

## Equality Impact Analysis Full Tool with Guidance      Appendix 2

### Overview

This Tool has been produced to help you analyse the likelihood of impacts on the protected characteristics – including where people are represented in more than one– with regard to your new or proposed policy, strategy, function, project or activity. It has been updated to reflect the new public sector equality duty and should be used for decisions from 5<sup>th</sup> April 2011 onwards. It is designed to help you analyse decisions of high relevance to equality, and/or of high public interest.

### General points

1. 'Due regard' means the regard that is appropriate in all the circumstances. In the case of controversial matters such as service closures or reductions, considerable thought will need to be given the equalities aspects.
2. Wherever appropriate, and in all cases likely to be controversial, the outcome of the EIA needs to be summarised in the Cabinet/Cabinet Member report (section 08 of this tool) and equalities issues dealt with and cross referenced as appropriate within the report.
3. Equalities duties are fertile ground for litigation and a failure to deal with them properly can result in considerable delay, expense and reputational damage.
4. Where dealing with obvious equalities issues e.g. changing services to disabled people/children, take care not to lose sight of other less obvious issues for other protected groups.

### Timing, and sources of help

Case law has established that having due regard means analysing the impact, and using this to inform decisions, thus demonstrating a conscious approach and state of mind ([2008] EWHC 3158 (Admin), [here](#)). It has also established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, through to the recommendation for decision. It should demonstrably inform, and be made available when the decision that is recommended. This tool contains guidance, and you can also access guidance from the EHRC [here](#). If you are analysing the impact of a budgetary decision, you can find EHRC guidance [here](#). Advice and guidance can be accessed from the Opportunities Manager: [PEIA@lbhf.gov.uk](mailto:PEIA@lbhf.gov.uk) or ext 3430.

## Full Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
<u>Financial Year and Quarter</u>	<u>2012/2013</u>
<u>Name and details of policy, strategy, function, project, activity, or programme</u>	<p><b>School Organisation Report</b></p> <p>The School Organisation Strategy is to address the inadequate capacity issues within our primary, secondary and special schools</p>
<u>Lead Officer</u>	<p><u>Name: Andy Rennison</u>  <u>Position: Assistant Director of Schools Funding &amp; Capital Programme</u>  <u>Email: andy.rennison@lbhf.gov.uk</u>  <u>Telephone No: 020 8753 3768</u></p>
<u>Date of completion of final EIA</u>	<u>15.02.2012</u>

Section 02	Scoping of Full EIA
<u>Plan for completion</u>	<p><u>Timing: To be agreed at Cabinet 5<sup>th</sup> March 2012</u>  <u>Resources</u>  <u>Lead Officer: Andy Rennison</u></p>
<u>What is the policy, strategy, function, project, activity, or programme looking to achieve?</u>	<p>The School Organisation Strategy is to address the inadequate capacity issues within our primary, secondary and special schools.</p> <p>The objective of the School Organisation Strategy will be to meet the aspirations of parents/pupils within the borough, within a constrained financial budget. This plan is already described as part of the Council's strategy to deliver its schools of choice agenda.</p> <p>The proposal of the School Organisation Strategy has a positive impact on all the residents of Hammersmith and Fulham, with children of school age.</p>

**The strands that it is intended will benefit from the strategy are:**

Age	At present, Age does not apply to under 18s and so this protected characteristic is not relevant. Assessment under age-related issues is given under Children's Rights (below)	N/A	N/A																																																
Disability	<p>The strategy will be of high relevance to, and have a positive impact on disabled children, which will be delivered through the enhanced offer for children with Special Educational Needs (SEN). This will be delivered through the offer of a fully integrated primary to secondary curriculum on one site for children with autism as part of the Queensmill relocation.</p> <p>In addition to Queensmill, the SEN profile for the additional schools affected by the strategy compared to the maintained schools average has been included.</p> <table border="1" data-bbox="739 813 1892 1377"> <thead> <tr> <th data-bbox="739 813 884 1037">Special Educational Needs information</th> <th data-bbox="884 813 1030 1037">Children attending maintained schools (OCTOBER 2011/12 CENSUS)</th> <th data-bbox="1030 813 1176 1037">St Stephens Primary School</th> <th data-bbox="1176 813 1321 1037">Pope John Primary School</th> <th data-bbox="1321 813 1467 1037">Sacred Heart High School</th> <th data-bbox="1467 813 1612 1037">Lady Margaret</th> <th data-bbox="1612 813 1758 1037">John Betts Primary</th> <th data-bbox="1758 813 1892 1037">Brackenbury</th> </tr> </thead> <tbody> <tr> <td data-bbox="739 1037 884 1069"><b>Non-SEN</b></td> <td data-bbox="884 1037 1030 1069">76.2%</td> <td data-bbox="1030 1037 1176 1069">87.1%</td> <td data-bbox="1176 1037 1321 1069">58.5%</td> <td data-bbox="1321 1037 1467 1069">89.2%</td> <td data-bbox="1467 1037 1612 1069">91.3%</td> <td data-bbox="1612 1037 1758 1069">80.8%</td> <td data-bbox="1758 1037 1892 1069">85.5%</td> </tr> <tr> <td data-bbox="739 1069 884 1101"><b>School Action</b></td> <td data-bbox="884 1069 1030 1101">13.0%</td> <td data-bbox="1030 1069 1176 1101">8.7%</td> <td data-bbox="1176 1069 1321 1101">27.2%</td> <td data-bbox="1321 1069 1467 1101">8.9%</td> <td data-bbox="1467 1069 1612 1101">4.5%</td> <td data-bbox="1612 1069 1758 1101">10.4%</td> <td data-bbox="1758 1069 1892 1101">10.3%</td> </tr> <tr> <td data-bbox="739 1101 884 1133"><b>School Action+</b></td> <td data-bbox="884 1101 1030 1133">7.3%</td> <td data-bbox="1030 1101 1176 1133">2.3%</td> <td data-bbox="1176 1101 1321 1133">13.6%</td> <td data-bbox="1321 1101 1467 1133">1.3%</td> <td data-bbox="1467 1101 1612 1133">1.7%</td> <td data-bbox="1612 1101 1758 1133">7.3%</td> <td data-bbox="1758 1101 1892 1133">2.5%</td> </tr> <tr> <td data-bbox="739 1133 884 1165"><b>Statement</b></td> <td data-bbox="884 1133 1030 1165">3.5%</td> <td data-bbox="1030 1133 1176 1165">1.9%</td> <td data-bbox="1176 1133 1321 1165">0.8%</td> <td data-bbox="1321 1133 1467 1165">0.6%</td> <td data-bbox="1467 1133 1612 1165">2.4%</td> <td data-bbox="1612 1133 1758 1165">1.6%</td> <td data-bbox="1758 1133 1892 1165">1.7%</td> </tr> <tr> <td data-bbox="739 1165 884 1377"><b>COMMENTS</b></td> <td data-bbox="884 1165 1030 1377"></td> <td data-bbox="1030 1165 1176 1377">There is slightly greater number of non-SEN</td> <td data-bbox="1176 1165 1321 1377">There is a greater number of SEN children</td> <td data-bbox="1321 1165 1467 1377">There is slightly greater number of non-SEN</td> <td data-bbox="1467 1165 1612 1377">There is a greater number of non-SEN children</td> <td data-bbox="1612 1165 1758 1377">There is slightly greater number of non-SEN</td> <td data-bbox="1758 1165 1892 1377">There is slightly greater number of non-SEN</td> </tr> </tbody> </table>	Special Educational Needs information	Children attending maintained schools (OCTOBER 2011/12 CENSUS)	St Stephens Primary School	Pope John Primary School	Sacred Heart High School	Lady Margaret	John Betts Primary	Brackenbury	<b>Non-SEN</b>	76.2%	87.1%	58.5%	89.2%	91.3%	80.8%	85.5%	<b>School Action</b>	13.0%	8.7%	27.2%	8.9%	4.5%	10.4%	10.3%	<b>School Action+</b>	7.3%	2.3%	13.6%	1.3%	1.7%	7.3%	2.5%	<b>Statement</b>	3.5%	1.9%	0.8%	0.6%	2.4%	1.6%	1.7%	<b>COMMENTS</b>		There is slightly greater number of non-SEN	There is a greater number of SEN children	There is slightly greater number of non-SEN	There is a greater number of non-SEN children	There is slightly greater number of non-SEN	There is slightly greater number of non-SEN	M	+
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			<p>children than the schools average. The strategy to expand St Stephens Primary is an all encompassing strategy for all learners in the borough regardless of disability. Given the existing SEN profile, if the school continues to attract a similar profile of students, there is likely to be a neutral benefit for SEN groups.</p>	<p>that the schools average. The strategy to expand Pope John Primary is an all encompassing strategy for all learners in the borough regardless of disability. Given the existing SEN profile, if the school continues to attract a similar profile of students, there is likely to be a slight positive benefit for SEN groups.</p>	<p>children than the schools average. The strategy to expand Sacred Heart High Schools is an all encompassing strategy for all learners in the borough regardless of disability. Given the existing SEN profile, if the school continues to attract a similar profile of students, there is likely to be a neutral benefit for SEN groups.</p>	<p>than the schools average. The strategy for the Lady Margaret bulge class is an all encompassing strategy for all learners in the borough regardless of disability. Given the existing SEN profile, if the school continues to attract a similar profile of students, there is likely to be a neutral benefit for SEN groups.</p>	<p>children than the schools average. The strategy for the John Betts primary bulge class is an all encompassing strategy for all learners in the borough regardless of disability. Given the existing SEN profile, if the school continues to attract a similar profile of students, there is likely to be a neutral benefit for SEN groups.</p>	<p>children than the schools average. The strategy for the Brackenbury primary bulge class is an all encompassing strategy for all learners in the borough regardless of disability. Given the existing SEN profile, if the school continues to attract a similar profile of students, there is likely to be a neutral benefit for SEN groups.</p>		
	<p>Only one of the schools identified for expansion within the strategy has a higher SEN profile than the schools average. As a result some neutral benefits have been identified. Despite this, officers have concluded that overall the strategy has a positive impact on disability as the strategy will offer of a fully integrated primary to</p>									

	secondary curriculum on one site for children with autism as part of the Queensmill relocation. This will have a positive impact on SEN groups.		
Gender reassignment	The strategy will not directly have an impact on this strand, as it is an all encompassing strategy for all learners in the borough. The admission criteria for all the affected schools (which are subject to annual consultation) will remain unchanged. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools.	N/A	N/A
Marriage and Civil Partnership	This is not applicable as the Strategy is not seeking to provide a service to married people or civil partners. The admission criteria for all the affected schools (which are subject to annual consultation) will remain unchanged. Under the Admissions Code. the Admissions Criteria could not ask for marital status to be declared.	N/A	N/A
Pregnancy and maternity	The strategy will not directly have an impact on this strand, as it is an all encompassing strategy for all learners in the borough. The current number of pregnant school children and/or school children with dependents attending maintained schools is low and not statistically significant. The admission criteria for all the affected schools (which are subject to annual consultation) will remain unchanged and can not discriminate on ground of pregnancy and maternity. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools as a result there is a low positive benefit.	L	+
Race	<p>The strategy is an all encompassing strategy for all learners in the borough. The admission criteria for all the affected schools (which are subject to annual consultation) will remain unchanged and do not discriminate with regards to race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools.</p> <p>The following table identified the current borough averages for children attending maintained schools broken down by race is as follows in comparison to the borough profiles:</p>	M	+

		<b>Children attending maintained schools (OCTOBER 2011/12 CENSUS)</b> *NOTE: Academies and PRU not included	<b>Borough Profile (ONS ethnicity estimates for 2009)</b>
	White	39.6%	76%
	Black	27.7%	9%
	Asian	7.5%	8.2%
	Mixed	10.9%	3.7%
	Chinese or Other ethnic group	13.1%	3.2%
	Not obtained	1.3%	0%
	<p>This data suggests that in comparison to the borough profile White groups are under represented in maintained schools compared to the borough average. Black, Mixed and Chinese or Other groups are over represented in maintained schools compared to the borough average. Asian groups are slightly under represented in maintained schools compared to the borough average. Although the strategy does not discriminate with regards to race, the improved choices for local children to attend local schools may be proportionately of more relevance to those race groups that are over-represented. <b>Because of this, officers consider the strategy to be of medium relevance to Race, as some race groups could be differently affected by the proposals.</b></p> <p>The below table looks more specifically at the schools affected by the strategy proposed in the Cabinet Report (see recommendations) with regards to race.</p>		

Race	Children attending maintained	St Stephens Primary School	Pope John Primary School	Sacred Heart High School	Lady Margaret	John Betts Primary	Brackenbury	Queensmill
White	39.6%	53.2%	30.9%	71.8%	70.3%	75.1%	42.9%	33.7%
Black	27.7%	28.5%	34.7%	7.7%	10.2%	5.7%	25.1%	26.3%
Asian	7.5%	4.6%	9.1%	5.8%	4.5%	5.2%	9.1%	10.5%
Mixed	10.9%	12.5%	15.1%	6.8%	7.4%	7.3%	12.4%	7.4%
Other	13.1%	0.8%	9.1%	4.0%	4.5%	5.7%	9.7%	21.1%
Not obtained	1.3%	0.4%	1.1%	3.9%	3.0%	1.0%	0.8%	1.1%
COMMENTS		There is a slightly greater intake of Black, White and Mixed ethnic groups than the schools average. There is a slightly lower intake of Asian children. The strategy to expand St Stephens Primary is an all encompassing strategy for all learners	There is a slightly greater intake of Black, Asian and Mixed race groups compared to the schools average. There is a slightly lower intake of white students. The strategy to expand Pope John Primary is an all encompassing strategy for all	There is a lower intake of Black, Asian and Mixed groups and an overrepresentation of White groups compared to the schools average. The strategy to expand Sacred Heart Schools is an all encompassing strategy for all learners in the	There is a lower intake of Black, Asian and Mixed groups and an overrepresentation of White groups compared to the schools average. The strategy for the Lady Margaret bulge class is an all encompassing strategy for all learners in the	There is a lower intake of Black, Asian and Mixed groups and an overrepresentation of White groups compared to the schools average. The strategy for the John Betts primary bulge class is an all encompassing strategy for all learners	There is a slightly lower intake of Black, Asian group and a slight overrepresentation of White and Mixed groups compared to the schools average. The strategy for the Brackenbury primary bulge class is an all encompassing strategy	There is a slightly greater intake Asian groups and a slightly lower intake of White, Black and Mixed groups compared to the schools average. The strategy to expand Queensmill is an all encompassing strategy for all learners in the borough

			<p>in the borough regardless of race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools. Given the existing race profile there is likely to be a slight positive benefit for those groups currently overrepresented.</p>	<p>learners in the borough regardless of race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools. Given the existing race profile there is likely to be a slight positive benefit for those groups currently overrepresented.</p>	<p>borough regardless of race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools. Given the existing race profile there is likely to be a less benefit for those groups currently underrepresented.</p>	<p>borough regardless of race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools. Given the existing race profile there is likely to be a neutral benefit for those groups currently underrepresented.</p>	<p>in the borough regardless of race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools. Given the existing race profile there is likely to be a neutral benefit for those groups currently underrepresented.</p>	<p>for all learners in the borough regardless of race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools. Given the existing race profile there is likely to be a neutral benefit for those groups currently underrepresented.</p>	<p>regardless of race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools. Given the existing race profile there is likely to be a slight positive benefit for Asian groups currently overrepresented.</p>		
	<p>*NOTE: Academies and PRU not included</p> <p>Overall the schools listed in the strategy attract a wide mix of ethnic groups to reflect the diversity of the borough. It is therefore concluded the strategy to be of medium relevance to Race, with a positive impact.</p>										



Religion/belief (including non-belief)	The School Organisation Strategy will have a positive albeit low impact on local faith residents, through the extended offer in our faith schools, through the extension to existing provision.	L	+
Sex	<u>The School Organisation Strategy will have a positive impact on this protracted characteristic by extending the offer of single sex provision at our over subscribed schools. This includes a medium positive impact for females by expanding the single sex offer at Sacred Heart High School and Lady Margaret and increased single sex provision for males at the Henry Compton site (refer to Cabinet Report section 3.1 for greater detail of the new projects).</u>	M	+
Sexual Orientation	The School Organisation Strategy will not directly have an impact on this strand, as it is an all encompassing strategy for all learners in the borough. The admission criteria for all the affected schools (which are subject to annual consultation) will remain unchanged	N/A	N/A

**Human Rights and Children's Rights**

Will it affect Human Rights, as defined by the Human Rights Act 1998?

Yes: Article 2 of Protocol 1: Right to education. It is expected that the strategy will have a positive impact on this (e.g. via additional learning capacity for borough learners).

Will it affect Children's Rights, as defined by the UNCRC (1992)?

Yes: the right to education, and special rights for disabled children. It is expected that the strategy will have a positive impact on these rights (e.g. via additional learning capacity for borough learners)

<b><u>Section 03</u></b>	<b><u>Analysis of relevant data and/or undertake research</u></b>
<b><u>Documents and data reviewed</u></b>	Please see details from EIA in 2011 below: Plus Admissions & Census data, plus current pupil data. We also did a bid process with all schools on how they could deliver within the schools of choice agenda.

We undertook a consultation that was open to all strands, from 21 April to 2008 to 9 June 2008, through a variety of ways:

- Pupil post to all parents of primary, secondary and special schools in the borough
- To parents of primary age parents at independent schools
- All Early Years settings
- Hammersmith and Fulham website
- Freepost questionnaires left at municipal buildings in the borough
- Partner agencies
- Voluntary organisations
- 20 meetings at various schools (parent, governors and staff)
- 22 meetings with children at their schools
- 7 meetings with specific groups such as early years providers, employers steering group and school staff
- Special meeting with headteachers
- 8 road shows at libraries and town halls
- A children's conference at Chelsea Football ground

With a total of 1,304 children and 437 adults attended the above meetings.

Nearly 3,000 questionnaires were received in response to the consultation and recommendations were made to take into account the views were portrayed.

The main strands positively affected by the consultation were, age, disability, gender and religion, through the schools community. All these strands were affected positively by the recommendations that were contained within the Cabinet Reports that detailed the consultation and results. The relevant consultation and questionnaires, can be found in the Cabinet Reports of 14 July 2008 and 2 March 2009 respectively and are detailed in the background papers to this strategy

We undertook a consultation that was open to all strands, but primarily aimed at parents of SEN children, from 24 November 2008 to 19 January 2009, through three options:

- Parents of children at all the schools affected by the proposals (given a summary via pupil post)

	<ul style="list-style-type: none"> <li>• An executive summary sent to other stakeholders and made available at public libraries and both town halls</li> <li>• The detailed documents (and summaries) were published on the Councils website.</li> </ul> <p>The main positively affected strand was disability, by the proposals that were captured by the responses to the consultation and the recommendations that were approved by Cabinet. The relevant consultation and questionnaires can be found in the Cabinet Report of 2 March 2009 and are detailed as background papers to this strategy.</p> <p><u>Mid Year Population Estimates</u> Data has been compared to that of the ONS Mid Year Population Estimates for 2009, which can be accessed here: <a href="http://www.lbhf.gov.uk/Directory/Council%20and%20Democracy/Plans%20performance%20and%20statistics/Statistics%20and%20census%20information/Census%20information/7057%20Demographic%20Data%20for%20Hammersmith%20and%20Fulham.aspx">http://www.lbhf.gov.uk/Directory/Council and Democracy/Plans performance and statistics/Statistics and census information/Census information/7057 Demographic Data for Hammersmith and Fulham.aspx</a></p> <p><u>October 2011/12 CENSUS</u> Data has been taken from the October 2011/12 CENSUS concerning the schools profiles.</p>
<u>New research</u>	N/A.

<b><u>Section 04</u></b>	<b><u>Undertake and analyse consultation</u></b>
<b><u>Consultation</u></b>	Given the previously undertaken detailed consultation a further consultation is not required for this strategy.
<b><u>Analysis</u></b>	From the previous consultations, listed above, all stakeholders that had responded were in favour of our proposals. Please refer to the Cabinet papers of 14 July 2008 and 2 March 2009 which are listed as background papers to this strategy for full details.

<b><u>Section 05</u></b>	<b><u>Analysis of impact and outcomes</u></b>
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<b><u>Analysis</u></b>	The consultation and assessment data have shown support for the proposals and these were taken into consideration in our recommendations to Cabinet.
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<b><u>Section 06</u></b>	<b><u>Reducing any adverse impacts</u></b>
<b><u>Outcome of Analysis</u></b>	The consultations did not exclude any member of the strands, as the consultations were open for all to respond to if desired.

<b><u>Section 07</u></b>	<b><u>Action Plan</u></b>
<b><u>Action Plan</u></b>	The action plan is to receive Cabinet Approval on the recommendations contained within the report and the implementation of these via the Lead Officer (Andy Rennison) in consultation with the Chief Officer (Andrew Christie).

<b><u>Section 08</u></b>	<b><u>Agreement, publication and monitoring</u></b>
<b><u>Chief Officer sign-off</u></b>	<u>Name: Andrew Christie</u> <u>Position: Director of Children's Services</u> <u>Email: <a href="mailto:andrew.christie@lbhf.gov.uk">andrew.christie@lbhf.gov.uk</a></u> <u>Telephone No: 020 8753 3601</u>
<b><u>Key Decision Report</u></b>	<u>Date of report to Cabinet/Cabinet Member: 05/02/12 – Cllr Helen Binmore</u> <u>Confirmation that key equalities issues found here have been included: Yes</u>
<b><u>Opportunities Manager for advice and guidance only</u></b>	<u>(When EIAs have been determined to be of high relevance)</u> <u>Name: Carly Fry</u> <u>Position: Opportunities Manager</u> <u>Email: <a href="mailto:PEIA@lbhf.gov.uk">PEIA@lbhf.gov.uk</a></u> <u>Date: 13.02.2012</u>