



Equality Impact/Fairer Scotland Duty Assessment Form

(To be completed with reference to Guidance Notes)

Step 1

Name of Proposal (includes e. g. budget savings, committee reports, strategies, policies, procedures, service reviews, functions):

Primary and Secondary School Capacities 2021/22. This report reviews the projected school rolls for August 2021 and recommends capping where appropriate.

Step 2

Is this only a **screening** Equality Impact Assessment

No

(A) If Yes, please choose from the following options **all** reasons why a full EIA/FSD is not required:

(i) It does not impact on people

Yes/No

(ii) It is for information only

Yes/No

(iii) It is reflective e.g. of budget spend over a financial year

Yes/No

(iv) It is technical

Yes/No

If you have answered yes to any of points above, please go to **Step 16**, and sign off the Assessment.

(B) If you have answered No to the above, please indicate the following:

Is this a full Equality Impact Assessment

Yes

Is this a Fairer Scotland Duty Assessment

No

If you have answered Yes to either or both of the above, continue with Step 3.

If your proposal is a **strategy** please ensure you complete Step 13 which is the Fairer Scotland Duty Assessment.

Step 3

(i) Lead Directorate/Service:

Education and Lifelong Learning

(ii) Are there any **relevant** statutory requirements affecting this proposal? If so, please describe.

The Education (Scotland) Act (1980) – An Act with specific reference to the duty to provide education by Education Authorities (councils) and functions of Education Authorities in relation to individual learners.

(iii) What is the aim of the proposal? Please give full details.

The report provides an update for Elected Members on the expected school rolls for August 2021. The report recommends the capping of the roll in a small number of Angus schools. Angus Council has an established policy whereby roll capping is considered once the projected roll reaches 95% of stated capacity. Capping ensures that places can be reserved for children moving into the catchment area who have an entitlement to access their local school. The Education (Scotland) Act 1980 set out the right for local authorities to reserve spaces in this way and to refuse placing requests where the stated capacity will be reached (Section 28A refers). The report also updates the stated capacity for Edzell Primary School following its recent extension.

(iv) Is it a new proposal? No Please indicate OR

Is it a review of e.g. an existing budget saving, report, strategy, policy, service review, procedure or function? Yes Please indicate

Step 4: Which people does your proposal involve or have consequences for?

Please indicate all which apply:

Employees	No
Job Applicants	No
Service users	Yes
Members of the public	No

Step 5: List the evidence/data/research that has been used in this assessment (links to data sources, information etc which you may find useful are in the Guidance). This could include:

Internal data (e.g. customer satisfaction surveys; equality monitoring data; customer complaints).

- School roll projections for August 2021.

Internal consultation (e.g. with staff, trade unions and any other services affected).

- Education Senior Leadership Team
- Legal & Democratic Services.

External data (e.g. Census, equality reports, equality evidence finder, performance reports, research, available statistics)

- [Section 28A of the Education \(Scotland\) Act 1980](#).
- [Coronavirus\(Covid-19\):School placing requests and appeal hearings – guidance for local authorities, Scottish Government, February 2021](#)
- [Choosing a School – A guide for Parents, Scottish Government, November 2016](#)

External consultation (e.g. partner organisations, national organisations, community groups, other councils.

N/A

Other (general information as appropriate).

Step 6: Evidence Gaps.

Are there any gaps in the equality information you currently hold? No

If yes, please state what they are, and what measures you will take to obtain the evidence you need.

Step 7: Are there potential differential impacts on protected characteristic groups?

Please complete for each group, including details of the potential impact on those affected. Please remember to take into account any particular impact resulting from **Covid-19**.

Please state if there is a potentially positive, negative, neutral or unknown impact for each group. Please state the reason(s) why.

Age

Impact – potentially negative - Children

Approval of the caps on the affected schools could be seen as negatively impacting children for whom placing requests are refused. However, the impact here should be seen as very limited. Access to education is still available to those children at their catchment school (whether in Angus or another local authority area) so there is no limitation to the service being provided.

Disability

Impact – potentially negative - Children

Some placing requests for children with Additional Support Needs may be refused. As noted above, access to education will continue to be available at the catchment school. There are nine specifically resourced primary schools across Angus and all secondary schools in Angus are resourced to meet a wide range of additional support needs. The placing request regulations for Additional Support Needs set out the circumstances where a request can be refused.

Gender reassignment

Impact - None

Marriage and Civil Partnership

Impact - none

Pregnancy/Maternity

Impact - none

Race - (includes Gypsy Travellers)

Impact – none

Children who are not English speakers will be supported to learn at any Angus school. The necessary supports would be put in place to meet their needs, wherever they attend.

Religion or Belief

Impact - None

Angus has two Roman Catholic schools. In the event that these schools experience pressure on their rolls our existing placing request procedures allow us to prioritise children baptised Roman Catholic.

Sex

Impact - neutral

Sexual orientation

Impact - none

Step 8: Consultation with any of the groups potentially affected

If you have consulted with any group potentially affected, please give details of how this was done and what the results were.

If you have not consulted with any group potentially affected, how have you ensured that you can make an informed decision about mitigating action of any negative impact (Step 9)?

Not required – any children affected by this can still access education at their catchment school

Step 9: What mitigating steps will be taken to remove or reduce potentially negative impacts?

N/A – the Education (Scotland) Act 28A sets out acceptable reasons to refuse placing requests. Any refusals will be made with reference to these reasons and therefore within legal parameters.

Step 10: If a potentially negative impact has been identified, please state below the justification.

Access to education is not being restricted – places continue to be available at the appropriate catchment school, whether in Angus or another local authority area.

Step 11: In what way does this proposal contribute to any or all of the public sector equality duty to: eliminate unlawful discrimination; advance equality of opportunity; and foster good relations between people of different protected characteristics?

N/A

Step 12: Is there any action which could be taken to advance equalities in relation to this proposal?

N/A

Step 13: FAIRER SCOTLAND DUTY

This step is only applicable to **strategies** which are key, high level decisions. If your proposal is **not** a strategy, please leave this Step blank, and go to Step 14.

Links to data sources, information etc which you may find useful are in the Guidance.

Step 13(A) What evidence do you have about any socio-economic disadvantage/inequalities of outcome in relation to this strategic issue?

Step 13(B) Please state if there are any gaps in socio-economic evidence for this strategy and how you will take measures to gather the evidence you need.

Step 13(C) Are there any potential impacts this strategy may have specifically on the undernoted groupings? Please remember to take into account any particular impact resulting from **Covid-19**.

Please state if there is a potentially positive, negative, neutral or unknown impact for each grouping.

Low and/or No Wealth (e.g. those with enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future.

Impact

Material Deprivation (i.e. those unable to access basic goods and services e.g. repair/replace broken electrical goods, warm home, leisure and hobbies).

Impact

Area Deprivation (i.e. where people live (e.g. rural areas), or where they work (e.g. accessibility of transport).

Impact

Socio-economic Background i.e. social class including parents' education, people's employment and income.

Impact

Other – please indicate

Step 13(D) Please state below if there are measures which could be taken to reduce socio-economic disadvantage/inequalities of outcome.

Step 14: What arrangements will be put in place to monitor and review the Equality Impact/Fairer Scotland Duty Assessment?

Annual reporting to committee.

Step 15: Where will this Equality Impact/Fairer Scotland Duty Assessment be published?

Alongside the committee report on the Angus Council website.

Step 16: Sign off and Authorisation. Please state name, post, and date for each:

Prepared by: Beth Reader, Manager – Support Services, 22 February 2021

Reviewed by: Doreen Phillips, Snr Practitioner – Equalities, 01 March 2021

Approved by: Kelly McIntosh, Director of Education and Lifelong Learning

NB. There are several worked examples of separate EIA and FSD Assessments in the Guidance which may be of use to you.
