP for children with autism as part of Longbenton High School. Since then the number of children with autism has increased significantly and the demand for places in the Melrose Centre is now much greater than the number of places available. The overall level and complexity of need of the children accessing the Melrose Centre has also increased significantly over time. Both factors have led to the decision that a change is needed to reflect the specialist secondary offer that is now

provided at the Melrose Centre and to increase overall capacity beyond the Melrose Centre. The Authority is working in partnership with Longbenton High School and Southlands School and proposes that the Melrose Centre will benefit from special school leadership as part of Southlands School.

The ARP model, upon which the Melrose Centre was based, is no longer appropriate to meet the increasing needs of the vast majority of children as determined in their Education Health and Care Plans (EHCPs). Longbenton High School is no longer in a position to meet both the increasing demand for places in the Melrose Centre and the overall increase in the needs of the children accessing the Melrose Centre. The Melrose Centre has become, in effect, a specialist offer and it is now right to consider a special school, with expertise in supporting children with autism, to take on the leadership and management of the centre.

The physical space at the Melrose Centre is limited. It was built to accommodate 25 pupils but the numbers of pupils has significantly exceeded the places available this year. Demand for autism places is projected to increase further in future years.

The Melrose Centre is a very highly regarded provision for children with autism and this is recognised by everyone involved. The overriding intention is to maintain what is working well in terms of access and inclusion but to enhance the education offer further through the specialist leadership and expertise of Southlands School. This proposal provides an opportunity for Southlands School to clarify its offer to better reflect the changing profile of children's need.

The proposal is for Southlands School to also include children with autism to the formal designation of the school to allow for an increase in the number of children with autism. Southlands would continue to be a school for children with moderate learning difficulties (MLD), however, the need for special school places or ARP places for children with MLD has reduced over time and many children are now in mainstream schools. The proportion of new children with MLD who start, or transfer in-year to Southlands, will reduce to allow for the increase in children with autism.

The proposal would enable the Authority and partners to better meet the statutory responsibilities set out in the Special educational needs and disability code of practice. [The Code of Practice](#) provides statutory guidance on duties, policies and procedures relating to Part 3 of the Children and Families Act 2014 and associated regulations and applies to England.

5. Is there any relevance to the aims of the public sector equality duty?

Aim	Yes, No, or N/A	Details if 'yes'
Eliminate unlawful discrimination, victimisation and harassment	Yes	<p>The proposed changes would ensure there is no discrimination between children and young people with special educational needs and disabilities (SEND) and those without by:</p> <ul style="list-style-type: none"> • Creating a progression pathway for children in primary special school provision to secondary school special provision, thereby ensuring that these children with SEND are not treated less favourably; • Ensuring that reasonable adjustments are made to enable pupils at the Melrose Centre to benefit from the mainstream curriculum and facilities at Longbenton High School and making adjustments at Southlands School to ensure that the environment is suitable for children with autism; • Providing an educational offer to children with SEND that better meets their needs, improves outcomes, advances equality of opportunity and ensures that they can participate in school life in line with their peers who do not have SEND.
Advance equality of opportunity between people who share a protected characteristic and those who do not	Yes	<p>The intention of the proposal is that pupils with SEND at the Melrose Centre and Southlands School and those progressing from primary special school, should have equality of opportunity with their peers who do not have this protected characteristic. The proposed changes would advance equality of opportunity by:</p> <ul style="list-style-type: none"> • Enabling the Melrose Centre to be led by a special school thereby ensuring that the appropriate expertise and staffing resources are in place so that the educational offer for pupils at the centre is tailored to their needs; • Responding to the fact that the overall needs of the children coming to the Melrose Centre are frequently more complex and that means having a special school running Melrose would bring additional expertise which would ensure the education offer continues to improve and meet children's needs. The vast majority of children access most of their teaching and learning within the Melrose Centre rather than in the wider school; • Ensuring that there are more places for children with autism, thereby ensuring equality of opportunity, by enabling Southlands School to offer more places for

Aim	Yes, No, or N/A	Details if 'yes'
		<p>pupils with this need. The space at the Melrose Centre is fully occupied and more secondary school places are needed for children with autism. In addition to the places at the Melrose Centre, Southlands School would increasingly offer places to children with autism at the main Southlands School site. This would enable Southlands School to increase capacity in the system through a sustainable and incremental approach;</p> <ul style="list-style-type: none"> • Creating a progression pathway to special secondary school provision for children in special provision at Benton Dene School; • Meeting children's individual needs as outlined in their EHC plan and enabling, wherever possible, children to be educated in the same key stage for their age; • Maintaining the current staff team at Melrose so that they can continue to teach the children currently in the centre. In addition, there will be opportunities for joint training and development between staff teams to share expertise and build capacity to improve children's education; • Considering all children in transition individually in terms of their educational and wider needs and the extent to which they would benefit from the curriculum and wider support offer at each school site i.e. the Melrose Centre and Southlands School main site; • Moving over time, to a position whereby new children who would benefit from an entry level or level 1 curriculum and access to vocational and community-based pathways could be based at Southlands main school site. The intention is for new children to be placed in the Melrose Centre who would benefit from a more inclusive mainstream offer and an academic curriculum with routes into GCSEs; and • Addressing the need for any adaptations or other work needed to Southlands School to create a safe and supportive environment for pupils with autism and completing this before September 2020.
Foster good relations between people who share a protected characteristic and those who do not	Yes	The intention is that there should be good relations between pupils with SEND and their peers who do not have this protected characteristic. The proposal would foster good relations by:

Aim	Yes, No, or N/A	Details if 'yes'
		<ul style="list-style-type: none"> • Providing continuity. Longbenton High School is committed to the Melrose Centre remaining on the existing school site, and for children to benefit from the facilities of the wider school, as they do currently; • Maintaining what is working well in terms of access and inclusion at Longbenton High School and establishing operational arrangements between the Headteachers of Southlands and Longbenton High School. This will include policies on inclusion and access, safeguarding and behaviour to maintain the current opportunities for integration at Longbenton High School; • Ensuring that students at the Melrose Centre who would benefit from the mainstream curriculum at Longbenton would continue to access it, as is the case now. Students will still be able to sit GCSE examinations if that is the appropriate curriculum for them; • Ensuring that pupils at the Melrose Centre who would benefit from the sixth form at Longbenton High School would continue to be able to access it; and • Ensuring that the post-16 provision for children with autism is enhanced to offer a suitable range of opportunities and a distinct progression from what was available in Key Stage 4.

6. Analysis by characteristic

Protected characteristic	Potential positive or negative impact?	Explanation and evidence
Age	Positive	The proposal would have a positive impact for this characteristic as it allows young people with SEND from Year 7 onwards to have access to an appropriate educational offer and addresses the lack of an appropriate progression route from primary to secondary special school provision. The proposal would enable young people at Key Stage 3 onwards to have access to the mainstream curriculum at Longbenton High School, which has a sixth form, and at the main Southlands School site which offers education to children at Key Stages 3 and 4.

Protected characteristic	Potential positive or negative impact?	Explanation and evidence
Disability	Positive	The proposal would have a positive impact on children and young people with the protected characteristic of disability by: enhancing the offer at the Melrose Centre; maintaining opportunities for integration and access to the mainstream curriculum at Longbenton High School; increasing the number of special school places for children with autism; and creating a progression route from primary to secondary education. This will enable children and young people to be kept safe at home and connected to their local communities and for the Authority to work in partnership with schools to keep children in school.
Gender	Positive	The proposal would allow young people of both genders with SEND from Year 7 onwards to have access to an appropriate educational offer at both the Melrose Centre and Southlands School site.
Gender reassignment	N/A	
Marriage and civil partnership status	N/A	
Pregnancy and maternity	N/A	
Race	Positive	The proposal would allow young people with SEND of all races from Year 7 onwards to have access to an appropriate educational offer.
Religion or belief	Positive	The proposal would allow young people with SEND of all religions or beliefs, and those with none, from Year 7 onwards, to have access to an appropriate educational offer.
Sexual orientation	Positive	The proposal would allow young people with SEND of all sexual orientations from Year 7 onwards to have access to an appropriate educational offer

7. Have you carried out any engagement in relation to this proposal? If so, what?

A two-stage consultation has taken place:

Informal (non-statutory) consultation

The Authority is required to comply with Department for Education (DfE) guidance, 'Making significant changes ('prescribed alterations') to maintained schools: Statutory guidance for proposers and decision-makers'.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756572/Maintained_schools_prescribed_alterations_guidance.pdf

The guidance applies to Local Authorities and governing bodies proposing to make changes to maintained schools and for information purposes for those affected by a proposal, including parents. Although there is no longer a statutory 'pre-publication' consultation period for prescribed alteration changes, there is a strong expectation that schools and Authorities will consult interested parties in developing their proposal prior to publication to take account of all relevant considerations. The Authority has therefore undertaken an initial, non-statutory consultation with school governing bodies, with staff and with parents and carers. This first phase of consultation ran until 13 December 2019.

Five consultation sessions were held with parents and carers: two sessions at Longbenton High School on 25th November; two sessions at Benton Dene School on 26th November; and one session at Southlands School on 27th November 2019. A presentation was made at each consultation event covering the background to the proposal, the changes being proposed, the rationale and benefits, next steps, sources of individual advice and support and how to give feedback, offer comments or ask questions. Following the presentation those attending were able to ask questions. Each of the sessions was attended by the Head Teacher of the school hosting the consultation session and the Head of Southlands School. Chairs of governors were represented at the majority of the sessions.

The key issues raised by parents were: the rationale for the change – parents asked for more information about why it was being proposed; the transition pathway from Benton Dene School to the Melrose Centre and progression routes to the post-16 autism offer; access to the mainstream curriculum and facilities at Longbenton High School for pupils at the Melrose Centre; the expertise of the staff at Southlands in autism; and the need for additional capacity and how, under the proposed arrangements, the need for additional places would be met. A set of Frequently Asked Questions has been compiled providing responses to the themes raised at the consultation sessions. It has been made available on the SEND Local Offer website along with the presentation slides used at these sessions:

<https://my.northtyneside.gov.uk/category/1385/engagement>.

Statutory Consultation

The statutory consultation opened on 27 February and closed on 2 April 2020. Three written responses to the statutory consultation were received by e-mail. One from a parent, one on behalf of the governing body at Southlands School and one on behalf of the Governing Body at Longbenton High School.

Comments in the parental response included:

- A request that the same uniform be retained for pupils at the Melrose Centre. A question was asked about when the decision concerning the uniform would be made and a request that this information be shared in the Frequently Asked Questions which are posted on the Local Offer website;
- A request that no change should be made when a pupil is already in the right setting at the Melrose Centre and that there should continue to be access to mainstream GCSE provision and post-16 provision at Longbenton High School;
- A request that there should be no extra travel for pupils already at the Melrose Centre due to shuttling to the main Southlands School site and that the danger of having a fragmented school campus should be avoided;
- A request for no change to be made to the staff teaching children at the Melrose Centre; and
- Clarity was also requested about changes to the wording of Education Health and Care plans (EHC plans) should the proposal be approved and when this would happen. The point was made that any changes to EHC plans would need to follow the statutory process.

The respondent also asked for information about how parental feedback from the informal (non-statutory) consultation had been reported. They also asked about options for communication during the statutory consultation and whether there would be further one-to-one meetings or school level consultation events. This consultation response has been acknowledged and answers were given to the two preceding points.

The response on behalf of the governing body of Southlands school confirmed their ongoing support of the proposal to designate Southland as a school for children with autism and moderate learning difficulties and to see the Melrose Centre become part of the Southlands offer. Governors qualified this support with a request that North Tyneside council offer an undertaking that adopting the Melrose Centre will not see Southlands suffer a financial deficit as a result. This assurance has been given to the governors.

Governors also observed that referral paperwork for students with social, emotional and mental health problems as their primary or significant need have continued to be shared with the school leadership team and that this does not seem to be consistent with the statutory notice published as part of the proposal. This point has been noted by the SEN Support team and the consultations on EHC plans which are currently underway have been discussed with the Head Teacher.

The governing body of Longbenton High School have confirmed their full support for the proposed changes to take effect from 1st September 2020. If the proposal is approved, Governors and school leaders at Longbenton have confirmed that they will work with Southlands governors and school leaders to ensure there is a smooth transition for both pupils and staff on 1st September 2020.

The parental response and the responses from the two schools have not identified any problems which would prevent the proposal from being implemented.

8. Is there any information you don't have that you need to find?

To avoid creating unnecessary uncertainty or anxiety amongst the pupils already at the Melrose Centre while the proposal has been at the consultation stage, no formal discussions have taken place. This approach has been agreed by the Participation Team as being in the best interest of young people. Where individual pupils have raised concerns with a member of staff, reassurance has been given that there is nothing to worry about and that the same staff will be working with them. How children could potentially be engaged, should the proposal be approved, is also being discussed with the Authority's Participation and Engagement Team and with the schools. This will form part of the implementation plan which would be rolled-out from June.

9. What actions are already in place, or will be taken, to remove or reduce potential negative impacts?

Action	Responsibility	Timescale
The Project Group which includes officers and the Head Teachers of Longbenton High School and Southlands School will continue to oversee implementation. The group currently meets on a fortnightly basis.	Project Group	Ongoing
The Intelligence, Planning and Joint Commissioning Group which reports to the SEND Board will maintain oversight and monitor the impact of the proposal.	Intelligence, Planning and Joint Commissioning Group	Ongoing
Subject to Cabinet approval, how children could potentially be engaged, is being discussed with the Authority's Participation and Engagement Team and with the schools.	Vicki Nixon	June 2020 onwards

Action	Responsibility	Timescale
Subject to Cabinet approval, work will be completed on the Service Level Agreement between the two schools	Michael Johnston	June 2020

10. Are there any potential negative impacts that cannot be removed or reduced? If so, why is this?

There are no negative impacts that cannot be removed or reduced.

11. Based on your conclusions from this assessment, what are your next steps?

To take a report to Cabinet, summarising the outcome of the statutory consultation, and seeking approval to implement the proposal.

12. How will the impact of this proposal be monitored after it is introduced?

Should the proposal be approved implementation will be overseen by the Project Group. The Project Group will monitor progress against the EIA, consider equality implications as part of the Project Plan and ensure that the EIA is updated throughout the implementation period.

The Intelligence, Planning and Joint Commissioning Group which reports to the SEND Board will monitor the progress of the Project Group and the impact of implementation thereafter should the proposal be implemented.

13. When will this EIA be reviewed?

The EIA will be reviewed and updated by the Project Group throughout the implementation period.