

# Equality Impact Assessment Template

Please complete this template using the [Equality Impact Assessment Guidance document](#)

**Version 3: January 2013**

Title of proposal (include forward plan reference if available)	Exemption from Procurement and Contract Regulations for Post-16 High Needs Education Provision
Directorate and Service Area	Education Skills and Employment Directorate – Post-16 Education and Skills
Name and title of Lead Officer completing this EIA	Erroll Blackwood
Contact Details	0121 569 8480
Names and titles of other officers involved in completing this EIA	None
Partners involved with the EIA where jointly completed	None
Date EIA completed	10 May 2022
Date EIA signed off or agreed by Director or Executive Director	
Name of Director or Executive Director signing off EIA	
Date EIA considered by Cabinet Member	

**1. The purpose of the proposal or decision required**

See [Equality Impact Assessment Guidance](#) for key prompts that must be addressed for all questions

**(Please provide as much information as possible)**

To request Cabinet to approve a permanent exemption to the council's Procurement and Contract Procedure Rules to enable the Council to enter into individual contracts with Education and Skills Funding Agency (ESFA) approved institutions and independent specialist institutions named in the approved list under Section 41 of the Act.

**2. Evidence used/considered**

- Sections 19/38/41 of the Children and Families Act 2014
- SEND Code of Practice (Section 19 of the Children and Families Act 2014).
- Case-law from the European Court of Justice
- ESFA High Needs Funding 2019/20 Operational Guide
- Equality Act 2010
- The Special Educational Needs and Disability Regulations 2014

**3. Consultation**

Legal Services  
Procurement Services

**4. Assess likely impact**

Please give an outline of the overall impact if possible.

**Please complete the table below at 4a to identify the likely impact on specific protected characteristics**

**4a. Use the table to show:**

- Where you think that the strategy, project or policy could have a negative impact on any of the equality strands (protected characteristics), that is it could disadvantage them or if there is no impact, please note the evidence and/or reasons for this.
- Where you think that the strategy, project or policy could have a positive impact on any of the groups or contribute to promoting equality, equal opportunities or improving relationships within equality characteristics.

<b>Protected Characteristic</b>	<b>Positive Impact</b>	<b>Negative Impact</b>	<b>No Impact</b>	<b>Reason and evidence (Provide details of specific groups affected even for no impact and where negative impact has been identified what mitigating actions can we take?)</b>
	✓	✓	✓	
<b>Age</b>	✓			<p>By ensuring that there are clear robust contracting arrangements in place, contracted provision will meet the required education, health and care needs of learners aged 16-25 with high level learning difficulties or disabilities, and should enable them to make the best possible progress at all stages of their education and into adult life.</p> <p>Approval of the recommendations in the report will have a significant positive effect on the lives of young people.</p>
<b>Disability</b>	✓			<p>By ensuring that there are clear robust contracting arrangements in place, contracted provision will meet the required education, health and care needs of learners aged 16-25 with high level learning difficulties or disabilities, and should enable them to make the best possible progress at all stages of their education and into adult life.</p>

				Approval of the recommendations in the report will have a significant positive effect on the lives of young people.
<b>Gender Reassignment</b>	✓			<p>This will guarantee equal access irrespective of whether they are male or female.</p> <p>Approval of the Cabinet report will have a significant positive effect on the employment prospects of young people</p>
<b>Marriage and civil partnership</b>	✓			<p>Equality of opportunity will be granted for all young people irrespective of whether they are single, divorced, separated, living together or married or in a civil partnership.</p> <p>Approval of the Cabinet report will have a significant positive effect on the employment prospects of young people</p>
<b>Pregnancy and maternity</b>	✓			<p>Equality of opportunity will be granted for all young people irrespective of whether they are pregnant or a young parent.</p> <p>Approval of the Cabinet report will have a significant positive effect on the employment prospects of young people</p>
<b>Race</b>	✓			<p>This initiative will benefit young people regardless of race/religion/sex/sexual orientation.</p> <p>Approval of the Cabinet report will have a significant positive effect on the employment prospects of young people</p>
<b>Religion or belief</b>	✓			
<b>Sex</b>			✓	

[ILO: UNCLASSIFIED]

<b>Sexual orientation</b>			✓	
<b>Other</b>				

Does this EIA require a full impact assessment? Yes  No

If there are no adverse impacts or any issues of concern or you can adequately explain or justify them, then you do not need to go any further. You have completed the screening stage. You must, however, complete sections 7 and 9 and publish the EIA as it stands.

If you have answered yes to the above, please complete the questions below referring to the guidance document.

**5. What actions can be taken to mitigate any adverse impacts?**

**6. As a result of the EIA what decision or actions are being proposed in relation to the original proposals?**

**7. Monitoring arrangements**

1. EHC plans will be used to actively monitor access and the young people's progress towards their outcomes and longer term aspirations.
2. Reviews will focus on the child or young person's progress towards achieving the outcomes specified in the EHC plan. The review will consider whether these outcomes and supporting targets remain appropriate.
3. Involvement activities. This data might be disaggregated for all relevant equality groups and can cover, for example:
  - a. Levels of service take-up by different groups.
  - b. Outcomes for different groups.

**8. Action planning**

You may wish to use the action plan template below

Question no. (ref)	Action required	Lead officer/ person responsible	Target date	Progress

## 9. Publish the EIA

This EIAs will be published via CMIS.