

# Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated April 2019)

## Proposal to close Kell Bank CoE VC Primary School

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যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

**Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.**

Name of Directorate and Service Area	CYPS Strategic Planning Team
Lead Officer and contact details	Andrew Dixon, County Hall
Names and roles of other people involved in carrying out the EIA	Sue Turley, Strategic Planning Officer
How will you pay due regard? e.g. working group, individual officer	LA Officers and School Governing Body
When did the due regard process start?	Consultation started on 2 November 2020

**Section 1. Please describe briefly what this EIA is about.** (e.g. are you starting a new service, changing how you do something, stopping doing something?)

A proposal to close (cease to maintain) Kell Bank CE VC Primary School. A period of consultation with the community has been carried out, including written consultation and two virtual public meetings. A statutory representation period will follow.

**Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it?** (e.g. to save money, meet increased demand, do things in a better way.)

The County Council is under a statutory duty to ensure there are sufficient school places in the area, promote high educational standards, ensure fair access to educational opportunity and promote fulfilment of every child's educational potential. There are three key concerns: 1) Low pupil numbers; 2) The schools financial position, and 3) Breadth of curriculum. These issues are laid out in detail in the consultation document and the report to CYPS Executive Members on 20 October 2020.

**Section 3. What will change? What will be different for customers and/or staff?**

It is proposed that Kell Bank CE VC Primary School should close with effect from 31 August 2021 and that Masham CE VA would adopt the existing Kell Bank catchment area as an addition to its existing area in the event of a closure.

**Section 4. Involvement and consultation** (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

The consultation period ran from 2 November to 21 December 2020. Consultation documents were distributed to a wide range of stakeholders, and two virtual public meeting was held. The consultation document and responses are included in the report to the Executive on 26 January 2021.

**Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?**

Please explain briefly why this will be the result.

Any savings to the Dedicated Schools Grant arising from the closure, if approved, would remain within the ring-fenced Dedicated Schools Grant as part of the funding for all schools. Any revenue or capital balances would be made available to the receiving school in line with the Closing School Accounting Policy.

If the school closed, there could be a potential additional cost to the Local Authority in providing transport to other schools. Free home to school transport would be provided for entitled pupils in accordance with the revised catchment area arrangements in accordance with the County Council's Home to School transport policy.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age		x	x	<p>Currently there are only 6 pupils on roll and two of those are currently in Year 6 and will leave in 2021 to transition to secondary provision. If the decision is taken to close the school this adversely affects the current cohort.</p> <p>Moving to an alternative school will increase the opportunities for pupils to work and play with children their own age.</p>
Disability	x			<p>Pupils – The school is mainstream offering universal provision.</p> <p>Expertise will be utilised from the County Council to provide appropriate SEN support.</p> <p>Staff – As an organisation NYCC will continue to meet the requirements of the Equality Act 2010 which obligates us to make reasonable adjustments to accommodate disabled individuals as employees or service users.</p>
Sex	x			No impact is anticipated.
Race	x			No impact is anticipated.
Gender reassignment	x			No impact is anticipated.
Sexual orientation	x			No impact is anticipated.
Religion or belief			x	<p>If the decision is taken to close the School, this will adversely impact upon those pupils who wish to be educated in a Church of England School. There are several Church of England primary schools within an 8 mile distance from Kell Bank CoE School. The nearest CoE School is Masham CE VA which is 2.8 miles away. The next nearest CoE School is Grewelthorpe CE VC at 5.8 miles away.</p>

Pregnancy or maternity	x			No impact is anticipated.
Marriage or civil partnership	x			No impact is anticipated.

<b>Section 7. How will this proposal affect people who...</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
..live in a rural area?	x			<p>This proposal would have an adverse impact for those living within its catchment that attend the school as they would have to travel to alternative schools.</p> <p>Across the area there are places available for all the pupils currently at Kell Bank CE VC Primary School. The nearest Church of England school is Masham CE VA Primary School which is 2.8 miles from Kell Bank by road and holds a 'Good' Ofsted judgement. The next nearest school is Grewelthorpe CE VC 5.8 miles from Kell Bank CE and holds a 'Good' Ofsted judgement.</p> <p>Free home to school transport would be provided for entitled pupils within the enlarged catchment area in accordance with the County Council's Home to School Transport policy. The County Council's Home to School transport policy sets out that free school transport will be provided to the catchment school or nearest school to a child's home address if it is over the statutory walking distances set out by law.</p>
...have a low income?	x			<p>There may be adverse impact on those families with low incomes by the proposed closure of the school. However, this would be mitigated by the LA provided transport assistance, in line with the Transport Policy.</p>
...are carers (unpaid family or friend)?	x			No impact anticipated

<b>Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)</b>	
North Yorkshire wide	
Craven district	
Hambleton district	

Harrogate district	x
Richmondshire district	
Ryedale district	
Scarborough district	
Selby district	
<b>If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.</b>	
Fearby and Healey Villages	

**Section 9. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.**

All pupils and staff at the school would experience changes under these proposals that staff and governors would need to manage sensitively.

The County Council's Officers now feel that this decision is in the best interests of children and families served by the school.

The Local Authority's Admission Team will continue to work with families to try to meet their individual preferences for primary schools.

Home to school transport will be assessed in line with the County Council's policy.

<b>Section 10. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)</b>	<b>Tick option chosen</b>
<b>1. No adverse impact - no major change needed to the proposal.</b> There is no potential for discrimination or adverse impact identified.	
<b>2. Adverse impact - adjust the proposal -</b> The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
<b>3. Adverse impact - continue the proposal -</b> The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	<b>X</b>

<p><b>4. Actual or potential unlawful discrimination - stop and remove the proposal</b> – The EIA identifies actual or potential unlawful discrimination. It must be stopped.</p>	
<p><b>Explanation of why option has been chosen.</b> (Include any advice given by Legal Services.)</p> <p>Kell Bank CE VC Primary School is designated as a rural school under the Designation of Rural Primary Schools (England) Order. The School Organisation regulations and guidance contain a presumption against closure of rural schools, and it is a requirement that proposers must consider the effect of the discontinuance of any rural primary school on the local community. The statutory guidance specifically states that ‘This does not mean that a rural school will never close, but the case for closure should be strong and a proposal must be clearly in the best interests of educational provision in the area.’ Careful consideration to alternatives to closure of the school, including transport implications and the impact on local people and the wider community has been given. A detailed analysis of these issues is contained in the Statutory Proposals and the report to Executive of 26 January 2021. It is concluded that the case for closure is strong and in the best interests of educational provision in the area.</p> <p>This proposal may be considered to have an adverse impact for those pupils currently on roll at the school as they would have to move to an alternative a school, as set out above in Section 7. Careful consideration has been had to alternatives to closure, but it is concluded that the case for closure is strong and in the best interests of educational provision in the area.</p>	

<p><b>Section 11. If the proposal is to be implemented how will you find out how it is really affecting people?</b> (How will you monitor and review the changes?)</p> <p>Monitoring of standards will be carried out through the County Council’s School Improvement Team and through Ofsted inspections. Monitoring of sufficiency of school places in the Masham/Ripon Outer areas will be undertaken by the CYPS Strategic Planning Team.</p>
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<p><b>Section 12. Action plan.</b> List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.</p>				
Action	Lead	By when	Progress	Monitoring arrangements
Not applicable				

<p><b>Section 13. Summary</b> Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.</p>
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The purpose of the consultation and proposed decision is to ensure that the children are provided with the best education provision in the area in a sustainable, stable and effective manner. In order to achieve these aims, despite the adverse impacts identified, the proposal to close the school needs to be considered.

#### **Section 14. Sign off section**

This full EIA was completed by:

**Name: Sue Turley**

**Job title: Strategic Planning Officer**

**Directorate: CYPS**

**Signature:**

**Completion date: 07/01/2021**

**Authorised by relevant Assistant Director (signature): Amanda Newbold**

**Date: 12/01/2021**