

Cabinet BACKGROUND PAPERS

DATE: Thursday 12 December 2013

AGENDA - PART I

CHILDREN AND FAMILIES

KEY 9. SCHOOL EXPANSION PROGRAMME (Pages 1 - 16)

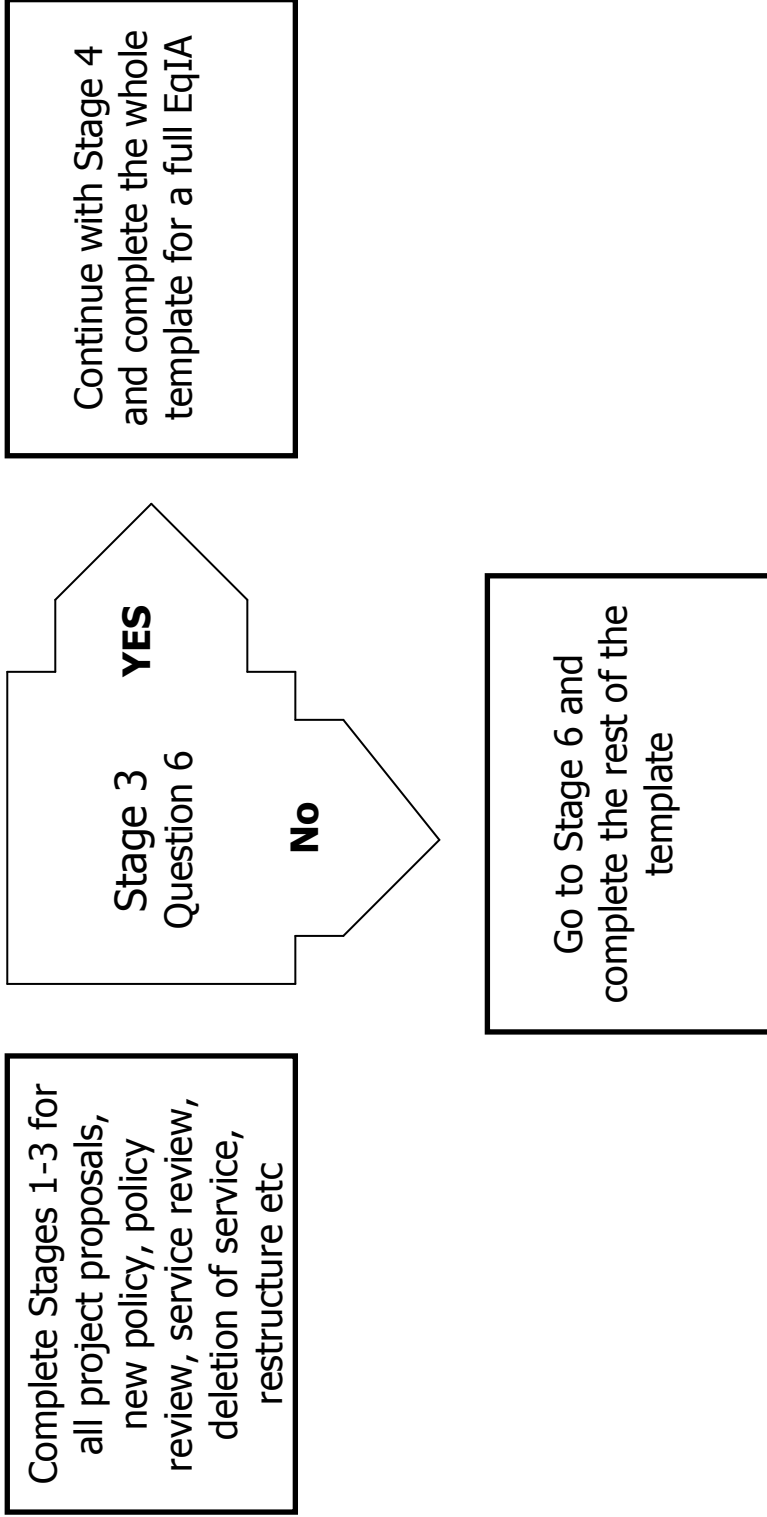
Background Papers to the Report of the Corporate Director of Children and Families.

AGENDA - PART II - Nil

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Equality Impact Assessment Template

The Council has revised and simplified its Equality Impact Assessment process. There is now just one Template. Project Managers will need to complete **Stages 1-3** to determine whether a full EqIA is required and the need to complete the whole template.



Equality Impact Assessment (EqIA) Template

In order to carry out this assessment, it is important that you have completed the EqIA E-learning Module and read the Corporate Guidelines on EqIAs. Please refer to these to assist you in completing this assessment.

It will also help you to look at the EqIA Template with Guidance Notes to assist you in completing the EqIA.

Type of Project / Proposal:	Tick	Type of Decision:	Tick
Transformation		Cabinet	
Capital		Portfolio Holder	
Service Plan		Corporate Strategic Board	
Other		Other	
<p>Title of Project:</p> <p>School Expansion Programme. Cabinet agreed its School Place Planning Strategy in February 2010 to meet the increasing demand for school places that is primarily birth rate driven. In July 2011, Cabinet agreed a school expansion programme as part of the School Place Planning Strategy. The local authority has a statutory responsibility to provide sufficient school places for its area The local authority has a statutory duty to provide sufficient school places in its area. There is no change to policy involved in this proposal.</p>			
<p>Directorate / Service responsible:</p> <p>Children and Families Directorate Education Strategy & School Organisation</p>			
<p>Name and job title of lead officer:</p> <p>Johanna Morgan, Education Lead - School Organisation</p>			
<p>Name & contact details of the other persons involved in the assessment:</p> <p>Chris Melly, Senior Professional – School Organisation.</p>			
<p>Date of assessment:</p> <p>30 October 2013</p>			

Stage 1: Overview

In September 2013 the first phase of 8 primary school expansions was implemented. In July 2013, Cabinet agreed Phase 2 of the primary school expansion programme be moved to the statutory process for permanent expansion. The report to November Cabinet will request Cabinet to agree to the publication of statutory notices to expand permanently schools that were the subject of statutory consultations this Autumn.

It is expected that there will be a need for a third phase of primary school expansions to meet demand for places from 2016 onwards.

The increased demand for primary school places will progress through to the secondary schools from around 2016 and the Secondary School Place Planning Strategy will ensure plans are in place to provide sufficient high school places.

1. What are you trying to do?
(Explain proposals e.g. introduction of a new service or policy, policy review, changing criteria, reduction / removal of service, restructure, deletion of posts etc)

2. Who are the main people / Protected Characteristics that may be affected by your proposals? (all that apply)

Residents / Service Users	Partners	Stakeholders
Staff	Age	Disability
Gender Reassignment	Marriage and Civil Partnership	Pregnancy and Maternity
Race	Religion or Belief	Sex
Sexual Orientation	Other	

3

3. Is the responsibility shared with another directorate, authority or organisation? If so:

- Who are the partners?
- Who has the overall responsibility?
- How have they been involved in the assessment?

No.
However, there is close working with the other directorates on the delivery of the school expansion programme because of the need to deliver additional accommodation in schools and the implications for local residents especially in relation to traffic congestion issues.

Stage 2: Evidence / Data Collation

4. What evidence / data have you reviewed to assess the potential impact of your proposals? Include the actual data, statistics reviewed in the section below. This can include census data, borough profile, profile of service users, workforce profiles, results from consultations and the involvement tracker, customer satisfaction surveys, focus groups, research interviews, staff surveys; complaints etc. Where possible include data on the nine Protected Characteristics.

(Where you have gaps (data is not available/being collated), you may need to include this as an action to address in your Improvement Action Plan at Stage 7)

Statutory consultation was held from Monday 16 September 2013 until Friday 18 October 2013

Age (including carers of young/older people)	<p>The School Expansion Programme will ensure sufficient school places for the increasing numbers of children and young people in Harrow. The current school expansions are in the primary phase, though additional children will progress through to the secondary phase from around 2016. The latest school roll projections confirm that a third phase of permanent primary school expansions will be required to meet the demand from 2016. These latest projections inform the Secondary School Place Planning Strategy and will continue to inform school place planning across the education phases.</p>																					
Disability (including carers of disabled people)	<p>In July 2013 Cabinet approved the Special School SEN Placements Planning Framework for bringing forward proposals over the next 3-5 years to increase provision for children and young people with special educational needs. The Framework has been informed by the responses to the consultation on the Framework in Autumn 2012.</p> <p>The expansion building works will be DDA compliant and wherever possible the building projects will seek to address any access issues at the schools should any exist. No disability issues have been raised in the consultation responses to phase 2 of the school expansion programme.</p> <p>124 of the 732 respondents to the phase 2 expansion consultation that completed monitoring information stated having disability.</p>																					
Gender Reassignment	Not applicable.																					
Marriage / Civil Partnership	Not applicable.																					
4 Pregnancy and Maternity	Not applicable.																					
Race	<p>Not applicable. Harrow's maintained schools are inclusive of children from all races, and this would continue in expanded schools. Harrow's schools have considerable experience of migration into Harrow of children from BME communities, and providing additional support to the children and their families. Responses about ethnic origin in the phase 2 consultation responses were as follows:</p> <table border="1" data-bbox="954 645 1374 1541"> <thead> <tr> <th>Ethnic Group</th> <th>Number</th> <th>% of total response</th> </tr> </thead> <tbody> <tr> <td>Asian Or Asian British</td> <td>202</td> <td>24.54%</td> </tr> <tr> <td>Black or Black British</td> <td>13</td> <td>1.58%</td> </tr> <tr> <td>Other Ethnic Group</td> <td>12</td> <td>1.46%</td> </tr> <tr> <td>Mixed ethnic background</td> <td>7</td> <td>0.85%</td> </tr> <tr> <td>White</td> <td>234</td> <td>28.43%</td> </tr> <tr> <td>Did Not Specify</td> <td>355</td> <td>43.13%</td> </tr> </tbody> </table> <p>No comments in relation to Race were made in the consultation responses.</p>	Ethnic Group	Number	% of total response	Asian Or Asian British	202	24.54%	Black or Black British	13	1.58%	Other Ethnic Group	12	1.46%	Mixed ethnic background	7	0.85%	White	234	28.43%	Did Not Specify	355	43.13%
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Religion and Belief	Not applicable. There is no change to the school category as a result of expansion. School place planning in Harrow includes liaison with faith schools and diocesan bodies. A Hindu ethos school permanently expanded in September 2013. Phase 2 of the school expansion programme includes proposals to permanently expand two Catholic primary schools in the borough.
Sex / Gender	Not applicable. There is no change to co-educational school category as a result of expansion.
Sexual Orientation	Not applicable.
Socio Economic	Not applicable.
<p>51 What other (local, regional, national research, reports, media) data sources that you have used to inform this assessment? List the Title of reports / documents and websites here.</p>	<p>Experience from implementing the first phase of the school expansion programme has been drawn upon in conducting the phase 2 expansions consultation including the information contained in the consultation documentation to inform consultees (e.g. FAQs). This enabled issues raised in previous consultations about school size, maintaining high education standards, ethos, funding, etc to be addressed to ensure as complete information as possible was available for consideration. The Greater London Authority (GLA) prepares the pupil projections for Harrow Council. The GLA use a range of information and data to prepare the projections including the number of births, number of pupils in Harrow schools, migration to Harrow and new housing development. Across London the population is growing, and the main reason for this is increasing birth rate. The demand for Reception class places (for pupils reaching 5 years of age) in Harrow schools has been increasing beyond available permanent school places since 2009 and is projected to peak around 2019. Full information about the projected demand for school places and the planning to increase school places across Harrow can be viewed at http://www.harrow.gov.uk/info/200086/nursery_school_and_college/1000/school_expansion_programme/3 The majority of Harrow's primary schools will be involved in the school expansion programme either through permanent expansion or temporary additional classes required to meet the full extent of the demand and any fluctuations that arise, and to allow some flexibility and choice in the school system.</p> <p>The consultation about the phase 2 expansion asked two questions:</p> <ul style="list-style-type: none"> • Do you agree with the approach to creating additional school places in Harrow? • Do you agree with the approach to permanently expand <i>*named school*</i> (Note: the respondent would specify which school proposal their response related to) <p>The responses made to the first consultation question indicate broad agreement with the Council's approach to creating additional school places in Harrow.</p>

Response	Number	Percentage
Yes	507	61.60%
No	211	25.64%
Not Sure	105	12.76%
Total	823	100.00%

The comments made by respondents to this question include the following main themes: Harrow is already over populated and over crowded; new schools should be built to meet the increased demand rather than expanding existing schools that are pressed for capacity; there has been too much development in the borough which exceeds the available infrastructure, for example roads, to support the increased population. Officer response to the comments made are as follows. Harrow's Area Action Plan has been subject to extensive consultation and provides a strategic framework for future sustainable development in the borough. Harrow Council will do all that it can to create new schools, but the reality is that there is very little land available to the Council for this. A new primary school will be established at the Kodak development and the Harrow Teachers' Centre site has been identified for additional secondary school provision in the borough's area planning. The Council will work with proposers of free schools to support appropriate new provision wherever possible. The design work to provide additional teaching space at schools that are expanded will seek to consolidate existing spaces and to address any issues with the current running of the school as far as possible. The travel and traffic issues arising from increased numbers of pupils in schools are recognised and are addressed in the Cabinet in a detailed section on Traffic and Congestion issues. A cross-council approach is being implemented, bringing officers together from Children and Families, Enterprise & Environment and Communications to co-ordinate work. Additional resource is being committed to ensure an appropriate profile to the Phase 2 expansion projects in particular:

- Transport Assessments on each school;
- appointment of a Transport and Travel Planner for the expansion projects to develop and implement effective travel strategies in conjunction with the schools as well as coordinating inputs and actions from other council departments to assist the change process;
- there will be a communication strategy for the Phase 2 expansion projects to raise the profile of school travel planning. An additional communications officer will be engaged to give this work a high profile.

The overall responses to the second consultation question by school were:

Numbers	Yes	No	Not Sure	Total
Aylward	29	28	7	64
Belmont	31	14	8	53
Cannon Lane	16	92	10	118
Grange	50	16	5	71
Kenmore Park	43	10	5	58
Newton Farm	43	15	7	65
Norbury	56	12	9	77
Pinner Wood	9	19	6	34
Priestmead	79	19	16	114
St Anselm's	4	43	2	49
St John Fisher	5	42	7	54
Whitechurch	41	17	8	66
	406	327	90	823

The comments made by respondents to the second consultation question are broadly to the same themes as the responses to the first question with more detail specific to each school. The comments for each school are summarised in the Cabinet report in Appendix B together with officer comment.

Stage 3: Assessing Potential Disproportionate Impact

6. Based on the evidence you have considered so far, is there a risk that your proposals could potentially have a disproportionate adverse impact on any of the Protected Characteristics?

	Age (including carers)	Disability (including carers)	Gender Reassignment	Marriage and Civil Partnership	Pregnancy and Maternity	Race	Religion and Belief	Sex	Sexual Orientation
Yes									
No									

YES - If there is a risk of disproportionate adverse Impact on any **ONE** of the Protected Characteristics, continue with the rest of the template.

- § **Best Practice:** You may want to consider setting up a Working Group (including colleagues, partners, stakeholders, voluntary community sector organisations, service users and Unions) to develop the rest of the EqIA
- § It will be useful to also collate further evidence (additional data, consultation with the relevant communities, stakeholder groups and service users directly affected by your proposals) to further assess the potential disproportionate impact identified and how this can be mitigated.

NO - If you have ticked 'No' to all of the above, then go to **Stage 6**

- § Although the assessment may not have identified potential disproportionate impact, you may have identified actions which can be taken to advance equality of opportunity to make your proposals more inclusive. These actions should form your Improvement Action Plan at Stage 7

Stage 4: Collating Additional data / Evidence

7. What additional data / evidence have you considered to further assess the potential disproportionate impact of your proposals? (include this evidence, including any data, statistics, titles of documents and website links here)

Full EqIA not required.

It is proposed that Equality Impact Assessments will be undertaken on schools that Cabinet decides will have statutory proposals published and include the involvement of school representatives to ensure that equalities implications are fully considered in the planning.

∞ What consultation have you undertaken on your proposals?

Who was consulted?	What consultation methods were used?	What do the results show about the impact on different groups / Protected Characteristics?	What actions have you taken to address the findings of the consultation? (This may include further consultation with the affected groups, revising your proposals).
Full EqIA not required.			

Stage 5: Assessing Impact and Analysis

9. What does your evidence tell you about the impact on different groups? Consider whether the evidence shows potential for differential impact, if so state whether this is an adverse or positive impact? How likely is this to happen? How you will mitigate/remove any adverse impact?

Protected Characteristic	Adverse	Positive	Explain what this impact is, how likely it is to happen and the extent of impact if it was to occur. Note – Positive impact can also be used to demonstrate how your proposals meet the aims of the PSED Stage 9	What measures can you take to mitigate the impact or advance equality of opportunity? E.g. further consultation, research, implement equality monitoring etc (Also Include these in the Improvement Action Plan at Stage 7)
Age (including carers of young/older people)	Full EqIA not required.			
Disability (including carers of disabled people)				
Gender Reassignment				
Marriage and Civil Partnership				
Pregnancy and Maternity				

Race																			
Religion or Belief																			
Sex																			
Sexual orientation																			
<p>10. Cumulative Impact – Considering what else is happening within the Council and Harrow as a whole, could your proposals have a cumulative impact on a particular Protected Characteristic?</p>										Yes	No								
<p>If yes, which Protected Characteristics could be affected and what is the potential impact?</p>										Full EqIA not required.									
<p>10a. Any Other Impact – Considering what else is happening within the Council and Harrow as a whole (for example national/local policy, austerity, welfare reform, unemployment levels, community tensions, levels of crime) could your proposals have an impact on individuals/service users socio economic, health or an impact on community cohesion?</p>										Yes	No								
<p>If yes, what is the potential impact and how likely is to happen?</p>										Full EqIA not required.									
<p>11. Is there any evidence or concern that the potential adverse impact identified may result in a Protected Characteristic being disadvantaged? (Please refer to the Corporate Guidelines for guidance on the definitions of discrimination, harassment and victimisation and other prohibited conduct under the Equality Act) available on Harrow HUB/Equalities and Diversity/Policies and Legislation</p>																			
	Age (including	Disability (including	Gender Reassignment	Marriage and Civil	Pregnancy and Maternity	Race	Religion and Belief	Sex	Sexual Orientation										

	carers)	carers)	Partnership			
Yes						
No						

If you have answered "yes" to any of the above, set out what justification there may be for this in Q12a below - link this to the aims of the proposal and whether the disadvantage is proportionate to the need to meet these aims. (You are encouraged to seek legal advice, if you are concerned that the proposal may breach the equality legislation or you are unsure whether there is objective justification for the proposal)

If the analysis shows the potential for serious adverse impact or disadvantage (or potential discrimination) but you have identified a potential justification for this, this information must be presented to the decision maker for a final decision to be made on whether the disadvantage is proportionate to achieve the aims of the proposal.

§ If there are adverse effects that are not justified and cannot be mitigated, you should not proceed with the proposal. **(select outcome 4)**

§ If the analysis shows unlawful conduct under the equalities legislation, you should not proceed with the proposal. **(select outcome 4)**

Stage 6: Decision

12. Please indicate which of the following statements best describes the outcome of your EqIA (tick one box only)

Outcome 1 – No change required: the EqIA has not identified any potential for unlawful conduct or disproportionate impact and all opportunities to advance equality are being addressed.

→ **Outcome 2** – Minor adjustments to remove / mitigate adverse impact or advance equality have been identified by the EqIA. *List e actions you propose to take to address this in the Improvement Action Plan at Stage 7*

Outcome 3 – Continue with proposals despite having identified potential for adverse impact or missed opportunities to advance equality. In this case, the justification needs to be included in the EqIA and should be in line with the PSED to have 'due regard'. In some cases, compelling reasons will be needed. You should also consider whether there are sufficient plans to reduce the adverse impact and/or plans to monitor the impact. **(Explain this in 12a below)**

Outcome 4 – Stop and rethink: when there is potential for serious adverse impact or disadvantage to one or more protected groups. (You are encouraged to seek Legal Advice about the potential for unlawful conduct under equalities legislation)

12a. If your EqIA is assessed as **outcome 3 or you have ticked 'yes' in Q11**, explain your justification with full reasoning to continue with your proposals.

Stage 7: Improvement Action Plan

13. List below any actions you plan to take as a result of this Impact Assessment. This should include any actions identified throughout the EqIA. Area of potential How will you know Target Date Lead Officer Date Action

adverse impact e.g. Race, Disability	Action required to mitigate	this is achieved? E.g. Performance Measure / Target	included in Service / Team Plan
<p>None. The equality impact assessment indicates that the equalities impact of Cabinet's decision will be effectively neutral. Harrow's schools are successful and inclusive and provide a diversity of provision through the spread, size and category of schools across the borough, and the school expansion programme will build on the positives that already exist in Harrow's schools.</p>	<p>Not applicable.</p>	<p>Not applicable.</p>	<p>Not applicable.</p>

Stage 8 - Monitoring

The full impact of the proposals may only be known after they have been implemented. It is therefore important to ensure effective monitoring measures are in place to assess the impact.

<p>14. How will you monitor the impact of the proposals once they have been implemented? What monitoring measures need to be introduced to ensure effective monitoring of your proposals? How often will you do this? (<i>Also Include in Improvement Action Plan at Stage 7</i>)</p>	<p>Monitoring will occur through the usual school performance monitoring arrangements. The School Organisation Officer Group, comprised of representatives from relevant departments, meets monthly and will consider any relevant monitoring information arising from expansions. Reports about school place planning and related school organisation matters are submitted to Cabinet regularly. These reports are published on the Harrow Council website.</p>
<p>15. How will the results of any monitoring be analysed, reported and publicised? (<i>Also Include in Improvement Action Plan at Stage 7</i>)</p>	<p>The responses to the phase 2 school expansion proposals are noted in Section 4 above.</p>
<p>16. Have you received any complaints or compliments about the</p>	<p></p>

proposals being assessed? If so, provide details.

Stage 9: Public Sector Equality Duty

17. How do your proposals contribute towards the Public Sector Equality Duty (PSED) which requires the Council to have due regard to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between different groups.

(Include all the positive actions of your proposals, for example literature will be available in large print, Braille and community languages, flexible working hours for parents/carers, IT equipment will be DDA compliant etc)

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010	Advance equality of opportunity between people from different groups	Foster good relations between people from different groups
The school expansion programme ensures there are sufficient local high quality school places for all the children in the borough.	Harrow's maintained schools are inclusive of all children from all groups, and this would continue in expanded schools.	Harrow's maintained schools are inclusive of all children from all groups, and this would continue in expanded schools.

Stage 10 - Organisational sign Off (to be completed by Chair of Departmental Equalities Task Group)

The completed EqIA needs to be sent to the chair of your Departmental Equalities Task Group (DETG) to be signed off.

→ 3. Which group or committee

considered, reviewed and agreed the EqIA and the Improvement Action Plan?

Joint Chairs of DETG.			
Signed: (Lead officer completing EqIA)	Johanna Morgan	Signed: (Chair of DETG)	Richard Segalov
Date:	30 October 2013	Date:	4 November 2013
Date EqIA presented at the EqIA Quality Assurance Group	4 November 2013	Signature of ETG Chair	Mike Howes

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HSH group response to the LA consultation about expansion and age-range change of Whitefriars

To: Johanna Morgan, Lead Officer, School Organisation, Harrow Council

From: Harrow High School Headteachers group

Subject: Consultation about the proposed expansion and age-range change of Whitefriars Community School

The High School Headteachers recognise:

- The medium term need for additional secondary phase places within the Borough
- The appropriateness of the Teachers Centre as a location for additional secondary phase places in a borough where it is difficult to find appropriate sites
- The Government requirement that places established with funding from the Targeted Basic Need Programme begin to be available by September 2015.

Within that context, the group would wish to make the following observations regarding the proposed age-range change for Whitefriars so that it becomes a 4-18 school.

1. The consultation documentation places far more emphasis upon, and is far more tailored towards, the 1FE expansion of the primary phase rather than the creation of the high school provision. Given that the former creates 210 places, and the latter over 800, this seems an unfortunate neglect of the high school phase.
2. The consultation document provides no information about the proposed curriculum of the high school phase, or how the school would manage the incremental growth through the secondary phase. These are significant issues. The high schools would want to work with Whitefriars on the development of the curriculum and staffing to ensure that students have access to appropriate specialist teachers during the growth of the school when staffing may be a challenge (it is noted that the consultation document is silent about any equivalent to the 'diseconomies of scale' funding that a free school would receive).
3. The consultation document talks about a 5FE intake, but also states that "the intake to the secondary provision would be phased and increase over time with the first Year 7 intake occurring in September 2015." The Council is aware of the sensitivity of the implications for existing high schools of additional provision in 2015 when the Council's projections do not show a need for 150 additional places, so the phased approach is welcomed. Given that the high school phase would be a part of Whitefriars Community School, it is suggested that the initial Year 7 cohort may simply comprise those children moving up from Y6 at Whitefriars with little or no additional PAN. The external PAN would then grow towards its full 90 (and then shrink to 60 as the 3FE Whitefriars cohorts move through). We would welcome clarification on this point.
4. The group assume that admission oversubscription for the 'external PAN' would use the same criteria as used for Whitmore as a community high school. The group assumes that the Council will set the admissions policy for 2015/16 prior to the proposed conversion of Whitefriars to academy status, but the group would welcome confirmation from Whitefriars as to their intentions regarding over-subscription criteria. The schools strongly believe that it is in parents' interests for over-subscription criteria for secular, co-educational provision within the borough to remain as consistent as possible.
5. The group is concerned that a sixth form capacity of 75 is unsustainable, even with inclusion into the Sixth Form Collegiate.

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