

# Equality Impact Assessment

## Project or Service Template

Name of the proposal, project or service

**Recommendation to halt the closure of Rodmell CE Primary School**

File ref:	Rodmell	Issue No:	1
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## **Part 1 – The Public Sector Equality Duty and Equality Impact Assessments (EIA)**

**1.1** The Council must have due regard to its Public Sector Equality Duty when making all decisions at member and officer level. An EIA is the best method by which the Council can determine the impact of a proposal on equalities, particularly for major decisions. However, the level of analysis should be proportionate to the relevance of the duty to the service or decision.

**1.2 This is one of two forms that the County Council uses for Equality Impact Assessments, both of which are available on the intranet. This form is designed for any proposal, project or service. The other form looks at services or projects.**

### **1.3 The Public Sector Equality Duty (PSED)**

The public sector duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have “due regard” to the need to

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. (see below for “protected characteristics”)

These are sometimes called equality aims.

### **1.4 A “protected characteristic“ is defined in the Act as:**

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race (including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

The previous public sector equalities duties only covered race, disability and gender.

### **1.5 East Sussex County Council also considers the following additional groups/factors when carry out analysis:**

- Carers – A carer spends a significant proportion of their life providing unpaid support to family or potentially friends. This could be caring for a relative, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems. [Carers at the Heart of 21<sup>st</sup> Century Families and Communities, 2008]
- Literacy/Numeracy Skills

- Part time workers
- Rurality

### **1.6 Advancing equality (the second of the equality aims) involves:**

- Removing or minimising disadvantages suffered by people due to their protected characteristic
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people including steps to take account of disabled people's disabilities
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

NB Please note that, for disabled persons, the Council must have regard to the possible need for steps that amount to positive discrimination, to "level the playing field" with non-disabled persons, e.g. in accessing services through dedicated car parking spaces.

### **1.6 Guidance on Compliance with The Public Sector Equality Duty (PSED) for officers and decision makers:**

1.6.1 To comply with the duty, the Council must have "due regard" to the three equality aims set out above. This means the PSED must be considered as a factor to consider alongside other relevant factors such as budgetary, economic and practical factors.

1.6.2 What regard is "due" in any given case will depend on the circumstances. A proposal which, if implemented, would have particularly negative or widespread effects on (say) women, or the elderly, or people of a particular ethnic group would require officers and members to give considerable regard to the equalities aims. A proposal which had limited differential or discriminatory effect will probably require less regard.

#### *1.6.3 Some key points to note :*

- The duty is regarded by the Courts as being very important.
- Officers and members must be aware of the duty and give it conscious consideration: e.g. by considering open-mindedly the EIA and its findings when making a decision. When members are taking a decision, this duty can't be delegated by the members, e.g. to an officer.
- EIAs must be evidence based.
- There must be an assessment of the practical impact of decisions on equalities, measures to avoid or mitigate negative impact and their effectiveness.
- There must be compliance with the duty when proposals are being formulated by officers and by members in taking decisions: the Council can't rely on an EIA produced after the decision is made.
- The duty is ongoing: EIAs should be developed over time and there should be evidence of monitoring impact after the decision.
- The duty is not, however, to achieve the three equality aims but to consider them – the duty does not stop tough decisions sometimes being made.

- The decision maker may take into account other countervailing (i.e. opposing) factors that may objectively justify taking a decision which has negative impact on equalities (for instance, cost factors)

1.6.4 In addition to the Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty.

## **Part 2 – Aims and implementation of the proposal, project or service**

### **2.1 What is being assessed?**

#### **a) Proposal or name of the project or service.**

The recommendation to halt the proposed closure of Rodmell CE Primary School with effect from 31 August 2017.

#### **c) What is the main purpose or aims of proposal, project or service?**

The recommendation to agree to halt the proposed closure of Rodmell CE Primary School and allow the school until the end of Term 4 in March 2017 to submit a firm and viable partnership proposal to the Local Authority which sets out the educational and business benefits that would ensure a sustainable future model for the school.

It is the local authority's duty to ensure that there are sufficient places across the County to accommodate all pupils of statutory school age. The local authority must also consider its duty to promote high education standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential with the aim of enabling children to take up a school place within their local community.

In October 2014 the Lead Member agreed that a review of primary schools should be undertaken in the Lewes area. The Area Review raised significant concerns about the long term sustainability of Rodmell CE Primary School in terms of the risks to its financial stability, securing good outcomes for pupils and its ability to attract pupils from within its community area.

The majority of children attending Rodmell CE Primary School do not live within the local area to the school. Only 19% of pupils attending the school at the January 2016 census came from the community area. Even if the school were to fill to capacity it would remain a very small school (63 places). The average annual birth rate in the Rodmell and Southease Parish in the period 2001/02 (reception year intake 2006/07) to 2010/11 (reception year intake 2015/16) was 3.4. In the period 2011/12 (reception year intake 2016/17) to 2014/15 (reception year intake 2019/20) the average annual birth rate was 2.5. The local authority is concerned that there are insufficient pupils in the community area now, and predicted for the future, to sustain an educationally and financially viable primary school in the long term without relying on attracting pupils from areas closer to other schools.

For these reasons and having considered alternative options including federation, amalgamation and academisation, the local authority sought approval from the Lead Member for Education and Inclusion, Special Educational Needs and Disability on 21 March 2016 to consult on a proposal to close Rodmell CE Primary School.

Following the consultation period and an analysis of the consultation responses and a range of other information, including a previous EqIA on the impact of the proposed closure, a recommendation is now being put forward to halt the closure to allow the school to put forward a sustainable future partnership model.

**e) Manager(s) and section or service responsible for completing the assessment**

Gary Langford, Place Planning Manager, Standards and Learning Effectiveness Service

The Equality Impact Assessment was contributed to by the relevant local authority officers.

**2.2 Who is affected by the proposal, project or service? Who is it intended to benefit and how?**

Children and their families, staff and the local community. The main beneficiaries will be the pupils currently at Rodmell CE Primary School. All pupils at the school will be affected by a period of uncertainty about the future of the school.

**2.3 How is, or will, the proposal, project or service be put into practice and who is, or will be, responsible for it?**

The East Sussex County Council Cabinet is responsible for making the final decision on the proposal. If the recommendation to halt the proposed closure is agreed, the governing body of Rodmell CE Primary School must submit a firm and viable proposal by the end of Term 4 in March 2017. The proposal must detail the educational and business benefits that would ensure a sustainable future model for the school. CSD would review the proposal during Term 5 with a view to making a decision before the end of the academic year

**2.4 Are there any partners involved? E.g. NHS Trust, voluntary/community organisations, the private sector? If yes, how are partners involved?**

Rodmell CE Primary School is a Voluntary Aided school. The Diocese of Chichester shared our concerns about the long term sustainability of Rodmell CE Primary School in terms of the risks to its financial stability, securing good outcomes for pupils and its ability to attract pupils from within its community area. The Diocese agreed that the Council should consult with key stakeholders about the proposed closure of the school.

**2.5 Is this proposal, project or service affected by legislation, legislative change, service review or strategic planning activity?**

Proposals for closure have to follow a prescribed process established by the Education and Inspections Act 2006 (EIA 2006) as updated by the Education Act 2011 and the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013.

Background documents:

Report to the Lead Member for Education and Inclusion, Special Educational Needs and Disability on 21 March 2016:

<http://esmoderngov01v/ieListDocuments.aspx?CId=456&MId=2867&Ver=4>

**2.6 How do people access or how are people referred to your proposal, project or service? Please explain fully.**

If the recommendation to halt the closure process is agreed current pupils at the school would continue to have a place and the school could continue to accept new pupils. Parents would still be able to apply for a place at the school for academic year 2017/18. The East Sussex County Council Admissions booklet would explain the current situation with regard to the closure proposals so that parents are aware of the situation.

**2.7 If there is a referral method how are people assessed to use the proposal, project or service? Please explain fully.**

N/A

**2.8 How, when and where is your proposal, project or service provided? Please explain fully.**

As referred to in 2.5 above, the local authority must follow a prescribed process in proposing closure of a school. It cannot shorten the process. The local authority has a legal obligation to educate any child that wishes to remain at the school until the date of closure.

## Part 3 – Methodology, consultation, data and research used to determine impact on protected characteristics.

### 3.1 List all examples of quantitative and qualitative data or any consultation information available that will enable the impact assessment to be undertaken.

Types of evidence identified as relevant have X marked against them			
	Employee Monitoring Data		Staff Surveys
X	Service User Data		Contract/Supplier Monitoring Data
X	Recent Local Consultations		Data from other agencies, e.g. Police, Health, Fire and Rescue Services, third sector
	Complaints		Risk Assessments
	Service User Surveys	X	Research Findings
X	Census Data	X	East Sussex Demographics
	Previous Equality Impact Assessments		National Reports
	Other organisations Equality Impact Assessments		Any other evidence?

### 3.2 Evidence of complaints against the proposal, project or service on grounds of discrimination.

The consultation responses on the proposed closure demonstrate that the majority of parents, pupils, staff, and the local community are against the proposed closure. A number of respondents have cited the impact on the proposals on individual pupils. Some respondents have also cited that the closure of the school will lead to less choice for parents who wish to send their pupils to a small school and/or a faith school. The responses from this consultation would suggest that the recommendation to halt the consultation process would be welcomed by respondents.

### 3.3 If you carried out any consultation or research on the proposal, project or service explain what consultation has been carried out.

In October 2014 the Lead Member agreed that a review of primary schools should be undertaken in the Lewes area. The area review process involved the preparation of data packs between autumn and spring 2015 and the holding of internal meetings with Officers and Diocesan colleagues in the spring and of stakeholder meetings in June 2015. Information and evidence from the review informed the decision to seek approval to consult on proposed closure of Rodmell CE Primary School. The Lewes Area Review Report is included as an Appendix to the Report to the Lead Member for Education and Inclusion, Special Educational Needs and Disability on 21 March 2016:

<http://esmoderngov01v/ieListDocuments.aspx?CId=456&MId=2867&Ver=4>

A six week public consultation on the proposed closure of Rodmell CE Primary School commenced on 15 April and ran until 27 May 2016. Hard copies of the Local Authority's consultation document were distributed to approximately 1,420

key stakeholders and interested parties which included pupils, parents and carers, staff other local schools, trade unions, the District Council and Parish Councils, the local MP, the Church of England and Catholic Dioceses and the wider local community. The consultation document was also available on the ESCC website at: [https://consultation.eastsussex.gov.uk/consultation\\_finder](https://consultation.eastsussex.gov.uk/consultation_finder)

A meeting was held with school staff and their union representatives on 22 April 2016 to provide the opportunity for officers to provide more detail about the proposal and for those attending to ask questions and raise concerns. Notes were taken at this meeting and a Question and Answer (Q&A) document was prepared and sent to the headteacher to distribute to staff.

A public meeting was held in the Church of St Peter, Rodmell on the 3 May 2016 to provide more detail about the proposal and enable parents, carers and all interested parties to ask questions and raise concerns. Notes were taken at this meeting and a Q&A document responding to the key issues raised was produced and posted on the Local Authority's website for people to view. This can be viewed in section 5 of the Consultation Report attached at **Appendix A**.

The children of Rodmell CE Primary School were encouraged to express their views. An officer from the Local Authority met with representatives of the school council on 24 May 2016. 27 letters were also received from pupils. The feedback received from pupils can be viewed in Section 6 of the Consultation Report attached at **Appendix A**.

### **Consultation Reponses**

118 consultation responses were received during the consultation period of which 85 were completed on line and 33 forms were returned via freepost. It should be noted that a number of duplicate responses were made. In addition

- 1 letter was received
- 2 emails were received
- The governing body of Rodmell CE Primary School submitted an 'Audit Framework and Proposal' to the Director of Children's Services
- 10 respondents emailed members of Cabinet directly

Where known the following stakeholders responded to the consultation

- 27 parents/carers of a child at Rodmell CE Primary School
- 5 pupils at Rodmell CE Primary School
- 9 members of staff at Rodmell CE Primary School
- 4 members of the governing body at Rodmell CE Primary School
- 40 members of the local community
- 31 other (a local teacher, East Sussex resident, Local MP, local nursery owner, former pupils, friends and relatives of parents with children at the school and of staff at the school, parents of children at local schools, teachers at local schools, past pupils, teacher/union rep, visiting professional, Rodmell Parochial Church Council)
- 2 not answered

During the consultation period a 5,000+ signature petition in relation to the proposed closures of both Rodmell CE Primary School and Pells CE Primary School was submitted to the Local Authority. Petitions must be considered in the light of DfE guidance and the greatest weight should be given to representations

from those stakeholders most likely to be directly affected by the proposals rather than simply taking account of the numbers of people expressing a particular view. The petition does not identify each signatory's relationship to the school and therefore it is difficult to assess whether the opinions are those of stakeholders that should be given the greatest consideration. The petition is available for members to view.

The petition was presented at Full Council on 10 May 2016 where the following motion was moved.

*In view of the increasing need for Primary School places in and around Lewes in the next five years, the strength of public feeling shown by a petition of over 5,000 signatories and the emerging plans for the future at both Rodmell School and Pells School, the Council recommends to Cabinet that the process towards the closure of these two schools is halted at the end of the consultation to enable these plans to be put into place.*

A recorded vote on the motion was requested and taken. The motion was carried, the votes being cast as follows - 28 for the motion and 20 against the motion.

### **3.4 What does the consultation, research and/or data indicate about the positive or negative impact of the proposal, project or service?**

A number of the consultation responses raise concerns about the impact of the proposed closure on specific pupils at the school including those that are more vulnerable. Respondents stated that they like the fact that Rodmell CE Primary School is a small school with good links to the local community.

The recommendation to halt the closure will impact on families who have children at the school, including those children with Special Educational Needs, boys and those eligible for Free School Meals (FSM) who are all over represented at the school and as such will be disproportionately affected by the proposal.

Agreement to the halt the process of closure will lead to an extended period of uncertainty for pupils at the school for the academic year 2017/18 where the future of the school will not be certain.

- **Part 4 – Assessment of impact**

#### **4.1 Age: Testing of disproportionate, negative, neutral or positive impact.**

##### **a) How is this protected characteristic reflected in the County/District/Borough?**

In East Sussex there are 37,389 primary age children attending 152 primary schools. In the Lewes District there are 6,855 primary age children attending 28 primary schools. Rodmell CE Primary School has 48 pupils on roll, this equates to 0.7% of the total primary age population in Lewes District and 0.13% of the county total (source: January 2016 census).

##### **b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

The proposal will predominantly affect children of primary school age whose families have children at the school.

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

The proposal will disproportionately affect children of primary school age whose families have children at the school.

**d) What is the proposal, project or service's impact on different ages/age groups?**

The proposal will impact on the current years up to year five and reception intake in September 2016. It does not affect year 6 and does not affect secondary age children in the town.

**e) What actions are to/or will be taken to avoid any negative impact or to better advance equality?**

The school will continue to provide education and support to all children at the school.

**f) Provide details of the mitigation.**

The local authority will work with the school to ensure that the school and the local community are kept well informed about the progress of the consultation process, including providing information about any new proposal submitted and the timelines for any further stage of consultation.

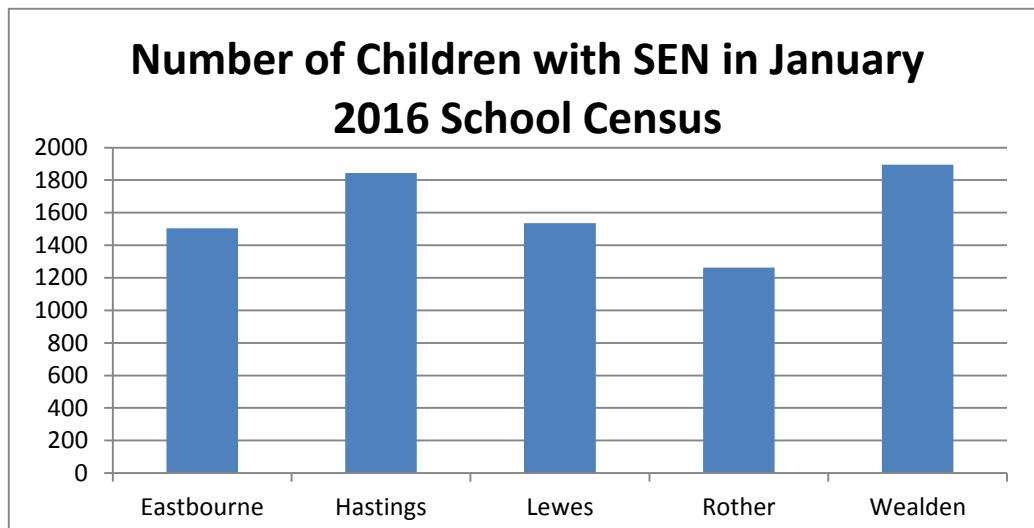
**g) How will any mitigation measures be monitored?**

The Local Authority will continue to work closely with the school to regularly monitor the progress and outcomes of pupils during this time of uncertainty.

## 4.2 Disability: Testing of disproportionate, negative, neutral or positive impact.

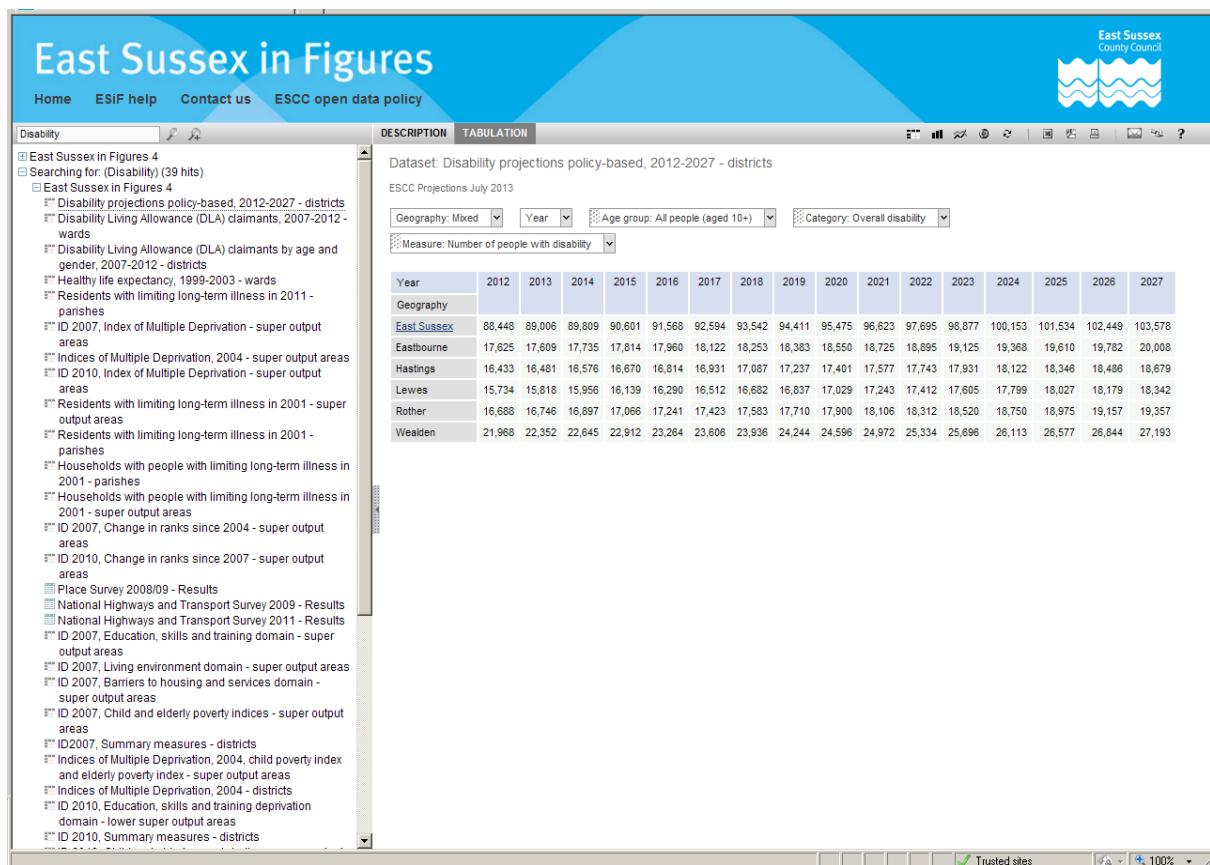
### a) How is this protected characteristic reflected in the County /District/Borough?

The following chart shows the number of children recorded as having Special Educational Needs (SEN) in the January 2016 school census (children attending East Sussex maintained primary schools and academies). District/ Borough information relates to pupil's home address as reported in the January 2016 school census.



In East Sussex there were 8,042 children recorded as having Special Educational Needs in the January 2016 school census. The figure for Lewes District was 1,536.

Disability projections published on East Sussex in Figures (ESiF) in July 2013 put the total number of people with a disability in East Sussex at 89,006 for 2013. The figure for Lewes District is 15,818.



**b) How is this protected characteristic reflected in the reflected in the population of those impacted by the proposal, project or service?**

The current SEN data for Rodmell CE Primary School shows that the percentage of SEN pupils at the school is 22.9% (11 out of 48). This is significantly higher in comparison to the % average in East Sussex schools of 12.8%

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

The data indicates that Rodmell CE Primary School is significantly overrepresented by pupils with this characteristic.

**d) What is the proposal, project or service's impact on people who have a disability?**

Considering the data children with SEN will be disproportionately affected by the proposal.

**e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

The school will continue to provide education and support to all children at the school.

**Provide details of any mitigation?**

The local authority will work with the school to ensure that the school and the local community are kept well informed about the progress of the consultation process, including providing information about any new proposal submitted and the timelines for any further stage of consultation.

**e) How will any mitigation measures be monitored?**

The Local Authority will continue to work closely with the school to regularly monitor the progress and outcomes of pupils during this time of uncertainty.

All schools have to report on the outcomes of all pupils, including SEN pupils. The local authority will continue to monitor the outcomes at all schools for these pupils.

**4.3 Ethnicity: Testing of disproportionate, negative, neutral or positive impact.** Race categories are: Colour. E.g. being black or white, Nationality e.g. being a British, Australian or Swiss citizen, Ethnic or national origins e.g. being from a Roma background or of Chinese Heritage

**a) How is this protected characteristic reflected in the County /District/Borough?**

The vast majority of pupils (91.7%) according to the January 2016 school census are of White British Heritage. This is broadly in line with that of the population across the County based on the 2011 census. 10.2% of Lewes district's school population is Black and Minority Ethnic (BME). Of the 48 pupils attending Rodmell CE Primary School where ethnicity is known, 8.3% (1 in 12 pupils) are from ethnic minority backgrounds.

Data for Rodmell CE Primary School indicates that the percentage of pupils with English as an Additional Language (EAL) is 0.0% (years 1-6). This is considerably lower than the East Sussex overall of 5.5%.

**b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

BME children are not over represented at Rodmell CE Primary School and as such will not be disproportionately affected by the proposal.

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

We do not believe that people with the protected characteristic will be more affected by the proposal than those in the general population who do not share that protected characteristic.

**d) What is the proposal, project or service's impact on those who are from different ethnic backgrounds?**

N/A

**e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

**f) Provide details of any mitigation.**

N/A

**g) How will any mitigation measures be monitored?**

N/A

**4.4 Gender/Transgender: Testing of disproportionate, negative, neutral or positive impact**

**a) How is this protected characteristic target group reflected in the County/District/Borough?**

The percentage of pupils attending the school who are male is **60.4%** and female **39.6%**. This compares to the East Sussex figures of male **51.5%** and female **48.5%**.

**b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

The percentage of pupils attending the school who are male is 60.4% and female 39.6%. The following chart shows the gender breakdown of Rodmell CE Primary School by class

Class	Year Groups	Numbers		%	
		F	M	F	M
1	R & 1	5	14	26.3	73.7
2	2 & 3	9	4	69.2	30.8
3	4, 5 & 6	5	11	31.3	68.8

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

Boys will be disproportionately affected by this proposal as they are significantly over represented in the school.

**d) What is the proposal, project or service's impact on different genders?**

Because boys are significantly over represented at the school, they are likely to be affected by the proposal.

**e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

The school will continue to provide education and support to all children at the school.

**f) Provide details of any mitigation.**

The local authority will work with the school to ensure that the school and the local community are kept well informed about the progress of the consultation process,

including providing information about any new proposal submitted and the timelines for any further stage of consultation.

**g) How will any mitigation measures be monitored?**

The Local Authority will continue to work closely with the school to regularly monitor the progress and outcomes of pupils during this time of uncertainty.

All schools have to report on the outcomes of all pupils, including an analysis by gender. The local authority will continue to monitor the outcomes at all schools for these pupils.

**4.5 Marital Status/Civil Partnership: Testing of disproportionate, negative, neutral or positive impact.**

**a) How is this protected characteristic target group reflected in the County/District/Borough?**

We do not consider marital status/civil partnership characteristics to be relevant to the proposal.

**b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

N/A

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

N/A

**d) What is the proposal, project or service's impact on people who are married or same sex couples who have celebrated a civil partnership?**

N/A

**e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

**f) Provide details of any mitigation.**

N/A

**g) How will any mitigation measures be monitored?**

N/A

**4.6 Pregnancy and maternity: Testing of disproportionate, negative, neutral or positive impact.**

**a) How is this protected characteristic target group reflected in the County/District/Borough?**

We do not consider pregnancy and maternity characteristics to be relevant to the proposal.

**b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

N/A

- c) **Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

N/A

- d) **What is the proposal, project or service's impact on pregnant women and women within the first 26 weeks of maternity leave?**

N/A

- e) **What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

- f) **Provide details of the mitigation**

N/A

- g) **How will any mitigation measures be monitored?**

N/A

**4.7 Religion, Belief: Testing of disproportionate, negative, neutral or positive impact.**

- a) **How is this protected characteristic reflected in the County/District/Borough?**

Rodmell CE Primary School is a Voluntary Aided school. The following denominational schools are situated within the Lewes area.

Iford & Kingston CE Primary School  
Southover CE Primary School, Lewes  
South Malling CE Primary School, Lewes  
St Pancras Catholic Primary School, Lewes  
Annecy Catholic Primary School, Seaford

- b) **How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

Rodmell CE Primary School is a Voluntary Aided school but is also a local community school and therefore accepts pupils of all faiths or no faith.

- c) **Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

The proposal will predominantly affect children whose families have chosen to send their children to a denominational school.

- d) **What is the proposal, project or service's impact on the people with different religions and beliefs?**

Considering the fact that the school is a Voluntary Aided school families who have chosen to send their children to a denominational school will be disproportionately affected by the proposal.

**e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

The school will continue to provide education and support to all children at the school.

**f) Provide details of any mitigation.**

The local authority will work with the school to ensure that the school and the local community are kept well informed about the progress of the consultation process, including providing information about any new proposal submitted and the timelines for any further stage of consultation.

**g) How will any mitigation measures be monitored?**

The Local Authority will continue to work closely with the school to regularly monitor the progress and outcomes of pupils during this time of uncertainty.

**4.8 Sexual Orientation - Gay, Lesbian, Bisexual and Heterosexual: Testing of disproportionate, negative, neutral or positive impact.**

- a) How is this protected characteristic reflected in the County/District/Borough?**

We do not consider sexual orientation characteristics to be relevant to the proposal.

- b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

N/A

- c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

N/A

- d) What is the proposal, project or service's impact on people with differing sexual orientation?**

N/A

- e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

- f) Provide details of the mitigation**

N/A

- g) How will any mitigation measures be monitored?**

N/A

**4.9 Other: Additional groups/factors that may experience impacts - testing of disproportionate, negative, neutral or positive impact.**

**a) How are these groups/factors reflected in the County/District/Borough?**

As at the January 2015 School Census, 24.2% of all pupils in East Sussex maintained schools are Ever6FSM. A pupil who is described as 'Ever6FSM' means that within the last 6 years the pupil has at some point been eligible for Free School Meals (FSM).

**b) How is this group/factor reflected in the population of those impacted by the proposal, project or service?**

28.0% of Rodmell CE Primary School pupils are Ever6FSM. The data therefore indicates that there is an overrepresentation of Ever6FSM pupils at Rodmell CE Primary School.

**c) Will people within these groups or affected by these factors be more affected by the proposal, project or service than those in the general population who are not in those groups or affected by these factors?**

Children from poorer socio economic backgrounds will be disproportionately affected.

**d) What is the proposal, project or service's impact on the factor or identified group?**

Considering the data children who are EverFSM will be disproportionately affected by the proposal.

**e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

The school will continue to provide education and support to all children at the school. All schools have a duty to ensure appropriate provision for pupils who are EverFSM and schools receive specific funding (the pupil premium) to support these pupils.

**f) Provide details of the mitigation.**

The local authority will work with the school to ensure that the school and the local community are kept well informed about the progress of the consultation process, including providing information about any new proposal submitted and the timelines for any further stage of consultation.

**g) How will any mitigation measures be monitored?**

The Local Authority will continue to work closely with the school to regularly monitor the progress and outcomes of pupils during this time of uncertainty.

All schools have to report on the outcomes of all pupils, including those who are EverFSM. The local authority will continue to monitor the outcomes at all schools for these pupils.

**4.10 Human rights** - Human rights place all public authorities – under an obligation to treat you with fairness, equality, dignity, respect and autonomy. Please look at the table below to consider if your proposal, project or service may potentially interfere with a human right.

Articles	
A2	<b>Right to life (e.g. pain relief, suicide prevention)</b>
A3	<b>Prohibition of torture, inhuman or degrading treatment (service users unable to consent, dignity of living circumstances)</b>
A4	<b>Prohibition of slavery and forced labour (e.g. safeguarding vulnerable adults)</b>
A5	<b>Right to liberty and security (financial abuse)</b>
A6 &7	<b>Rights to a fair trial; and no punishment without law (e.g. staff tribunals)</b>
A8	<b>Right to respect for private and family life, home and correspondence (e.g. confidentiality, access to family)</b>
A9	<b>Freedom of thought, conscience and religion (e.g. sacred space, culturally appropriate approaches)</b>
A10	<b>Freedom of expression (whistle-blowing policies)</b>
A11	<b>Freedom of assembly and association (e.g. recognition of trade unions)</b>
A12	<b>Right to marry and found a family (e.g. fertility, pregnancy)</b>
Protocols	
P1.A1	<b>Protection of property (service users property/belongings)</b>
P1.A2	<b>Right to education (e.g. access to learning, accessible information)</b>
P1.A3	<b>Right to free elections (Elected Members)</b>

## Part 5 – Conclusions and recommendations for decision makers

**5.1 Summarise how this proposal/policy/strategy will show due regard for the three aims of the general duty across all the protected characteristics and ESCC additional groups.**

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups
- Foster good relations between people from different groups

**5.2 Impact assessment outcome** Based on the analysis of the impact in part four mark below ('X') with a summary of your recommendation.

X	Outcome of impact assessment	Please explain your answer fully.
	<b>A No major change</b> – Your analysis demonstrates that the policy/strategy is robust and the evidence shows no potential for discrimination and that you have taken all appropriate opportunities to advance equality and foster good relations between groups.	The recommendation to halt the closure of Rodmell CE Primary School may have a potential negative impact on children, including those with SEN and those who are Ever6FSM, and boys, who are over-represented in this cohort as a result of there being a period of uncertainty about the future of the school.
X	<b>B Adjust the policy/strategy</b> – This involves taking steps to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential effect.	This will be mitigated by the school continuing to provide education and support to the children; and through the local authority working closely with the school to ensure that the school and local community are kept well informed about the process.
	<b>C Continue the policy/strategy</b> - This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not unlawfully discriminate	
	<b>D Stop and remove the policy/strategy</b> – If there are adverse effects that are not justified and cannot be mitigated, you will want to consider stopping the policy/strategy altogether. If a policy/strategy shows unlawful discrimination it <i>must</i> be removed or changed.	

**5.3 What equality monitoring, evaluation, review systems have been set up to carry out regular checks on the effects of the proposal, project or service?**

(Give details)

The Local Authority has a clear schedule for regular monitoring of schools and the outcomes achieved by all pupils, including outcomes for those with SEN and Ever6FSM, and boys.

## Equality Impact Assessment

### 5.6 When will the amended proposal, proposal, project or service be reviewed?

In Term 5, 2017 following the submission of any proposals to the local authority and before a final decision is made.

<b>Date completed:</b>	June 2016	<b>Signed by (person completing)</b>	Gary Langford
		<b>Role of person completing</b>	Place Planning Manager
<b>Date:</b>	June 2016	<b>Signed by (Manager)</b>	Jessica Stubbings

## Part 6 – Equality impact assessment action plan

If this will be filled in at a later date when proposals have been decided please tick here and fill in the summary report.

The table below should be completed using the information from the equality impact assessment to produce an action plan  the implementation of the proposals to:

1. Lower the negative impact, and/or
2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact
4. If no actions fill in separate summary sheet.

Please ensure that you update your service/business plan within the equality objectives/targets and actions identified below:

Area for improvement	Changes proposed	Lead Manager	Timescale	Resource implications	Where incorporated flagged? (e.g. business plan/strategic plan/steering group/DMT)

## 6.1 Accepted Risk

From your analysis please identify any risks not addressed giving reasons and how this has been highlighted within your Directorate:

Area of Risk	Type of Risk? (Legal, Moral, Financial)	Can this be addressed at a later date? (e.g. next financial year/through a business case)	Where flagged? (e.g. business plan/strategic plan/steering group/DMT)	Lead Manager	Date resolved (if applicable)