

Equality Impact Assessment (EIA)

Engagement and our equality duty

Whilst [the Gunning Principles](#) set out the rules for consulting ‘everyone’, additional requirements are in place to avoid discrimination and inequality.

Cheshire East Council is required to comply with the Equality Act 2010 and the Public Sector Equality Duty. The Equality Act 2010 simplified previous anti-discrimination laws with a single piece of legislation. Within the Act, the Public Sector Equality Duty (Section 149) has three aims. It requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act, by consciously thinking about equality when making decisions (such as in developing policy, delivering services and commissioning from others)
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, by removing disadvantages, meeting their specific needs, and encouraging their participation in public life
- foster good relations between people who share a protected characteristic and people who do not

The Equality Duty helps public bodies to deliver their overall objectives for public services, and as such should be approached as a positive opportunity to support good decision-making.

It encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people’s needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people’s opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

Complying with the Equality Duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve providing a service in a way which is appropriate for people who share a protected characteristic, such as providing computer training to all people to help them access information and services.

The Equality Act identifies nine 'protected characteristics' and makes it a legal requirement to make sure that people with these characteristics are protected from discrimination:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnerships
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Applying the equality duty to engagement

If you are developing a new policy, strategy or programme you may need to carry out an Equality Impact Assessment. You may be able to ascertain the impact of your proposal on different characteristics through desk-based research and learning from similar programmes, but you also need to carry out some primary research and engagement. People with protected characteristics are often described as 'hard to reach' but you will find everyone can be reached – you just need to tailor your approach, so it is accessible for them.

Contacting the [Equality and Diversity mailbox](#) will help you to understand how you can gain insight as to the impacts of your proposals and will ensure that you help the Council to comply with the Equality Act 2010 and the Public Sector Equality Duty.

Section 1 – Details of the service, service change, decommissioning of the service, strategy, function or procedure

Proposal Title	Proposed Closure of St Gregory’s Catholic Primary School, Bollington
Date of Assessment	23 November 2023
Assessment Lead Officer Name	Jeremy Keeble, Interim Head of Education
Directorate/Service	People Directorate / Children and Families
Details of the service, service change, decommissioning of the service, strategy, function or procedure.	<p>Cheshire East Council and the Diocese of Shrewsbury have consulted on the closure of St Gregory’s Catholic Primary School, Macclesfield with effect from 31 December 2023.</p> <p>St Gregory’s is a Voluntary Aided School which is funded by the Government and maintained by the Local Authority but also receives financial contributions from the Diocese. The site is owned by both the Diocese and Cheshire East Council. St Gregory’s Catholic Primary School is a small primary school based in the village of Bollington on the outskirts of the town of Macclesfield. The school caters for ages 4 -11 with an admission number of 15 pupils per year group and an overall capacity for 105. There has been a decline in pupil numbers over the past five years (2019-2023) with only 1 child being admitted to Reception 2023. Based on the October 2023 pupil census, there were 5 pupils on roll, however, as at 23 November that number has reduced to 3 which means the school has 97% surplus places.</p> <p>Schools are primarily funded as a result of the number of pupils on roll. This funding pays for the Headteacher, class teachers, teaching assistants, other things that support a pupil with their learning, as well as the things that keep the school running. Fewer pupils means less funding. With falling numbers on roll, the funding dips below the level needed, and a school may become unviable meaning it cannot financially support itself.</p> <p>St Gregory’s Catholic Primary School received an Ofsted ‘Inadequate’ judgement following a S5 Inspection in February 2022 this resulted in the school being subject to an Academy Order. A sponsored academy solution from suitable Diocesan Academy Trusts was sought. This solution has not been secured as consulted Trusts have assessed the school as unviable in the longer term.</p>

<p>Who is Affected?</p>	<p>People potentially affected by the proposal could include: -</p> <ul style="list-style-type: none"> • Parents / carers of the pupils currently attending the school. • Future parents / carers who may have chosen the school for their child to attend. • Staff of the school • Governors of the school • Neighboring schools • Ward members and Parish Councils • Local community
<p>Links and impact on other services, strategies, functions or procedures.</p>	<p>The proposal links to overall educational provision across Bollington and across Macclesfield. Although St Gregory's is the only Catholic Faith school within Bollington village, there are 2 other Catholic denominational schools in Macclesfield both have adequate surplus places to offer the 3 pupils currently on roll at St Gregory's places should the parents express a preference for either school.</p> <p>In addition, there are 3 other schools in Bollington which have taken several pupils from St Gregory's during the last academic year. The Local Authority are still in negotiations with the parents of the 3 remaining pupils regarding alternative schools.</p>

<p>How does the service, service change, strategy, function or procedure help the Council meet the requirements of the Public Sector Equality Duty?</p>	<p>The Public Sector Equality Duty is a legal requirement contained within the Equality Act 2010 which requires public authorities and others carrying out public functions to have due regard to the need to:-</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation • Advance equality of opportunity between people who share a protected characteristic and those who do not • Foster good relations between people who share a protected characteristic and those who do not <p>The above aims may be more relevant to some proposals than others, and they may be more relevant to some protected characteristics than others. However, it is advisable that the proposal be assessed against each of the above aims.</p> <p>School Organisation Team, Admissions Team and SEND Team are working closely with all the local schools to ensure the local authority can meet its statutory duty to provide sufficient and suitable places for all Cheshire East children and young people requiring a school place.</p>
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Section 2- Information – What do you know?

What do you know?	What information (qualitative and quantitative) and/or research have you used to commission/change/decommission the service, strategy, function, or procedure?
<p>Information you used</p>	<p>The local authority, through its officers within education services, has regarded St Gregory’s Catholic Primary School as a ‘school causing concern’ for a considerable period, this has been due to its challenges in securing sufficient pupils on roll to allow for a sustainable and affordable budget to be set. Added to these concerns were the quality of leadership in the school and the resulting outcomes for children attending the school.</p> <p>In early February 2022, based upon the concerns over the school, the local authority initiated one of its intervention powers linked to ‘schools causing concern’, and issued a pre-warning letter to the governing board of the school. Unrelated to this, in February 2022 the school also received a full Section 5 inspection by Ofsted which judged overall that the school provided an inadequate quality of education for the pupils attending.</p> <p>The local authority was required to complete a ‘statement of action’ following an inadequate Ofsted judgement and this was approved by</p>

Ofsted in terms of a rapid improvement plan. This plan was based upon the national expectation that the school would now join an academy trust as a sponsored school which would assist in providing the appropriate levels of support to improve the quality of education. Being a Diocesan school, such a trust would need to meet the requirements of the Diocesan of Shrewsbury.

Following extensive meetings with Diocesan officers and members of the Northwest Regional Director's team, it became clear that the preferred local Diocesan academy trust did not consider this school a viable option in terms of its financial position; this was primarily due to the ongoing fall in pupil numbers.

At the ongoing meetings referred to above, the position was reached that as no suitable trust option was available, that careful consideration needed to be given to the sustainability of this school and that structured consultation would need to be considered which could include the option to close the school. This is a formal staged process using Department of Education statutory guidance. Opening and closing maintained schools' Statutory guidance for proposer and decision makers (January 2023) ('the statutory guidance')– see below.

Children and Families Committee would be the overall decision maker using this guidance.

A parents' meeting was held at the school on 10 July 2023 to inform the local community that this structured process was to be considered by committee in September. A letter was also sent to all parents and carers of pupils attending the school before the end of term to again provide information on this theme.

At the Children and Families Committee on 18 September 2023 a paper was presented to Committee by the Cheshire East Director of Education, Strong Start and Integration, Claire Williamson. The Committee approved the commencement of the structured process as outlined in the statutory guidance 'Opening, closing and making changes to schools' Opening, closing and making changes to schools - regarding the future viability of St Gregory's Catholic Primary School.

<p>Gaps in your Information</p>	<p>In line with the DfE guidance, stage 1, the pre-consultation with parents and carers, staff, elected members and the Diocese of Shrewsbury took place for three weeks from 2 October 2023 to 22 October 2023.</p> <p>During this pre consultation period 21 responses were received, plus 1 who advised they could not answer the question.</p> <ul style="list-style-type: none"> • 11 responses said they agree with the proposal to close St Gregory's Catholic Primary School • 10 responses said they do not agree with the proposal to close St Gregory's Catholic primary school. • 1 of the responders advised that they could not answer this question. • The majority of the responders agreed that due to the low numbers/financial situation the school is no longer viable. <p>Feedback received has been analysed and included in the report to the Children and Families Committee.</p>
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3. What did people tell you?

<p>What did people tell you</p>	<p>What consultation and engagement activities have you already undertaken and what did people tell you? Is there any feedback from other local and/or external regional/national consultations that could be included in your assessment?</p>
<p>Details and dates of the consultation/s and/or engagement activities</p>	<p>Pre consultation was held with Parents and Carers, Staff, Elected members and the Diocese of Shrewsbury. The consultation took place for three weeks from 2 October 2023 to 22 October 2023 – 22 responses were received during this 3-week consultation period which informed the decision to proceed to the next stage of the statutory process.</p> <p>In line with statutory guidance issued by the Department for Education a public notice was published in the Macclesfield Express on 25 October and the 4-week representation period will run from 25 October to 26 November 2023. During this period anyone may respond to the proposal either to support or object to the proposal.</p> <p>Information was made available on the County website and the representation period was notified to key stakeholders including Ward Members, MP, Diocese, neighbouring parish and town councils and neighbouring local authorities. Information was emailed to local schools and schools were issued with letters for distribution to their staff, governors and parents.</p> <p>Human Resource (HR) officers have been regularly involved in actions taken to date regarding staffing decisions within the school. A meeting with</p>

	<p>staff attended by the Claire Williamson and HR was held at school on 2nd October. The Trade Unions have been notified and a meeting held with them on 4th October. A staff formal consultation period has commenced with a formal consultation meeting held on 2nd November, attended by Jeremy Keeble, HR and Trade Union Representatives. The formal consultation period ran until 23rd November. 1:1 consultation meeting with staff have been held week commencing 6th November. Individual consultation with staff will continue up until a decision is made on 11th December 2023.</p>
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**Gaps in
Consultation
and
engagement
feedback**

Following pre consultation, and in accordance with the guidance issued by the Department for Education, a statutory public notice was published in the Macclesfield Express on the 25 October 2023. The 4-week representation period ran from 25 October until 26 November 2023. Information was made available on the Councils' website and the representation period was notified to key stakeholders including Ward Members, MP, Diocese and neighbouring parish and town councils and neighbouring local authorities. Information was emailed to local schools and schools were issued with letters for distribution to their staff, governors and parents. The council has received 767 responses.

4. Review of information, consultation feedback and equality analysis

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of information used to inform the proposal	What did people tell you? Summary of customer and/or staff feedback	What does this mean? Impacts identified from the information and feedback (actual and potential). These can be either positive, negative or have no impact.
Age	The proposal will impact on Primary Aged pupils living in the Bollington Area	No feedback comments referred to age	
Disability	The school admitted pupils with SEND needs. Admissions and SEND teams are consulting with parents and local schools to find suitable places in the local area	The consultation feedback from parents was that the building should continue to be used for educational purposes and a SEND school was much needed in the area. Comments have included that that the situation is desperate in Cheshire East for SEN places and therefore supports the reuse of the school as a Special School. Also, Children would benefit from having a local provision for SEND. Children are being failed by not having enough specialist places.	One of the options been considered, should the decision be made to close the school, is to use the site to open a Special School in its place. This would result in more places been available for pupils with SEND needs and not having to travel out of Macclesfield to access special provision. If this was to be progressed as an option a separate statutory process would need to be initiated.
Gender reassignment	The school admits pupils making no reference to gender	No feedback comments referred to gender	
Pregnancy and maternity	The school admitted primary aged pupils and pregnancy and maternity and therefore this protected characteristic is not impacted.	No feedback comments referred to pregnancy or maternity	
Race/ethnicity	The school admits pupils making no reference to race or ethnicity	No feedback comments referred to race.	

Religion or belief	The proposal is to close St Gregory's Catholic Primary School, therefore removing parental choice of a catholic education in Bollington.	In total over 800 comments were made against the 4 questions asked. 21 comments referred to keeping the school as Catholic to maintain religious diversity in the area	There are 2 alternative Catholic Primary schools within 2 miles of St Gregory's, both schools have adequate surplus place to accommodate the children still on roll at the school.
Sex	The school admits pupils making no reference to sex.	No feedback comments made reference to sex.	
Sexual orientation	The school admits pupils making no reference to sexual orientation	No feedback comments made reference to sexual orientation.	
Marriage and civil partnership	The school admitted primary aged pupils and pregnancy and maternity and therefore this protected characteristic is not impacted	No feedback comments made reference to marriage or civil partnership.	

5. Justification, Mitigation and Actions

Mitigation	What can you do? Actions to mitigate any negative impacts or further enhance positive impacts
<p>Please provide justification for the proposal if negative impacts have been identified?</p> <p>Are there any actions that could be undertaken to mitigate, reduce or remove negative impacts?</p> <p>Have all available options been explored? Please include details of alternative options and why they couldn't be considered?</p> <p>Please include details of how positive impacts could be further enhanced, if possible?</p>	<p>Alternative Options were considered before consultation on proposed closure commenced.</p> <p>Option - Do nothing Impact - The numbers in the school are too small to allow the school to be financially sustainable and therefore the deficit budget position for the school would continue grow. Risk - The local authority could not sustain a school which had a three-year deficit budget without a viable solution and therefore financial risk would continue to increase. Small numbers in the school impacts significantly on the risk to provide a good quality education for attending pupils.</p> <p>Option - To seek a sponsored academy solution for the school. Impact - A due diligence process has been followed with two Diocesan trusts which has not seen this school as sustainable in the longer term due primarily to a fall in pupil numbers. Risk - Increasing risks due to the preferred national solution for the school not being available.</p> <p>Option - To consider alternative uses for the site or alternative educational provisions such as a SEND school. Impact - Such options will be considered separately as part of the formal consultation process – opening and closing schools. Risk - Each risk will need to be considered by committee following any future consultation.</p>


6. Monitoring and Review -

Monitoring and review	How will the impact of the service, service change, decommissioning of the service, strategy, function or procedure be monitored? How will actions to mitigate negative impacts be monitored? Date for review of the EIA
Details of monitoring activities	Risks will be monitored as part of the staged process as outline in the national guidance.
Date and responsible officer for the review of the EIA	Claire Williamson will ensure this is reviewed in May 2024, 6 months after the decision is made.

7. Sign Off

When you have completed your EIA, it should be sent to the [Equality, Diversity and Inclusion Mailbox](#) for review. If your EIA is approved, it must then be signed off by a senior manager within your Department (Head of Service or above).

Once the EIA has been signed off, please forward a copy to the Equality, Diversity and Inclusion Officer to be published on the website. For Transparency, we are committed to publishing all Equality Impact Assessments relating to public engagement.

Name	Claire Williamson
Signature	
Date	27/11/23

8. Help and Support

For support and advice please contact EqualityandInclusion@cheshireeast.gov.uk

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