

CHILDREN, FAMILIES & SCHOOLS COMMITTEE ADDENDUM 1

4.00PM, MONDAY, 6 NOVEMBER 2023

**COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD,
HOVE, BN3 3BQ**

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ADDENDUM

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Brighton & Hove City Council

Children, Families & Schools Committee

Agenda Item 36

Subject: Proposed School Closures 2024

Date of meeting: 6 November 2023

Report of: Executive Director Families, Children & Learning

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Ward(s) affected: All

The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that the Council did not wish to publish the report before affected schools had had the opportunity to inform their staff and wider school communities about the proposals. This will happen on the first Monday after the half term break (30 October 2023) following which the report will be published without delay.

For general release

1. Purpose of the report and policy context

- 1.1 This report details the proposed closure of two primary schools, St Bartholomew's C of E Primary School and St Peter's Community Primary School to take effect on 31 August 2024. This report needs to be read in conjunction with the report on School Admission Arrangements 2025-26 which is also before this committee meeting for consideration.
- 1.2 In response to the fall in pupil numbers the Council is proposing the closure of 2 schools and the reduction in Published Admission Number of 9 schools. A total reduction of 300 places. When closure of a school is proposed the Council must first carry out a consultation. The Committee is asked to approve a consultation to consider closure of these two schools, which will run alongside a consultation on other proposed changes in admission arrangements across the city, to take effect from September 2025. Following the consultation, the Committee will receive a further report in January 2024 to consider the outcome of that consultation and to decide whether to progress the proposals further.

2. Recommendations

- 2.1 That Committee agree to consult on the closure of St Bartholomew's C of E Primary School to take effect on 31 August 2024.
- 2.2 That Committee agree to consult on the closure of St Peter's Community Primary School to take effect on 31 August 2024.

3. Context and background information

Overview – Pupil Numbers and finances

- 3.1 In the Census 2021 it was revealed that Brighton & Hove's population profile had fewer children & young people aged 0 to 19 (20.5%) compared to the South East (23.1%) and England (23.1%). There was a 22% drop in children aged 0-4 living in the city in the 2021 census compared to the 2011 census.
- 3.2 The Council's own projection of pupil numbers starting Reception in the coming years forecasts that there will be 651 excess places in 2025 and 662 excess places in 2026. Therefore, the city will have over 25% surplus capacity.
- 3.3 The Council divides the city into 8 planning areas and detailed forecasts for each planning area are provided in Appendix 1. It is expected that forecasts will be updated by December 2023 with more recent data from the NHS that will allow forecast pupil numbers until September 2027. This will be available to the Committee prior to the determination of any admission arrangements for September 2025 and prior to decisions being made on school closures.
- 3.4 The Council has received data from the Department for Education that indicates that the number of children in 2027 could be as low as 1991 and usually it can be expected that only 90% of that figure will require a school place, this would be 1792 children.
- 3.5 As detailed in the School Admission Arrangements 2025-26 committee report, the accuracy of these forecasts from September 2018 until September 2023 have been between 96% and 99% accurate in the time-period from 2015-2023. Whilst this is not a definitive indicator of future accuracy it supports the methodology used and provides a high level of assurance about the process.
- 3.6 Should the proposals in this committee paper and the accompanying committee paper, School Admission Arrangements 2025-26, be implemented as proposed the number of school places in Reception would be 2310. The revised table shows the estimated number of surplus places when taking account of a maximum of 10% surplus capacity, which has been considered by the DfE as a sound, surplus requirement.

	Places	Pupils (est)	Max spaces needed in schools, incl 10%	Surplus places
Sept 2025	2310	1959	2155	155
Sept 2026	2310	1948	2143	167

- 3.7 In the May 2023 school census, St Bartholomew's C of E Primary School and St Peter's Community Primary School had the following number of pupils attending. Both schools have the capacity to admit 210 pupils each.

School	Yr R	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6	Total
St Bartholomew's C of E Primary School	16	23	26	18	15	19	22	139
St Peter's Community Primary School	17	11	15	17	11	17	21	132

St Peter's Community Primary School has also recorded a total of 20 children in its nursery provision. The most recent school census took place in early October 2023, the information from that census informs a school's budget allocation for the financial year 2024/25 and will be published before the Children, Families & Schools committee consider the responses to the consultation in January 2024, should approval be given to go out to consultation on these proposals at this committee.

- 3.8 In the May 2023 census, the two schools had the lowest total number of pupils of any of the city's primary schools. The only school with a lower pupil population was Hertford Infant School (97 pupils) but this school only has three age groups compared to 7 in a primary school.
- 3.9 For the financial year 2023-24, both schools have set a deficit budget. The Council can facilitate schools to set a deficit budget by using the surplus balances of other schools to offset this position. Should the amount of school deficits exceed the amount of surplus balances there will be a need for the Council to underwrite these deficits from its own General Fund.
- 3.10 In 2023/24 the total amount of school balances forecast is £4.5m and the total amount of school deficits forecast is £4.4m. However, based on previous trends, it is expected that the school balance figure will be adjusted upwards by the end of the financial year as schools have historically set cautious budget plans that have ended up being more positive at the end of the financial year, compared to what had been forecast.
- 3.11 The use of a license deficit permits schools to plan their budget to balance or move into surplus within a 3-5 year period. The current economic conditions faced by schools, including the funding levels set by central government are making it more difficult for schools to maintain a positive budget position.
- 3.12 St Bartholomew's C of E Primary School budget forecast for 2023/24 is a deficit of £205k. St Peter's Community Primary School budget forecast for 2023/24 is a deficit of £203k. Based on budget plans submitted in summer term 2023, neither school is able to forecast reaching a balanced budget position in the longer term.
- 3.13 Should a Local Authority maintained school have a deficit at the point at which the school closes this will be a charge to the Council's General Fund.

The total deficit of both schools by the end of the academic year 2023/24 is estimated to be £400k and the Council is making provision for this expenditure as part of its financial modelling, at a time of significant pressure on the Council's budget. There will also potentially be additional costs relating to redundancies that would result in a further cost to the council's general fund.

- 3.14 It is proposed that both schools close on 31 August 2024. Should the Council delay making any decision to close either school it can be anticipated that the uncertainty generated may further increase the financial pressures on both schools because pupil numbers may fall, staff may leave and only be replaced by temporary staff (who could cost more) and additional leadership capacity may be required to support the school.
- 3.15 Whilst the Council is proposing the closure of both schools, this is not to be considered as a reflection of the quality of education delivered or the leadership of those schools. The Council does not underestimate the impact that this proposal will have on the families, staff and communities at the publication of these proposals. Efforts will be made alongside the leadership of both schools to ensure those that are affected can be supported through the proposed consultation process.
- 3.16 Brighton & Hove City Council's Plan 2023 to 2027 outlines a commitment to support the provision of high quality and inclusive education from early years through to adult learning and to do this in part by delivering specific strategies for children and young people at risk of educational disadvantage. The Council must also seek to deliver an efficient education system. This requires action to be taken to reduce the number of unfilled places so that schools are operating from a more secure platform from which to deliver on multi-year programmes for the pupils attending their schools now and in the future such as a full and vibrant curriculum and to be able to provide the right support to be available to pupils and families.

Proposals – St Bartholomew's C of E Primary School

- 3.17 As detailed in paragraph 3.3, for forecasting future pupil numbers the Council divides the city into 8 planning areas. The school is in the Central City planning area. Nominally the postcode BN1 4 is assigned to the school, but it is recognised that the school will admit pupils from outside that area. The planning area is expected to have over 170 surplus places in 2025 and 2026 and this can be expected to rise in 2027. The school admits the lowest number of pupils of schools in the planning area despite there being more than 30 pupils living in the postcode area in proximity to the school.
- 3.18 In the May 2023 census, it was identified that the school has 48.9% of pupils eligible for Free School Meals. It had 12 pupils (8.6%) with Education, Health and Care plans and 23.7% of all pupils receiving SEN support.
- 3.19 In the January 2023 census, 39.3% of the school population had English as an additional language and 55.6% of pupils where the parent/carer/self-identified ethnic group is other than White British, Refused or Not Known.

- 3.20 There are 8 schools within 1.0 mile of the school, if the proposal to close the school was carried out it is estimated that there will remain at least 10 surplus places in each year group in schools near the school. The Council therefore considers it will be possible to re-allocate pupils to alternative school places within a reasonable distance of St Bartholomew's should the school close.
- 3.21 It is recognised that parent/carers may choose to send their child to another Church of England school in the city.
- 3.22 The Council does not underestimate the potential impact of this proposed change on the pupils at the school, whose circumstances may already make them vulnerable. As the school serves some of the most disadvantaged communities in the city, professional support, from the support services such as Brighton & Hove Inclusion Support Service (BHISS) and Ethnic Minority Achievement Service (EMAS), will be put in place to facilitate the movement of those students to local schools and minimise the impact of change upon them.
- 3.23 Should the school close, the staff will be at risk of being made redundant and the Council remains in dialogue with school leaders about how to minimise the risk of redundancy for trained and effective staff so that they are not lost to the city's school workforce should the proposals to close be agreed.
- 3.24 As a Church school, the responsibility for the building remains with the Diocese of Chichester. The Diocese holds the view that any of its educational buildings that are not in use are kept in the service of education as often as possible and dialogue with the Council will continue.

Proposals – St Peter's Community Primary School

- 3.25 As detailed in paragraph 3.3, for forecasting future pupil numbers the Council divides the city into 8 planning areas. The school is in the Portslade planning area. Nominally the postcode BN41 1 is assigned to the school and two others, but it is recognised that the school will admit pupils from outside that area including from West Sussex. The planning area is expected to have approximately 100 surplus places in 2025 and 2026 and this can be expected to rise in 2027. The school admits the lowest number of pupils of schools in the planning area.
- 3.26 In the May 2023 census, it was identified that the school has 38.5% of pupils eligible for Free School Meals. It had 8 pupils (5.6%) with Education, Health and Care plans and 18.3% of all pupils receiving SEN support.
- 3.27 In the January 2023 census, 24.4% of the school population had English as an additional language and 31.3% of pupils where the parent/carer/self-identified ethnic group is other than White British, Refused or Not Known.

- 3.28 There are 4 schools within 1.0 mile of the school, if the proposal to close the school was carried out it is estimated that there will remain surplus places in the school's vicinity in all school years except Year 2 and Year 6 (in academic year 2024/25) if all pupils who attend St Peter's Community Primary School seek a place in another Brighton & Hove school. It is known that some pupils live in West Sussex and it is reasonable to assume that some of those pupils will seek places in schools outside of Brighton & Hove.
- 3.29 The school has a nursery with 20 children attending. Should the school close, the nursery will also close. Families will be supported by the Council to look for alternative provision. Should these proposals be agreed children attending the nursery, who may be expecting to apply for a place and attend the school in September 2024, will need to seek alternative places to start school.
- 3.30 As previously stated, the Council does not underestimate the potential impact of this proposed change on the pupils at the school, whose circumstances may already make them vulnerable. We recognise the school serves some disadvantaged families and therefore professional support, from the support services such as BHISS and EMAS, will be put in place to facilitate the movement of those students to local schools and minimise the impact of change upon them.
- 3.31 Should the school close, the staff will be at risk of being made redundant and the Council remains in dialogue with school leaders about how to minimise the risk of redundancy for trained and effective staff so that they are not lost to the city's school workforce should the proposals to close be agreed.
- 3.32 Discussions are taking place as to the future educational use of the site, should the closure proposals go ahead. The council rents part of the primary school site. This was an arrangement put in place when the school was expanded from an infant school in 2013. Therefore, should the school close, the Council will need to consider what actions it takes in relation to the rental arrangements in future years.
- 3.33 The council would require the prior consent of the Secretary of State for education to dispose of any school land if it was deemed surplus to requirements. However as stated above, there are ongoing discussions about future educational use of these sites.
- 3.34 The process for disposing of or changing the use of a building previously used as a school is set out in the non-statutory guidance ['Involving the Secretary of State in land transactions non-statutory guidance on how and when to involve the Secretary of State in transactions involving land held for the purpose of a school'](#) published in September 2021.

- 3.35 The Secretary of State may:
- approve the application with or without conditions; or
 - refuse consent; or
 - may separately consider whether to make a scheme under paragraph 1 of Part 1 of Schedule 1 to the Academies Act 2010 to transfer land that is held by a local authority and has been used wholly or mainly for the purposes of a school within the last eight years but is (or is about to be) no longer so used. Any use of the power would allow the authority to make representations.
- 3.36 This process can take some considerable time to complete and until the outcome is known the council will be in the position of having to maintain an empty building. The guidance suggests that no changes should be made until such time as the Secretary of State has made their decision. It is not unusual for this process to take up to 2 years from the point of making the application to the decision being made.

Statutory Process

- 3.37 In order to achieve any reorganisation of provision, including closure, the Council must comply with the School Organisation legislation, the Education and Inspections Act 2006 (EIA), and statutory guidance published by the Department for Education. Both the legislation and guidance set out the steps which the Council must take when making any decisions on proposals to reorganise school provision. The DfE published [Opening and closing maintained schools Statutory guidance for proposers and decision makers in January 2023](#).
- 3.38 The statutory process for closing a school involves five stages:
- (i) Consultation
 - (ii) Publication of statutory notices
 - (iii) Four week representation period
 - (iv) Decision on the proposal
 - (v) Implementation
- 3.39 If a Local Authority proposes to close a school, then it must carry out a period of statutory consultation.
- 3.40 How the consultation is carried out is not prescribed in the legislation, it is for the Local Authority to determine its nature and length. However, good practice dictates that it should last for a minimum of six weeks and if possible should avoid school holidays in order that the maximum number of people can respond.
- 3.41 As St Peter's Community Primary School is a community school it is for the Local Authority to put forward any proposals for closure. St Bartholomew's C of E Primary School is a voluntary aided school and so either the Local Authority or the Governing Board of the school can put forward a proposal. The decision maker for both schools will be the Local Authority and the

Diocesan Authorities can make a referral to the School's Adjudicator if they have objections to the decision.

3.42 The DfE Guidance sets out a number of reasons for closing schools, which include the following:

- There are surplus places elsewhere in the local area which can accommodate displaced pupils and there is no predicted demand for the school in the medium to long term
- It is no longer considered viable

3.43 If the consultation process starts in early November 2023 then there is sufficient time for the five stages of the statutory closure process to be completed in order for closure to be effective by 31 August 2024. It is appreciated that the proposal comes with little prior consultation with communities and during the period when families are seeking to apply for school places for September 2024.

3.44 Currently, as this is only a proposal, parents can apply for school places at both St Bartholomew's C of E Primary School and St Peter's Community Primary School for September 2024. However, a decision on the closure proposals will need to be taken in sufficient time before the 8 March 2024 date, when late for good reason applications will be considered before National Offer Day on 16 April 2024.

3.45 It is proposed to start the consultation on 7 November 2023 and for it to run for nearly 7 weeks concluding on 22 December 2023. This will mean it runs alongside the consultation on proposed admission arrangements for September 2025.

3.46 There will be three consultation events for each proposal, two in-person meetings and an online meeting.

3.47 Details of these meetings will be provided and the consultation will be hosted on the Council's [consultation portal](#) which will set out full details of the proposals. Consultees will be able to respond to the following questions:

- Do you agree that the council should reduce the total number of surplus school spaces in the city?
- Any comments or reasons for your answer?

- Do you agree or disagree with the proposal to close X School by September 2024?
- Any comments or reasons for your answer?

Responders will be able to indicate the extent to which they agree or disagree (Strongly agree/Tend to agree/Neither agree nor disagree/Tend to disagree/Strongly disagree/Don't know or not sure/Not Answered) with the proposals and provide a comment in a free text box.

- 3.48 A further report will be presented to the Children, Families & Schools Committee on 8 January 2024 detailing the response to the consultation and making recommendations about the next steps.

4. Analysis and consideration of alternative options

- 4.1 When considered in conjunction with the proposals for admission arrangements for September 2025, the Council could propose to make no changes to primary school arrangements or propose to close two primary schools.
- 4.2 The Council has previously sought to make changes to primary school PANs to reduce the number of unfilled places, with varying levels of success. The number of unfilled places and the complexity in decision making has meant that Council has concluded it must seek to propose the closure of two primary schools and reduce the PAN of 9 other primary schools.
- 4.3 The Council could seek to solely propose the closure of schools as a way of reducing surplus places. However, this approach could risk the ability of the council to ensure sufficient school places in the decades to follow and will mean that communities are left without a school to attend, within a reasonable distance.
- 4.4 If future pupil numbers continue to fall, it is possible that these proposals and those in the accompanying paper will not reduce the number of unfilled places sufficiently. Further proposals may be required alongside other approaches to support the on-going viability of the city's schools.

5. Community engagement and consultation

- 5.1 If agreed, it is proposed to start the consultation on the proposal to close the two schools on Tuesday 7 November 2023 and for it to be concluded on 22 December 2023. A total of 6 weeks and 3 days.
- 5.2 It is proposed that there will be three engagement events to cover the proposal for each school in this report.
- 5.3 A consultation response form will be available on the council's consultation portal and interested parties will be able to leave a phone message for someone to call them back and take down their response over the telephone, should they not be able to complete a response form online.
- 5.4 Attention will be given to engaging sections of the community who may not previously have participated with public consultations such as those with protected characteristics and this is considered within the Equalities Impact Assessment (Appendix 2).

6. Conclusion

- 6.1 The Council is seeking to reduce the number of surplus places through a programme of PAN reductions and school closures.

- 6.2 It is proposed to consult on the closure of St Bartholomew's C of E Primary School and St Peter's Community Primary School and for these closures to take effect on 31 August 2024.
- 6.3 A consultation period will run from Tuesday 7 November to Friday 22 December 2024 and a report on the results and proposals for next steps will come to the Children, Families & Schools Committee on 8 January 2024.
- 6.4 The Council recognises that these proposals will be concerning for the pupils, families and staff of these schools and is committed to minimise the disruptions that will result from these proposals being implemented.

7. Financial implications

- 7.1 School budgets are determined in accordance with criteria set by the government and school funding regulations dictate that the vast majority (over 90% in 2023/24) of the delegated schools block of funding is allocated through pupil-led factors. This means schools with falling pupil numbers are likely to see reductions in annual budgets. This situation can be particularly challenging where pupil numbers in year groups fall well below the expected number, based on the PAN of a school.
- 7.2 By reducing the number of surplus places in the city in the longer term there is an expectation that school occupancy rates will increase meaning that school budgets generally are more sustainable. Schools are more likely to be able to balance their budgets if operating with full, or close to full, forms of entry.
- 7.3 Where a local authority maintained school has a deficit at the point at which the school closes this will be a charge to the Council's General Fund. The total deficit of both schools by the end of the academic year 2023/24 is estimated to be £400k and the Council is making provision for this expenditure as part of its financial modelling, at a time of significant pressure on the Council's budget. There will also potentially be additional costs relating to redundancies and additional central staff expenditure for the Council in managing the process that would result in further costs to the Council's general fund.

Name of finance officer consulted: Steve Williams Date consulted: (19/10/23)

8. Legal implications

- 8.1 Local authorities are under a statutory duty to ensure that there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. To help local authorities to meet their duties and restructure local provision, they have the power to close all categories of local authority, maintained schools. Reasons for closing a maintained mainstream school include where it is surplus to requirements (for example

there are sufficient places in neighbouring schools to accommodate displaced pupils).

- 8.2 In order to effect a school closure the Council must comply with the statutory provisions contained in the Education and Inspections Act 2006, associated Regulations and the Statutory Guidance "Opening and Closing Maintained Schools, Guidance for proposers and decision-makers" January 2023. The Guidance includes statutory processes, guidance on consultation and guidance for decision makers when determining proposals. Proposers and decision makers must have regard to it when closing an existing maintained school.
- 8.3 The first stage of the process requires the proposer to consult with any parties that the proposer thinks appropriate. It is for the proposer to determine the length and nature of the consultation.
- 8.4 The outcome of the consultation will be brought back to committee for consideration in January 2024. At that stage a decision will be made whether to move to the next stage of the process and publish statutory notices.

Name of lawyer consulted: Serena Kynaston Date consulted: (17/10/23)

9. Equalities implications

- 9.1 An Equality Impact Assessment has been carried out on the proposals being recommended to the committee. The assessment can be found at Appendix 2 and the results have been incorporated into the content of the report.
- 9.2 It is worth noting that the admission process is 'blind', by virtue of applications being considered in line with the published admission arrangements that do not take account of a person's protected characteristics.
- 9.3 However, the availability of school places across the city could have an impact on certain groups due to their proximity to certain schools and the availability of places should families make a late application.
- 9.4 The consultation process needs to take account of:
- young parents who may be less likely to respond to the consultation
 - issues of accessibility and comprehension of the consultation process the materials made available
 - ensuring that the decision-making process after the consultation is based on the content not just quantity of replies.
- 9.5 When determining admission arrangements, the council needs to ensure that there are sufficient school places available within a reasonable distance for families who may contain members who have special educational needs, disabilities, speak English as an additional language and of various

racess/ethnicities. This will ensure that if families apply after the deadline date they will not be significantly disadvantaged and face the prospect of a lengthy journey to school.

9.6 It is recognised that to foster strong community cohesion schools' intake should seek to reflect the city's diversity.

9.7 A financially viable school is essential to be able to meet the needs of all those pupils who attend the school and to be able to meet the needs of the community and the inequalities they may experience.

10. Sustainability implications

10.1 Wherever possible the council aims to reduce the number of journeys to school undertaken by car. A reduction in the availability of school places across the city by the closure of two primary schools could risk a rise in the number of journeys undertaken by car.

10.2 Schools are expected to have a School Travel Plan to:

- reduce the number of vehicles on the journey to school
- improve safety on the journey to school
- encourage more active and sustainable travel choices

10.3 Any change to schools' intakes of pupils because of other schools closing will require their travel plans to be re-written to take account of the change.

10.4 Many primary schools are clustered in areas which means that a school closure will not mean a significant increase in journeys to other schools. The consultation period will be an opportunity to explore what the potential impacts of these proposed closures will be and the report to committee in January can be expected to detail these in more detail.

10.5 Consideration will need to be given to the use of the vacant school site should the proposals be agreed so that the negative impacts on the current habitat are minimized and the future use of the accommodation and the site reflect sustainability principles.

11. Other Implications

11.1 The School Admissions Code requires all schools to have oversubscription criteria for each 'relevant age group' and the highest priority must be given, unless otherwise provided in the Code, to looked after children and all previously looked after children, including those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted.

11.2 These priorities will ensure that for pupils who are care experienced, they will receive the highest priority for a place in a different school, should the school they currently attend close.

Supporting Documentation

1. Appendices

1. Pupil forecast
2. Equality Impact Assessment

Date of Birth / school year	School yr in Sept 23	Grand Total all planning areas from 2021 data	pupils likely to want a school place based on 90% of GP reg data	Permanent places in Year R in 2023	Surplus places or shortfall of places	Comparison with 2021 data	
All planning Areas						Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023							
01 September 12 to 31 August 13	6	2,909	2,618				
01 September 13 to 31 August 14	5	2,984	2,686				
01 September 14 to 31 August 15	4	2,823	2,541				
01 September 15 to 31 August 16	3	2,821	2,539				
01 September 16 to 31 August 17	2	2,743	2,469				
01 September 17 to 31 August 18	1	2,564	2,308				
01 September 18 to 31 August 19	R	2,410	2,169	2,700	531	568	-37
01 September 19 to 31 August 20	2024	2,341	2,107	2,700	593	620	-27
01 September 20 to 31 August 21	2025	2,177	1,959	2,700	741	770	-29
01 September 21 to 31 August 22	2026	2,164	1,948	2,700	752		

567
621
771

Date of Birth / school year	School year in Sept 2023	Portslade	Central Hove	West Blatchington and North Hangleton	Central City	Patcham	City East	The Deans	City North
All planning Areas									
places in each school year from Sept 2023									
01 September 12 to 31 August 13	6	221	0	0	0	208	0	0	0
01 September 13 to 31 August 14	5	249	0	0	0	158	0	0	0
01 September 14 to 31 August 15	4	247	0	0	0	172	0	0	0
01 September 15 to 31 August 16	3	216	0	0	0	172	0	0	0
01 September 16 to 31 August 17	2	233	0	0	0	152	0	0	0
01 September 17 to 31 August 18	1	221	0	0	0	151	0	0	0
01 September 18 to 31 August 19	R	223	572	88	429	122	401	172	163
01 September 19 to 31 August 20	2024	183	560	79	415	124	414	163	169
01 September 20 to 31 August 21	2025	175	518	54	428	104	395	136	151
01 September 21 to 31 August 22	2026	161	547	72	378	118	365	158	148

2700
429
408
419
388
385
373
2169
2107
1959
1948

Date of Birth / school year	School year in Sept 2023	BN41 1	BN41 2	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
1 Portslade		St Peters Primary Benfield Primary St Marys Primary	Brackenbury Primary St Nicolas Primary Mile Oak Primary Peter Gladwin Pri	TOTALS			Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023		90	180	270				
01 September 12 to 31 August 13	6	69	177	246	221			
01 September 13 to 31 August 14	5	81	196	277	249			
01 September 14 to 31 August 15	4	76	198	274	247			
01 September 15 to 31 August 16	3	65	175	240	216			
01 September 16 to 31 August 17	2	78	181	259	233			
01 September 17 to 31 August 18	1	80	166	246	221			
01 September 18 to 31 August 19	R	67	181	248	223	47	41	6
01 September 19 to 31 August 20	2024	67	136	203	183	87	95	-8
01 September 20 to 31 August 21	2025	57	137	194	175	95	95	0
01 September 21 to 31 August 22	2026	56	123	179	161	109		

Date of Birth / school year	School year in Sept 2023	BN3 1	BN3 2	BN3 3	BN3 4	BN3 5	BN3 6	BN3 7	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
2 Central Hove		Hove Juniors Holland Road Brunswick Primary		West Hove inf @ Connaught St Andrews Primary		West Hove Infant Hove Junior	Cottesmore Primary Bilingual Primary School	Aldington Primay Goldstone Primary				Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023		180		90		120	150	150	690				
01 September 12 to 31 August 13	6	84	43	109	101	144	148	165	794				
01 September 13 to 31 August 14	5	86	52	136	94	165	170	160	863				
01 September 14 to 31 August 15	4	93	32	124	73	145	130	157	754				
01 September 15 to 31 August 16	3	99	49	100	63	155	137	152	755				
01 September 16 to 31 August 17	2	64	39	137	95	127	112	148	722				
01 September 17 to 31 August 18	1	94	39	126	61	149	117	127	713				
01 September 18 to 31 August 19	R	73	39	112	72	126	117	96	635	572	119	118	1
01 September 19 to 31 August 20	2024	80	37	100	74	131	82	118	622	560	130	136	-6
01 September 20 to 31 August 21	2025	74	34	112	48	120	90	97	575	518	173	171	2
01 September 21 to 31 August 22	2026	86	43	136	64	123	74	82	608	547	143		

Date of Birth / school year	School year in Sept 2023	BN3 8	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
3 West Blatchington and North Hangleton		Hangleton Primary West Blatch Prim				Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023		90	90				
01 September 12 to 31 August 13	6	120	120				
01 September 13 to 31 August 14	5	136	136				
01 September 14 to 31 August 15	4	125	125				
01 September 15 to 31 August 16	3	119	119				
01 September 16 to 31 August 17	2	89	89				
01 September 17 to 31 August 18	1	101	101				
01 September 18 to 31 August 19	R	98	98	88	2	5	-3
01 September 19 to 31 August 20	2024	88	88	79	11	14	-3
01 September 20 to 31 August 21	2025	60	60	54	36	43	-7
01 September 21 to 31 August 22	2026	80	80	72	18		

Date of Birth / school year	School year in Sept 2023	BN1 2	BN1 3	BN1 5	BN1 1	BN1 4	BN1 6	BN1 7	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
4 Central City			St Mary Mags Prim St Pauls Primary	Stanford Infant Stanford Junior Westdene Primary	Middle Street Primary	St Bartholomews	Downs Infant Downs Junior Balfour Primary St Bernadettes Pri	Hertford Infant Hertford Junior St Josephs Primary				Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023			60	150	30	30	240	90	600				
01 September 12 to 31 August 13	6	26	61	139	8	39	205	100	578				
01 September 13 to 31 August 14	5	31	63	136	11	51	206	109	607				
01 September 14 to 31 August 15	4	24	61	124	≤5	54	212	95	570				
01 September 15 to 31 August 16	3	21	83	118	11	60	174	98	565				
01 September 16 to 31 August 17	2	31	52	128	12	54	165	90	532				
01 September 17 to 31 August 18	1	21	70	101	12	38	169	86	497				
01 September 18 to 31 August 19	R	23	69	88	14	55	158	70	477	429	171	187	-16
01 September 19 to 31 August 20	2024	29	66	85	14	46	141	80	461	415	185	185	0
01 September 20 to 31 August 21	2025	20	66	104	9	61	139	76	475	428	173	170	3
01 September 21 to 31 August 22	2026	27	72	71	9	37	145	59	420	378	222		

Date of Birth / school year	School year in Sept 2023	BN1 8	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
5 Patcham		Patcham Infant Patcham Junior Garden Primary				Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023		150	150				
01 September 12 to 31 August 13	6	231	231	208	-58		
01 September 13 to 31 August 14	5	176	176	158	-8		
01 September 14 to 31 August 15	4	191	191	172	-22		
01 September 15 to 31 August 16	3	191	191	172	-22		
01 September 16 to 31 August 17	2	169	169	152	-2		
01 September 17 to 31 August 18	1	168	168	151	-1		
01 September 18 to 31 August 19	R	135	135	122	29	30	-2
01 September 19 to 31 August 20	2024	138	138	124	26	23	3
01 September 20 to 31 August 21	2025	115	115	104	47	54	-8
01 September 21 to 31 August 22	2026	131	131	118	32		

Date of Birth / school year	School year in Sept 2023	BN2 0	BN2 1	BN2 2	BN2 3	BN2 5	BN2 9	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
6 City East		Queens Park Pri St John the Baptist Primary			Elm Grove Primary Fairlight Primary St Martins Primary	St Marks Primary City Academy Whitehawk	Carlton Hill Primary St Lukes Primary				Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023		90			150	90	120	450				
01 September 12 to 31 August 13	6	69	63	≤5	80	149	136	497				
01 September 13 to 31 August 14	5	57	52	≤5	70	149	131	459				
01 September 14 to 31 August 15	4	48	40	≤5	85	146	124	443				
01 September 15 to 31 August 16	3	63	57	≤5	93	133	134	480				
01 September 16 to 31 August 17	2	55	56	≤5	104	139	142	496				
01 September 17 to 31 August 18	1	43	41	≤5	83	141	135	443				
01 September 18 to 31 August 19	R	42	52	≤5	100	120	131	445	401	50	61	-12
01 September 19 to 31 August 20	2024	47	62	≤5	87	129	135	460	414	36	36	0
01 September 20 to 31 August 21	2025	47	47	≤5	96	115	134	439	395	55	73	-18
01 September 21 to 31 August 22	2026	41	52	≤5	87	116	110	406	365	85		

Date of Birth / school year	School year in Sept 2023	BN2 6	BN2 7	BN2 8			Comparison with 2021 data		
7 The Deans		Rudyard Kipling Pri Woodingdean Prim	Our Lady of Lourdes Pri St Margarets Pri	Saltdean Primary	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Surplus places or shortfall of places	Number of surplus places have risen fallen between
places in each school year from Sept 2023		120	60	90	270			based on 2021 data	2021 and 2022
01 September 12 to 31 August 13	6	114	42	87	243				
01 September 13 to 31 August 14	5	132	22	95	249				
01 September 14 to 31 August 15	4	121	35	93	249				
01 September 15 to 31 August 16	3	115	38	89	242				
01 September 16 to 31 August 17	2	125	35	83	243				
01 September 17 to 31 August 18	1	105	33	70	208				
01 September 18 to 31 August 19	R	97	25	69	191	172	98	104	-6
01 September 19 to 31 August 20	2024	91	24	66	181	163	107	116	-9
01 September 20 to 31 August 21	2025	77	22	52	151	136	134	133	1
01 September 21 to 31 August 22	2026	86	30	60	176	158	112		

Date of Birth / school year	School year in Sept 2023	BN1 9	BN2 4			Comparison with 2021 data		
8 City North		Coldean Primary	Bevendean Primary Coombe Rd Primary Moulscoomb Prim	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Surplus places or shortfall of places	Number of surplus places have risen fallen between
places in each school year from Sept 2023		60	120	180			based on 2021 data	2021 and 2022
01 September 12 to 31 August 13	6	56	144	200				
01 September 13 to 31 August 14	5	55	162	217				
01 September 14 to 31 August 15	4	56	161	217				
01 September 15 to 31 August 16	3	52	177	229				
01 September 16 to 31 August 17	2	60	173	233				
01 September 17 to 31 August 18	1	56	132	188				
01 September 18 to 31 August 19	R	45	136	181	163	17	21	-4
01 September 19 to 31 August 20	2024	41	147	188	169	11	16	-5
01 September 20 to 31 August 21	2025	33	135	168	151	29	32	-3
01 September 21 to 31 August 22	2026	35	129	164	148	32		

Equality Impact and Outcome Assessment (EIA) Template - 2019

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users¹. They analyse how all our work as a council might impact differently on different groups². They help us make good decisions and evidence how we have reached these decisions³.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age¹³) or use the hyperlinks ('Ctrl' key and left click).

For further support or advice please contact:

- **BHCC: Communities, Equality and Third Sector Team on ext 2301**
- **CCG: Engagement and Equalities team (Jane Lodge/Debbie Ludlam)**

1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed⁴.

Title of EIA ⁵	Proposed School Closures 2024	ID No. ⁶	
Team/Department ⁷	Families, Children & Learning – Education & Skills		
Focus of EIA ⁸	<p>In response to the fall in pupil numbers in the city the Council is proposing the closure of 2 schools along with reduction in Published Admission Number of 9 other schools. A total reduction of 300 places.</p> <p>The proposal in this consultation is the closure of 2 schools, St Bartholomew's CE Primary School and St Peters Community Primary School. It is proposed that these proposals will be consulted upon from 7 November 2023 to 22 December 2023 with the results of this consultation being presented to the Children, Families & Schools Committee on 8 January 2024. The aim of the consultation process is to seek the views of other admission authorities, adjoining neighbouring local authorities, schools'</p>		

governing bodies, parents of children between the age of 2 and 18 and any other people who are interested in the proposals.

This Equalities Impact Assessment is looking at the consultation process to ensure that it is conducted fairly and has engaged with the public appropriately.

3. Review of information, equality analysis and potential actions

Groups to assess	What do you know ⁹ ? Summary of data about your service-users and/or staff	What do people tell you ¹⁰ ? Summary of service-user and/or staff feedback	What does this mean ¹¹ ? Impacts identified from data and feedback (actual and potential)	What can you do ¹² ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age ¹³	<p>Proposals will affect children currently attending these schools born between 1/9/2018 and 31/08/2014</p> <p>Proposals will affect parents of children born between 1/09/2019 and 31/08/2020 who are due to start school in September 2024.</p> <p>When applying for a first school place between 95% and 98% did so online each year from 2021.</p>	<p>Previous consultation on admission arrangements in 2021 received 451 responses through the consultation portal. 79% of responders provided their age with the youngest being 20 and the oldest over 79.</p> <p>Out of these responses in 2021 where age was provided 3% were under 30. 30% were aged between 30-39; 39% aged between 40-49; 5% were aged between 50-59 and 2% were 60 or older.</p> <p>The consultation on admission arrangements in 2020 received 802 responses in total however only 15% of responders provided their age with the youngest being 18 and the oldest over 70.</p>	<p>When considering the responders who provided an age, there was a decrease in the percentage of younger parents responding to the consultation in 2021 compared to previous years.</p> <p>Respondents aged between 30 and 49 accounted for about 60% of the responses.</p> <p>Younger parents are increasingly using the online system to apply for school places.</p>	<p>Further engagement with childcare providers and nurseries in the city to continue to engage younger parents and parents of younger children.</p> <p>Liaise with support services such as Parenting Team, Family Coaches and Youth Employment Service to continue encouraging participation from younger parents.</p> <p>Greater use of social medial platforms and online promotion to reach younger parents in conjunction with traditional methods of promotion.</p> <p>Consideration of timing of any public consultation events so parents with young families can</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
		Out of the responses in 2020 where age was provided 14% were under 30. 12% were aged between 30-39; 29% aged between 40-49; 22% were aged between 50-59 and 14% were 60 or older.		attend.
Disability¹⁴	Children with Special Educational Needs and Disabilities (SEND) who have an Education, Health & Care Plan would be placed in school under the SEND code of Practice by the SEN team and normal admission arrangements and PANs would not apply.	<p>Consultation on admission arrangements in 2021, 8% identified as having a disability. Nearly 68% did not consider themselves to have a disability and 24% did not provide an answer to this question.</p> <p>Consultation on admission arrangements in 2020, less than 1% identified as having a disability. 11.5% did not consider themselves to have a disability and 87.7% did not provide an answer to this question.</p> <p>There were no requests</p>	<p>Parents of children with a disability may be more interested in SEND processes than mainstream school admission arrangements.</p> <p>Disabled parents could find it harder to respond through the online consultation portal or attend an event in person.</p> <p>Parents with children who have a disability may not be able to attend a consultation event in person.</p> <p>Parents with disabled</p>	<p>Consultation documentation should be available in other accessible formats, and this should be advertised more widely.</p> <p>Parents who are unable to attend a public meeting will be able to access information online or over the telephone or attend a virtual meeting.</p> <p>If consultation events are held online relevant information should be available to be viewed after the event.</p> <p>Nurseries will be</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
		last year for consultation documentation in alternative formats and all responses were submitted online or by email.	children or who have a disability themselves may not be able to travel a distance to take their child to a school place.	<p>encouraged to identify families who need additional support to access the information materials.</p> <p>The council will also liaise with PaCC and Amaze and any adult/parent disability groups.</p> <p>There needs to be sufficient school places within a reasonable distance of families including those families who have someone with a disability living with them.</p>
Gender reassignment¹⁵	There are currently no disproportionate impacts identified for this group.	Schools in the city work closely with Allsorts to understand the complex needs of gender diverse children and young people.	The needs of any impacted within this cohort will be taken into consideration using policy and the Trans Toolkit.	A package of support is provided to the schools via Brighton & Hove's Trans Toolkit which will be adapted to meet the individual needs of children and young people.

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Pregnancy and maternity¹⁶		Parents who are pregnant or on maternity leave may find it difficult to get older children to school.	There needs to be sufficient places within a reasonable distance from families where there is a pregnant adult or an adult on maternity leave. Pregnant people could find it harder to attend an event in person.	Consideration needs to be given to ensuring that there are enough school places within a reasonable distance from families where there is a pregnant adult or an adult on maternity leave. Parents who are unable to attend a public meeting will be able to access information online or over the telephone or attend a virtual meeting.
Race/ethnicity¹⁷ Including migrants, refugees and asylum seekers	The data available for pre-school pupils indicates an increasing percentage of ethnic minority children for the city in general. There is no comprehensive race/ethnicity data available for the cohort due to start school in September 2024.	Consultation on admission arrangements conducted in 2021, 18% out of the 451 respondents identified as other than white British. 17% of respondents did not answer this question or did not want to specify their ethnicity. For the consultation in 2020, 3% identified as other than white British	In some allocation years a higher percentage of pupils from ethnic minorities apply late or are directed to a school that was not a preference. There was an increased percentage of ethnic minority respondents for last year's consultation process compared to previous years.	Important to ensure that there are some surplus places in each planning area so there are local school places available for any late applicants. Explore further other methods of engagement with ethnic minority communities to further increase responses to the consultation. Continue Including the

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	<p>In 2021 allocation year 27.8% of all applications were from ethnic minority families and there is no ethnicity information for a further 11% of applicants.</p> <p>33% of late school applications were submitted by ethnic minority families and for a further 19% there is no ethnicity information.</p> <p>76.4% of ethnic minority families who applied received their first preference school compared to 82% of white British families.</p>	<p>and 9% identified as white British. 88% of respondents did not answer this question or did not want to specify their ethnicity</p> <p>Feedback from the Ethnic Minority Achievement Service (EMAS) in relation to the 2020 consultation on admission arrangements indicated that many parents from ethnic minorities or with English as an additional language found the consultation confusing even with assistance. There was a reluctance to participate from some groups as they felt that it didn't affect them partly due to the uncertainty of the housing situations so children may have to move schools anyway and they trust that whatever school parents get it will be a good</p>	<p>Interested parties from other race/ethnic groups could find it harder to respond through the online consultation portal or attend an event in person.</p>	<p>use of the EMAS service to reach out to communities to communicate the proposals in the consultation and the potential impact on their community.</p> <p>Highlight that there is a translation function on the council's website so that consultation information can be viewed in different languages.</p> <p>Hard copy consultation materials to be made available in different languages as required.</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
		school. The difficulty of not being able to attend a local school was however identified as a potential problem.		
Religion or belief¹⁸	<p>There are only Church of England and Catholic faith schools within the city. These schools can prioritise children of the faith above other children.</p> <p>One of the schools proposed for closure is a Church of England Voluntary aided school and the other is a community school.</p> <p>22% of first preference applications for September 2023 were for church aided schools and 78% expressed a first preference for secular schools.</p>	<p>There is little information on this. Some parents will seek a secular education for their child whilst others will want their children taught in line with their religious belief.</p> <p>79% of responders to the consultation on admission arrangements in 2021 indicated they have no particular religious belief, did not answer the question or preferred not to say.</p>		<p>Faith schools in the city are responsible for their own admission arrangements but the council can propose their closure.</p> <p>The council will need to ensure that there are sufficient secular or church of England school places available for pupils who require one within a reasonable distance of the schools proposed to close.</p>
Sex/Gender¹⁹	There are no single sex, maintained schools in the city. Admission arrangements do not take	61% of responses to the 2021 consultation on admission arrangements were submitted by		

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	into consideration the gender of the child.	females and 19% by males. 20% did not answer or preferred not to say. 10% of responses to the 2020 consultation on admission arrangements were submitted by females and 3% by males. 87% did not answer or preferred not to say.		
Sexual orientation²⁰	n/a			
Marriage and civil partnership²¹	n/a			
Community Cohesion²²	The schools identified for closure are in different planning areas and serve different communities within in the city. St Peters Community Primary School has 1% of pupils within the 10%	House prices surrounding popular schools can be inflated, due to increased demand on accommodation close to popular schools. Parents from some socio-economic groups are better able to lobby and	Can have an implication on the pupils offered a place at these schools as families who cannot afford to move close to oversubscribed schools are unable to obtain a place there. Responses to this	Consideration of admission arrangements and tie break to remove advantage to families who are in the financial position to move close to popular schools in order to increase chance of obtaining a place.

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	<p>most deprived areas of Britain and 33% of pupils within the 20% most deprived areas of Britain.</p> <p>St Bartholomew's CE Primary School has 26% of pupils within the 10% most deprived areas of Britain and 53% of pupils within the 20% most deprived areas of Britain.</p>	<p>to instigate a cohesive community response to the proposals that may disproportionately influence the decision making about which schools will have their PAN reduced.</p> <p>Some communities may not be adequately represented in public meetings or in the responses to the consultation.</p>	<p>consultation need to be considered based on the content not just quantity of replies as some areas in the city due to the nature of the community will provide significantly more replies and in a variety of ways.</p>	<p>Encourage communities in all areas of the city to engage in the consultation process and provide alternative methods for them to respond.</p> <p>Take consideration of the impact of any change in PAN may have on a school in relation to the composition of pupil cohorts and their families to promote a comprehensive education offer.</p>
Families with English as additional language	<p>St Bartholomew's CE Primary School have 39.3% of pupils where English is an additional language.</p> <p>St Peters Community Primary School have 24.4% of pupils where English is an additional language.</p>	<p>There is little information on this. It is considered likely that families with English as an additional language may struggle to understand the detail and implication of the proposed changes to the admission arrangements in the city.</p> <p>Information that interpreters could be available for public</p>	<p>Families with pupils who have English as an additional language are proportionally more likely to apply late which significantly reduces their change of being offered a place at an oversubscribed school.</p> <p>The higher number of families with English as an additional language applying late could be</p>	<p>Important to ensure that there are still surplus places in each planning area so late applicants and pupils moving mid-year can be offered a place at a local school.</p> <p>Greater emphasis needs to be made in future to reach these families and make them aware of the school admissions applications process. If</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
		meetings for particular languages with a high prevalence in the community would help encourage participation from these families.	<p>contributed to a number of factors such as these families moving into the city outside the cut off dates for the main admission rounds. This could be due to these families are not being aware of when to apply for school places as they are less likely to understand the promotional information distributed for parents.</p> <p>Families may not comprehend the implication of the proposals or which year they take effect and be able to relate this to their own circumstances.</p> <p>Families with English as an additional language could find it harder to respond through the online consultation portal or attend an event in person.</p>	<p>this group are unaware of the school admissions timescale it is also likely that they would be less aware of the consultation process. Additional steps should be taken to engage these families with this consultation.</p> <p>Advice and support shall need to be sought from the EMAS team and others with links to various communities where there are a number of families with English as an additional language.</p> <p>For public meetings with a focus on a particular community, explore with individual schools the languages spoken and benefit of providing interpreters.</p> <p>Highlight that there is a translation function on the council's website so</p>

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				that consultation information can be viewed in different languages.
Other relevant groups²³ Children in Care and Care Experienced Young People	<p>That Children in Care and Care Experienced Young People are likely to face discrimination.</p> <p>There are 332 children and young people in care, and 381 children and young people previously in care.</p> <p>41% of 19-21 year old care leavers are not in education, employment or training, compared to 12% of other young people the same age.</p> <p>There are 66% with SEND and 35% have an EHCP, compared to 12% of the general population. 50% of children and young people in care have a diagnosable mental health condition.</p>	<p>Brighton & Hove City Council have adopted Children in Care and Care Experienced Young People as a protected characteristic. As Corporate Parent, there is a collective responsibility and demonstrable commitment to ensure that children and young people with care experience are enabled to have the same opportunities as any other child or young person.</p>	<p>We need to ensure that the profile of children and young people accessing school places are not discriminated against and have the opportunity to access school provision.</p>	<p>Brighton & Hove City Council have adopted Children in Care and Care Experienced as a protected characteristic and will demonstrate commitment to ensure that this group are not discriminated against within the short break and school holiday activities programme.</p> <p>If there is not proportionate representation, then an action plan will be implemented to ensure that we are supporting children and young people from this cohort to attend.</p> <p>Children in care and previously looked after children have the top</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				admission priority when applying for school places.
Cumulative impact²⁴				
Assessment of overall impacts and any further recommendations²⁵				
<p>Reducing the number of surplus school places is necessary to safeguard the whole family of schools in the city and to protect schools from financial difficulties as pupil numbers reduce. The proposed closures are part of this strategy along with reducing the PAN's of larger schools. Without a reduction in school places there is the real possibility that some schools become unable to operate in a financially efficient way with implications for the quality of education provided and the council's own budget.</p> <p>A higher percentage of late applications are for children from ethnic minorities and children with English as an additional language although the numbers are small. Late applications for oversubscribed schools are less likely to be offered a place. To minimise the impact on these families of applying late more needs to be done to reach these families when reminding parents to apply for their child's school place.</p> <p>The consultation process must be as accessible as possible for all residents to respond to and that events are held at a variety of times and in locations which allow interested residents to participate and the process of receiving responses is also available to all.</p>				

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4. List detailed data and/or community feedback that informed your EIA

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
January 2022 & January 2023 school census	January 2022 & 2023		
Admissions consultation sought views through the council's consultation portal and themes identified in series of virtual public meetings.	15/11/21-2/01/22	Equalities monitoring questions in the consultation portal were not answered by 12% of respondents.	
Admissions consultation sought views through the council's consultation portal	14/11/22-31/12/22	Equalities monitoring questions were not asked of respondents	
Infant & Primary school allocation data	September 2023		

5. Prioritised Action Plan²⁶

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				
<p>Disabled parents and parents with children who have a disability may find it more difficult to participate in the consultation process</p>	<p>Consultation documentation made available in accessible formats and this should be advertised more widely.</p> <p>Parents who are unable to attend a public meeting will be able to access information online or over the telephone</p> <p>Nurseries will be encouraged to identify families who need additional support to access the information materials.</p> <p>The council will also liaise with PaCC and Amaze and any adult/parent disability groups.</p>	<p>Greater participation in the consultation by disabled parents and parents whose children have a disability.</p>	<p>Increased proportion of responses to consultation made by parents with a disability</p>	<p>Before and during consultation period</p>
<p>Previous consultation processes either did not sufficiently engage</p>	<p>Continue to explore other methods of engagement with ethnic</p>	<p>Greater participation in the consultation by parents from ethnic</p>	<p>Increased proportion of responses to consultation made by</p>	<p>Before and during consultation period</p>

<p>with ethnic minority families or those who did provide a response were unwilling to divulge their ethnicity however there was an increased percentage of ethnic minority families responding to the consultations.</p>	<p>minority communities in order to continue increasing responses to the consultation, including the use of the EMAS service to reach out to communities to communicate the proposals in the consultation and the potential impact on their community.</p> <p>Highlight that there is a translation function on the council's website so that consultation information can be available in different languages.</p> <p>Hard copy consultation materials to be made available in different languages as required.</p>	<p>minority families.</p>	<p>parents from ethnic minorities.</p>	
<p>Some communities may not be adequately represented in public meetings or in the responses to the consultation.</p>	<p>Encourage communities in all areas of the city to engage in the consultation process and provide alternative methods for them to respond.</p>	<p>Increased participation in the consultation from communities less likely to participate in the past.</p>	<p>Responses received to the consultation from parents living in all areas in the city.</p>	<p>Before and during consultation period</p>
<p>Ensure that families with English as an additional language are aware of the</p>	<p>Advice and support sought from the EMAS team and others with links to various</p>	<p>More Families with English as an additional language aware of the</p>	<p>Greater number of responses to consultation from this group.</p>	<p>Before and during consultation period</p>

<p>consultation and are able to participate.</p>	<p>communities where there are a number of families with English as an additional language.</p> <p>Highlight that there is a translation function on the council's website so that consultation information can be available in different languages.</p> <p>Hard copy consultation materials to be made available in different languages as required.</p>	<p>consultation and able to participate.</p>		

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

Staff member completing Equality Impact Assessment: Richard Barker

Date: 31.10.23

Directorate Management Team rep or Head of Service/Commissioning:

Date:

CCG or BHCC Equality lead:

Date:

Guidance end-notes

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

² Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people in relation to their ‘protected characteristics’ (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups’ vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

The following are the duties in the Act. You must give ‘due regard’ (pay conscious attention) to the need to:

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **advance equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by people due to their protected characteristics
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected within the context

The greater the impacts, the more thorough and demanding the process required by the Act will be.

⁴ **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

Do you need to complete an EIA? Consider:

- Is the policy, decision or service likely to be relevant to a specific group or groups (eg: older people)?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

⁵ **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

⁶ **ID no:** The unique reference for this EIA. If in doubt contact your CCG or BHCC equality lead (see page 1)

⁷ **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

⁸ **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

⁹ **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on specific groups of the policy/decision/service is available?⁹
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the groups identified above in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: <http://www.bhconnected.org.uk/content/needs-assessments> and Community Insight: <http://brighton-hove.communityinsight.org/#>) and national ones where they are relevant.

¹⁰ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.
- Try to consult in ways that ensure all perspectives can be considered.
- Identify any gaps in who has been consulted and identify ways to address this.

¹¹ Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

¹² Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to improve the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

¹³ **Age:** People of all ages

¹⁴ **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

¹⁵ **Gender Reassignment:** A transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected

¹⁶ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

¹⁷ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

¹⁸ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

¹⁹ **Sex/Gender:** Both men and women are covered under the Act.

²⁰ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

²¹ **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

²² **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

²³ **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum etc

²⁴ **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

²⁵ **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

²⁶ **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

Brighton & Hove City Council

Children, Families & Schools Committee

Agenda Item 37

Subject: School Admission Arrangements 2025-26

Date of meeting: 6 November 2023

Report of: Executive Director Families, Children & Learning

Contact Officer: Name: Richard Barker
Tel: 07584217328
Email: richard.barker@brighton-hove.gov.uk

Ward(s) affected: All

The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that the Council did not wish to publish the report before affected schools had had the opportunity to inform their staff and wider school communities about the proposals. This will happen on the first Monday after the half term break (30 October 2023) following which the report will be published without delay.

For general release

1. Purpose of the report and policy context

- 1.1 This report details the proposed school admission arrangements for the academic year 2025-26 for the schools in the city where the Council is the admission authority. This report needs to be read in conjunction with the report on Proposed School Closures 2024 being presented at the same Committee meeting.
- 1.2 When changes are proposed to admission arrangements, all admission authorities must consult on these new arrangements. Where the admission arrangements have not changed from the previous year there is no requirement to consult except where admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period.
- 1.3 The Committee will be asked to approve a consultation based on the proposals being suggested. They will then receive a further report in January 2024 seeking the determination of those arrangements for 2025-26.
- 1.4 Local Authorities must also set out schemes for coordinated admissions, including key dates in the admission process and the arrangements for consultation with own admission authority schools in the city and with other local authorities. They also establish the area (the "relevant area") within which the admission consultation should take place.

2. Recommendations

- 2.1 That Committee agree to make no changes to the council's admission arrangements or school catchment areas (other than the changes listed below).
- 2.2 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Brunswick Primary School from 120 to 90.
- 2.3 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Goldstone Primary School from 90 to 60.
- 2.4 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Patcham Infant School from 90 to 60.
- 2.5 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Queen's Park Primary School from 60 to 30.
- 2.6 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Rudyard Kipling Primary School from 60 to 45.
- 2.7 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Saltdean Primary School from 90 to 60.
- 2.8 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Stanford Infant School from 90 to 60.
- 2.9 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of St Luke's Primary School from 90 to 60.
- 2.10 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Woodingdean Primary School from 60 to 45.
- 2.11 That the Committee agree to consult on amending the admission priorities for Brighton & Hove community secondary schools to include a new priority 3 for pupils eligible for Free School Meals (up to the city average percentage).
- 2.12 That the Committee agree to make no changes to the "relevant area".

3. Context and background information

Overview – Pupil Numbers

- 3.1 In the Census 2021 it was revealed that Brighton & Hove's population profile had fewer children & young people aged 0 to 19 (20.5%) compared to the South East (23.1%) and England (23.1%). There was a 22% drop in children aged 0-4 living in the city in the 2021 census compared to the 2011 census.
- 3.2 The Council's own projection of pupil numbers starting Reception in the coming years forecasts that there will be 651 excess places in 2025 and 662

excess places in 2026. Therefore, the city will have over 25% surplus capacity.

- 3.3 The Council divides the city into 8 planning areas and detailed forecasts for each planning area are provided in Appendix 1. It is expected that forecasts will be updated by December 2023 with more recent data from the NHS that will allow forecast pupil numbers until September 2027. This will be available to the Committee prior to the determination of any admission arrangements for September 2025.
- 3.4 The Council has received data from the Department for Education that indicates that the number of children in 2027 could be as low as 1991 and usually it can be expected that only 90% of that figure will require a school place, this would be 1792 children.
- 3.5 The table below shows the forecast for the number of children requiring a school place in September 2023 in the proceeding years. On National Offer Day 2023 the Council allocated 2202 places. The accuracy of these forecasts to the number of places allocated has been between 97%-99% accurate.

	Forecast figure	Accuracy to 2023
2022 forecast	2169	98.5%
2021 forecast	2132	96.8%
2020 forecast	2194	99.6%

- 3.6 Since forecasting the numbers of children requiring school places from September 2018 until September 2023 the yearly updated forecasts have been between 96% and 99% accurate in the time-period from 2015-2023. Whilst this is not a definitive indicator of future accuracy it supports the reliability of methodology used and provides a high level of assurance about the process.
- 3.7 The Council has responsibility to ensure that all children who require a school place in Brighton & Hove have one available. Typically, areas are expected to hold between 5-10% surplus capacity to provide for families moving into an area and an element of parental preference.
- 3.8 Currently, with no change for 2025-26 in place, there will be 2610 primary school places in Reception. The table below shows the estimated number of surplus places when taking account of a maximum of 10% surplus capacity, which has been considered by the DfE as a sound surplus requirement.

	Places	Pupils (est)	Max spaces needed in schools, incl 10%	Surplus places
Sept 2025	2610	1959	2155	455
Sept 2026	2610	1948	2143	467

- 3.9 Should the proposals in this committee paper and the accompanying committee paper, Proposed School Closures 2024, be implemented as proposed the number of school places in Reception would be 2310. The revised table shows the estimated number of surplus places when taking account of a maximum of 10% surplus capacity.

	Places	Pupils (est)	Max spaces needed in schools, incl 10%	Surplus places
Sept 2025	2310	1959	2155	155
Sept 2026	2310	1948	2143	167

- 3.10 If these proposals are implemented then there may be a need for consideration of further reductions in the number of school places, especially if the initial forecast for 2027 continues to indicate a reduction in pupil numbers. This could require further proposals to reduce the PAN of schools or the potential closure of other schools in the city.
- 3.11 In addition, the Council will be seeking to support schools to ensure that they operate in as financially efficient a way as possible. The Council has recently engaged the support of School Resource Management Advisers offered free of charge by the Department for Education. Their work with city schools over the next few months will help inform opinions on what else, if anything, can be done by schools to make the most efficient use of their budget. In addition, the Council is providing schools with additional benchmarking data and may need to secure school deficits against the Council's General Fund should the total amount of deficit exceed the total amount of school balances in future years.

Proposals – Primary Phase Schools

- 3.12 The Council is the admission authority for all community schools and is responsible for setting the Published Admission Number, which determines the maximum number of pupils a school admits into its year of entry (Reception or Year 3 for junior schools). However, the governing board and other interested parties can object to the Office of the [Schools Adjudicator](#) (OSA) if the PAN is lower than they would wish. This is a non-governmental body which rules on objections to admission arrangements of publicly funded schools in England. The OSA must take account of the [School Admissions Code](#) which states that there is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator must have regard when considering any such objection. The OSA is highly likely to uphold any objections to arrangements which result in parental preference being frustrated. As a result, decisions made by the Council can be overturned, and have been in previous years when the Council has sought to reduce PANs of certain schools.
- 3.13 Voluntary Aided schools (church schools) and Academies are their own admission authority and have responsibility to set their own PAN and the council cannot object to the setting of those arrangements where these are

to stay the same or increase. In addition, an admission authority can admit more pupils above its PAN without consulting upon that decision.

- 3.14 As outlined in paragraph 3.8 the council has a surplus of over 450 places in the next few years. This is the equivalent of 15 forms of entry.
- 3.15 To ensure that a reduction in surplus places is achieved, the council could seek to close up to 15 one form entry schools to achieve the necessary reduction in pupil numbers. It is only through the process of closure that the council could realistically expect to be able to secure the reduction in places needed. However, the council has committed to protect schools from closure where possible. The council must also retain a long term view that in future years pupil numbers can reasonably be expected to rise again and it is the responsibility of the council to secure sufficient school places to meet the need. A significant number of school closures would create significant risk to the council of meeting that responsibility.
- 3.16 Therefore, the proposals being put forward for consultation across both reports seeks to use a combination of PAN reduction and school closure to achieve a significant proportion of the total reduction in unfilled school places needed.
- 3.17 These proposals include some schools where the council has previously determined a reduction in PAN but this was subsequently overturned by the Schools Adjudicator following objections raised by the governing boards and other parties. It is hoped that with the realisation of the impact of falling pupils numbers governing boards are prepared to make decisions that support the whole city's need to keep open as many schools as is practicable.
- 3.18 However, it is understood that governing boards are established as the school's legally accountable body, responsible for the individual school to the Local Authority and must operate in the best interests of the school by leading the school strategically, focusing on the three core functions of:
- Ensuring clarity of the vision, ethos and strategic direction.
 - Holding the school leadership to account
 - Overseeing the financial performance of the school
- 3.19 Brighton & Hove City Council's Plan 2023 to 2027 outlines a commitment to support the provision of high quality and inclusive education from early years through to adult learning and to do this in part by delivering specific strategies for children and young people at risk of educational disadvantage. The council must also seek to deliver an efficient education system. This requires action to be taken to reduce the number of unfilled places so that schools are operating from a more secure platform from which to deliver on multi-year programmes for the pupils attending their schools now and in the future such as a full and vibrant curriculum and to be able to provide the right support to be available to pupils and families.

- 3.20 The council is proposing the following changes to primary phase schools in the city:

School	Current PAN	Proposed PAN
Brunswick Primary School	120	90
Goldstone Primary School	90	60
Patcham Infant School	90	60
Queen's Park Primary School	60	30
Rudyard Kipling Primary School and Nursery	60	45
Saltdean Primary School	90	60
Stanford Infant School	90	60
St Luke's Primary School	90	60
Woodingdean Primary School	60	45

Being included in a list of proposed changes is not a reflection of the quality of education delivered or the leadership of those schools.

- 3.21 The reasons why these proposals are being put forward are specific to each school and will be outlined in more detail at consultation events that will be undertaken if the committee agrees to them. In broad terms consideration has been given to the numbers of places in the area where the school is located and the numbers of applications the school has received in relation to schools in its surrounding area. Reversing previous expansion decisions now that pupil numbers are falling. The financial position of the school now and its forecast position in future years. We are seeking to ensure the city retains a broad range of schools of various sizes and types. It is hoped that by implementing these proposals the schools in the city are able to withstand ongoing pressures with budgets, meeting pupil needs and delivering good quality education.

Proposals – Secondary Schools

- 3.22 The Council recognises that in the coming years the issue of unfilled places that the city's primary schools are having to face will affect the secondary schools in the city. It is proposed not to make any changes to the catchment area of secondary schools or their Published Admission Number currently.
- 3.23 The Council will shortly begin engagement with the governing boards, trusts and headteachers of the city's secondary school to consider proposals to address these pressures. The Council does not want to see a secondary school in the city close. Secondary schools are seen to serve specific

communities in the city and the location of the schools would lead to an area being at a disadvantage if one school was to close. However, it is noted that not all catchment areas are treated equally currently and the location of the schools mean some pupils need to undertake long journeys on public transport to attend their catchment school or, in some cases, their preferred school.

- 3.24 The Council is proposing to make a change to the admission priority of its community secondary schools by introducing a new priority category that provides pupils eligible for Free School Meals the opportunity for a place at the school, up to the city average of FSM eligible pupils in the city's secondary schools. This would allow FSM eligible pupils to have a chance of being offered any school of preference depending upon the random allocation tie-break.
- 3.25 Under the School Admissions Code 2021, the Council is required to have priority 1 as outlined in Appendix 2. It is proposed to introduce a new priority 3 for Free School Meal pupils from across the city up to the average percentage of the city's secondary schools. In theory if a school was likely to admit pupils with an overall percentage of FSM of 15% and the city average was 20% it would be possible for more FSM eligible pupils to be offered places at the school. If more FSM eligible pupils wished to be offered a place than the percentage of places available, the council will use random allocation as a tie-breaker to determine who was offered a school place.
- 3.26 The council appreciates that an oversubscribed schools which admits children with FSM from out of catchment area could mean that pupils from within catchment area being refused places. In addition, schools with a high proportion of FSM eligible pupils could see a reduction in the number of these pupils attending because they have been offered places in other schools. However, the Council considers the risk of catchment area pupils not obtaining a place at their catchment area school, if they include this as one of their three preferences, as being low with pupil numbers in secondary schools beginning to drop. The Council wants to promote the opportunity for those pupils eligible for FSM to be given a greater possibility of a place at their preferred school than under the current arrangements.
- 3.27 It is possible that those schools with high numbers of FSM eligible pupils may have a reduced number of pupils attending their schools because under these proposals pupils eligible for FSM will have a greater priority for a place at another school than other children from outside the catchment area who are categorised under priority 6 in the proposed admission priorities.
- 3.28 In the most recent school census (May 2023) the following FSM percentages (Yrs 7-11) were reported. The city average for secondary schools was 25%. The average percentage of FSM pupils seeking a secondary school place in 2025 is forecast to be 28% and there are estimated to be about 60 less pupils requiring a school place compared to 2023.

Kings School	15%
Blatchington Mill School	16%
Cardinal Newman Catholic School	16%
Dorothy Stringer School	18%
Varndean School	19%
Patcham High School	20%
Portslade Aldridge Community Academy	28%
Hove Park School	32%
Longhill High School	36%
Brighton Aldridge Community Academy	46%

3.29 As outlined in appendix 2, the priority list of admission categories are proposed to be:

1. LAC and previously looked after children
2. Exceptional circumstances
3. FSM children (up to the city average)
4. Sibling (within catchment area)
5. Within catchment area
6. Other children

3.30 The Council is not proposing a change to the current eligibility criteria for home to school transport. In relation to distance, these are set out in legislation and state:

- over 8 years of age and lives more than three miles from the appropriate school, which is the closest primary or junior school to the main home address that had an available place or the catchment area secondary school

and for those eligible for free school meals receive free public transport for your child if they are:

- 11 to 16 years old and they go to school that is 2 to 6 miles away (as long as there are not 3 or more suitable schools nearer to the home)

3.31 It is recognised that these arrangements may not facilitate families receiving the transport assistance to make the most of the proposed new priority. However, the Council is committed to working to develop longer term options for admission arrangements that secure the long-term resilience of the city's secondary schools, considers the disparity in choice for families in different parts of the city and the infrastructure, such as transport, that impacts on pupil's ability to attend a preferred school.

Consultations

3.32 Consultation and determination of admission arrangements takes place approximately 18 months in advance of the academic year to which they apply. For the academic year 2025-26, the consultation process must take

place between 1 October 2023 and 31 January 2024 and last for a minimum of 6 weeks.

- 3.33 It is proposed to start the consultation on 7 November 2023 and for it to run for nearly 7 weeks concluding on 22 December 2023.
- 3.34 There will be two consultation events for each school where a PAN reduction is proposed, an in-person meeting and an online meeting. In addition, there will be three online meetings that will focus on the proposal to amend the secondary school priority criteria.
- 3.35 There will be full details of these meetings and a full consultation document available on the Council's website from the 7 November if these recommendations are approved.
- 3.36 Following the consultation exercise the council must determine its admission arrangements by 28 February 2024 to conform to the requirements of the School Admissions Code.
- 3.37 A further report will be presented to the Children, Families & Schools Committee on 8 January 2024 detailing the response to the consultation and making recommendations about the admission arrangements for 2025-26.
- 3.38 The relevant proposed consultation papers for the 2024-25 admission year for the City of Brighton & Hove are attached as appendices to this report.

4. Analysis and consideration of alternative options

- 4.1 The Council could propose making no changes to primary or secondary school arrangements. The on-going increase in unfilled places in the city's primary schools and the intention to provide more opportunity for FSM eligible pupils are considered to be relevant and urgent measures to propose from September 2025.
- 4.2 The Council has previously sought to make changes to primary school PANs with varying levels of success..
- 4.3 Consideration has been given to the emphasis of the School Admission Code and the previous determinations of the Schools Adjudicator which appear to rule out options involving schools where the impact will be to frustrate parental preference. However due to the on-going impact of falling pupils numbers the council has no option other than to consider once again the reduction in PAN's at schools which have had previous proposed PAN reductions overturned by the School's Adjudicator.
- 4.4 The Council could seek to solely propose the closure of schools as a way of reducing surplus places. However, this approach could risk the ability of the council to ensure sufficient school places in the decades to follow and will mean that communities are left without a school to attend, within a reasonable distance.

5. Community engagement and consultation

- 5.1 Prior to the drafting of this report, the council had requested that Headteachers and Chairs of Governors inform it if a future reduction in PAN or potential school closure was a proposal that they would wish to undertake. Discussions have taken place with all the schools proposed for a PAN reduction and it is hoped the city can work in partnership to address the challenges it faces around falling pupil numbers.
- 5.2 If agreed, it is proposed to start the consultation on the reduction of PAN on Tuesday 7 November 2023 and for it to be concluded on 22 December 2023. A total of 6 weeks and 3 days.
- 5.3 It is proposed that there will be 21 engagement events to cover the 10 proposals in this report.
- 5.4 A consultation response form will be available on the council's consultation portal and interested parties will be able to leave a phone message for someone to call them back and take down their response over the telephone, should they not be able to complete a response form online.
- 5.5 Attention will be given to engaging sections of the community who may not previously have participated with public consultations such as those with protected characteristics and this is considered within the Equality Impact Assessment (Appendix 6).

6. Conclusion

- 6.1 The Council is seeking to reduce the number of surplus places in primary phase schools through a programme of PAN reductions. In addition, the Council is seeking to increase the opportunity for pupils eligible for Free School Meals to attend a school of their preference by introducing a new admission priority 3 for secondary school admissions to LA maintained schools.
- 6.2 It is proposed to consult on making changes to nine schools potentially removing 240 places. This is in response to the council forecasting the number of surplus places to be over 450 places in both September 2025 and September 2026.
- 6.3 It is proposed that the Council seeks to consult on changes to the secondary school admission priorities to introduce a criterion that allows for Free School Meal eligible pupils to be offered places at the school up to the city average. This proposal may have the impact of reducing the opportunity for catchment area pupils to receive a place at the school. It is not proposed to change transport eligibility however the council is committed to a further wide ranging review of secondary school admission arrangements in the future to address the implication of falling pupil numbers.
- 6.4 The Council recognises that these proposals could challenge some schools' abilities to deliver specific strategies for children and young people at risk of

educational disadvantage. However, by taking action to reduce the number of unfilled primary school places it is hoped that schools will be more resilient and able to offer a full, vibrant curriculum and be able to provide the right support to pupils and families.

7. Financial implications

- 7.1 School budgets are determined in accordance with criteria set by the government and school funding regulations dictate that the vast majority (over 90% in 2023/24) of the delegated schools block of funding is allocated through pupil-led factors. This means schools with falling pupil numbers are likely to see reductions in annual budgets. This situation can be particularly challenging where pupil numbers in year groups fall well below the expected number, based on the PAN of a school.
- 7.2 Without planned reduction in PANs it will be challenging for primary schools to plan ahead for staff reductions and set balanced budgets. For the schools where reductions in PANs are proposed there will be direct implications and a need to plan future years' budgets to reflect lower pupil numbers in line with reduced PANs and the consequent impact this will have on budget allocations. However, planned reductions in PANs should mean schools are more likely to be able to balance their budgets if operating with full, or close to full, forms of entry.
- 7.3 The proposal to decrease the PAN across a number of schools is intended to reduce the number of surplus school places to safeguard and benefit the wider provision across the city. By reducing the number of surplus places in the city in the longer term there is an expectation that school occupancy rates will increase meaning that school budgets are more sustainable.

Name of finance officer consulted: Steve Williams Date consulted:
20/10/23

8. Legal implications

- 8.1 Section 88C of the School Standards and Framework Act 1998 and the School Admissions (Admissions Arrangements and Co-ordination of Admission Arrangements) Regulations 2012 require admission authorities to determine their admission arrangements annually. Arrangements must be determined 18 months in advance of the academic year to which they apply.
- 8.2 Where changes such as a decrease in the PAN are proposed the admission authority must first publicly consult on those proposed arrangements. The School Admissions Code 2021 states that consultation must be for a minimum of six weeks and must take place between 1 October and 31 January of the school year before those arrangements are to apply. The admission arrangements must be determined by 28 February in the determination year. The arrangements for the admission year 2025/2026 must therefore be determined by 28 February 2024.
- 8.3 Community schools and other interested parties have the right to object to

the Schools Adjudicator if the PAN set for them is lower than they would wish. The School Admissions Code provides that there is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator must have regard when considering such an objection. For this determination year any objections to the arrangements must be referred to the Adjudicator by 15 May 2024.

- 8.4 Admission Authorities may give priority in their oversubscription criteria to children eligible for the pupil premium (paragraph 1.41 of the School Admissions Code 2021). They should clearly define in their arrangements the categories of eligible premium recipients to be prioritised, in this case recipients of Free School Meals.
- 8.5 Once admission arrangements have been determined Admission Authorities may propose variations where they consider such changes to be necessary in view of a major change in circumstances. Such proposals must be referred to the Schools Adjudicator for decision following consultation with the governing board of the affected school(s).

Name of lawyer consulted: Serena Kynaston Date consulted: (17/10/23)

9. Equalities implications

- 9.1 An Equality Impact Assessment has been carried out on the proposals being recommended to the committee. The assessment can be found at Appendix 6 and the results have been incorporated into the content of the report.
- 9.2 It is worth noting that the admission process is 'blind', by virtue of applications being considered in line with the published admission arrangements that do not take account of a person's protected characteristics.
- 9.3 However, the availability of school places across the city could have an impact on certain groups due to their proximity to certain schools and the availability of places should families make a late application.
- 9.4 The consultation process needs to take account of:
- young parents who may be less likely to respond to the consultation
 - issues of accessibility and comprehension of the consultation process the materials made available
 - ensuring that the decision-making process after the consultation is based on the content not just quantity of replies.
- 9.5 When determining admission arrangements, the Council needs to ensure that there are sufficient school places available within a reasonable distance for families who may contain members who have special educational needs, disabilities, speak English as an additional language and of various races/ethnicities. This will ensure that if families apply after the deadline date they will not be significantly disadvantaged and face the prospect of a lengthy journey to school.

- 9.6 It is recognised that to foster strong community cohesion school's intake should seek to reflect the city's diversity.

10. Sustainability implications

- 10.1 Wherever possible the Council aims to reduce the number of journeys to school undertaken by car. A reduction in the availability of school places across the city could risk a rise in the number of journeys undertaken by car.
- 10.2 Schools are expected to have a School Travel Plan to:
- reduce the number of vehicles on the journey to school
 - improve safety on the journey to school
 - encourage more active and sustainable travel choices
- 10.3 Any change in PAN is expected to require the school's travel plan to be re-written to take account of the change.
- 10.4 Many primary schools are clustered in areas which means that a reduction in places will not mean a significant increase in journeys to other schools. The consultation period will be an opportunity to explore what the potential impacts of these proposed changes will be and the report to committee in January can be expected to detail these in more detail alongside recommendations for changes to be implemented.
- 10.5 Changes to PAN, which lead to a reduction in the number of classes the school has and the classrooms being used can lead to areas of a school being more efficiently managed in relation to energy use at a time of uncertain energy costs for schools.

11. Other Implications

- 11.1 The School Admissions Code requires all schools to have oversubscription criteria for each 'relevant age group' and the highest priority must be given, unless otherwise provided in the Code, to looked after children and all previously looked after children, including those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted.
- 11.2 These priorities will ensure that for pupils who are care experienced, they will receive the highest priority for a place in a different school, should the school they currently attend close.

Supporting Documentation

1. Appendices

1. Pupil Forecasts
2. Admission Arrangements and Priorities

3. Published Admission Number
4. Primary coordinated scheme
5. Secondary coordinated scheme
6. Equality Impact Assessment

Date of Birth / school year	School yr in Sept 23	Grand Total all planning areas from 2021 data	pupils likely to want a school place based on 90% of GP reg data	Permanent places in Year R in 2023	Surplus places or shortfall of places	Comparison with 2021 data	
All planning Areas						Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023							
01 September 12 to 31 August 13	6	2,909	2,618				
01 September 13 to 31 August 14	5	2,984	2,686				
01 September 14 to 31 August 15	4	2,823	2,541				
01 September 15 to 31 August 16	3	2,821	2,539				
01 September 16 to 31 August 17	2	2,743	2,469				
01 September 17 to 31 August 18	1	2,564	2,308				
01 September 18 to 31 August 19	R	2,410	2,169	2,700	531	568	-37
01 September 19 to 31 August 20	2024	2,341	2,107	2,700	593	620	-27
01 September 20 to 31 August 21	2025	2,177	1,959	2,700	741	770	-29
01 September 21 to 31 August 22	2026	2,164	1,948	2,700	752		

567
621
771

Date of Birth / school year	School year in Sept 2023	Portslade	Central Hove	West Blatchington and North Hangleton	Central City	Patcham	City East	The Deans	City North
All planning Areas		1	2	3	4	5	6	7	8
places in each school year from Sept 2023		270	690	90	600	150	450	270	180
01 September 12 to 31 August 13	6	221	0	0	0	208	0	0	0
01 September 13 to 31 August 14	5	249	0	0	0	158	0	0	0
01 September 14 to 31 August 15	4	247	0	0	0	172	0	0	0
01 September 15 to 31 August 16	3	216	0	0	0	172	0	0	0
01 September 16 to 31 August 17	2	233	0	0	0	152	0	0	0
01 September 17 to 31 August 18	1	221	0	0	0	151	0	0	0
01 September 18 to 31 August 19	R	223	572	88	429	122	401	172	163
01 September 19 to 31 August 20	2024	183	560	79	415	124	414	163	169
01 September 20 to 31 August 21	2025	175	518	54	428	104	395	136	151
01 September 21 to 31 August 22	2026	161	547	72	378	118	365	158	148

2700
429
408
419
388
385
373
2169
2107
1959
1948

Date of Birth / school year	School year in Sept 2023	BN41 1	BN41 2	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
1 Portslade		St Peters Primary Benfield Primary St Marys Primary	Brackenbury Primary St Nicolas Primary Mile Oak Primary Peter Gladwin Pri	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023		90	180	270				
01 September 12 to 31 August 13	6	69	177	246	221			
01 September 13 to 31 August 14	5	81	196	277	249			
01 September 14 to 31 August 15	4	76	198	274	247			
01 September 15 to 31 August 16	3	65	175	240	216			
01 September 16 to 31 August 17	2	78	181	259	233			
01 September 17 to 31 August 18	1	80	166	246	221			
01 September 18 to 31 August 19	R	67	181	248	223	47	41	6
01 September 19 to 31 August 20	2024	67	136	203	183	87	95	-8
01 September 20 to 31 August 21	2025	57	137	194	175	95	95	0
01 September 21 to 31 August 22	2026	56	123	179	161	109		

Date of Birth / school year	School year in Sept 2023	BN3 1	BN3 2	BN3 3	BN3 4	BN3 5	BN3 6	BN3 7	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
2 Central Hove		Hove Juniors Holland Road Brunswick Primary		West Hove inf @ Connaught St Andrews Primary		West Hove Infant Hove Junior	Cottesmore Primary Bilingual Primary School	Aldington Primay Goldstone Primary				Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023		180		90		120	150	150	690				
01 September 12 to 31 August 13	6	84	43	109	101	144	148	165	794				
01 September 13 to 31 August 14	5	86	52	136	94	165	170	160	863				
01 September 14 to 31 August 15	4	93	32	124	73	145	130	157	754				
01 September 15 to 31 August 16	3	99	49	100	63	155	137	152	755				
01 September 16 to 31 August 17	2	64	39	137	95	127	112	148	722				
01 September 17 to 31 August 18	1	94	39	126	61	149	117	127	713				
01 September 18 to 31 August 19	R	73	39	112	72	126	117	96	635	572	119	118	1
01 September 19 to 31 August 20	2024	80	37	100	74	131	82	118	622	560	130	136	-6
01 September 20 to 31 August 21	2025	74	34	112	48	120	90	97	575	518	173	171	2
01 September 21 to 31 August 22	2026	86	43	136	64	123	74	82	608	547	143		

Date of Birth / school year	School year in Sept 2023	BN3 8	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
3 West Blatchington and North Hangleton		Hangleton Primary West Blatch Prim				Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023		90	90				
01 September 12 to 31 August 13	6	120	120				
01 September 13 to 31 August 14	5	136	136				
01 September 14 to 31 August 15	4	125	125				
01 September 15 to 31 August 16	3	119	119				
01 September 16 to 31 August 17	2	89	89				
01 September 17 to 31 August 18	1	101	101				
01 September 18 to 31 August 19	R	98	98	88	2	5	-3
01 September 19 to 31 August 20	2024	88	88	79	11	14	-3
01 September 20 to 31 August 21	2025	60	60	54	36	43	-7
01 September 21 to 31 August 22	2026	80	80	72	18		

Date of Birth / school year	School year in Sept 2023	BN1 2	BN1 3	BN1 5	BN1 1	BN1 4	BN1 6	BN1 7	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
4 Central City			St Mary Mags Prim St Pauls Primary	Stanford Infant Stanford Junior Westdene Primary	Middle Street Primary	St Bartholomews	Downs Infant Downs Junior Balfour Primary St Bernadettes Pri	Hertford Infant Hertford Junior St Josephs Primary				Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023			60	150	30	30	240	90	600				
01 September 12 to 31 August 13	6	26	61	139	8	39	205	100	578				
01 September 13 to 31 August 14	5	31	63	136	11	51	206	109	607				
01 September 14 to 31 August 15	4	24	61	124	≤5	54	212	95	570				
01 September 15 to 31 August 16	3	21	83	118	11	60	174	98	565				
01 September 16 to 31 August 17	2	31	52	128	12	54	165	90	532				
01 September 17 to 31 August 18	1	21	70	101	12	38	169	86	497				
01 September 18 to 31 August 19	R	23	69	88	14	55	158	70	477	429	171	187	-16
01 September 19 to 31 August 20	2024	29	66	85	14	46	141	80	461	415	185	185	0
01 September 20 to 31 August 21	2025	20	66	104	9	61	139	76	475	428	173	170	3
01 September 21 to 31 August 22	2026	27	72	71	9	37	145	59	420	378	222		

Date of Birth / school year	School year in Sept 2023	BN1 8	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
5 Patcham		Patcham Infant Patcham Junior Carden Primary				Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023		150	150				
01 September 12 to 31 August 13	6	231	231	208	-58		
01 September 13 to 31 August 14	5	176	176	158	-8		
01 September 14 to 31 August 15	4	191	191	172	-22		
01 September 15 to 31 August 16	3	191	191	172	-22		
01 September 16 to 31 August 17	2	169	169	152	-2		
01 September 17 to 31 August 18	1	168	168	151	-1		
01 September 18 to 31 August 19	R	135	135	122	29	30	-2
01 September 19 to 31 August 20	2024	138	138	124	26	23	3
01 September 20 to 31 August 21	2025	115	115	104	47	54	-8
01 September 21 to 31 August 22	2026	131	131	118	32		

Date of Birth / school year	School year in Sept 2023	BN2 0	BN2 1	BN2 2	BN2 3	BN2 5	BN2 9	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
6 City East		Queens Park Pri St John the Baptist Primary			Elm Grove Primary Fairlight Primary St Martins Primary	St Marks Primary City Academy Whitehawk	Carlton Hill Primary St Lukes Primary				Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023		90			150	90	120	450				
01 September 12 to 31 August 13	6	69	63	≤5	80	149	136	497				
01 September 13 to 31 August 14	5	57	52	≤5	70	149	131	459				
01 September 14 to 31 August 15	4	48	40	≤5	85	146	124	443				
01 September 15 to 31 August 16	3	63	57	≤5	93	133	134	480				
01 September 16 to 31 August 17	2	55	56	≤5	104	139	142	496				
01 September 17 to 31 August 18	1	43	41	≤5	83	141	135	443				
01 September 18 to 31 August 19	R	42	52	≤5	100	120	131	445	401	50	61	-12
01 September 19 to 31 August 20	2024	47	62	≤5	87	129	135	460	414	36	36	0
01 September 20 to 31 August 21	2025	47	47	≤5	96	115	134	439	395	55	73	-18
01 September 21 to 31 August 22	2026	41	52	≤5	87	116	110	406	365	85		

Date of Birth / school year	School year in Sept 2023	BN2 6	BN2 7	BN2 8			Comparison with 2021 data		
7 The Deans		Rudyard Kipling Pri Woodingdean Prim	Our Lady of Lourdes Pri St Margarets Pri	Saltdean Primary	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen or fallen between 2021 and 2022
places in each school year from Sept 2023		120	60	90	270				
01 September 12 to 31 August 13	6	114	42	87	243				
01 September 13 to 31 August 14	5	132	22	95	249				
01 September 14 to 31 August 15	4	121	35	93	249				
01 September 15 to 31 August 16	3	115	38	89	242				
01 September 16 to 31 August 17	2	125	35	83	243				
01 September 17 to 31 August 18	1	105	33	70	208				
01 September 18 to 31 August 19	R	97	25	69	191	172	98	104	-6
01 September 19 to 31 August 20	2024	91	24	66	181	163	107	116	-9
01 September 20 to 31 August 21	2025	77	22	52	151	136	134	133	1
01 September 21 to 31 August 22	2026	86	30	60	176	158	112		

Date of Birth / school year	School year in Sept 2023	BN1 9	BN2 4				Comparison with 2021 data		
8 City North		Coldean Primary	Bevendean Primary Coombe Rd Primary Moulsecocomb Prim	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen or fallen between 2021 and 2022	
places in each school year from Sept 2023		60	120	180					
01 September 12 to 31 August 13	6	56	144	200					
01 September 13 to 31 August 14	5	55	162	217					
01 September 14 to 31 August 15	4	56	161	217					
01 September 15 to 31 August 16	3	52	177	229					
01 September 16 to 31 August 17	2	60	173	233					
01 September 17 to 31 August 18	1	56	132	188					
01 September 18 to 31 August 19	R	45	136	181	163	17	21	-4	
01 September 19 to 31 August 20	2024	41	147	188	169	11	16	-5	
01 September 20 to 31 August 21	2025	33	135	168	151	29	32	-3	
01 September 21 to 31 August 22	2026	35	129	164	148	32			

Primary Admissions Numbers 2025/26	Planned Admission No. 2025-26
Name of School	
Aldrington CE Primary	60
Balfour Primary	90
Benfield Primary	30
Bevendean Primary	60
Bilingual Primary	90
Brunswick Primary	90
Brackenbury Primary	30
Carden Primary	60
Carlton Hill Primary	30
City Academy Whitehawk	60
Coldean Primary	60
Coombe Road Primary	30
Cottesmore St Marys Catholic	60
Downs Infant	90
Downs Junior	128
Elm Grove Primary	60
Fairlight Primary	60
Goldstone Primary	60
Hangleton Primary	60
Hertford Infant	30
Hertford Junior *	60
Hove Junior School (Holland Road)	64
Hove Junior School (Portland Road)	128
Middle Street Primary	30
Mile Oak Primary	60
Moulsecoomb Primary	30
Our Lady of Lourdes	30
Patcham Infant	60
Patcham Junior	96
Peter Gladwin Primary	30
Queens Park Primary	30
Rudyard Kipling Primary	45
Saltdean Primary	60
St Andrew's CE Primary	90
St Bartholomew CE Primary **	30
St Bernadette's Catholic Primary	30
St John The Baptist Catholic Primary	30
St Joseph's Catholic Primary	30
St Lukes Primary	60
St Margaret's CE Primary	30
St Mark's CE Primary	30
St Martin's CE Primary	30

St Mary Magdalen Catholic Primary	30
St Mary's Catholic Primary	30
St Nicolas CE Primary	60
St Paul's CE Primary	30
St Peter's Community Primary**	30
Stanford Infant	60
Stanford Junior	96
West Blatchington Primary	30
West Hove Infant (Portland Road)	120
West Hove Infant (Holland Road)	60
Westdene Primary	60
Woodingdean Primary	45
Secondary Admission Numbers 2025-26	
	Planned admission no. 2025-26
Name of school	
Brighton Aldridge Community Academy	180
Blatchington Mill	330
Cardinal Newman Catholic	360
Dorothy Stringer	330
Hove Park	180
King's	165
Longhill High	270
Patcham High	225
Portslade Aldridge Community Academy	220
Varndean	300

* depending upon decision to become Hertford Primary school in September 2024

** depending upon decision to close these schools in September 2024

Admission Arrangements for Brighton & Hove Schools 2025/26

Admission Arrangements for Secondary Schools

The Council uses a catchment area system with random allocation being used as the tie breaker in each admission priority in the event of oversubscription. Cardinal Newman Catholic School, King's School, Brighton Aldridge Community Academy (BACA) and Portslade Aldridge Community Academy (PACA) have their own admission priorities (please visit www.brighton-hove.gov.uk/schooladmissions or the schools' websites for details).

If a school is oversubscribed, after the admission of pupils with an Education, Health and Care Plan where the school is named in the Plan, priority for admission will be given to those children who meet the oversubscription criteria set out below.

The oversubscription priorities are applied in the context of an equal preference system as required by the School Admissions Code. They are:

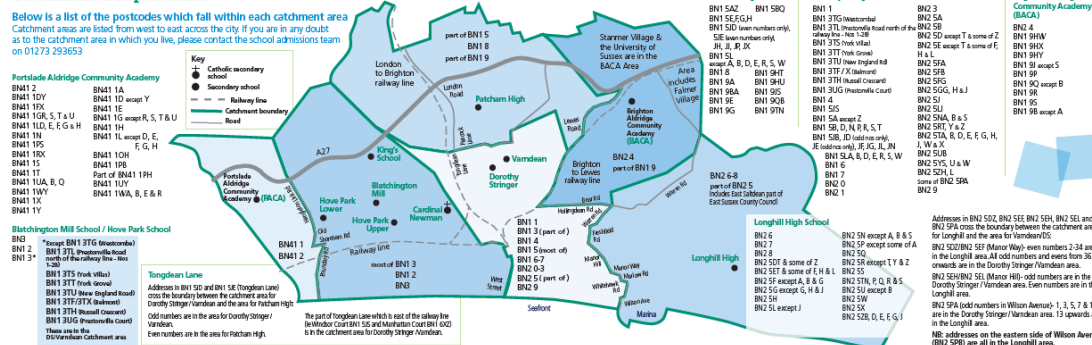
1. Looked after children and all previously looked after children, including those children who appear (to the council) to have been in state care outside of England and ceased to be in state care as a result of being adopted. *(note a)*
2. Compelling medical or other exceptional reasons for attending the school. *(note b)*
3. Children eligible for Free School Meals up to the city average. *(note c)*
4. A sibling link *(note d)* applied for those living within the designated catchment area only.
5. Those pupils living in the designated catchment area for the school(s).
6. Other children.

Within all these priorities, the tie break is random allocation.

The current catchment areas are set out in the below catchment area map. It also includes information about which post codes are in each of the catchment areas.

Catchment area postcodes

Below is a list of the postcodes which fall within each catchment area. Catchment areas are listed from west to east across the city. If you are in any doubt as to the catchment area in which you live, please contact the school admissions team on 01273 293653



Admissions Arrangements for Community Infant, Junior and Primary Schools

Parents must make a separate application for any transfer from nursery to primary school and from infant to junior school. If a school is oversubscribed, after the admission of pupils with an Education, Health and Care Plan where the school is named in the Plan, priority for admission will be given to those children who meet the oversubscription criteria set out below.

The oversubscription priorities are applied in the context of an equal preference system as required by the Admissions Code. They are:

1. Looked after children and all previously looked after children, including those children who appear (to the council) to have been in state care outside of England and ceased to be in state care as a result of being adopted. *(note a)*
2. Compelling medical or other exceptional reasons for attending the school. *(note b)*
3. Sibling link. *(note d)*
4. For junior schools only: children attending a linked infant school. *(note e)*
5. Other Children.

Within all these priorities, the tie break is home to school distance which will be measured by the shortest route from the child's home to the nearest of the school's gates. This will be measured by specialist computer software based on Ordnance Survey data. It measures using the road network supplied by Ordnance Survey and some other public rights of way which are paved and lit. Routes across public parks or open spaces will not be accepted. When using roads for measurement purposes the computer measures along the middle of the road. It measures from the address point in the property to the nearest point on the road network and from there to the nearest of the school's gates to the child's home. No other measurement systems will be used for school admissions decisions. Where the home addresses of two or more pupils are an equal distance from the school (e.g. two children living in the same block of flats) and only one place remains available at the school in question, the place will be allocated randomly by computer to one of these pupils.

Late applications

If an application is returned after the closing date without good reason it will be considered after all the on-time preferences have been dealt with and school places allocated to them.

If there is a good reason for the application being late, such as a recent house move to Brighton & Hove, it will be considered as on-time if it is received by 22 January (Secondary) or 8 March (Infant, Primary & Junior) and is accompanied by independent supporting evidence demonstrating why the form is late, e.g. solicitor's letter confirming exchange of contracts or a recently signed tenancy agreement.

Applications submitted after the closing date listing revised preferences will only be considered from mid-June onwards **unless** there has been a house move. This is to ensure that parents and carers who do this do not gain an unfair advantage over others by having the opportunity to list more than three preferences.

Home Address - The school admissions team will allocate school places using the address at which a child lives on the closing date for applications 31 October (Secondary) or 15 January (Infant, Primary & Junior) although late changes of address will be considered if proof of address is received by 22 January (Secondary) or 8 March (Infant, Primary & Junior). Only one address can be used for admission purposes even if the pupil spends equal time at two households. If it is unclear what is the pupil's main address this will be taken as the address where the child is registered with a doctor.

Deferred admission - Children start school in the school year during which they have their fifth birthday. Children are allowed to start full-time in September or can defer admission or attend part-time until they reach compulsory school age. Children become compulsory school age in the term after their fifth birthday. Children whose fifth birthday falls between 1 September and 31 December may defer or attend part time until January. Children whose fifth birthday falls between 1 January and 31 March can defer admission or attend part time until the start of the summer term. Children whose fifth birthday is between 1 April and 31 August don't become compulsory school age until the following September however they can also defer admission or attend part time until the start of the summer term. Where a place is deferred it will not be given to another child provided the place is taken up by the beginning of the school term following the child's fifth birthday and within the school year that the offer was made.

Parents can request for a 'summer born' child to start school **outside of their normal age group**, and be admitted to reception rather than Year 1 as detailed below.

Admission outside a normal age group

Parents who are applying for their child to have a decelerated entry to school, i.e. to start later than other children in their chronological age group, should initially apply for a school place in accordance with the deadlines that apply for their child's chronological age.

Parents who are applying for their child to have an accelerated entry to school, i.e. to start earlier than other children in their chronological age group, must initially apply for a school place at the same time that other families are applying for that cohort.

Applications should be accompanied with the additional form to request that the child is educated out of year group. Reasons for the request and any evidence to support the case should be included with the form. Evidence could include: information about the child's personal, social, emotional development and academic development; If relevant, medical history and views of a medical professional; whether the child has previously been educated out of year group and whether the child was born prematurely.

The admission authority, will consider each case on its merits taking into account the child's best interests and either agree or refuse the request on that basis. Where the council is the admission authority, the views of the headteacher of each school will be sought before a decision is taken. Parents will be made aware of the outcome of the request for admission out of year group before national offer day and reasons for the decision will be shared with them. Late requests will be considered up until 8 March (Infant, Primary and Junior) or 22 January (Secondary) if there is good reason why the request could not be made by the closing date for applications. Requests made after this date will not be considered until after national offer day.

Waiting lists

The council holds waiting lists for community schools, and Bilingual primary school. Pupils who have not been offered one of these schools as their first preference will have their name added to the waiting list for this school. Parents can request that their child's name is also added to the waiting list for their second and/or third preference school by contacting the school admissions team. Waiting lists are held until 31st December at which point pupils' names will be removed from the list. Parents can keep their child's name on the waiting list for the following term by contacting the admissions team in the last week of each term to request this. Pupils are added to waiting lists according to the oversubscription priorities listed above and consequently a pupil's name can move down the list as well as up. Waiting lists for secondary schools are called reallocation pools. Each time the council is able to offer a place, or places at a school with a reallocation pool, the list is re-randomised within each priority and the place(s) allocated to the child(ren) at the top of the list.

Late applicants will also be added to waiting lists as soon as possible after they apply. Late changes of preference (revised applications) will be added to the waiting list for the new preference as soon as possible from mid-June

onwards. The pupil's name will be removed from the waiting list for the previous preferences.

Notes:

- a) **Previously looked after children** - Previously looked after children are such children who were adopted (or subject to child arrangements orders or special guardianship orders) immediately following having been looked after and those children who appear (to the council) to have been in state care outside of England and ceased to be in state care as a result of being adopted. A child is regarded as having been in state care outside of England if they were in the care of or were accommodated by a public authority, a religious organisation, or any other provider of care whose sole or main purpose is to benefit society.

- b) **Exceptional Circumstances** - This priority applies to pupils with a specific need that can only be met by one school rather than any other. This could include medical or social reasons that make it essential for the child to attend a particular school. Independent supporting information must be provided from a professional, for example a doctor, consultant, social worker or other professionals working with the family which makes a compelling case as to why the child's needs can only be met at the preferred school and no other. A medical condition or diagnosis in itself will not automatically result in priority being given. Advice may be sought from the consultant community paediatrician or other relevant professionals where necessary to determine whether or not the evidence provided is sufficiently compelling to qualify under this category.

- c) **Sibling link** - For the purposes of the school admissions process, children are siblings if they share the same main address and live as part of the same household. A sibling link will apply if the sibling will be attending the school in September 2025. Where separate junior and infant schools are linked (see linked Infant/Junior school below), the sibling link will apply across both linked schools the sibling may be at either school and may be older or younger. If two children, of whom one is due to start junior school and the other infant school in the same September, the junior school child's allocation will be done first and a sibling link will count for the infant child. A sibling link is only taken into account if children live at the same main address and the sibling has already been allocated a place at the school. Twins or multiple births do not qualify for the sibling link unless one child has already been offered a place. Where a sibling attends a nursery class on the same school site, or a sixth form it will not be counted as a link for admissions purposes.

- d) **Free School Meals** – children will be considered under this priority if they are eligible for free school meals on the closing date for applications or on the date the application is submitted if it is late or outside the main admission round. The city average will be taken as

the average percentage of children eligible for free school meals for the applying cohort (this will be Y6 pupils for the main admissions round) taken from the October school census in the application year. The number of places available at each school under this priority will be calculated by applying the city average to the schools PAN.

- e) **Linked infant/Junior Schools** - Children who are attending or have been offered a place at an infant school in the list below will have priority for places at the linked junior school providing the allocation took place by 8 March in the admission year.

Downs Infant - Downs Junior

Hertford Infant - Hertford Junior

Patcham Infant - Patcham Junior

Stanford Infant - Stanford Junior

West Hove Infant Portland Road – Hove Junior Portland Road

West Hove Infant Holland Road - Hove Junior Holland Road

There is no link between West Hove Infant Holland Road and Hove Junior Portland Road, or between West Hove Infant Portland Road and Hove Junior Holland Road.

BRIGHTON & HOVE CITY COUNCIL

Scheme for co-ordinated admissions to infant, primary and junior schools – Admissions Year 2025/26 (Admissions to Reception or year 3 of Junior School in September 2025)

Introduction

The main purpose of the co-ordinated scheme is to ensure that every parent of a child living in Brighton & Hove who has completed a school preference form receives one offer of an infant, primary or junior school place. This will be on a set date following the conclusion of the normal admission round for pupils seeking admission to school. The scheme is designed to foster clear communications on school admissions between the City Council, community schools, Academies (for the purposes of this document Free Schools are included as Academies), and voluntary aided schools which act as their own admission authority, and neighbouring Local Authorities (LAs) and admission authorities. It fulfils the requirements of the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements (England)) Regulations 2012 and more detailed arrangements set out in the School Admissions Code 2021.

The scheme does not affect the rights of voluntary aided schools and Academies to set their own admission priorities and consider applications on the basis of those priorities. It is intended to set out a process and time scale for the exchange of pupil information between the parties to the scheme, resulting in the offer of a single school place. This should represent a preference listed by the parent /carer following the application of the admission priorities by the Local Authority (LA) or by own admission authority schools. Where it is not possible to allocate a place at any of the preferred schools for a child living in Brighton & Hove, a place will be offered at the nearest school to their home address within the city boundaries with a place available. This will not preclude parents from seeking an alternative place elsewhere if they are unhappy with the offer, nor will it prevent them from lodging an appeal with the admission authority for their preferred school.

All residents of Brighton & Hove should apply using the City Council's common application form (online or paper) even if they are seeking a place at a maintained school in the area of another Council.

The time scales set out in the scheme will be broadly in line with the time scales used by neighbouring LAs. **Please be aware that governing bodies for VA schools and Academies will need to meet between 24 February 2025 and 10 March 2025 when the ranking order needs to be returned to the Local Authority.**

Key dates

- | | |
|--|------------------|
| • Online application facility available | 1 September 2024 |
| • Closing date for applications | 15 January 2025 |
| • Preference data exchanged with Voluntary | 24 February 2025 |

- aided schools and other LAs.
- Consider qualifying late applications. 08 March 2025
- Voluntary Aided schools provide Council with provisional ranking order of all applicants. 10 March 2025
- Finalise allocations and exchange offer details with neighbouring LAs Between 24-28 March 2025
- Offer details provided to schools 15 April 2025
- Notification e-mails sent to parents, decisions posted to applicants without an email address 16 April 2025
- Deadline date for acceptance of places 30 April 2025
- Deadline for acceptance of places and appeals to be heard in the main round. 20 May 2025

Process and detailed time scale – infant, junior and primary schools

1. The school admissions guidance published by the City Council will be distributed on request to parents/carers applying for infant or primary school places. A publicity campaign will be launched in September 2024 encouraging parents to apply online. Posters will be sent to schools, other council services, early years settings, the press and other media to remind parents of those pupils requiring a school place to apply.
2. Parents/carers will be invited to list 3 preferences for a school place ranked in order of priority. These may be at a City Community School, an academy, a free School or a voluntary aided school, or any maintained school outside the City of Brighton & Hove. Those residents in the City must use the Brighton & Hove school admission preference form to indicate their preferred schools, either online or by completing a paper form. No other form of application will be valid. The LA allocates places on the basis of equal preferences, and each preference listed will be prioritised on the basis of the published admission priorities for community and own admission authority schools. If it is possible to offer more than one place on the basis of those priorities, the one ranked higher on the application will be offered.
3. Parents and carers are strongly advised to apply online through the facility available on the Brighton & Hove City Council website. This will provide them with a response which confirms their preference listing and acts as proof of application. Alternatively, the paper form should be completed and returned to their local infant/primary school or to the Admissions Team at Hove Town Hall, Hove **by 15 January 2025**.
4. Where, as part of its admission priorities a voluntary aided school requires additional supporting information, such as a Supplementary Information form, or proof of denominational commitment, that form or proof should be completed and returned to the school by the same closing date. This is to ensure that target dates for the exchange of pupil information and the notification date for parents/carers can be met.
5. Parents are encouraged to apply online however, if using an application form rather than the online application parents and carers are strongly

advised to return their application via a preferred school. Parents who post the form should understand that proof of posting is not proof of receipt, and they will not have confirmation in the same way as those applying online or returning the form to a school. All maintained infant and primary schools in the city will return preference forms to the LA as they are received, ideally scanned and sent by email. Schools should maintain a record of the date on which each form was received, and if required will provide proof of receipt to the parent/carer. This ensures that on time applications and late applications are clearly recorded as such. It also provides assurance for parents should the school or the LA subsequently mislay the form.

6. No later than 24 February 2025

- ❖ LA will identify the numbers of preferences (first, second and third) received for each school.
- ❖ Voluntary aided schools, free schools and academies will be provided with details of parental preferences where their school is given as a preference. They will apply oversubscription criteria to prioritise all preferences. Where pupils have an Education, Health & Care Plan (naming the school) and must be offered a place this will be indicated. These pupils must be given a place at the school in accordance with the SEN and Admissions Code. This applies to all maintained schools, free schools and Academies.
- ❖ West and East Sussex and other LA's as necessary will be forwarded the details of preferences expressed for their schools by Brighton & Hove parents/carers (first, second and third). Where the pupil has an Education, Health & Care Plan this will be indicated.
- ❖ West and East Sussex will be asked to provide a list of pupils living in those areas who have expressed a preference for a Brighton & Hove school (first, second or subsequent).

7. No later than 10 March 2025

- ❖ Voluntary aided schools, free schools and academies will provide the LA with a list showing children in priority order for places at the school. The list will show which oversubscription criterion was applied to each child, and relevant information to apply any necessary tie-break. The school will advise the LA of such additional information as is necessary to inform parents of the reason for its decision when allocation letters and emails are sent on 16 April 2025.
- ❖ Brighton & Hove will apply its admission priorities to all preferences received for community schools, and where the children are resident in other LAs, will inform that LA.
- ❖ Consideration will be given to qualifying late applications received before 8 March 2025.

8. Between 24 and 28 March 2025

- ❖ Brighton & Hove will establish whether more than one offer could be made on the basis of the application of its own admission priorities and those of voluntary aided schools, free schools, academies and other

LAs. It will determine in each case which is the highest parental ranking.

- ❖ Final lists of school allocations will be prepared.
- ❖ Emails to parents/carers will be prepared.
- ❖ Discussions will take place with other admission authorities as necessary to resolve any remaining unallocated applications.
- ❖ Neighbouring LAs will be sent final details of children living in their area offered a place at a Brighton & Hove school, and for whom they will need to send allocation letters.

9. 16 April 2025

Online applicants will receive their decisions by e-mail. Letters will be sent only to parents/carers who do not have an email address. The LA email or letter to parents will contain the following:

- ❖ If they have not been allocated a school of preference, the reason why not.
- ❖ How places at the preferred schools were allocated.
- ❖ Where it is an own admission authority school, the fact that the offer is made on behalf of the governing body of the school.
- ❖ Where it is a school maintained by another LA, the fact that the offer is made on behalf of that LA.
- ❖ The right of appeal to an independent panel, and how to arrange an appeal for a community school or a voluntary aided school.
- ❖ Details about waiting lists for preferences that could not be met.

10. 30 April 2025

Parents and carers should accept offers of places by this date in order to allow schools and the LA ample planning time for the new intake. This does not affect their right to appeal if the place they are accepting is not their highest preference.

11. 20 May 2025

Parents should also have exercised their right to appeal by this date if they want to be assured of having their appeal heard in the main round of appeals.

12. Proof of address

The LA may require parents/carers to provide proof of address if they are applying for a community school place. Own admission authority schools may also request proof of address from their applicants.

Appendix A – Changes of address and late applications

New arrivals in the city

Parents/carers moving into the City in the course of the admission process who are making an application on the basis of their new address must provide evidence of either a tenancy agreement of six months or more or an exchange of contracts if they are purchasing a property. Applicants should submit their

application by the closing date if possible, especially if their move took place before the closing date, forwarding proof of the move at the earliest opportunity. If they provide an application with the evidence of the move by 8 March 2025 their application will be included in the main admission round.

Late applications received before national offer day

- I. With the exception of families moving into the area and cases as described at VI below, applications received after the closing date will not be considered by the LA until allocations have been made for those received before the closing date. Any received for an own admission authority school will be forwarded to the school. The school will decide whether or not there is a good reason to include these late applications in the main admission round but will only consider them if they are received before **8 March 2025**.
- II. Any applications received for community schools in respect of children in care will be included in the main admission round as valid preference at any time up to **4 April 2025**. Where such applications are received after that date, the LA will, if attendance at that school is seen as a necessity for the welfare of the child, seek to offer places at the school ranked highest on the preference form. If, however, it is acceptable to offer a place at a lower ranked school without going over numbers, the LA will discuss that possibility with the social worker for the child. Applications to voluntary aided schools, free schools and academies received on behalf of children in public care will be considered in line with the published admission policy for each school and the requirements of the School Admission Code.
- III. Applications received after the closing date but before the 8 March 2025 will be sent a letter or email allocating a school place on 16 April 2025 or as soon as possible after that date if the volume of late applications is high.
- IV. Applications received after 8 March 2025 will be sent an allocation letter or email as soon as possible after 30 April 2025.
- V. Parents/carers living in the City who change any preference as a result of a change of address, and who return the new application by **8 March 2025** will have that change considered in the main round of allocations. They will have to provide evidence of their new address and will not have their changed application accepted without that evidence.
- VI. Other late applications where there is a good reason for this will be considered in the main round of allocations if received by **8 March 2025** where independent evidence is given by a third party (usually a professional source such as a doctor or social worker) to support the reason for the delay.

Late applications received after national offer day

- I. Where an application is received after the allocation date, from a parent/carer living in the City, they must use the Brighton & Hove online application or paper form. If the preference(s) is for a community school, the LA will allocate a place if the school remains under subscribed. If the school(s) is fully subscribed, a place will be allocated at the nearest school

to the home address that has a vacancy. Brighton & Hove will seek to make a decision as soon as possible after receiving the form. Where a preference is given for an own admission authority school or a school in a neighbouring LA, the form will be passed to that admission authority for a decision. They will be asked to reach a decision within fourteen days of receiving the application. Brighton & Hove will endeavour to send a decision to the parent /carer either as soon as possible once it has reached a decision or has been informed of a decision by the other admission authority.

- II. If a change of preference is received following the decision letter on **16 April 2025** and the home address has not changed, that changed preference will not be considered until **mid-June 2025**. This allows reasonable time for the consideration of late first applications and the operation of the waiting list where places have been offered and refused.
- III. All applications received after 31 August 2025 will be regarded as outside this admission round and will be considered under the in-year coordinated scheme.

Waiting List

- I. Brighton & Hove will operate a waiting list system for its community schools. (Own admission authority schools make their own waiting list arrangements). The waiting list ranking will be based on the LA admission criteria. Rankings within each priority will be determined by home to school distance. All children will be automatically placed on the waiting list for the community school for which they have expressed a first preference, although parents will be given the option of also asking to go on the waiting list for a different preferred school when places are allocated on **16 April 2025**. Places will start to be offered from the waiting lists after 30 April 2025. Places will be offered to children from the waiting list as soon as a place becomes available at an oversubscribed school and the admission criteria have been applied. The waiting list will operate until the 31 December 2025.
- II. Parents/carers wishing to keep their child's name on the list for longer than the 31 December they must inform the LA. They must renew the waiting list place each term thereafter.

School Admission Appeals

- I. Parents/carers wishing to appeal against the LA's decision not to offer a place at a preferred school should do so by **20 May 2025** if they want to be assured of having their appeal heard in the main appeal round.
- II. The LA will not arrange an appeal or ask a voluntary aided school to arrange an appeal for a school that was not included on the original application. It will only arrange an appeal for a school which was listed as a preference, as it will not have given a decision to the parent/carers for schools not included on the form. If a parent/carers wishes to receive a decision for a school not included in their original application,

and thus acquire a right of appeal, they must complete a further application. However, unless there is a good reason for a change of preference this new form will not be considered until **mid-June 2025**.

- III. Parents/carers will receive 10 school days notice of the date of the appeal hearing and will receive copies of any documentation relating to the appeal 7 days in advance of the hearing.
- IV. Appeals for on-time applications must be heard within 40 school days of the closing date for appeals to be lodged. The volume of appeals to be heard and the availability of the appeal panel members, who are volunteers, will have a direct effect on the timing of the appeal hearings.
- V. Appeals for late applications and school transfers outside the normal admission round will be arranged as soon as practicable after the decision to refuse a preference has been conveyed to the pupil and the parent/carer, and in any case within 30 school days.

BRIGHTON & HOVE CITY COUNCIL

Scheme for co-ordinated admissions to secondary schools – Admissions Year 2025/26 (Admissions to year 7 in September 2025)

Introduction

The main purpose of the co-ordinated scheme is to ensure that every parent of a child living in Brighton & Hove who has completed a school preference form receives one offer of a secondary school place at the conclusion of the normal admission round for pupils transferring from primary to secondary school. The scheme is designed to foster clear communications on school admissions between the City Council, community schools, Academies (for the purposes of this document Free Schools are included as Academies), Cardinal Newman School, which as a voluntary aided secondary school acts as its own admission authority, and neighbouring Local Authorities (LAs) and admission authorities. It fulfils the requirements of the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements (England)) Regulations 2012 and more detailed arrangements set out in the School Admissions Code 2021.

The scheme does not affect the rights of the different admission authorities mentioned to set their own admission priorities and consider applications on the basis of those priorities. It is intended to set out a process and time scale for the exchange of pupil information between the parties to the scheme, resulting in the offer of a single school place. This should represent a preference listed by the parent/carer that it is possible to meet following the application of the admission priorities by this LA or by other admission authorities. Where it is not possible to allocate a place at any of the preferred schools for a child living in Brighton & Hove, a place will be offered at the nearest school to their home address within the city boundaries with a place available. This will not preclude parents from seeking an alternative place elsewhere if they are unhappy with the offer, nor will it prevent them from lodging an appeal with the admission authority for their preferred school.

All residents of Brighton & Hove should apply using the City Council's common application form (online or paper) even if they are seeking a place at a maintained school in the area of another Council.

The time scales set out in the scheme work towards the prescribed date (1st March or the first working day following 1st March where it falls at a weekend) on which secondary school place decisions must be notified to parents/carers. It will also be broadly in line with the time scales used by neighbouring LAs.

Key dates

- Online application facility available 1 September 2024
- Provide information for Junior & Primary schools to notify year 6 parents of the need to apply by 12 September 2024
- Closing date for applications 31 October 2024

- Preference data exchanged with own admission authority schools (Cardinal Newman, King's, BACA & PACA) and neighbouring LAs 2 December 2025
- Own admission authority schools provide LA with provisional ranking order of applicants. 20 December 2025
- Consider qualifying late applications. 22 January 2025
- Finalise allocations and exchange offer details with neighbouring LAs 3 - 7 Feb 2025
- Offer details provided to schools 26 February 2025
- Notification e-mails sent to parents, decisions posted to applicants without an email address 3 March 2025
- Deadline date for acceptance of places 17 March 2025
- Deadline for appeals to be heard in the main round. 28 March 2025

Process and detailed time scale

1. Information about the application process and how to apply will be distributed to parents via primary and junior schools at the beginning of September 2024.
2. Parents/carers will be invited to list 3 preferences for a school place ranked in order of priority. These may be at a City Community School, an Academy, a Free School or a voluntary aided secondary school, or any maintained school outside the City of Brighton & Hove. All residents in the City must use the Brighton & Hove school admission to indicate their preferred schools, either the paper or online form. No other form of application will be valid. The LA allocates places on the basis of equal preference, and each preference listed will be prioritised in accordance with the published admission priorities for community and own admission authority secondary schools in the City. If it is possible to offer more than one place on the basis of those priorities, the one ranked higher on the application will be offered.
3. Parents and carers are strongly advised to apply online through the facility available on the Brighton & Hove City Council website. This will provide them with a response which confirms their preference listing and acts as proof of application. Alternatively, the paper form should be completed and returned to the child's primary or junior school in the City, or to the Admissions Team at Hove Town Hall **by 31 October 2024**. Applicants for Cardinal Newman and/or King's School will need to return their supporting information directly to the school as well as submitting an online application or paper form to the Council. If supporting information is returned to the Local Authority, the documents will be shared with these schools.
4. Where, as part of its admission priorities a voluntary aided school, free school or academy within the City or beyond requires additional supporting information, such as a Supplementary Information form, or proof of denominational commitment, that form or proof should be completed and returned to the school by the same closing date. This is to ensure that

target dates for the exchange of pupil information between authorities and the notification date for parents/carers can be met.

5. Parents are encouraged to apply online. If using an application form rather than online application parents and carers whose children attend maintained primary schools in the City are strongly advised to return the form via the school. Parents who prefer to post the form should understand that proof of posting is not proof of receipt, and they will not have confirmation of receipt in the same way as those applying online or returning the form to their child's school. All maintained junior and primary schools in the city will return secondary preference forms they receive to the LA as they are received, ideally scanned and sent by email. Schools should maintain a list to record the date on which each form was received, the school preferences, and if required will provide proof of receipt to the parent/carer. This ensures that on time applications and late applications are clearly recorded as such. It also provides assurance for parents should the school or the LA subsequently mislay the form.

No later than 2 December 2024

- ❖ LA will identify the number of preferences (first, second or third) received for each school.
- ❖ Own admission authority schools will be provided with details of any parental preference where it gives the school as a preference (first, second or third) received by the LA. It will apply its oversubscription criteria to prioritise all preferences. Where pupils have an Education Health & Care Plan naming the school and must be offered a place this will be indicated. (These pupils must be given a place at the school in accordance with the SEN and Admissions Codes of Practice.)
- ❖ West and East Sussex and other LA's as necessary will be forwarded the details of preferences expressed for their schools by Brighton & Hove parents/carers (first, second and third). Where the pupil has an Education, Health & Care Plan this will be indicated.
- ❖ West and East Sussex will be asked to provide a list of pupils living in those areas who have expressed a preference for a Brighton & Hove school (first, second or subsequent).

No later than 20 December 2024

- ❖ Own admission authority schools will provide the LA with a list showing children in priority order for places at the school. The list will show which admission criterion was applied to each child. The school will advise the LA of such additional information as is necessary to inform parents of the reason for its decision when allocation letters and emails are sent on 3 March 2025.
- ❖ Brighton & Hove will apply its admission priorities to all preferences received for community schools, and where the children are resident in other LAs, will inform that LA.

Between 3 and 7 February 2025

- ❖ Brighton & Hove will establish whether more than one offer could be made on the basis of the application of its own admission priorities and

those of voluntary aided schools, free schools/Academies and other LAs. It will determine in each case which is the highest parental ranking.

- ❖ Final lists of school allocations will be prepared.
- ❖ Emails and letters to parents/carers will be prepared.
- ❖ Consideration will be given to late applications received before 22 January, as set out in Appendix A below.
- ❖ Neighbouring LAs will be sent final details of children living in their area offered a place at a Brighton & Hove school, and for whom they will need to send allocation letters.

3 March 2025

Online applicants will receive their decisions by e-mail. Letters will be sent only to parents/carers who do not have an email address. The LA email or letter to parents will contain the following:

- ❖ If they have not been allocated a school of preference, the reason why not.
- ❖ How places at all Brighton & Hove schools were allocated.
- ❖ Where it is an own admission authority school, the fact that the offer is made on behalf of the governing body of the school.
- ❖ Where it is a school maintained by another LA, the fact that the offer is made on behalf of that LA.
- ❖ The right of appeal to an independent panel, and how to arrange an appeal for a community school, a voluntary aided school, and in the case of Academies, Free schools, and schools in other LA's who to contact.
- ❖ Details about waiting lists and reallocation pools for preferences that could not be met.

17 March 2025

Parents and carers should accept offers of places by this date in order to allow schools and the LA ample planning time for the new intake. This does not affect their right to appeal if the place they are accepting is not their highest preference.

28 March 2025

Parents should have exercised their right to appeal by this date if they want to be assured of having their appeal heard in the main round of appeals.

Proof of address

The LA may require parents/carers to provide proof of address if they apply for a place at a community school. Own admission authority schools may also request proof of address from their applicants.

Appendix A – Changes of address and late applications

New arrivals in the city

Parents/carers moving into the City in the course of the admission process who are making an application on the basis of their new address must provide evidence of either a tenancy agreement of six months or more or an exchange of contracts if they are purchasing a property. Applicants should return their preference form by the closing date if possible, especially if their move took place before the closing date, forwarding proof of the move at the earliest opportunity. If they provide the form and the evidence of the move by 22 January 2025 their application will be included in the main admissions round.

Late applications received before the 22 January 2025.

- I. With the exception of families moving into the area and cases as described at V below, applications received after the closing date will not be considered by the LA until school allocations have been made for those received by the closing date. Any applications received for own admission authority schools will be forwarded to the school, which will decide whether or not to include the application in the main admission round.
- II. Any preference forms for community schools received in respect of children in care will be included in the main admission round as valid first preferences at any time up to the allocation date on **21 February 2025**. Where such applications are received after that date, the LA will, if attendance at that school is seen as a necessity for the welfare of the child, seek to offer places at the school of first preference, if necessary negotiating with that school to admit beyond the published admission number in order to do so. If, however, it is acceptable to offer a place at a lower ranked school without going over numbers, the LA will discuss that possibility with the social worker for the child. Applications for own admission authority schools and schools in other LA areas for children in care will be considered in line with the admission arrangements for those schools and the requirements of the Admissions Code.
- III. Applications received after the closing date but before the 22 January 2025 will be sent a letter or email allocating a school place on 3 March 2025 or as soon as possible after that date if the volume of late applications is high.
- IV. Parents/carers living in the City who change a preference as a result of a change of address within the city, and who submit the new application and evidence of the address change will have that change considered in the main round of allocations if it is received by **22 January 2025**. They will have to provide evidence of the address change. Those applications received after that date will be considered as late applications.
- V. Other late applications where there is good reason for the delay will be considered in the main round of allocations if received by **22 January 2025** where independent evidence is given by a third party (usually a professional source such a doctor or social worker) to support the reason for the delay.

Late applications received after the 22 January 2025.

- I. Applications received after 22 January 2025 will be sent a letter or email allocating a school place as soon as possible after 17 March 2025.
- II. Where an application is received after 22 January 2025, from a parent/carer living in the City, they must use the Brighton & Hove online application service or paper preference form. If the preference(s) is for a community school, the LA will allocate a place if the school remains under subscribed. If the school(s) is fully subscribed, a place will be allocated at the nearest school to the home address that has a vacancy. Brighton & Hove will seek to make a decision as soon as possible after receiving the application. Where a preference is given for a free school, an Academy, Cardinal Newman School or a school in a neighbouring LA, the form will be passed to that admission authority for a decision. They will be asked to reach a decision within fourteen days of receiving the application. Brighton & Hove will endeavour to send a decision to the parent /carer as soon as possible once it has either reached a decision or been informed of a decision by the other admission authority.
- III. If a change of preference or preference order is received following the decision letter on 3 March 2025 and the home address has not changed (and there has been no other relevant change of circumstances), that changed preference will not be considered until mid-June 2025. This allows reasonable time for the consideration of late first applications and the operation of the reallocation pool where places have been offered and refused.
- IV. All applications received after 31 August 2025 will be regarded as in-year applications and outside this admission round.

Re-allocation Pool

- I. Brighton & Hove will operate a re-allocation pool system for its community schools. The ranking of re-allocation pools will be based on the Brighton & Hove admission criteria. All children will be automatically placed in the re-allocation pool for all un-met first preferences for community schools. Parents/carers will be asked to indicate if they also wish to be placed in the re-allocation pool for a different preferred school when the allocation emails and letters are sent on 3 March 2025. Places will be offered to children from the pool as soon as a place becomes available at an oversubscribed school and the admission priorities have been applied. This LA will notify other LAs as appropriate if it offers a place from the pool at a Brighton & Hove school to a pupil living outside the City. The pool will operate until the 31 December 2025.
- II. Own admission authority schools (BACA, PACA, Cardinal Newman and Kings) and other local authorities will operate their own waiting list/reallocation arrangements. If they are able to place a child resident in Brighton & Hove in one of their schools, they are asked to notify this LA at the earliest opportunity.

- III. Parents/carers wishing to keep their child's name in the reallocation pool beyond the 31 December must inform the LA. They must renew the position on the reallocation pool each term thereafter.

School Admission Appeals

- I. Parents/carers wishing to appeal against the LA's or a voluntary aided school's decision not to offer a place at a preferred school should do so in writing or using the online appeal facility by 28 March 2025 if they want to be assured of having their appeal heard in the main appeal round.
- II. The LA will not arrange an appeal or ask an own admission authority school to arrange an appeal for a school that was not included on the original application. It will only arrange an appeal for a school that was listed as a preference, as it will not have given a decision to the parent/carer for schools not included on the application. If a parent/carer wishes to receive a decision for a school not included in their original preferences, and thus acquire a right of appeal, they must complete a further application. However, unless there is a change of address or other change of circumstances leading to the change of preference this new form will not be considered until mid-June 2025.
- III. Parents/carers will receive 10 school days notice of the date of the appeal hearing and will receive copies of any documentation relating to the appeal 7 days in advance of the hearing.
- IV. Whilst the City Council, other LAs and the Governing Bodies of Academies and voluntary aided schools will make every effort to hear appeals within 40 school days of the deadline for submitting appeals, as suggested in the Appeals Code, they cannot guarantee this time scale. The volume of appeals to be heard and the availability of the appeal panel members, who are volunteers, will have a direct effect on the timing of the appeal hearings.
- V. Appeals for late applications and school transfers outside the normal admission round will be arranged as soon as practicable after the decision to refuse a preference has been conveyed to the parent/carer or if appropriate to the student, and in any case within 30 school days of the appeal being lodged.

Equality Impact and Outcome Assessment (EIA) Template - 2019

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users¹. They analyse how all our work as a council might impact differently on different groups². They help us make good decisions and evidence how we have reached these decisions³.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age¹³) or use the hyperlinks ('Ctrl' key and left click).

For further support or advice please contact:

- **BHCC: Communities, Equality and Third Sector Team on ext 2301**
- **CCG: Engagement and Equalities team (Jane Lodge/Debbie Ludlam)**

1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed⁴.

Title of EIA⁵	Consultation on Council's Admission Arrangements 2025/26	ID No.⁶	
Team/Department⁷	Families, Children & Learning – Education & Skills		
Focus of EIA⁸	<p>Any proposed changes to the council's admission arrangements which includes reducing a school's Published Admission Number (PAN) is required to be consulted upon for a minimum of 6 weeks between October and 31st January approximately 18 months in advance of taking effect. Admission arrangements and each school's PAN for September 2025 will be consulted upon 7 November 2023 to 22 December 2023 with the results of this consultation being presented to the Children, Families & Schools Committee on 8 January 2024.</p> <p>The aim of the consultation process is to seek the views of other admission authorities, adjoining neighbouring local authorities, schools' governing bodies, parents of children between the age of 2 and 18 and any other people who are interested in the admission arrangements.</p>		

Pupil numbers in the city have been falling and are forecast to continue to fall over the next few years. Too many spare school places in the city will result in some schools not getting enough pupils attending. As schools are mostly funded on pupil numbers, if schools don't have enough pupils attending, they may not be able to operate in a financially efficient way. The law prohibits infant school classes larger than 30 pupils and if schools are required to operate small classes, they may not be able to afford to employ the required number of teachers.

The changes proposed in this consultation are the reduction of PAN at Brunswick Primary School, Goldstone Primary School, Patcham Infant School, Queens Park Primary School, Rudyard Kipling Primary School, Saltdean Primary School, Stanford Infant School, St Lukes Primary School and Woodingdean Primary School.

The council's aim with these proposals is to continue reducing the number of surplus places in the city and the associated risk of a school or schools being forced into financial difficulty. This both risks schools incurring a deficit budget, which has implications for the council's own budget and will impair the quality of education that they can provide.

This Equalities Impact Assessment is looking at the consultation process to ensure that it is conducted fairly and has engaged with the public appropriately.

3. Review of information, equality analysis and potential actions

Groups to assess	What do you know ⁹ ? Summary of data about your service-users and/or staff	What do people tell you ¹⁰ ? Summary of service-user and/or staff feedback	What does this mean ¹¹ ? Impacts identified from data and feedback (actual and potential)	What can you do ¹² ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age ¹³	<p>Parents of children between the age of 2-18 need to be consulted.</p> <p>Changes will affect parents of children born between 1/09/2020 and 31/08/2021 who are due to start school in September 2025.</p> <p>There are projected to be 2177 children in this age bracket, and it is estimated 1959 will require a mainstream school place.</p> <p>When applying for a first school place between 95% and 98% did so online each year from 2021.</p>	<p>The consultation in 2021 received 451 responses through the consultation portal. 79% of responders provided their age with the youngest being 20 and the oldest over 79.</p> <p>Out of the responses in 2021 where age was provided 3% were under 30. 30% were aged between 30-39; 39% aged between 40-49; 5% were aged between 50-59 and 2% were 60 or older.</p> <p>The consultation in 2020 received 802 responses in total however only 15% of responders provided their age with the youngest being 18 and the oldest over 70.</p> <p>Out of the responses in 2020 where age was</p>	<p>When considering the responders who provided an age, there was a decrease in the percentage of younger parents responding to the consultation in 2021 compared to previous years.</p> <p>Respondents aged between 30 and 49 accounted for about 60% of the responses.</p> <p>Younger parents are increasingly using the online system to apply for school places.</p>	<p>Further engagement with childcare providers and nurseries in the city to continue to engage younger parents and parents of younger children.</p> <p>Liaise with support services such as Parenting Team, Family Coaches and Youth Employment Service to continue encouraging participation from younger parents.</p> <p>Greater use of social medial platforms and online promotion to reach younger parents in conjunction with traditional methods of promotion.</p> <p>Consideration of timing of any public consultation events so parents with young families can</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
		provided 14% were under 30. 12% were aged between 30-39; 29% aged between 40-49; 22% were aged between 50-59 and 14% were 60 or older.		attend.
Disability¹⁴	Children with Special Educational Needs and Disabilities (SEND) who have an Education, Health & Care Plan would be placed in school under the SEND code of Practice by the SEN team and normal admission arrangements and PANs would not apply.	<p>Consultation in 2021, 8% identified as having a disability. Nearly 68% did not consider themselves to have a disability and 24% did not provide an answer to this question.</p> <p>Consultation in 2020, less than 1% identified as having a disability. 11.5% did not consider themselves to have a disability and 87.7% did not provide an answer to this question.</p> <p>There were no requests last year for consultation documentation in alternative formats and all responses were submitted online or by</p>	<p>Parents of children with a disability may be more interested in SEND processes than mainstream school admission arrangements.</p> <p>Disabled parents could find it harder to respond through the online consultation portal or attend an event in person.</p> <p>Parents with children who have a disability may not be able to attend a consultation event in person.</p> <p>Parents with disabled children or who have a disability themselves may not be able to travel a</p>	<p>Consultation documentation should be available in other accessible formats, and this should be advertised more widely.</p> <p>Parents who are unable to attend a public meeting will be able to access information online or over the telephone or attend a virtual meeting.</p> <p>If consultation events are held online relevant information should be available to be viewed after the event.</p> <p>Nurseries will be encouraged to identify families who need additional support to</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
		email.	distance to take their child to a school place.	<p>access the information materials.</p> <p>The council will also liaise with PaCC and Amaze and any adult/parent disability groups.</p> <p>There needs to be sufficient school places within a reasonable distance of families including those families who have someone with a disability living with them.</p>
Gender reassignment¹⁵	There are currently no disproportionate impacts identified for this group.	Schools in the city work closely with Allsorts to understand the complex needs of gender diverse children and young people.	The needs of any impacted within this cohort will be taken into consideration using policy and the Trans Toolkit.	A package of support is provided to the schools via Brighton & Hove's Trans Toolkit which will be adapted to meet the individual needs of children and young people.
Pregnancy and maternity¹⁶		Parents who are pregnant or on maternity leave may find it difficult to get older children to school.	There needs to be sufficient places within a reasonable distance from families where there is a pregnant adult or an adult on maternity leave.	Consideration needs to be given to ensuring that there are enough school places within a reasonable distance from families where there is a

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
			Pregnant people could find it harder to attend an event in person.	pregnant adult or an adult on maternity leave.
Race/ethnicity¹⁷ Including migrants, refugees and asylum seekers	<p>The data available for pre-school pupils indicates an increasing percentage of ethnic minority children for the city in general.</p> <p>There is no comprehensive race/ethnicity data available for the cohort due to start school in September 2024.</p> <p>In 2021 allocation year 27.8% of all applications were from ethnic minority families and there is no ethnicity information for a further 11% of applicants.</p> <p>33% of late school applications were submitted by ethnic minority families and for a further 19% there is no</p>	<p>Consultation on admission arrangements conducted in 2021, 18% out of the 451 respondents identified as other than white British. 17% of respondents did not answer this question or did not want to specify their ethnicity.</p> <p>For the consultation in 2020, 3% identified as other than white British and 9% identified as white British. 88% of respondents did not answer this question or did not want to specify their ethnicity</p> <p>Feedback from the Ethnic Minority Achievement Service (EMAS) in relation to the 2020 consultation indicated</p>	<p>In some allocation years a higher percentage of pupils from ethnic minorities apply late or are directed to a school that was not a preference.</p> <p>There was an increased percentage of ethnic minority respondents for last year's consultation process compared to previous years.</p> <p>Interested parties from other race/ethnic groups could find it harder to respond through the online consultation portal or attend an event in person.</p>	<p>Important to ensure that there are some surplus places in each planning area so there are local school places available for any late applicants.</p> <p>Explore further other methods of engagement with ethnic minority communities to further increase responses to the consultation. Continue Including the use of the EMAS service to reach out to communities to communicate the proposals in the consultation and the potential impact on their community.</p> <p>Highlight that there is a translation function on the council's website so</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	ethnicity information. 76.4% of ethnic minority families who applied received their first preference school compared to 82% of white British families.	that many parents from ethnic minorities or with English as an additional language found the consultation confusing even with assistance. There was a reluctance to participate from some groups as they felt that it didn't affect them partly due to the uncertainty of the housing situations so children may have to move schools anyway and they trust that whatever school parents get it will be a good school. The difficulty of not being able to attend a local school was however identified as a potential problem.		that consultation information can be viewed in different languages. Hard copy consultation materials to be made available in different languages as required.
Religion or belief¹⁸	There are only Church of England and Catholic faith schools within the city. These schools can prioritise children of the faith above other children. A number of these schools do prioritise children of other	There is little information on this. Some parents will seek a secular education for their child whilst others will want their children taught in line with their religious belief. 79% of responders to the	All schools identified for a reduction in PAN are community schools and this could potentially have a disproportionate impact on pupils with no faith.	Faith schools in the city are responsible for their own admission arrangements and the council cannot consult on changes to their PAN. The council will need to ensure that there are

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	<p>faiths above children of no faith. None of the faith schools are proposing a reduction in PAN for September 2025.</p> <p>22% of first preference applications for September 2023 were for church aided schools and 78% expressed a first preference for secular schools.</p>	<p>consultation in 2021 indicated they have no particular religious belief, did not answer the question or preferred not to say.</p>		<p>sufficient secular school places available for all residents who require one within a reasonable distance.</p> <p>Consultation events will take place in secular buildings wherever possible.</p>
Sex/Gender¹⁹	<p>There are no single sex, maintained schools in the city. Admission arrangements do not take into consideration the gender of the child.</p>	<p>61% of responses to the 2021 consultation were submitted by females and 19% by males. 20% did not answer or preferred not to say.</p> <p>10% of responses to the 2020 consultation were submitted by females and 3% by males. 87% did not answer or preferred not to say.</p>		
Sexual orientation²⁰	n/a			

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Marriage and civil partnership²¹	n/a			
Community Cohesion²²	<p>The schools identified in the consultation are in different planning areas and serve different communities within in the city.</p> <p>Brunswick Primary School has 2% of pupils within the 10% most deprived areas of Britain and 4% of pupils within the 20% most deprived areas of Britain.</p> <p>Goldstone Primary School has 1% of pupils within the 10% most deprived areas of Britain and 13% of pupils within the 20% most deprived areas of Britain.</p> <p>Patcham Infant School & Stanford Infant Schools have 1% of pupils within</p>	<p>House prices surrounding popular schools can be inflated, due to increased demand on accommodation close to popular schools.</p> <p>Parents from some socio-economic groups are better able to lobby and to instigate a cohesive community response to the proposals that may disproportionately influence the decision making about which schools will have their PAN reduced.</p> <p>Some communities may not be adequately represented in public meetings or in the responses to the consultation.</p>	<p>Can have an implication on the pupils offered a place at these schools as families who cannot afford to move close to oversubscribed schools are unable to obtain a place there.</p> <p>Responses to this consultation need to be considered based on the content not just quantity of replies as some areas in the city due to the nature of the community will provide significantly more replies and in a variety of ways.</p>	<p>Consideration of admission arrangements and tie break to remove advantage to families who are in the financial position to move close to popular schools in order to increase chance of obtaining a place.</p> <p>Encourage communities in all areas of the city to engage in the consultation process and provide alternative methods for them to respond.</p> <p>Take consideration of the impact of any change in PAN may have on a school in relation to the composition of pupil cohorts and their families to promote a comprehensive education offer.</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	<p>the 10% most deprived areas of Britain and 2% of pupils within the 20% most deprived areas of Britain.</p> <p>Queens Park Primary School has 21% of pupils within the 10% most deprived areas of Britain and 30% of pupils within the 20% most deprived areas of Britain.</p> <p>Rudyard Kipling Primary School has 30% of pupils within the 10% most deprived areas of Britain and 31% of pupils within the 20% most deprived areas of Britain.</p> <p>Saltdean Primary School has 0.3% of pupils within the 10% most deprived areas of Britain and 2% of pupils within the 20% most deprived areas of Britain.</p> <p>St Lukes Primary School</p>			

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	<p>has 14% of pupils within the 10% most deprived areas of Britain and 20% of pupils within the 20% most deprived areas of Britain.</p> <p>Woodingdean Primary School has 16% of pupils within the 10% most deprived areas of Britain and 16% of pupils within the 20% most deprived areas of Britain.</p>			
Families with English as additional language	<p>The percentage of pupils with English as an additional language varies across primary schools and planning areas from 6.7% in Patcham to 21.3% in West Blatchington & North Hangleton planning areas.</p> <p>Brunswick Primary School have 29.8% of pupils and Queens Park Primary school has 28.9% of pupils where English is an additional</p>	<p>There is little information on this. However we are aware of the level of consultation responses of those who are identified as other than white British. It is also considered likely that families with English as an additional language may struggle to understand the detail and implication of the proposed changes to the admission arrangements in the city.</p>	<p>Families with pupils who have English as an additional language are proportionally more likely to apply late which significantly reduces their change of being offered a place at an oversubscribed school.</p> <p>The higher number of families with English as an additional language applying late could be contributed to a number of factors such as these families moving into the</p>	<p>Important to ensure that there are still surplus places in each planning area so late applicants and pupils moving mid-year can be offered a place at a local school.</p> <p>Greater emphasis needs to be made in future to reach these families and make them aware of the school admissions applications process. If this group are unaware of the school admissions timescale it is also likely</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	<p>language.</p> <p>Patcham Infant School have the lowest with 4.6% of pupils where English is an additional language.</p>	<p>Information that interpreters could be available for public meetings for particular languages with a high prevalence in the community would help encourage participation from these families.</p>	<p>city outside the cut off dates for the main admission rounds. This could be due to these families are not being aware of when to apply for school places as they are less likely to understand the promotional information distributed for parents.</p> <p>Families may not comprehend the implication of the proposals or which year they take effect and be able to relate this to their own circumstances.</p> <p>Families with English as an additional language could find it harder to respond through the online consultation portal or attend an event in person.</p>	<p>that they would be less aware of the consultation process. Additional steps should be taken to engage these families with this consultation.</p> <p>Advice and support shall need to be sought from the EMAS team and others with links to various communities where there are a number of families with English as an additional language.</p> <p>For public meetings with a focus on a particular community, explore with individual schools the languages spoken and benefit of providing interpreters.</p> <p>Highlight that there is a translation function on the council's website so that consultation information can be viewed in different</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations languages.
Other relevant groups²³ Children in Care and Care Experienced Young People	<p>That Children in Care and Care Experienced Young People are likely to face discrimination.</p> <p>There are 332 children and young people in care, and 381 children and young people previously in care.</p> <p>41% of 19-21 year old care leavers are not in education, employment or training, compared to 12% of other young people the same age.</p> <p>There are 66% with SEND and 35% have an EHCP, compared to 12% of the general population. 50% of children and young people in care have a diagnosable mental health condition.</p>	<p>Brighton & Hove City Council have adopted Children in Care and Care Experienced Young People as a protected characteristic. As Corporate Parent, there is a collective responsibility and demonstrable commitment to ensure that children and young people with care experience are enabled to have the same opportunities as any other child or young person.</p>	<p>We need to ensure that the profile of children and young people accessing school places are not discriminated against and have the opportunity to access school provision.</p>	<p>Brighton & Hove City Council have adopted Children in Care and Care Experienced as a protected characteristic and will demonstrate commitment to ensure that this group are not discriminated against within the short break and school holiday activities programme.</p> <p>If there is not proportionate representation, then an action plan will be implemented to ensure that we are supporting children and young people from this cohort to attend.</p> <p>Children in care and previously looked after children have the top admission priority when</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				applying for school places.
Cumulative impact²⁴				
Assessment of overall impacts and any further recommendations²⁵				
<p>Reducing the number of surplus school places is necessary to safeguard the whole family of schools in the city and to protect schools from financial difficulties as pupil numbers reduce. Without a reduction in school places there is the real possibility that some schools become unable to operate in a financially efficient way with implications for the quality of education provided and the council's own budget.</p> <p>A higher percentage of late applications are for children from ethnic minorities and children with English as an additional language although the numbers are small. Late applications for oversubscribed schools are less likely to be offered a place. To minimise the impact on these families of applying late more needs to be done to reach these families when reminding parents to apply for their child's school place.</p> <p>The consultation process must be as accessible as possible for all residents to respond to and that events are held at a variety of times and in locations which allow interested residents to participate and the process of receiving responses is also available to all.</p>				

4. List detailed data and/or community feedback that informed your EIA

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
January 2022 & January 2023 school census	January 2022 & 2023		
Admissions consultation sought views through the council's consultation portal and themes identified in series of virtual public meetings.	15/11/21-2/01/22	Equalities monitoring questions in the consultation portal were not answered by 12% of respondents.	
Admissions consultation sought views through the council's consultation portal	14/11/22-31/12/22	Equalities monitoring questions were not asked of respondents	
Infant & Primary school allocation data	September 2023		

5. Prioritised Action Plan²⁶

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				
<p>Disabled parents and parents with children who have a disability may find it more difficult to participate in the consultation process</p>	<p>Consultation documentation made available in accessible formats and this should be advertised more widely.</p> <p>Parents who are unable to attend a public meeting will be able to access information online or over the telephone</p> <p>Nurseries will be encouraged to identify families who need additional support to access the information materials.</p> <p>The council will also liaise with PaCC and Amaze and any adult/parent disability groups.</p>	<p>Greater participation in the consultation by disabled parents and parents whose children have a disability.</p>	<p>Increased proportion of responses to consultation made by parents with a disability</p>	<p>Before and during consultation period</p>
<p>Previous consultation processes either did not sufficiently engage</p>	<p>Continue to explore other methods of engagement with ethnic</p>	<p>Greater participation in the consultation by parents from ethnic</p>	<p>Increased proportion of responses to consultation made by</p>	<p>Before and during consultation period</p>

<p>with ethnic minority families or those who did provide a response were unwilling to divulge their ethnicity however there was an increased percentage of ethnic minority families responding to recent consultations.</p>	<p>minority communities in order to continue increasing responses to the consultation, including the use of the EMAS service to reach out to communities to communicate the proposals in the consultation and the potential impact on their community.</p> <p>Highlight that there is a translation function on the council's website so that consultation information can be available in different languages.</p> <p>Hard copy consultation materials to be made available in different languages as required.</p>	<p>minority families.</p>	<p>parents from ethnic minorities.</p>	
<p>Some communities may not be adequately represented in public meetings or in the responses to the consultation.</p>	<p>Encourage communities in all areas of the city to engage in the consultation process and provide alternative methods for them to respond.</p>	<p>Increased participation in the consultation from communities less likely to participate in the past.</p>	<p>Responses received to the consultation from parents living in all areas in the city.</p>	<p>Before and during consultation period</p>
<p>Ensure that families with English as an additional language are aware of the</p>	<p>Advice and support sought from the EMAS team and others with links to various</p>	<p>More Families with English as an additional language aware of the</p>	<p>Greater number of responses to consultation from this group.</p>	<p>Before and during consultation period</p>

<p>consultation and are able to participate.</p>	<p>communities where there are a number of families with English as an additional language.</p> <p>Highlight that there is a translation function on the council's website so that consultation information can be available in different languages.</p> <p>Hard copy consultation materials to be made available in different languages as required.</p>	<p>consultation and able to participate.</p>		

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

Staff member completing Equality Impact Assessment: Richard Barker

Date: 31.10.23

Directorate Management Team rep or Head of Service/Commissioning:

Date:

CCG or BHCC Equality lead:

Date:

Guidance end-notes

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

² Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people in relation to their 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **advance equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by people due to their protected characteristics
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected within the context

The greater the impacts, the more thorough and demanding the process required by the Act will be.

⁴ **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

Do you need to complete an EIA? Consider:

- Is the policy, decision or service likely to be relevant to a specific group or groups (eg: older people)?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

⁵ **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

⁶ **ID no:** The unique reference for this EIA. If in doubt contact your CCG or BHCC equality lead (see page 1)

⁷ **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

⁸ **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

⁹ **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on specific groups of the policy/decision/service is available?⁹
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the groups identified above in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: <http://www.bhconnected.org.uk/content/needs-assessments> and Community Insight: <http://brighton-hove.communityinsight.org/#>) and national ones where they are relevant.

¹⁰ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.
- Try to consult in ways that ensure all perspectives can be considered.
- Identify any gaps in who has been consulted and identify ways to address this.

¹¹ Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

¹² Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to improve the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

¹³ **Age:** People of all ages

¹⁴ **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

¹⁵ **Gender Reassignment:** A transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected

¹⁶ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

¹⁷ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

¹⁸ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

¹⁹ **Sex/Gender:** Both men and women are covered under the Act.

²⁰ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

²¹ **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

²² **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

²³ **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum etc

²⁴ **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

²⁵ **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

²⁶ **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

Brighton & Hove City Council

Children, Families & Schools Committee

Agenda Item 40

Subject: Proposals for the future of Hertford Infant and Hertford Junior Schools

Date of meeting: 6 November 2023

Report of: Executive Director Families, Children & Learning

Contact Officer: Name: Richard Barker, Head of School Organisation
Tel: 07584217328
Email: richard.barker@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 The purpose of this report is to inform the Committee of the responses to the statutory notice of the proposal to amalgamate Hertford Infant and Junior Schools to become a one form entry, all through primary school, and to seek approval of the proposal.
- 1.2 These changes are proposed to be achieved through the closure of Hertford Junior School and expanding the age range of Hertford Infant School from 4 – 7 years to 4 – 11 years from 1 September 2024 on the site of the current Hertford Junior School.

2. Recommendations

- 2.1 That Committee notes the responses to the publication of statutory notices between 15 September and 15 October 2023.
- 2.2 That Committee agrees to the proposal contained in the statutory notice to amalgamate Hertford Infant and Junior Schools to become a one form entry, all through primary school, through the closure of Hertford Junior School and expanding the age range of Hertford Infant School from 4 – 7 years to 4 – 11 years from 1 September 2024 on the site of the current Hertford Junior School.

3. Context and background information

- 3.1 At its meeting on 11 September 2023 the Children Families and Schools Committee agreed to publish the statutory notice required to progress the proposal to amalgamate Hertford Infant and Junior Schools to become an all through primary school with a single admissions process on the site of the current junior school.

- 3.2 The technical process of achieving an amalgamation involves the closure of one school and expanding the age range of the other. The proposal takes forward the working arrangements of both Hertford Infant and Hertford Junior schools under a federated governing board to create a one form entry primary school on one site.
- 3.3 This approach supports the work in the city to address falling pupil numbers and the financial challenges faced by schools as outlined in previous reports to Committee.
- 3.4 The period of statutory notices brought forward a total of 26 responses via the Council's consultation portal and one hand delivered submission. Of the responses received 2 replies strongly or tended to agree with the proposal and 25 strongly or tended to disagree with the proposal.
- 3.5 Fifteen of the responses that disagreed with the proposals were recorded as local residents or a parent/guardian not affected by the proposals. Concerns were raised about the lack of future proposals for the Hertford Infant School site, the extra travelling distance for families, the benefits of a separate infant and junior education, the views of the local community having been ignored and not reported clearly enough with limited information about the school's onward viability not being provided. It was also stated there could be an increased risk of academisation should the proposal go through.
- 3.6 The two responses that strongly or tendered to agree were from parent guardians affected by the proposals.
- 3.7 The Council remains mindful of the financial position across both schools and the explanations put forward previously about the ongoing viability of the schools as separate entities. Both settings have licensed deficits that would be expected to rise in future years should no change take place. The Governing Board across the two schools have previously stated their support for these proposals to secure the longer-term future of primary provision in Hollingdean.

4. Analysis and consideration of alternative options

- 4.1 The report to the Committee at its 11 September 2023 meeting set out alternative options, including retaining separate infant and junior schools. The report set out the reasons why this was not the preferred option, based on the council's approach to support moves to create all through primary schools and the general support for the proposal which had been demonstrated through the consultation and through dialogue with the school's leadership team and governing board.
- 4.2 The publication of statutory notices brought forward the considerations in paragraph 3.5 including concerns about the lack of proposals for the Hertford Infant School site and the loss of a community space. Extra travelling distance for families, the benefits of a separate infant and junior education and concerns that the views of the local community had been ignored and not reported clearly enough earlier in the process.
- 4.3 In light of the support of the federation's leadership it was felt appropriate to continue to recommend proposals to create a one form entry primary school

to maintain a 'Hertford' offer of education for those living in the vicinity of both schools.

5. Community engagement and consultation

- 5.1 Consultation with staff, governors, parents and the wider community on the proposed amalgamation of Hertford Infant and Junior Schools was carried out during June and July 2023 and the outcomes of this consultation were reported to the Committee on 11 September 2023.
- 5.2 At this meeting the Children, Families & Schools Committee authorised the Executive Director of Families, Children & Learning to proceed to publish the required statutory notice for the amalgamation of Hertford Infant and Junior Schools into an all through primary school. The subsequent representation period of four weeks was the final opportunity for interested people and organisations to express their views on the proposals.
- 5.3 Statutory notices were published in the Argus newspaper on 15 September 2023. In addition, notices were displayed at the entrances to the schools and at other places used by the community, including the local Sure Start centre, a doctors surgery and a local pharmacy. The statutory notice stated how the full information on the proposal could be obtained.
- 5.4 The statutory notice forms part of the full proposal. Copies of the full proposal were sent to the governing body of both schools, the Anglican and Catholic dioceses, local ward members, the Children Families and Schools Committee, the Member of Parliament for Brighton Pavllion and the Department for Education (DfE). Copies of the complete proposal would have been made available to anyone who requested a copy during the publication period.
- 5.5 The closing date for receipt of representations or objections was 13 October 2023.
- 5.6 During the statutory notice period there were 27 responses received about the proposal.

6. Conclusion

- 6.1 The Council has a statutory duty to secure a school place for any child in its area that wants one. The amalgamation of the two schools will mean there is no need to apply to the Brighton & Hove City Council's Admissions Team at the point of transfer between infant and junior school.
- 6.2 The Council notes the responses made during the representation period and the fact that the majority of the respondents who disagreed with the proposals were not stakeholders likely to be directly affected by the proposals.
- 6.3 The proposed all through primary school has the support of the Hertford Federation, supports efforts to address the number of surplus school places in the city and supports the efforts to address the financial challenges facing both Hertford Infant and Hertford Junior schools. For these reasons, it is recommended that the Committee approves the proposal.

7. Financial implications

- 7.1 There are no direct financial implications relating to the responses to the statutory notices.
- 7.2 Financial implications linked to the proposed amalgamation are as set out previously in the September committee report.

Name of finance officer consulted: Steve Williams Date consulted: 05.10.23

8. Legal implications

- 8.1 The Education and Inspections Act 2006 provides that the Local Authority is the decision maker on any proposals to close or make prescribed changes to maintained community schools. The Children, Families and Schools Committee will act as the decision maker for the Local Authority on these proposals. The decision needs to have been made within two months of the end of the representation period i.e. by 13 December 2023. The exact process by which the decision maker carries out their decision making process is not prescribed, however it must have regard to the statutory Guidance published by the DfE "Opening and Closing maintained schools" and "Making significant changes ('prescribed alterations') to maintained schools," January 2023.
- 8.2 These proposals are related so the proposal to close Hertford Junior School must be considered and determined at the same time as the proposal to expand Hertford Infant School on the site of the junior school. The Guidance states that the decision-maker should be satisfied that the proposer has carried out the requirements of the statutory process satisfactorily and should have due regard to the responses received during the representation period. Decision makers should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most affected by a proposal – especially parents of children at the affected school(s).
- 8.3 When issuing a decision the decision-maker can:
- reject the proposal;
 - approve the proposal without modification;
 - approve the proposal with modifications, having consulted the LA;
 - approve the proposal-with or without modification- subject to certain prescribed conditions being met.

Name of lawyer consulted: Serena Kynaston Date consulted 19.10.2023

9. Equalities implications

- 9.1 An Equalities Impact Assessment has been undertaken and has been included as Appendix 1
- 9.2 It is forecast that the proposal to create a one form entry primary school will ensure that there are sufficient school places in the area to meet the needs of parents who wish for their children and for the school to be able to

operate in a financially efficient way that ensures the school can maintain a quality education experience for pupils.

- 9.3 The consultation responses did not indicate any significant negative impacts on people because of their protected characteristics.
- 9.4 There are provisions in place to meet the needs of children with Special Educational Needs and disabilities including those who may not reasonably be expected to walk to that school because of their special educational needs, disability or mobility problem, even if they were accompanied by their parent.
- 9.5 A financially viable school is essential to be able to meet the needs of all those pupils who attend the school and to be able to meet the needs of the community and the inequalities they may experience.

10. Sustainability implications

- 10.1 Bringing the school into one building is expected to minimise energy and water usage whilst also ensuring greater use of the biodiverse areas at the junior school site.
- 10.2 Consideration will need to be given to the use of the vacant school site should the proposals be agreed so that the negative impacts on the current habitat are minimised and the future use of the accommodation and the site reflect sustainability principles.

Supporting Documentation

1. Appendices

- 1. Equalities Impact Assessment

Equality Impact and Outcome Assessment (EIA) Template - 2019

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users¹. They analyse how all our work as a council might impact differently on different groups². They help us make good decisions and evidence how we have reached these decisions³.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age¹⁴) or use the hyperlinks ('Ctrl' key and left click).

For further support or advice please contact:

- **BHCC: Communities, Equality and Third Sector Team on ext 2301**
- **CCG: Engagement and Equalities team (Jane Lodge/Debbie Ludlam)**

1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed⁴.

Title of EIA⁵	Proposals for the future of Hertford Infant and Hertford Junior Schools	ID No.⁶	
Team/Department⁷	Families, Children & Learning – Education & Skills		
Focus of EIA⁸	The proposal to create a one form entry Hertford primary school on one site and for this to be implemented by relocating Hertford Infant School to the junior school site and extending the age range to pupils aged 4-11 years		

2. Update on previous EIA and outcomes of previous actions⁹

What actions did you plan last time? (List them from the previous EIA)	What improved as a result? What outcomes have these actions achieved?	What <u>further</u> actions do you need to take? (add these to the Action plan below)

3. Review of information, equality analysis and potential actions

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age¹⁴	<p>The proposal will affect children aged 5 to 7 currently attending the infant school.</p> <p>Children aged 4 to 5 applying for a place at the infant school in September 2024 and beyond.</p>	<p>There were only 2 responses from those who were parents/guardians affected by the proposals. There responses indicated no concern about proposals affecting the ability of children to attend the school.</p>	<p>Historically, the majority of pupils leaving the infant school at the end of year 2 move up to Hertford Junior school. Children would now be attending this site at a younger age.</p> <p>Younger children may find it harder to walk further and uphill to the junior school site.</p> <p>Parents with younger children in pushchairs/buggies may find it harder to walk further and uphill to the junior school site.</p>	<p>There are regular buses that stop very close to the Junior school site.</p> <p>There are likely to be spaces at other local schools for pupils unable to make the journey to the junior school site due to the additional distance from their address.</p> <p>Home to School Transport is provided to those who require support due to the distance to school or their special educational needs and disabilities or mobility problems.</p>
Disability¹⁵	<p>Hertford Junior school site is at the top of a hill. Parents with a disability or disabled children could find it more difficult to get to the school compared to the infant school site.</p>	<p>Concern was expressed in one response about the extra distance some pupils will need to undertake should the school move site.</p>		<p>Parents who are unable to get their children to school due to a disability and disabled children can receive transport assistance from the council in order to access the school.</p>

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Gender reassignment¹⁶	n/a			
Pregnancy and maternity¹⁷	Pregnant parents could find it more difficult to take children to the junior school site if it is further from their address and further up the hill.			<p>There are regular buses that stop very close to the Junior school site.</p> <p>There are likely to be spaces at other local schools for pupils unable to make the journey to the junior school site due to the additional distance from their address.</p> <p>Parents who meet the criteria and are unable to get their children to school can receive transport assistance from the council.</p>
Race/ethnicity¹⁸ Including migrants, refugees and asylum seekers	Hertford Infant school is situated in the Central city planning area. 29.4% of children attending schools in the city are from ethnic minorities compared with 39.9% of pupils attending schools in the central city			Sufficient school places will be available for all pupils who require one. The admission process does not take into any consideration the race/ethnicity of an applicant.

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	planning area. There is no comprehensive race/ethnicity data available for the cohort due to start school in September 2024.			
Religion or belief¹⁹	There are only Church of England and Catholic faith schools within the city. The Hertford schools are secular schools.			
Sex/Gender²⁰	There are no single sex, maintained schools in the city. Admission arrangements for the Hertford schools do not take into consideration the gender of the child.			
Sexual orientation²¹	n/a			
Marriage and civil partnership²²	n/a			

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Community Cohesion²³	<p>Hertford Junior school site is situated in and serves the same community as the infant school site.</p> <p>Hertford Infant School has 17% of pupils within the 10% most deprived areas of Britain and 18% of pupils within the 20% most deprived areas of Britain.</p>	<p>Majority of responses to the consultation from local residents disagreed with the proposal.</p> <p>Concerns were raised about the future use of the infant school site and the potential impact on the community if the site was to be developed.</p> <p>Concerns also raised about the community losing a resource.</p>	<p>There is concern about the future use of the Infant school site.</p>	<p>Ensure that there is further engagement with the local community on any future plans for the infant school site. This will be a requirement of any proposal to change its use other than its current designation as a school.</p> <p>The proposals seek to ensure the continuing availability of an offer of education for 'Hertford' families when both schools as currently configured are under significant financial pressure.</p>
Families with English as additional language²⁴	<p>Hertford Infant school has 7.9% of pupils where English is an additional language.</p>			
Cumulative impact²⁵				
<p>Assessment of overall impacts and any further recommendations²⁶</p> <p>The proposals are considered necessary and beneficial in order to secure the future provision of a Hertford education offer due to falling</p>				

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
<p>pupil numbers and increasing financial pressures on schools. The proposals would allow the infant school children to access and utilise the larger outdoor area available on the junior school site.</p> <p>The majority of pupils attending the infant school has historically moved up to the junior school. The main implication of the proposal would be the need for younger children to attend the Junior school site which could potentially be further from their address and being further up the hill could potentially be a more difficult journey. There is a bus route that stops close to the Junior site and potentially spaces at other schools if families are unable to make the longer journey. The council's transport policy would provide assistance to the Junior school site for families that are unable to get their children to school due to a disability.</p>				

4. List detailed data and/or community feedback that informed your EIA

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
January 2022 school census	January 2022		
Consultation on proposals sought views through the council's consultation portal and themes identified in public meetings.	19 June 23 - 31 July 23		
Statutory Notices	15 September - 13 October 2023		

5. Prioritised Action Plan²⁷

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

Staff member completing Equality Impact Assessment: **Richard Barker** **Date: 19.10.23**

Directorate Management Team rep or Head of Service/Commissioning: **Date:**

CCG or BHCC Equality lead: **Date:**

Guidance end-notes

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

² Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people in relation to their 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **advance equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by people due to their protected characteristics
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected within the context

The greater the impacts, the more thorough and demanding the process required by the Act will be.

⁴ **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

Do you need to complete an EIA? Consider:

- Is the policy, decision or service likely to be relevant to a specific group or groups (eg: older people)?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

⁵ **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

⁶ **ID no:** The unique reference for this EIA. If in doubt contact your CCG or BHCC equality lead (see page 1)

⁷ **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

⁸ **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

⁹ **Previous actions:** If there is no previous EIA or this assessment if of a new service, then simply write 'not applicable'.

¹⁰ **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on specific groups of the policy/decision/service is available?¹⁰
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the groups identified above in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: <http://www.bhconnected.org.uk/content/needs-assessments> and Community Insight: <http://brighton-hove.communityinsight.org/#>) and national ones where they are relevant.

¹¹ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.

-
- Try to consult in ways that ensure all perspectives can be considered.
 - Identify any gaps in who has been consulted and identify ways to address this.

¹² Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

¹³ Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to improve the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

¹⁴ **Age:** People of all ages

¹⁵ **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

¹⁶ **Gender Reassignment:** A transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected

¹⁷ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

¹⁸ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

¹⁹ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

²⁰ **Sex/Gender:** Both men and women are covered under the Act.

²¹ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

²² **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

²³ **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

²⁴ **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum etc

²⁵ **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

²⁶ **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

²⁷ **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.