



Equality Analysis Toolkit

The Future of Carr Hill High School and Sixth Form
Centre's Post 16 Provision

March 2018

What is the Purpose of the Equality Decision-Making Analysis?

The Analysis is designed to be used where a decision is being made at Cabinet Member or Overview and Scrutiny level or if a decision is being made primarily for budget reasons. The Analysis should be referred to on the decision making template (e.g. E6 form).

When fully followed this process will assist in ensuring that the decision-makers meet the requirement of section 149 of the Equality Act 2010 to have due regard to the need: to eliminate discrimination, harassment, victimisation or other unlawful conduct under the Act; to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard means analysing, at each step of formulating, deciding upon and implementing policy, what the effect of that policy is or may be upon groups who share these protected characteristics defined by the Equality Act. The protected characteristics are: age, disability, gender reassignment, race, sex, religion or belief, sexual orientation or pregnancy and maternity – and in some circumstances marriage and civil partnership status.

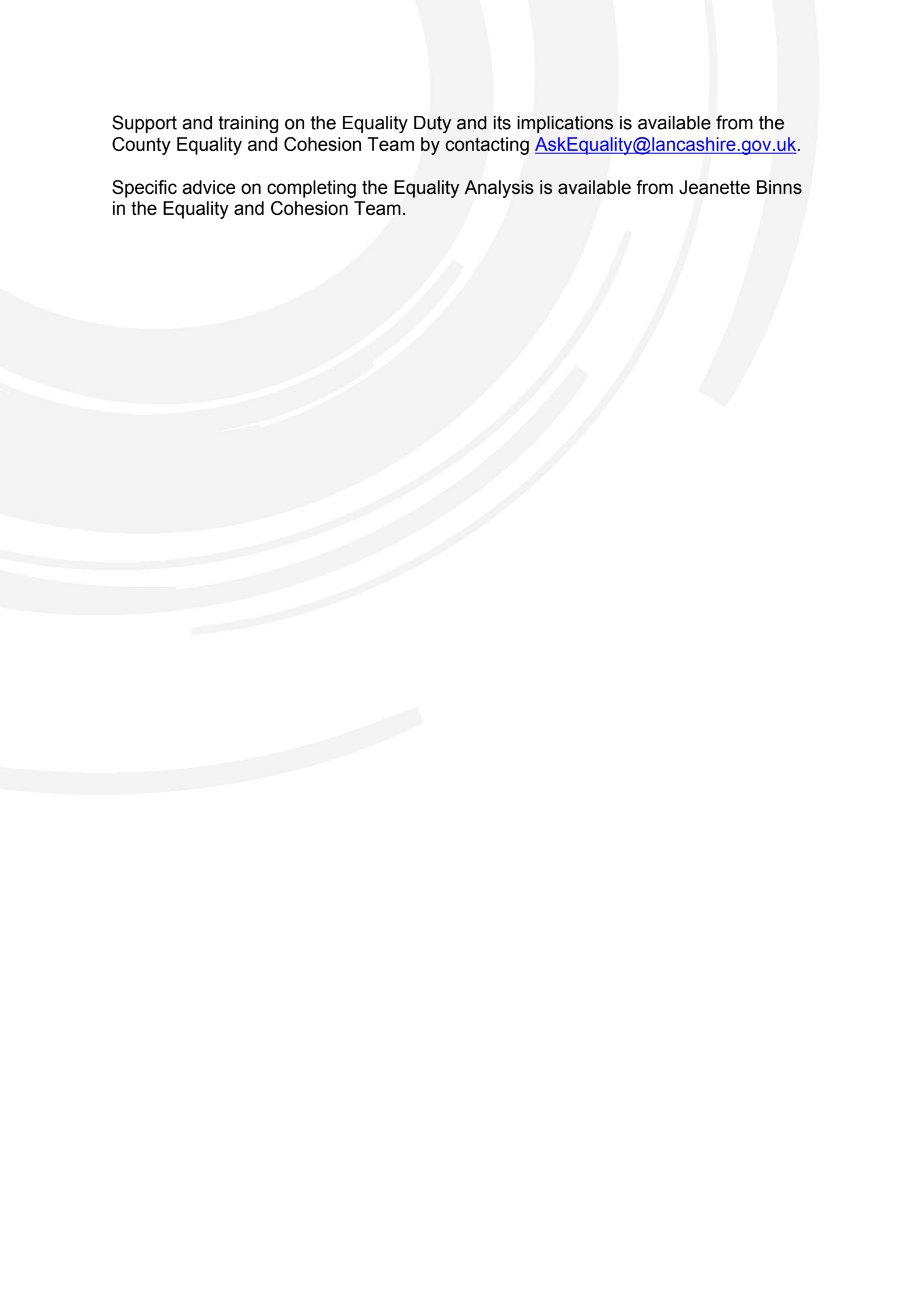
It is important to bear in mind that "due regard" means the level of scrutiny and evaluation that is reasonable and proportionate in the particular context. That means that different proposals, and different stages of policy development, may require more or less intense analysis. Discretion and common sense are required in the use of this tool.

It is also important to remember that what the law requires is that the duty is fulfilled in substance – not that a particular form is completed in a particular way. It is important to use common sense and to pay attention to the context in using and adapting these tools.

This process should be completed with reference to the most recent, updated version of the Equality Analysis Step by Step Guidance (to be distributed) or EHRC guidance - [EHRC - New public sector equality duty guidance](#). The supporting document, Equality Information and the Equality Duty: A guide for public authorities, may also be used for reference as necessary.

This toolkit is designed to ensure that the section 149 analysis is properly carried out, and that there is a clear record to this effect. The Analysis should be completed in a timely, thorough way and should inform the whole of the decision-making process. It must be considered by the person making the final decision and must be made available with other documents relating to the decision.

The documents should also be retained following any decision as they may be requested as part of enquiries from the Equality and Human Rights Commission or Freedom of Information requests.



Support and training on the Equality Duty and its implications is available from the County Equality and Cohesion Team by contacting AskEquality@lancashire.gov.uk.

Specific advice on completing the Equality Analysis is available from Jeanette Binns in the Equality and Cohesion Team.

Name/Nature of the Decision

Proposal to discontinue the post 16 sixth form provision at Carr Hill High School and Sixth Form Centre by permanently lowering its age range from 11-18 years to 11-16 years, with effect from 31 August 2019.

What in summary is the proposal being considered?

Under The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, the local authority must be both the proposer and the decision-maker for this type of significant change and carry out a statutory consultation process. The proposal to lower the age range of the school is based on concerns about its low and reducing student numbers and a narrowing curriculum offer, both of which are impacting on the financial viability of the school.

If the proposal is approved, the school would not enrol any students to the sixth form in September 2018. This would mean that there would only be year 13 students in the sixth form and these would be the students who are currently in year 12. This will allow them to complete their study programme at the school, without having to move to an alternative provider partway through their course.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The proposal, if approved, is likely to impact mainly on young people from the Fylde area. Based on the students accessing the sixth form at the school in the 2016/17 academic year, 95% of students were from Lancashire and 5% were from Blackpool. Of the students from Lancashire, 90.6% were from Fylde, 8.0% were from Preston and 1.4% were from South Ribble. It is not expected that the impact will be significant as the number of students accessing the sixth form have been reducing over a number of years and no concerns or issues were raised during the representation period by anyone from an ethnic background that we are aware of.

There are no specific concerns in relation to an adverse impact on BME students. Based on the 2016/17 academic year data, 1.4% of students were from an Asian background, 1.4% were from a Black background, 1.4% were from a mixed background and 8.3% were from an 'other' background. This amounted to 18 students in total. Young people from a BME background who are resident in the Fylde district accessed seven FE providers and two other school sixth forms in the 2016/17 academic year, including those highlighted as alternative providers in this report. It should be noted that one of these school sixth forms is Lytham St Annes Technology and Performing Arts College. A decision has been taken to permanently lower the age range of this school from 11-18 years to 11-16 years, with effect from 31 August 2018 so this will no longer be an alternative option for young people wishing to access post 16 provision. BME young people followed provision from 13 sector subject areas, showing that there are a wide range of alternative options

already being accessed by students from these backgrounds.

Should the decision be taken to close the sixth form, the school will need to make some staffing reductions in both 2018 and 2019.

Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes. The proposal is focused on provision for young people aged 16-18 years old.

The latest full year data available for the sixth form provision delivered by Carr Hill High School and Sixth Form Centre is for the 2016/17 academic year. This shows the following information in terms of student characteristics:

- 145 students accessing the sixth form provision at the school. Of which:
 - 46% were female and 54% were male
 - 87.6% were from a White background, 1.4% were from an Asian background, 1.4% were from a Black background, 1.4% were from a mixed background and the remaining 8.3% were from an ethnic background defined as 'other'

The school has confirmed that, in 2016/17, there was one student in the sixth form who had an Education and Health Care Plan (EHCP) and that there were no students with a disability. In 2017/18, there are no students in the sixth form with an EHCP or a disability.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers.

(It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

On 7 December 2017, Cabinet gave approval for the local authority to publish a statutory notice to consult on the proposal to discontinue the post 16 sixth form provision at Carr Hill High School and Sixth Form Centre by permanently lowering its age range from 11-18 years to 11-16 years, with effect from 31 August 2019. As can be seen from this, the proposal will have a potential impact on 16-18 year olds who wish to continue in education or training.

The latest full year data available for the sixth form provision delivered by Carr Hill High School and Sixth Form Centre is for the 2016/17 academic year. This shows the following information in terms of student characteristics:

- 145 students accessing the sixth form provision at the school. Of which:
 - 46% were female and 54% were male
 - 87.6% were from a White background, 1.4% were from an Asian background, 1.4% were from a Black background, 1.4% were from a mixed background and the remaining 8.3% were from an ethnic background defined as 'other'

As can be seen from this information, there were slightly more male students than females in 2016/17. This equates to 13 more male students.

The school has confirmed that, in 2016/17, there was one student in the sixth form who had an Education and Health Care Plan (EHCP) and that there were no students with a disability. In 2017/18, there are no students in the sixth form with an EHCP or a disability.

Whilst the data shows that no students in the sixth form had an EHCP, the school must be aware that any such students wishing to access post 16 provision in the future will need to have a clear agreed transition plan in place to ensure a successful and sustained progression to another post 16 provider.

From reviewing this data, it can be seen that of all the young people from the school's main catchment area of Fylde, 80.7% access post 16 provision at the alternative local providers outlined in this report. Only 9.4% access post 16 provision at the school. The remaining young people accessed provision at 21 other post 16 providers, excluding Lytham St Annes Technology and Performing Arts College.

Question 2 – Engagement/Consultation

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process.

The statutory representation period took place from 18 December 2017 to 2 February 2018, which is longer than the minimum four week period suggested within DfE guidance 'School Organisation: Maintained Schools: Guidance for Proposers and Decision Makers' published in April 2016, to account for the Christmas holiday period. This consisted of a statutory public notice being issued in the local newspaper and copies of the public notice being displayed on the school gates, in the school reception and also in local libraries and in the reception of Fylde Borough Council's main office.

The public notice and the statutory proposal were sent to a wide range of stakeholders, including County Councillors, the Fylde, Lancaster and Wyre Children's Partnership Board, parish councils and union representatives. LCC also published the information on the School Organisation Review section of its website. In addition to this, the school wrote to all parents and carers to inform them of this process and included all the relevant information on their website.

Three responses were received during the representation period. Two of these objected to the proposal and one neither agreed nor disagreed with it. The issues and objections raised were based on the following issues:

- The availability and accessibility of alternative post 16 providers;
- The future increase in cohort size and amount of house building in the area;
- The impact on 11-16 year old pupils;

- The timing of the consultation announcement;
- Whether a financial solution can be found; and
- The future use of the sixth form accommodation.

Question 3 – Analysing Impact

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school?

Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

If this proposal is approved, the sixth form provision at the school will be discontinued, through the permanent lowering of the age range from 11-18 years old to 11-16 years old. This will mean that any young people wishing to participate in post 16 education or training will need to access an alternative provider, where they will have access to a wider curriculum choice than was available at the school. Further to this, the school is currently running courses with very small group sizes and this may not be the best learning environment for some young people. For example, in 2017/18, there are three courses with only one student. With the number of students accessing the sixth form reducing, the curriculum offer in 2018/19 would be reduced.

If the decision is taken to permanently lower the age range of the school from 11-18 years to 11-16 years, the school will work with all pupils in the remaining part of the

school to provide them with high quality, impartial advice and guidance on the different options available to them once they leave school, in line with their statutory duty.

There is currently one pupil in Year 11 who has an EHCP and the school does not foresee any issues with this pupil progressing to an alternative provider.

The closest alternative post 16 providers measured by a car journey from the school are:

Cardinal Newman College	8.8 miles
Preston's College	8.8 miles
Myerscough College	9.4 miles
Blackpool Sixth Form College	10.6 miles
Blackpool and Fylde College	11.4 miles

With regard to OfSTED ratings, three of the colleges mentioned above are 'Outstanding', one is 'Good' and one is 'Requires Improvement'.

If approved, it is not expected that the implementation of this proposal will have an adverse impact on any particular groups as there is high quality alternative provision available within a reasonable travelling distance. It should be noted that the distances quoted above are from the school's site, therefore, these distances will vary depending on where young people live.

Whilst the information above makes reference to car journeys, it is acknowledged that young people accessing post 16 provision are more likely to be travelling by bus. With this in mind, using information from www.traveline.info and using the bus stop at Market Square in Kirkham as the start and end point, a summary of the journeys to the alternative providers listed above is as follows:

- Cardinal Newman College – taking the number 75 bus, a journey to/from Preston bus station takes approximately 30 minutes and then it is a 10 minute walk to/from the college. There is one bus an hour. The number 61 bus runs regularly throughout the day and takes approximately 35 minutes to/from Preston city centre, with a 10 minute walk to/from the college. There are two buses in the morning which stop outside the college. In terms of train travel, there is currently a bus replacement service between Preston and Kirkham and Wesham train stations whilst the train line is being upgraded so there is no train timetable available at the time of writing this assessment. The bus replacement service between Kirkham and Wesham and Preston train stations takes approximately 25 minutes. It takes approximately 15 minutes to walk to the college from Preston train station.
- Preston's College – taking the number 75 or 61 and 4C or 19 buses, a journey to/from the college takes approximately an hour. These buses run regularly throughout the day. The number 61 bus runs directly from the college to Market Square in Kirkham at the end of the day during term time.
- Blackpool Sixth Form College – taking the number 75 and 2C

buses, a journey to/from the college takes approximately 40 minutes. The buses run regularly throughout the day. It is also possible to take the number 853 and 77 buses and this takes just under an hour to get to the college. Please note that the number 853 bus only runs twice a day, leaving Kirkham just after 8am in the morning and arriving back at 17.30pm. The college also runs a free bus service to and from Kirkham. This runs twice a day, once for the start of the college day and once at the end, and eligibility is based on a first come, first served basis. This service is in operation in 2017/18 but there is no information on the college's website as to whether this will be available in 2018/19.

- Blackpool and Fylde College – taking the number 76 and 24 buses, a journey to/from the college takes approximately one hour 30 minutes. This journey includes a 20 minute walk to the college. In addition, the number 76 bus runs seven times a day and the number 24 is every half an hour. It is also possible to take the train from Kirkham and Wesham station to Layton station and then the number 9 bus to the college. This journey takes just less than one hour 30 minutes. As mentioned above, there is currently a bus replacement service running whilst the train line is being upgraded so there is no train timetable available at the time of writing this assessment.
- Myerscough College – the college runs a direct bus which stops in Kirkham, Freckleton and Warton. This is the number 853 and there is one bus to the college in the morning and one from the college at the end of the day. This journey takes 30 minutes. It is also possible to get to the college by taking the number 75 into Preston city centre and then the college bus, number 437, to the college. This journey takes approximately one hour 30 minutes. The college also runs a shuttle bus every 20 minutes to transport students to/from Garstang Road if they get a bus which stops in Bilsborrow.

Should young people experience an increase in travel costs which may prevent them from participating, they may be eligible to access financial support through the 16-19 Bursary Fund, which colleges and school sixth forms receive from the Education and Skills Funding Agency.

Should the decision be taken to close the sixth form, the school will need to make some staffing reductions in both 2018 and 2019.

Question 4 –Combined/Cumulative Effect

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits). Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

None anticipated

Question 5 – Identifying Initial Results of Your Analysis

As a result of your analysis have you changed/amended your original proposal?
Please identify how, for example:

- Adjusted the original proposal – briefly outline the adjustments
- Continuing with the Original Proposal – briefly explain why
- Stopped the Proposal and Revised it - briefly explain

No – the original proposal has not been changed or amended.

Question 6 - Mitigation

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

Mitigations against the potential adverse effects of the decision being taken to permanently lowering the age range at the school are as follows:

- Should young people experience an increase in travel costs which may prevent them from participating, they may be eligible to access financial support through the 16-19 Bursary Fund, which colleges and school sixth forms receive from the Education and Skills Funding Agency;
- Students who are currently in Year 12 will be able to complete their study programme at the school during the 2018/19 academic year so that they do not have to move to an alternative provider partway through their course; and
- The school will work with all pupils in the school to provide them with high quality, impartial advice and guidance on the different options available to them once they leave school, in line with their statutory duty.

Question 7 – Balancing the Proposal/Countervailing Factors

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be

overstated or exaggerated. Where effects are not serious, this too should be made clear.

The proposal has been made in accordance with by The Education and Inspections Act 2006; The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and DfE guidance 'School Organisation: Maintained Schools: Guidance for Proposers and Decision Makers'. The Cabinet report dated 7 December 2017 and the Cabinet report dated 8 March 2018 provide full reasons for the proposal and the possible impact, should this be approved. In summary, the proposal is based on concerns about the long term financial viability of the whole school and is linked to the reducing number of students in the sixth form.

Local authorities have a statutory duty to secure sufficient and suitable education and training provision to meet the reasonable needs of all young people in their area. From producing this assessment, the local authority is satisfied that, if approved, the impact on young people is not expected to be significant. This is based primarily on the fact that the number of students accessing the sixth form have been reducing over the years.

The 16-18 year old cohort in Fylde is projected to increase by 14.89% from 2018 to 2028, which amounts to 353 young people. In addition to this, Fylde Borough Council is planning to build at least 2,800 houses over the next five years, with further developments taking place after that. The projected population increase and new housing will result in more 16-18 year old young people in the district requiring a suitable education or training place. Whilst Carr Hill High School and Sixth Form Centre is the only school sixth form in the district, it can be seen from this report that there are other providers in neighbouring areas within a reasonable travelling distance and which young people are currently accessing. However, as the 16-18 year old population grows, the local authority may be faced with an issue in the future in relation to there being sufficient and suitable post 16 education and training places available in the area.

Question 8 – Final Proposal

In summary, what is your final proposal and which groups may be affected and how?

The proposal is to discontinue the post 16 sixth form provision at Carr Hill High School and Sixth Form Centre by permanently lowering its age range from 11-18 years to 11-16 years, with effect from 31 August 2019. The particular group affected by this are 16-18 year olds who may have wished to access post 16 provision at the school in the future.

Question 9 – Review and Monitoring Arrangements

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Once a decision has been taken to permanently lower the school's age range from 11-18 years to 11-16 years, with effect from 31 August 2019, the authority is legally

obliged to implement the proposal.

Equality Analysis Prepared By: Sarah Hirst

Position/Role: Skills and Employability Lead

Equality Analysis Endorsed by Line Manager and/or Chief Officer: Ajay Sethi, Head of Learning and Skills

Decision Signed Off By: Ajay Sethi; Cabinet Member for Children, Young People and Schools

Cabinet Member/Chief Officer or SMT Member: Ajay Sethi; Cabinet Member for Children, Young People and Schools

Please remember to ensure the Equality Decision Making Analysis is submitted with the decision-making report and a copy is retained with other papers relating to the decision.

Where specific actions are identified as part of the Analysis please ensure that an EAP001 form is completed and forwarded to your Directorate's contact in the Equality and Cohesion Team. Directorate contacts in the Equality & Cohesion Team are:

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Contact for Adult & Community Services Directorate

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Contact for Office of the Chief Executive and the County Treasurer's Directorate

Thank you