Equality and Human Rights Screening Template

PART 1 - POLICY INFORMATION

1.1. Policy Title

A Framework for Specialist Provision in Mainstream Schools

1.2. Description of policy or decision

The Framework for Specialist Provision in Mainstream Schools sets out the rationale and delivery framework with regards to specialist provision in mainstream schools across Northern Ireland. This Framework is part of the wider Area Planning strategy that relates to mainstream schools and has been reflected in the Providing Pathways - Strategic Area Plan for School Provision 2017-2021 and the associated Action Plan for Primary, Post Primary and Special Schools (2019-2021).

It is imperative that the importance of a range of specialist provision within a continuum of support for pupils with special educational needs is recognised. This includes support in mainstream schools, through to specialist provision in mainstream schools and special schools. While this full range of provision exists in some geographical areas of Northern Ireland there are significant inconsistencies across the region in relation to the accessibility of the full range of provision between key stages and phases for some pupils which is recognised and which requires redress.

The EA is seeking to put in place an ambitious programme of change in order to provide pupils and parents with a greater level of equity in the availability of specialist provision in mainstream schools across the region. This programme will provide greater access to inclusive educational opportunities for pupils with a statement of special educational needs by addressing the geographical inconsistencies which currently exist.

In seeking to deliver a greater level of accessibility the EA will:

1. improve outcomes for children with a statement of special educational needs attending mainstream schools;
2. ensure we have the capacity across our schools to meet current and projected demand for places within specialist provision in mainstream schools; and
3. be more responsive to identified pupil need.

1.3. Who are the main stakeholders impacted? (Internal and external as well as actual and potential)

The main stakeholders impacted by the Framework include –

- Children and young people with special educational needs and their families;

- Staff in schools; school leaders including Boards of Governors and Principals; teachers; support staff and other ancillary staff in schools

- Other EA staff, in particular staff in the following units/departments – CYPS Directorate including special education, psychology and pupil support services; Education Directorate; Operations and Estates Directorate including Transport in particular;

- CCMS and other sectoral bodies;

- External partners including Health and Social Care Trusts and voluntary groups

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1.4. Is the policy likely to impact people living in rural areas?

Yes	
No	X

If yes, please complete the rural sections of the template

1.5. Other policies or decisions with a bearing on this policy or decision?

- Review of Special School Provision in Northern Ireland (2015)
- The Northern Ireland Curriculum.
- Terms and Conditions of Employment (Staff)
- Education Authority's Transport Policy
- Entitlement Framework
- Programme for Government
- Every School a Good School (ESaGS)
- The Children's Services Co-operation Act (NI) 2015
- Special Educational Needs and Disability (SEND) Act (NI) 2016
- The Sustainable Schools Policy
- Children and Young People's Strategy 2019-2029
- Strategic Area Plan for School Provision: Providing Pathways 2017-2020
- The Sustainable Schools Policy to Schools for the Future: A Policy for Sustainable Schools

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PART 2 – EVIDENCE AND MITIGATION

2.1. What information did you use to inform this screening? E.g. census data, Equality Impact Assessments (EQIAs), consultation reports, service level data?

- Desktop research; academic reports, journal articles and statistics;
- Engagement with school principals;
- Engagement with Department of Education;
- Department of Education Schools Census Data – 2015/16 to 2019/20
- Education Authority Capita One system school enrolments
- HR data
- Northern Ireland Statistics Research Agency data on population

2.2. Quantitative Data

What is the profile of the people that are impacted by this policy or decision?

Please provide a statistic breakdown of the people impacted by this policy or decision. Note, if the policy or decision impacts both staff and service users, please provide data on both.

Section 75 Group	Make up of affected groups?
Age	NI Population statistics 2011 On Census Day 2011, there were a total of 238,071 households with dependent children in Northern Ireland. This figure represents a third (33.8%) of all households. Pupils In the 2019/20 Schools Census Data there are 173,884 pupils in primary schools (years 1-7) and 145,077 pupils in post-primary schools (years 8-12). Since the establishment of the EA, pupil growth at special schools has continued, increasing by 22%, from 5,046 in 2014/15 to 6,174 in 2019/20.

Mainstream Pupils (2018/19)

Year Group	Numbers
Nursery	5,831
Reception	158
Year 1	23,810
Year 2	24,230
Year 3	24,938
Year 4	24,793
Year 5	24,485
Year 6	24,658
Year 7	24,766
Approved Special Unit Year 1-7 Pupils	1,181
Year 8	14,514
Year 9	13,487
Year 10	13,480
Year 11	12,963
Year 12	12,461
Year 13	6,563
Year 14	5,127
Approved Special Unit Year 8-14 Pupils	783

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Teaching Staff (2018/19)

The median age of teachers is 41.7

Age Band	Male teachers	Female Teachers
Under 30	11.2%	10.7%
30-39	31%	33.6%
40-49	32.3%	34.2%
50-59	22.8%	19.3%
60+	2.8%	2.2%

DE published 2020

EA HQ workforce profile Jan 2019

Age > 20	1%
Age 20-29	11%
Age 30-39	18%
Age 40-49	25%
Age 50-59	30%
Age 60-69	13%
Age 70+	2%

All EA Classroom Assistants, General Assistants, Learning Support Assistants and Nursery Assistant - profile June 2020

Female Staff	Under 20	20-29	30-39	40-49	50-59	60-69	70 +
Classroom Assistant	0.6%	15.4%	21.6%	27.3%	26.7%	8.2%	0.2%
General Assistant	0.7%	18.5%	23.9%	27%	23.1%	6.5%	0.3%
Learning Support Assistant	1.4%	17.2%	19.1%	22.2%	26.9%	11.4%	1.9%
Nursery Assistant	0.6%	6.8%	20.9%	34.8%	28.8%	7.9%	0.3%

Male Staff	Under 20	20-29	30-39	40-49	50-59	60-69	70 +
Classroom Assistant	3.7%	43.5%	22.4%	14%	9.9%	6%	0.6%
General Assistant	5.3%	49.7%	21%	14.3%	6.8%	3%	0%
Learning Support Assistant	10.2%	22.4%	14.3%	12.2%	4.9%	18.4%	2%
Nursery Assistant	33.3%	0%	33.3%	0%	33.3%	0%	0%

Dependents	NI Population Statistics 2011
	11.81% (213, 863) of the usually resident population provide unpaid care to family members, friends, neighbours or others because of long-term physical or mental illness – health/disabilities or problems related to old age.

- 3.11% (56, 318) provided 50 hours care or more.

- 33.86% (238, 129) of households contained dependent children.

- 40.29% (283, 350) contained a least one person with a long – term health problem or a disability.

Data from The 2011 NI census indicates that 12% of the population provided unpaid care, around a quarter of whom did so for 50 or more hours per week. 34% of households contain dependent children.

On Census Day 2011, there were a total of 238,071 households with dependent children in Northern Ireland. This figure represents a third (33.8%) of all households.

EA Staff

EA workforce profile January 2020

	Dependants	EA Staff Declaring	Percentage of Total EA Staff	Percentage of Declared Staff
All EA Staff	A child/children	5796	18.01%	55.49%
	An older person	119	0.37%	1.14%
	A person with a disability	99	0.31%	0.95%
	Other dependants	38	0.12%	0.36%
	Multiple dependant types	210	0.65%	2.01%
	None	4184	13.00%	40.05%
Total EA Staff declared		10,446	32.47%	100.00%
Total EA Staff undeclared		420	1.31%	0.00%
Data not yet gathered		21,309	66.23%	0.00%
Percentage of staff with dependants within Total EA Staff declared		59.95%		
Total EA Staff		32,175		

Disability	Children and young people who have special educational needs do not necessarily have a disability. Some disabled children and young people do not have special educational needs. A person is classed as having a disability if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities. The term 'special educational needs' has a legal definition referring to children who have a learning difficulty or disability that means they have more difficulty in learning than most children of their own age. Some special educational needs will therefore fall under the category of disability whilst others may not.
	NI Population Statistics 2011
	The Northern Ireland Census found that just over one in five of the resident population (21%) had a long-term health problem or disability which limited their day-to-day activities.
	More than one person in five (300,000) people in Northern Ireland has a disability. The incidence of disability in Northern Ireland has traditionally been higher than Great Britain Persons with limiting long term illness 20.36% in Northern Ireland.
	Pupils
	In the 2019/20 Schools Census Data there are over 67,000 (Stages 1-5) pupils in schools have some form of special educational need; this is 19.3% of the entire school population. Of this, more than 19,000 or 5.5% of pupils, have a statement of special educational needs (Stage 5).

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School Type	Registered School Population	No of Pupils with a Statement	Percentage of Registered School Population with a Statement	Statements per school type
Early Years	23,575	95	0.7%	0.5%
Primary	174,040	6,294	3.6%	32.8%
Post Primary	145,085	7,017	4.8%	36.5%
Special	6,174	5,802	93.8%	30.2%
Total	348,874	19,208	5.5%%	100%

According to the 2019/20 DE Census Data, Northern Ireland has approximately
• 11,000 children with a Statement of Special Educational Needs attending mainstream primary and post primary schools with additional support;
• 1,900 pupils with a Statement of Special Educational Needs in specialist classes attached to mainstream schools; and
• 6,174 pupils enrolled in special schools.

EA workforce profile January 2020

	Disability	EA Staff Declaring	Percentage of Total EA Staff	Percentage of Declared Staff
All EA Staff	Physical impairment	57	0.18%	0.449%
	Sensory impairment	67	0.21%	0.528%
	Mental health condition	132	0.41%	1.040%
	Learning disability	127	0.39%	1.000%
	Long-stand illness	219	0.68%	1.725%
	Multiple disabilities	48	0.15%	0.378%
	Other	226	0.70%	1.780%
	No disability	11,822	36.74%	93.101%
Total EA Staff declared		12,698	39.47%	92.67%
Total EA Staff undeclared		1,004	3.12%	0.000%
Data not yet gathered		18,473	57.41%	0.00%
Percentage of staff with a disability within Total EA Staff declared		6.90%		
Total EA Staff		32,175		

Religious Belief

NI population Statistics 2011

According to the latest Labour Force Survey Religion Report the proportion of the population aged 16 and over reporting as Protestant is 42%, while the proportion reporting as Catholic is 41%.

<u>Teaching Staff</u>

Teachers employed in schools are exempt from the monitoring return under the Exemption of "Teachers in Schools" in Article 71 of FETO (NI) 1998

<u>EA workforce profile Jan 2019</u>

	The Protestant Community	The Roman Catholic Community	Neither the Protestant nor the Roman Catholic Community	Data not yet gathered	Total
All EA	15008	15062	1652	20	31,742

Gender

<u>Teaching Staff (2018/19) (All Schools)</u>

Male – 4,532 (22.93%) / Female – 15,230 (77.07%)

<u>EA workforce profile January 2020</u>

Male – 5,192 (16.14%) / Female – 26,983 (86.86%)

Marital Status

<u>NI Population Statistics</u>

36.14% of the NI population (Aged 16+) have never married or never registered a same-sex civil partnership, 47.56% of that age cohort are married, 0.09 are in a registered same-sex Civil partnership, 3.98%are

separated but still legally married or still legally in a same-sex partnership, 5.45% are divorced or have their same-sex partnership legally dissolved and 6.78% are widowed of are a surviving partner from a same-sex civil partnership.

In terms of marital status, while males are more likely to be single (39 percent versus 33 per cent), females are more likely to be widowed. Over three-quarters (77 per cent) of widowed residents were female.

Pupils
Not applicable

EA workforce profile January 2020

	Marital Status	EA Staff Declaring	Percentage of Total EA Staff	Percentage of Declared Staff
All EA Staff	Single	6663	20.71%	31.229%
	Married	12788	39.75%	59.936%
	Civil Partnership	17	0.05%	0.080%
	Separated	580	1.80%	2.718%
	Divorced	794	2.47%	3.721%
	Widowed	274	0.85%	1.284%
	Other	220	0.68%	1.031%
Total EA Staff declared		21,336	66.31%	100.00%
Total EA Staff undeclared		259	0.80%	0.000%
Data not yet gathered		10,580	32.88%	0.00%
Total EA Staff		32,175		

Political Opinion	
	NI Population There is limited data available; however the Electoral Commission's data on the first-preference votes per party in the Northern Ireland Assembly Elections 2017 gives a good guide to political preferences in the province as a whole. First preference votes per party in Northern Ireland Assembly Elections 2017

Political party	Votes
Democratic Unionist Party	225,245
Sinn Fein	224,245
Ulster Unionist Party	103,314
Social Democratic and Labour Party	95,958
Alliance	72,717
Other	81,668

Electoral Office NI, 2017

Pupils
The Education Authority does not hold data on the political opinion of young people; the majority of whom have not reached voting age.

EA workforce

The Education Authority does not hold data on the political opinion of its staff.

Ethnicity	NI population Statistics 2011
	The 2011 Census recorded that 1.8 per cent (32,400) of the usually resident population of Northern Ireland belonged to minority ethnic groups in 2011, more than double the proportion in 2001 (0.8 per cent). In 2011, 0.1 per cent (1,300) of people were Irish Travellers.
	2011 Census revealed that English was not the main language for 3.1 percent (54,500) of Northern Ireland residents aged 3 years and over. The most prevalent main language other than English was Polish (17,700 people; 1.0 per cent). The rates for other languages included: Lithuanian (6,300 people; 0.4 per cent); Irish (4,200 people; 0.2 per cent); and Portuguese (2,300), Slovak (2,300), Chinese (2,200), Tagalog / Filipino (1,900), Latvian (1,300), Russian (1,200), Malayalam (1,200) or Hungarian (1,000) - all 0.1 per cent.
	The DE Census October 2017 (Statistical bulletin 2/2018) reports that schools are increasingly becoming more ethnically diverse. There are more than 14,400 pupils in NI recorded as 'non-white', representing 4.2% of the school population. This is an increase of 1.1 percentage points compared to five years prior.
	Pupils
	Drawing on 2011 Census data, the Regional Assessment of need highlights there are 13,249 young people of a non-white ethnic background throughout Northern Ireland and also a total of 22,957 young people aged 0-24 resident in Northern Ireland who were born outside of the UK and Republic of Ireland, representing 4% of the total resident population.

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DE Statistical Bulletin – 2019 – Annual enrolments at schools
2018/19 (March 2019)

All funded Pre-school, Nursery, Primary, Post Primary, Special Schools and EOTAS Centres.

White	330,359
Chinese	1,409
Irish Traveller	1,059
Indian/Sri Lankan	1,753
Pakistani	389
Black	1,914
Other Ethnic Group	4,424
Mixed Ethnic Group	5,064
Total	346,371

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EA workforce profile January 2019

	EA	% of Grand Total	% of Declared	Total Declared
White	21429	67.51%	99.208%	21600
Chinese	22	0.07%	0.102%	**% Declared**
Irish Traveller	0	0.00%	0.000%	68.05%
Indian	27	0.09%	0.125%	
Pakistani	4	0.01%	0.019%	
Bangladeshi	1	0.00%	0.005%	
Black African	14	0.04%	0.065%	
Black Caribbean	3	0.01%	0.014%	
Black Other	4	0.01%	0.019%	
Mixed Ethnic Group	33	0.10%	0.153%	
Other	63	0.20%	0.292%	
No Declaration	612	1.93%		**Grand Total**
Data Not Yet Gathered	9530	30.02%		31742

Sexual Orientation	Accurate figures are not available on the sexual orientation of the general population, and estimates vary considerably. The Education Authority does not hold data on the sexual orientation of young people NI Population Statistics The Office for National Statistics (ONS) data 2015 (published October 2016) indicates that in NI an estimated 0.8% of the population are Gay or Lesbian; 1.1% Bisexual; 0.3% Other; 3.7% don't know or refused to answer the question.

The Shout Report, published by Rainbow stated that, "an analysis of the 2001 Census indicates that between 2% and 10% of the population may be lesbian, gay or bisexual." As such, from a total EA workforce of 34,713, between 694 and 3,471 may be lesbian, gay or bisexual.

The 2010 Northern Ireland Life and Times survey (1,205 adults) Reported the figure as only 1%. The Office for National Statistics 2010 Report (450,000 respondents) found that in Northern Ireland 92.5% said they were heterosexual and 0.9% of respondents said they were LGB, although 0.4% reported as 'other' and 6.2% said they didn't know or refused to respond.

Between 2006 and 2012, there were 715 recorded Civil Partnerships regionally. However, this is not indicative of the LGB population. There are no accurate statistics on sexual orientation in the community as a whole, it is however estimated that between 5% and 10% of the population would identify as lesbian, gay or bisexual.

EA workforce profile January 2019

		% of Grand Total	% of Declared	Total Declared
DIFFERENT SEX	10032	31.60%	98.71%	10163
SAME SEX	69	0.22%	0.68%	% Declared
BOTH SEXES	32	0.10%	0.31%	32.02%
OTHER	30	0.09%	0.30%	
NO DECLARATION	543	1.71%		Grand Total
DATA NOT YET GATHERED	21036	66.27%		31742

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Rural Impacts	Census figures for 2011 highlight that more than one third of young people from Northern Ireland live in communities that have been defined as rural.
	NI Population
	Census figures for 2011 highlight that more than one third of young people from Northern Ireland live in communities that have been defined as rural.
	These According to DAERA, 37% of the population lives in a rural setting.
	NI has a lower proportion of geographic data 'not-spots' and a greater proportion of its geographic area receiving data coverage from all four operators than the UK as a whole. Geographic not coverage refers to the proportion of an area's landmass not receiving coverage – 7% in NI and 21% in the UK as a whole.

2.3. Qualitative Data

What are the needs and experiences of the groups that are impacted by this policy or decision?
Are there different needs and experiences for any of the equality groups and what equality issues emerge from this?

Section 75 Group	What are the needs and experiences of the groups as they relate to the policy or decision?
Age	The framework will provide a positive impact in providing children and young people with a statement of special educational need who require specialist provision to have greater opportunity to access their education in their local area
Dependents	The framework will provide a positive impact in providing children with Special Educational Needs greater opportunity to access their education in a setting in their local area appropriate to their needs.
Disability	The framework will provide a positive impact in providing children and young people with a statement of special educational need who require specialist provision to have greater opportunity to access their education in their local area.

There will be a phased and managed approach to the implementation of the framework. The Education Authority will endeavor to ensure that no pupils will be disadvantaged by this framework. The phased and managed approach to the implementation will include ensuring that there is an appropriate continuum of provision across mainstream and special schools for local children with a range of special educational needs. The Education Authority will continue to make meeting the assessed needs of children and young people its priority and no change to provision will be proposed without the required engagement of all concerned. |
Religious Belief	The policy is applied to all pupils regardless of religious belief. There is no evidence at this stage to indicate different needs, experiences or priorities
Gender	The framework will provide a positive impact in providing children with Special Educational Needs greater opportunity to access their education in a setting in their local area appropriate to their needs. The framework will have no negative impacts on gender.
Marital Status	There is no evidence at this stage to indicate different needs, experiences or priorities.

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Political Opinion	There is no evidence at this stage to indicate different needs, experiences or priorities for this group.
Ethnicity	As diversity in school increases with newcomer children and children from a minority ethnic background there will be no negative impact on this grouping with regards to the provision in the proposed framework but it is acknowledged that during the consultation and engagement phase there will need to be partnership working with EIS to ensure information reaches these families in an accessible way.
Sexual Orientation	There is no evidence at this stage to indicate different needs, experiences or priorities for this group.

What are the social and economic impacts of the policy of people living in rural areas?

Please consider positive and negative impacts around issues such as access to education or youth provision, transport, broadband accessibility and employment impacts

Rural Impacts	The proposal will provide a positive impact in providing children with *Special Educational Needs* greater opportunity to access their education in a school in their local area and will reduces parental uncertainty at transition points across a child's educational journey.

2.4. Policy / Decision changes

Based on the equality issues that have been identified, what changes (mitigation) can you make to the policy in order to better promote equality of opportunity?

In developing the policy or decision, what changes did you make, or do you intend to make to address any equality issues that you identified?

In relation to disability in particular, it will work towards enhancing provision in terms of young people and offer more opportunities for children to attend mainstream schools.

Information on the proposed framework will be provided in accessible formats for those with a disability and for newcomer children parents.

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Based on the rural impacts that you have identified, what changes (mitigation) can you make to the policy?

The proposal will provide a positive impact in providing children with Special Educational Needs greater opportunity to access their education in their local area and will reduces parental uncertainty at transition points across a child's educational journey. There will be no negative impact on transport arrangements. For some pupils the framework will have a positive impact in substantially reducing transport times. There will be no reduction in local services.

PART 3 – GOOD RELATIONS

3.1. Are there any changes to the policy or decision that you would make to better promote good relations?

GROUP	Impact on Good Relations	Policy / Decision Changes
Religion	Not applicable	Not applicable
Ethnicity	Not applicable	Not applicable
Political Opinion	Not applicable	Not applicable

PART 4 – SEC 75 EQUALITY SCREENING DECISION

This section is only relevant to the Section 75 Equality Duties

4.1. How would you categorise the impacts of the policy or decision?
Please refer to guidance notes on categorising impacts

Please select:

Major Impact	
Minor Impact	X
No Impact	

4.2. Does the policy or decision require a full Equality Impact Assessment?

Please select:

Yes	
No	X

Please provide reasons for your decision

The Framework for Specialist Provision in Mainstream Schools is a high level strategic overarching policy which sets out the EA's vision, rationale and delivery framework with regards to Specialist Provision in Mainstream Schools across Northern Ireland. It sets out the rationale for why change is needed along with the vision and guiding principles for Specialist Provision in Mainstream Schools in the future.

In light of the available evidence on a NI wide basis, there are no obvious adverse impacts on any Section 75 category. Indeed there is potentially a positive impact in providing children with Special Educational Needs greater opportunity to access their education in a mainstream school in their local area and will reduces parental uncertainty at transition points across a child's educational journey.

This policy is screened out for an EQIA, however ongoing consultation may produce further evidence which will be reviewed and taken in to account. The outworking's of this framework will lead to more detailed localised annual plans.

PART 5 – DISABILITY DUTIES

5.1. Does the policy or decision encourage the participation of disabled people in public life? Or is there anything you can do within the policy or decision to encourage participation of disabled people in public life?

How does the policy encourage the participation of disabled people in public life?	Is there anything further you can do to encourage the participation of disabled people in public life?
The framework aims to offer broader choice and improved provision across NI for children and young people with a disability.	NA

5.2. Does the policy or decision promote positive attitudes towards disabled people? Or is there anything you can do within the policy or decision to promote positive attitudes towards disabled people?

How does the policy promote positive attitudes towards disabled people?	Is there anything further you can do promote positive attitudes towards disabled?
NA	NA

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PART 6 – HUMAN RIGHTS

6.1. Are Human Rights Relevant?

Article		Relevant Yes/No
Article 2:	Right to Life	
Article 3:	Right to freedom from torture, inhuman or degrading treatment or punishment	
Article 4:	Right to freedom from slavery, servitude & forced compulsory labour.	
Article 5:	Right to liberty and security of person.	
Article 6:	Right to a fair & public trail in a reasonable time	
Article 7:	Right to freedom from retrospective criminal law & no punishment without law	
Article 8:	Right to respect for private & family life, home & correspondence.	
Article 9:	Right to freedom of thought, conscience & religion.	
Article 10:	Right to freedom of expression.	
Article 11:	Right to freedom of assembly & association	
Article 12:	Right to marry & found a family.	
Article 14:	Prohibition of discrimination in the enjoyment of the convention rights	
Protocol 1, Article 1	Right to a peaceful enjoyment of possessions & protection of property	
Protocol 1, Article 2	Right of access to education	**Yes**

If you answered 'no' to all human rights considerations, please go to section 7 – monitoring

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6.2. If you have answered yes to any of the Articles, does the policy or decision have a potential positive impact or does it potentially interfere with anyone's Human Rights?

Article number	Positive impact or potential interference?	How?	Any legal issues arise?
Protocol 1, Article 2	Positive Impact	Enhanced access to provision for children with a statement of special educational needs	No

PART 7 – MONITORING

7.1. What data will you collect to monitor the impact of the policy in terms of equality of opportunity, disability duties or human rights compliance?

Section 75	Disability Duties	Human Rights
There will be ongoing monitoring of the framework through consultation and engagement with stakeholders		

SIGN OFF

Approved Lead Officer: Michael McConkey

Policy Screened by: Michael McConkey, Sinead McCartan, Michael Watterson,

                              Christopher Brown

Date:

Please note that the template **must be published** as part of the screening process. Please forward the completed template to equality.unit@eani.org.uk for publication