

1. Introduction

1.1 Purpose of Equality Analysis

The council has an important role in creating a fair society through the services we provide, the people we employ and the money we spend. Equality is integral to everything the council does. We are committed to making Croydon a stronger, fairer borough where no community or individual is held back.

Undertaking an Equality Analysis helps to determine whether a proposed change will have a positive, negative, or no impact on groups that share a protected characteristic. Conclusions drawn from Equality Analyses helps us to better understand the needs of all our communities, enable us to target services and budgets more effectively and also helps us to comply with the Equality Act 2010.

An equality analysis must be completed as early as possible during the planning stages of any proposed change to ensure information gained from the process is incorporated in any decisions made.

In practice, the term '**proposed change**' broadly covers the following:-

- Policies, strategies and plans;
- Projects and programmes;
- Commissioning (including re-commissioning and de-commissioning);
- Service review;
- Budget allocation/analysis;
- Staff restructures (including outsourcing);
- Business transformation programmes;
- Organisational change programmes;
- Processes (for example thresholds, eligibility, entitlements, and access criteria).

2. Proposed change

Directorate	Children, Families and Education
Title of proposed change	Education Estates Strategy / School Admission Arrangements
Name of Officer carrying out Equality Analysis	Denise Bushay

2.1 Purpose of proposed change (see 1.1 above for examples of proposed changes)

Briefly summarise the proposed change and why it is being considered. Please also state if it is an amendment to an existing arrangement or a new proposal.

The proposed Education Estates Strategy will ensure that the Council is compliant with its statutory requirements relating to school place sufficiency duties across three stages of education: early years, primary, and secondary. The Strategy includes:

School Place Planning - Early Years; Alternative Provision / Pupil Referral Unit (PRU); Special Educational Needs and Disability (SEND);

School Admissions - proposed Admission Arrangements for Croydon's community schools for the 2020/21 academic year and adoption of the proposed Pan London co-ordination arrangements;

School Maintenance and Compliance - proposed Schools' Maintenance Plan for 2019/20 and 2020/21 including asbestos management; and fire safety works in Croydon community schools.

All of the proposed changes are amendments to existing arrangements.

The Strategy is submitted/approved by Cabinet, and full Council in relation to Admission Arrangements on an annual basis. An update report is submitted to Cabinet in July.

School Place Planning

In accordance with the Education and Inspections Act 2006, the Council has a statutory duty to "secure that sufficient schools for providing— (a) primary education, and (b) [secondary] education are available for their area" as well as to "secure diversity and increase opportunities for parental choice when planning the provision of school places" in the borough. The strategy aims to ensure that there are sufficient and suitable school places available for all of Croydon's children; admission arrangements and policies are fair and lawful; the education estate is maintained to a good standard and comply with our duties under equalities and health and safety legislation and compliance with statutory safety legislation and mandatory fire safety requirements.

Early Years

Local authorities are required by legislation - Childcare Act 2006 and Children and Families Act 2014 - to secure early education places for three and four year olds, as well as disadvantaged two year olds Early Years, until the child reaches compulsory school age. Croydon has a wide range of provision offering funded places ranging from day nursery, preschool; schools with nursery places and funded childminders. Cabinet has been asked to note the information contained in the Education Estates Strategy report – there are no proposed changes.

Alternative Provision / Pupil Referral Unit (PRU)

Under Section 19 of the Education Act 1996 Local Authorities have a statutory duty to arrange suitable education for permanently excluded pupils, and for

pupils who – because of illness or other reasons – would not receive suitable education without such provision. Education outside of school, when it is arranged by Local Authorities or schools is called alternative provision. The Springboard Tuition Service provides 1:1 and small group tuition for pupils of statutory school age who unable to access mainstream education. The re-location of the Service will enable the PRU for primary age pupils to increase their admission numbers. The relocation of Springboard will also enable Saffron Valley Collegiate to reduce their number of sites from five to four. Careful planning and management, including transitional arrangements/mitigation have been considered to ensure no one is disadvantaged by the re-location. The implications of this re-location have been assessed and no adverse impact identified barring that it could increase pupils travel time depending on where they live in the borough although the new location is very accessible via bus and tram.

Special Educational Needs and Disability (SEND)

Nationally and in Croydon, about 97% of children are educated in the state-funded school system without the need for help or support beyond that which a mainstream school can provide. Of these children between 11-12% need some additional support at some stage to address a learning need for varying periods of time. The Council as an education authority has specific duties in relation to provision of education for children with special educational needs (SEN). The main duties include: to identify whether a child for whom they are responsible has SEN; and to assess a child who in their opinion has SEN. If the assessment shows that it is necessary, to make an EHC Plan: determining the child's needs and the educational provision required and to ensure the specific provision set out in the Plan is provided. The proposed strategy / changes, including extension of the age range for Red Gates School will contribute to improving outcomes and life chances for all children and young people with Special Educational Needs and/or Disabilities. Consultation has been undertaken on proposal to extend the age range of Red Gates Special School to provide specialist education for children with learning difficulties from 2 years old, supporting the Local Authority in meeting duties to provide a 2 year old and 3 and 4 year old offer.

School Admissions

In line with the Schools Admission Code, 2014, Admission Authorities, including Local Authorities are responsible for ensuring that admission arrangements are compliant with the School Admissions Code. This includes consulting on proposed changes to admission arrangements annually and at least every 7 years where there have been no changes. In addition, Admission Authorities are required to determine their admission arrangements on an annual basis. Consultation was undertaken on proposed changes to the admission arrangements for community schools for the 2020/21 academic year are as follows:

- 1 **Acceptance of first preference offers as part of the coordinated admission arrangements.** The proposed change would mean that if a parent/carer has been offered their first preference school, the place would no longer be automatically recorded as accepted by this local authority.
- 2 **Pan-London primary and secondary coordinated admissions schemes and post offer process (main rounds of admissions).** The proposed change will speed up the process of reallocating places that become available following National Offer Day by ensuring that schools' waiting lists are made up of genuine applicants.
- 3 **The processing of overseas applications for admission to school within the normal admissions rounds (excluding Crown servants).** In order to achieve commonality with all coordinating boroughs.
- 4 **The definition of the medical criterion (community schools admission arrangements).** The proposed change will make it clearer for parents/carers who wish their child to be considered for a place under the exceptional medical criteria.

School Maintenance

The Council is the employer for community schools, community special schools, maintained nursery schools and pupil referral units and is responsible for larger condition and maintenance works. It has a duty to ensure that appropriate arrangements are in place to monitor and review any preventative and

protective measures that have been implemented. The programme of works / maintenance plan will ensure that schools are properly maintained and remain open and supports educational performance and the health & safety of pupils, staff and school community.

3. Impact of the proposed change

Important Note: It is necessary to determine how each of the protected groups could be impacted by the proposed change. If there is insufficient information or evidence to reach a decision you will need to gather appropriate quantitative and qualitative information from a range of sources e.g. Croydon Observatory a useful source of information such as Borough Strategies and Plans, Borough and Ward Profiles, Joint Strategic Health Needs Assessments <http://www.croydonobservatory.org/> Other sources include performance monitoring reports, complaints, survey data, audit reports, inspection reports, national research and feedback gained through engagement with service users, voluntary and community organisations and contractors.

3.1 Additional information needed to determine impact of proposed change

Table 1 – Additional information needed to determine impact of proposed change

If you need to undertake further research and data gathering to help determine the likely impact of the proposed change, outline the information needed in this table.		
Additional information needed	Information source	Date for completion
<p>Proposed changes relating to admission arrangements. Consultation took place between 17 October 2018 and 05 December 2018, for six weeks in line with statutory requirement. Stakeholders were asked whether they support/do not support the proposed changes; if / how they are impacted by the proposed changes; and what can be done to address any impacts they mentioned. To meet the requirements of the Public Sector Equality Duty / Equality Act 2010, as part of the consultation, we also included a diversity and equality questionnaire and welcomed respondents from a broad range of people and families reflective of our community, including those with protective characteristics.</p> <p>Croydon has a diverse range of educational provision, as outlined below: A total of 88 primary schools, of which:</p> <ul style="list-style-type: none"> • 29 are maintained / Community schools • 59 are non-maintained: 46 Academies, 2 Free Schools and 11 Voluntary Aided schools <p>A total of 23 secondary non-maintained schools, of which:</p> <ul style="list-style-type: none"> • are Voluntary Aided schools 	Consultation Outcomes report	December 2018

<ul style="list-style-type: none"> • 16 are Academies • 1 Free school <p><u>Findings from consultation</u> Respondents to the consultation are mixed with:</p> <ul style="list-style-type: none"> - majority supporting the proposed change regarding acceptance of first preference offers as part of the coordinated admission arrangements; and mixed responses regarding Pan-London primary and secondary coordinated admissions schemes and post offer process (main rounds of admissions); and the processing of overseas applications for admission to school within the normal admissions rounds (excluding Crown servants). <p>However the findings is unlikely to have a negative impact on people with protected characteristics.</p> <p>The Croydon Observatory contains further information around this for example population trends, ward profiles, population groups etc. http://www.croydonobservatory.org/</p>		
<p>Consultation undertaken on the proposed change to extend the age range at Red Gates Special School. Croydon has a total of 8 special schools, including Red Gates, plus enhanced learning provisions in mainstream schools.</p> <p>In Croydon approximately 3% of the school-age children have long-term complex special needs such that they need additional and different education provision from that which can be provided ordinarily in a mainstream school and for whom assessment for an Education, Health and Care Plan (EHCP) is required.</p> <p>Stakeholders were asked whether they support/do not support the proposal to extend the age range of pupils at Red Gates Special School and if/how you are impacted by the proposed change.</p> <p><u>Findings from consultation</u> A majority of respondents support the proposed change and the issues cited, e.g. traffic related will be address so there is no adverse impact on any pupil.</p> <p>The Croydon Observatory contains further information around this for example population trends, ward profiles, population groups etc. http://www.croydonobservatory.org/</p>	<p>Consultation Outcomes report</p>	<p>November 2018</p>

For guidance and support with consultation and engagement visit <https://intranet.croydon.gov.uk/working-croydon/communications/consultation-and-engagement/starting-engagement-or-consultation>

3.2 Deciding whether the potential impact is positive or negative

Table 2 – Positive/Negative impact

For each protected characteristic group show whether the impact of the proposed change on service users and/or staff is positive or negative by briefly outlining the nature of the impact in the appropriate column. . If it is decided that analysis is not relevant to some groups, this should be recorded and explained. In all circumstances you should list the source of the evidence used to make this judgement where possible.

The primary aim of the Education Estates Strategy is to ensure that as an education authority the Council fulfils its statutory duties relating to school place planning, school admission and school maintenance. Local authorities are required to meet their statutory duty by providing a school place for every child that requires one, regardless of race, ethnicity, gender or disability and the other protected characteristics. Admission arrangements for all Croydon community schools must be determined annually. All schools are required by law to have oversubscription criteria for admissions, which are used to determine the offer of places if a school receives more applications than there are places available. The criteria must be clear, fair and objective in line with the School Admission Code, Equality Act and other relevant legislations, promoting equality and inclusiveness for residents.

One of the key aims of the Education Estates Strategy is to improve diversity and choice of schools, the right amount of and different types of schools to improve parental choice. This will help to ensure that all pupils have equitable access to school and ensure that the Council's duty to provide sufficient school places for pupils of statutory school age is fulfilled.

The Council is the employer for community schools, community special schools, maintained nursery schools and pupil referral units and is responsible for larger condition and maintenance works ensuring that school buildings meet minimum standards.

Protected characteristic group(s)	Positive impact	Negative impact	Source of evidence
Age	In line with the School Admissions Code, school places are allocated using the agreed/published admissions criteria. The proposed changes relate to children and young people of statutory school age. Admissions to schools are a function that operates within a statutory framework. Croydon is the admission authority for community schools and there are arrangements and criteria for the admission		Consultation outcomes report

	of pupils to nursery, primary and secondary mainstream schools.		
Disability	<p>Children and young people with special educational needs and/or disability are given priority in the admissions criteria or attend special schools. All schools are required to admit a child if their Education and Health Care Plan names the school. The proposed extension of the age range for Red Gates School is a re-provision of specialist nursery places at another school.</p> <p><u>Equality & Diversity Monitoring</u> As part of the consultation process on the proposed change relating to the extension of the age range at Red Gates Special School, respondents were asked to complete an equality and diversity questionnaire, looking at Gender, Age, Ethnicity and Disability. The information collected helps to identify any special requirements; promote equality; and improve choice and diversity.</p>		
Gender	As above, children allocated school place in line with Admissions Code. The proposed changes are not gender specific. The admission arrangements do not contain criteria that impact differently on people with a particular gender.		
Gender Reassignment	As above.		
Marriage or Civil Partnership	N/A		
Religion or belief	The admission arrangements for voluntary aided school could contain a denominational criterion within the policy, to enable priority for children whose parents are active members of the C of E and who request admission to a church school on denominational grounds. However, all	The admission criteria is based on determined admission arrangements compliant with the relevant legislation and is unlikely to discriminate unlawfully.	

	applications, including those with no faith basis for applying, are considered applying the published arrangements.		
Race	The Admission Criteria, based on the Admissions Code, are used to allocate school places and do not include ethnicity or race as criteria. The proposed changes are not intended to have any negative impact on pupils from different ethnic groups		
Sexual Orientation	As above		
Pregnancy or Maternity	As above.		
<p>Important note: You must act to eliminate any potential negative impact which, if it occurred would breach the Equality Act 2010. In some situations this could mean abandoning your proposed change as you may not be able to take action to mitigate all negative impacts.</p> <p>When you act to reduce any negative impact or maximise any positive impact, you must ensure that this does not create a negative impact on service users and/or staff belonging to groups that share protected characteristics.</p>			

3.3 Impact scores

Example

If we are going to reduce parking provision in a particular location, officers will need to assess the equality impact as follows;

1. Determine the Likelihood of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the likelihood of impact score is 2 (likely to impact)
2. Determine the Severity of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the Severity of impact score is also 2 (likely to impact)
3. Calculate the equality impact score using table 4 below and the formula **Likelihood x Severity** and record it in table 5, for the purpose of this example - **Likelihood (2) x Severity (2) = 4**

Table 4 – Equality Impact Score

Severity of Impact	3	3	6	9
	2	2	4	6
	1	1	2	3
		1	2	3
	Likelihood of Impact			

Key

Risk Index	Risk Magnitude
6 – 9	High
3 – 5	Medium
1 – 3	Low

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Table 5 – Impact scores

Column 1 PROTECTED GROUP	Column 2 LIKELIHOOD OF IMPACT SCORE Use the key below to score the likelihood of the proposed change impacting each of the protected groups, by inserting either 1, 2, or 3 against each protected group. 1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact	Column 3 SEVERITY OF IMPACT SCORE Use the key below to score the severity of impact of the proposed change on each of the protected groups, by inserting either 1, 2, or 3 against each protected group. 1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact	Column 4 EQUALITY IMPACT SCORE Calculate the equality impact score for each protected group by multiplying scores in column 2 by scores in column 3. Enter the results below against each protected group. Equality impact score = likelihood of impact score x severity of impact score.
Age	1	1	1
Disability	1	1	1
Gender	1	1	1
Gender reassignment	1	1	1
Marriage / Civil Partnership	1	1	1
Race	1	1	1
Religion or belief	1	1	1
Sexual Orientation	1	1	1
Pregnancy or Maternity	1	1	1

4. Statutory duties

4.1 Public Sector Duties

Tick the relevant box(es) to indicate whether the proposed change will adversely impact the Council's ability to meet any of the Public Sector Duties in the Equality Act 2010 set out below.

Advancing equality of opportunity between people who belong to protected groups x

Eliminating unlawful discrimination, harassment and victimisation x

Fostering good relations between people who belong to protected characteristic groups x

Important note: If the proposed change adversely impacts the Council's ability to meet any of the Public Sector Duties set out above, mitigating actions must be outlined in the Action Plan in section 5 below.

5. Action Plan to mitigate negative impacts of proposed change

Table 5 – Action Plan to mitigate negative impacts

Complete this table to show any negative impacts identified for service users and/or staff from protected groups, and planned actions mitigate them.

Protected characteristic	Negative impact	Mitigating action(s)	Action owner	Date for completion
Disability	N/A			
Race	N/A			
Sex (gender)	N/A			
Gender reassignment	N/A			
Sexual orientation	N/A			
Age	N/A			
Religion or belief	N/A			
Pregnancy or maternity	N/A			
Marriage/civil partnership	N/A			

6. Decision on the proposed change

Based on the information outlined in this Equality Analysis enter X in column 3 (Conclusion) alongside the relevant statement to show your conclusion.		
Decision	Definition	Conclusion - Mark 'X' below
No major change	Our analysis demonstrates that the policy is robust. The evidence shows no potential for discrimination and we have taken all opportunities to advance equality and foster good relations, subject to continuing monitoring and review. If you reach this conclusion, state your reasons and briefly outline the evidence used to support your decision.	X
Adjust the proposed change	We will take steps to lessen the impact of the proposed change should it adversely impact the Council's ability to meet any of the Public Sector Duties set out under section 4 above, remove barriers or better promote equality. We are going to take action to ensure these opportunities are realised. If you reach this conclusion, you must outline the actions you will take in Action Plan in section 5 of the Equality Analysis form	
Continue the proposed change	We will adopt or continue with the change, despite potential for adverse impact or opportunities to lessen the impact of discrimination, harassment or victimisation and better advance equality and foster good relations between groups through the change. However, we are not planning to implement them as we are satisfied that our project will not lead to unlawful discrimination and there are justifiable reasons to continue as planned. If you reach this conclusion, you should clearly set out the justifications for doing this and it must be in line with the duty to have due regard and how you reached this decision.	
Stop or amend the proposed change	Our change would have adverse effects on one or more protected groups that are not justified and cannot be mitigated. Our proposed change must be stopped or amended.	
Will this decision be considered at a scheduled meeting? e.g. Contracts and Commissioning Board (CCB) / Cabinet		Meeting title: Date:

7. Sign-Off

Officers that must approve this decision	
Equality lead	Name: _____ Date: _____ Position: _____
Director	Name: David Butler Date: 12.12.2018 Position: Director of Education and Youth Engagement

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