



## The Public Sector Equality Duty

The Equality Duty requires public bodies to have **due regard** to the need to:

- Eliminate unlawful discrimination harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it
- Foster good relations between people who share a protected characteristic and people who do not share it

### Protected Characteristics:

- Age
- Disability
- Gender Reassignment
- Pregnancy and Maternity
- Marriage and Civil Partnership (elimination of discrimination only)
- Race
- Religion or Belief
- Sex
- Sexual Orientation

**Due Regard** means consciously thinking about the three aims of the Duty as part of the process of decision-making. For example:

- How they act as employers
- How they develop, evaluate and review policy
- How they design, deliver and evaluate services
- How they commission and procure from others

**Advancing equality of opportunity** involves considering the need to:

- Remove or minimise disadvantages suffered by people because of their protected characteristics
- Meet the needs of people with protected characteristics
- Encourage people with protected characteristics to participate in public life or in other activities where their participation is low

**Fostering good relations** involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.



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**Complying with the Equality Duty may involve treating some people better** than others, as far as this is allowed in discrimination law. This could mean making use of an exception or positive action provisions in order to provide a service in a way that is appropriate for people who share a protected characteristic.

### Officers should:

**Keep an adequate record showing** that the equality duties and relevant questions have been actively considered.

**Be rigorous in both inquiring and** reporting to members the outcome of the assessment and the legal duties.

**Final approval of a proposal, can only happen after the completion of an equality impact assessment. It is unlawful to adopt a proposal contingent on an equality impact assessment**

<b>Title of the Assessment:</b>	<b>Consultation on Admission Arrangements 2018/19</b>	<b>Date of Assessment:</b>	
<b>Responsible Officer</b>	<b>Name:</b> Jessica Mortimer	<b>Extension Number:</b>	74769
	<b>Title:</b> Admissions Manager		
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## Stage 1 - Setting out the nature of the proposal and potential outcomes.

Stage 1 – Aims and Objectives	GUIDANCE
<p><b>1.1 What are the objectives of the proposal under consideration?</b></p> <ul style="list-style-type: none"> <li>To approve the commencement of the Council's consultation on admission arrangements as it is the admissions authority for Community and Voluntary Controlled schools to ensure the statutory requirements for admissions consultation is met.</li> </ul> <p>Central Bedfordshire Council is the admissions authority for Community and Voluntary Controlled schools and is proposing changes to the admission arrangements for two Community schools in the area.</p> <p>The Council has a statutory duty to ensure that admissions are co-ordinated for all admission authorities in the local authority's area for all children being admitted into the normal year of entry and only one offer of a school place is made.</p> <p>The Co-ordinated Admissions Scheme for the academic year 2018/19 fulfils this requirement, setting out the timeframes for processing admission applications.</p>	



The proposed changes to the Council's admission arrangements include:

- **Moving the designated measuring point for Shefford Lower School from the school front door to the war memorial in the town centre.**
- **Creating priority areas within the catchment area of Fairfield Park and moving the measuring point for the school from the main entrance of the Boulevard site to the equidistance point between the school's two sites.**

For admission arrangements determined in 2017 for entry in September 2018, consultation must be for a minimum of 6 weeks and must take place between 1 October 2016 and the 31 January 2017. The Admission Arrangements must then be determined by 28 February 2017.

The Council will conduct its consultation from 17 October – 2 December 2016 to gather the views of all consultees. Admission Authorities are required to consult with the following parties:

- i. Parents of children between the ages of two and eighteen;
- ii. Other persons in the relevant area who in the opinion of the admissions authority have an interest in the proposed admissions;
- iii. All other admission authorities within the relevant area;
- iv. The Governing Bodies of Community and Voluntary Controlled schools;
- v. Adjoining neighbouring local authorities;
- vi. The body or person representing religious denomination schools.

## **1.2 Why is this being done?**

Shefford Lower School's Governing Body approached the Council, who are the admission authority for the school, requesting that the designated measuring point for admissions to the school be moved from the front door to the war memorial in the centre of Shefford town. This proposal has been made as the school feel that the school's admission arrangements currently disadvantage a large number of families in Shefford and in particular their most vulnerable families as the school is situated on the western edge of its catchment area.

Fairfield Park Lower School is currently a two form entry school in the parish of Fairfield which is



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adjacent to Stotfold. The school is due to be expanded to three forms of entry, with the additional form of entry being accommodated in a temporary classroom on the school site before this transfers to the school's second site which will be built on a new housing development, opposite the current estate.

The current admission arrangements need amending to reflect the changes to the school with its expansion over two sites so that it serves the whole catchment area fairly and consistently.

### **1.3 What will be the impact on staff or customers?**

The Local Authority is the admission authority for Community and Voluntary-Controlled schools and is proposing to amend the admission arrangements for two Community schools, Shefford Lower School and Fairfield Park Primary School.

The proposal to move the measuring point for Shefford Lower School will have a positive impact in terms of promoting equality of opportunity.

The Local Authority has a statutory duty to ensure that admissions are co-ordinated in their area for all children being admitted into the normal year of entry and only one offer of a school place is made. The Co-ordinated Admissions Scheme for the academic year 2018/19 fulfils this requirement, setting out the timeframes for processing admission applications.

### **1.4 How does this proposal contribute or relate to other Council initiatives?**

The Council's co-ordinated admissions scheme and admission arrangements for Community and Voluntary schools supports the Council's priority to improve educational attainment.



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### 1.5 In which ways does the proposal support Central Bedfordshire's legal duty to:

- Eliminate unlawful discrimination harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it
- Foster good relations between people who share a protected characteristic and people who do not share it

The School Admissions Regulations 2012 require Admission Authorities to consult where changes are proposed on their admission arrangements, including any supplementary information form that will apply for admission applications for the following academic year.

The Council will fulfil its statutory responsibilities by consulting within the timescales set out above and conducting a consultation with the relevant parties on changes to admission arrangements for two Community schools; Shefford Lower School and Fairfield Park Lower School, inviting thoughts and comments from all consultees.

Legislation contained within the School Standards and Framework Act 1998 requires Local Authorities to have a co-ordinated admissions scheme for their area where parents can apply on a common application form for a place in the normal year of entry at a school or an academy.

The Council is required to co-ordinate the admissions for children in their area so that only one offer of a school place is made per prospective pupil. The co-ordinated admissions scheme must be formulated by 1 January in the relevant determination year and must be consulted on with the admission authorities in the area if it is substantially different from the previous year.

Central Bedfordshire's Co-ordinated Admissions Scheme sets out the arrangements and timetable by which applications will be processed. The scheme details the processes and procedures that the Council and other admissions authorities need to work to in order to process the applications by the offer date for the normal year of entry at a school or academy.

*E.g. does it consider the needs of people who are at greater risk of lower quality of life outcomes, close achievement gaps, reduce racial tensions, increase participation in decision making and service delivery processes or increase a sense of belonging amongst different communities or groups?)*

### 1.6 Is it possible that this proposal could damage relations amongst groups of people



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**with different protected characteristics or contribute to inequality by treating some members of the community less favourably such as people of different ages, men or women, people from black and minority ethnic communities, disabled people, carers, people with different religions or beliefs, new and expectant mothers, lesbian, gay, bisexual and transgender communities?**

The Local Authority is the admission authority for Community and Voluntary Controlled schools and therefore must conduct its consultation in line with legislation with the following parties:

- a) Parents of children between the ages of two and eighteen
- b) Other persons in the relevant area who in the opinion of the admissions authority have an interest in the proposed admissions
- c) All other admission authorities within the relevant area.
- d) The Governing Bodies of Community and Voluntary Controlled schools
- e) Adjoining neighbouring local authorities
- f) The body or person representing religious denomination schools.

The 6 week consultation period will give all relevant parties the opportunity to respond.

**Stage 2 - Consideration of national and local research, data and consultation findings in order to understand the potential impacts of the proposal.**

***This is the most critical part of the assessment***

### Stage 2 - Consideration of Relevant Data and Consultation

**In completing this section it will be helpful to consider:**

- **Publicity** – Do people know that the service exists?
- **Access** – Who is using the service? / Who should be using the service? Why aren't they?
- **Appropriateness** – Does the service meet people's needs and improve outcomes?
- **Service support needs** – Is further training and development required for employees?
- **Partnership working** – Are partners aware of and implementing equality requirements?
- **Contracts & monitoring** – Is equality built into the contract and are outcomes monitored?

*And 2.3 Refer to Equality Checklist (Pages 4-7 of guidance)*

**Please refer to the Equality Impact Assessment Screening for**

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**2.1. Examples of relevant evidence sources are listed below. Please tick which evidence sources are being used in this assessment and provide a summary for each protected characteristic in sections 2.2 and 2.3.**

### Internal desktop research

<input type="checkbox"/>	Place survey / Customer satisfaction data	<input type="checkbox"/>	Demographic Profiles – Census & ONS
<input type="checkbox"/>	Local Needs Analysis	<input type="checkbox"/>	Service Monitoring / Performance Information
<input type="checkbox"/>	Other local research	<input type="checkbox"/>	

### Third party guidance and examples

<input type="checkbox"/>	National / Regional Research	<input type="checkbox"/>	Analysis of service outcomes for different groups
<input type="checkbox"/>	Best Practice / Guidance	<input type="checkbox"/>	Benchmarking with other organisations
<input type="checkbox"/>	Inspection Reports	<input type="checkbox"/>	

### Public consultation related activities

<input type="checkbox"/>	Consultation with Service Users	<input type="checkbox"/>	Consultation with Community / Voluntary Sector
<input type="checkbox"/>	Consultation with Staff	<input type="checkbox"/>	Customer Feedback / Complaints
<input type="checkbox"/>	Data about the physical environment e.g. housing market, employment, education and training provision, transport, spatial planning and public spaces		

### Consulting Members, stakeholders and specialists

<input type="checkbox"/>	Elected Members	<input type="checkbox"/>	Expert views of stakeholders representing diverse groups
<input type="checkbox"/>	Specialist staff / service expertise	<input type="checkbox"/>	

*Please bear in mind that whilst sections of the community will have common interests and concerns, views and issues vary within groups. E.g. women have differing needs and concerns*

your Service / Business Plan for examples of relevant evidence or contact: Clare Harding, Corporate Policy Advisor (Equality & Diversity) for further details

For details of existing consultation findings please contact Karen Aspinall Consultation Manager, Office of the Chief Executive  
[Karen.Aspinall@centralbedfordshire.gov.uk](mailto:Karen.Aspinall@centralbedfordshire.gov.uk)  
 Telephone 0300 300 6286 (x 42967)



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*depending on age, ethnic origin, disability etc*

**Lack of local knowledge or data is not a justification for assuming there is not a negative impact on some groups of people. Further research may be required.**

### 2.2. Summary of Existing Data and Consultation Findings: - Service Delivery Considering the impact on Customers/Residents

**- Age:** *e.g. Under 16 yrs / 16-19 yrs / 20-29 yrs / 30-44 yrs / 45-59 yrs / 60-64 yrs / 65-74 yrs / 75+*

**- Disability:** *e.g. Physical impairment / Sensory impairment / Mental health condition / Learning disability or difficulty / Long-standing illness or health condition / Severe disfigurement*

**- Carers:** *A person of any age who provides unpaid support to family or friends who could not manage without this help due to illness, disability, mental ill-health or a substance misuse problem*

Children who are carers are covered by the Fair Access Protocol, which ensures that a child eligible under the protocol is secured a school place where this has been unattainable.

**- Gender Reassignment:** *People who are proposing to undergo, are undergoing or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex*

**- Pregnancy and Maternity:** *e.g. pregnant women / women who have given birth & women who*

*Please set out in an Appendix to this assessment the details of data and consultation findings relating to diversity areas shown below. In this section please summarise findings and the conclusions you have drawn from those findings in relation to the areas*





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*are breastfeeding (26 week time limit then protected by sex discrimination provisions)*

- **Race:** *e.g. Asian or Asian British / Black or Black British / Chinese / Gypsies and Travellers / Mixed Heritage / White British / White Irish / White Other*

- **Religion or Belief:** *e.g. Buddhist / Christian / Hindu / Jewish / Muslim / Sikh / No religion / Other*

- **Sex:** *e.g. Women / Girls / Men / Boys*

- **Sexual Orientation:** *e.g. Lesbians / Gay men / Bisexuals / Heterosexuals*

- **Other:** *e.g. Human Rights, Poverty / Social Class / Deprivation, Looked After Children, Offenders, Cohesion, Marriage and Civil Partnership*

### 2.3. Summary of Existing Data and Consultation Findings – Employment Considering the impact on Employees

- **Age:** *e.g. 16-19 / 20-29 / 30-39 / 40-49 / 50-59 / 60+*

- **Disability:** *e.g. Physical impairment / Sensory impairment / Mental health condition / Learning disability or difficulty / Long-standing illness or health condition / Severe disfigurement*



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- <b>Carers:</b> <i>e.g. parent / guardian / foster carer / person caring for an adult who is a spouse, partner, civil partner, relative or person who lives at the same address</i>
- <b>Gender Reassignment:</b> <i>People who are proposing to undergo, are undergoing or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex</i>
- <b>Pregnancy and Maternity:</b> <i>e.g. Pregnancy / Compulsory maternity leave / Ordinary maternity leave / Additional maternity leave</i>
- <b>Race:</b> <i>e.g. Asian or Asian British / Black or Black British / Chinese / Gypsies and Travellers / Mixed Heritage / White British / White Irish / White Other</i>
- <b>Religion or Belief:</b> <i>e.g. Buddhist / Christian / Hindu / Jewish / Muslim / Sikh / No religion / Other</i>
- <b>Sex:</b> <i>Women / Men</i>
- <b>Sexual Orientation:</b> <i>e.g. Lesbians / Gay men / Bisexuals / Heterosexuals</i>
- <b>Other:</b> <i>e.g. Human Rights, Poverty / Social Class / Deprivation, Looked After Children, Offenders, Cohesion, Marriage and Civil Partnership</i>
<b>2.4. To what extent are vulnerable groups more affected by this proposal compared to the population or workforce as a whole?</b>
<b>2.5. To what extent do current procedures and working practices address the above issues and help to promote equality of opportunity?</b>



2.6. Are there any gaps in data or consultation findings

2.7. What action will be taken to obtain this information?

**Stage 3 - Providing an overview of impacts and potential discrimination.**

**Stage 3 – Assessing Positive & Negative Impacts**

Analysis of Impacts	Impact?		Discrimination?		Summary of impacts and reasons
	(+ve)	(- ve)	YES	NO	
3.1 Age					
3.2 Disability					
3.3 Carers					
3.4 Gender Reassignment					
3.5 Pregnancy & Maternity					
3.6 Race					
3.7 Religion / Belief					
3.8 Sex					
3.9 Sexual Orientation					

*Impact should be shown as Yes or No*

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<b>3.10 Other e.g.</b> <i>Human Rights,          Poverty / Social Class          / Deprivation, Looked          After Children,          Offenders, Cohesion          Marriage and Civil          Partnership</i>						
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## Stage 4 - Identifying mitigating actions that can be taken to address adverse impacts.

Stage 4 – Conclusions, Recommendations and Action Planning			
4.1 What are the main conclusions and recommendations from the assessment?			
4.2 What changes will be made to address or mitigate any adverse impacts that have been identified?			
4.3 Are there any budgetary implications?			
4.4 Actions to be taken to mitigate against any adverse impacts:			
Action	Lead Officer	Date	Priority

*Priority should be either High, Medium or Low. You can add rows using the Table>Insert Rows*

## Stage 5 - Checking that all the relevant issues and mitigating actions have been identified

Stage 5 – Quality Assurance & Scrutiny: Checking that all the relevant issues have been identified
5.1 What methods have been used to gain feedback on the main issues raised in the assessment?



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Step 1: Consultation document and online and paper questionnaire for all interested parties to provide feedback.		
Has the Corporate Policy Advisor (Equality & Diversity) reviewed this assessment and provided feedback? Yes/No		
Summary of CPA's comments:		
Step 2:		The Corporate Policy Adviser will advise whether this step is necessary.
5.2 Feedback from Central Bedfordshire Equality Forum		



## Stage 6 - Ensuring that the actual impact of proposals are monitored over time.

### Stage 6 – Monitoring Future Impact

- |     |  |
|-----|--|
| 6.1 | How will implementation of the actions be monitored?                           |
| 6.2 | What sort of data will be collected and how often will it be analysed?         |
| 6.3 | How often will the proposal be reviewed?                                       |
| 6.4 | Who will be responsible for this?  |
| 6.5 | How have the actions from this assessment been incorporated into the proposal? |

*Please give details and make clear whether this is already planned, or just a possibility. Clear ownership in terms of team etc must be given.*

## Stage 7 - Finalising the assessment.

### Stage 7 – Accountability / Signing Off

- 7.1 Has the lead Assistant Director/Head of Service been notified of the outcome of the assessment

Name: \_\_\_\_\_ Date: \_\_\_\_\_

- 7.2 Has the Corporate Policy Adviser Equality & Diversity provided confirmation that the Assessment is complete?

Date: \_\_\_\_\_

*Finalised Assessments can be used to inform the Equality Section of Committee Reports and should be saved with the strategy, policy, project, contract, or decision file for audit purposes and Freedom of Information Act requests.*

