

Equality Impact Assessment

Name of the proposal, project or service
Proposed closure of Fletching CE 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 PSED 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.

1.7 Guidance on Compliance with the PSED for officers and decision makers:

1.7.1 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.

1.7.2 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.

1.7.3 *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)

1.7.4 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.

Consultation on the proposed closure of Fletching CE Primary School.

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

To consult on the proposed closure of Fletching CE Primary School (Fletching) on 31 August 2020.

East Sussex County Council has a statutory duty to ensure there are sufficient school places for all children. The [School Organisation Plan 2019-2023](#) sets out the local authority's approach to the organisation and leadership arrangements of schools to maintain the efficiency and effectiveness of provision to ensure that all schools are well placed to deliver high quality education that meets the needs of their local community and makes best use of public funding.

The decision to consult on closure of Fletching was taken in the context of the local authority's review of rural primary school provision undertaken during the 2018/19 academic year and its statutory duty to ensure there are the right numbers of places in the right locations to meet local demand. The local authority also has to look more widely at the organisation of schools to ensure they are well placed to deliver a high quality education to their local community. The area review identified Fletching as being at risk of closure for the following reasons.

Fletching is a small, rural, voluntary controlled primary school. The school has a published admission number (PAN) of 15 and capacity for 105 pupils (15 x 7 year groups). Information and evidence gathered during the area review of primary school places shows that the school has been under-subscribed in each of the last five years and pupil numbers fall significantly short of the school's PAN each year. The school was allocated 9 pupils for September 2019; at the time of writing only 5 are on roll. The 10-year average birth rate in the school's community area is less than 7 per annum (the school's PAN is 15). There is very little house building planned in the area to help grow the birth rate which means there is little in-area demand for places at the school.

At the May 2019 School Census Fletching had 72 pupils on roll, meaning there were 33 (31%) surplus places. Only 26 of the 40 children living in the Fletching community area at that time attended the school, which equated to 36% of the school's number on roll. In comparison, 57% of the school's cohort lived in areas served by other schools, for example: Newick, Chailey, Maresfield and Uckfield, while 7% lived across the border in West Sussex. At the time of writing there are 69 pupils on roll at Fletching meaning surplus places have increased to 36 (34%).

The governing board's three-year budget plan, submitted in May 2019, showed the following budget position.

Financial year	End of year
2019/20	-£5,457 Deficit
2020/21	-£62,138 Deficit
2021/22	-£145,863 Deficit

Since the consultation began, the school's PTA has been actively fundraising to try to address the budget deficit to 2020/21. To date they have secured funding commitments totalling £74,368 made up from:

- Fundraising £44,368
- A pledge from the School House Trust for £20,000 spread over two financial years
- A resolution by Fletching Parish Council for £10,000

Taking the fundraising into account, governors submitted a revised budget plan on 8 November 2019 which shows the following budget position.

Financial year	End of year	
2019/20	£40,920	Carry forward
2020/21	-£3,299	Deficit
2021/22	-£39,338 to -£95,588*	Deficit

* The school's predicted budget deficit in 2021/22 of -£39,000 is based on their assumption of 78 pupils on roll in October 2020. Governors have assumed the school will pick up 15 additional pupils, on top of the estimated 63 on their roll, from new house building in the surrounding area including Uckfield and Newick. As identified in 4.1 below, the local authority does not believe this is achievable within the timeframe. Ignoring the additional 15 pupils and basing the budget on the estimated 63, the deficit in 2021/22 increases to over £95,000. In reality the deficit is likely to be somewhere between the two figures if the school picks up additional pupils without losing anymore.

While the governors latest budget submission largely addresses the school's deficit in 2019/20 and 2020/21 it does not allay the local authority's concerns about the long-term viability of the school. The fundraising shown to date has been largely allocated to the current financial year with a large part of it carried forward to next financial year, 2020/21. There is no commitment for further equivalent amounts to be available for future years apart from £10,000 from the School House Trust in 2020/21. These donations / pledges appear to be largely one off in their nature with no ongoing commitment.

The school has already restructured to make savings by moving from four classes to three. The school has not identified where further savings could be made in the future.

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

Gary Langford, Place Planning Manager, Standards and Learning Effectiveness Service. The Children's Services Senior Management Team has signed off the EqIA to this stage but the process of impact assessment will be ongoing. The Senior Management Team comprises the Director and Assistant Directors of the Children's Services Department

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

The proposal affects pupils on roll at Fletching and their families. Currently there are 69 pupils on roll, illustrated in below.

Pupil numbers 2019/20

2019/20 pupil numbers	PAN	Capacity	2019/20 number on roll							
			Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
Fletching CE Primary School	15	105	6	10	9	12	11	8	13	69

Source: School return dated 4 November 2019

The proposal also affects members of staff at Fletching. Should the school close, a formal consultation would begin with all members of staff, teaching and non-teaching, and trade union representatives in line with the local authority's Managing Change Policy. More information on this is provided in 2.3 below.

The local community is likely to be affected by the proposal. This will be addressed in a separate Community Impact Assessment appended to the Lead Member for Education and Inclusion, Special Educational Needs and Disability (the Lead Member) report.

Local schools would benefit from the proposal as it would provide more certainty to the remaining schools about pupil numbers. The proposal should create a more sustainable network of schools in the local area thereby reducing the risk of more schools becoming unviable.

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 local authority is responsible for making a final decision on the proposal. On 23 December 2019 the Lead Member will consider the outcome of the public consultation and decide whether or not to continue with the statutory process to close Fletching. If statutory proposals were published for the closure of the school the local authority would determine the proposal (make a final decision closure) in March 2020. If approved, the school would close on 31 August 2020.

The local authority would be responsible for overseeing the process of closing the school and would work closely with the school to implement closure, including supporting pupils during their final months at Fletching and in their transition to a new school. Parents and carers of children at the school would be able to express a preference for a place at an alternative school. Parents and carers would be asked to complete an admissions application form and to name up to three schools they would prefer their child/ren to attend. Parents and carers would be offered a school place either at one of their preferred schools named on the application form or, if this is not possible, at the nearest school to the child's home where a place is available. The local authority would try to meet parents and carers preferences wherever possible but cannot guarantee to do so. The allocation of places would be made in line with the admissions policy as set out in the school admissions booklet which is available on the East Sussex website at:

<https://www.eastsussex.gov.uk/educationandlearning/schools/admissions/>

On 4 November 2019 the Lead Member gave approval for the local authority to consult on a proposal to expand the community area for Chailey St Peter's to encompass the area currently served by Fletching. This is to ensure that, should Fletching close, children living in Fletching community area would be able to access a local school.

Should the decision be taken to close the school, the local authority would consider whether to increase the published admission number at Chailey St Peter's from 20 to 30. This decision would be taken once the local authority had analysed which schools parents had applied for and the likely demand for Chailey St Peter's.

Merging the community area with Chailey St Peter's has been questioned by respondents to the consultation, some of whom believe the school should be part of the Uckfield community area. Others think the area should be part of the Newick CE Primary School area as the nearest neighbouring school. The local authority will consider the feedback carefully before it reaches a final decision on the proposal.

The local authority acknowledges that some pupils living in Fletching and attending the school might face longer journeys to and from an alternative school each day and that this might increase car usage for these families. For families that live outside of the Fletching community area it is envisaged that displaced pupils would continue to be transported to and from school under arrangements made by their parents and carers. It is hoped that for these families car usage might reduce.

Free home to school transport would be provided for eligible pupils who meet the criteria set out in the link below. Latest analysis shows that of the majority of pupils likely to be affected by the proposal, approximately 68% live nearer to an alternative school, with approximately 32% living further away. The local authority currently estimates five pupils would be eligible for free home to school transport to

their nearest alternative school although this figure might change if pupils are unable to access a place at their nearest alternative school.

<https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

Should the school close, a formal consultation would begin with members of staff at Fletching and their trade union representatives. The local authority would work alongside the school to ensure that all of the procedures for managing the change process, outlined in the local authority's Managing Change Policy are followed. All staff would be entitled to be considered for redeployment to a suitable alternative post within the local authority for centrally managed roles. For school based advertised vacancies, the local authority would liaise with East Sussex maintained schools regarding the availability of staff at risk of redundancy from 31 August 2020, to seek the agreement of a school with a suitable vacancy to participate in the redeployment process in order to fill the vacancy.

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

The Diocese of Chichester, as a key partner in education provision in East Sussex, has been fully involved in the reviews of rural primary school provision. Of the 68 rural primary schools in East Sussex 49 are Church of England schools. Fletching CE Primary School is a Voluntary Controlled school. The Diocese has been a full and equal partner throughout the area review process in giving full consideration of alternative viable options and in the consideration of the decision to consult with key stakeholders about the proposed closure of the school. The Diocese is not a formal decision maker in this proposal.

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 up dated by the Education Act 2011 and the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013.

The DfE statutory guidance '*Opening and closing maintained schools*' updated in November 2019 (the guidance) states

"Proposers should be aware that the Department expects all decision makers to adopt a presumption against the closure of rural schools. This doesn't mean that a rural school will never close, but that the case for closure should be strong and clearly in the best interests of educational provision in the area".

The presumption against closure does not mean that rural schools cannot be considered for closure by local authorities, but they have a duty to carefully consider the factors set out in the guidance when proposing to close a rural school. These factors are:

- Alternatives to closure including: federation with another local school; conversion to academy status and joining a multi-academy trust; the scope for an extended school to provide local community services and facilities e.g. child care facilities, family and adult learning, healthcare, community internet access etc;
- Transport implications i.e. the availability, and likely cost of transport to other schools and sustainability issues;
- The size of the school and whether it puts the children at an educational disadvantage e.g. in terms of breadth of curriculum or resources available;

- The overall and long term impact on local people and the community of the closure of the village school and of the loss of the building as a community facility; and
- Wider school organisation and capacity of good schools in the area to accommodate displaced pupils.

Fletching is designated as a rural school under the Designation of Rural Primary Schools (England) Order 2018. The local authority has provided evidence in a separate document, appended to the Lead Member report, to show that it has carefully considered each of these factors.

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

As referred to in 2.5 above, 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. In accordance with the prescribed process the local authority began a pre-publication consultation on the proposed closure of Fletching on 5 July 2019. There is no prescribed timeframe for consultation, but the Department for Education (DfE) recommends that it should last for a minimum of 6 weeks. The local authority acknowledged that the consultation period straddled the summer holiday and accordingly extended the consultation period to 11 October 2019, meaning there were a total of 14 weeks of consultation, of which 8 were during term time.

Consultation on the proposed closure of Fletching was widely publicised through the local authority's consultation hub, press releases and radio interviews. It was also published on the local authority's digital newsroom and shared on the corporate social media accounts. Hard copy and translated versions of the consultation document were available on request. Letters were written to key stakeholders including pupils, parents and carers, staff, the governing board, other local schools and trade unions. The local authority also consulted with a wide range of other groups and organisations including early years providers, the district and parish councils, West Sussex County Council, the local MP, the Church of England and Catholic dioceses and the wider local community.

Consultation meetings were held with staff, union representatives, parents and carers and the local community on 16 July 2019 to provide further information on the proposal and give interested parties the opportunity to ask questions. Notes were taken at both meetings and a Q&A document responding to key issues raised was produced and posted on the consultation hub for people to view. A number of questions and requests for information were received prior to the consultation formally opening. These were also addressed through the Q&A on the consultation hub.

In addition, the local authority sought feedback directly from pupils through a pupil engagement session at the school on 13 September 2019 facilitated by two of the local authority's consultant headteachers.

A petition in relation to the proposed closure of Fletching has been submitted containing over 3,000 signatures. Signatories include people living locally, in the UK and across the world. The petition is still open.

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 Lead Member report and appendices describe the rationale consulting on the proposed closure of Fletching and how alternative arrangements would be made for pupils, families and staff affected by the proposal. The Lead Member must consider the outcome of the consultation before deciding whether to proceed with the statutory process to close the school.

As referred to in 2.5 above, the local authority must follow a prescribed process in proposing the closure of a school. It cannot shorten the process. The proposed date for closure of Fletching is 31 August 2020. If the school closes, the local authority has a legal obligation to educate any child that wishes to remain at the school until the date of closure.

As referenced in 2.3 above, should Fletching close the local authority would be responsible for overseeing the process of closing the school. The local authority would work closely with the school to implement closure, including supporting pupils during their final months at Fletching and in their transition to a new school. Parents and carers of pupils at Fletching would be able to express a preference for a place at an alternative school including Chailey St Peter's. Parents and carers would be asked to complete an admissions application form and to name up to three schools they would prefer their child/ren to attend. Parents and carers would be offered a school place either at one of their preferred schools named on the application form or, if this is not possible, at the nearest school to the child's home where a place is available. The local authority would try to meet parents and carers preferences wherever possible but cannot guarantee to do so. The allocation of places would be made in line with the admissions policy as set out in the school admissions booklet which is available on the local authority's website at:

<https://www.eastsussex.gov.uk/educationandlearning/schools/admissions/>

Free home to school transport would be provided for eligible pupils who meet the criteria set out in the link below.

<https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

A formal consultation would begin with members of staff at Fletching and their trade union representatives. The local authority would work alongside the school to ensure that all of the procedures for managing the change process, outlined in the local authority's Managing Change Policy are followed. All staff would be entitled to be considered for redeployment to a suitable alternative post within the local authority for centrally managed roles. For school based advertised vacancies, the local authority would liaise with East Sussex maintained schools regarding the availability of staff at risk of redundancy from 31 August 2020, to seek the agreement of a school with a suitable vacancy to participate in the redeployment process in order to fill the vacancy.

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	x	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
x	Previous Equality Impact Assessments	x	National Reports
x	Other organisations Equality Impact Assessments		Any other evidence?

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

All comments received during the consultation period have been reviewed in the context of completing this EqIA and making a recommendation to the Lead Member about next steps. Three responses to the consultation referenced discrimination:

'...there is no evidence that it would improve educational outcomes for ALL children. Thus discriminating against families that chose to live in less populated rural areas of the county.'

'Our rural environment is threatened and being unfairly discriminated against in favour of larger, urban communities.'

'The meeting held by ESCC and interested people was insufficient in length and took place only once discriminating against people with unusual work patterns or other reasons preventing them from attending an evening meeting.'

Respondents to the consultation were asked to provide personal information, including information about protected and other characteristics, which was used to analyse responses. Some respondents chose not to provide personal information.

The consultation responses demonstrate that the majority of parents, pupils, staff, and the local community are against the proposed closure citing reasons such as the impact of the proposals on individual pupils and those with SEN; the impact of the proposals on the local community and the loss of choice for parents. Concerns were also raised relating to the impact of the housing development in the surrounding area most notably Uckfield and the impact closure of the school would have on traffic, transport and the environment.

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

The local authority undertook a review of rural primary school provision in East Sussex during the 2018/19 academic year. The principal focus of the review was the increasing number of rural schools with small and very small cohorts, the local demand for places at those schools and the effect this is having on their viability and capacity to offer a well-balanced, high quality curriculum that meets the needs of their local community and makes best use of public funding. The local authority is committed to working in close partnership with schools, the dioceses and key partners to ensure that the supply of school places across the county is in the right location, is of sufficient size, and is viable and of good quality.

In partnership with the Diocese of Chichester, the local authority reviewed 12 areas of the county containing a total of 62 rural schools. The areas were based largely on the former School Organisation Plan areas and the geography of schools.

The review took account of many variables which influence provision in an area. These include:

- the quality of provision and outcomes achieved for pupils;
- school leadership;
- federations and collaborations;
- financial viability;
- the level of surplus places in an area / school;
- the location of schools in relation to local pupil numbers;
- parental choice for schools; and
- premises.

Sustainability of schools is not just about financial viability but also the ability of schools to make appropriate provision and secure good outcomes for all pupils over time. Consideration of this was an important part of the area review process. The local authority's strategy of supporting schools into federations has helped strengthen a number of small schools; however federation does not provide an answer for all the financial challenges schools face.

Whilst the review was not driven by the need for the local authority to make financial savings, the need to ensure that schools can provide a financially viable, high quality education is very important and was one of the key considerations of the review. Notwithstanding this, there are cost implications for the local authority where schools are experiencing challenges in relation to sustainability. This involves additional activity undertaken by the local authority with regard to advice and guidance to school leaders and governors about restructuring, budgeting and class organisation to support schools in the short term. This type of support cannot be considered a long term strategy and there is a reputational risk to the local authority if appropriate action is not taken in a timely manner which is then required at a future date.

A number of rural schools have, or are predicted to have, significant surplus places (25% or more) and are facing real challenges in terms of their financial viability and their capacity to offer a well-balanced, high quality curriculum. Surplus places impact negatively on all sizes of schools in rural areas because it can lead to a fluctuation in pupil numbers.

Between January and March 2019 the local authority, in conjunction with the Diocese of Chichester, undertook a series of engagement sessions to share with schools data for their area and to hear about the challenges and opportunities schools face now and in the future. Every session was well attended by headteachers and governors, with only one school across the twelve areas not attending.

At each meeting the local authority presented data on pupil numbers, surplus places, pupil distribution, parental preferences, births and housing. The local authority also asked school

colleagues to consider the strengths, challenges, opportunities and threats of being a rural school in their area. Some general themes came out of the analysis such as:

- strengths – centre of the community, caring and nurturing, knowing every family and child, strong links to the church and diocese;
- challenges – fluctuating pupil numbers, budget pressures, school buildings, staff workload (leadership of several subjects);
- opportunities – expansion of existing partnerships / federations, rationalisation of provision – fewer, more viable schools, sharing best practice, amalgamation of schools; and
- threats – high levels of Special Educational Needs pupils, the birth rate, staff and governor recruitment, doing nothing.

In addition to the feedback provided at the meeting, schools were given the opportunity to send written representations following the engagement sessions. Responses were received from 6 schools. In May 2019 the local authority and the Diocese of Chichester visited a small number of schools for more detailed discussions about the challenges facing individual schools. Throughout the review schools were kept informed of progress through a number of Virtual Schoolbag updates during the 2018/19 academic year.

The local authority and the Diocese of Chichester considered feedback from the engagement sessions and from subsequent meetings with schools. A range of options were considered including changing PANs, potential mergers of two or more schools and reconfiguration of infant and junior phases across a number of schools. The local authority and the Diocese of Chichester concluded that in two areas – Heathfield and North Chailey – school closure proposals should be brought forward and this was approved by the Lead Member for Education and Inclusion, Special Educational Needs and Disability on 24 June 2019. For the remaining ten areas no school closures are required either because the total surplus capacity is within tolerable levels, none of the individual schools in the area have significant surplus places or because other actions have been identified that will reduce capacity and / or address viability in an area.

As referred to in section 2.6 above, the local authority undertook a pre-publication consultation on the proposed closure of Fletching between 5 July and 11 October 2019

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

By the end of the consultation period a total of 611 responses had been received, 549 via the consultation hub and 62 by letter or email to the consultation inbox. A number of individuals also emailed elected members and officers separately and in some cases on more than one occasion. Some respondents chose to complete both the online response form and submit an email / letter response. All of the responses to the consultation are available for elected members to view in the Cabinet and Members' rooms.

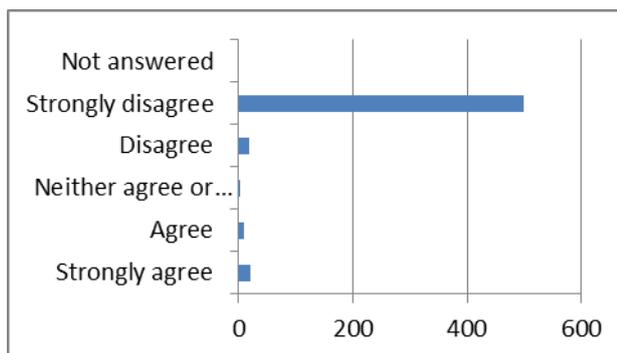
Two responses were received after the consultation closed. These have not been taken into account in the analysis below.

A petition in relation to the proposed closure of Fletching was submitted containing over 3,000 signatures. Signatories include people living locally, in the UK and across the world. The petition is still [open](#).

Feedback was overwhelmingly in support of keeping the school open.

A summary of the 549 consultation hub responses is provided below.

Strongly agree	20	3.6%
Agree	8	1.5%
Neither agree or disagree	3	0.5%
Disagree	18	3.3%
Strongly disagree	500	91.1%
Not answered	0	0.0%
Total	549	

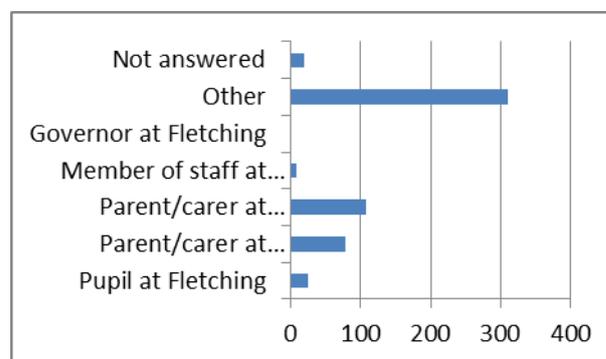


It would appear from the comments received that 11 of the 20 respondents who ticked 'strongly agree', identified in the table above, actually disagree with the proposal and simply ticked the wrong box. This would take the total number of objections to 529 or 96%. It is clear that respondents who chose to email and write letters also object to the proposal.

Respondents who agree that the school should close number 17 or 3% (reduced to take account of those that ticked the wrong box). Those in favour commented that closing the school would help to secure other schools in the local area; that they do not agree with Uckfield parents driving their children to Fletching when there are school places in Uckfield and that children would benefit from a different school, with more pupils and more facilities.

Respondents identified themselves as:

Pupil at Fletching	25	4.6%
Parent/carer at Fletching	79	14.4%
Parent/carer at another school	107	19.5%
Member of staff at Fletching	8	1.5%
Governor at Fletching	0	0.0%
Other	311	56.6%
Not answered	19	3.5%
Total	549	



The majority of respondents classified themselves as 'other'. Although not everyone that ticked 'other' gave details, at least 84 identified as members of the local community. 57 identified as relatives of staff and/or pupils at the school whilst 47 identified as past parents or past pupils of the school. 'Other' respondents also included, but were not limited to, the local MP, Fletching Parish Council, friends of families and staff at Fletching and governors at other schools.

In total, 113 online responses were received from pupils, parents and carers and members of staff at Fletching. It could therefore be said that at least 113 of the 549 respondents would be directly affected by the proposal. In addition, many local residents would argue that they too would be directly impacted as they see the school as the heart of the community.

Although no-one identified themselves as a school governor through the online response form the local authority did receive individual responses from governors via email. The governing board also submitted a response via email.

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?

The overall population in East Sussex has grown steadily in the last 10 years, rising from 519,197 in 2008 to 554,590 in 2018. In Wealden District the population has grown from 146,539 to 160,175 in the same period.

Population change (all ages) between 2001 and 2018

Year	Population 2008	Population 2018	Change	% change
East Sussex	519,197	554,590	+35,393	6.8%
Wealden District	146,539	160,175	+13,636	9.3%

Source: ONS Mid-year estimates 2018, East Sussex in Figures (ESiF)

By 2032 the population in East Sussex is projected to increase by 10% and by 18.6% in Wealden District.

Population projections (all ages) from 2017 to 2032

Year	Population 2017	Population 2032	Change 2018-2032	% change 2018-2032
East Sussex	552,259	607,473	+55,214	10.0%
Wealden District	158,941	188,473	+29,532	18.6%

Source: Population projections (dwelling led) 2017-2032 – districts, April 2019, ESiF

The picture for East Sussex as a whole is of an ageing county. The proportion of the population aged 65 and over is forecast to rise from 25.4% in 2017 to 32.1% in 2032. At the same time the proportion of 0-10 year olds in the county is projected to fall from 11.7% in 2017 to 10.4% in 2032. In Wealden District the proportion of 0-10 year olds is projected to fall from 11.5% in 2017 to 10.8% in 2032.

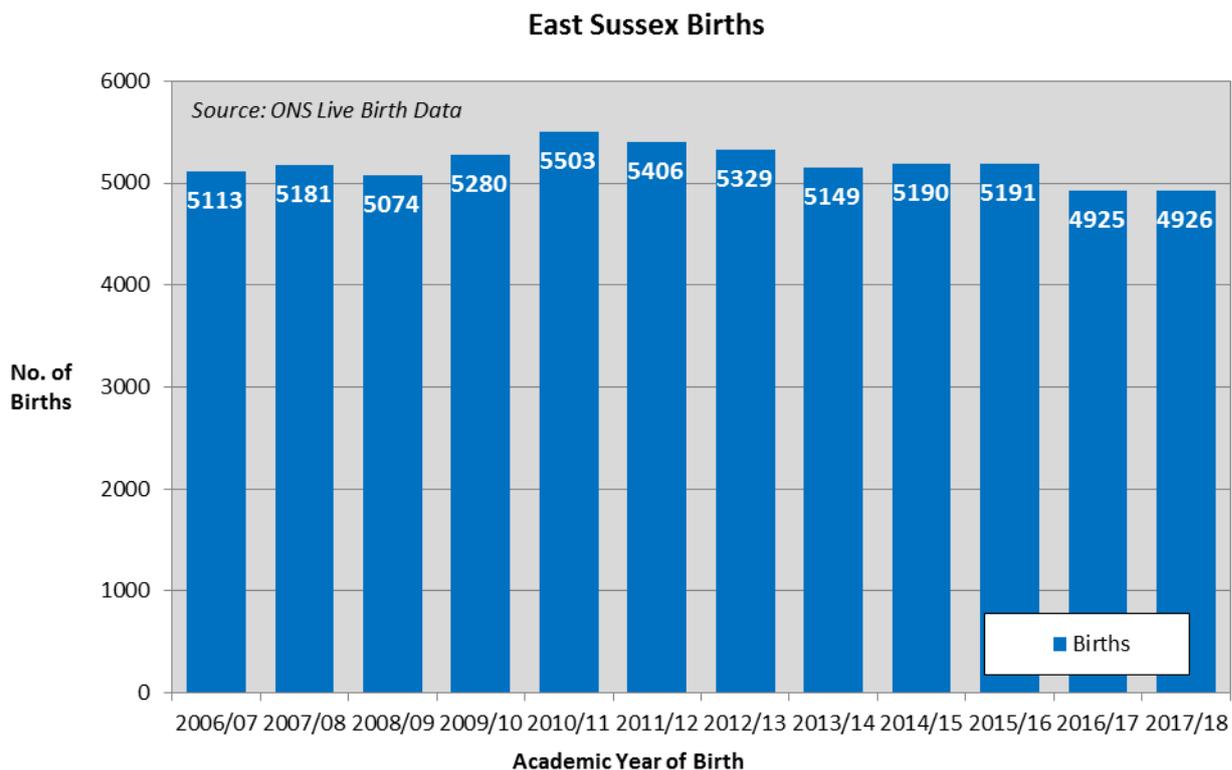
Population projections by age group 2017-2032

Age group	East Sussex				Wealden District			
	2017	Proportion	2032	Proportion	2017	Proportion	2032	Proportion
0-10	64,695	11.7%	63,302	10.4%	18,271	11.5%	20,418	10.8%
11-17	41,350	7.5%	45,243	7.5%	12,437	7.8%	14,166	7.5%
18-64	305,744	55.4%	303,659	50%	87,229	54.9%	93,418	49.6%
65+	140,470	25.4%	195,269	32.1%	41,004	25.8%	60,471	32.1%
Totals	552,259	100%	607,473	100%	158,941	100%	188,473	100%

Source: Population projections (dwelling led) 2017-2032 – districts, April 2019, ESiF

This reflects that the birth rate in East Sussex, in line with national trends, has fallen since 2010/11 as illustrated in the chart below.

East Sussex births

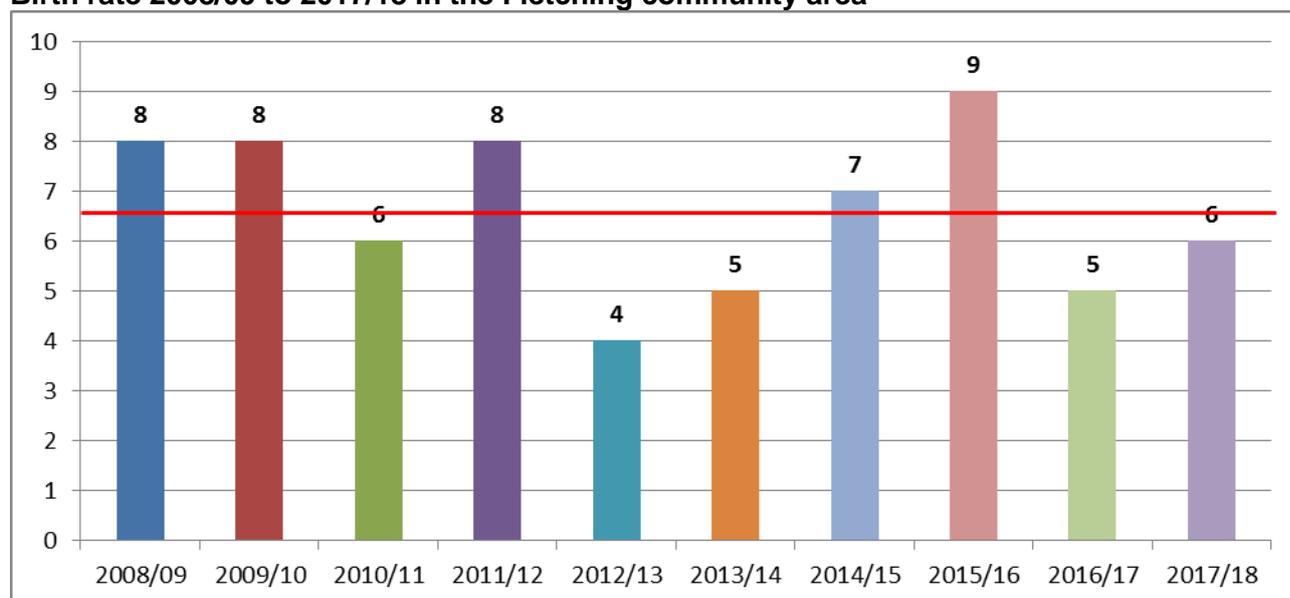


At the May 2019 school census 38,637 pupils were educated in 151 state-funded primary schools (including all-through schools) in East Sussex. In Wealden District 10,600 pupils attended 54 state-funded primary schools.

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

Over the last 10 years births in the Fletching community area have averaged less than seven a year, with a high of nine and a low of four, as illustrated below.

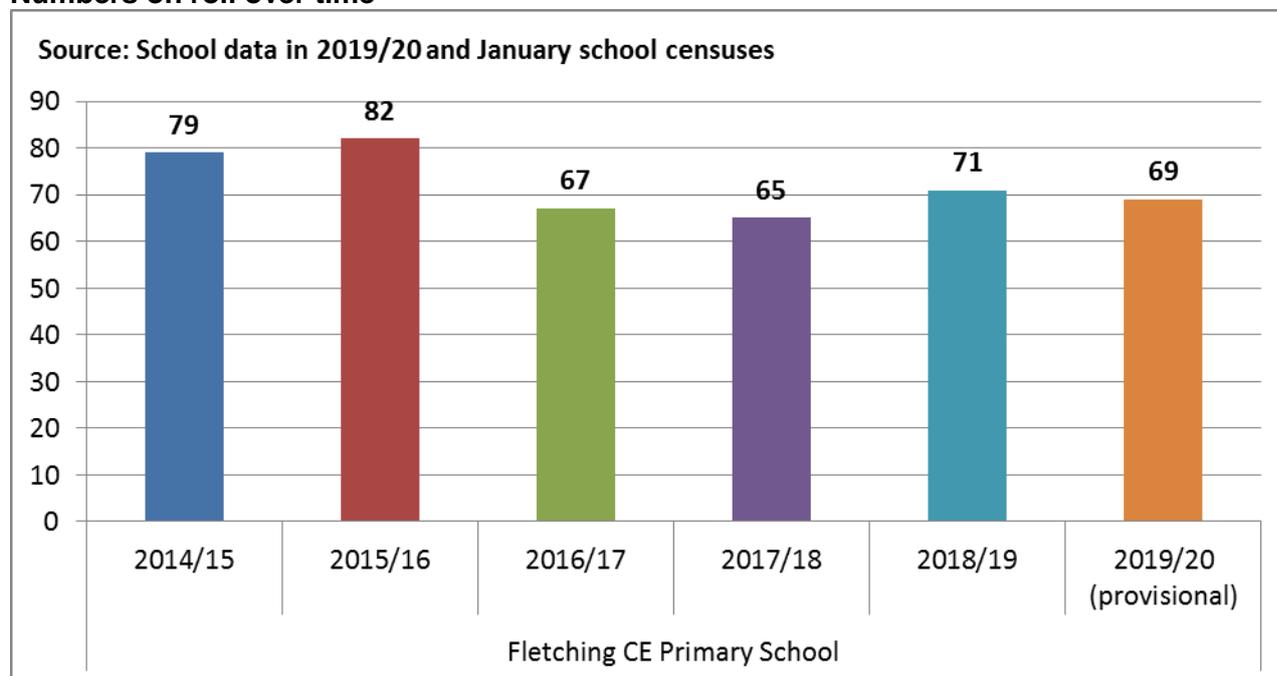
Birth rate 2008/09 to 2017/18 in the Fletching community area



In May 2019 there were 40 children living in the Fletching community area attending state funded schools in East Sussex. Of these, 26 (65%) attended Fletching.

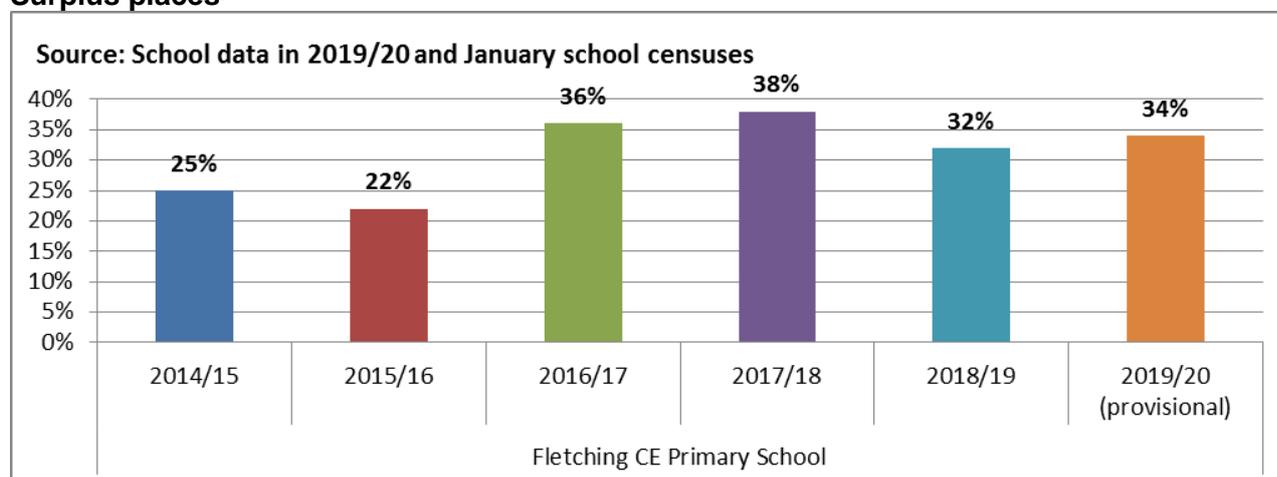
Pupil numbers at the school have been significantly below capacity for a number of years (records going back to 2008/09 show the school has not been at capacity in that time). From the school's pupil number return in November 2019 there are 69 pupils currently on roll against its capacity of 105.

Numbers on roll over time



Falling pupil numbers lead to increasing surplus places; the current surplus at the school is 34% (36 places).

Surplus places



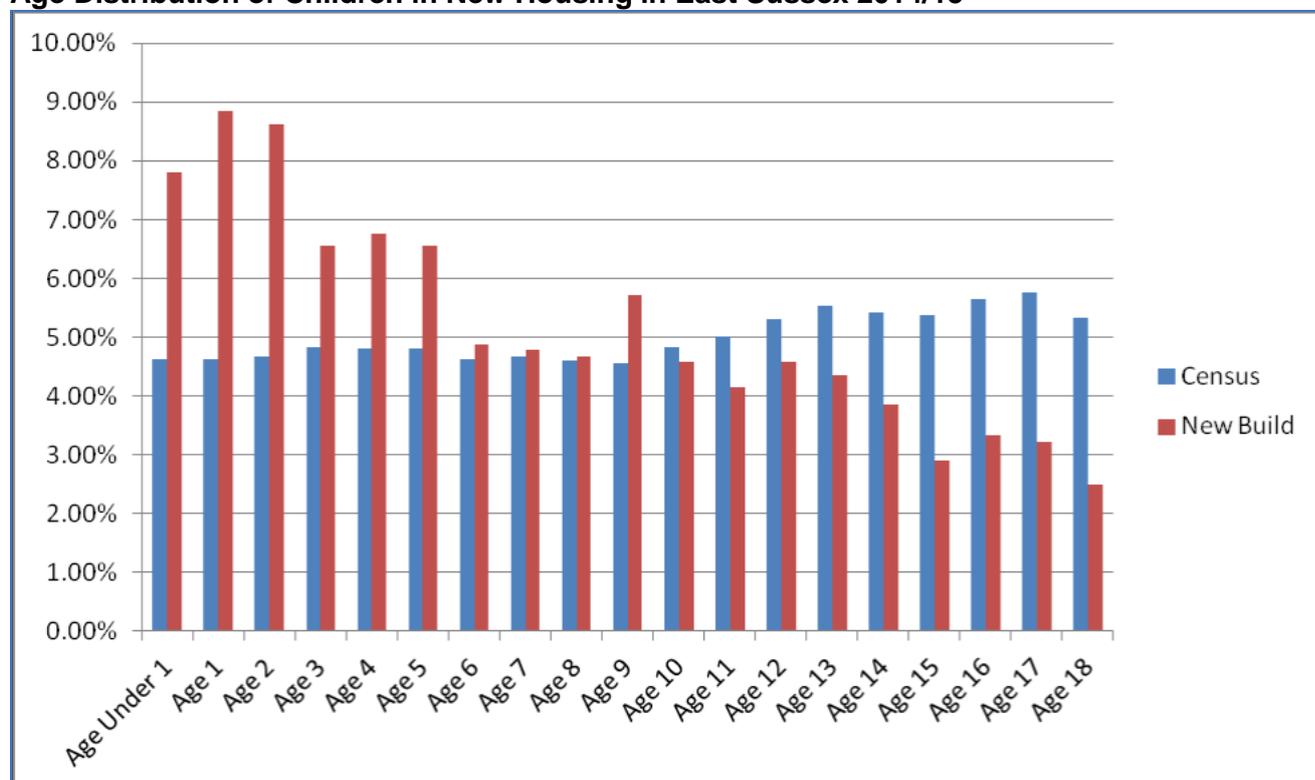
Respondents also referenced housing developments in Scaynes Hill (55 homes) and Newick (68 homes) in addition to the significant development in Uckfield which could put pressure on places in the area. Taking information from the School Organisation Plan 2019-2023 about the predicted number of spare places in Uckfield and using the local authority's published pupil yields from new homes, respondents have concluded that a total of at least 263 new primary school pupils will be living in the area immediately surrounding Fletching with insufficient capacity to accommodate everyone by 2022/23.

The local authority's published yields from new housing for primary schools are as follows.

- Houses = 0.25 pupils per dwelling
- Flats of 2 bedrooms or more = 0.0375 pupils per dwelling
- 1 bed houses/flats = 0 pupils per dwelling

Housing trajectory data from Wealden District Council suggests that development in Uckfield will take another eight years to build out. Even if all the dwellings built were houses and there were 263 additional children generated from new homes in the area it will be some years before all of the children materialise. This is evidenced in the chart below which shows the results of a recent countywide survey of children in new housing development. Households surveyed had been resident in new housing development for up to six years. When this is taken into account it is clear that many of the children living in new housing developments are born after households move in. This indicates that there is a time lag between new homes being occupied, children being born and the subsequent demand for primary school places. Many of the children arising from new housing built in the wider area from 2019/20 to 2022/23 are unlikely to actually impact on primary school pupil numbers until at least the middle of the next decade.

Age Distribution of Children in New Housing in East Sussex 2014/15



Source: Cognisant Pupil Yield Survey for East Sussex County Council 2014/15; ONS, Age by Single Year, Census 2011

Very few of the children arising from new housing in the area are expected to be in homes built in Fletching Parish. The housing will be in school admissions areas served by other schools. The majority of the housing planned will be in Uckfield.

As can be seen from the 2019/20 pupil number analysis in the Lead Member report, there are 249 surplus places across 15 schools in the wider area. From 2019/20 to 2022/23, with increases in PANs at Buxted CE Primary School and Danehill CE Primary School and incoming Reception cohorts being lower than the Year 6 cohorts they are replacing, the local authority is forecasting that, even after allowing for those additional pupils from new housing in the area who will more immediately require a primary school place, there will be sufficient places to meet demand.

Should primary school places be required to accommodate children arising from new housing in the wider area over the longer term of the Wealden and Lewes District Local Plan periods, it is appropriate to provide those places closer to where the new housing is being built. The local authority has an option agreement on land for a new school within the Ridgewood Farm development site in the South West of Uckfield (1,000 homes) and will bring forward proposals to create provision to serve the development at the appropriate time.

For clarification, new housing in Newick was included in the North Chailey area review but excluded from the consultation as it is served by Newick CE Primary School rather than Fletching. New housing in Scaynes Hill was not included in the area review and is not considered a material factor in the Fletching closure proposal as it is out of county and the responsibility for school places in that area lies with West Sussex County Council (WSCC). Data tells us that there are fewer than five children attending Fletching who live in Scaynes Hill. WSCC has not raised Scaynes Hill as an area of concern for them through the regular place planning meetings the local authority has with its neighbouring authorities.

381 (69.4%) of the 549 respondents to the consultation chose to answer the question 'How old are you?' 32.6% preferred not to say or did not answer the question. The breakdown of ages was as follows:

Age group	Total
0-10	4.2%
11-17	2.0%
18-64	53.6%
65+	9.7%

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?

Pupils currently in Reception to Year 5 at Fletching, and their families, would be most affected by the proposal as they would have to access alternative primary schools in the surrounding area in the event that Fletching closed.

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

The proposal would impact on the 55 pupils currently on roll in Reception to Year 5. The Year 6 cohort will move on to secondary education at the end of the current academic year and so will not be affected by the closure, in terms of their school place.

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

All local authorities have a statutory duty to ensure there are sufficient school places to meet demand. In line with this duty every pupil at Fletching would be offered a place at an alternative school, many of which are likely to be closer to their home address. Therefore no pupils would be disadvantaged in their education because of their age.

f) Provide details of the mitigation.

The local authority would take all practicable steps to ease the transition for all pupils, most especially for vulnerable groups such as those with an Education, Health and Care Plan (EHCP) or those identified as needing SEN support. The local authority would work with receiving schools to arrange transition days for pupils to familiarise themselves with their new environments.

In addition to the mitigations outlined above, the receiving schools would be asked to identify buddies for the incoming pupils to help further ease transition by ensuring there is a familiar face and an introduction to new friendship groups.

The majority of pupils currently attending Fletching are from out of the area, while a number of children living in the village travel to other schools. The majority of pupils therefore already face journeys to and from school each day. Latest analysis shows that of the 55 Reception to Year 5 pupils likely to be affected by the proposal, approximately 68% live nearer to an alternative school, with approximately 32% living further away. Should the school close the likely impact on traffic and the environment might potentially be reduced if displaced pupils attend schools nearer to their home address. The local authority acknowledges that some pupils living in Fletching and attending the school might face longer journeys to and from an alternative school each day and that this might increase car usage for these families. For families that live outside of the Fletching community area it is envisaged that displaced pupils would continue to be transported to and from school under arrangements made by their parents and carers. It is hoped that for these families car usage might reduce. The local authority currently estimates that five pupils might be eligible for free transport to their nearest alternative school, although it is recognised that this figure might change if pupils are unable to access a place at their nearest alternative school.

g) How will any mitigation measures be monitored?

The local authority regularly reviews its pupil forecasts to ensure there are sufficient school places to meet demand and if necessary takes action to address any shortfalls in places in line with its statutory responsibilities.

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

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

Disability projections published on East Sussex in Figures (ESiF) in May 2019 put the total number of people with a disability in East Sussex at 101,101 and in the Wealden District at 26,112.

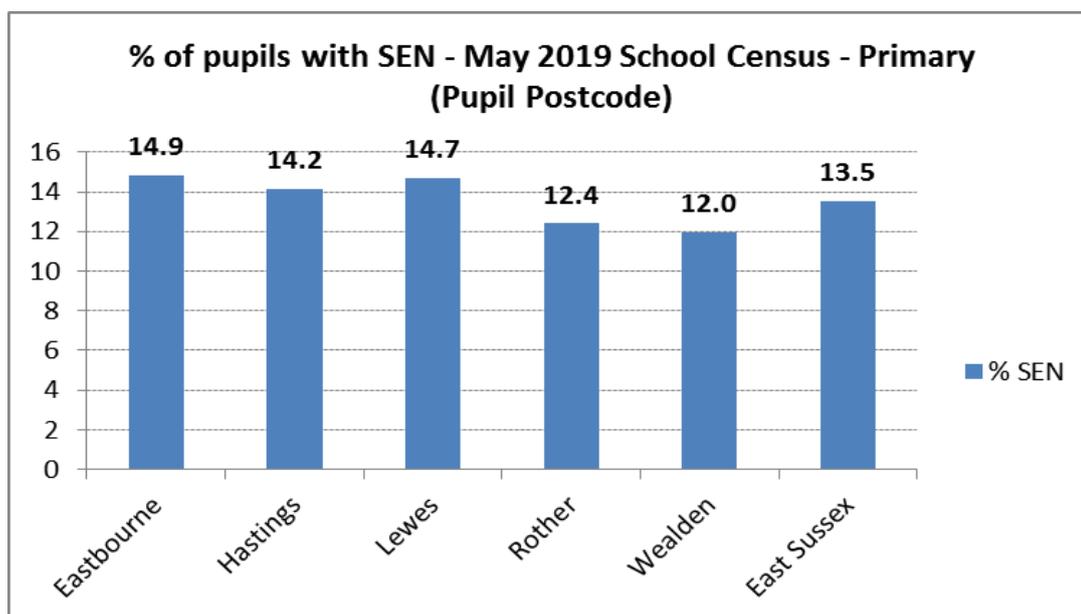
Dataset: Disability projections (dwelling-led), 2017-2032 - districts

ESCC Projections May 2019

Geography: Mixed Year Age group: All ages Category: Overall disability Measure: Number of people with disability

Year	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
East Sussex	98,608	99,800	101,101	102,766	104,874	107,010	109,158	111,194	113,369	115,459	117,684	120,015	122,422	124,788	127,219	130,210
Eastbourne	19,414	19,588	19,802	20,053	20,388	20,708	21,058	21,370	21,683	22,001	22,352	22,711	23,104	23,485	23,892	24,396
Hastings	17,419	17,601	17,800	18,030	18,310	18,580	18,878	19,136	19,403	19,665	19,957	20,256	20,582	20,911	21,224	21,594
Lewes	17,578	17,852	18,090	18,402	18,770	19,158	19,559	19,923	20,285	20,596	20,932	21,312	21,683	22,050	22,454	22,968
Rother	18,904	19,083	19,297	19,595	20,006	20,372	20,690	21,024	21,453	21,886	22,318	22,815	23,260	23,687	24,140	24,721
Wealden	25,293	25,676	26,112	26,686	27,400	28,193	28,973	29,741	30,546	31,311	32,124	32,920	33,793	34,654	35,508	36,531

At the May 2019 school census there were 9,116 pupils (13.5%) recorded as having Special Educational Needs (SEN) being educated in state funded schools in East Sussex (of which 155 reside outside of East Sussex). The number in the Wealden District was 2,145, or 12% of the school age population.



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

SEN data for Fletching from the last academic year showed that the percentage of SEN pupils at the school was 27.8% (20 out of 72). Unless a child has an EHCP, the determination of whether a child has SEN is down to individual schools in consultation with parents and the threshold varies between establishments. However, the percentage at Fletching is significantly higher than for East Sussex as a whole and for other Wealden schools.

Source May 2019 school census

Fewer than five children on roll at Fletching have an EHCP.

5.5% of respondents to the consultation said 'Yes' to the question 'Do you consider yourself to be disabled as set out in the Equality Act 2010?'. 81.6% said 'No' while 12.9% preferred not to say or did not answer the question.

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 impact on pupils, particularly those with special educational needs (SEN), is a concern for a significant number of respondents. They question the ability of other schools to provide for pupils with additional needs, referencing what they perceive to be the ability of Fletching to understand and accommodate all pupils' needs. There is anxiety amongst parents that other schools would not be able to replicate the SEN offer at Fletching and that some of the pupils now at Fletching have been at other schools in the area where they were not successful.

Chapter 6 of the SEND Code of Practice explains the action that mainstream schools should take to meet their duties in relation to identifying and supporting all pupils with SEN whether or not they have an Education, Health and Care (EHC) plan. Chapters 6.36 to 6.39 of the code state:

'Teachers are responsible and accountable for the progress and development of the pupils in their class, including where pupils access support from teaching assistants or specialist staff.

High quality teaching, differentiated for individual pupils, is the first step in responding to pupils who have or may have SEN. Additional intervention and support cannot compensate for a lack of good quality teaching. Schools should regularly and carefully review the quality of teaching for all pupils, including those at risk of underachievement. This includes reviewing and, where necessary, improving, teachers' understanding of strategies to identify and support vulnerable pupils and their knowledge of the SEN most frequently encountered.

In deciding whether to make special educational provision, the teacher and SENCO should consider all of the information gathered from within the school about the pupil's progress, alongside national data and expectations of progress. This should include high quality and accurate formative assessment, using effective tools and early assessment materials. For higher levels of need, schools should have arrangements in place to draw on more specialised assessments from external agencies and professionals.

This information gathering should include an early discussion with the pupil and their parents. These early discussions with parents should be structured in such a way that they develop a good understanding of the pupil's areas of strength and difficulty, the parents' concerns, the agreed outcomes sought for the child and the next steps'.

The determination of whether a child has SEN is down to individual schools in consultation with parents and the threshold varies between establishments. All schools have the same duties under the Equalities Act 2010 and the Children and Families Act 2014 to identify and provide for children with SEN and, unless there are specific provisions named in a statutory plan which would make admission incompatible with the requirement for reasonable adjustments, it is a legal requirement for all schools to comply. As barriers to learning, that a pupil with SEN might experience, change over time, the local authority would expect provision to adapt and change accordingly and, therefore, the requirements of an individual at any given time are not reflective of those in the future. In some cases, children may cease to be identified as having SEN if appropriate adjustments are put in place to enable them to overcome barriers and to make progress in line with their peers.

Attainment for SEN pupils is difficult to compare across schools due to the very small cohorts. As would be expected for this cohort, at Fletching and all the alternative schools, some SEN pupils attain at the expected standard and some do not.

Many respondents have also referred to the impact of the school closure on the mental health and wellbeing of pupils, parents and carers, staff and the wider local community. Local authority support is available to schools, children and families for mental health and emotional wellbeing as set out in Appendix 4 of the Lead Member report.

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

If Fletching were to close, the local authority is confident that teaching staff at other schools would manage the transition of any pupils to their new school by working with parent/carers and staff at Fletching to identify the strengths and interests of the pupils. This information would then be used to inform curriculum planning and create a sense of belonging through displays in the environment, ensuring that the pupils build relationships with staff and pupils in the new school as quickly as possible. Staff in the new school would also talk to parent and carers and staff at Fletching to ensure they were aware of any additional needs or anxieties the pupil may have, so these could be well supported. This could be through an additional 'taster' visit to the new classroom, allocating a peer as a 'buddy', allocating a named adult that would greet the pupil every morning and check in on them during the day or creating a photobook of the classroom and key staff for the pupil to keep at home. These circumstances are not unusual in that schools regularly manage in-year admissions, though it is recognised that there will be a significant number of pupils making the transition at any one time, including a number of pupils with SEN. Therefore additional support will be in put in place for the transition arrangements.

The local authority would take all practicable steps to ease the transition for pupils, most especially for vulnerable learners and those with SEN including working with Fletching to identify any pupils who may require additional support from ISEND specialist practitioners prior to and following the change. For example, the Communication Learning Autism Support Service (CLASS) would provide individual or small group sessions to reduce anxiety for any pupils with Autism who require it and the Education Support Behaviour and Attendance Service (ESBAS) would provide individual or small group sessions on managing strong feelings and/or building new friendships for pupils with mental health or wellbeing needs who are identified as needing that additional support. This package of support around individual pupils would be provided free of charge to Fletching and the next school. The majority of pupils, including those with SEND, will be able to manage the change successfully without additional support from ISEND services, through well-planned preparation and transition activities involving staff at Fletching and the pupil's next school.

e) Provide details of any mitigation.

Fletching is a mainstream school. All mainstream schools are required to meet the individual needs of all their pupils including those with SEN and disability, as set out in the SEND Code of Practice and the East Sussex Quality Mark for Inclusion (ESQMI). All schools in the area want all children to thrive and have access to a range of support to help with their needs. This would be the case for children moving from Fletching and all schools would be expected to provide the same level of care as that provided at Fletching.

The local authority would work with pupils, their parents and the relevant schools to make appropriate transition arrangements for pupils. Relevant families would be consulted about any specific potential impacts on individuals; for instance, because of loss of support networks or the need to replicate reasonable adjustments made to accommodate children with a disability, and the local authority would ensure that appropriate individual arrangements are made where this is necessary to avoid potential adverse impacts. Transfer to a larger school could potentially provide more flexibility of resource to support pupil's special educational needs.

f) How will any mitigation measures be monitored?

The local authority would closely monitor the transition of the pupils to their new schools through regular monitoring arrangements already in place. All schools have to report on the outcomes of

all pupils, including those with SEN. The local authority would continue to monitor regularly the outcomes at all schools for these pupils.

4.3 Ethnicity: Testing of disproportionate, negative, neutral or positive impact.

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

Ethnicity

85.2% of pupils in East Sussex (84.9% in primary schools), according to the January 2019 school census, are of White British Heritage (WBRI). 13.5% of pupils in East Sussex are Black and Minority Ethnic (BME) (14.2% in primary schools).

In Wealden district 90.2% of pupils are WBRI (90.4% in primary schools); 8.8% are BME (9.2% in primary schools).

English as an Additional Language (EAL)

The proportion of pupils with EAL in East Sussex, according to the May 2019 school census is 5.9% (6.8% in primary). In Wealden District the figure is 2.5% (2.7% in primary schools).

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

Ethnicity

90.1% of pupils who attend Fletching according to the January 2019 school census, are WBRI, 8.5% are BME.

82.2% of respondents to the consultation who chose to answer the question 'To which of these ethnic groups do you feel you belong?' identified themselves as WBRI with 5.1% as BME. 12.8% preferred not to say or did not answer the question.

EAL

No pupils currently on roll at Fletching have EAL.

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?

Pupils currently in Reception to Year 5 at Fletching, and their families, would be affected by the proposal regardless of ethnicity as all would have to access alternative primary schools in the local area.

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?

According to the May 2019 school census, 51.5% of pupils in East Sussex (51% in primary schools) are male and 48.5% (49% in primary schools) are female.

51.5% of pupils in Wealden District (51.4% in primary schools) are male and 48.5% (48.6% in primary schools) are female.

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

According to the May 2019 School Census, the percentage of pupils attending Fletching who are male is 38.9% and female 61.1%.

24% of the respondents to the consultation who chose to answer the question 'Are you ...?' identified as male with 67% identifying as female. 8.9% preferred not to say or did not answer the question.

No respondents identified as a transgender or a trans person.

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?

Although there are proportionally a larger number of females in the school population, all pupils currently in Reception to Year 5 at Fletching, and their families, would be affected by the proposal regardless of gender as all would have to access alternative primary schools in the local area.

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

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

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

The local authority does not consider marital status/civil partnership characteristics to be relevant to the proposal.

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

N/A

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.

The local authority does not consider pregnancy and maternity characteristics to be relevant to the proposal.

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

N/A

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?

In the 2011 Census, 59.9% of the population of East Sussex identified as Christian. 29.6% stated they had no religion. 0.8% identified as Muslim, 0.4% as Buddhist, 0.3% as Hindu, 0.2% as Jewish and 0% as Sikh.

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

In the 2011 Census, 64% of the population of Wealden identified as Christian. 26.3% stated they had no religion. 0.4% identified as Muslim, 0.3% as Buddhist, 0.1% as Hindu, 0.2% as Jewish and 0% as Sikh.

50.6% of respondents to the consultation who chose to answer the question 'Do you regard yourself as belonging to any particular religion or belief?' regarded themselves as belonging to a particular religion or belief. 31.3% stated they had no religion. 18% preferred not to say or did not answer the question.

51.5% of respondents identified as Christian, less than 1% as Buddhist, less than 1% as Sikh and 1.1% as other.

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?

Currently 64% of school places in North Chailey and the surrounding area including Uckfield are faith based and 36% are non-denominational. If Fletching closes this would change to 62.5% faith based and 37.5% non-denominational. All non-denominational state funded schools in England have to provide a collective worship of '*a broadly Christian character*'.

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.

The local authority does not consider sexual orientation to be relevant to the proposal.

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

N/A

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: Deprivation

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

Reflecting that Wealden is one of the 20% least deprived districts in England, 9.7% of children in the District are living in poverty. This is significantly lower than the proportion for East Sussex as a whole, 16.1% (source: 2019 Indices of Deprivation).

Pupil Premium funding is given to schools to address any inequalities and target effective in-school support. Pupil Premium funding is given based upon the number of pupils from low-income families who are currently known to be eligible for free school meals or have been eligible over the last six years (Ever6FSM). Also pupils who are/have been looked after by the local authority.

According to the January 2019 school census, 23.1% of pupils in East Sussex (21.5% in primary schools) are Ever6FSM. 14.9% of pupils in Wealden District (13.4% in primary schools) are Ever6FSM.

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

8.5% of pupils attending Fletching are Ever6FSM which is significantly lower than the East Sussex and Wealden averages.

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?

Pupil Premium funding is attached to the pupil and so the additional funding would be available to any new school that the pupil attends. Therefore, it is not considered that a change of school would have a disproportionate impact on these pupils

Attainment for FSM pupils is difficult to compare across schools due to the very small cohorts. As would be expected for this cohort, at Fletching and all the alternative schools, some FSM pupils attain at the expected standard and some do not.

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

Families of pupils eligible for pupil premium may be disproportionately affected by additional costs for travel or a new uniform.

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

Free transport would be provided to eligible pupils.

There is no uniform grant from the local authority, however, many schools make special arrangements for pupils entitled to Free School Meals and many schools sell second hand uniforms at low prices.

f) Provide details of the mitigation.

The local authority and affected schools have a duty to support appropriate transition arrangements and the local authority would take all practicable steps to ease the transition for pupils, most especially for vulnerable learners, including those who are Ever6FSM. Should Fletching close the local authority is confident that teaching staff at other schools would manage

the transition of any pupils to their new school. These circumstances are not unusual in that schools regularly manage in-year admissions, though it is recognised that there will be a significant number of pupils making the transition at any one time, including a number of pupils from the Ever6FSM cohort. Therefore additional support would be in place for the transition arrangements as detailed below.

Should the proposal be implemented the local authority would work with pupils, their parents and the relevant schools to make appropriate transition arrangements for pupils. Relevant families would be consulted about any specific potential impacts on individuals; for instance, because of a loss of support networks and the local authority would ensure that appropriate individual arrangements are made where this is necessary to avoid potential adverse impacts.

All schools have a duty to ensure appropriate provision for pupils who are Ever6FSM and schools receive specific funding (the pupil premium) to support these pupils. Transfer to a larger school could potentially provide more flexibility of resource to support pupil's needs.

g) How will any mitigation measures be monitored?

The local authority would closely monitor the transition of pupils to their new schools through regular monitoring arrangements already in place.

All schools have to report on the outcomes of all pupils, including those who are Ever6FSM. The local authority would continue to monitor the outcomes at all schools for these pupils.

4.10 Other: Community Impact

See separate document for the Community Impact Assessment.

4.11 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.**

The local authority considers the proposal to be a proportionate and positive response to the issues that have arisen regarding Fletching. It considers that all pupils impacted by the proposal, should it proceed, would be enabled to receive a good quality of education. The local authority does not consider that the proposal potentially interferes with a human right.

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

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.	<p>The consultation responses overwhelmingly object to the proposed closure; there is a clear strength of feeling that the impact on current pupils and the local community would be significant. Substantial fundraising has been undertaken by the community which largely addresses the school's predicated budget deficit in 2019/20 and 2020/21. Pupil numbers at the school have largely been maintained despite the consultation, governors believe that pupil numbers will begin to increase in the coming years as a result of house building in the area, notably in Uckfield.</p> <p>Nonetheless, the local authority remains of the view that the school continues to be vulnerable, its budget deficit has only been addressed on a short-term basis through one-off funding and concern remains about the lack of any ongoing committed funding to support the school beyond next financial year. Current forecasts for the school do not suggest it will attract many more pupils from out of area than it has in the past. In-area demand for places remains low.</p> <p>Despite this unpromising outlook and taking account of the improved short term budget position, the fact that pupil numbers at the school have largely been maintained and the Diocese of Chichester's position, the local authority recommends that the consultation on closure is halted and the school remains open.</p>
	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.	
	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.	

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?

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/girls.

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

This would be subject to the decision at the Lead Member meeting on 23 December 2019.

Date completed:	November 2019	Signed by (person completing)	Gary Langford
		Role of person completing	Place Planning Manager
Date:	November 2019	Signed by (Manager)	Fiona Wright, Assistant Director Education and Inclusion, Special Educational Needs and Disability

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)