

Impact Assessment



Assessment of: - The impact of the recommendation for Education and Inclusion Services to be delivered by Devon County Council directly from 2022/23.

Service: - Education and Learning, Children's Services, Devon County Council.

Head of Service: - Dawn Stabb, Head of Education & Learning, Children's Services, Devon County Council
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Version / date of sign off by Head of Service: -

Assessment carried out by (job title):- Jade Torr, Commissioning Officer, Lucy Brewer Senior Commissioning Officer.

1. Description of project / service / activity / policy under review

Devon County Council and its partners hold a number of statutory responsibilities concerning the education of and the safety and welfare of children and young people in Devon. Examples of these duties are summarised in a number of pieces of statutory legislation and guidance including:- *Education Act (1996)*; *Education Act (2002)*; *Children Act (1989)*; *Children and Families Act (2014)*; *SEND Code of Practice:- 0-25 Years (2014)*; *The Education (Health Standards) (England) Regulations, (2012)*; *Keeping Children Safe in Education (2019)*; *Working Together to Safeguard Children (2018)*; *School Standards & Framework Act, (1998)*; *Education & Inspections Act (2006)*; *Childcare Act (2006)*.

In 2012, Devon County Council and Babcock International entered into a joint venture partnership (a type of commercial enterprise involving two or

more parties, but where all parties retain their distinct identities) Babcock LDP. This arrangement has allowed both parties to work together to deliver a range of 'Education and Inclusion Services' in Devon which in turn respond to legal responsibilities held and referenced above. These services support through a range of practitioners and professionals working in education settings such as schools and early years settings both children and young people including those with Special Educational Needs and Disabilities (SEND). This is achieved by providing practitioners and professionals better access to education, support, training, and intervention, thus supporting education, and learning achievements and outcomes. These services also support the quality of education, helping and supporting education settings with improvements and development, alongside offering support to ensure and promote the safety, safeguarding and protection of children and young people in education settings.

The kinds of Education and Inclusion Services currently offered includes: -

- Educational Psychology services.
- Early Years Support and Advice services (for children aged 0-5 years).
- Children Missing from Education service.
- Elective Home Education.
- Teaching and Learning Advisory Support.
- Ethnic, Minority and Traveller Achievement Service and English as an Additional Language.
- Physical and Sensory Support.
- Multi-Sensory Impairment services.
- Communication and Interaction.
- Behaviour support and social, emotional, and mental health (SEMH).
- Education Welfare Service.
- Safeguarding services.
- School improvement and Quality Assurance services.
- Governor Support and Quality Assurance services.

The current Provider of the Education and Inclusion Services contract also provides other services not directly commissioned by DCC. This includes a 'traded service offer' which is a mixture of: -

- a) An equivalent to DCC commissioned services that can be bought by schools (for example additional Educational Psychologist work). This draws on the expertise and skills of practitioners across services summarised above to provide a package of bespoke support and intervention to education settings and wider practitioners who will choose to purchase these services directly from the Provider.

- b) 100% traded services which are not commissioned in any form by DCC but are still highly valued by schools and realise outcomes that otherwise would not be achieved. These wholly 100% traded services include: -
- The management of the Devon Music Education Hub, which is funded by grants. Through the Devon Music Hub all Devon schools currently have fully funded access to class sets of instruments. 2,800 instruments are currently on loan to schools and pupils across Devon and an increased number of children and young people are using the online facility to support home learning over the last calendar year.
 - The Outdoor Education service which provides a range of services from two outdoor education sites based on Dartmoor. These are accessed by schools directly and are self-funded drawing no resources from the commissioned services.
 - Library Service which provides book boxes to schools and, like the Outdoor Education service, is completely self-funded.

Education and Inclusion Services are currently being funded through a range of core education funding received by Devon County Council from the Government, as well as de-delegated funds (where schools pass equal % money back to the council for them to purchase services on schools behalf), which are used to commission services on behalf of schools. The 2019/20 value of the Education and Inclusion Services contract is around £9.8 million (includes Music Grant £0.9m). The value of the 'traded service offer' in 2019/20 was approximately £4 million.

2. Reason for change / review

The contract and existing arrangements for the delivery of Education and Inclusion Services are due to end in 2022/23 after a period of potentially 11 years. Devon County Council are required to undertake a process and work to review, consider and facilitate decision making which will determine the design of and the arrangements for the delivery of any Education and Inclusion Services for the future. The services are also linked to other services being reviewed as part of the corporate SEND transformation project and as such need to be designed to align with that.

3. Aims / objectives, limitations and options going forwards (summary)

Our goal is to ensure the continuity and availability of service support and intervention which can best meet the future needs of children, young people, families, professionals, practitioners and partners in Devon.

It is intended as part of this goal: -

- To design services which are as efficient, sustainable, and flexible for the future as possible.

- Designed services continue to support Devon County Council in meeting its statutory responsibilities and obligations concerning the education, safety and welfare of children and young people in Devon.
- Designed services align and deliver in ways which support Devon's aims to improve outcomes for children and young people in Devon as described in our [SEND Strategy](#), [Children and Young People Plan](#), [Written Statement of Action](#) and [SEND Transformation Project](#).

An options appraisal has been undertaken to consider the ways in which Education and Inclusion Services could be delivered going forward.

This assessment follows this appraisal and aims to consider the impact of the recommendation to deliver Education and Inclusion Services through a different set of arrangements from 2022/23.

The recommended change proposes Devon County Council, from 2022/23, directly deliver all of the services currently included in the Education and Inclusion Contract, this would include continuing to ensure 'traded services are available, to provide a greater opportunity for integration and to support SEND transformation and improve outcomes for children. With the option to commission out the School Improvement and Quality Assurance services at a later point going forward.

Further rationale, analysis and explanation for this recommendation can also be found in the accompanying Cabinet paper.

4. People affected and their diversity profile

People affected would include children and young people aged 0-18 years living in Devon. It would include children and young people aged 0-25 years with Special, Educational, Needs and Disabilities (SEND) living in Devon. Additionally, families of children and young people living in Devon and a range of professionals and practitioners working across education (including early years) settings in Devon would be affected.

Reach: - The Joint Strategic Needs Assessment (JSNA) Devon Overview, 2018 indicates Devon has a population of about 750,000. Of this figure around 21% (157,500) are children and young people aged between 0-19 years. The 2011 Census indicated of the DCC population 94.4% identified as White British; 2.5% identified as White Other and 2.6% identified as Black, Asian or Other Ethnic Minority Group. Of the Devon population

responding to the DCC Community Insight Survey in 2019, 47% strongly agreed or agreed with the statement “I have good access to learning opportunities”.¹

In 2019, 65% of pupils in Devon achieved a pass (grades 9-4) in English and Maths. Attendance of children and young people in school settings is high, often above the national average. In 2019, there were only 1% of unauthorised absence/ sessions missed in state funded primary, secondary and special schools. In 2020, 92% of 2-3-year olds and 92% of 3-4-year olds were benefiting from funded early education with Providers judged to be ‘Good’ or ‘Outstanding’ by Ofsted.

At Autumn 2020, there were 106,000 children attending Devon schools. An additional 1,508 children and young people are known to be home educated. At October 2020, 20,794 children and young people were identified to have a special educational need in Devon. Of this number 13,316 are supported at school level and 7,478 children and young people with SEND had an Education, Health and Care plan (EHCP) to support their needs. Devon has more children supported at both SEN support level and with an EHCP than seen elsewhere in the country. Social, Emotional and Mental Health difficulties (SEMH), Speech, Language and Communication difficulties (SLCN) and Autism Spectrum Disorder represent the 3 highest categories of need for children and young people with SEND in Devon. The educational outcomes for children on SEN support and with EHCP are better in Devon than the National Average, with Devon having 32% of pupils that are achieving a good level of development compared to 30% for England.

2,077 teachers across 290 schools in Devon are currently registered with the Devon Music Education Hub. 14,746 children and young people are using the online facility offered through the Hub to support home learning during COVID-19. 2,800 instruments are currently on loan to schools and pupils. All Devon schools have fully funded access to class sets of instruments.

The ‘traded service offers’ are currently purchased and used by a significant number of Education settings, including maintained special schools; mainstream settings and academies; and independent schools and colleges who are supporting children and young people, children and young people with SEND and in some cases supporting provision for them as described in their Education, Health and Care Plan.

Experience: - There are a variety of ways families are able to share their feedback and views with DCC. This includes: - through the Devon SEND Local Offer; through customer services; through the Parent Carer Forum operating in Devon. Details of engagement, feedback and consultation being undertaken relating to this topic is summarised in section 7 below. Education settings, Early Years settings and Governors are also able to

¹ Joint Strategic Needs Assessment (JSNA), Devon Overview, 2018, pages 51-53.

share their experience with DCC through a range of methods including via DCC website, surveys, as well as through strategic and operational meetings such as Heads Liaison group, Schools Finance group and Devon education Forum.

Dependence: - There is a high dependency on services delivered as part of the Education and Inclusion Services contract. As well as supporting quality and development of education settings and safeguarding of children and young people in education settings; services also support schools to support some of Devon's most vulnerable or disadvantaged pupils to have a good education which helps them to gain skills, knowledge and qualifications, achieving the best possible outcomes. This can enable children and young people to have aspirations for, and to access opportunities for training, further education and/ or employment in the future. Support and intervention services offered through Education and Inclusion contract in the academic year 2018/19 for instance, has supported over 325 early years settings with advice and information. Participation and engagement in specific intervention projects to reduce likelihood of exclusion and support literacy and reasoning to aid maths in both early years and other school settings have also been facilitated. Over 116 families with English as an additional language have been offered support. Growing numbers of schools have been supported with training, advice, guidance, development, and best practice resources to help them to support children and young people to achieve better outcomes. This has also included supporting schools to understand, support and monitor children and young people from minority ethnic groups. For instance, over 163 children and young people from Gypsy, Roma or Traveller families have been supported to access educational provision, online teaching, support through transition or have accessed a targeted programme to support attendance. Home visits and monitoring visits have been undertaken to support a number of children and young people who are being electively home educated. Support and involvement has been recorded in over 400 cases where children and young people have been identified to be missing from education. Moreover, through support there has been a reduction in the length of time children in Devon are remaining 'missing from education'. Furthermore, educational psychologists are working alongside Devon County Council to support input and improve timeliness of issued EHCP plans as part of initial assessments and/ or as a result of annual reviews for children and young people with SEND.

5. Stakeholders, their interest, and potential impacts

- Practitioners currently delivering Education and Inclusion Services currently employed by Babcock LDP. The outcome of decision making and arrangements for future delivery could have potential implications e.g. mean a change of employer for some practitioners.

- Headteachers, teachers and support staff in education settings in Devon including schools and early years settings. The outcome of decision making and arrangements for future delivery are important for this group in them understanding how they can access and who they can access services and support with/ from, in the future. School and education settings are also a joint commissioner of some of these services alongside the local authority.
- Officers and practitioners delivering service functions across DCC Children’s Services, for example 0-25 SEN, DCC Early Years and Inclusion Services. Depending on decision making there would need to be consideration for the transition of any staff to DCC teams internally.
- Devon County Council Elected Members. Overall decision-making lies with this group. Elected Members will be making decisions that represent and respond to the needs and interests of Devon communities based on the information and evidence provided to them by Officers. Elected Members also need to be assured in their decision making that Devon County Council are meeting their legal responsibilities and making the best use of public funds.
- Children and Young People, and their Families. As the recipient of the support offered either directly or indirectly by services.
- Wider services supporting Children, Young People and their Families. For example, Providers of community health and well-being services, in their assessment of, and delivery of provision to Children and Young People and through joint working across SEND.

6. Research used to inform this assessment

- [Joint Strategic Needs Assessment Devon Overview \(2018\).](#)
- [Devon Special Educational Needs and Disability \(SEND\) Local Offer and vision](#)
- [ONS 2011 Census- Office for National Statistics. Figures for DCC Population area.](#)
- <https://www.gov.uk/government/statistics/schools-pupils-and-their-characteristics-january-2019>
- <https://www.devon.gov.uk/educationandfamilies/special-educational-needs-and-disability-send-local-offer/support-education-health-and-care/care/short-breaks/shortbreakscodesign>
- <https://www.dcfp.org.uk/>
- <https://www.newdevonccg.nhs.uk/your-ccg/children-and-young-people-100144>
- <https://www.devon.gov.uk/educationandfamilies/special-educational-needs-and-disability-send-local-offer/the-picture-in-devon>
- <https://www.devon.gov.uk/equality/performance-and-monitoring/equality-information/2019insight>
- [Local Authority Interactive Tool \(LAIT\)](#)

7. Description of consultation process and outcomes

Outcomes and feedback obtained through engagement activity undertaken by Devon County Council and its partners is being used to inform the process seeking to agree and design arrangements for the delivery of Education and Inclusion Services from 2022/23. Engagement activity used to inform the proposals has included a range of stakeholders, for example, children and young people, parents, professionals working across children's services including in schools and therapeutic settings. Examples of engagement undertaken includes:- workshops, surveys and focus sessions as part of the Short Breaks Co-Design; as part of SEND transformation; the Community Health and Wellbeing Services engagement led by NHS Devon; a sensory service review; School Focus Groups; School Leader and Governor Surveys; focus sessions with other local authorities, market engagement opportunities.

Themes highlighted include:- the importance of supporting integrated working; adopting holistic approaches; identification and assessment; early help and accessing the right service at the right time and earliest point; clear pathways and skilled workforces.

Further information for some of the engagement pieces described above can be found on the following: -

- <https://www.devon.gov.uk/educationandfamilies/special-educational-needs-and-disability-send-local-offer/support-education-health-and-care/short-breaks/shortbreakscodesign>
- <https://www.devon.gov.uk/educationandfamilies/special-educational-needs-and-disability-send-local-offer/we-are-listening>
- <https://www.devon.gov.uk/educationandfamilies/archives/10372>

A public consultation was undertaken through the 'Have Your Say' website from 5/11/20 to 01/12/2020. A total of 115 online response were received. The consultation asked the following: -

The services being considered to be directly delivered by DCC are Educational Psychologists (EP), Children Missing Education (CME) and Early Years, with the remaining services to continue to be delivered through a tendered contract (s). Do you agree this would be the best way to deliver these services in the future?

Of the responses to the above 62 answered yes, 46 answered no, and 7 indicated they had no view.

Respondents were asked two further questions- for feedback in relation to the option presented, further considerations or issues that had not been taken into account and if the services could be delivered in a different way to that presented in the proposal. Themes identified through the consultation were around the importance of integrated and multi-agency working either within a local authority or commissioned service delivery model, as well as an appetite for increased service provision delivered by the local authority, evident in six of the 'no' responses. A number of the yes responses also expressed a preference for further services currently in scope of the project but not in the proposal to be directly delivered by DCC as well. There was some preference for additional services not currently in scope being commissioned out as an alternative to the proposed model, as well as some reference to a lack of trust and faith in the local authority or in commissioned services. The rich information fed back through the public consultation will also be used throughout the service design element, further informing principles and ways of working, in the future.

<https://www.devon.gov.uk/haveyoursay/consultations/education-and-inclusion-services-across-devon-county-council-consultation/>

'Soft Market Testing' events, benchmarking, research sessions and dedicated open surgery engagement sessions have been undertaken throughout late 2020 and into January 2021 with both external Service Providers and Other Local Authorities (authorities who have recently undertaken a procurement process for delivery of a similar group of services). These engagement events and research sessions have been important in gathering further information from experts across the Provider market and to learn from the practice of Other Local Authorities. This has allowed Devon County Council to consider the feasibility of options for delivery of Education and Inclusion Services in the future, to collate evidence including to barriers as well as opportunities which are essential to achieving innovation and creativity to service delivery in the future. Additionally, these engagement opportunities have allowed Devon County Council to explore the interest and ability of external Service Providers to deliver Education and Inclusion Services in the future and achieve the intended outcomes outlined in section 2. These events have revealed: -

- A position of limited market interest and a decreasing interest from the market across opportunities which could include delivery of smaller numbers of services in partnership with Devon County Council.
- Challenges in achieving the impact and outcomes for children and young people and in the context of a changing and developing position with the SEND transformation work currently being undertaken by the Local Authority.
- Opportunities for collaborative delivery across partners though showing promise for the future are not yet developed and would take significant work to be able to respond to the service needs and objectives.

These have been important outcomes from engagement and ones which have had to be considered in the recommendation summarised above for the future delivery arrangements of Education and Inclusion Services.

8. Equality analysis

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy, or practice. In so doing we must give due regard to the need to: eliminate unlawful discrimination, harassment, and victimisation; advance equality of opportunity and foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief. This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).
- The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:
 - Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
 - Proportionate (negative impacts are proportionate to the aims of the policy decision)

- Fair
- Necessary
- Reasonable, and
- Those affected have been adequately consulted

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment, or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
All residents (include generic equality provisions)	Delays in accessing services and/ or in receiving support, plans or intervention with services delivered by DCC.	<p>The impact of this issue will be minimised as the recommendation described above would ensure all services would continue to deliver support and intervention to children and young people with SEND. Maintaining delivery of all services together and delivery by one organisation i.e. DCC has the potential to facilitate multi-agency working and joint partnership working in delivering these services. Thus, reducing the likelihood of delay in accessing services. Timeliness of intervention and support would be kept under review. DCC and its partners remain committed to transforming services for children and young people in Devon including children and young people with SEND. All will continue to develop mechanisms by which they can hear the voice of practitioners, children and young people and of families accessing services using this to sense check experiences of service and develop action plans as needed where improvements to service delivery maybe identified . DCC will undertake quality assurance procedures and checks as part of the delivery of services directly delivered. This should help to ensure professionals, children, young people, and families continue to receive support and intervention from services in a timely way and in ways which work for them positively. Hence this change should not impact on the experience of all those accessing Education and Inclusion Services for support and intervention in the future.</p>

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment, or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
	<p>Disruption to services, changes to or inconsistent service delivery for Education settings, families, children, and young people, if the recommendation is agreed above and all aspects of Education and Inclusion Services are transferred to Devon County Council (DCC) in 2022/23.</p>	<p>The impact of this issue will be mitigated by DCC in a number of ways. DCC has a range of resources which will be made available to support the safe transition of Education and Inclusion Services to the Local Authority. DCC will continue to work in partnership with the current Service Provider to develop an action plan for both parties to ensure the smooth transition of services from the external Service Provider to DCC in a planned and safe way. DCC will take action to consult with existing practitioners and to retain the skills and expertise of current practitioners delivering services and/or to recruit any additional practitioners to ensure levels of staffing to allow for continued delivery of services. Therefore, it is considered there is a low likelihood services, in transfer to DCC, would be significantly disrupted or cease and would therefore continue as usual/ planned for any settings or families. DCC will also develop a plan for clear and co-ordinated communications and updates for all those who would and are known to be accessing Education and Inclusion Services.</p>

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment, or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
	<p>Trust in the ability of DCC to deliver Education and Inclusion Services in ways which best support practitioners in education settings, children, young people, and families in Devon.</p>	<p>DCC are committed to hearing from and working alongside all partners in Children's Services, including children and young people and families in Devon. DCC continues to seek by the view of peoples experiences in various ways for example through our education website page, in order to improve services https://www.devon.gov.uk/educationandfamilies/give-feedback</p> <p>Through a variety of projects such as the SEND transformation project, DCC are seeking to explore and implement methods and mechanisms to keep all of our partners aware of how feedback is being actioned, what is happening with our services and how this is working. For example, through posts and 'You Said, We are Doing' functions on our SEND Local Offer. DCC are continually looking to improve in this area.</p> <p>Service functions are also monitored and explored routinely through DCC democratic functions, for example Children's Scrutiny Committee and Cabinet sessions led by Elected Members (outcomes of these functions are available to view on the website).</p>

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment, or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
	<p>Knowing how to access Education and Inclusion Services and knowing who to go to, in order to access support.</p>	<p>DCC will develop a plan for clear and co-ordinated communications and updates for all those who would and are known to be accessing Education and Inclusion Services. To ensure equality and inclusion consideration would be given to formats in which these are made available to everyone e.g. producing Easy Read versions, using simple and plain English and a range of methods e.g. newsletter, online videos and social media, written information, links, telephone. This would facilitate access and awareness of services for the future.</p>

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<p>Age</p>		<p>The arrangements for delivery of Education and Inclusion services in the future as described in section 3 would still require services to be personalised in ways which promote best understanding and support for that individual reflecting their age. This would include adapting delivery of services through a variety of method and medium which support engagement and provide the most appropriate support taking into account the individual's age. This would also include a requirement to obtain feedback from all who access the service to ensure improvements to delivery can continue to develop over time. DCC as an employer have a number of policies and resources available to staff teams which could be accessed for support and advice to continue to ensure and promote service accessibility in line with needs of the public. This should help to ensure practitioners, children, young people, and families continue to receive support and intervention from services in a timely way, in ways which work for them positively and enable them to achieve the best outcomes.</p>

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment, or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people	Input to EHCPs following initial assessment and annual review for children and young people with (SEND).	<p>Arrangements to bring the educational psychology function into direct delivery by Devon County Council has the potential to increase multi-agency working and improve the timeliness of input into EHCP's following an initial assessment or annual review for a child or young person with SEND. This would be beneficial for education settings such as schools who would be able to adapt provision and put in place support that best meets the needs of children and young people with SEND. This (and the wider elements of SEND services within the education and inclusion services) will support children and young people to continue to make good progress, develop life skills and gain qualifications as they move towards adulthood. Improving this process will also provide reassurance and contribute to positive wellbeing of parents and carers that their children and young people are being provided with support which best meets their needs and is promoting inclusion for their child or young person. Moreover, educational psychologists will continue to provide support to education settings through direct support and/ or provision of resources and guidance to support upskill of practitioners in education settings. In turn enabling them to personalise support to continue to meet needs of children and young people to achieve their potential.</p>

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment, or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
	<p>Accessibility of services.</p>	<p>The arrangements for delivery of Education and Inclusion services in the future as described in section 3, would still require services to be accessible to all. DCC would require staff delivering services to put in place reasonable adjustments to allow equal access to services and would implement accessibility plans for services to help monitor this as a function. DCC as an employer have a number of policies and resources available to staff teams which could be accessed for support and advice to continue to ensure and promote services accessibility for the public. This should help to ensure practitioners, children, young people, and families continue to receive support and intervention from services in a timely way, in ways which work for them positively and enable them to achieve the best outcomes.</p>

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment, or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
Culture and ethnicity: nationality/national origin, ethnic origin/race, skin colour, religion, and belief	Continued delivery of Education and Inclusion Services in ways that show understanding of and reflect any families, child, young person, or practitioner's identity and or beliefs.	<p>The arrangements for delivery of Education and Inclusion services in the future as described in section 3, would still require services to be personalised in ways which show an understanding of cultural beliefs, traditions or wishes which are important for each individual. DCC will require staff delivering services to put in place any adjustments to allow equal access to services and/ or adapt service delivery to take into account the individual's beliefs. DCC as an employer have a number of policies and resources available to staff teams which could be accessed for support and advice to continue to ensure and promote service accessibility in line with needs of the public This should help to ensure practitioners, children, young people and families continue to receive support and intervention from services in a timely way, in ways which work for them positively and enable them to achieve the best outcomes.</p> <p>Additionally, as evidence is emerging through the COVID-19 pandemic suggesting an association between ethnicity, the occurrence of COVID-19 and adverse health outcomes more generally. Practitioners delivering services going forward will need to continue to consider carefully increased risks to Black, Asian and Minority ethnic groups accessing services and develop an action plan to implement any additional safeguards/ measures that may be needed to ensure extra protection for this group.</p>

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment, or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
Sex, gender, and gender identity (including men, women, non-binary, and transgender people), and pregnancy and maternity (including women's right to breastfeed)	Continued delivery of Education and Inclusion Services in ways that show understanding of and reflect any families, child, young person, or practitioner's identity.	The arrangements for delivery of Education and Inclusion services in the future as described in section 3, would still require services to be personalised in ways which take account of an individual's sex, gender or gender identify. DCC will require staff delivering services to put in place any adjustments to allow equal access to services and/ or adapt service delivery to take into account the individual's beliefs. It could also include signposting individuals to any additional information or advice which could be beneficial to the individual. DCC as an employer have a number of policies, and resources available to staff teams which could be accessed for support and advice to continue to ensure and promote service accessibility in line with needs. This should help to ensure practitioners, children, young people, and families continue to receive support and intervention from services in a timely way, in ways which work for them positively and enable them to achieve the best outcomes.

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment, or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
<p>Sexual orientation and marriage/civil partnership</p>	<p>Continued delivery of Education and Inclusion Services in ways that show understanding of and reflect any families, child, young person, or practitioner's identity.</p>	<p>The arrangements for delivery of Education and Inclusion services in the future as described in section 3, would still require services to be personalised in ways which are important for that individual. DCC will require staff delivering services to put in place any adjustments to allow equal access to services and/or adapt service delivery to take into account the individual's beliefs. DCC as an employer have a number of policies and resources available to staff teams which could be accessed for support and advice to continue to ensure and promote service accessibility in line with needs of the public. This should help to ensure practitioners, children, young people, and families continue to receive support and intervention from services in a timely way, in ways which work for them positively and enable them to achieve the best outcomes.</p>

<p>Other relevant socio-economic factors such as family size/single people/lone parents, income/deprivation, housing, education and skills, literacy, sub-cultures, 'digital exclusion', access to transport options, rural/urban</p>	<p>Impact of COVID for families, children, and young people now and into the future.</p>	<p>Lack of income, potential redundancy and job loss in families in Devon as a result of the COVID-19 pandemic has the potential to adversely impact all families in Devon but particularly vulnerable families who may be in low paid occupations, single parent families, or where adults in families may need to shield and so cannot attend work, as well as families with children with SEND. Resources and multi-agency agency support will need to continue to be made available to support families through this difficult time. In delivering Education and Inclusion and Services in the future DCC would need to ensure training and have awareness of and the ability to signpost families to any other support services they may feel could support any additional needs observed. This could include signposting to support available through District Councils or external charities for example, and Early Help, initiating Early Help or MASH assessments appropriately for any additional support.</p> <p>National restrictions active during the COVID- 19 pandemic have the potential to adversely impact the learning of some children and young people and also to impact schools, early years, and other education settings. As education settings move through the pandemic, this could impact the kind of support and intervention they require going forward from school improvement, quality, and safeguarding functions, particularly during any 'recovery' phase in the year(s) following the pandemic. Moreover, the kind of intervention projects and specialist support that may be required to support and engage children and young people whose learning has been impacted by the COVID- 19 restrictions and measures will be important. School closures as a result of the COVID-19 pandemic could also result in more parents taking the decision to home educate their children, thus potentially increasing the number of children in Devon who are being home educated. The above will all be important considerations for DCC in delivering Education and Inclusion Services. DCC will need to demonstrate an ability to shape and adapt services</p>
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<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment, or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
		<p>flexibly over time, to meet emerging needs, and any increasing demand going forward.</p>

9. Human rights considerations:

Any arrangements and design agreed for the future delivery of Education and Inclusion Services would continue to require delivery of services in ways which support the vision, values and principles of United Nations Convention on the Rights of Children (1990) and the United Nations Convention on the Rights of Persons with Disabilities (2006). The United Nations Convention on the Rights of the Child (1990) describes a number of articles detailing the rights of all children and young people age 18 and under. This includes: - non-discrimination; best interests of the child; the right to life, survival, and development; health and health services; standards of living; right to education; freedom of expression and thought. In addition, The United Nations Convention on the Rights of Persons with Disabilities (2006) describes a further series of articles clarifying the rights of all individuals with a disability including children and young people. This includes:- respect for each person's dignity and personhood; disabled people being full and equal members of communities/ society; equal life chances; education; equal rights to family life whereby disabled children should never be forced to live away from parents and families unless this is the best thing for them; health without discrimination; independence; standard of living; right to enjoy culture; recreation, leisure and sport in an equal basis to people who are non-disabled.

10. Supporting independence, wellbeing, and resilience. Give consideration to the groups listed above and how they may have different needs:

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered, and resourceful?

The arrangements for delivery of Education and Inclusion services in the future, if agreed, would still collectively, positively support practitioners and professionals across education settings in Devon as well as positively support children, young people, and their families in Devon. Particularly helping to meet the needs of those who are most vulnerable or disadvantaged, to have a good education, which in turn, helps them to gain skills, knowledge, and qualifications, achieving the best possible outcomes. Support can help children and young people to have aspirations, achieve, become independent and thrive as they grow into adulthood. This can then allow children and young people to access opportunities for training, further education and/ or employment in the future.

The commitment to ensuring the continuation of the 'traded services offer' including Devon Music Education Hub for practitioners in schools across Devon and for children and young people in Devon will have positive impacts for health and wellbeing. For example, access to instruments and music as part of a child's experience, school curriculum and personally is important to physical development in promoting physical activity and co-ordination of the body and mind. Opportunities to engage in musical experiences can be important in developing a child or young person's confidence, self esteem and in supporting positive mental health and wellbeing. Music can help to capture and develop the imagination as well as facilitating emotional understanding and expression for a child or young person. This could positively impact their ability to regulate their emotions, their mood, manage behaviour and build resilience. Moreover, access to music can provide social opportunities for children and young people to build social relationships if playing a musical instrument as part of a band for instance.

In what way can you help people to be safe, protected from harm, and with good health and wellbeing?

The arrangements for delivery of Education and Inclusion services in the future, if agreed, would still collectively seek to promote, and support the quality, improvement and development of education settings including schools and early years settings. Both parties would still work together and across the system would support education settings to comply with safeguarding processes and best practice both locally and nationally. Thus, protecting and promoting the welfare of children and young people appropriately in Devon.

In what way can you help people to be connected, and involved in community activities?

The arrangements for delivery of Education and Inclusion services in the future if agreed, would still seek to promote, and support the achievement of children and young people. Enabling increased confidence, skills and experience that can positively enable young people to feel confident in and become involved with community activities. Likewise supporting the inclusion of children and young people in accessing their learning environments.

11. Environmental analysis

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties. The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please mark X in the relevant box below and proceed to the 4c, otherwise complete the environmental analysis table):

Devon County Council's Environmental Review Process	
Planning Permission	
Environmental Impact Assessment	
Strategic Environmental Assessment	

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce, reuse, recycle and compost:	NONE	These services will continue to support inclusion in education and learning where children and young people can learn about environmental impacts, ways to support increasing positive environmental habits etc.
Conserve and enhance wildlife:	NONE	These services will continue to support inclusion in education and learning where children and young people can learn about environmental impacts, ways to support increasing positive environmental habits etc.
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	NONE	These services will continue to support inclusion in education and learning where children and young people can learn about environmental impacts, ways to support increasing positive environmental habits etc.
Conserve and enhance Devon's cultural and historic heritage:	NONE	These services will continue to support inclusion in education and learning where children and young people can learn about environmental impacts, ways to support increasing positive environmental habits etc.

<p>Minimise greenhouse gas emissions:</p>	<p>NONE</p>	<p>The emergence of COVID-19 has meant where possible adapting the way in which services are delivered as far as possible. As such some Education and Inclusion Services have been delivered using technology and virtually, in place of face to face means during the pandemic. As learning is taken forward this could become included in 'business as usual' delivery (where appropriate) and variety of ways services could be delivered in the future. This could reduce the need for as much travel in and around Devon to reach training venues, location of education settings or children, young people, and their families at home. This has the potential to benefit the environment as there will be fewer emissions from vehicles due to travel if some different ways of working are taken forward/ continued as options for delivery in the future.</p>
<p>Minimise pollution (including air, land, water, light, and noise):</p>	<p>NONE</p>	<p>These services will continue to support inclusion in education and learning where children and young people can learn about environmental impacts, ways to support this thus increasing positive environmental habits etc.</p>
<p>Contribute to reducing water consumption:</p>	<p>NONE</p>	<p>These services will continue to support inclusion in education and learning where children and young people can learn about environmental impacts, ways to support increasing positive environmental habits etc.</p>

Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):	NONE	These services will continue to support inclusion in education and learning where children and young people can learn about environmental impacts, ways to support increasing positive environmental habits etc.
Other (please state below):		

12. Economic analysis

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:		<p>The arrangements for delivery of Education and Inclusion services in the future (as described in section 3 above) are likely to have a neutral or the potential for a positive impact on knowledge and skills. It is likely knowledge and skills of the existing staff team would be retained and maintained as all efforts would be made to safeguard their expertise, involve and consult with staffing teams appropriately and retain existing employees (see impact and mitigations below).</p> <p>Opportunities to continue to enhance staff knowledge and skill through appraisal, supervision and CPD programmes, events or training are important. Devon County Council are a committed employer and have a comprehensive structure supporting appraisal, supervision and CPD programmes appropriately for</p>

		teams who would join the organisation. Opportunity for continuing to develop staff groups being able to learn and gain from each other's expertise will be considered and reflected through service design.
Impact on employment levels:	<p>There is a likelihood the arrangements recommended in section 3 could impact employment levels as it would result in all of the existing staff delivering Education and Inclusion Services having a new employer. There is a small risk some employees could leave their posts as a result of this. To mitigate this risk all agreed changes to arrangements would be overseen according to employment law and regulations. Part of this would be the requirement to safeguard and protect the rights of employees through the application of TUPE (Transfer of Undertakings (Protection of Employment) Regulations) as part of this process. Moreover, as part of the existing process DCC will continue to (as appropriate) engage and consult with, obtain feedback from, and include existing staff members at appropriate stages and via appropriate methods, ensuring this is taken into the design of services to be delivered by DCC directly going forward.</p>	<p>There is a likelihood the arrangements recommended at section 3 have the potential to positively impact retention and recruitment of particular groups of practitioners, for example educational psychologists. There are national challenges in recruiting Educational Psychologists currently. Research indicates where Local Authorities employ Educational Psychologists this can be more favourable, and the offer of employment can be viewed as more attractive.</p> <p>There could also be a potential of job opportunities in Devon in the future delivery of Education and Inclusion services. This could be linked to demand for and impact of services in local communities and/ or also to facilitate the development of services over time.</p>
Impact on local business:		There may be the potential for local and national businesses to bid for an opportunity to deliver School Improvement and Quality Assurance services in the future. This will be kept under review by DCC alongside changes and/or development in the position of the

		<p>external Provider market.</p> <p>The possible arrangements for the delivery of the 'traded service offer' to transfer to DCC as part of the recommendation described above, has the potential for a small negative impact. This could be if Education settings and practitioners across services do not or are reluctant to purchase bespoke offers of support and intervention from DCC directly instead of an independent external Provider. Any 'traded service offer' would need to be financially viable and sustainable. If these are not purchased through choice of the customer base this could impact the viability and sustainability of this offer of services by DCC into the future. To mitigate this Devon County Council will continue to engage with education settings, partners and practitioners to ensure awareness of 'traded service offers' and flexibility to adapt this to continue to best meet needs.</p>
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13. Describe and linkages or conflicts between social, environmental, and economic impacts (Combined Impacts):

14. How will the economic, social, and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?

Arrangements for the future delivery of Education and Inclusion services will continue to support the quality and practice of early years settings, schools, colleges, and alternative education provisions and continue to provide support and intervention to vulnerable children, young people and their families. This will be important in ensuring the best education is provided and the right support is being provided at the right time. In turn this will facilitate in driving the achievements made by children and young people, in obtaining skills, knowledge and access to opportunities, which will allow them to be independent, thrive and have good health as they develop for the future. This could positively impact on wellbeing and improve social value in the years ahead.

15. How will impacts and actions be monitored?

A risk register is in place for the project. This will be routinely reviewed and updated through the project. Mitigating actions will be included on the risk register, monitored and risks re-assessed considering likelihood and impact using risk matrix as identified by Devon County Council. Oversight and monitoring of this and all other monitoring of action taken and impacts concerning the future arrangements and design of Education and Inclusion Services for the future, will be achieved through identified governance structures operating across Devon County Council. This will include the Project Board operating within Devon County Council (representatives from many service areas are included on this group); Children's Services Leadership Team and democratic functions such as [Children's Scrutiny Committee and Cabinet](#).

Moreover, a strategy and plan focusing on communication and engagement will be developed and kept under review as part of the above process. This will help to ensure co-ordinated communication and information updates to families and partners appropriately and continued engagement with all key parties as part of our processes.