

EQIA Submission – ID Number

Section A

EQIA Title

Education Health Needs Policy V2

Responsible Officer

Yasmin Thornton - DCED SRP

Approved by (Note: approval of this EqIA must be completed within the EqIA App)

Simon Smith - CY EPA

Type of Activity

Service Change

No

Service Redesign

No

Project/Programme

No

Commissioning/Procurement

No

Strategy/Policy

Strategy/Policy

Details of other Service Activity

No

Accountability and Responsibility

Directorate

Children Young People and Education

Responsible Service

PIAS

Responsible Head of Service

Simon Smith - CY EPA

Responsible Director

Christine McInnes - CY EPA

Aims and Objectives

The aim is to provide alternative education arrangements when the student hasn't been able to attend school for health reasons for 15 days or longer as required under the Section 19 Education Act 1996. This will ensure all students have access to education and are not discriminated based on health needs.

From 18 August 2024, the Department for Education's (DfE) 'Working together to improve school attendance' statutory guidance comes into effect. Within the guidance, there is a requirement for schools to inform the local authority when a pupil is absent from school due to illness for 15 days or more (consecutively or cumulatively throughout an academic year) or is due to be absent for 15 days due to illness. This, and other new elements of the guidance, link closely with the responsibilities of local authorities and schools concerning education arrangements for children who are unable to attend school due to illness. These responsibilities are addressed in the DfE's 2023 statutory guidance, 'Arranging education for children who cannot attend school because of health needs', and other relevant guidance. Relevant guidance (which is discussed and signposted in the draft policy itself).

In the last academic year (2022-23), 21,000 pupils in Kent were absent from school due to illness for at least 15 days. The vast majority of these pupils will continue to receive a suitable education without intervention by KCC. However, in a minority of cases, it will be necessary for KCC to provide alternative education in

accordance with its statutory responsibilities.

KCC commissions The Rosewood School (which has three sites in Kent in Tonbridge and Malling, Maidstone, and Canterbury), to provide up to 150 places for children and young people who, due to their medication, health or physical needs, cannot receive education in a mainstream setting. This includes children and young people for whom KCC has a statutory responsibility to arrange alternative education. The arrangement with The Rosewood School will continue under the new policy.

The data attached to the EQIA relates to the 21,000 pupils in Kent absent from school due to illness.

Section B – Evidence

Do you have data related to the protected groups of the people impacted by this activity?

Yes

It is possible to get the data in a timely and cost effective way?

Yes

Is there national evidence/data that you can use?

No

Have you consulted with stakeholders?

Yes

Who have you involved, consulted and engaged with?

Currently we have liaised with the following stakeholders:

Cabinet Member for Education and Skills

Corporate Director of CYPE

Director of Education and SEN

Assistant Director - Adolescents and Open Access

Public Health Consultant

Public Health Specialist

Senior Commissioner

Legal Services

Bevan Brittan

Designated Clinical Officer - NHS Kent and Medway CCG

The Rosewood School

We will be liaising with the additional stakeholders as part of the Public Consultation from 11 June 2024

Schools

Parents

Carers

Kent PACT

Has there been a previous Equality Analysis (EQIA) in the last 3 years?

Yes

Do you have evidence that can help you understand the potential impact of your activity?

Yes

Section C – Impact

Who may be impacted by the activity?

Service Users/clients

Service users/clients

Staff

Staff/Volunteers

Residents/Communities/Citizens

Residents/communities/citizens

Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?
Yes
Details of Positive Impacts
<p>The draft policy is specifically about supporting particular individuals with protected characteristics, namely children and young people of compulsory school age and those with health conditions which prevent them from attending school (some of whom may have the protected characteristic of disability).</p> <p>KCC anticipates positive impacts for these groups (and, possibly and by extension, those with the protected characteristic of pregnancy/maternity). It anticipates that by clarifying existing practice, updating guidance and procedures, and producing a publicly accessible policy statement, all stakeholders should benefit in terms of being able to understand and navigate KCC's processes for arranging alternative provision for children and young people with health needs. The policy includes clear flowcharts and descriptions of processes to aid transparency and delineate responsibility between stakeholders as much as possible.</p> <p>The policy will promote re-integration following a period of alternative provision , as well as emphasising the importance of schools providing support to those with health needs before KCC's Section 19 duty is engaged.</p> <p>The policy will also enhance the collaboration of different stakeholders like health services and schools. It is also anticipated that the policy will help avoid delays in securing unnecessary referrals or securing alternative provision.</p> <p>A simple summary of the policy for children and young people has been produced, to aid their understanding.</p> <p>It is not anticipated to have any adverse equality impacts the new policy is largely about bringing together existing practice and procedure (so no substantive change), while promoting clarity and transparency.</p>
Negative impacts and Mitigating Actions
19. Negative Impacts and Mitigating actions for Age
Are there negative impacts for age?
No
Details of negative impacts for Age
Not Applicable
Mitigating Actions for Age
Not Applicable
Responsible Officer for Mitigating Actions – Age
Not Applicable
20. Negative impacts and Mitigating actions for Disability
Are there negative impacts for Disability?
No
Details of Negative Impacts for Disability
Not Applicable
Mitigating actions for Disability
Not Applicable
Responsible Officer for Disability
Not Applicable
21. Negative Impacts and Mitigating actions for Sex
Are there negative impacts for Sex
No

Details of negative impacts for Sex
Not Applicable
Mitigating actions for Sex
Not Applicable
Responsible Officer for Sex
Not Applicable
22. Negative Impacts and Mitigating actions for Gender identity/transgender
Are there negative impacts for Gender identity/transgender
No
Negative impacts for Gender identity/transgender
Not Applicable
Mitigating actions for Gender identity/transgender
Not Applicable
Responsible Officer for mitigating actions for Gender identity/transgender
Not Applicable
23. Negative impacts and Mitigating actions for Race
Are there negative impacts for Race
No
Negative impacts for Race
Not Applicable
Mitigating actions for Race
Not Applicable
Responsible Officer for mitigating actions for Race
Not Applicable
24. Negative impacts and Mitigating actions for Religion and belief
Are there negative impacts for Religion and belief
No
Negative impacts for Religion and belief
Not Applicable
Mitigating actions for Religion and belief
Not Applicable
Responsible Officer for mitigating actions for Religion and Belief
Not Applicable
25. Negative impacts and Mitigating actions for Sexual Orientation
Are there negative impacts for Sexual Orientation
No
Negative impacts for Sexual Orientation
Not Applicable
Mitigating actions for Sexual Orientation
Not Applicable
Responsible Officer for mitigating actions for Sexual Orientation
Not Applicable
26. Negative impacts and Mitigating actions for Pregnancy and Maternity
Are there negative impacts for Pregnancy and Maternity
No
Negative impacts for Pregnancy and Maternity
Not Applicable
Mitigating actions for Pregnancy and Maternity
Not Applicable
Responsible Officer for mitigating actions for Pregnancy and Maternity

Not Applicable
27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships
Are there negative impacts for Marriage and Civil Partnerships
No
Negative impacts for Marriage and Civil Partnerships
Not Applicable
Mitigating actions for Marriage and Civil Partnerships
Not Applicable
Responsible Officer for Marriage and Civil Partnerships
Not Applicable
28. Negative impacts and Mitigating actions for Carer's responsibilities
Are there negative impacts for Carer's responsibilities
No
Negative impacts for Carer's responsibilities
Not Applicable
Mitigating actions for Carer's responsibilities
Not Applicable
Responsible Officer for Carer's responsibilities
Not Applicable