

# Impact Assessment



Assessment of: Proposal to reduce the number of registered places at Pathfield Special School

Service: Climate Change, Environment and Transport (CCET)

Head of Service: Jamie Hlland

Version / date of sign off by Head of Service: draft, finalised prior to decision.

Assessment carried out by:

Stuart Allman, Head Teacher, Pathfield school

Shona Meek, Senior School Organisation Officer, DCC

**An Impact Assessment has commenced but the views of the public are integral to its development and conclusion. All views gathered regarding the impact of the proposal on equality issues or on the rights of staff, students and others will be taken into account in the completion of this assessment. This is a draft until it is updated prior to decision-making.**

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

The Governing Body of Pathfield Special School is proposing to close its provision at the Pathways Unit. The Pathways Unit is a secondary provision for students in Years 7-11 and currently provides 23 places for learners with a social, emotional and mental health (SEMH) profile. The Pathways Unit is based off-site at the Discovery Centre building, but the students are on the roll of Pathfield School.

Pathfield School has a registered capacity of 186 places which includes the number of places at Pathways. The statutory proposal being consulted on is a reduction in the number of registered places at Pathfield School from 186 to 168 from September 2025, as a result of the proposed phased closure of the Pathways Unit.

This proposal will not affect learners on the roll of Pathfield School with Severe Learning Difficulties and Profound and Multiple Learning Difficulties who attend the main school site.

## 2. Reason for change / review

Pathfield School is a specialist Foundation school, part of the Devon wide SENtient Co-operative Trust. The Pathways Unit is part of Pathfield School, but the provision is delivered off-site at the Discovery Centre building, a unit on a small industrial estate a short distance from the main school site. This additional teaching base was acquired as the main site has no space to accommodate these learners. Pathways is an educational provision for secondary aged children and young people with needs centred around social, emotional and mental health (SEMH) and currently provides places for 23 learners.

As of January 2024, no new students will be placed in the Pathways group as Local Authority preference and new consultations will be considered against the school's core designation of SLD and PMLD.

The closure of the Pathways Unit is proposed to be implemented from the end the academic year 2023/24. There will be a gradual reduction in students. There are currently 23 students at Pathways, 5 of which are in Year 11 who will be leaving Pathways in July 2024 at the end of the academic year 2023/24. Currently there are 7 Year 10 students who will be leaving Pathways in July 2025 at the end of the academic year 2024/25. It is anticipated that there will be 11 learners attending Pathways at the point of the closure of the Discovery Centre building in July 2025. The remaining 11 learners can still remain on roll and alternative accommodation will be provided by Pathfield School. Students may

leave during this time through the usual statutory processes.

### **Reason for this proposal:**

SEND (Special Educational Needs and Disabilities) designation – Pathfield School is a specialist school for students with SLD and PMLD. The Pathways group have sat outside of this as the students' needs are focused around SEMH profile. This provision was started, and has grown, in partnership with the Local Authority over the past 8 years but the Governing body now seeks to address a registration anomaly.

Meeting the needs of an increasingly wide and diverse cohort has presented the school with many challenges, and this proposal will enable Pathfield School to prioritise the development of an outstanding curriculum for students with SLD and PMLD. The needs of local students requiring support with their SEMH can be met within other specialist provision within the local area.

Unfortunately, it has not been possible to secure suitable permanent premises through Devon County Council. The private leasing and maintenance of the Discovery Centre building is unsustainable financially in the long term, as the school has not received any additional financial support to run this provision. This is projected to lead to financial challenges for the whole school in the future.

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

During the phased implementation of the process alternative accommodation will be provided for the remaining class of approximately 11 students for Sept 2025. This space will be provided by the repurposing of the school library on the main site. Other opportunities for accommodation will also be explored with local education providers. This will be in partnership with Local Authority and SEND statutory team and sit alongside any individual statutory processes.

## 4. People affected, diversity profile and analysis of needs

Children and young people of secondary school age, with an Education, Health and Care Plan, on roll at Pathfield School and accessing the Pathways unit with a Social, Emotional and Mental Health profile.

There are no planned redundancies for staff working at Pathways. Staff will be assigned roles in supporting students across the school as numbers decrease.

## 5. Stakeholders, their interest and potential impacts

For current students attending Pathways there will be no impact upon their education. However, following the closure of the Discovery Centre this will take place on the main site with potential impact upon transport. There is the potential to link with other educational establishments and this would be assessed to find the best possible offer. It is envisaged that any new offer will build upon local links and enhance the current curriculum offer.

It will enable the prioritisation of an outstanding curriculum for students with SLD and PMLD.

## 6. Additional research used to inform this assessment

Children and Families Act 2014

Making significant changes ('prescribed alterations') to maintained schools DfE Statutory Guidance for Proposers and Decision-Makers, January 2023

The School Organisation (Prescribed Alterations) to Maintained Schools (England) Regulations 2013.

Special educational needs and disability code of practice: 0 to 25 years.

Equality Act 2010

School Census return, Autumn 2022.

## 7. Description of consultation process and outcomes

It is a statutory requirement to consult any parties the proposer thinks is appropriate before publishing proposals. An informal consultation is being held between 19/1/24 and 23/2/24. The consultation is available on the school's website as well as Devon County Council's Have Your Say consultation webpage: [www.devon.gov.uk/haveyoursay](http://www.devon.gov.uk/haveyoursay)

The consultation will be widely circulated and promoted. Details of the consultation will be sent to all parents/carers, staff and governors of Pathfield School as well as the Local Member, MP, District Councillors, all County Councillors, Union representatives, Parent Carer Voice, all

schools, SENTient Trust, DSLS, DfE School Organisation Unit and Parish Council in accordance with statutory guidance from the Department for Education.

The school will be holding a drop-in session for parents and carers of learners directly affected by these proposals on the 23/1/24. This will be held on main site in the hall from 10.30.

Following informal consultation, if it is agreed by the Governing Body to continue with the proposal, a four week formal representation period will take place. A Brief Notice will be published in a local newspaper and a Full Proposal, as per statutory requirements, will be published and circulated to all parents, staff and governors as well as other stakeholders.

All responses will be considered by the Governing Body and by DCC's Cabinet through either a Cabinet Member Decision or a full meeting of Cabinet.

## 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.

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the <a href="#">Diversity Guide</a> and <a href="#">See RED</a>]</p>	<p>How will the project / service / policy / activity:</p> <ul style="list-style-type: none"> <li>• eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary.</li> <li>• advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps').</li> <li>• foster good relations between groups (tackled prejudice and promoted understanding), if relevant?</li> </ul> <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 <a href="#">DCC Equality Policy</a>?</p>
<p>All residents (include generic equality provisions)</p>	<p>Impact to students, parents/carers, staff of the Pathways provision.</p>	<p>We will ensure through the statutory consultation process that the views of parents/carers, students, staff, governors and stakeholders are considered in order that informed decisions can be made. The decision-maker will be Devon County Council's Cabinet who will carefully consider all responses made.</p>
<p>Age</p>	<p>11-15 years of age</p>	<p>The Pathways provision is for secondary aged students in Years 7 – 11.</p>
<p>Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people</p>	<p>The main school site is designated for learners with Severe Learning Difficulties and Profound and Multiple Learning Difficulties.</p> <p>The Pathways provision is for learners with Social, Emotional and Mental Health Needs related to high anxiety.</p>	<p>If this proposal is approved, the Pathways provision will close from September 2025.</p>

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the <a href="#">Diversity Guide</a> and <a href="#">See RED</a>]</p>	<p>How will the project / service / policy / activity:</p> <ul style="list-style-type: none"> <li>• eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary.</li> <li>• advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps').</li> <li>• foster good relations between groups (tackled prejudice and promoted understanding), if relevant?</li> </ul> <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 <a href="#">DCC Equality Policy</a>?</p>
<p>Culture and ethnicity: nationality/national origin, ethnic origin/race, skin colour, religion and belief</p>	<p>Information will be used (for example: English not being identified as a first language) from the School Census to ensure the consultation document is accessible to all.</p>	<p>DCC's School Organisation Team have included information in the consultation document that the information in an alternative format or language can be made available when requested.</p>
<p>Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)</p>	<p>Pathfield School caters for boys and girls.</p>	<p>Pathfield School will continue to cater for boys and girls. Neutral impact.</p>
<p>Sexual orientation and marriage/civil partnership</p>	<p>Neutral impact</p>	<p>Neutral impact</p>



<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the <a href="#">Diversity Guide</a> and <a href="#">See RED</a>]</p>	<p>How will the project / service / policy / activity:</p> <ul style="list-style-type: none"> <li>• eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary.</li> <li>• advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps').</li> <li>• foster good relations between groups (tackled prejudice and promoted understanding), if relevant?</li> </ul> <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 <a href="#">DCC Equality Policy</a>?</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>Transport</p>	<p>Dependent on alternative placements, learners may have a longer journey to school than currently.</p>

## 9. Human rights considerations:

Public bodies have legal duties to eliminate unlawful discrimination, advance equal opportunities and promote good relations between people. Those affected by the proposals will be consulted with as part of an informal consultation stage. If the proposal proceeds, a formal representation period will take place to allow a further opportunity to comment or object on the proposal. The potential negative and positive impacts on people have been identified in this impact assessment and will continue to be updated as responses are received to the consultation.

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

## 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:	n.a.	n.a.
Conserve and enhance wildlife:	n.a.	n.a.
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	n.a.	n.a.
Conserve and enhance Devon's cultural and historic heritage:	n.a.	n.a.
Minimise greenhouse gas emissions:	Learners living close to Pathways may have an increased journey time.	
Minimise pollution (including air, land, water, light and noise):	As above.	As above.
Contribute to reducing water consumption:	n.a.	n.a.

Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):	n.a.	n.a.
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:		Improved curriculum
Impact on employment levels:	None. No staff redundancies	No impact.
Impact on local business:	The Pathways provision is in an ex carshow room on a small industrial estate. There will be no impact to local business on the closure of the Pathways Unit.	No impact.

### 13. Describe and linkages or conflicts between social, environmental and economic impacts (Combined Impacts):

This proposal may result in some learners potentially having a longer journey time to access provision. It is hoped that this impact will be offset by the provision of school transport in accord with entitlements under the home to school transport policy.

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?

N.A.

### 14. How will impacts and actions be monitored?

Students on roll will continue to receive an Annual Review of the EHCP. This will enable the tracking of progress and assessment of needs. Changes can be made through this statutory process.