

The **Public Sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with Section 17 of the Crime and Disorder Act and will enable the Council to better understand the potential impact of proposals and consider mitigating action.

<b>Name or Brief Description of Proposal</b>	Tier 4 CAMHS Hospital Independent Education Provision Policy: This policy covers the protocols and process involved when a child or young person is admitted as an inpatient within Independent Tier 4 Child and Adolescent Mental Health Service (CAMHS) hospitals (i.e. when a child or young person is sectioned under The Mental Health Act). As an inpatient, the national expectation is that wherever possible education will continue. This policy outlines the framework and expectations upon independent education providers, that enable Southampton City Council to effectively discharge our statutory duties.
<b>Brief Service Profile (including number of customers)</b>	
The Tier 4 CAMHS Hospital Independent Education Provision Policy is a joint policy between the Authority (Southampton City Council) and Independent Tier 4 CAMHS Hospital education providers. The policy will be reviewed annually unless revisions are required through interim reviews to give effect to any Acts, Regulations or revisions whenever they arise.	
<b>Summary of Impact and Issues</b>	
To date, Southampton City Council has no policy regarding this vulnerable set of pupils. This policy will establish a framework and process, regarding the education of pupils as inpatients, that the local authority and independent providers can adhere to as and when admissions arise. Where NHS bed spaces are unavailable, Tier 4 admissions (i.e. If a child or young person is sectioned under the Mental Health Act) are allocated to independent hospitals. In these cases, the statutory responsibility for education of children and young people admitted remains with the ‘home’ local authority and can be discharged to the hospital school (as attached to	

the hospital). This policy will provide the protocols for effective discharge of Local Authority responsibilities.

It has been necessary to challenge independent providers over the last academic year, however, to date there has been no formal document to establish process and procedures. Legal advice was sought from within Southampton City Council which suggested that establishing a policy would be advisable in this case.

**Potential Positive Impacts**

This policy provides a transparent framework enabling independent education providers and local authority accountability; the ability to monitor performance and delivery; promotion of high educational standards. This will assist the Local Authority in confidently discharging our statutory duties.

The Council's role is to ensure these particularly vulnerable children and young people have access to high quality education services with the opportunity to achieve and aspire. Education services that offer the greatest impact on their life chances, enable them to achieve well in safe centres of learning, with the best possible chance of reintegration following their discharge.

Southampton City Council works in close partnership with independent providers of education services taking a holistic and evidence-based approach, as highlighted within this document, to manage and improve outcomes for these children and young people.

<b>Responsible Service Manager</b>	Bryn Roberts Service Manager for Inclusion
<b>Date</b>	
<b>Approved by Senior Manager</b>	Derek Wiles Divisional Head of Education and Learning
<b>Date</b>	10/08/2020

**Potential Impact**

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Age</b>	No Impact – Policy focus is children and young people of statutory school age.	
<b>Disability</b>	No Impact	
<b>Gender Reassignment</b>	No Impact	
<b>Marriage and Civil Partnership</b>	No Impact	
<b>Pregnancy and Maternity</b>	No Impact	
<b>Race</b>	No Impact	

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
<b>Religion or Belief</b>	No Impact	
<b>Sex</b>	No Impact	
<b>Sexual Orientation</b>	No Impact	
<b>Community Safety</b>	No Impact	
<b>Poverty</b>	No Impact	
<b>Health &amp; Wellbeing</b>	No Impact	
<b>Other Significant Impacts</b>	No Other Significant Impact	

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