



## 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.



## Central Bedfordshire Equality Impact Assessment

**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 2019/20</b>	<b>Date of Assessment:</b>	
<b>Responsible Officer</b>	<b>Name:</b> Jessica Mortimer-Wabel	<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

##### 1.1 What are the objectives of the proposal under consideration?

- 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.

Central Bedfordshire Council is the admissions authority for Community and Voluntary Controlled schools and is proposing changes to the admission arrangements for seventeen Community schools in the area.

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.

The Co-ordinated Admissions Scheme for the academic year 2019/20 fulfils this requirement, setting out the timeframes for processing admission applications.



## Central Bedfordshire Equality Impact Assessment

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

- **Adding children of staff priority to the oversubscription criteria for Leighton Middle School.**
- **Including feeder school priority for children attending Dunton VC Lower, Northill VA Lower, Sutton VA Lower and Wrestlingworth VC Lower schools to the oversubscription criteria for Edward Peake Middle School.**
- **Amending the catchment boundary line for Lawnside Lower School and St. Andrew's Lower School (East) so that the Potton Road development falls within the catchment area for St. Andrew's Lower School (East).**
- **Remove catchment areas for the community and VC lower schools in Leighton Buzzard and the surrounding villages and giving priority for admission to pupils of whom the school is their nearest lower school.**

For admission arrangements determined in 2018 for entry in September 2019, consultation must be for a minimum of 6 weeks and must take place between 1 October 2017 and the 31 January 2018. The Admission Arrangements must then be determined by 28 February 2018.

The Council will conduct its consultation from 13 October – 1 December 2017 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?

Leighton Middle School's Governing Body approached the Council, who are the admission authority for the school, requesting that priority be given within the school's oversubscription criteria for children of staff. This proposal has been made as the school has had issues recruiting staff and therefore want to provide incentives to attract high quality staff.



## Central Bedfordshire Equality Impact Assessment

Edward Peake Middle School's Governing Body approached the Council, who are the admission authority for the school, requesting that priority be given within the school's oversubscription criteria for children attending four named lower schools. This proposal seeks to formalise existing close ties between the schools and creates a clear pathway for families seeking Church of England education in the area.

The Council is proposing to amend the catchment area boundary for Lawnside Lower and St. Andrew's Lower East) so that the housing developments off Potton Road (Biggleswade) fall within the catchment area of St. Andrew's Lower School (East). This will ensure families buying homes on new development are priority for the new school which has been built to accommodate the multiple housing developments on the east side of Biggleswade town.

The Council is proposing to remove catchment areas for community lower schools in Leighton Buzzard and the surrounding villages. Priority will instead be based on siblings and then children for whom the school is their nearest lower school. This will address the unfairness of some properties having numerous catchment lower schools in south Leighton Buzzard, will be clearer system for parents and a more accurate reflection of the admission process in the town.

### **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 seventeen Community and VC schools; Leighton Middle, Edward Peake Middle, Lawnside Lower, St. Andrew's Lower (East), Beaudesert Lower, Clipstone Brook Lower, Doverly Down Lower, Greenleas School (Derwent Road), Greenleas School (Kestrel Way), Heathwood Lower, Leedon Lower, Linslade Lower, Southcott Lower, Stanbridge Lower, St. George's Lower, The Mary Bassett Lower.

The proposal to remove catchment areas for community and VC lower schools with priority for children for whom the school is their nearest 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 2019/20 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 Controlled schools supports the Council's priority to improve educational attainment.



## Central Bedfordshire Equality Impact Assessment

### **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 Code 2014 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 the seventeen Community and VC schools as listed above, 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.

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



### Central Bedfordshire Equality Impact Assessment

- 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 7 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.

#### 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?

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

Place survey / Customer satisfaction data		Demographic Profiles – Census & ONS
Local Needs Analysis		Service Monitoring / Performance Information
Other local research		



## Central Bedfordshire Equality Impact Assessment

<b>Third party guidance and examples</b>		
National / Regional Research		Analysis of service outcomes for different groups
Best Practice / Guidance		Benchmarking with other organisations
Inspection Reports		
<b>Public consultation related activities</b>		
Consultation with Service Users		Consultation with Community / Voluntary Sector
Consultation with Staff		Customer Feedback / Complaints
Data about the physical environment e.g. housing market, employment, education and training provision, transport, spatial planning and public spaces		
<b>Consulting Members, stakeholders and specialists</b>		
Elected Members		Expert views of stakeholders representing diverse groups
Specialist staff / service expertise		
<p><i>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 depending on age, ethnic origin, disability etc</i></p> <p><b>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.</b></p>		
<p><b>2.2. Summary of Existing Data and Consultation Findings: - Service Delivery</b>  <b>Considering the impact on Customers/Residents</b></p>		
<p><b>- Age:</b> e.g. Under 16 yrs / 16-19 yrs / 20-29 yrs / 30-44 yrs / 45-59 yrs / 60-64 yrs / 65-74 yrs / 75+</p>		
<p><b>- Disability:</b> e.g. Physical impairment / Sensory impairment / Mental health condition / Learning disability or difficulty / Long-standing illness or health condition / Severe disfigurement</p>		



## Central Bedfordshire Equality Impact Assessment

- **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 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*





## Central Bedfordshire Equality Impact Assessment

- **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*

- **Carers:** 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*

- **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. *Pregnancy / Compulsory maternity leave / Ordinary maternity leave / Additional maternity leave*

- **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:** *Women / Men*



**Central Bedfordshire Equality Impact Assessment**

- **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*

**2.4. To what extent are vulnerable groups more affected by this proposal compared to the population or workforce as a whole?**

**2.5. To what extent do current procedures and working practices address the above issues and help to promote equality of opportunity?**

**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	
<b>3.1 Age</b>					
<b>3.2 Disability</b>					
<b>3.3 Carers</b>					
<b>3.4 Gender Reassignment</b>					
<b>3.5 Pregnancy</b>					



### Central Bedfordshire Equality Impact Assessment

<b>&amp; Maternity</b>					
<b>3.6 Race</b>					
<b>3.7 Religion / Belief</b>					
<b>3.8 Sex</b>					
<b>3.9 Sexual Orientation</b>					
<b>3.10 Other e.g. Human Rights, Poverty / Social Class / Deprivation, Looked After Children, Offenders, Cohesion Marriage and Civil Partnership</b>					



**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

**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?
Step 1: <b>Consultation document and online and paper questionnaire for all interested parties to provide feedback.</b>
Has the Corporate Policy Advisor (Equality & Diversity) reviewed this assessment and provided feedback? Yes/No



## Central Bedfordshire Equality Impact Assessment

**Summary of CPA's comments:**

**Step 2:**

**5.2 Feedback from Central Bedfordshire Equality Forum**



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

<b>Stage 6 – Monitoring Future Impact</b>	
<b>6.1</b>	<b>How will implementation of the actions be monitored?</b>
<b>6.2</b>	<b>What sort of data will be collected and how often will it be analysed?</b>
<b>6.3</b>	<b>How often will the proposal be reviewed?</b>
<b>6.4</b>	<b>Who will be responsible for this?</b>
<b>6.5</b>	<b>How have the actions from this assessment been incorporated into the proposal?</b>

**Stage 7 - Finalising the assessment.**

<b>Stage 7 – Accountability / Signing Off</b>	
<b>7.1</b>	<b>Has the lead Assistant Director/Head of Service been notified of the outcome of the assessment</b> Name: _____ Date: _____
<b>7.2</b>	<b>Has the Corporate Policy Adviser Equality &amp; Diversity provided confirmation that the Assessment is complete?</b> Date: _____