



## 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):

To provide an update on school capacities and seek approval for a change to the process for the administration of roll caps.

### 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 a percentage increase in fees which has no differential impact on protected characteristics Yes/No

(iii) It is for information only Yes/No

(iv) It is reflective e.g. of budget spend over a financial year Yes/No

(v) 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 & 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.

It is proposed to streamline the process for both primary and secondary to make more appropriate use of reserved places to effectively manage school capacities. If the changed process is approved by the Committee, more detailed information will be shared with parents and carers via the Angus Council website. Projected rolls for August each year will be available on the website at an appropriate time and updated on a regular basis. Details of existing roll caps and reserved places will also be published to improve transparency and enable families to make informed choices regarding enrolments and placing requests. Consideration will also be given to publishing the number of placing requests approved and refused each year. If moving to this process is approved, there will be no further requirement for an annual report to this Committee on capacities.

(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).

Current and projected school roll

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

Education Senior Leadership Team and 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 - neutral**

Marriage and Civil Partnership

### **Impact - neutral**

Pregnancy/Maternity

### **Impact - neutral**

Race - (includes Gypsy Travellers)

### **Impact – children and young people – positive**

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.

There is no impact on the Gaelic language unit.

Religion or Belief

### **Impact – potentially negative – children**

Some placing requests for children applying to denominational schools may be refused. As noted above, access to education will continue to be available at the catchment school.

Sex

### **Impact - neutral**

Sexual orientation

### **Impact - neutral**

Parent/carers and young people will still have the opportunity, through the placing request process to apply to alternative schools.

#### **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.

N/A

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?**

It contributes to equality by ensuring all children have access to education

#### **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?**

On the Council website with the committee report.

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

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Reviewed by: Doreen Phillips, Snr Practitioner (Equalities) 04/02/22

Approved by: Jim Hammond 04/02/22

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

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