

Equality impact assessment is a legal requirement for all strategies, plans, functions, policies, procedures and services under the Equalities Act 2010. We are also legally required to publish assessments.

Section 1: Description

Department	Children , Families and Adults		Lead officer responsible for assessment		Rob Hyde	
Service	School Organisation		Other members of team undertaking assessment		Barbara Dale	
Date	17 January 2013		Version		3	
Type of document (mark as appropriate)	Strategy	Plan √	Function	Policy √	Procedure	Service
Is this a new/existing/revision of an existing document (mark as appropriate)	New		Existing		Revision √	
<p>Title and subject of the impact assessment (include a brief description of the aims, outcomes , operational issues as appropriate and how it fits in with the wider aims of the organisation)</p> <p>Please attach a copy of the strategy/plan/function/policy/procedure/service</p>	<p>Permission to publish a statutory notice on the proposed expansion of Wheelock CE Primary from 1FE to 1.5FE to provide an additional 105 school places with a revised proposed completion date of April 2014.</p> <p>There are any other associated policies and procedures as set out below:-</p> <ul style="list-style-type: none"> • Children and Families, Capital Strategy 2012/2013 • Statutory consultation has been undertaken on this proposal as the changes, if approved, will fall within the category of a significant enlargement as the additional accommodation proposed for Wheelock Primary would increase the capacity by more than 30 pupils and by more than 25%. • The Local Authority must comply with statutory requirements as set out in The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment)(England) Regulations 2007 which came into force on 21 January 2008 and The School 					

Organisation and Governance (Amendment)(England) Regulations 2009 which came into force on 1 September 2009).

The aims, objectives and outcomes of this proposed change are as follows:-

The proposal, if determined, will provide additional primary school places for the Wheelock area of Sandbach to address the forecast shortfall for this area. In addition, this will deliver a level of operational surplus for the Local Authority, which is a level of spare capacity intended to accommodate reasonable journey times to school, some degree of parental choice, and flexibility to allow for mid-year entrants. The proposal will therefore have a significant positive impact on the current projected shortfall in the number of school places in Sandbach and on parental choice and, at worst, a neutral impact on vulnerable and minority groups in the community.

The outcomes of consultation were summarised in a report to the Portfolio Holder for a decision on 3 December 2012, (which was extended to 17 December and further extended to 4 February.) In deciding whether or not to give permission to publish proposals it is a requirement both under DfE guidance and case law that the decision maker should consider the views expressed during consultation and take into account the Equality Impact Assessment. It is therefore imperative that full details of all views submitted are made available at the decision meeting.

Wheelock Primary School is a popular and successful school with a published admission number (PAN) of 30 pupil places and overall accommodation for 210 pupils across the 7 year groups. The Local Authority is proposing an increase to provide 315 pupil places with a proposed implementation date of September 2013. This increase, if approved, will provide sufficient accommodation for an intake at the normal point of entry to the school (the reception class) of 45 pupils with the school operating in the longer term as a 1.5 form of entry primary school as the relevant year group moves through the school.

Wheelock Primary is situated in the Sandbach area of the Congleton Local Area Partnership. Sandbach has 8 primary schools and 2 secondary schools. Two of these primary schools fall within the Crewe Local Area Partnership and serve the Haslington area (Haslington Primary and The Dingle Primary schools). The total

	<p>capacity across the 8 primary schools is currently 1915 pupil places. Forecasts indicate that there will be a shortfall of 151 pupil places by 2017, taking into account all 8 primary schools.</p> <p>The 6 primary schools located in the Sandbach town area (excluding the two Haslington primary schools) have a combined capacity of 1295 school places. Pupil forecasts for these 6 schools indicate that by 2017 there will be an overall shortfall in the number of pupil places by 11% (144). The number of spare pupil places is forecast to fall to 0% in September 2013.</p>
Who are the main stakeholders? (eg general public, employees, Councillors, partners, specific audiences)	<ul style="list-style-type: none"> • Children and their parents and carers • Headteachers in schools in Sandbach

Section 2: Initial screening

Who is affected? (This may or may not include the stakeholders listed above)	Children and Young People Parents / Carers Schools
Who is intended to benefit and how?	Young Children and their parents and carers in the Sandbach area and in particular, families resident in the area normally served by Wheelock Primary.
Could there be a different impact or outcome for some groups?	This proposal will have a marginal positive impact for members of the local community.
Does it include making decisions based on individual characteristics, needs or circumstances?	Any decision on the proposal will not be based on any individual characteristics, needs or circumstances
Are relations between different groups	A number of concerns have been expressed during the statutory consultation process that this proposal will have a

<p>or communities likely to be affected? (eg will it favour one particular group or deny opportunities for others?)</p>	<p>detrimental impact on nearby schools by increasing the capacity in the area by an additional 105 primary school places across all year groups, with an increased intake at the normal point of entry of 15 additional pupils. Concern has been raised that whilst the expectation is that the additional places will be phased in at the normal point of entry to the school, the additional accommodation that would need to be provided would undermine the admission authority's ability to justify prejudice at appeal, should an unsuccessful applicant challenge a decision to refuse admission.</p> <p>Whilst the decision of an independent appeal panel cannot be pre-empted, the view of the admission authority is that there would be prejudice to the provision of efficient education and efficient use of resources if the school was expected to take into the school 105 extra pupils on implementation. Phasing in of the accommodation is essential to ensure appropriate pupil teacher ratios and to mitigate any risk to existing pupils and to the school's ability to set a balanced budget, for which there would be a negative impact if new accommodation was utilised immediately. The purpose of this proposal is to provide sufficient places in the area to meet growing demand and not to have a detrimental impact on nearby schools.</p> <p>The Local Authority in making this recommendation for expansion has taken into account pupils forecasts which indicate that there will an insufficient number of pupil places for Sandbach residents in the future, taking into account the January 2012 School census data. Forecasts indicate that there will be a shortfall across all year groups and all schools from 2013.</p> <p>Further analysis of October 2012 data shows that the pressure on places in these schools is predominantly in Key stage 1 with a shortfall of 32 places in the reception cohort for 2012 and an overall shortfall of 9 places across KS1. This is compared with 82 spare pupil places across KS2. Excluding the two Haslington primary schools, the pressure on places in the Sandbach area is greater with a KS 1 having an overall shortfall of 15 places and only 40 pupils places in KS2. This more recent change in the demand for places in the area must be addressed to ensure that the LA can meet its statutory duty of providing sufficient school places for children in its area.</p> <p>In addition, analysis of reception intakes has been undertaken and this indicates that the number of children in the combined catchment areas for September 2012 and 2013 exceed the total number of reception class places in the</p>
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area, which must be addressed. Including Haslington, there are 275 pupil places for which there were 283 resident pupils for 2012 and currently 253 for 2013. Excluding Haslington, there are 185 pupil places and 221 resident pupils 2012, and to date, 204 for 2013. Both years therefore exceeding the number of pupil places.

In making this recommendation the Local Authority has given consideration to a number of issues, including the number of pupils in each school's catchment area, the number of first preferences received for each school, the current size of the school together with the school sites and those suitable for expansion and the likely costs of extension. Suitable schools also needed to be central to the area where the extra places are required.

The process of formulating options for consideration included consideration of the Council's priorities as set out in the draft School Organisation Framework. Due to the timescales involved, informal (non-statutory) consultation procedures were not implemented prior to formal statutory consultation. Feedback on the proposal has nevertheless been facilitated during the formal consultation period and meetings arranged with groups of schools provided in depth discussion with attendees.

On 30 October at the start of the consultation process, a meeting was held attended by headteachers and governor representatives of the Sandbach primary schools to provide information about the proposed expansion of Wheelock Primary and the rationale for change including forecast demand and the process for change. The meeting was well attended. Attendees acknowledged the pressures for the area but expressed objection to the Wheelock proposal. Concern was expressed that informal consultation procedures had not been implemented allowing schools in the area the opportunity to be part of the process of identifying options for change and that the proposal for 105 places had the potential to impact on other Sandbach schools if additional capacity is in place for September 2013 as proposed. Additional comments were made regarding alternative solutions that attendees at the meeting considered more appropriate for the area. It was agreed at the meeting that a further meeting would be arranged during consultation to facilitate feedback on alternative solutions for the town.

On 9 November a further meeting took place and this was well attended. The issues raised at the meeting include procedure: which was questioned in relation to the undertaking of equality impact assessments, data, timing of proposals and the potential impact on other schools and consultation timescales, with recommendations in relation

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			to the latter that the 5 weeks is insufficient .								
Is there any specific targeted action to promote equality? Is there a history of unequal outcomes (do you have enough evidence to prove otherwise)?			Consultation has been undertaken over a 5 week period inviting feedback on the proposals from anyone with an interest.								
Is there an actual or potential negative impact on these specific characteristics? (Please tick)											
Age	Y	N ✓	Marriage & civil partnership	Y	N ✓	Religion & belief	Y	N ✓	Carers		N
Disability	Y	N ✓	Pregnancy & maternity	Y	N ✓	Sex	Y	N ✓	Socio-economic status		N
Gender reassignment	Y	N ✓	Race	Y	N ✓	Sexual orientation	Y	N ✓			
What evidence do you have to support your findings? (quantitative and qualitative) Please provide additional information that you wish to include as appendices to this document, i.e., graphs, tables, charts										Consultation/involvement carried out	
										Yes	No
Age			This will positively impact on the number of school places for young people of primary school age in the Sandbach area and thereby increasing opportunities for parental choice, in line with DfE guidance.							✓	
Disability			The proposal will have a marginally positive impact on young people and parents with a disability because the provision of additional places will overall provide sufficient places closer to person's place of residence. The proposal will also offer greater parental choice for those families with wider caring							✓	

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	responsibilities for household members with a disability.		
Gender reassignment	<p>The Local Authority is bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect.</p> <p>However, given the very young age of the pupils it is unlikely that any issues will arise in relation to these protected characteristics.</p>	v	
Marriage & civil partnership	<p>The Local Authority is bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect.</p> <p>Admissions to the school are made following the local authorities admission arrangements and over subscription criteria. All applications are considered against the over subscription criteria on a equal basis without reference to the marital status of the parent/carer.</p>	v	
Pregnancy & maternity	<p>The Local Authority is bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect.</p> <p>Admissions to the school are made following the local authorities admission arrangements and over subscription criteria. All applications are considered against the over subscription criteria on a equal basis without reference to the status of the parent/carer</p>	v	
Race	<p>The Local Authority is bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect.</p> <p>Race is recorded as the following from Wheelock school:</p>	v	

	<ul style="list-style-type: none"> • 97% White • 2% Mixed/Dual Background • 0.5% Asian or Asian British • 0.5% Other Groups or Not recorded <p>The average recorded data across the Sandbach primary is:</p> <ul style="list-style-type: none"> • 94% White • 2 % Mixed/Dual Background • 1% Asian or Asian British • 0% Black or Black British • 3% Other Groups or Not recorded <p>The local authority has no reason to believe that any proposed expansion of the school would result in an overall change to the current demographics.</p>		
Religion & belief	The Local Authority is bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect. Wheelock Primary School is a community school and as such admission applications are considered against the admission arrangements and over subscription criteria as determined by the local authority. The over subscription criteria are applicable to all applications on an equal basis irrespective of religious belief.	v	
Sex	There is an equal gender balance girls and boys currently attending Wheelock Primary, Girls represent 49% of the Wheelock pupils with boys 51%. This represents a similar school population demographic across Sandbach schools with 49% male and 51% female.	v	
Sexual orientation	The Local Authority is bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect. However, given the very young age of the pupils it is unlikely that any issues will arise in relation to	v	

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	these protected characteristics.		
Carers	The proposal will have a marginally positive impact on persons with dependents and will offer greater parental choice for those families with wider caring responsibilities.	✓	
Socio-economic status	It is considered that the proposal will have a positive impact on those children/young people included in this group because 6.6 % of pupils within Wheelock (Reception to Year 6) are eligible for free school meals. In comparsion across the 6 Sandbach primary schools 12.6% are eligible.	✓	
Proceed to full impact assessment? (Please tick)	Yes	No ✓	Date 17.1.2013

If yes, please proceed to Section 3. If no, please publish the initial screening as part of the suite of documents relating to this issue

Section 3: Identifying impacts and evidence

This section identifies if there are impacts on equality, diversity and cohesion, what evidence there is to support the conclusion and what further action is needed

Protected characteristics	Is the policy (function etc....) likely to have an adverse impact on any of the groups? Please include evidence (qualitative & quantitative) and consultations	Are there any positive impacts of the policy (function etc....) on any of the groups? Please include evidence (qualitative & quantitative) and consultations	Please rate the impact taking into account any measures already in place to reduce the impacts identified High: Significant potential impact; history of complaints; no mitigating measures in place; need for consultation Medium: Some potential impact; some mitigating measures in place, lack of evidence to show effectiveness of measures Low: Little/no identified impacts; heavily legislation-led; limited public facing aspect	Further action (only an outline needs to be included here. A full action plan can be included at Section 4)
Age				
Disability				
Gender reassignment				
Marriage & civil partnership				

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Pregnancy and maternity				
Race				
Religion & belief				
Sex				
Sexual orientation				
Carers				
Socio-economics				
Is this project due to be carried out wholly or partly by contractors? If yes, please indicate how you have ensured that the partner organisation complies with equality legislation (e.g. tendering, awards process, contract, monitoring and performance measures)				

Section 4: Review and conclusion

Summary: provide a brief overview including impact, changes, improvement, any gaps in evidence and additional data that is needed			
<p>At the Portfolio Holders meeting of 3 December the decision was “to defer for up to two weeks to enable further consideration to be given to additional information and comments received during the consultation period.” A further Portfolio Holders meeting was arranged for 17 December and the decision to publish a statutory notice was again deferred to allow a further two weeks’ consultation on possible alternative solutions to the increasing demand for places in the Sandbach area. In response to this decision, officers held a further meeting with headteachers and governors of primary schools in the Sandbach area to seek their preferred alternative options and a public “drop in” session was arranged to seek the views of parent /carers and other interested parties.</p>			
Specific actions to be taken to reduce, justify or remove any adverse impacts	How will this be monitored?	Officer responsible	Target date
<p>Concerns raised about the potential detriment to nearby schools due to possible “in year” movement to Wheelock.</p> <p>The additional capacity of 15 places applies to the normal point of entry to the school (Reception class) and further admissions would need to be phased in for each year group upto 2018. further admission into other year groups could have adverse impact on pupils at Wheelock Primary further admissions could be prejudicial due to insufficient staffing and higher pupil teacher ratios.</p>	<p>Monitor in year applications to the higher year groups for all Sandbach Primary schools liase with the schools as necessary.</p> <p>Unless exceptional circumstances apply applications for year groups that are already over subscribed or at PAN should be refused and parents/ carers offered the right of appeal.</p>	Barbara Dale	Ongoing for a period of at least 12 months following completion of the building project.
Concerns raised regarding the current proposal to remove free school transport from Ettiley Heath, to	This proposal is still under assessment and no decision		

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Wheelock Primary. Wheelock Primary is the catchment school for this area and transport is currently provided as the route is currently designated as a hazardous route.	has being taken.		
<p>Duing the consultation and previous meetings between Officers and headteachers questions had being raised about the absence of a long term strategy.</p> <p>At a meeting of 14 January between Officers and headteachers information on future plans was shared although it was stressed that this long term strategy was conditional on a number of factors and could not be guaranteed as decisions on proposals were subject to statutory and locally agreed procedures and therefore outside of the officers remit.</p>	<p>The local authorities longer term strategy for the Sandbach area is dependent on a number of factors namely sufficient capital funding, housing developments and pupil forcasts.</p> <p>Local Authority review pupil forecasts annually to determine demand for places. Housing developments of 10 or more dwellings will be monitored by Officers and by applying the pupil yield determine the expected numbers of additional pupils in the area. In addition potential Section 160 contributions will be sought and secured as appropriate.</p> <p>Review provision in an area through prior consultation with schools , transparency was important for any future proposed school expansions</p>		
Questions has being raised regarding the catchmnet area of the schools and could these be reviewed to distribute the children more evenly, negate the need to provide transport from the Ettiley Heath area to Wheelock and to take account of any future housing	In anticipation of potential housing developments the Local Authority had already undertaken a review of catchment areas in 2011. In 2012 the local authority had consulted on the rezoning of an area from Elworth CE to Elworth Hall and as a result of this consultation had determined the rezoning arrangements for September		

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<p>developments.</p> <p>Whilst catchment areas are used to determine priority for admission to a particular school parents will continue to choose schools for many reasons and places for “in area” applicants are not guaranteed.</p> <p>Based on January 2012 number on roll (212)78% of the children attending the school are living in Wheelock’s catchment area. In comparison only 49% of children living within the catchment area are attending the school. However, this could be contributed to the fact that for the last 3 years “in area” applicants for Reception intake have not being successful in securing a place at the school and have had to accept places at other local schools.</p>	<p>2013 admissions.</p> <p>Changes to school catchment areas require statutory consultation. However, as part of the overall continuing review of provision in the area and taking into account future housing developments and prior consultation with the schools prior to any decision the local authority would give consideration to further changes as required.</p>		
<p>Please provide details and link to full action plan for actions</p>			
<p>When will this assessment be reviewed?</p>			
<p>Are there any additional assessments that need to be undertaken in relation to this assessment?</p>	<p>Further analysis to assess impact will be conducted over the coming weeks and an updated EIA will be presented to the Final Decision maker at the end of the Representation period, if approved.</p>		

Lead officer signoff		Date	
Head of service signoff		Date	

Please publish this completed EIA form on your website