

Equality Impact Assessment (EqIA)

This EqIA is for:

Nottinghamshire County Council's Fair Access Protocol

Details are set out:

Within the committee report
C1199 Report of the Service Director, Education, Learning and Skills
Revised Nottinghamshire Fair Access Protocol

Officers undertaking the assessment:

Sarah Whitby, Team Manager, Fair Access

Assessment approved by:

Marion Clay, Service Director, Education,
Learning and Skills

Date: 30/1/19

The Public Sector Equality Duty which is set out in the Equality Act 2010 requires public authorities to have due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation; Advance equality of opportunity between people who share a protected characteristic and those who do not; Foster good relations between people who share a protected characteristic and those who do not.

The purpose of carrying out an Equality Impact Assessment is to assess the impact of a change to services or policy on people with protected characteristics and to demonstrate that the Council has considered the aims of the Public Sector Equality Duty.

Part A: Impact, consultation and proposed mitigation

1 What are the potential impacts of the proposal? *Has any initial consultation informed the identification of impacts?*

In agreeing a revised Fair Access Protocol, the Council considers whether it is possible that proposed changes might have a negative or unfair impact on any particular protected group of people. If there is a possibility of a negative impact, the Council would need to evidence that, in making the decision, it has shown due regard to how people in that protected group will be affected, and what mitigating actions would be put into place or why mitigating actions cannot be put into place.

The revised Fair Access Protocol is not expected to be adversely detrimental to the education of children within Nottinghamshire nor to adversely affect children in any protected group. Protected groups who are supported by the Fair Access Protocol are positively impacted by the protocol, no changes are proposed affecting protected groups. The changes proposed are as follows:

- 1) There are now 9 locality based partnerships referenced and not 8
- 2) The protocol now refers to the School Admission Code 2014
- 3) Information about the operation of primary panels has been included alongside the existing secondary panel information. A process for Primary under PAN (Published Admission Number) refusals has been added into the protocol
- 4) 3 new categories of Nottinghamshire fair access qualifying children have been proposed

- children where it has not been possible to allocate a school that is at a reasonable distance due to there being no place available within a reasonable distance
 - children where elective home education (EHE) is deemed unsuitable by the Local Authority
 - exceptional reasons referred by the Fair Access team
- 5) The responsibility on schools to send a person empowered to make decisions on behalf of the school is included
- 6) A statement has been added about children returning from EHE stating that where possible a placement for a return to school will be sought at the most recently attended school

The arrangements meet the requirements of the School Admissions Code 2014 and Fair Access Protocols: Principles and Process Departmental Advice 2012.

All responses (31) received by 15th January 2018 to the statutory consultation process were considered in relation to equalities issues.

2 Protected Characteristics: Is there a potential positive or negative impact based on:

Age	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Disability	<input checked="" type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input type="checkbox"/> Neutral Impact
Gender reassignment	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Pregnancy & maternity	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Race <small>Including ethnic origin, colour or nationality</small>	<input checked="" type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input type="checkbox"/> Neutral Impact
Religion or belief	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Sex (gender)	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Sexual orientation	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Marriage or civil partnership	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact

3 Where there are potential negative impacts for protected characteristics these should be detailed including consideration of the equality duty, proposals for how they could be mitigated (where possible) and meaningfully consulted on:

How do the potential impacts affect people with protected characteristics <i>What is the scale of the impact?</i>	How might negative impact be mitigated or explain why it is not possible	How will we consult

Part B: Feedback and further mitigation

4 Summary of consultation feedback and further amendments to proposal / mitigation

Nothing was raised in relation to equalities.

Completed EqIAs should be sent to equalities@nottscc.gov.uk for publishing on the Council's website before any decision is made.