

Fairness and Equalities Impact Assessment (FEIA)

Version 3.6 May 2017

The purpose of this assessment is to provide balanced information to support decision making and to promote better ways of working in line with equalities (Equalities Act 2010), Welsh language promotion (The Welsh Language (Wales) Measure 2011), sustainable development (Wellbeing of Future Generations (Wales) Act 2015), and the four parameters of debate about fairness identified by the Newport Fairness Commission (NFC Full Report to Council 2013).

Completed by: Deborah Weston **Role:** Service Development Manager

Head of Service: Sarah Morgan **Date:** 24/04/2018

I confirm that the above Head of Service has agreed the content of this assessment

Yes / No

When you complete this FEIA, it is your responsibility to submit it to
impact.assessment@newport.gov.uk

1. Name and description of the policy / proposal being assessed. Outline the policy's purpose.

The purpose of this proposal is to provide a new primary school to serve the Glan Llyn development as per the section 106 planning agreement.

This FEIA supports the request for Cabinet to finally determine the school reorganisation proposal to establish a new two-form entry primary school on the Glan Llyn development for children aged between 3-11 years.

As part of the Section 106 agreement with the Council, the developer is required to provide this new school to primarily serve the families living on the development. The original intention was that the new school would be established with effect from September 2018. The Council's view has now changed however and it is now proposed that the implementation date is modified to September 2019. This deferred opening date enables a longer timeframe for the effective establishment of the new school in terms of the appointment of staff and the procurement of resources.

2. Outline how you have/ will involve stakeholders who will be affected by the policy/proposal

This proposal was subject to formal consultation with a range of stakeholders as defined in the Welsh Government statutory School Organisation Code. The feedback received during the formal consultation has been outlined in the Consultation Report which has been published on the Newport City Council website.

A statutory proposal was subsequently published for a period of 28 days, and this offered the opportunity for formal objections to be lodged. 15 objections were lodged during this time. The detailed reasons for the objections, along with the Council's responses to the points made, are outlined in the Objection Report which has been drafted and accompanies the decision report. The Objection Report will be made available on the Council website.

3. What information/evidence do you have on stakeholders? e.g. views, needs, service usage etc. Please include all the evidence you consider relevant.

The proposal has been carried out in accordance with the School Standards and Organisation (Wales) Act 2013, and the statutory School Organisation Code 2013 and included consultation with a range of stakeholders. The results of this consultation process are outlined in the Consultation Report which has been prepared and published on the Newport City Council website.

The Council published a statutory proposal between 28th February 2018 and 28th March 2018 to establish a new English-medium community-maintained primary school on the Glan Llyn development for boys and girls aged between 3 years and 11 years, under a growing school model, with effect from September 2019. The statutory proposal was published with a modified implementation date from that included in the original consultation document following consideration of the recommendations made within the consultation report. This deferred opening date would enable a longer timeframe for the effective establishment of the new school in terms of the appointment of staff and the procurement of resources.

The statutory proposal was published on the Newport City Council website and copies were displayed in the local area served by the school, including at the two sales offices on the Glan Llyn development. Details confirming publication of the notice were also shared with all stakeholders as outlined in the statutory School Organisation Code, and the occupied dwellings on the Glan Llyn development.

A series of objections were received during the statutory proposal stage, and as a result the final determination must be referred to Cabinet for a decision, in their capacity to act as the Local Determination Panel.

4. Equalities and Welsh language impact

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The provision of additional primary school places will support parental choice and the provision of local schools for local children. This should not have any significant detrimental impact on other schools across the City and the expected impact is to provide seamless learning for primary aged pupils. All staff eventually employed at the school will be treated equitably regardless of their status within this protected characteristic.
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The provision of additional primary school places will support parental choice and the provision of local schools for local children. This should not have any significant

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
				<p>detrimental impact on other schools across the City and the expected impact is to provide seamless learning for primary aged pupils.</p> <p>All staff eventually employed at the school will be treated equitably regardless of their status within this protected characteristic.</p>
Gender reassignment/ transgender	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>If this proposal is approved, there will eventually be pupils, parents / carers and staff associated with the school.</p> <p>If any of these stakeholders fall into this protected characteristic, their needs will be considered in line with the relevant policies as adopted by the governing body of the school.</p>
Marriage or civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>If this proposal is approved, there will eventually be staff employed to work at the school. All staff will be treated equitably regardless of their status within this protected characteristic.</p>
Pregnancy or maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>If this proposal is approved, there will eventually be staff employed to work at the school. All staff will be treated equitably regardless of their status within this protected characteristic.</p>
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The provision of additional primary school places will support parental choice and the provision of local schools for local children. This should not have any significant detrimental impact on other schools across the City and the expected impact is to provide seamless learning for primary aged pupils.</p> <p>All pupils attending the schools and staff eventually employed at the school will be treated equitably regardless of their status within this protected characteristic.</p>
Religion or Belief or non-belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>There are currently eight faith based primary schools across the Newport school estate and the oversubscription criteria to support admission to these schools gives priority to pupils seeking faith based education.</p> <p>The Council works closely with the two representative diocesan bodies in the planning of faith based school places and this arrangement will continue when considering the provision to be offered in any new school in the future.</p>

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
Sex/ Gender Identity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The provision of additional primary school places will support parental choice and the provision of local schools for local children.</p> <p>This should not have any significant detrimental impact on other schools across the City and the expected impact is to provide seamless learning for primary aged pupils.</p> <p>If this proposal is approved, there will eventually be parents / carers and staff associated with the school and all will be treated equitably regardless of their status under this protected characteristic.</p>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>If this proposal is approved, there will eventually be staff employed to work at the school. All staff will be treated equitably regardless of their status within this protected characteristic.</p>
Welsh Language	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Welsh Government has publicly set out in a number of policy documents the ambition for an increased number of students studying through the medium of Welsh. The Welsh-Medium Education Strategy (WMES) target aims to have 30% of 7 year olds across Wales to be taught through the medium of Welsh by 2020. As of 2015 this figure stood at 25%.</p> <p>Welsh Government has also stated in the 'Cymraeg 2050: A Million Welsh Speakers' strategy that "welsh medium immersion education is the principal method for ensuring that children can develop their Welsh language skills, and for creating new speakers".</p> <p>Newport City Council's own Welsh Language Strategy 2017-2022 commits to increasing the percentage of pupils in Welsh-medium education from 4% to 5% over the next four years.</p> <p>Given that the proposed school will be English medium, rather than Welsh, this development will not make a meaningful contribution to achieving the target set by either Welsh Government or the Local Authority in this instance.</p> <p>The Local Authority feels this is justified partly through the pre- consultation responses that were received. Whilst the informal pre-consultation survey was carried out which</p>

Protected characteristic	Impact:			<p>Provide further details about the nature of the impact in the section below. Does it:</p> <ol style="list-style-type: none"> 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
				<p>enabled the Council to gather the views of the existing Glan Llyn residents, this was not the only evidence used to determine the language medium of the proposed new school. Alongside this direct stakeholder feedback, one Welsh-medium primary school - Ysgol Gymraeg Casnewydd - is just over 2 miles from the proposed new school and at the time of consultation there were vacancies in all year groups from Reception to Year Six across the Welsh-medium primary school estate.</p> <p>Whilst spaces also exist in English-medium schools in the vicinity, the percentage of surplus places is lower in the English-medium estate as a whole. This is evidenced by the fact that there are currently 13% of surplus places available in Ysgol Gymraeg Casnewydd compared to 9% across the English-medium estate in primary schools across the east of the city. As a result, a decision was taken to evidence the English-medium schools in the locality.</p> <p>Whilst the proposed designation of this new primary school as an English-medium provision means that the authority will not be making a positive contribution to meeting the Welsh Government target at this time, the Council is committed to scoping the need for Welsh-medium provision in relation to all future new school builds.</p>

5 How has your proposal embedded and prioritised the sustainable development principle in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Long Term</p> <p>Balancing short term need with long term needs</p>	<p><i>Yes by ensuring the long-term sufficiency of school places in an area of potential high parental demand whilst also delivering against the Council's section 106 legal agreement. Against this however the latest pupil projection estimates indicate a surplus of approximately 105 places across the English-medium, Welsh-medium and Voluntary Aided schools in the denoted Lliswerry and Llanwern clusters as at January 2019 after taking account of the predicted yield from these new housing developments. It would appear therefore that pupils living on the Glan Llyn development can be accommodated in other schools in the local area for the 2018/19 academic year. This supports a more cost effective approach as the spaces that exist in schools currently would be filled before the creation of a new school. It would seem reasonable therefore to consider deferring the establishment of the new primary school until September 2019.</i></p>
 <p>Collaboration</p> <p>Working together to deliver objectives</p>	<p><i>A formal statutory consultation has already been carried out and included targeted stakeholder engagement. The previously prepared FEIA has been updated to consider the impact of the proposal. In addition the school is being provided by the developer as part of the Council's planning agreement.</i></p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p><i>A formal statutory consultation has already been carried out and included targeted stakeholder engagement. The previously prepared FEIA has been updated to consider the impact of the proposal.</i></p>
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p><i>Increasing the number of primary school places available supports the Council's vision for "the right school in the right place" and the philosophy of "local schools for local children".</i></p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p data-bbox="129 510 411 651">Considering impact on all wellbeing goals together and on other bodies</p>	<p data-bbox="448 304 1422 636"><i>In accordance with the School Organisation Code, a formal consultation was carried out with key stakeholders and a statutory proposal was then published providing the opportunity for stakeholders to submit any objections. This proposal supports the “A prosperous Wales”, “A resilient Wales” and “A more equal Wales” Well-being Goals and has no adverse effect on any of the other Well-being Goals. In addition this proposal supports the Newport City Council Well-being Objective “To improve skills, educational outcomes and employment opportunities” and “To build cohesive and sustainable communities”.</i></p>

6 Will the proposal/policy have a disproportionate impact on a specific geographical area of Newport?

The proposed change will primarily impact on the Llanwern area of the City, However applications for admission to the school can be made in respect of children living across the whole of the City. The Council aspires to provide local schools for local children and a single education journey for children during their time in Foundation Phase and Key Stage 2.

7 How does the proposal/policy relate to the parameters of debate about Fairness identified by the Newport Fairness Commission

The provision of additional primary school places in an area of high demand will support the School Admissions Policy within which all applicants are treated fairly and equitably. There will be an improved equality of access to school places and a seamless learning pathway for children aged 3 – 11.

8 Taking this assessment as a whole, what could be done to mitigate any negative impacts of your policy and better contribute to positive impacts?

Whilst the proposed designation of this new primary school as an English-medium provision means that the authority will not be making a positive contribution to meeting the Welsh Government target at this time, the Council is committed to scoping the need for Welsh-medium provision in relation to all future new school builds.

The Council also works closely with the two representative diocesan bodies in the planning of faith based school places and this arrangement will continue when considering the provision to be offered in any new school in the future.

9 Monitoring, evaluating and reviewing

The original intention was that the new school would be established with effect from September 2018. The Council’s view has now changed however and the proposal was taken forward on the basis of implementation with effect from September 2019.

The impact of the proposal will be evaluated following full implementation. This FEIA has been reviewed and updated at stages throughout the proposal.

10 Involvement

Stakeholders were advised of the publication of the statutory notice and details of the determination will be shared as appropriate.

11 Summary of Impact (for inclusion in any report)

Equality Act 2010 AND Welsh Language

The proposed new school will primarily serve children and families living on the Glan Llyn development, providing a local primary school and building positive relationships in and around the school environment. Places at the school will be allocated in accordance with the School Admissions Policy which supports a fair and equitable system for the allocation of school places.

In terms of language provision, an informal pre-consultation survey was carried out which enabled the Council to gather the views of the existing Glan Llyn residents. This was not however the only evidence used to determine the language medium of the proposed new school. Alongside this direct stakeholder feedback, one Welsh-medium primary school is geographically close to the Glan Llyn development and at the time of consultation there were vacancies in all year groups from Reception to Year Six across the Welsh-medium primary school estate.

Wellbeing of Future Generations (Wales) Act 2015

In summary this proposal supports wellbeing by increasing the availability of primary school places across the City. The “right school in the right place” and “local schools for local children” also assists in meeting the needs of children who would otherwise be forced to attend schools some distance away from their home addresses and therefore reduces travel times and costs.