

## Equality Impact and Outcome Assessment (EIA)

**EIAs make services better for everyone and support value for money by getting services right first time.**

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users<sup>1</sup>. They analyse how all our work as a council might impact differently on different groups<sup>2</sup>. They help us make good decisions and evidence how we have reached these decisions<sup>3</sup>.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age<sup>13</sup>) or use the hyperlinks ('Ctrl' key and left click).

### 1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed<sup>4</sup>.

<b>Title of EIA<sup>5</sup></b>	<b>Proposed Closure of St Peter's Community Primary and Nursery School</b>	<b>ID No.<sup>6</sup></b>	FCL-103-Jan-24-EIA-StPetersSchoolClosure
<b>Team/Department<sup>7</sup></b>	Families, Children & Learning – Education & Skills		
<b>Focus of EIA<sup>8</sup></b>	<p>In response to the fall in pupil numbers in the city the Council is proposing the closure of 2 schools along with reduction in Published Admission Number of 6 other schools. A total reduction of 240 places.</p> <p>This EIA is focussed on the proposed closure of St Peter's Community Primary and Nursery School, and the impact on the cohorts of children between the age of 3-11 years old who will be affected by the closures. The EIA will also cover some factors potentially affecting staff at the school.</p> <p>A public consultation process has taken place (from 7 November 2023 to 22 December 2023) and the results of the views of other admission authorities, adjoining neighbouring local authorities, schools' governing bodies, parents of children and any other people interested in the proposals have been gathered and inform this EIA document. Where the data for this consultation has been provided, the effects of the closures on any impacted groups have been reflected in this EIA.</p>		

On 22 January 2024 Children, Families and Schools committee considered the consultation feedback and agreed to publish statutory notices. The statutory notice was published on 23 January 2024. Following the publication of notices, a 4 week representation period ran from 23 January 2024 until 20 February 2024, during which interested parties could make further comment on the proposals. Representations made during that period are reflected on below, alongside comments received during the public consultation period.

This EIA is looking at the impacts of the proposed closures to ensure that groups affected have been considered fairly and to help inform decision making. This document takes account of the Government's updates guidance on the [Public Sector Equality Duty](#) that outlines the purpose of an EIA and states:

It is for the decision-maker to decide how much weight should be given to the various factors informing the decision. The duty does not mean that decisions cannot be taken which disadvantage some people (provided this does not constitute unlawful discrimination), but the decision-maker should be aware of the equality impacts of these decisions and consider how they could positively contribute to the advancement of equality and good relations. The decision-maker should consider ways of preventing, or balancing the effects that their decision may have on certain groups. They should decide which mitigations, if any, they might want to put into place in reconsidering the decision. The mitigation should be proportionate to the problem at hand.

Therefore, compliance with the general duty involves consciously thinking about the equality aims while making decisions. There is no prescribed process for doing or recording this.

### 3. Review of information, equality analysis and potential actions

Groups to assess	What do you know <sup>9</sup> ? Summary of data about your service-users and/or staff	What do people tell you <sup>10</sup> ? Summary of service-user and/or staff feedback	What does this mean <sup>11</sup> ? Impacts identified from data and feedback (actual and potential)	What can you do <sup>12</sup> ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age <sup>13</sup>	<p>The proposal will primarily impact on primary school age children who currently attend the school or may have wished to attend the school, these will be children currently born between 1/9/2018 and 31/08/2014.</p> <p>Proposals will affect parents of children born between 1/09/2019 and 31/08/2020 who are due to start school in September 2024 and those born between 1/09/2020 and 31/08/2022 who would be due to start the nursery.</p> <p>St Peter's school received 11 pupils allocated on National Offer Day to start reception in Sept 2023, 22 pupils to start reception in Sept 2022 and 13 pupils to start reception in Sept 2021.</p> <p>Whilst likely impacted by the timing of initial consultation, the school received a low</p>	<p>Regarding adults, the initial consultation on school closures received 467 responses of which there were 313 responses in relation to St Peter's, through the consultation portal. 53.7% of responders provided their age with the youngest being 18 and the oldest over 75.</p> <p>Out of these responses provided 11% were under 30. 32% were aged between 30-39; 35% aged between 40-49; 15% were aged between 50-59 and 7% were 60 or older.</p> <p>The 125 responses to the statutory notice period represented a similar age profile.</p> <p>A number of parents with siblings attending</p>	<p>Regarding adults, respondents to the initial consultation aged between 30 and 59 accounted for about 82% of the responses.</p> <p>Children in Year 5 may be disproportionately affected by having to move school for Sept 24. Children currently attending the school will be affected by having to start a new primary school.</p> <p>Younger children may find settling into a new school more challenging than older children.</p> <p>Children currently in the nursery who are moving to Reception in September 24 will no longer have St Peter's school as an option and</p>	<p>Ensure that vulnerable children who would be particularly affected by moving schools are identified and supported with the change of schools. Appropriate support provided by Brighton &amp; Hove Inclusion Support Services (BHISS) and Schools Mental Health Service to assist with the transition for identified pupils. The Council is operating a Transition Board and individual action plans may be appropriate for certain children.</p> <p>The Transition Board is setting up a 'Team around the School', which will bring together a professional network around the needs and strengths of each child identified by the</p>

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	<p>number of preferences for starting school in September 2024.</p> <p>These proposals will have a disproportionate impact on children in the current Year 5 as they will have to move to a new school for Year 6 and then secondary school in Year 7 consequently attending 3 different schools in 3 years.</p> <p>Children in the current Reception class will have only in September settled into schooling and may find the transition to a new school difficult.</p> <p>St Peter's School has a teacher led nursery provision attached which would be lost if the school closes. In February 2024 there are 27 children on roll. The majority of which are due to start school in September 2024. There are a small number</p>	<p>the school in different year groups have raised concerns about all siblings attending the same new school and perceived lack of available places at alternative local schools.</p> <p>Concern about loss of affordable nursery provision and longer hours availability.</p> <p>The consultation responses indicated the benefits of the nursery provision at the school being teacher led, affordable and offered for hours that supported working parents. Of the children enrolled in the nursery in January 2024 eight are of working parents - two of these take their extended entitlement in another setting, not at the school.</p>	<p>may need to look elsewhere.</p>	<p>Council's Vulnerability Index tool (used to support pupil transition from one school to another) as a priority.</p> <p>Receiving schools to be made aware of impact of transition on these groups of children so appropriate support can be provided.</p> <p>Council's school admission team to be aware of the issue with siblings and to work with families to facilitate them attending the same school where possible.</p> <p>School admissions team are communicating with families who have expressed a preference for St Peter's for Reception in September to ensure they know about the closure proposal and can seek</p>

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	<p>who will require a new nursery place.</p> <p>Staff who are close to retirement age may find new employment difficult to gain.</p> <p>The age profile of staff in January 2024 was:  Age 21 - 30 = 10%  31 - 40 = 27.5%  41 - 50 = 27.5%  51 - 60 = 35%</p>	<p>The nursery provided children who moved on to the school a good start in their education and families wanted younger siblings to experience what their other children experienced.</p>		<p>alternative preferences should they wish to.</p> <p>Those who cannot apply for a school place online can contact the school admissions team for support.</p> <p>We can ensure there is a school place available for each child in each chronological year group. The school admissions team is available to work with families to meet their preferences.</p> <p>We can ensure there is information about nursery places available for anyone displaced from St Peter's for those children who started at the nursery in January 2024 or any further new starters who are not due to start school in September 2024. Family Hubs and the early</p>

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				years team will support families to find early years provision which meets their needs throughout the city. Our 2023 Childcare Sufficiency Assessment did not find a shortage of early years places overall.
<b>Disability<sup>14</sup></b>	<p>Children with Special Educational Needs and Disabilities (SEND) who have an Education, Health &amp; Care Plan (EHCP) would be placed in school under the SEND code of Practice by the SEN team.</p> <p>From the October 2023 School census St Peter's had 24 students receiving additional educational support.</p> <p>As at February 2024 there are 8 pupils with an Education Health and Care Plan (EHCP); 2 of those are currently in Year 6. 4 of these</p>	<p>Regarding adults, from the responses through the consultation portal to the initial consultation period, 11% who provided an answer identified as having a disability. 76% did not consider themselves to have a disability and 13% preferred not to say.</p> <p>All but one responder who stated that they had a disability strongly disagreed with the proposal to close the school.</p>	<p>Children with EHCPs will be supported with their school moves. This will ensure that the school that they are moving to will be able to provide the provision identified in their EHCPs and that the school will have the relevant accessibility and adaptability requirements in place so that their access to suitable education is not harmed by the move in location.</p> <p>There may be some need to adapt physical</p>	<p>Schools will be encouraged to identify families who need additional support to secure a new school place.</p> <p>There needs to be sufficient school places within a reasonable distance of families including those families who have someone with a disability living with them.</p> <p>As part of the wider work overseen by the transition board, BHSS &amp; the SEN Team will</p>

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	<p>pupils live in Brighton and Hove. One child with an EHCP has already left for a West Sussex school.</p> <p>There is no data available about the number of children at the schools whose parents have a disability.</p> <p>Identifying details on the profile of staff's disabilities relies on staff entering information into the Council's management information system and must be treated as sensitive data. During the staff consultation period a personal 1:1 discussion is available to all staff members, where individual circumstances can be discussed.</p> <p>The school has an Education Mental Health Practitioner, and access to Schools Mental Health Service.</p>	<p>There will be an impact on neurodiverse pupils if they must move schools due to change presenting additional challenges to some of these pupils.</p> <p>Respondents to both consultations felt that small class sizes meant pupils received the attention and support that respondents felt would not be possible in a large class.</p> <p>We heard from families who were concerned about their physical ability to walk further distances to a new school. Families expressed concerns about other schools being able to meet need.</p> <p>We heard from families who have caring responsibilities for other adults in their</p>	<p>environments to cater for disabilities and many schools in the city have experience of doing so.</p> <p>Staff with disabilities may need additional support to apply for new roles and this will be considered as part of the staff consultation process.</p> <p>Consideration under the council's transport policy will be given to those parents/carers with disabled children or who have a disability themselves may not be able to travel a distance to take their child to a school place.</p> <p>Some parents have chosen to send their children to these schools due to their small size however the number of pupils at the school has contributed</p>	<p>provide support for children with EHCPs to ensure that they move to an appropriate school that can meet their identified needs arising from disability.</p> <p>The council will support parents to identify schools which they feel are able to meet their children's needs.</p> <p>We will look to meet the access requirements of pupils by ensuring that any funding for supporting SEND pupils left at the end of the school year will follow the children to their new school.</p> <p>All children with EHCPs that need an annual review will have one.</p> <p>All children currently in the process of an EHC assessment will have</p>

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		<p>households, restricting their ability to take more time to travel to other schools.</p> <p>We've heard from families that the process of proposal and of consultation has exacerbated existing conditions, e.g. anxiety, and created new concerns. The representation period following publication of Statutory Notices provoked further frustration, and exhaustion in the process.</p>	<p>to the reason for the proposals for them to close because most of the funding a school receives is on a per pupil basis and means small classes are not financially viable on the funding provided by the government.</p> <p>We recognise that this proposal may mean the need for additional support services for children with additional needs due to this being a significant change in their circumstances.</p>	<p>their assessment completed as usual.</p> <p>All B&amp;H mainstream schools should be able to meet needs of children without EHCPs, albeit sometimes with additional support or resources.</p> <p>The Council will continue to set out its expectations to other schools in the city on this matter and ensure new children are received with welcome.</p> <p>Families with disabilities who may need assistance with travel will be able to apply for transport assistance, subject to the Council's criteria.</p> <p>See cumulative section for more on the transition support available.</p>



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<b>Gender reassignment<sup>15</sup></b>	<p>We have not yet identified any disproportionate impacts on this group because the data available about parents/children's gender reassignment is inconclusive.</p> <p>We know that parents/carers may not want to disclose information about gender reassignment for reasons such as the perceive lack of support, fear of discrimination, personal choice.</p>	<p>Schools in the city work closely with Allsorts to understand the complex needs of gender diverse children and young people.</p> <p>4 responses to the initial consultation were received from those who did not identify as the sex they were assigned at birth.</p> <p>The issue of the impact upon children with this protected characteristic has not been raised as part of the anonymous consultation process.</p>	<p>All schools in Brighton and Hove are invited to refer to the detailed guidance provided by the City Council known as the Trans Toolkit, and parents and children can be signposted to voluntary organisations who specialise in supporting families of children who are transitioning or questioning their gender.</p>	<p>A package of support is provided to the schools via Brighton &amp; Hove's Trans Toolkit, which will be used to identify and meet the individual needs of children and young people.</p> <p>If individuals indicate that they need further support and assistance, then they will be signposted to the relevant support or community group that they can contact for additional assistance.</p> <p>If this characteristic is identified as an issue when considering a transfer to a new school by a pupil the council can assist to ensure that every situation is dealt with compassionately and fairly and that bespoke assistance is available if individuals request this.</p>

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<b>Pregnancy and maternity<sup>16</sup></b>	<p>We do not hold data about pregnancies of the parents/carers in the cohorts of pupils that are affected by the closure.</p> <p>However, we are aware that parents/carers may be in situations where they are on maternity/paternity leave or caring for younger children and may not have time or energy to engage with a school closure consultation or representation period and the issues associated with it.</p> <p>In the Census 2021 it was revealed that Brighton &amp; Hove's population profile had fewer children &amp; young people aged 0 to 19 (20.5%) compared to the South East (23.1%) and England (23.1%). There was a 22% drop in children aged 0-4 living in the city in the 2021 census compared to the 2011 census.</p>	<p>Parents who are pregnant or on maternity leave may find it difficult to get older children to school.</p> <p>Staff on maternity leave would need to be involved in a redundancy consultation.</p> <p>Families have reported concerns about travelling to a new school with young pre-school children or when pregnant.</p>	<p>There needs to be sufficient places within a reasonable distance from families where there is a pregnant adult or an adult on maternity leave.</p> <p>Pregnant people could find it harder to access different school communities which are distances from their home.</p> <p>Pregnant staff may need additional support from their employer during closure process and redeployment.</p> <p>Staff on maternity leave would need to be involved in the redundancy consultation. We will take this into account and ensure that every situation is dealt with compassionately and fairly and that bespoke</p>	<p>Consideration needs to be given to ensuring that there are enough school places within a reasonable distance from families where there is a pregnant adult or an adult on maternity leave.</p> <p>We will work with the schools to accommodate any bespoke needs and provide support to all those where we are aware that their circumstances mean that they require additional support.</p> <p>HR advice can be provided for pregnant school staff and their individual circumstances can be discussed as part of the staff consultation process.</p>

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	<p>Future or newborn children could be affected with an older sibling changing school as it could affect where they go to school and may impact on parents' decisions about which schools to apply for.</p> <p>Staff who are new parents may find it difficult to get flexible working arrangements agreed at a new school.</p>		<p>assistance is available for any individuals where this could be a problem.</p>	<p>The risk assessment tool is available to support pregnant staff.</p>
<b>Race/ethnicity<sup>17</sup></b> Including migrants, refugees and asylum seekers	<p>The data available for pre-school pupils indicates an increasing percentage of Black and Racially Minoritised children for the city in general.</p> <p>There is no comprehensive race/ethnicity data available for the cohort due to start school in September 2024.</p> <p>In January 2023, 30% (9,469) of pupils in Brighton &amp; Hove schools who supplied their data identified as an ethnicity category other than White British. This is an increase of</p>	<p>Regarding adults, from the initial public consultation, 19.5% of those who responded by providing details identified as other than white British and 80.5% identified as white British. 118 respondents did not answer this question or did not want to specify their ethnicity and therefore this is a substantial proportion of the 300+ responses to this proposal.</p>	<p>In some allocation years a higher percentage of pupils from Black and Racially Minoritised communities apply late or are directed to a school that was not a preference.</p> <p>Interested parties from other race/ethnic groups could find it harder to access community resources in the new school area and could experience discrimination.</p>	<p>Offer proactive support to ensure all families can understand the need and be supported to apply for a school place by Easter break to ensure they are allocated new school places for September, by way of the measures identified below</p> <p>Important to ensure that there are sufficient surplus places in local schools for any late applicants for a new school place. Those</p>

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	<p>377 pupils since January 2022. The national figure is higher, at 34.5% of pupils. The January 2024 data is not yet available but will be updated in this document when available.</p> <p>Previously, 33% of late school applications were submitted by Black and Racially Minoritised families and for a further 19% there is no ethnicity information.</p> <p>Previously, 76.4% of Black or Racially Minoritised families who applied received their first preference school compared to 82% of white British families.</p> <p>In January 2023 St Peter's had 31.3% of pupils identified as Black or Racially Minoritised.</p> <p>Whilst we do not hold exact figures we are informed that there are a number of families with pupils attending</p>	<p>In response to the publication of the statutory notices, 125 comments were received via the Council's consultation portal. 38% of which were from white British responders, and 41% did not answer the question.</p> <p>Feedback from EMAS in relation to admissions consultations indicates that parents from Minority Ethnic groups who speak English as an Additional Language find consultation confusing even with translation or interpreting assistance. Understanding the weight of impact of the proposals and relevance to their situation is very challenging to assess for them.</p> <p>Regarding adults, there were no requests for</p>	<p>It could be that migrant/refugee families attending the school and the subsequent community built around the school may be their first experience of community in this country. There may be added fear in having to start again after already having to start again in a new country. The added impact of having to move school could have a wider impact on those who have already come to this country in difficult circumstances.</p> <p>The sense of community some have found at St Peter's is at risk by this proposal and the dispersal of students to other schools.</p> <p>Children who have experienced racism may need additional support</p>	<p>schools will need to ensure they offer a welcoming and understanding approach to Black or Racially Minoritised families, including those families where English is not their first language, or families with experience of trauma which has required them to seek asylum.</p> <p>Future school age children need to have enough places available.</p> <p>Continue to advertise the admissions dates and the process that families need to follow.</p> <p>Provide language support for families that need to apply for a new school place should the school close.</p>

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	<p>St Peter's who are migrants/refugees, and are therefore likely to already have experienced trauma and significant change and upheaval in their lives.</p> <p>Families from a Black or Racially Minoritised background may have experienced previous trauma and / or racism – upset around this may have been reignited by these proposals and by needing to move school e.g. those who have settled in the UK as asylum seekers.</p>	<p>consultation documentation in alternative formats however some translated materials were provided in liaison with the school.</p>	<p>to settle into a new school.</p> <p>Children's academic outcomes may be impacted as a result of previous experiences of racism, upheaval of schooling situation and other cumulative factors discussed in the cumulative impact section.</p>	<p>EMAS service to continue to reach out to communities to communicate the potential impact on their community and signpost to resources which will support families.</p> <p>An interpreter can be sourced upon receiving confirmation and consent from those who would need it.</p> <p>Ensure that any new school that pupils will move to have the appropriate cultural provisions for that family in place (i.e. multi-faith rooms, dietary requirements etc.).</p> <p>If children or parents/carers indicate that they are experiencing discrimination, there will be signposting in place to ensure that they have</p>

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				<p>the relevant support that they need or access to a relevant discriminatory community group that they can contact for assistance.</p> <p>Strong message from the Council to Headteachers in the city about receiving and welcoming displaced pupils. Some pupils will have already experienced upheaval and trauma in their lives as a result of their families having to seek asylum from their parent's country of origin. These pupils and families may need additional support and reassurance to transition to a new school or feel confident that there are other schools in the city which will welcome or understand the needs of their children. Part of the role of the Transition</p>

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				<p>Board indicated below is to promote receiving schools to consider how best to address this, and to ensure families are offered the information and assistance they need to be reassured about their child's future education and school experience.</p> <p>Current schools and EMAS to continue supporting migrant/refugee families to understand the implications of the decision, to assist families to apply for a suitable new school place and work with the new schools to support the transition. The continuation of working with this service will offer families a degree of continuity in the support they receive to manage any transition to a new school or a</p>

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				<p>change in plan as to the school they will apply for. EMAS will be expected to assist parents advocate for what their children need to maximise their educational opportunities going forward.</p> <p>The Council is operating a Transition Board and individual action plans may be appropriate for certain children.</p> <p>Anti-Racist Education Strategy" that is now in its third year. There includes a comprehensive package of training and support available for schools. Where a school has not engaged yet in the full training offer, we can be proactive in offering this as a priority for all staff and provide additional support from our</p>



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				<p>seconded team of teachers to ensure each setting is taking appropriate steps. Whilst we are not complacent, many of the schools well placed to take children are already engaging with the strategy and will have a foundation of knowledge and practice upon which we can build.</p> <p>All schools are expected to deliver a rich curriculum suitable to all pupils who attend the school. Schools are expected to celebrate the experiences of families in the city and from other areas. We expect the schools to demonstrate understanding of lived experiences of migrants and asylum seekers, and we are committed to supporting schools in further developing their</p>

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				<p>understanding and making reasonable adjustments to ensure curriculum is accessible to all.</p> <p>See cumulative section below for further detail on transition support.</p>
<b>Families with English as additional language</b>	<p>In January 2024, 15.8% (4,884) of Brighton &amp; Hove pupils were exposed to a language other than English in their home. This is an increase since January 2023.</p> <p>In January 2024, St Peter's Community Primary and Nursery School had 38.5% of pupils where English is an additional language and families speaking 16 different languages.</p> <p>There is relatively high deprivation amongst many of the families with English as additional language who have pupils attending these schools.</p>	<p>Based on previous experiences and the technicality of the subject matter, families with English as an additional language may struggle to understand admission arrangements in the city and the provision available in a new school and the process of closure.</p> <p>There will be a disproportionately high number of pupils with additional languages impacted by a school move.</p>	<p>Families with pupils who have English as an additional language are proportionally more likely to apply late which significantly reduces their change of being offered a place at an oversubscribed school.</p> <p>The higher number of families with English as an additional language applying late in the main admission rounds could result in these families not applying for a new school place. This will mean that a new school will be allocated to these</p>	<p>Ensure good support is provided to enable families to apply for school places.</p> <p>Important to ensure that there are still surplus places in each planning area so late applicants and pupils moving mid-year can be offered a place at a local school.</p> <p>Greater emphasis needs to be made to reach these families and make them aware of the school admissions applications process.</p>

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	<p>During the initial consultation period EMAS have directly supported three Bengali, one Polish, one Brazilian Portuguese, one Ukrainian and three Arabic speaking families to understand and send in responses to the consultation. EMAS also supported two Black African parents who are English speakers to register their children for reception in September.</p> <p>During the statutory notice period and beyond EMAS continue to support families to understand the process and what it means for their family and children. EMAS have liaised with SEN Caseworkers for children with EHCPs.</p>	<p>Families with English as an additional language also have a number of intersectional vulnerabilities.</p>	<p>pupils which may not be the parent's preference.</p> <p>Families may not comprehend the implication of the proposals or which year they take effect and be able to relate this to their own circumstances.</p> <p>Families with English as an additional language could find it harder to respond to the various stages of the consultation and then the allocation process.</p> <p>Children may struggle to settle into a new school, especially if their parent have EAL – becoming part of the new school community may prove difficult for some.</p> <p>Interested parties from other race/ethnic groups could find it harder to</p>	<p>This group may be unfamiliar with the school admissions process and timescale, so additional steps have been taken to engage these families with these consultations and that will continue with the admissions and transitions work.</p> <p>EMAS already work within both schools and support a number of families in each. The service will continue to support these and other families through the process of moving schools.</p> <p>The Council is operating a Transition Board and individual action plans may be appropriate for certain children.</p> <p>An interpreter can be sourced upon receiving confirmation and</p>

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			<p>access community resources in the new school area and could experience discrimination.</p> <p>It could be that migrant/refugee families attending the school and the subsequent community built around the school may be their first experience of community in this country. There may be added fear in having to start again after already having to start again in a new country. The added impact of having to move school could have a wider impact on those who have already come to this country in difficult circumstances.</p> <p>The sense of community some have found at St Peter's is at risk by this proposal and the</p>	<p>consent from those who would need it.</p> <p>Challenge from the Council to schools to ensure an appropriate welcome for children starting at a new school.</p> <p>Further steps were taken to translate documents relating to the statutory notice process and ensure materials online can be translated using a webservice.</p> <p>See cumulative section below for further detail on transition support.</p>

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			<p>dispersal of students to other schools.</p> <p>Children who have experienced racism may need additional support to settle into a new school.</p> <p>Children's academic outcomes may be impacted.</p>	
<b>Religion or belief<sup>18</sup></b>	<p>There are only Church of England and Catholic faith schools within the city. These schools can prioritise children of the faith above other children.</p> <p>In October 2023, 22.5% of primary school pupils in Brighton &amp; Hove attend a church aided school and 77.5% attend a secular school.</p> <p>This proposal is about closing a community school and the next nearest school in the city is a Catholic school. This proposal reduces the amount</p>	<p>There is little information on this. Some parents will seek a secular education for their child whilst others will want their children taught in line with their religious belief.</p> <p>Regarding adults, 74% of responders to the initial consultation indicated they have no particular religious belief, did not answer the question or preferred not to say.</p>	<p>Some parents/carers will want there to be church school provision so that they can achieve their preference for their child's education.</p> <p>Some parents/carers will not want to access a religious curriculum and will want to have access to a provision that supports a secular delivery of education.</p> <p>Some families may have to travel further to gain a place at a school that is suitable for their needs.</p>	<p>The council will need to ensure that there are sufficient secular and church school places available for pupils who require one within a reasonable distance of the school.</p> <p>When looking at the timetable for closure, consideration will be given to observance of religious days of significance to ensure that there is enough time outside of these to ensure parents/carers are able to engage in</p>

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	<p>of secular education available in the city.</p> <p>22% of first preference applications for September 2023 were for church aided schools and 78% expressed a first preference for secular schools.</p> <p>There is no data available on the religion/beliefs of parents or pupils attending this school.</p>	<p>94% of responders who stated they were Christian tended to or strongly disagreed with the proposals. Which is relevant when consideration is given to the next nearest south Portslade schools being a church school.</p> <p>During the statutory notice period, 30% of responders said they had no religion and 42% said they preferred not to say.</p> <p>Some families do not want their child to attend a faith school and are concerned about losing secular places</p>		any necessary processes.
<b>Sex/Gender<sup>19</sup></b>	There are no single sex, maintained schools in the city. Admission arrangements do not take into consideration the gender of the child.	Regarding adults, 51% of responses to the initial consultation were submitted by females and 13% by males. 35% did not answer or preferred not to say.	Families could find it harder to access community resources in the new school area and could experience discrimination.	If we are aware of any circumstances where individuals need support, we will ensure that this group is supported and that the school is also supported

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	<p>In January 2024 St Peter's had 62% female pupils and 38% male pupils.</p> <p>We are aware that parents/carers may be in situations where they are on maternity/paternity leave, are single parent families, and/or from same sex or non-binary families. This doesn't directly impact on school admissions arrangements.</p> <p>Most roles at risk at the school will be filled by women.</p> <p>Additional burdens due to the cost of living could have disproportionate impacts on women due to the nature of their employment types and barriers to employment for those with sole childcare responsibilities.</p> <p>Women are more likely to take on childcare responsibilities so may be impacted by further school</p>	<p>Regarding the statutory notice period, 47 of the 125 responses were submitted by female and 8 by males for where people indicated their gender.</p> <p>We've primarily heard from women throughout the consultation where issues have been raised about childcare and concerns about travelling to another school. We have heard from some families where the childcare provider parent does not have access to the family car during the school day. We've also heard concerns about the potential for parents/carers to gain employment instability by the proposed changes to children's school or nursery placement changes.</p>	<p>This proposal could impact on women, with pre-school children, ability to seek employment.</p>	<p>in using the school's trans toolkit.</p> <p>If children or parents/carers indicate that they are experiencing discrimination, there will be signposting in place to ensure that they have the relevant support that they need or access to a relevant discriminatory community group that they can contact for additional assistance.</p> <p>Assistance with transport will be provided in line with our policy.</p> <p>We will work with the schools to accommodate any bespoke needs and provide support to all those where we are aware that their circumstances mean</p>

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	<p>journeys, reducing their employment options. The closure of the nursery provision may impact on women's opportunity to seek employment.</p> <p>There may be children that identify as non-binary who may have additional needs.</p>			that they require additional support.
<b>Sexual orientation<sup>20</sup></b>	We have not yet identified any disproportionate impacts on this group because the data available about parents/children's sexual orientation is inconclusive.	Regarding adults, 69% of the 226 respondents to the initial consultation who provided details on their sexual orientation were submitted by heterosexual respondents. 7% by gay/lesbian or bisexual respondents. 24% did not answer or preferred not to say.	We are not aware of any identified disproportionate impacts because the data is not available. However, we are aware that discrimination against sexual orientation remains a prevalent issue.	<p>If we are aware of any circumstances where individuals need support, we will ensure that this group is supported and that the school is also supported in guiding people through to resources and signposting support.</p> <p>Voluntary sector organisations are available for support for children and families regarding their sexual orientation in the city.</p> <p>Redeployment of the school staff must not take this into account.</p>



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<b>Marriage and civil partnership<sup>21</sup></b>	We have not yet identified any disproportionate impacts on this group because the data available about parent/carer marital or civil partnership status is inconclusive.	No data is collected on this matter in relation to parents/carers.  This did not come up as an issue or consideration in the consultation.	There may be discrimination around civil partnerships and gay marriages and families may find it harder to access community resources in the new school area and could experience discrimination.	If we are aware of any circumstances where individuals need support, we will ensure that this group is supported and that the school is also supported in guiding people through to resources and signposting support.
<b>Community Cohesion<sup>22</sup></b>	<p>In January 2024 we reported St Peter's Community Primary and Nursery School had 1% of pupils within the 10% most deprived areas of Britain and 33% of pupils within the 20% most deprived areas of Britain.</p> <p>The schools with available spaces for these pupils to move to could be serving different communities in this country.</p> <p>Migrant/refugee families attending the school and the subsequent community built around the school may be their first experience of community in this country.</p>	<p>House prices surrounding popular schools can be inflated, due to increased demand on accommodation close to popular schools.</p> <p>Parents from some socio-economic groups are better able to use resources available to them to support change e.g. with travel or moving house.</p> <p>The school will no longer be available as a community resource such as the school hall</p>	<p>Can have an implication on the pupils offered a place at these schools as families who cannot afford to move close to oversubscribed schools are unable to obtain a place there.</p> <p>Classroom and school dynamics may change with new arrivals.</p> <p>Pupils may be negatively impacted by a loss of friendships and support networks.</p> <p>Some families may struggle with informal childcare e.g. relying on</p>	<p>As above the Council can work proactively with other Headteachers and governing bodies about welcoming pupils to new schools. Especially where there are places available.</p> <p>Support needed for class teachers to manage an additional influx of children mid-year or at the start of September 2024.</p> <p>Current schools and EMAS to continue supporting migrant/refugee families to understand the</p>

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	<p>There may be added fear in having to start again after already having to start again in a new country. The added impact of having to move school could have a wider impact on those who have already come to this country in difficult circumstances.</p> <p>High numbers of SEN children being dispersed from St Peter's.</p> <p>A high proportion of families attending the school live in the West Sussex area.</p>	<p>being used for community activities.</p> <p>We've heard much about the air raid shelters at the school – these are a valued community resource/landmark. As well as the historic and fond feelings toward the school building within the local community.</p> <p>Families and other responders to the consultations have reported a sense of south Portslade (where the school is located) being different to other parts of the local area.</p> <p>Concern has been raised about the nature of the journey to other schools and the need to cross what are perceived to be dangerous and large roads.</p>	<p>friends and family members with children at the same school.</p>	<p>implications of the decision, to assist families to apply for a suitable new school place and work with the new schools to support the transition.</p> <p>Schools may need to seek additional advice, support and guidance around the intake of children with needs and experiences the receiving have had little or no experience in.</p> <p>See cumulative section below for more details on transition support.</p>

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		Some families living in the community may not be in receipt on public funds and are reliant upon the support offered and signposted of the school.		
<b>Children in Care and Care Experienced Young People</b>	<p>That Children in Care and Care Experienced Young People are likely to face discrimination.</p> <p>In the city, there are approximately (the data can change regularly) 332 children and young people in care, and 381 children and young people previously in care.</p> <p>41% of 19-21 year old care leavers are not in education, employment or training, compared to 12% of other young people the same age.</p> <p>There are approximately 66% with SEND and 35% have an EHCP, compared to 12% of the general</p>	<p>Brighton &amp; Hove City Council have adopted Children in Care and Care Experienced Young People as a protected characteristic. As Corporate Parent, there is a collective responsibility and demonstrable commitment to ensure that children and young people with care experience are enabled to have the same opportunities as any other child or young person.</p> <p>5% of responders to the initial consultation who provided information have been a Child in</p>	<p>We need to ensure that the profile of children and young people accessing school places are not discriminated against and have the opportunity to access school provision.</p> <p>We recognise that care experienced children are likely to have experienced trauma and this process could reignite those negative feelings.</p> <p>It can be expected that parents who were themselves care experienced may also re-experience the</p>	<p>Brighton &amp; Hove City Council have adopted Children in Care and Care Experienced as a protected characteristic.</p> <p>Children in care and previously looked after children have the top admission priority when applying for school places.</p> <p>The virtual school has a responsibility to support children in care and those known to a social worker. Support will be provided to any relevant child displaced from St Peter's and to the school that they will be attending.</p>

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	<p>population. 50% of children and young people in care have a diagnosable mental health condition.</p> <p>At January 2024, St Peter's have 2 children with a social worker, both on Children in Need plans. None are currently in care. It is not known whether any parents of children attending the school or likely to have chosen the school are care leavers.</p>	<p>Care or Care Experienced Young person. 85% had not and 10% preferred not to say.</p>	<p>trauma that was present earlier in their lives.</p>	
<b>Cumulative impact<sup>23</sup></b>	<p>The initial public consultation ran between 7 November 2023 and 22 December 2023. There were 5 public meetings and 313 responses to the online consultation were received. In addition, there were 15 direct responses to the council's school organisation email account about the proposals.</p>	<p>We've heard from families who have reported they will be negatively impacted and disadvantaged by the closure of the school.</p>	<p>With approximately 100+ pupils on roll at the school in October 2023 and the staffing levels in the school it can be expected that 313 responses were a proportionate response to the initial consultation process compared to the overall number of people affected and that</p>	<p>If we are aware of any circumstances where individuals need support, we will ensure that this group is supported and that the school is also supported in guiding people through to resources and signposting support.</p> <p>Where there are multi layered impacts, we are</p>

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	<p>Approximately 150 people attended the four non-specific public meetings, not including Council officers or the core school leadership.</p> <p>That number will include some repeat attenders and some school staff and governors.</p> <p>The Council also received letters and comment from children who attend the school.</p> <p>There were 125 responses made via the Council's consultation portal to the statutory notice period.</p> <p>A range of steps were taken to enable people to engage with the consultation process. Information from the online consultation events was available after the events. Translated materials was made available to the school to support families to make</p>		<p>results are therefore reliable.</p> <p>Families may fear discrimination throughout the application process to secure a new school place and transition to the new school.</p> <p>A school move for those who have added socio-economic issues and those arising from a history of discrimination or needing to seek asylum may add an extra layer of stress to those families.</p> <p>Families may continue to experience re-traumatising with this closure.</p> <p>Children and families are worried that they may not receive the same support in a new setting.</p>	<p>willing to assess this on a case-by-case basis with bespoke resources and support to address these barriers.</p> <p>As above, we have formed a transition board meeting regularly to consider individual, collective and intersection needs arising from planned transition activity. This will include SEN, Inclusion Support, EMAS, School Admissions, and the Schools Mental Health Service and individual action plans may be appropriate for certain children.</p> <p>The Transition Board are committed to developing their understanding of how the intersecting protected characteristics of pupils and families</p>

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	<p>responses to the statutory notice period.</p> <p>We know there are a number of families with a number of intersectional characteristics who will be affected by these proposals. The change to the established schooling and community support offered at St Peter's will affect families with children at the school.</p> <p>We are aware that there will be people who may be impacted because of multiple protected characteristics.</p> <p>Multi layered impacts on certain people may exist which could severely impact their ability, desire, or access to engage with both the consultation and any future engagement around school closures and applying for new school places.</p> <p>The lived experience of many families may mean they may not want to engage not have</p>		<p>We recognise the feeling of loss that a long established and well-loved school closure brings to a community.</p>	<p>may impact their experience of moving schools, and using this understanding to provide bespoke support.</p> <p>We have additional funding agreed with the LA for these support services.</p> <p>Pupil led funding allocations will divert to the receiving schools on the closure of St Peter's.</p> <p>The Council will work with schools who receive pupils from St Peter's Community Primary and Nursery School to develop their school travel plans to seek to mitigate against the need for increased car use.</p>

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	time or energy to engage with a school closure and the issues associated with it.			

### Assessment of overall impacts and any further recommendations<sup>24</sup>

Reducing the number of surplus school places is necessary to safeguard the broad range of schools in the city and to reduce the risk of financial difficulties as pupil numbers continue to reduce. The proposed closures are part of this strategy along with reducing the PANs of larger schools. Without a reduction in school places there is the real possibility that some schools become unable to operate in a financially efficient way with implications for the quality of education provided and the council's own budget.

By not reducing the number of surplus places in the city in the longer-term school occupancy rates will not increase meaning that school budgets will remain lower and this may make more schools less viable. As schools are more likely to be able to balance their budgets if operating with full, or close to full, forms of entry.

Pupils currently attending this school will need to apply for and move to a new school by September 2024. Support and understanding will be needed for many of the groups with protected characteristics in order to ensure that they understand the processes in order to secure a new school place that is suitable for the family's requirements.

Staff will be at risk of being made redundant and may need to seek alternative employment. Where staff are impacted due to protected characteristics, the employer will need to ensure additional steps and support are taken where necessary. Some staff have had long associations with the school and may therefore be disproportionately affected by the decision to close the school.

We have also heard from families about their concerns about their own employment stability if their child's school or nursery provision needs to change.

Every person across all protected characteristics is likely to be negatively impacted by the closures and requirement to move schools due to the emotional toll, mental toll and upheaval involved. This will be more severe for certain groups of people on top of the protected characteristics already assessed. Some families and staff affected will have more than one protected characteristic and the additional

<b>Groups to assess</b>	<b>What do you know<sup>9</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>10</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>11</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>12</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
<p>stress for them needs to be recognised. We recognise the impact of children and families having intersection vulnerabilities and the use of the Council's vulnerability index tool will be one of the ways in which we'll understand and address this.</p> <p>The schools and staff will need to be supported to identify families and children requiring additional help with this transition process and for these children to be able to move to a new school which can support them appropriately. This is particularly relevant where English is an additional language and for Black and Racially Minoritised global majority families as there are a high percentage of these children in the school.</p> <p>The intersectionality of pupil vulnerabilities has come through in the responses to both the initial public consultation and in the statutory notice representation period. This is an area that needs to be focussed on during the transition period, should the decision be taken to close the school.</p> <p>The turnout of responses to the initial consultation does not match the numbers of signatures to recent petitions but does appear to match the numbers of staff and families affected by the proposals. There are some gaps in data on the protected characteristics of those who would be affected by these proposals but the most prominent issues have been captured in the public meetings and responses including those facilitated by colleagues in EMAS.</p> <p>The number of responses to publication of the statutory notices may reflect frustration or exhaustion with the statutory process being undertaken or a misunderstanding of the further representation period after the initial consultation.</p> <p>We recognise that whilst the consultation reached many, there will be some we've not heard from directly. We will factor that into the transition oversight board, that there may yet be further needs not yet fully identified and recognised.</p> <p>The council has undertaken a public consultation on proposals to close St Peter's Community Primary School and Nursery on 31 August 2024. The vast majority of replies stated their disagreement with the proposals and concern for how pupils who attend the school will be supported by other schools should they need to move. In addition, there is concern that by closing the school its nursery provision, which is affordable, meets the needs of working parents and is highly regarded, will be lost. The school is currently operating with 69 pupils and this is the smallest primary school in Brighton &amp; Hove. The school has received a very low number of first preferences for a place at the school in September 2024. The school is anticipating ending the financial year with a £203,000 deficit. The low numbers of pupils still attending the school and the absence of a viable and sustainable financial plan that can be achieved within a necessary timeframe that shows the school coming out of deficit means any alternative to closure would need additional support from the Council. The council's</p>				



<b>Groups to assess</b>	<b>What do you know<sup>9</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>10</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>11</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>12</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
<p>view is that a medium to long term strategy to maintain the school though a reduced number of pupils onsite is not a viable approach with pupil numbers still expected to fall in future years and parental preference being a mainstay of government policy. In recommending that the school closes the council is committed to supporting all pupils to find an alternative school place, be supported to attend that school if their circumstances mean they are entitled to transport assistance and to work with the receiving schools to meet the needs of the children. The Council has put additional resources in place to provide teams with dedicated time and staff to oversee transition arrangements and will clearly state its expectations of receiving schools so as to minimise the impact of children having to attend another school. The Portslade planning area is expected to have 90 or more unfilled places in 2025 through to 2027. The council's statutory duty is to ensure sufficient school places for pupils living in Brighton &amp; Hove and wanting a place in a city school. With sufficient school places in the area and an indication that West Sussex County Council also have sufficient school places to meet the need of families who live in close proximity to St Peter's Community Primary and Nursery school, it is recommended that the school closes on 31 August 2024.</p> <p>If the recommendations in the accompanying committee report are agreed, the school will close on the 31 August 2024.</p>				

#### 4. List detailed data and/or community feedback that informed your EIA

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
Responses from the statutory notice period	23/01/24 – 20/02/24	There were 125 responses provided via the Council's consultation portal, This is fewer than the numbers who responded during the initial consultation period.	Translated materials relating to the statutory notice period were provided to the school to share with their families
October 2023 school census and January 2024 school census	October 2023 and January 2024	Not all census rounds cover all protected characteristics.	
Responses from the school closure consultation -including public meetings and meetings / communications with the schools affected	7/11/2023 – 22/12/2023	Equalities monitoring questions on the portal relating to marriage or Civil partnership were not asked.	
Infant & Primary school allocation data	September 2023		

## 5. Prioritised Action Plan<sup>25</sup>

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				
All	Ensure all actions identified by grouping in this EIA are fulfilled, especially those supporting under-represented and minoritised groups of families, children and staff for instance actions identified for reaching migrant, asylum seeker, those who are Gypsy, Roma, Travellers, Black and Racially Minoritised and those with English as an additional language.	Improved communication that is more far-reaching coupled with appropriate outreach and proportionate and planned targeted community engagement.	Consultation and engagement is planned and reaches diverse and under-represented and Minoritised communities intersectionally – report and internal monitoring to be conducted successfully.	By Summer 2024
Transition Oversight Board	Board was established in January 2004 and continues to meet to provide operational and strategic oversight of pupil transition.	Transition is well planned.	Children all have an appropriate school place for September 2024.	By Summer 2024
Funding available to support children with additional needs and vulnerabilities	The Council has secured additional internal funding to allow for further capacity in internal support services	Transition is well planned	Children are prepared for transition and supported through their transition.	By summer 2024
Disabled parents and parents with children who have a disability may find	Schools will be encouraged to identify families who need	Pupils will move to a new school which is	Pupils will move to a new school which is	By September 2024

<p>it more difficult to participate in the school application process</p>	<p>additional support to secure a new school place.</p> <p>BHISS &amp; SEND will provide support for children with EHCP's to ensure that they move to an appropriate school that can meet their needs.</p> <p>The council will support parents to identify schools which they feel are able to meet their children's needs.</p>	<p>appropriate for their individual needs.</p>	<p>appropriate for their individual needs</p>	
<p>Ensure that families with English as an additional language are aware of the support available to assist with the move to a new school place.</p>	<p>Advice and support sought from the EMAS team and others with links to various communities where there are a number of families with English as an additional language.</p> <p>An interpreter can be sourced upon receiving confirmation and consent from those who would need it.</p>	<p>More Families with English as an additional language are supported to find a new school place.</p>	<p>More Families with English as an additional language are supported to find a new school place.</p>	<p>By September 2024</p>
<p>We are aware that discrimination against various groups remains a prevalent issue.</p>	<p>If we are aware of any circumstances where individuals need support we will ensure that this</p>		<p>Families feel supported in the process and have access to the resources and signposting support</p>	<p>During the Spring and Summer Terms</p>

	<p>group is supported and that the school is also supported in guiding people through to resources and signposting support.</p> <p>We will continue to monitor and gather data.</p>		that they need, when they need it.	
<p>Vulnerable pupils and families need to be identified by the schools so that appropriate support can be provided to support the application process and the transition to a new school.</p>	<p>Processes put in place to identify vulnerable children who would be particularly affected by moving schools. The Council's Vulnerability Index tool, typically used to support primary to secondary transition, has been adapted to be used</p> <p>Appropriate support identified and provided by for example, Brighton &amp; Hove Inclusion Support Services (BHISS), schools wellbeing service and EMAS to assist with the transition for these vulnerable pupils.</p> <p>Ensure updated data from January 2024 is included when made available.</p>	<p>All families get to express a preference for a new school and the transition for pupils is a smooth as possible.</p>	<p>All families get to express a preference for a new school and the transition for pupils is a smooth as possible.</p>	<p>During the Spring and Summer Terms</p>

**EIA sign-off:** (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

**Staff member completing Equality Impact Assessment:**

Richard Barker, Head of School Organisation

**Date:** 21 February 24

**Directorate Management Team rep or Head of Service/Commissioning:**

Jo Lyons, Assistant Director – Education and Skills

**Date:** 22 February 24

**CCG or BHCC Equality lead:**

Jamarl Billy, Equality, Diversity, and Inclusion (EDI) Business Partner

Sabah Holmes, EDI Manager and Emma McDermott, Head of Communities and Equality

**Date:** 22 February 24

## Guidance end-notes

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<sup>1</sup> The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:



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- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
  - **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
  - **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
  - **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
  - **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
  - **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
  - **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

## <sup>2</sup> Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people in relation to their ‘protected characteristics’ (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups’ vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

**The following are the duties in the Act. You must give ‘due regard’ (pay conscious attention) to the need to:**

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **advance equality of opportunity.** This means the need to:
  - Remove or minimise disadvantages suffered by people due to their protected characteristics
  - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
  - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
  - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
  - Tackle prejudice
  - Promote understanding

<sup>3</sup> EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved

- 
- The numbers of people affected
  - The size of the likely impact
  - The vulnerability of the people affected within the context

The greater the impacts, the more thorough and demanding the process required by the Act will be.

**4 When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

**Do you need to complete an EIA? Consider:**

- Is the policy, decision or service likely to be relevant to a specific group or groups (eg: older people)?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

**5 Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

**6 ID no:** The unique reference for this EIA. If in doubt contact your CCG or BHCC equality lead (see page 1)

**7 Team/Department:** Main team responsible for the policy, practice, service or function being assessed

**8 Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.

- 
- How does it fit with other services?
  - Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
  - What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
  - What do existing or previous inspections of the policy, practice, service or function tell you?
  - What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

<sup>9</sup> **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on specific groups of the policy/decision/service is available?<sup>9</sup>
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the groups identified above in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: <http://www.bhconnected.org.uk/content/needs-assessments> and Community Insight: <http://brighton-hove.communityinsight.org/#> ) and national ones where they are relevant.

<sup>10</sup> **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
  - (a) consult when proposals are still at a formative stage;
  - (b) explain what is proposed and why, to allow intelligent consideration and response;
  - (c) allow enough time for consultation;
  - (d) make sure what people tell you is properly considered in the final decision.
- Try to consult in ways that ensure all perspectives can be considered.
- Identify any gaps in who has been consulted and identify ways to address this.

<sup>11</sup> Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.

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- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of “the policy is likely to disadvantage older women”, say how many or what percentage are likely to be affected, how, and to what extent.
  - Questions to ask when assessing impacts depend on the context. Examples:
    - Are one or more groups affected differently and/or disadvantaged? How, and to what extent?
    - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
    - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
    - If there is negative differential impact, how can you minimise that while taking into account your overall aims
    - Do the effects amount to unlawful discrimination? If so the plan must be modified.
    - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

<sup>12</sup> Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to improve the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

<sup>13</sup> **Age:** People of all ages

<sup>14</sup> **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

<sup>15</sup> **Gender Reassignment:** A transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected

<sup>16</sup> **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

<sup>17</sup> **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

<sup>18</sup> **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

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<sup>19</sup> **Sex/Gender:** Both men and women are covered under the Act.

<sup>20</sup> **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

<sup>21</sup> **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

<sup>22</sup> **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

<sup>23</sup> **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

<sup>24</sup> **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

<sup>25</sup> **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

