

Equality Impact Assessment

Project or Service Template

Name of the proposal, project or service
Proposed expansion of Meridian Community Primary School

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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 21stCentury 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: EIA's 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.

Proposed expansion of Meridian Community Primary School

b) What is the main purpose or aims of proposal, project or service?

The objective of the proposal is to expand Meridian Community Primary School from 420 places (60 per year group) to 630 places (90 per year group) responding to a growing demand for primary school places in the local area.

c) 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?

Local children and their families

The Local Authority

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 Lead Member for Education and Inclusion, Special Educational Needs and Disability is responsible for making the final decision on the proposal. If approved, the Local Authority will manage the construction project at the school to deliver the additional places.

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

N/A

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

The Local Authority has a statutory duty to ensure there are sufficient school places available to meet current and future demand for places.

Proposed changes to the organisation of schools have to follow a prescribed process established in Section 19 (1) of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 Background documents:

The Education Commissioning Plan 2015-2019 available on the ESCC website at: <http://www.eastsussex.gov.uk/educationandlearning/management/download.htm>

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

The Local Authority consulted with pupils, parents and carers, staff, other local schools and trade unions between 6 May and 10 June 2016. It has also consulted with a wide range of other groups including the Town Council, the District Council, the local MP, the Church of England and Catholic dioceses and the wider local community.

The consultation document was distributed to all consultees. The document was also available on the ESCC website at:

<http://www.eastsussex.gov.uk/yourcouncil/consultation/current.htm>

Following an analysis of all the responses received during the consultation period, the Lead Members for Education and Inclusion, Special Educational Needs and Disability gave approval on 11 July 2016 to publish statutory notices in relation to the proposal. The notices were published on 22 July 2016. The public have until 19 August 2016 to give further views on the proposal.

The statutory notice and full proposal can be found on the ESCC website at:

<http://www.eastsussex.gov.uk/yourcouncil/consultation/current.htm>

In addition, further statutory consultation as part of the planning process will take place once a planning application has been submitted during the summer. In the interests of sharing information more fully the County Council held an additional information event in June 2016 when the plans for the school were shared with interested parties

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.

The Council anticipates that building work would begin in December 2016 and the proposal implemented by 1 September 2018.

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
	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		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.

One comment was received about the ability of ‘*children with physical challenges*’ to access all levels of the existing building. Improvements are being made to the existing accommodation to improve access and the new building will be fully accessible for pupils of all abilities.

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

Please refer to 2.6 above.

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

The proposal will have a positive impact for the local community and therefore local children, as the proposed expansion will allow more families to access this popular local school. There will be more places available to meet the needs of the children in the local area, including those with SEN and/or disability.

Concerns were raised about parking and traffic congestion, for example:

‘Roderick Avenue and Glynn Road already suffer immensely with parking at school times. The car park at Meridian can barely accommodate the current staff and is not viable for parents to park - or even to use as a "pick-up" point.

During the "School run" mornings and afternoons and now also lunchtimes the road becomes severely congested with cars inconsiderately and illegally parked, causing a danger to parents and children, and an inconvenience to residents who find their drives blocked.

There will additional traffic and parking in Roderick Avenue North, Cripps Avenue and Pelham Rise at the beginning and end of the school day.

Parents park all over the place, double parking making it almost impossible to drive through, always parking on and round the corners of Tor Road and Anzac Close making it very difficult to negotiate the corners safely as you can't see clearly.’

Parking and traffic congestion would be addressed through the detailed design and planning process undertaken before approval to enlarge the school was given. As part of this process the Council would work closely with the Highways Authority to ensure any risks are mitigated. The design and statutory planning process provides people with a further opportunity to raise concerns about traffic congestion and parking.

Part 4 – Assessment of impact

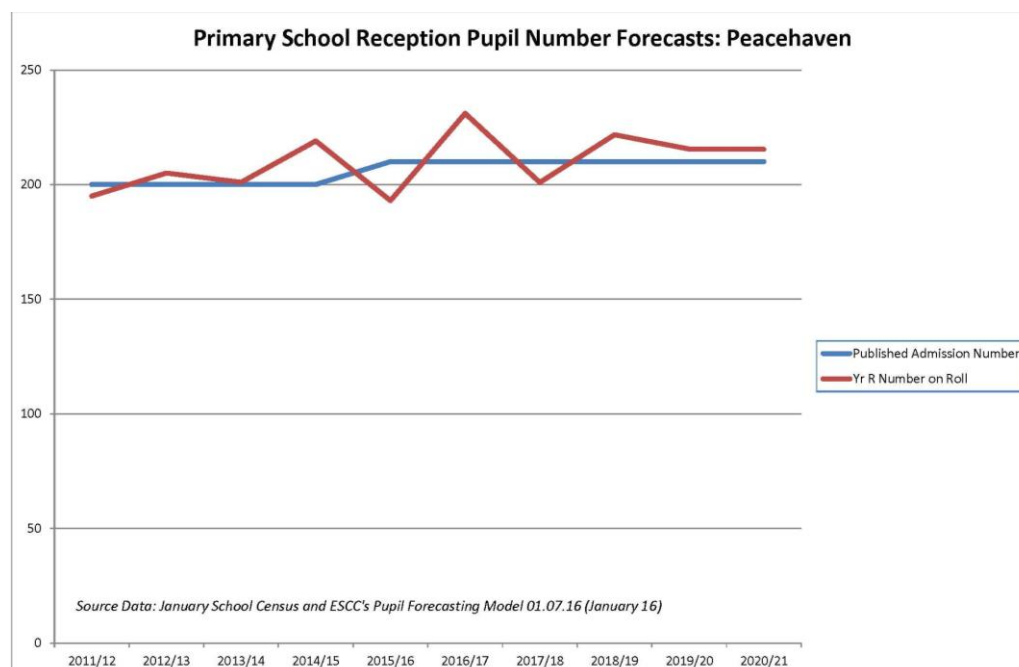
4.1 Age: Testing of disproportionate, negative, neutral or positive impact.

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

Meridian Community Primary School, Peacehaven, is in the Lewes District. In the Lewes District there are 15,832 children and young people aged 0-14. In the combined Wards of Peacehaven East, Peacehaven North, Peacehaven West, East Saltdean and Telscombe Cliffs there are 3,403 children and young people aged 0-14 (source 2011 National Census).

The proposal comes in the light of an increasing demand for school places in Peacehaven and the surrounding areas. In recent years births in the Peacehaven area have risen from 172 in academic year 2003/04 to 246 in 2013/14. There are also plans to build around 900 new homes in Peacehaven and Telscombe between 2015 and 2030. As a result, a significant ongoing shortfall of school places is forecast in Peacehaven

The following chart illustrates this.



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

As above.

- 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 of primary school age in the local community.

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

The proposal will have a positive impact on local primary age children as it will allow more families to access this popular and improving local school.

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

We do not believe any actions are necessary in relation to this proposal

- f) Provide details of the mitigation.**

N/A

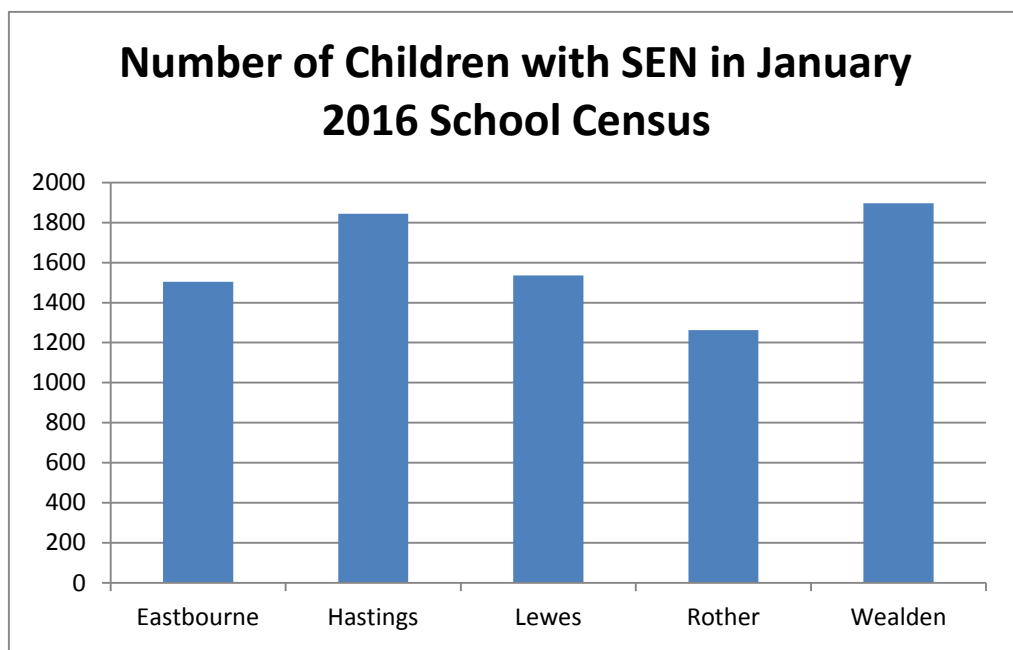
- g) How will any mitigation measures be monitored?**

N/A

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

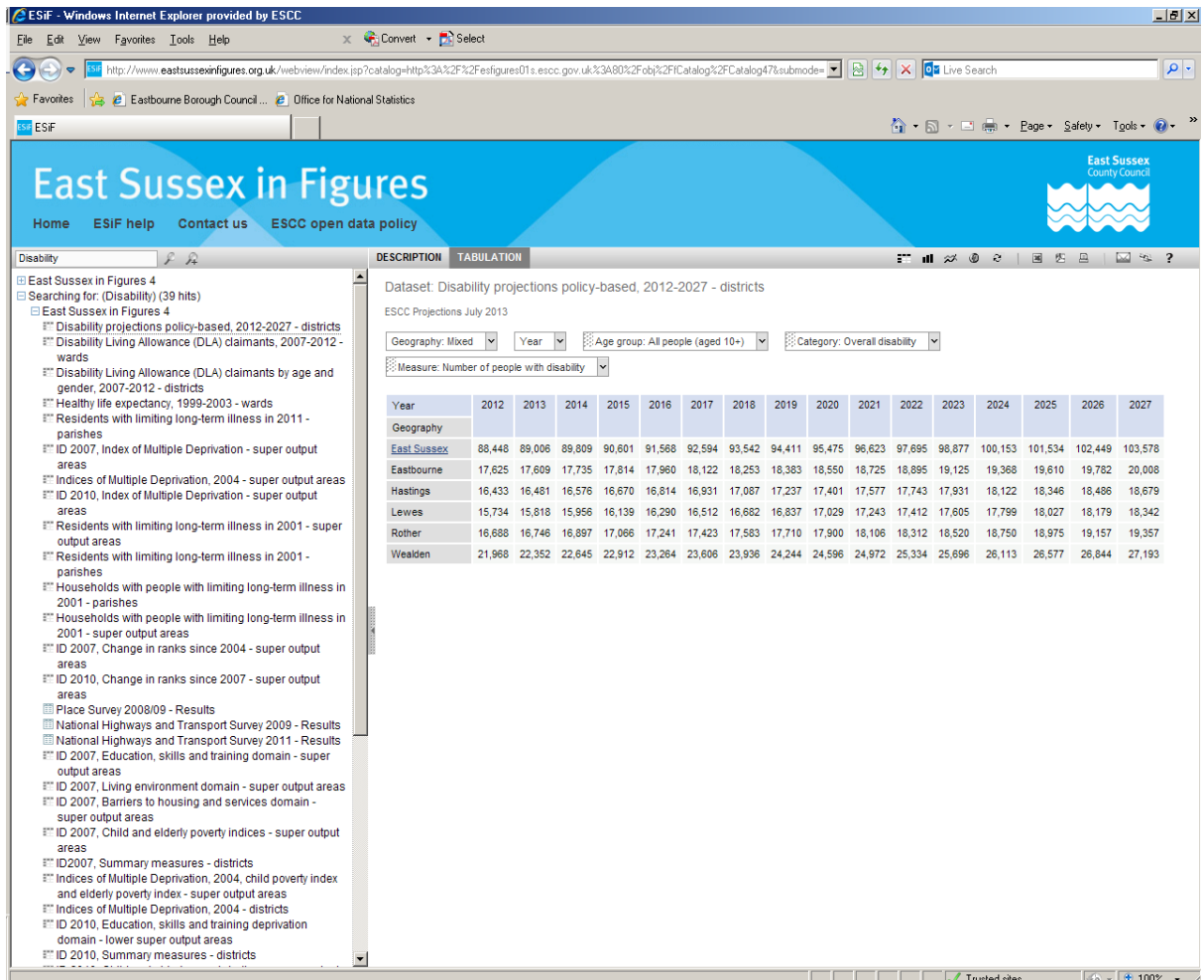
- a) How is this protected characteristic reflected in the County /District/Borough?**

The following chart shows the number of children recorded as having Special Educational Needs in the January 2016 school census (children attending East Sussex maintained primary schools and academies). District/ Borough information relates to the 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 Meridian Community Primary School shows that the percentage of SEN pupils at the school is 14.7% (56 out of 382). This is slightly higher in comparison to the East Sussex Primary schools overall of 12.1%. The school is well equipped to meet the needs of this group

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 of primary school age in the local community, including those with SEN and/or disability.

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

The proposal will have a positive impact as there will be more places available to meet the needs of the children in the local area, including those with SEN and/or

disability in particular. Improvements are being made to the existing building to improve access and the new extension will be fully accessible for pupils of all abilities.

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

N/A

e) Provide details of any mitigation.

N/A

f) How will any mitigation measures be monitored?

N/A

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 (84.3%) 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. 15% of the pupils who attend the school are from a Black and Ethnic (BME) minority background. Across the Lewes district 10.9% of the school population is BME (11.9% in primary schools).

Data for Meridian Community Primary School indicates that the percentage of pupils with English as an Additional Language (EAL) is 4.8% (years 1-6). This is lower than the East Sussex primary schools overall of 6.1%.

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

BME children are over represented at Meridian Community Primary School in comparison with the county wide and district level percentages.

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?

The proposal will have a positive impact as there will be more places available to meet the needs of the children in the local area, including those from different ethnic backgrounds.

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

We do not believe any actions are necessary in relation to this proposal

- 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 46.3% and female 53.7%. 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?**

There is higher proportion of females at the school than the county profile however males and females attending the school will be educated together and it is not considered that this will have a significant impact even if the proportion remains the same after expansion.

- 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 different genders?**

We do not believe there will be an impact on different genders

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

We do not believe any actions are necessary in relation to this proposal.

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

N/A

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

N/A

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?**

We do not believe there will be any impact on people who are married or same sex couples who have celebrated a civil partnership

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

We do not believe any actions are necessary in relation to this proposal

- 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?**

We do not believe there will be any impact on pregnant women and women within the first 26 weeks of maternity leave.

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

We do not believe any actions are necessary in relation to this proposal

- 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?**

We do not consider religion or belief 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 the people with different religions and beliefs?**

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

4.8 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, 25.8% of Meridian Community Primary School pupils are Ever6FSM in comparison to 23.4% of all pupils in East Sussex primary schools. Nationally in Primary schools the figure is 26.4%. A pupil who is described as 'Ever6FSM' means that within the last 6 years the pupil has at some point been eligible for receiving Free School Meals (FSM).

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

The data indicates that there is a slight overrepresentation of Ever6FSM pupils at Meridian Community Primary School compared to East Sussex, but below the national figure.

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?

The proposal will have a positive impact as there will be more places available to meet the needs of the children in the local area, including those pupils described as Ever6FSM.

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

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

4.10 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.**

No human rights implications are identified.

Articles	
A2	Right to life (e.g. pain relief, suicide prevention)
A3	Prohibition of torture, inhuman or degrading treatment (service users unable to consent, dignity of living circumstances)
A4	Prohibition of slavery and forced labour (e.g. safeguarding vulnerable adults)
A5	Right to liberty and security (financial abuse)
A6 & 7	Rights to a fair trial; and no punishment without law (e.g. staff tribunals)
A8	Right to respect for private and family life, home and correspondence (e.g. confidentiality, access to family)

A9	Freedom of thought, conscience and religion (e.g. sacred space, culturally appropriate approaches)
A10	Freedom of expression (whistle-blowing policies)
A11	Freedom of assembly and association (e.g. recognition of trade unions)
A12	Right to marry and found a family (e.g. fertility, pregnancy)
Protocols	
P1.A1	Protection of property (service users property/belongings)
P1.A2	Right to education (e.g. access to learning, accessible information)
P1.A3	Right to free elections (Elected Members)

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
- The proposal will help support the aims of advancing equality of opportunity and fostering good relations between people from different groups by allowing children access to primary school education in their local community.

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.
X	A No major change – 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 proposal is about providing additional school places to serve the local community in response to an increasing demand for places in Peacehaven due to a combination of a rising birth rate and new housing development.
	B Adjust the policy/strategy – This involves taking steps to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential effect.	Meridian Community Primary School has been judged by Ofsted as a 'Good' school. Expanding the school will increase the number of places available in the Peacehaven area. The proposal will allow more families the opportunity to attend a good school in their local community.
	C Continue the policy/strategy - 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	
	D Stop and remove the policy/strategy – 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.	The Local Authority proposes to address any disabled access issues through the design and construction project.

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)

Equality Impact Assessment

The EqlA will be reviewed in August 2016 following a final decision on the proposals by the Lead Member for Education and Inclusion, Special Educational Needs and Disability

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

Date completed:	July 2016	Signed by (person completing)	<i>Catherine Denyer</i>
		Role of person completing	Project Officer
Date:	July 2016	Signed by (Manager)	<i>Gary Langford</i>

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 for 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)