

## 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

<b>Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?</b>
Yes
<b>Details of Positive Impacts</b>
<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>
<b>Negative impacts and Mitigating Actions</b>
<b>19. Negative Impacts and Mitigating actions for Age</b>
<b>Are there negative impacts for age?</b>
No
<b>Details of negative impacts for Age</b>
Not Applicable
<b>Mitigating Actions for Age</b>
Not Applicable
<b>Responsible Officer for Mitigating Actions – Age</b>
Not Applicable
<b>20. Negative impacts and Mitigating actions for Disability</b>
<b>Are there negative impacts for Disability?</b>
No
<b>Details of Negative Impacts for Disability</b>
Not Applicable
<b>Mitigating actions for Disability</b>
Not Applicable
<b>Responsible Officer for Disability</b>
Not Applicable
<b>21. Negative Impacts and Mitigating actions for Sex</b>
<b>Are there negative impacts for Sex</b>
No

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

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