

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

(Form updated April 2019)

**Proposal to close Fountains Earth, Lofthouse CE Endowed VC Primary School from
31 March 2024**

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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 پوچھیے۔

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 17 November 2023

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?)

The proposal is to close Fountains Earth, Lofthouse CE Endowed VC Primary School from 31 March 2024. A period of consultation with the community has been carried out, including written consultation and a public meeting. A statutory representation period will follow if approved by Executive on 23 January 2024..

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 main factor prompting the request is there are currently no pupils on roll at Fountains Earth, Lofthouse Primary School. The School has operated with 34 pupils or less for the last 15 years. Since the 2017/18 academic year there has been a downward trend of pupil numbers and pupils numbers fell from 21 in 2019/20 to 15 pupils recorded in the October 2022 school census and 10 pupils recorded in the May 2023 census. All of the school's pupils transferred to other schools before the start of the current academic year and there were no new starters in the Reception year group in September 2023.

The school has in recent times experienced recruitment and retention difficulties associated both with the particular location of the school and the challenge of securing suitably skilled staff to deal with the differentiation required by whole school teaching in a single class structure.

Finance is also a key concern. The pupil numbers for the October 2023 census form the basis of a schools' funding for the 2024/25 financial year. The Department for Education (DfE) have confirmed that in an exceptional circumstance where a school has no pupils, no funding would be provided to the local authority for that school through the DfE Dedicated Schools Grant (DSG) schools block funding; this is the grant funding used to fund school delegated budgets.

In the event of the school remaining open, the local authority would need to determine whether the school should continue to be funded through the school funding formula. If this were agreed, the school would receive the formula lump sum funding (2024/25 indicative value £134,400) and the school rates funding (£2,645). Any 2024/25 formula funding allocation for Fountains Earth School would need to be funded from the DSG funding allocations provided for other schools and academies within North Yorkshire.

If the school closure were to go ahead, the individual school budgets would need to be separated out from the current amalgamated Federation budget. Work is currently being undertaken with the Federation leadership on forecasting the financial position for the individual schools within the Federation to the end of the current financial year.

As numbers fall, it is increasingly difficult to provide the remaining pupils with access to the full range of experiences and the quality of education they require. At present, if any pupils were to apply to join Fountains Earth Primary there is no real prospect of them being able to get a full and balanced school experience in the absence of any peers.

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

If this proposal went ahead, Fountains Earth, Lofthouse CE Endowed Primary School would close with effect from 31 March 2024.

The proposals is that, in the event of closure, from 1 April 2024 the current catchment area for Fountains Earth School would become part of an enlarged catchment area for St Cuthbert's CE Primary School, Pateley Bridge.

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 17 November 2023 to 22 December 2023. Consultation documents were distributed to a wide range of stakeholders, and a public engagement meeting was held. The consultation document, responses, and notes of the public meeting are included in the report to the Executive for their meeting on 23 January 2023.

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 annual 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 surplus revenue or capital balances would be allocated in line with the Closing School Accounting Policy.

As there are currently no pupils at Fountains Earth, Lofthouse CE Endowed VC School there would be no immediate transportation costs. Any pupils living in the current Fountains Earth, Lofthouse catchment area applying for school places at other local schools after the closure would be assessed under the home to school transport policy at the appropriate time. As such future transport costs cannot be estimated.

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			Currently there are only 0 pupils on roll.
Disability	x			<p>Pupils – The school is mainstream offering universal provision. Currently there are no pupils on roll.</p> <p>Expertise will be utilised from the Council to provide appropriate SEN support.</p> <p>Staff – As an organisation NYC 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	If the decision is taken to close the School, this will adversely impact upon those future pupils who wish to be educated in a Church of England School. Parents can apply to another CE school and the local authority will do its best to comply with their preference through the co-ordinated preference exercise. Potential impact is mitigated because the next nearest school, St Cuthbert's in Pateley Bridge, is also a Church of England primary school.
Pregnancy or maternity	x			No impact is anticipated.
Marriage or civil partnership	x			No impact is anticipated.

Section 7. How will this proposal affect people who...	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.
...live in a rural area?			x	<p>This proposal would have an adverse impact for those living within the catchment that in future would have wished to attend Fountains Earth School as they would have to travel to alternative schools. However, at present there are 0 pupils on roll meaning that parents are already travelling to neighbouring schools by choice.</p> <p>The nearest school is St Cuthbert's Primary School, Pateley Bridge which is situated 6.5miles from Fountains Earth, Lofthouse CE Endowed Primary School and has places available in all year groups. The second nearest school is Glasshouses Community School which is 8.1 miles from and has places available in all year groups. Both these schools are part of the Upper Nidderdale Primary Federation along with Fountains Earth School.</p> <p>Free home to school transport would be provided for eligible pupils within the enlarged catchment area in accordance with the Council's Home to School Transport policy. The Council's current 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.</p>

...have a low income?	x			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. As there are no current pupils this would only impact upon future pupils.
...are carers (unpaid family or friend)?	x			No impact is anticipated.

Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)	
North Yorkshire wide	
Craven district	
Hambleton district	
Harrogate district	X
Richmondshire district	
Ryedale district	
Scarborough district	
Selby district	
If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.	
Lofthouse, Middlesmoor and Stean	

<p>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.</p> <p>All staff at the school would experience changes under these proposals that staff and governors would need to manage sensitively.</p> <p>The Council's Officers now feel that this decision is in the best interests of educational provision in the area.</p>

<p>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)</p>	<p>Tick option chosen</p>
<p>1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.</p>	
<p>2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these</p>	

adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - 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)	x
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
Explanation of why option has been chosen. (Include any advice given by Legal Services.)	
<p>Fountains Earth, Lofthouse CE Endowed, 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. It is concluded that the case for closure is strong and in the best interests of educational provision in the area.</p>	

Section 11. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

Monitoring of standards will be carried out through the Council’s Education & Skills Team and through Ofsted inspections. Monitoring of sufficiency of school places in the area will be undertaken by the CYPS Strategic Planning Team.

Section 12. Action plan. 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.

Action	Lead	By when	Progress	Monitoring arrangements
Not applicable				

Section 13. Summary 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.

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 the proposal to close Fountains Earth School needs to be considered. Whilst it is recognised that there may be adverse impact upon those with protected characteristic of religion/belief, there are more positive impacts that will result if these proposals are implemented. As these proposals develop any adverse impacts will be carefully monitored, and all reasonable mitigations will be taken.

Section 14. Sign off section

This full EIA was completed by:

Name: Sue Turley

Job title: Strategic Planning Officer

Directorate: CYPS

Completion date: 3 January 2024

Authorised by relevant Assistant Director (signature): A Newbold

Date: 10 January 2024