

Children, Families & Schools Committee

Date: **22 January 2024**

Time: **4.00pm**

Venue: **Council Chamber, Hove Town Hall**

Members:

Councillors: Helliwell (Joint Chair), Taylor (Joint Chair), Shanks (Opposition Spokesperson), Allen, Daniel, Goddard, Alexander, Simon, Goldsmith and Hogan

Co-optees: Lesley Hurst (Diocesan Assistant Director of Education) and Simon Parr (Catholic Diocese)

Non-Voting Co-optees: Adam Muirhead (Community Works Rep) and Becky Robinson (PaCC)

Contact: **Francis Mitchell**
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Date of Publication – Sunday, 14 January 2024

AGENDA

Part One

Page

PROCEDURAL MATTERS

39 PROCEDURAL BUSINESS

- (a) **Declarations of Substitutes:** Where councillors are unable to attend a meeting, a substitute Member from the same political group may attend, speak and vote in their place for that meeting.
- (b) **Declarations of Interest:**
 - (a) Disclosable pecuniary interests;
 - (b) Any other interests required to be registered under the local code;
 - (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

- (c) **Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

Note: Any item appearing in Part Two of the agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the press and public. A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls and on-line in the Constitution at part 7.1.

40 MINUTES

9 - 18

To consider the minutes of the meeting held on 6th November 2023.

Contact Officer: Francis Mitchell

41 CHAIRS COMMUNICATIONS

42 CALL OVER

- (a) Items (46 – 50) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

43 PUBLIC INVOLVEMENT

To consider the following matters raised by members of the public:

- (a) **Petitions:** To receive any petitions presented by members of the public;
- (b) **Written Questions:** To receive any questions submitted by the due date of 12 noon on the 16 January 2024;
- (c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on the 16 January 2024.

44 ITEMS REFERRED FROM COUNCIL

19 - 26

To consider items referred from the last meeting of Full Council held on 14 December 2023.

45 MEMBER INVOLVEMENT

To consider the following matters raised by Members:

- (d) **Petitions:** To receive any petitions;
- (e) **Written Questions:** To consider any written questions;
- (f) **Letters:** To consider any letters;
- (g) **Notices of Motion:** to consider any Notices of Motion referred from Full Council or submitted directly to the Committee.

46 PROPOSED CLOSURE OF ST BARTHOLOMEW'S CHURCH OF ENGLAND PRIMARY SCHOOL

27 - 110

Contact Officer: Richard Barker
Ward Affected: All Wards

Tel: 01273 290732

47 PROPOSED CLOSURE OF ST PETER'S COMMUNITY PRIMARY AND NURSERY SCHOOL

111 - 196

48 SCHOOL ADMISSION ARRANGEMENTS 2025-26

197 - 288

Contact Officer: Richard Barker
Ward Affected: All Wards

Tel: 01273 290732

49 FAMILIES, CHILDREN AND LEARNING FEES AND CHARGES 289 - 298
2024/25

Contact Officer: Richard Barker
Ward Affected: All Wards

Tel: 01273 290732

50 RESIDENTIAL CHILD CARE PLACEMENTS 299 - 304

Contact Officer: Steve Dillow
Ward Affected: All Wards

Tel: 01273 291019

51 ITEMS REFERRED FOR FULL COUNCIL

To consider items to be submitted to the 1st February 2024 Council meeting for information.

In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting

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The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

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Further information

For further details and general enquiries about this meeting contact Francis Mitchell, (01273 294183, email Francis.Mitchell@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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**BRIGHTON & HOVE CITY COUNCIL
CHILDREN, FAMILIES & SCHOOLS COMMITTEE**

4.00PM 6 NOVEMBER 2023

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

MINUTES

Present:

Councillors: Taylor (Chair), Helliwell, Daniel, Alexander, Allen, Goddard, Hamilton, Shanks, Goldsmith, Hogan

Co-opted Members: Leslie Hurst, Simon Parr, Adam Muirhead, Becky Robinson

Standing Invitees: Pippa Hodge (Parent and Carer Council Representative for Home-to-School Transport), Fiona England (Parent and Carer Council Representative), Youth Representatives

PART ONE

26 Procedural Business

(a) Declarations of Substitutes

26.1 Cllr Alexander substituted for Cllr Mistry.

(b) Declarations of Interest

26.2 There were none.

(c) Exclusion of Press and Public

26.3 There were no Part Two items and so the press and public were not excluded from the meeting.

27 Minutes

27.1 **RESOLVED:** That the minutes of the meeting held on 11 September 2023 were agreed as a correct record.

28 Chair's Communications

28.1 The Chair delivered the following communications:

We have full agenda this evening with a number of extremely important items to be considered.

As a Labour administration, we are laser-focused on building a system and a city that tackles disadvantage, and provides support for those who most need it. Nowhere is that more important than in the area of Children, Families and Schools, which this Committee has responsibility for.

We in the Labour Party believe in the vital importance of Early Years provision. As a city, we have a record to be proud of in terms of early intervention. And that's why we are today exploring options for the future of Bright Start nursery, not simply closing the nursery as was proposed under the last administration.

We will also be receiving an update on the litigation that this administration brought against the Home Office and their shameful practice of placing Unaccompanied Asylum-Seeking Children in hotels. Let us be clear – this successful legal action, and the consequences that flow from it, was only possible because of the action of this Labour Council.

Brighton & Hove is a wonderful city, but it's also an unequal city – including in terms of secondary school outcomes for children from Disadvantaged backgrounds. This issue was highlighted brilliantly in the podcast series 'Class Divide', which rung true with my experience growing up in the city – where many of my classmates at Longhill didn't get the opportunities as those from popular schools in the centre of town. As a city, we have to start tackling this issue – and Committee is today asked to consider a proposal for Disadvantaged pupils (those eligible for Free School Meals) to be given higher priority in school admissions.

We want to see successful and properly funded schools right across our city. And that's why we will be considering primary school organisation at today's Committee. The sad truth is that pupil numbers in our city have fallen dramatically in recent years, and we need to take action to tackle the issue of underfunded schools. These decisions are not easy, but good government isn't just about doing the nice stuff and ignoring the thorny issues. Sometimes you have to make hard decisions, which you know to be in the best interests of children in the city, and our education system in the city.

We will also be receiving papers on provision of Short Breaks and School Holiday Activities for SEND children, as well as a change in policy for post 16 provision of Home to School Transport.

As I've said many times at this Committee and elsewhere, this country is in a mess after 13 years of a cruel and ineffective Tory Government. And the choices faced by council's up and down the country, including Tory-run councils, are stark. But this Labour administration is clear that we will use what money we do have to ensure we our city is one that provides the best education, care and support for our children and young people.

29 Call Over

29.1 All items, with the exception of Item 40 (Proposals for the Future of Hertford Infant and Hertford Junior Schools), were called.

30 Public Involvement

(a) Petitions

30.1 There were no petitions.

(b) Written Questions

30.2 Gary Vallier asked the following question:

Am I right to presume that the council has learnt the lessons of the independent barrister report into the home to school transport fiasco?

30.3 The Chair provided the following response:

Yes, we can confirm the Council reviewed all of the arrangements, including the legal advice that was received, and improvement measures were implemented. The Home to School Transport Service has a governance board in place, including PaCC representative, which oversaw the improvements to the service, and the successful contract re-procurement for September 2024.

30.4 Garry Vallier asked the following question on behalf of Jenny Smith:

The Equality and Human Rights Commission (EHRC) has updated its technical guidance for schools in England and Scotland, outlining the obligations the Equality Act places upon schools regarding pupils with protected characteristics and the provision of their education. With DfE guidance yet to emerge and school heads crying out for support on this, does the Chair agree with me that the council should, as a matter of urgency, recommend this guidance to our schools?

30.5 The Chair provided the following response:

The Commission updated its technical guidance on 22nd September, and this was widely publicised at the time, schools have access to this guidance which is public and is linked to on the DfE website on their section on equalities and the Council shares this with schools in various documents.

30.6 Gary Vallier asked the following supplementary question on behalf of Jenny Smith:

The EHRC update removed previous references to so-called 'misgendering', indicating that it is not direct gender reassignment discrimination for schools to maintain that sex is binary. Given the gender affirmative approach of the Council's co-authored tool kit for schools, does the Chair agree that it would be prudent if the trans inclusion toolkit was immediately suspended pending a review.

30.7 The Chair provided the following response:

No, the trans toolkit is reviewed regularly. As answered in the previous question, the advice has been published and that is available to schools. I would just correct one contention in your previous question which is that school heads are crying out for support on this; I meet school heads all the time, very regularly. I'm meeting two tomorrow, primary and secondary, and I can honestly say that in meeting most of the head teachers in the city over the last couple of months not one has raised this with me but thank you for your question.

(c) Deputations

30.8 There were no deputations.

31 Items Referred from Council

31.1 There were no items referred from Council.

32 Member Involvement

(d) Petitions

32.1 There were no petitions.

(e) Written Questions

32.2 Councillor Shanks presented her question, which can be found on page 19 of the agenda, to the Committee.

32.3 The Chair provided the following response:

Thanks Councillor Shanks. As you say, I'm aware this has been an issue that you've been working on for a long time, Youth Provision. I was pleased to visit Brighton Youth Centre a couple of weeks ago to look at their very exciting plans for developing that site, which the Council has supported, and I know you've championed that Youth Centre.

As you suggest, in autumn 2023 the DCMS published refreshed statutory guidance for section 507b of the education act for all young people aged 13 to 19 (and up to 25 with SEND) to have the right to access youth work activities which are for the improvement of their wellbeing and promote their personal and social development.

The National Youth Agency has published a tool kit to support local authorities to meet the updated guidance. We will be evaluating how our current youth work offer meets the nine essentials of a local youth offer, required to secure compliance and fulfilment of the 2023 statutory guidance.

Brighton & Hove has made considerable progress against the nine essentials of a local youth offer.

In terms of needs assessment, the Youth review in 2020 consulted with young people and stakeholders to assess the current youth offer and make recommendations for improvements. This report was integral to the recommissioning of the Youth Service Grants programme.

On youth engagement. youth voice, participation and engagement are a fundamental right. Current youth voice mechanisms include the Youth Council and YouthWise. It was agreed at the Young People and Skills committee in January 2021 to sign up to the power of youth charter. Progress against the Charter is regularly monitored as part of the quality assurance process. Care experienced young people are heard through the Children in Care Council and the Care leavers Forum.

In terms of VCFS engagement, the voluntary sector currently commissions youth grants providers. They collaborate with other youth organisations in the city, including the equalities groups. There are a number of partnerships working groups. The Local Authority are collaborating on Youth Investment Fund bids to build and improve youth centre buildings. The Youth led Grants process reaches out to other youth organisations in the city. This is a young person led grant process.

In terms of the Local youth offer plan, the Council's Youth Service Grants Programme 2021-2025 focusses on the findings of the Youth Work Review in 2020 and outcomes outlined in the National Youth Agency's Youth Work Enquiry and curriculum. This includes the Equality groups.

In terms of quality of youth work practice, the youth grants providers produce six monthly and annual narrative and data reports, demonstrating how they have met the requirements of the youth work offer.

In terms of workforce planning, it's a requirement under current commissioning that Nationally recognised, qualified youth workers are in place, and that all staff have access to appropriate training. This is evaluated at monitoring visits.

In terms of the curriculum for National Youth Work, the Youth Service Grants programme is based on the National Youth Agency's National Youth work curriculum. Access to out of school provision is being looked at as part of the Council five-year Education Disadvantage Strategy and the Brighton & Hove Active CYP Alliance.

In terms of safeguarding, Brighton & Hove Childrens Safeguarding Board provide ongoing training, information and briefings.

Lastly, in terms of Monitoring evaluation and impact, youth grants providers complete six monthly, annual narrative and data reports. Quarterly meeting with all providers to discuss good practice, share news and opportunities. In person monitoring visits are completed on an annual basis.

32.4 Councillor Shanks asked the following supplementary question:

What is the strategy for engaging young people, maybe a lot of whom don't access our usual youth provision?

32.5 The Chair provided the following response:

Thanks, Councillor Shanks, I think it's a good follow-up question. I think, as we highlighted, there are already various mechanisms that we do engage with young people. There's a youth participation team that work with young people on their priorities and we obviously have the Youth Council.

I think on the graffiti point, which is a perfectly legitimate question, as you say it's not about blaming young people, there are reasons why some people engage with that kind of activity, the reimagined project as you've said, one of the topics within that will be graffiti and we will want young people to contribute. There are also other elements of the reimagine project not related to graffiti, but will specifically involve young people in what kind of city they would like to see and get their engagement. Those are some of the ways that we try to engage young people in the city.

(f) Letters

32.6 No letters were received.

(g) Notices of Motion

32.7 No Notices of Motion were received.

33 Home to School Transport Post 16 Policy Statement

33.1 The Assistant Director - Education and Skills introduced the report on the Home to School Transport Post 16 Policy for the academic year starting in September 2024.

33.2 Councillors Shanks, Allen and Goldsmith, as well as Pippa Hodge, asked questions and contributed to the debate of the report.

33.3 The Chair moved a vote on the recommendations of the report.

33.4 **RESOLVED:** That the Committee -

1. Approved the Home to School Transport Post 16 Policy Statement 2024-2025, for the academic year starting in September 2024, introducing a proportionate financial contribution of the same value as a CitySAVER ticket (at the time of writing, approximately 5% of actual transport costs) towards taxis and minibuses for pupils of sixth form age with special educational needs and disabilities. No contribution would be requested where families experience low income or in circumstances where the young person travelled with a specialist professional (e.g. nurse or medically trained support staff) and/or large/essential medical equipment.

2. Approved the provision of home to school transport for young people of sixth form age and adult learners at the beginning and end of the establishment's day, unless there were exceptional circumstances which prevented the young person/adult from remaining on site.

34 SEND Short Breaks and School Holiday Activities

34.1 The Assistant Director of Health, SEN and Disability Services introduced the report which provided information for members about Brighton & Hove City Council's duty to provide short breaks for parents/carers of disabled children and young people under the Breaks for Carers and Disabled Children regulations 2011.

34.2 Councillors Helliwell, Goddard, Shanks, Daniel and Goldsmith, as well as Fiona England, Adam Muirhead, Becky Robinson and Youth Council Representatives asked questions and contributed to the debate of the report.

34.3 The Chair moved a vote on the recommendations of the report.

34.4 **RESOLVED:** That the Committee -

1. Instructed the Executive Director for Families, Children & Learning to take all necessary steps to award grants to multiple providers for up to a maximum annual award of £130,000 per annum for an initial term of one (1) year with an option to extend for a further period or periods of up to two (2) years (as two 1 year extensions) subject to good performance for the 105 provision of short breaks and school holiday activities for parents/carers of children and young people with a disability.

35 Bright Start Options Proposal

- 35.1 The Head of Service for Family Hubs introduced the report, which can be seen in addendum 4 of the agenda papers, that outlined options for Bright Start Nursery.
- 35.2 Councillors Allen, Goldsmith, Shanks, Daniel, Alexander, and Goddard asked questions and contributed to the debate of the report.
- 35.3 The Chair moved a vote on the recommendations of the report.
- 35.4 **RESOLVED:** That the Committee –
1. Noted the circumstances of Bright Start Nursery in terms of its location, availability of places in the surrounding area and the numbers and needs of children attending the setting.
 2. Agreed the preferred option to move the Bright Start Nursery provision to Turner Family Hub as outlined in the paper.

36 Proposals for Consultation on School Organisation

- 36.1 The Head of Service for School Organisation introduced the report, which can be seen in addendum 1 of the agenda papers, that detailed the proposed closure of two primary schools.
- 36.2 Councillors Allen, Goddard, Shanks, Goldsmith, Alexander, and Helliwell, as well as Youth Council Representatives asked questions and contributed to the debate of the report.
- 36.3 The Chair moved a vote on the recommendations of the report.
- 36.4 **RESOLVED:** That the Committee agreed –
1. to consult on the closure of St Bartholomew's C of E Primary School to take effect on 31 August 2024.
 2. to consult on the closure of St Peter's Community Primary School to take effect on 31 August 2024.

37 School Admission Arrangements 2025-26

- 37.1 The Head of Service for School Organisation introduced the report, that can be seen in addendum 1 of the agenda papers.
- 37.2 Councillors Goddard, Shanks, Allen, Helliwell, Hamilton, Daniel, Shanks, and Hogan, as well as Becky Robinson and Lesley Hurst asked questions and contributed to the debate of the report.

37.3 A Green Group amendment to the report that can be seen in addendum 3 of the agenda papers was moved by Councillor Shanks and seconded by Councillor Goldsmith.

37.4 The Chair moved a vote on the Green Group amendment proposed by Councillor Shanks.

37.5 The Green Group amendment was not carried.

37.6 The Chair moved a vote on the recommendations of the report.

37.7 **RESOLVED:** That the Committee agreed -

1. to make no changes to the council's admission arrangements or school catchment areas (other than the changes listed below).
2. to consult upon a change to the Published Admission Number (PAN) of Brunswick Primary School from 120 to 90.
3. to consult upon a change to the Published Admission Number (PAN) of Goldstone Primary School from 90 to 60.
4. to consult upon a change to the Published Admission Number (PAN) of Patcham Infant School from 90 to 60.
5. to consult upon a change to the Published Admission Number (PAN) of Queen's Park Primary School from 60 to 30.
6. to consult upon a change to the Published Admission Number (PAN) of Rudyard Kipling Primary School from 60 to 45.
7. to consult upon a change to the Published Admission Number (PAN) of Saltdean Primary School from 90 to 60.
8. to consult upon a change to the Published Admission Number (PAN) of Stanford Infant School from 90 to 60.
9. to consult upon a change to the Published Admission Number (PAN) of St Luke's Primary School from 90 to 60.
10. to consult upon a change to the Published Admission Number (PAN) of Woodingdean Primary School from 60 to 45.
11. 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).
12. to make no changes to the "relevant area".

38 UASC Judgement

38.1 The Executive Director of Families, Children and Learning introduced the report on this item which can be seen in addendum 2 of the agenda papers. The Head of Legal Litigation and Safeguarding also spoke on the report.

38.2 Councillors Daniel, Shanks, and Goddard, as well as Adam Muirhead asked questions and contributed to the debate of the report.

38.3 The Chair moved a vote on the recommendations of the report.

38.4 **RESOLVED:** That the Committee noted -

1. that the systematic use of hotels to accommodate UAS children was declared unlawful in a judgement handed down by Mr. Justice Chamberlain on 27.07.23

39 Items Referred for Full Council

39.1 There were no items referred for Full Council.

40 Proposals for the Future of Hertford Infant and Hertford Junior Schools

40.1 **RESOLVED:** That the Committee -

1. noted the responses to the publication of statutory notices between 15 September and 15 October 2023.
2. agreed 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.

The meeting concluded at 19.18.

Brighton & Hove City Council

Children, Families and Schools Committee

Agenda Item 44

Subject: Deputations referred from Full Council

Date of meeting: 22 January 2024

Report of: Executive Director for Governance, People & Resources

Contact Officer: Name: Francis Mitchell

Tel: 01273 294183

Email: Francis.Mitchell@brighton-hove.gov.uk

Ward(s) affected: All

1. Purpose of the report and policy context

- 1.1 To receive deputations presented at the Full Council meeting held on 14 December 2023.

2. Recommendations

- 2.1 That the committee responds to the deputation either by noting it or, where it is considered more appropriate, calling for an officer report on the matter.

3. Context and background information

- 3.1 To receive the following:

Deputations:

(1) Deputation concerning Bright Start Nursery

Supported by:

Edward Armston-Sheret
Kiran Flynn
Suda Perera
Paul Gilbert
Alexander Paterson

Summary of deputation:

We are concerned by Brighton and Hove City Council's plans to cut Bright Start Nursery and move the service to the Turner Centre. We believe they represent a

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closure of the nursery in all but name and are asking for a delay to these plans until 2025/26 to allow for a proper consideration of other options.

Bright Start is a fantastic nursery. The decision to cut the nursery is short-sighted. Brighton parents and carers are already struggling to find affordable childcare in the city centre. Cutting this service will drive families out of the North Laine.

The 'sufficiency survey' of childcare used to justify the cuts to this service does not take account of the fact that many nurseries are on the verge of closure or the fact that city centre childcare locations are used by people from outside of the city.

We understand that the Council is in a difficult financial position. Parents and carers have long expressed their willingness to work collaboratively with Council Officers and Councillors to secure the future of Bright Start. But these offers have been ignored, the move and cuts are now being rushed through. Parents and carers are only being consulted on the 'operating model' at the new site, and the wider community is not being consulted at all.

Alternative options that would save money while preserving the service have not been properly considered. We have also not been given appropriate detail about the plans, how the savings will be achieved, the suitability of the new building, and details of the service that will be provided there. This leaves us concerned that the proposed changes, which will be hugely disruptive children, will lead to a worse service and may not achieve the financial savings hoped for by the Council.

(2) Deputation concerning proposed closure of St Peter's Primary and Nursery School

Supported by:

Anika Carpenter
Carole Ward
Kim Enticknapp
Leanne Pocock
Laura Whittington
Alice Keogh
Lucyna Taylor
Patricia Sacre
Kylie Wakeford

Summary of deputation:

Concerns raised by parents/carers and other members of the community regarding the proposed closure of St Peter's Primary and Nursery School.

Concerns with regards to using falling pupil numbers as a reason for closing the school and nursery

It hasn't accounted for net migration predictions and trends. Net migration is unusually high – especially the last two years.

Concerns regarding the threat to SEND

There are not enough surplus places for all students starting academic year September 2024. Students who live in nearby West Sussex have not been taken into account.

Concerns regarding discrimination

Brighton & Hove City Council

There is no clear guidance on how this benefits SEND children (those awaiting EHCP and those that have EHCP), those with English as a second language, lower incomes (Early Years entitlement), and single-parent families.

Concerns regarding finding alternative places for St Peter's pupils
Committee meeting states that there are 4 schools within 1.0 miles of St Peter's. Out of those four options, two are faith schools – one CofE and one Catholic.

Concerns regarding mental health
There is nothing to address the upheaval of those entering Year 6 in 2024 who would have to change schools again after their primary education ends.

Concerns regarding St Peter's nursery children
In only 32 constituencies out of 533 did early years centres have more than 50 spaces for every 100 under-fives.

Concerns regarding the proximity to West Sussex border
St Peter's close proximity to the West Sussex border has a huge impact on the school and its pupils, with just under half of students coming from this area.

Concerns regarding the lack of local nursery school provision
St Peter's Nursery is one of very few school-led nurseries/local education nursery (council funded) in Brighton and Hove, and the only one in the South Portslade area and yet it was given just three sentences.

Concerns regarding how the decision to propose closure was reached
No outline of how the school could be kept open have been considered by the council before coming to this decision.

Failure prevent situations that adversely affect the local community
The Council said that the issue of unfilled school places '*has been kicked down the road for too long and left until this moment*'.

Plus

Failures to manage budgets:

Failure to support the needs of the community:

Failure to adhere to Department of Education policy Protecting the nursery (local authority)

Failure to address the equality impact of closing St Peter's School and nursery school

Concerns around the closure of the popular local authority nursery (council funded)

Concerns surrounding the timing of the consultation

Concerns around the Children, Families, and Schools committee

(3) Deputation concerning proposed closure of St Bartholomew's C of E Primary School.

Supported by:

Azhar Naeem

Helen Banks

Rachel Christie-Davies

Leanne Wulitich

Keely Levy

Emily Thomas

Tessa Pacey

Brighton & Hove City Council

Summary of deputation:

St. Bartholomew's School has been an established part of Brighton for 150 years. At the heart of the school's foundation was a commitment to the education of the poor and vulnerable. A century and a half later, sadly, that need is still more than evident.

The Council's proposal to close our school is something that will profoundly impact vulnerable children and their families. Whilst acknowledging the need for cost-saving measures, the process that has been implemented lacks planning and totally disregards the effects on some of the most disadvantaged communities within our city.

Our school supports diverse groups, exceeding local and national averages in SEND, EHCP, Pupil Premium, EAL, and Global Majority pupils, including refugee families. This process lacks an anti-racist approach, and disadvantages BRM families. The potential closure poses a threat to opportunities for our students, and raises concerns about systemic discrimination.

The Council's proposal ignores the vulnerability of our children and will disrupt crucial support systems for them and their families. The proposal reinforces disadvantage and sends a message of neglect to these vulnerable groups, all of whom will be disproportionately affected. We are urging the Council to reconsider, to work with us and our families rather than against us, and to seek alternative solutions which are collaborative and will not further place our children in a less favourable position to others in the city.

In conclusion, we want to emphasise the welfare of our children and halt the closure of St Bartholomew's, which will only serve to deprive children of opportunity and security. Let us unite to prioritise their voices and well-being in this critical decision.

(4) Deputation concerning Bright Start Nursery

Supported by:
Edward Armston-Sheret
Kiran Flynn
Suda Perera
Paul Gilbert
Alexander Paterson

Summary of deputation:

We are concerned by Brighton and Hove City Council's plans to cut Bright Start Nursery and move the service to the Turner Centre. We believe they represent a closure of the nursery in all but name and are asking for a delay to these plans until 2025/26 to allow for a proper consideration of other options.

Bright Start is a fantastic nursery. The decision to cut the nursery is short-sighted.

Brighton parents and carers are already struggling to find affordable childcare in the city centre. Cutting this service will drive families out of the North Laine. The 'sufficiency survey' of childcare used to justify the cuts to this service does not take account of the fact that many nurseries are on the verge of closure or the fact that city centre childcare locations are used by people from outside of the city.

Brighton & Hove City Council

We understand that the Council is in a difficult financial position. Parents and carers have long expressed their willingness to work collaboratively with Council Officers and Councillors to secure the future of Bright Start. But these offers have been ignored, the move and cuts are now being rushed through. Parents and carers are only being consulted on the 'operating model' at the new site, and the wider community is not being consulted at all. Alternative options that would save money while preserving the service have not been properly considered. We have also not been given appropriate detail about the plans, how the savings will be achieved, the suitability of the new building, and details of the service that will be provided there. This leaves us concerned that the proposed changes, which will be hugely disruptive children, will lead to a worse service and may not achieve the financial savings hoped for by the Council.

Brighton & Hove City Council

Children, Families and Schools Committee

Agenda Item 44

Subject: Petitions referred from Full Council

Date of meeting: 22 January 2024

Report of: Executive Director for Governance, People & Resources

Contact Officer: Name: Francis Mitchell
Tel: 01273 294183
Email: Francis.Mitchell@brighton-hove.gov.uk

Ward(s) affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To receive petitions debated at the Full Council meeting held on 14 December 2023.

2. RECOMMENDATIONS:

- 2.1 That the committee responds to the petition either by noting it or, where it is considered more appropriate, calling for an officer report on the matter.

3. Context and background information:

- 3.1 To receive the following:

Petitions:

1) Save St Bartholomew's C of E Primary School from closure:

Brighton and Hove City Council are proposing to close down St Bartholomew's C of E Primary School. This proposed decision is because of "falling" numbers in pupils in the area and earmarked for as soon as end of July 2024.

We cannot allow this to happen!

St Bartholomew's is safe, loving, caring and passionate school. The children are happy, enjoy learning and the staff are dedicated to deliver the very best start to all the young children who have passed through its doors. Each child is treated as an individual with respect and taught with their own strengths and qualities in mind.

It is a school who are committed supporting pupils and families with additional needs. Closing it would deprive many of these children's opportunities and it would have detrimental impact for many of our families who rely the support from school.

Children have had their education and their lives disrupted enough due to the pandemic. We do not need to add even more unnecessary and cruel uncertainty. All the children need stability and security and to be able to access an education in the setting they are familiar with and feel settled in.

Our children and communities have suffered enough. We do not need another possible block of flats being built in the area, all for their financial gain.

Together, let's save St Bartholomew's! Help our children remain at school they love, with their friends.

2) Help save St. Peter's Community School:

My daughter, who has Special Educational Needs (SEN), is a proud student at St. Peter's Community School in Portslade-by-Sea, Brighton and Hove, Brighton, UK. This school is a beacon of hope for children like her who struggle in larger educational settings due to their unique SEN needs.

St. Peter's is not just a school; it's an amazing community where teachers are kind, compassionate and understanding. The focus here is always on the families and children - an ethos that fosters well-mannered students who feel valued and supported.

However, our beloved school faces uncertain times which could disrupt the education of many pupils including SEN children who may not cope well in bigger settings this is due to falling pupil numbers across the city. Which is no fault of St Peter's.

The closure of such schools can have devastating effects all pupils but also on SEN students' academic progress and mental health (source: British Journal of Special Education). We must act now to ensure that our children continue to receive the support they need within this nurturing community environment.

We urge local authorities to recognize the importance of maintaining smaller community-based schools like St Peter's for SEN students without an Education Health Care Plan (EHCP). Our plea is simple but urgent - save our school from any threat that could compromise its existence or capacity.

Please sign this petition today to help preserve St. Peter's Community School for current pupils as well as future generations with/ without special educational needs.

Brighton & Hove City Council

Children, Families & Schools Committee

Agenda Item 46

Subject: Proposed Closure of St Bartholomew's CE Primary School

Date of meeting: 22 January 2024

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 In response to the fall in pupil numbers the Council is proposing the closure of two primary schools to address the number of unfilled places in the city and having considered the longer-term viability of both schools in relation to pupil numbers and financial viability.
- 1.2 This report details the response to the recent public consultation on the proposal to close St Bartholomew's CE Primary School on 31 August 2024 and seeks approval to publish statutory notices.

2. Recommendations

- 2.1 That Committee agree to the publication of a statutory notice in respect of the proposed closure of St Bartholomew's CE Primary School with effect from 31 August 2024. The committee notes that publication of the statutory notice will trigger a four-week representation period which will run from 23 January 2024 to 20 February 2024 during which interested parties can comment on the proposal.
- 2.2 That Committee notes that following the representation period a further report will come back to a special meeting of Children, Families & Schools Committee on 29 February 2024. In the event that closure is recommended a final decision will be made by Full Council on 4 March 2024.

3. Context and background information

Process to close a school

- 3.1 The Department for Education has issued Statutory Guidance on the process that must be followed to close a maintained school 'Opening and

closing maintained schools - Statutory guidance for proposers and decision makers (January 2023.)’.

- 3.2 Although St Bartholomew’s CE Primary School is a voluntary aided school the Council has the power under the Education and Inspections Act 2006 to put forward proposals to close the school and to subsequently make a decision on those proposals. The Diocesan Authority has the right of referral to the Office of the School’s Adjudicator if they object to that decision.
- 3.3 The statutory guidance details some of the reasons why a school closure might be considered including where there are surplus places elsewhere in the local area which can accommodate displaced pupils, and where there is no predicted demand for the school in the medium to long term and it is no longer considered viable.
- 3.4 The first step of the closure process is a requirement to undertake a public consultation on the proposals. This has now been completed. Following consideration of the outcome at this committee meeting, the Council has to make a decision whether to proceed with the proposals by publishing statutory notices. Publication of notices is followed by a four-week representation period during which interested parties may make further comment on the proposals.
- 3.5 If, having considered the consultation outcome, committee decides to publish statutory notices it is proposed that the four-week representation period starts on Tuesday 23 January 2024 and runs until 20 February 2024. A report will then be prepared for consideration by the CF&S committee on 29 February 2024 and with a recommendation to Full Council on 4 March 2024.

Public Consultation

- 3.6 On the 6 November 2023, the Children, Families & Schools Committee agreed to undertake a public consultation on the proposals to close St Bartholomew’s CE Primary School.
- 3.7 The consultation ran between 7 November 2023 – 22 December 2023.
- 3.8 A summary of the 327 responses to the consultation portal is provided below. Only 5.2% of responses agreed with the Council’s proposals to close the school. 88% of responses either strongly or tended to disagree with the Council’s proposals.

Option	Total	Percent
Strongly agree	7	2.14%
Tend to agree	10	3.06%
Neither agree nor disagree	12	3.67%
Tend to disagree	11	3.36%
Strongly disagree	273	83.49%
Don't know / not sure	14	4.28%

Total	327	
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- 3.9 Of all the 467 responders to the consultation on proposed school closures, including St Peter's Community Primary and Nursery School, the vast majority strongly disagreed with the Council reducing the total number of surplus school spaces in the city, as outlined in the table below.

Option	Total	Percent
Strongly agree	31	6.64%
Tend to agree	38	8.14%
Neither agree nor disagree	47	10.06%
Tend to disagree	38	8.14%
Strongly disagree	286	61.24%
Don't know / not sure	20	4.28%
Not Answered	7	1.50%
Total	467	

- 3.10 Reasons provided by responders for opposing the proposals included:

- concerns that the Council was taking a short-term approach,
- the accuracy of pupil forecasts, including the need for more places should pupil numbers rise in future years,
- the high levels of pupils' additional needs which could benefit from smaller class sizes,
- smaller class sizes being an opportunity to improve teaching and learning,
- ensuring public services have spare capacity to aid their resilience
- missing a positive opportunity to do something different with school education in Brighton and Hove.

- 3.11 The majority of responders to the consultation who provided further information detailed that they were Brighton & Hove residents with 10% of all responders being parents/guardians of a child(ren) directly affected by the proposal to close St Bartholomew's CE Primary School, detailed in the table below. The 47 responders who provided details were 14.4% of the 327 replies received in relation to St Bartholomew's CE Primary School.

Option	Total	Percent
Brighton & Hove resident	155	33.19%
Parent or guardian of a child(ren) directly affected by the proposal to close St Bartholomew's C of E Primary School	47	10.06%
Parent or guardian of a child(ren) directly affected by the proposal to close St Peter's Community Primary School	89	19.06%

Parent or guardian of a child(ren) not directly affected by the proposed changes	52	11.13%
Teacher in one of Brighton & Hove schools	33	7.07%
Governor at one of Brighton & Hove schools, please give detail below	5	1.07%
Representative of a voluntary or community group, please give details below	7	1.50%
Other, please give details below	67	14.35%
Not Answered	12	2.57%

Concerns Raised During Consultation

3.12 The responses to the public consultation events raised the following concerns:

- the availability of alternative places for children, especially those with siblings in other year groups and for those families who were keen to maintain a Church of England education.
- the ability to fit new school arrangements into the established routines of their children, especially those with Autism or similar traits.
- the disproportionate impact this will have on a diverse and disadvantaged community including those with high levels of Special Educational Needs. There were also concerns that sufficient time had not been given to seeking innovative alternative solutions to the closure of the school.
- with the planned timescale of closure being to the detriment of the pupils and families connected to the school.

3.13 There was concern that the Council was not approaching the development of options to remove surplus school places in an anti-racist way and that the process of consultation was not sufficiently open to all members of the school's community to access.

3.14 It was evident that some families value the community that has built up around the school and that this was more powerful for those whose previous life experiences had involved them moving country and escaping traumatic experiences. In these cases, it was said that the staff at the school and other families have replaced distant family and have provided practical and emotional support which has allowed children to attend regularly and has helped families to cope with unforeseen events that may occur.

3.15 The small size of the school was seen as a real positive to many families. They felt that their children were coping much better by being in a smaller environment, where all staff knew the children and therefore were able to meet their needs without always having to go through additional, formal processes such as statutory assessment to formalize the support required.

- 3.16 Where pupils already have an Education, Health and Care Plan (EHCP) views were expressed that it was considered likely that due to the culture and support at St Bartholomew's any future placement would need to be in a specialised placement rather than in another mainstream school.
- 3.17 The responses to the online consultation raised additional points including concerns that the council should pursue further changes in Published Admission Numbers at other schools before seeking to close the school. It was felt that the school had proved an effective haven for pupils who had not had their needs met in other schools in the city and therefore had faced previous rejection, the effects of which would be compounded by the proposal to close the school. There was concern that families would need to travel further and that pupils who benefit from a stable routine may not cope with needing to attend a different school and undertake a different journey to school, a journey that some families were concerned about making because of the potential of suffering racist behaviour. In addition, there was concern that pupils themselves may suffer racial bullying at a new school.
- 3.18 It was noted that the school was the first choice for 10% of Brighton and Hove's Black community. It was felt that there was a strong commitment to the school from families with children attending it and that this has been evidenced by the small number of children who have left the school since the closure proposals were announced. There were many responses outlining concern as to why the school had been chosen and the disproportionate impact closing the school would have on a school community with a large proportion of pupils with English as an additional language, from other countries and those from the Black and Racially Minoritised communities. It was considered that the school has embraced and nurtured an environment of support and understanding that was greatly appreciated by staff and families alike. Concerns were expressed that this intersectionality of vulnerabilities in the school's population has not been given sufficient regard.
- 3.19 Concerns were also expressed that a formal matrix of criteria was not used to determine where school closures should be proposed and that there was insufficient time for a full consultation and sufficient planning to best support the school's pupils in moving to another school should the school close.
- 3.20 Representations were made by the Chichester Diocesan Board of Education (CDBE) and the Parochial Church Council (PCC) of St Bartholomew's Church, Brighton. The PCC outlined the strong ties between the church and the school and expressed concerns about the turbulence that would be faced by families and pupils and felt that the well-being of the children was not at the forefront of decision making by the Council. They went on to reflect on the impact the closure would have on the community and this area of Brighton particularly.
- 3.21 The CDBE recognised the diverse range of families and children supported by the school and advocated for close work to be undertaken on any transition arrangements that may follow the Council's decision. They also expressed concerns about the timescale of the proposals and the implication of this on other schools being able to meet the needs of the children whilst

already managing their existing cohort of pupils. The CDBE also highlighted the potential loss of skills and expertise within the school's staff should closure take place.

- 3.22 In addition to providing a revised budget plan in support of a change in the school's organisation to be more viable as a smaller school (see paragraphs 3.32 – 3.34), the governing board and leadership of the school raised a number of other concerns during the consultation period. The school expressed concern that the Council's previous attempts to address the issue of falling pupil numbers across the city now required the closure of St Bartholomew's CE Primary school. It was felt that more incentives and innovation were required to engage the city's school communities in making changes to take account of the fall in pupil numbers. The school questioned whether a broader set of criteria should be considered, beyond just pupil numbers and financial viability, alongside the small amount of time taken by the new Administration to determine via an options appraisal that school closure was required.
- 3.23 In addition, it was felt that the school was being negatively impacted because of its inclusive attitude and work to meet the needs of pupils without drawing on further additional funding from the Council. This was compounded by school funding rules that meant the school was financed in 2023/24 on the basis of artificially low pupil numbers.
- 3.24 Without the results of a clear cost:benefit exercise the school felt that it was hard to ascertain if the Council would save money by closing the school. It was put forward that the costs incurred might exceed £750,000 albeit no detailed breakdown of that figure was provided or substantiated. The school reiterated it was a Good school as judged by Ofsted, is 'warmly inclusive' and that closure could deny the community a valuable asset in the building while requiring families displaced by school closure to travel further potentially at greater cost to them. The school also expressed the view that the proposals go against other Council priorities and manifesto commitments.
- 3.25 The school's response to the consultation put forward alternative proposals to assist the school remaining open by providing mitigations to low pupil numbers and basing other support services within the building. However these proposals did not consider how the school would seek to improve levels of parental preference and fill to the school's overall current capacity of 210 pupils. A medium to long term strategy of having a PAN of 20 and accommodating up to 140 pupils in 5 classes as suggested by the school does not appear to be a viable approach with the Council unable to enforce changes in other schools and unwilling to accept greater risks to its funding arrangements, both of which would be required to make the school's proposals workable. The Council's approach is informed by an acceptance that pupil numbers are expected to remain low in future years and parental preference is the mainstay of government policy. The forecast of pupil numbers in the Central City planning area shows a further drop from 424 pupils needing a place in 2025 to 361 pupils needing a place in 2027.

3.26 In the consultation the Council also heard directly from some pupils whose own responses have been submitted by their parents. In addition, the school displayed artwork completed by pupils at the public meetings held at the school. Families discussed the impact the proposals were having on children at home and the conversations parents were having to have with their children when the proposal to close the school came up in conversation. The promotion of the campaign to object to the Council's proposals has included comments from pupils about the staff at the school and the happiness they get from being part of the school and included the submission of a Youtube video that can be accessed [here](#). In addition, the Council accepted artwork developed by A Seat at the Table as part of the response to the consultation.

School Context

3.27 Over the last five years the Council's data shows that the school's number of pupils in Year R to Year 6 has fallen from 164 in 2018. In that time the proportion of children with EHPs has risen by 7.53% above the city-wide average for primary schools alongside above average rises in the proportion of pupils with English as an Additional Language and BAME families, using the DfE definition based on where families have self-identified their ethnic group as other than White British, Refused or Not Known.

Category	2018 data	2023 data	School 5 year change	BHCC Primary average change
% of children with EHCPs	0.6	8.9	8.3	1.4
% of EAL children	24.4	39.3	14.9	2.1
% of BAME children	43.9	55.6	11.7	3.4

Reasons to propose to close the school

3.28 The Council acknowledges the level of opposition to the proposals. It is nonetheless recommended to proceed with publishing a statutory notice to close St Bartholomew's CE Primary School on 31 August 2024. Closure is considered necessary for the reasons set out below.

3.29 At the October census 2023 the school had recorded the following number of pupils on roll compared to October 2022. This is the second lowest number of children in Year R to Year 6 of any primary school in Brighton & Hove. The lowest being St Peter's Community Primary and Nursery School which is also subject to a proposal to close. At 8 January 2024 records show 135 pupils remaining on roll which shows the commitment of families to support the school's efforts to avoid the school's closure.

3.30 The table shows the October census figures used to determine a school's budget in the following year. The school experienced a lower level of pupil numbers in October 2022 than they had at other points in that academic year.

Census Date	Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
October 2023	19	17	23	23	20	16	23	141
October 2022	13	20	24	17	12	18	20	124

- 3.31 The next smallest primary school in the city is Coombe Road Primary School with 151 pupils recorded as being on roll at the October 2023 census. The difference in budget allocation based on the 2023/24 basic entitlement funding rate for 10 additional pupils, before any other factors are taken into consideration, is £33,520.
- 3.32 The school is forecasting that its budget position at the end of 2023-24 financial year to be in deficit by £205,000. This represents 27% of the school's 2023/24 formula budget allocation of £753,000. During the consultation process, the school submitted a revised budget plan and staffing structure that showed how the school could operate with a reduced PAN of 20 pupils and therefore a maximum of 140 pupils on roll.
- 3.33 The school would not plan to reduce the amount of leadership in the staff structure which would support the school to continue its own improvement journey. While making inroads into the current figure the school is still expected to have a deficit, by March 2024 and if all forecasts were met, of £130,000 in March 2026.
- 3.34 Whilst this might be a viable budget that would contribute to a reduction in the school's overall deficit, if fully implemented, how this organisational structure would impact on the quality of education the school provided and the progress of the school's improvement journey is untested. The school has already been identified as requiring support and intervention including a school improvement board due to concerns around the quality of education not being good enough. This planned reduction in capacity and staffing could undermine much of the work currently taking place to improve provision for the children currently attending.
- 3.35 As a voluntary aided school, the school's accommodation is the responsibility of the Diocese of Chichester and its on-going maintenance and purpose are not the Council's responsibility. As noted at the start of the consultation, the Diocese holds the view that any of its educational buildings that are not in use as schools are kept in the service of education as often as possible and this position has not changed.
- 3.36 During the public consultation period the Council obtained updated data to forecast pupil projections to September 2027 and revise previous forecasts for earlier years. The table below outlines the Council's forecast of demand for school places in the coming years and the expected surplus of places if the current number of school places was to remain unchanged. More details are provided in Appendix 1.

School Year	Pupil Forecast	Unfilled places
September 2024	2132	478
September 2025	1970	640
September 2026	1953	657
September 2027	1787	823

3.37 The table below shows the Council's forecast of demand for school places in the planning area up to September 2027.

Date of Birth / school year	School year in Sept 2024	BN1 2	BN1 3	BN1 5	BN1 1	BN1 4	BN1 6	BN1 7	TOTALS	pupils likely to wait a school place based on 90% of GP reg data	Surplus places or shortfall of places
4 Central City			St Mary Mags Prim St Pauls Primary	Stanford Infant Stanford Junior Westdene Primary	Middle Street Primary	St Bartholomew's	Downs Infant Downs Junior Bailour Primary St Bernadettes Pri	Hertford Infant Hertford Junior St Josephs Primary			
places in each school year from Sept 2024			60	150	30	30	210	60	540		
01 September 13 to 31 August 14	6	31	63	136	10	51	207	112	610		
01 September 14 to 31 August 15	5	20	65	123	55	57	210	96	571		
01 September 15 to 31 August 16	4	24	80	116	12	64	182	103	581		
01 September 16 to 31 August 17	3	33	52	116	10	60	173	86	530		
01 September 17 to 31 August 18	2	24	69	100	9	42	173	91	508		
01 September 18 to 31 August 19	1	23	69	91	9	58	165	70	485		
01 September 19 to 31 August 20	R	32	62	86	12	43	145	90	470	423	117
01 September 20 to 31 August 21	2025	20	60	99	9	57	145	81	471	424	116
01 September 21 to 31 August 22	2026	28	67	72	7	40	146	58	418	376	164
01 September 22 to 31 August 23	2027	15	60	85	6	61	112	62	401	361	179

3.38 The Central City planning area is estimated to have over 100 unfilled places in the coming years. As a church school it is accepted that the school will not simply draw pupils from the BN1 4 postcode but the localised picture in the planning area, of there being surplus places is replicated in other adjoining planning areas. In 2023 the school received the lowest number of on-time first preferences of the schools in the planning area, albeit other one form entry schools received fewer than 20 first preferences. In 2022 the school also received the lowest number of on-time first preferences of the schools in the planning area.

3.39 The proposal would reduce the number of CE school places in the planning area by 30 which is a 50% reduction. Across the city the closure of St Bartholomew's CE Primary School would mean a reduction in Church of England school places of 10%. The Council notes in the consultation response from the Chichester Diocesan Board of Education the highlighting of the decrease in the number of Church of Education school places available to children in the city and the CDBE being mindful of strategic decisions that may be required in the future that could impact on this provision further.

3.40 The Council considers that, should the proposed closure be implemented, the impact on the balance of denominational provision in the area and the impact on parental choice will not be significant. The next closest Church of England school is St Paul's CE Primary School under 1100 metres from St Bartholomew's CE Primary school followed by St Martin's CE Primary and Nursery School at 1705 metres from St Bartholomew's CE Primary School. According to the October 2023 census return, both schools are currently operating at approximately 84% occupancy and neither school was full in the Reception year on allocation day.

3.41 When all of these factors are taken into consideration the Council's conclusion is that the school is no longer viable and therefore a statutory

notice should be published in order to proceed with the proposal to close the school.

Displaced pupils

3.42 The Council is confident that there is sufficient capacity to accommodate displaced pupils if the school is to close, even when taking into account sibling links of children in primary school classes. While school places potentially fluctuate on a daily basis the availability of school places at 8 January 2024 was as follows.

School (distance from St Bartholomew's in metres)	Current Year group						
	Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
St Bartholomew's – Current pupil numbers	19	16	22	24	17	14	
St Paul's (1082.21m)	4	13	10	3	5	2	
St Martin's (1704.73m)	15	11	2	5	9	8	
Stanford schools (1096.91m)	25	10	16*	29	11	0	
Carlton Hill (1310.95m)	0	0	3	2	0	0	
Downs Schools (1294.66m)	4	5	13*	2	2	1	
St Mary Magdalen's (1506.08m)	10	4	14	10	13	11	
Fairlight (1588.25m)	10	19	13	15	33	23	
Middle Street (1390.54)	1	5	2	11	6	3	
St Joseph's (2102.31m)	11	13	5	10	6	9	

*assuming only pupils from the Infant school move up to the Junior school.

3.43 At the time of writing on 8 January 2024, there were 112 pupils still on roll at St Bartholomew's CE Primary School in years R to Year 5. It is expected that pupils in Year 6 will continue to attend the school until its proposed closure at the end of the academic year 2023-24.

3.44 Subject to final decision by Full Council, parents who have not applied by the end of the Spring term for a new school place, will be contacted by the School Admissions Team and asked to submit preferences for new school places by

28 March 2024. New places will be allocated to these pupils by 15 April 2024 and these places will be available to take up until September 2024, meaning that families who wish for their children to complete the academic year at St Bartholomew's CE Primary School can do so.

- 3.45 Children with Education, Health and Care Plans will be contacted by a nominated SEN Casework Officer in order that an annual review can take place in the Spring term 2024. Consideration can be then given to the education provision stated in the Education, Health and Care Plan and work can start on identifying a new education setting for September 2024 at the latest.

Pupils with Special Educational Needs

- 3.46 There are currently 11 pupils recorded as attending St Bartholomew's CE Primary School with an Education, Health and Care Plan (EHCP) which is 8% of the school population. 33 pupils were recorded as having SEN support which was 23% of the school population (October 2023 School Census).
- 3.47 Through the consultation concerns have been expressed about how other schools will be able to meet the special educational needs of these pupils and whether specialist placements would be more appropriate, how these pupils will cope with a transition to another school and whether any receiving school would put in place appropriate interventions to support the pupils.
- 3.48 As stated above, all pupils with EHCPs will have an annual review to inform the decision about future provision. Pupils who are currently undergoing statutory assessment will also see no disruption to the process as a result of the proposal to close the school. In addition, the evidence that has been collated for pupils attending the school in advance of a formal request for statutory assessment will be made available to a receiving school and will be taken into consideration when considering what the appropriate next steps might be to meet a pupil's needs.
- 3.49 Concerns have been expressed about whether any receiving school would be able to adequately meet the needs of pupils currently being supported by the staff at St Bartholomew's CE Primary School, due to the amount of time it would take to gain the knowledge and confidence of individuals. The implication is that the Council may need to find more specialist placements or provide additional funding to that which is currently available to pupils at the school and that therefore it would cost the Council more should the school close. However, the Council is confident that the needs of all pupils can be met within other mainstream settings, subject to the updated information obtained during the annual review process.
- 3.50 Importantly the Council has put in place dedicated support from a senior SEN Casework Officer and Team Manager to oversee the transfer of pupils at the school who are known to the Council's SEN service.
- 3.51 As stated above the school has also put forward a number of proposals to mitigate the impact of the school's low pupil numbers. They have suggested

reducing the school's PAN and combining classes, looking at alternative options for introducing a nursery provision by re-locating Bright Start Nursery into its building, opening a specialist provision in the school which utilises the staff's knowledge and expertise and the school's inclusive culture, and developing a multi-agency hub that would also ensure the school's experience at supporting pupils and families with various intersections of vulnerability could be harnessed.

- 3.52 Currently the Council continues to keep under review its sufficiency of SEN places and remains in dialogue with mainstream schools about how to meet the needs of pupils via alternative provision and additional specialist placements. It is also rolling out its Family Hub approach to early intervention services. At this point in time there are no concrete proposals that would support St Bartholomew's CE Primary School remaining open and utilising the expertise and accommodation the school currently has available.

Supporting transition

- 3.53 In the consultation responses, significant concern was raised about the impact and future on the Black and Racially Minoritised children attending the school. The Council recognises the significant part these communities play in the school, additionally the complexity of intersecting vulnerabilities many of these children experience. These factors will be a core element of the transition planning and the Council will draw on the knowledge, experience and commitment of the staff at St Bartholomew's and other schools who currently support Black and Racially Minoritised children elsewhere in the city.
- 3.54 Through the consultation the Council has heard significant levels of concern about the impact the consultation and a potential decision to close the school has had on pupils and their families. Many families have spoken about the way that St Bartholomew's CE Primary School has met their child's additional needs and, in some cases, after other schools have not been able to do so. The school has also outlined how they have been able to avoid pupils needing to attend specialist provision because of the interventions that the school has put in place. The school has also highlighted the impact of multiple factors affecting their pupils and families, the intersectionality of which means that they are some of the most vulnerable pupils and families that the city schools will need to support.
- 3.55 During the in-person consultation events held at the school, the sense of community that had developed between the school and families was very apparent. The Council heard examples of how this relationship has helped address previous traumatic experiences families had encountered and how the closure proposals were raising anxiety levels and re-invoking previous adverse experiences families had encountered.
- 3.56 The Council recognises that there will be an impact on all children who are required to move schools and is seeking to work with staff at the school and any receiving school to minimise the negative impact of the change. The council is enhancing its resources in its Inclusion Support Service, SEN services and Standards and Achievement team to do so. In addition, the

Ethnic Minority Achievement Service, who support children and families where English is not their first language, and the Schools Mental Health Service have also received additional funding to meet the needs that occur from the move of pupils, should the school close.

- 3.57 The Council is proposing to put in place a Transition Board, chaired by the Assistant Director: Education & Skills with oversight from the Co-Chairs of the CF&S committee to monitor and oversee the arrangements put in place for individual children who currently attend St Bartholomew's CE Primary School. This Transition Board will work closely with the teams mentioned above, the existing St Bartholomew's staff, and staff at receiving schools to ensure the transition of pupils is managed in a 'child-centred', caring and considered way.
- 3.58 All schools in the city will be reminded of their role to support the children who need to move school and to ensure that they use the additional funding that would have been made available to St Bartholomew's CE Primary School between September 2024 – March 2025 to support them in their new setting.
- 3.59 As the admission authority for community schools, the Council will consider any circumstances where a child's medical or social need means their needs can only be met at a specific school when parents make applications for other schools. The Council will also request that church schools who are their own admission authority give due consideration to any applications they receive, in line with their own admission arrangements. The submission from the CDBE outlines the commitment of the Diocese to work as partners in exploring places in alternative schools for children with identified, documented, additional needs within an EHCP and children with high level needs but without an EHCP.
- 3.60 The Council has heard a number of families comment on the benefits of St Bartholomew's CE Primary School's small class sizes. It will not be possible to replicate the small class size experience in other schools and this is a contributory factor to schools currently facing financial pressures. The vast majority of school funding is based on pupil numbers and therefore schools operating with small class sizes are less likely to be financially viable, particularly smaller schools where economies of scale that may exist in larger schools, do not apply.
- 3.61 In addition, the Council has also heard families talk about the range of support open to pupils that has been provided without the provision of an Education, Health and Care Plan. Families are concerned that when moving to new schools their children will not be adequately supported in a new setting especially when they have heard of the pressures in the system currently with demand for services exceeding what is available from schools, despite funding following the pupil.
- 3.62 Information on pupils' needs and strategies and interventions that work to support pupils in learning will be made available to receiving schools and staff will be encouraged to discuss individual pupils as part of the transition process. Evidence collated by St Bartholomew's CE Primary School will remain valid and can be used as supporting information for an Education,

Health and Care Needs Assessment. The Council has heard that the school will be supporting parents to proceed with requests for statutory assessment and have raised concerns that the potential additional costs of more children receiving EHC Plans will diminish any reduction in risk to the Council's own budget pressures by closing the school.

- 3.63 The process of assessment will lead to a conclusion as to how best to meet the child's needs and whether there is a need to identify a child's primary area of difficulty and the type of school best suited to meet that need.

Impact on the community

- 3.64 Responses to the consultation have described the sadness in the community at the potential closure of such a long-established school with a strong bond to the parish church. The school have explained that the school is used to support a number of community initiatives including providing a space for an Islamic and Bulgarian school that could be lost to the community if the school was to close.
- 3.65 There are no active plans for the Council, alongside the Diocese, to re-purpose the accommodation that would become vacant should the school close.
- 3.66 It has been recognised that the school's community stretches beyond the area the school sits within and it is not likely that classes from the school will move in their entirety into the same school, although technically possible on some school sites and dependent upon parents all expressing such a wish. The Council has closely considered how pupils and families could be supported in that transition in order that the sense of community can be preserved so far as possible. It is expected that this will happen through the scheduling of opportunities for pupils and families to come together through and beyond the transition phase with the support of the Council's Schools Mental Health Service.

Staffing

- 3.67 Should the school close, staff's jobs will be at risk. The Council will strongly recommend that should the school close the staff affected be given the opportunity to be considered for roles in other schools prior to any recruitment process that they may undertake. However, this is a decision for individual governing boards and whilst the Council would like to see all schools consider redeployment before recruitment this is not a decision that the Council can impose on schools. As at 8 January 2024, there were 5 primary school teaching jobs being advertised by schools and 24 support staff roles. Additionally, there are 50 posts in the Council's redeployment pool as staff will also have access to those. Discussions have taken place with colleagues in secondary schools, who report a number of unfilled support roles, to provide opportunities for staff to experience what working in a secondary school would be like.

- 3.68 With the support of trade unions, the Council will begin a staff consultation on proposed redundancy in late January. While this will be during the statutory notice period, should committee agree to the recommendation in this report and before a final decision has been taken on the school's future, it will give staff the opportunity to be included in the Council's own redeployment pool at the earliest opportunity. Should the Council not go ahead with the proposed closure of the school then the staff consultation will end without implementation.
- 3.69 The Council is hoping to retain the knowledge and experience of staff working at St Bartholomew's CE Primary School, should the school close, for the benefit of the education community in the city. However, it is recognised that as pupil numbers continue to fall across the city schools are having to reduce the number of staff employed.
- 3.70 The school's proposal to remain open as a smaller school would mean the retention of most staff. These proposals did not include any calculation for the cost of redundancy that would be a responsibility of the school to meet. This would have a bearing on the school's ability to ensure its expenditure was less than its income in the initial period whilst the school adjusted to a smaller teaching staff.
- 3.71 Staff who are made redundant will receive their relevant entitlements depending on the role in which they hold at the school and continuous service.

Accommodation

- 3.72 There are no active plans for the future use of the school site. The building and land are the responsibility of the Diocese of Chichester and the site's ongoing maintenance will need to be met by them at the point that the school closes. The school has put forward proposals for how the school could remain open and its financial viability be supplemented by the co-location of other services including a proposal put forward by the school to re-locate Bright Start nursery into the building.
- 3.73 The Council does not envisage new provision or workforce bases being required at St Bartholomew's CE Primary School and the school have not been encouraged to provide any costed examples of how these options may ensure the school's viability due to the Council's opinion that they do not merit further examination. However, the Council is committed to working with the Diocese to explore how their stated aim of keeping the building in the service of education can occur.

Travel

- 3.74 The government guidance outlines that when proposing to close a school, decision makers should consider whether the proposal will result in unreasonably long journey times or increased travel costs for local authorities or families, as well as any increase in the use of motor vehicles which is likely

to result from the discontinuance of the school, and the likely effects of any such increase.

- 3.75 The Council is unable to forecast what preferences parents will have for alternative schools for their children to attend. As a result, it is not possible to quantify the impact on travel of closing the school. Most families will be able to choose a school within a 2-mile walking route from St Bartholomew's. However, through the consultation period concerns have been expressed by families about their ability to get their children to different schools because of work commitments, the reliability and accessibility of public transport and the safety of walking routes to other schools. A particular concern was for families with young children and the practicalities of transporting them to and from a new school site when accompanying their school aged sibling.
- 3.76 The Council's Home to School transport policy reflects the legislation and sets out that the Council has a duty to provide assistance with transport for children of compulsory school age between home and school if the child is under the age of 8 and lives more than two miles from their nearest suitable school; or the child is aged between 8 and 16 years and lives more than three miles from their nearest suitable school. The 'nearest suitable school' in relation to primary education is considered to be the closest maintained school to the child's permanent home address that is suitable to age, educational needs and has a place available. Families may therefore be eligible for transport assistance from the Council, because of their circumstances, when a new school place is known. Factors that may be taken into account in deciding eligibility for assistance include having to take other primary age or younger children to a different school or pre-school, fixed employment patterns and the medical condition or disability of a parent or carer which means they cannot accompany their child to school.
- 3.77 In accordance with the Council's Home to School transport policy and the Department for Education's statutory guidance, the starting point for assessment of eligibility for assistance with travel is that as far as possible parents should accompany their children to school or that children should make their own way to school. For children with SEN, a disability or mobility problems this may mean that some additional support is provided.
- 3.78 The Council will work with schools who receive pupils from St Bartholomew's CE Primary School to develop their school travel plans to seek to mitigate against increased car use.

Equalities

- 3.79 When contemplating school closure, the Council must have 'due regard' to the duties set out in section 149 of the Equalities Act 2010 (the Public Sector Equality Duty). This requires the Council to consider how any decision to close might affect people who are protected under the Equality Act. Decision makers should be satisfied that the proposer has shown a commitment to providing access to a range of opportunities which reflect the ethnic and cultural mix of the area in which a school is located, whilst ensuring that such opportunities are open to all.

- 3.80 This report is accompanied by an Equalities Impact Assessment (Appendix 2) which has been undertaken as part of the statutory process to identify any equality implications of the proposal and to address any concerns through appropriate mitigations if a decision is made to close the school. This EIA has been particularly informed by the responses to the consultation.
- 3.81 Through the consultation concerns were expressed by the school and other family advocates about the ability for all members of the community to engage in the process and whether the consultation was sufficiently accessible. Additional support for families where English was not the first language and for those whose children have special educational needs were put in place by the school and Council, including translated materials and specific meetings for those families to share their experiences and raise concerns about the proposals. The school created a proactive plan on how to engage with their families and informed Council actions on this matter. The school expressed disappointment that this had not been undertaken by the Council before the consultation was planned. There were a number of different meetings held for parents and the Council accepts that it meant many families attended multiple meetings and discussed their circumstances more than once and that this was a difficult and potentially stressful process.
- 3.82 Staff from the Ethnic Minority Achievement Service (EMAS) have supported families they work with throughout the consultation period to understand the proposals and have facilitated them in responding to the Council. The Brighton and Hove Parent and Carer Council have also been available for families to support them, as part of the process.
- 3.83 EMAS have supported one Bengali, two Arabic, one Romanian, one Ukrainian, two Pashto and one Polish family to understand and respond to the consultation in meetings and in writing. EMAS continue to support families understand the process and what it means for their family and children. EMAS have liaised with Caseworkers for children with EHCPs.
- 3.84 The Council promoted to families the offer of interpreting and translation services. No families requested that support however, in liaison with the school, a number of documents were translated and a number of interpreters were made available at a public meeting. It is understood that many families liaised with the school directly about their needs however direct communication was made by the council to those families via the school.
- 3.85 Closing St Bartholomew's CE Primary School will remove the option of a school place in central Brighton at a school that is appreciated for how it supports families and children irrespective of their disabilities, race and life experiences. In its submission to the consultation, the Chichester Diocesan Board of Education also recognises that the school supports a diverse range of children and families who have high levels of complex social and educational need and notes the support given by the school is something that this Church of England school community feels rightly proud of.

- 3.86 By proposing the closure of St Bartholomew's CE Primary School it is hoped that it will ensure other schools in the city, including other CofE schools, are supported to remain resilient in the short and medium term and better placed to continue to meet the needs of all pupils including those with protected characteristics. Doing so is demonstrating the council's commitment to providing access to a range of opportunities which reflect the ethnic and cultural mix of the area whilst ensuring that such opportunities are open to all.

4. Analysis and consideration of alternative options

- 4.1 The Council could propose not to close St Bartholomew's CE Primary School, further explore the suggestions put forward by the school for alternative delivery models or propose to close the school over a longer time period.
- 4.2 The viability of alternative options to closure are considerably diminished by the current financial position of the school and the numbers of children on roll. Specifically, it is the view of the Council that these factors do not mean it is viable to close the school at a later date. It is reasonable to assume that the risk of greater costs to the Council's General Fund will rise should the school remain open longer and whilst possible alternative or mitigating factors take time to put in place. Where the school has put forward a high-level, revised budget plan based upon a smaller PAN the improved financial position would only be realised through a reduction in the staff supporting the pupils who remain at the school. It cannot be guaranteed that staff will remain at the school and the Council has no policy on the payment of retentions that could be used in such circumstances, thereby negating the potential impact of staff moving before the school's closure to secure future job opportunities.
- 4.3 It can be reasonably expected that if a longer closure period was agreed more families will move their children to alternate schools as the revised closure date gets closer. This will further compound the school's viability and ability to sustain its school improvement journey. Therefore, an alternative timing of closure or proposal not to close the school are not considered appropriate.
- 4.4 Whilst undoubtedly affected by the council's proposals, the number of preferences received for the school from parents of children due to start school is expected to be low.
- 4.5 As part of the consultation process the school put forward alternative options with the preferred option being to reduce the PAN and have an additional service, such as Bright Start nursery or SEN provision on the school site:
- Reduced PAN
 - Allow Bright Start to run a full offer nursery from the school site.
 - Work with the SEN team to create specialist provision on our site, to support pupils from across the city.
 - Federation or Academise.

- Create an multi agency hub for some of the most vulnerable groups in the city.
- 4.6 The school also submitted a revised high level budget plan to show how expenditure could be kept lower than funding through a reduction in teaching staff and a reorganisation of classes. The surplus generated would be used to offset the school's current deficit but was not forecast to remove the deficit in its entirety.
- 4.7 Whilst these proposals provide an alternative to the school's closure there is not sufficient compelling information for the Council to consider them as alternatives to closure. As outlined, the proposals in the budget plan could place the school's on-going improvement journey at risk and requires the school to maintain sufficient popularity in the community to maintain 140 pupils across the school. In addition, the Council's own proposals for family hubs, early years and special education needs provision do not align with the school's alternative proposals.
- 4.8 By not reducing the number of surplus places in the city in the longer-term school occupancy rates will not increase meaning that school budgets will remain lower and this may make more schools less viable. As schools are more likely to be able to balance their budgets if operating with full, or close to full, forms of entry.

5. Community engagement and consultation

- 5.1 The council undertook a consultation exercise between 7 November and 22 December 2023. A total of 6 meetings held in-person or online took place and the 3 fully open meetings were attended by a total of approximately 120 people. Many people attended more than one meeting.
- 5.2 The online consultation response form received 327 responses and 15 replies were received directly to the council's school organisation or school admissions email accounts. The vast majority of replies stated their disagreement with the proposals and concern for the impact on families and pupils who have a number of intersectional vulnerabilities and therefore the proposals were going against the Council's own stated intentions including to be an anti-racist Council. The timescale of the consultation and the proposed timetable to closure were also criticised as being particularly harmful to the children and their families affected if the school was to close. In addition, there is concern for how pupils who attend the school will be supported by other schools and whether their culture and ethos would allow them to be sufficiently supported.
- 5.3 The consultation was notified to various stakeholders including both Dioceses and a response was received from the Chichester Diocesan Board of Education.

6. Conclusion

- 6.1 The council has undertaken a public consultation on proposals to close St Bartholomew's CE Primary School on 31 August 2024.
- 6.2 A total of 327 responses were received via the consultation portal and there were 15 email direct responses to the Council's school organisation or school admission email accounts about the proposals. The vast majority of replies disagreed with the proposals and raised concerns about how pupils who attend the school would be supported by other schools should they need to move.
- 6.3 On 8 January the school was operating with 135 pupils and this is the second smallest primary school in Brighton & Hove. The primary school with the lowest number of pupils is also proposed to close on 31 August 2024.
- 6.4 The school is anticipating ending this financial year with a £205,260 deficit.
- 6.5 The low numbers of pupils attending the school and the absence of a credible financial plan that shows the school coming out of deficit means any alternative to closure would need additional support from the Council.
- 6.6 Parents of children attending the school are concerned that their children's needs will not be met as well as they are by staff at St Bartholomew's CE Primary School and that the culture of inclusivity that the school operates that provides the right environment for their children to succeed will not be found elsewhere.
- 6.7 In addition, concerns have been expressed about the availability of church school places in proximity to the school and the impact the uncertainty about the school's future is having on families who have experienced adverse events before.
- 6.8 In the school's submitted response to the consultation the proposals put forward to assist the school to remain open were about mitigating the low pupil numbers, through reducing the PAN and enhancing the SEN support made available and possibly hosting the Bright Start Nursery. Proposals did not consider how the school would seek to improve levels of parental preference and fill the school's capacity of 210 pupils. The Council's view is that a medium to long term strategy to maintain the school though a reduced number of pupils onsite is not a viable approach with pupil numbers still expected to fall in future years and parental preference being a mainstay of government policy.
- 6.9 In recommending that the school closes the Council is committed to supporting all pupils to find an alternative school place, be supported to attend that school if their circumstances mean they are entitled to transport assistance and to work with the receiving schools to meet the needs of the children. The Council has put additional resources in place to provide teams with dedicated time and staff to oversee transition arrangements and will clearly state its expectations of receiving schools so as to minimise the impact of children having to attend another school.

- 6.10 The Central City planning area is expected to have over 100 unfilled places and rise in the coming years. It is a planning area with one of the highest proportions of unfilled spaces to expected pupils. St Bartholomew's CE Primary School has received low levels of parental preferences in recent years. It is recommended that the school closes by 31 August 2024.
- 6.11 If the recommendations in this report are agreed, a statutory representation period of four weeks will run between 23 January 2024 and 20 February 2024 during which any person may make further comments on the proposal. Once any further comments are considered a further report will be brought to a special meeting of the Children, Families & Schools Committee on 29 February 2024. In the event that closure is recommended, a final decision will be made by Full Council on 4 March 2024.

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 The governing body approved budget plan submitted by St Batholomew's in summer term 2023 shows the school with an estimated deficit balance of £205,260 at the end of the 2023/24 financial year with no long-term plan to bring the budget back into balance. The school submitted a revised budget plan during the consultation period based on a reduced PAN and this demonstrates how expenditure could be lowered through a reduction in the number of teaching staff and teaching assistants. The revised plan shows potential in-year surpluses which would partially offset the school's current deficit, however the predicted position at the end of the 2025/26 financial year still shows a cumulative deficit in the region of £130,000.
- 7.4 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 deficit of St Batholomew's by the end of the academic year 2023/24 is estimated to be £200k 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: 11/01/24

8. Legal implications

- 8.1 In order to achieve any reorganisation of school provision the council must comply with School Organisation legislation- the Education and Inspections Act 2006 (EIA), associated regulations, and statutory guidance published by the Department for Education- "Opening and closing maintained schools, Statutory guidance for proposers and decision makers, January 2023". Both the legislation and guidance set out the steps which the council must take before making any decisions on proposals to reorganise school provision.
- 8.2 In accordance with Section 15 of the Education and Inspections Act 2006 ("the EIA 2006") (as amended) and the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 ("the Regulations"), a formal consultation exercise has now been carried out with all interested parties. If the decision is taken to proceed with the proposed closure of St Bartholomew's Primary School following this consultation, a statutory notice must be published. Publication of the notice triggers a four-week period of representation during which interested parties are able to comment on the proposal. At the end of this representation period a further report will be brought back to Children Families and Schools committee. In the event that committee recommend that the school is closed, the final decision will be taken by Full Council on 4 March 2024.
- 8.3 In taking decisions the Council must act lawfully, including acting within its powers and following its own procedures as well as those required by law. The Council must ensure that all required consultations are properly undertaken in accordance with relevant law and guidance. It must make rational, evidence based decisions, take into account all relevant considerations, act for a proper purpose, and be properly reasoned.
- 8.4 The Council is required to have 'due regard' to the duties set out in Section 149 of the Equality Act 2010 (the Public Sector Equality Duty) in determining the proposal. In order to comply with the public sector equality duty the Committee should have due regard to the analysis of the impact upon those affected by the proposal who have protected characteristics under the Act. This is summarised within the EIA template and the body of the report. Recent government guidance indicates that the general duty requires decision-makers to have due regard to advance equality of opportunity and foster good relations in relation to activities such as providing a public service. As indicated in recent government guidance the duty does not dictate a particular outcome. The level of "due regard" considered sufficient in any particular context depends on the facts. The duty should always be applied in a proportionate way depending on the circumstances of the case and the seriousness of the potential equality impacts on those with protected characteristics.

Name of lawyer consulted: Serena Kynaston Date consulted: 11.01.2024

9. Equalities implications

- 9.1 An Equalities Impact Assessment (EIA) has been undertaken and is included as Appendix 2 to this report. As the earlier equalities section details, in proposing the closure of a school the Council needs to consider the impact of the proposals on the relevant protected characteristics and any issues that may arise from the proposals. In so doing, decision makers should be satisfied that the proposer has shown a commitment to providing access to a range of opportunities which reflect the ethnic and cultural mix of the area in which a school is located, whilst ensuring that such opportunities are open to all.
- 9.2 In addition, the Government refreshed guidance on the Public Sector Equality Duty which requires public authorities to have due regard to certain equality considerations when exercising their functions, like making decisions. The guidance reiterates that “It is for the decision-maker to decide how much weight should be given to the various factors informing the decision. The duty does not mean that decisions cannot be taken which disadvantage some people (provided this does not constitute unlawful discrimination), but the decision-maker should be aware of the equality impacts of these decisions and consider how they could positively contribute to the advancement of equality and good relations. The decision-maker should consider ways of preventing, or balancing the effects that their decision may have on certain groups. They should decide which mitigations, if any, they might want to put into place in reconsidering the decision. The mitigation should be proportionate to the problem at hand.” Therefore, compliance with the general duty involves consciously thinking about the equality aims while making decisions. There is no prescribed process for doing or recording this.
- 9.3 Through the consultation process concerns have been expressed about the potential harm a school closure would have on families and children who have special educational needs, have life experiences that have caused trauma and created disadvantage. It is reported that these are families who have experienced multiple intersectional vulnerabilities but who have found a welcome and supportive environment in the school that has led to a build-up of community support and resilience that would be lost if the school was to close. Whilst it is clear that any change of school will have an impact on a family and child, the Council is committed to minimising the harmful impact of that in conjunction with both St Bartholomew’s CE Primary School and the receiving school.
- 9.4 It is possible that families may need to travel further to school than they do currently and there will be a need to establish new trusting relationships for families and children with staff in a new school.

- 9.5 The EIA outlines the potential actions that can be undertaken to advance equality of opportunity, eliminate discrimination, and foster good relations should the proposal to close the school be agreed.
- 9.6 The council recognises that the proposal to close the school is at odds with other stated objectives of the Council including its anti-racist pledge. Whilst the council recognises that it must be more transparent in its decision making and better demonstrate consideration of the impact decisions could have on those with protected characteristics, the requirement to address the issue of falling pupils numbers, financial pressures across the school system and minimise the risk to the Council's own viability result in having to put forward the proposal to close a school in an area with declining pupil numbers for which there is no compelling evidence of the school's on-going viability.
- 9.7 As a result, the council has identified in the EIA steps that can be taken to mitigate the effects of the school's closure.

10. Sustainability implications

- 10.1 The proposal to close St Bartholomew's CE Primary School could extend the length of journey families need to undertake to take their children to school. This could have an impact on the use of private vehicles, or the number of journeys undertaken on public transport especially when the distance from home to school increases when children are placed in other schools.
- 10.2 At this stage it is not possible to anticipate patterns of parental preference to identify what mitigation measures will need to be in place. However, 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

And it would be expected that schools receiving pupils as a result of a decision to close the school are supported to amend these to take account of the changes that occur.

- 10.3 The Council has heard the concern about safe walking routes to school especially for families who have younger children or those whose additional needs may make their behaviour unpredictable. Consideration will need to be made to reviewing routes considered safe walking routes where concerns have been expressed. In addition, due consideration will be given to the circumstances of any families who apply for transport assistance once their child has been allocated a new school place.

Supporting Documentation

1. Appendices

1. Primary School Place forecast

2. Equalities Impact Assessment
3. Draft Statutory Notice
4. Draft Full Proposal Information

2. Background documents

The responses received via the consultation portal have been made available confidentially to Councillors sitting on the CF&S committee for their consideration.

Date of Birth / school year	School yr in Sept 24	Grand Total all planning areas from 2023 data	pupils likely to want a school place based on 90% of GP reg data	Permanent places in Year R in 2024	Surplus places or shortfall of places	Comparison with 2022 data	
All planning Areas							
places in each school year from Sept 2024						Surplus places or shortfall of places based on 2022 data	Number of surplus places have risen fallen between 2022 and 2023
01 September 13 to 31 August 14	6	2,994	2,695				
01 September 14 to 31 August 15	5	2,846	2,561				
01 September 15 to 31 August 16	4	2,834	2,551				
01 September 16 to 31 August 17	3	2,743	2,469				
01 September 17 to 31 August 18	2	2,603	2,343				
01 September 18 to 31 August 19	1	2,435	2,192				
01 September 19 to 31 August 20	R	2,369	2,132	2,610	478	593	-115
01 September 20 to 31 August 21	2025	2,189	1,970	2,610	640	741	-101
01 September 21 to 31 August 22	2026	2,170	1,953	2,610	657	752	-95
01 September 22 to 31 August 23	2027	1,985	1,787	2,610	824		

593

743

753

Date of Birth / school year	School year in Sept 2024	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	
		270	660	90	540	150	450	270	180	2610
places in each school year from Sept 2024			0	0	0	0	0	0	0	
01 September 13 to 31 August 14	6	249	0	0	0	159	0	0	0	409
01 September 14 to 31 August 15	5	260	0	0	0	171	0	0	0	431
01 September 15 to 31 August 16	4	215	0	0	0	171	0	0	0	386
01 September 16 to 31 August 17	3	231	0	0	0	160	0	0	0	392
01 September 17 to 31 August 18	2	224	0	0	0	152	0	0	0	376
01 September 18 to 31 August 19	1	217	0	0	0	123	0	0	0	340
01 September 19 to 31 August 20	R	176	564	79	423	129	429	164	168	2132
01 September 20 to 31 August 21	2025	180	528	54	424	105	388	140	151	1970
01 September 21 to 31 August 22	2026	167	534	69	376	123	372	162	149	1953
01 September 22 to 31 August 23	2027	158	484	53	361	92	367	128	144	1787

Date of Birth / school year	School year in Sept 2024	BN41 1	BN41 2				Comparison with 2022 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		90	180	270				
01 September 13 to 31 August 14	6	84	193	277	249			
01 September 14 to 31 August 15	5	85	204	289	260			
01 September 15 to 31 August 16	4	67	172	239	215			
01 September 16 to 31 August 17	3	75	182	257	231			
01 September 17 to 31 August 18	2	84	165	249	224			
01 September 18 to 31 August 19	1	66	175	241	217			
01 September 19 to 31 August 20	R	64	131	195	176	95	87	8
01 September 20 to 31 August 21	2025	64	136	200	180	90	95	-5
01 September 21 to 31 August 22	2026	57	129	186	167	103	109	-6
01 September 22 to 31 August 23	2027	51	124	175	158	113		

Date of Birth / school year	School year in Sept 2024	BN3 1	BN3 2	BN3 3	BN3 4	BN3 5	BN3 6	BN3 7				Comparison with 2022 data	
2 Central Hove		West Hove Infant @Holland Road Hove Juniors Holland Road Brunswick Primary		St Andrews Primary		West Hove Infant Hove Junior	Cottesmore Primary Bilingual Primary School	Aldington Primay Goldstone 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		150		90		120	150	150	660				
01 September 13 to 31 August 14	6	86	49	136	93	167	170	156	857				
01 September 14 to 31 August 15	5	93	36	116	76	136	131	160	748				
01 September 15 to 31 August 16	4	97	42	99	68	154	145	154	759				
01 September 16 to 31 August 17	3	64	42	133	93	124	115	141	712				
01 September 17 to 31 August 18	2	94	39	113	61	149	127	134	717				
01 September 18 to 31 August 19	1	77	38	97	71	120	131	94	628				
01 September 19 to 31 August 20	R	85	32	96	72	132	82	128	627	564	96	130	-34
01 September 20 to 31 August 21	2025	80	32	105	50	118	100	102	587	528	132	174	-42
01 September 21 to 31 August 22	2026	78	39	118	66	122	80	90	593	534	126	143	-17
01 September 22 to 31 August 23	2027	70	38	111	56	112	64	87	538	484	176		

Date of Birth / school year	School year in Sept 2024	BN3 8				Comparison with 2022 data	
3 West Blatchington and North Hangleton		Hangleton Primary West Blatch 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		90	90				
01 September 13 to 31 August 14	6	141	141				
01 September 14 to 31 August 15	5	128	128				
01 September 15 to 31 August 16	4	123	123				
01 September 16 to 31 August 17	3	96	96				
01 September 17 to 31 August 18	2	107	107				
01 September 18 to 31 August 19	1	102	102				
01 September 19 to 31 August 20	R	88	88	79	11	11	-0
01 September 20 to 31 August 21	2025	60	60	54	36	36	0
01 September 21 to 31 August 22	2026	77	77	69	21	18	3
01 September 22 to 31 August 23	2027	59	59	53	37		

Date of Birth / school year	School year in Sept 2024	BN1 2	BN1 3	BN1 5	BN1 1	BN1 4	BN1 6	BN1 7				Comparison with 2022 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	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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024			60	150	30	30	210	60	540				
01 September 13 to 31 August 14	6	31	63	136	10	51	207	112	610				
01 September 14 to 31 August 15	5	20	65	123	≤5	57	210	96	571				
01 September 15 to 31 August 16	4	24	80	116	12	64	182	103	581				
01 September 16 to 31 August 17	3	33	52	116	10	60	173	86	530				
01 September 17 to 31 August 18	2	24	69	100	9	42	173	91	508				
01 September 18 to 31 August 19	1	23	69	91	9	58	165	70	485				
01 September 19 to 31 August 20	R	32	62	86	12	43	145	90	470	423	117	185	-68
01 September 20 to 31 August 21	2025	20	60	99	9	57	145	81	471	424	116	173	-57
01 September 21 to 31 August 22	2026	28	67	72	7	40	146	58	418	376	164	222	-58
01 September 22 to 31 August 23	2027	15	60	85	6	61	112	62	401	361	179		

Date of Birth / school year	School year in Sept 2024	BN1 8				Comparison with 2022 data	
5 Patcham		Patcham Infant Patcham Junior Carden 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		150	150				
01 September 13 to 31 August 14	6	177	177	159	-9		
01 September 14 to 31 August 15	5	190	190	171	-21		
01 September 15 to 31 August 16	4	190	190	171	-21		
01 September 16 to 31 August 17	3	178	178	160	-10		
01 September 17 to 31 August 18	2	169	169	152	-2		
01 September 18 to 31 August 19	1	137	137	123	27		
01 September 19 to 31 August 20	R	143	143	129	21	26	-5
01 September 20 to 31 August 21	2025	117	117	105	45	47	-2
01 September 21 to 31 August 22	2026	137	137	123	27	32	-5
01 September 22 to 31 August 23	2027	102	102	92	58		

Date of Birth / school year	School year in Sept 2024	BN2 0	BN2 1	BN2 2	BN2 3	BN2 5	BN2 9				Comparison with 2022 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	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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		90			150	90	120	450				
01 September 13 to 31 August 14	6	56	55	≤5	72	153	133	469				
01 September 14 to 31 August 15	5	45	44	≤5	86	142	127	444				
01 September 15 to 31 August 16	4	61	51	≤5	94	122	129	457				
01 September 16 to 31 August 17	3	57	58	≤5	98	140	141	494				
01 September 17 to 31 August 18	2	46	39	≤5	87	144	133	449				
01 September 18 to 31 August 19	1	42	55	≤5	99	124	131	451				
01 September 19 to 31 August 20	R	53	63	≤5	89	143	129	477	429	21	36	-15
01 September 20 to 31 August 21	2025	42	46	≤5	94	115	134	431	388	62	55	7
01 September 21 to 31 August 22	2026	47	51	≤5	84	118	113	413	372	78	85	-7
01 September 22 to 31 August 23	2027	43	59	≤5	73	125	108	408	367	83		

Date of Birth / school year	School year in Sept 2024	BN2 6	BN2 7	BN2 8				Comparison with 2022 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		120	60	90	270				
01 September 13 to 31 August 14	6	128	21	99	248				
01 September 14 to 31 August 15	5	126	34	96	256				
01 September 15 to 31 August 16	4	115	38	93	246				
01 September 16 to 31 August 17	3	122	34	82	238				
01 September 17 to 31 August 18	2	108	32	72	212				
01 September 18 to 31 August 19	1	100	26	82	208				
01 September 19 to 31 August 20	R	90	26	66	182	164	106	107	-1
01 September 20 to 31 August 21	2025	85	20	50	155	140	131	134	-4
01 September 21 to 31 August 22	2026	89	30	61	180	162	108	112	-4
01 September 22 to 31 August 23	2027	75	18	49	142	128	142		

Date of Birth / school year	School year in Sept 2024	BN1 9	BN2 4				Comparison with 2022 data	
8 City North		Coldean Primary	Bevendean Primary Coombe Rd Primary Moulsecoomb 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		60	120	180				
				0				
01 September 13 to 31 August 14	6	56	159	215				
01 September 14 to 31 August 15	5	58	162	220				
01 September 15 to 31 August 16	4	52	187	239				
01 September 16 to 31 August 17	3	60	178	238				
01 September 17 to 31 August 18	2	56	136	192				
01 September 18 to 31 August 19	1	45	138	183				
01 September 19 to 31 August 20	R	42	145	187	168	12	11	1
01 September 20 to 31 August 21	2025	35	133	168	151	29	29	-0
01 September 21 to 31 August 22	2026	37	129	166	149	31	32	-1
01 September 22 to 31 August 23	2027	27	133	160	144	36		

Equality Impact and Outcome Assessment (EIA)

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).

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	Proposed Closure of St Bartholomew's CE Primary School	ID No.⁶	FCL-104-Jan-24-EIA-StBartsSchoolClosure
Team/Department⁷	Families, Children & Learning – Education & Skills		
Focus of EIA⁸	<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 6 other schools. A total reduction of 240 places.</p> <p>This EIA is focussed on the proposed closure of St Bartholomew's CE Primary School, and the impact on the cohorts of children between the age of 4-11 years old who will be affected by the closures. The EIA will also cover some factors potentially affecting staff at the school.</p> <p>A public consultation process has taken place (from 7 November 2023 to 22 December 2023) and the results of the views of other admission authorities, adjoining neighbouring local authorities, Dioceses, schools' governing bodies, families of children and any other people interested in the proposals have been gathered and inform this EIA document. Where the data for this consultation has been provided, the effects of the closures on any impacted groups have been reflected in this EIA.</p>		

	<p>This EIA is looking at the impacts of the proposed closures to ensure that groups affected have been considered fairly and to help inform decision making. This document takes account of the Government's updated guidance on the Public Sector Equality Duty that outlines the purpose of an EIA and states:</p> <p>It is for the decision-maker to decide how much weight should be given to the various factors informing the decision. The duty does not mean that decisions cannot be taken which disadvantage some people (provided this does not constitute unlawful discrimination), but the decision-maker should be aware of the equality impacts of these decisions and consider how they could positively contribute to the advancement of equality and good relations. The decision-maker should consider ways of preventing, or balancing the effects that their decision may have on certain groups. They should decide which mitigations, if any, they might want to put into place in reconsidering the decision. The mitigation should be proportionate to the problem at hand.</p> <p>Therefore, compliance with the general duty involves consciously thinking about the equality aims while making decisions. There is no prescribed process for doing or recording this.</p>
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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>The proposal will primarily impact on primary school age children who currently attend the school or may have wished to attend the school, these will be children currently 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>St Bartholomew's school received 14 pupils allocated on National Offer Day to start reception in Sept 2023, 15 pupils to start reception in Sept 2022 and 15 pupils to start Reception in Sept 2021.</p> <p>These proposals will have a disproportionate impact on children in the current Year 5 as they will have to move to a new school for Year 6 and then secondary school in</p>	<p>Regarding adults, the consultation on school closures received 467 responses of which there were received 327 responses in relation to St Bartholomew's, through the consultation portal. 59.3% of responders provided their age with the youngest being 18 and the oldest over 75.</p> <p>Out of these responses provided 9.8% were under 30. 31.4% were aged between 30-39; 35.1% aged between 40-49; 14.4% were aged between 50-59 and 9.3% were 60 or older.</p> <p>A number of parents with siblings attending these schools in different year groups have raised concerns about all siblings</p>	<p>Regarding adults, respondents aged between 30 and 59 accounted for about 81% of the responses.</p> <p>Children in year 5 may be disproportionately affected by having to move school for Sept 24. Children currently attending the school will be affected by having to start a new primary school.</p> <p>Younger children may find settling into a new school more challenging than older children.</p>	<p>Ensure that vulnerable children who would be particularly affected by moving schools are identified and supported with the change of schools. Appropriate support provided by Brighton & Hove Inclusion Support Services (BHISS) and Schools Mental Health Service to assist with the transition for identified pupils. The Council will operate a Transition Board and individual action plans may be appropriate for certain children.</p> <p>Receiving schools to be made aware of impact of transition on these groups of children so appropriate support can be provided.</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
	<p>Year 7 consequently attending 3 different schools in 3 years.</p> <p>Children in current reception will have only just settled into schooling and may find the transition to a new school difficult.</p> <p>Staff who are close to retirement age may find new employment difficult to gain especially as many long-standing staff will be on the Upper Pay Scale and their awards are protected should new posts be taken up.</p> <p>The age profile of staff is: Age 21 - 30 = 3% 31 - 40 = 23.5% 41 - 50 = 23.5% 51 - 60 = 35% 61 – 70 = 15%</p>	<p>attending the same new school and perceived lack of available places at alternative local schools.</p>		<p>Council's school admission team to be aware of the issue with siblings and to work with families to facilitate them attending the same school where possible.</p> <p>School admissions team will work with families who have expressed a preference for St Bartholomew's for Reception in September to ensure they know about the closure proposal and can seek alternative preferences.</p> <p>Those who cannot apply for a school place online can contact the school admissions team for support.</p> <p>We can ensure there is a school place available for each child in each chronological year group. The school admissions team is</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
				available to work with families to meet their preferences.
Disability¹⁴	<p>Children with Special Educational Needs and Disabilities (SEND) who have an Education, Health & Care Plan (EHCP) would be placed in school under the SEND code of Practice by the SEN team.</p> <p>From the October School census St Bartholomew's had 13 pupils on roll with an EHCP and 33 students receiving additional educational support.</p> <p>There is no data available about the number of children at these schools whose parents have a disability.</p> <p>Identifying details on the profile of staff's disabilities relies on staff entering information into the Council's management information</p>	<p>Regarding adults, from the responses through the consultation portal, 12.9% who provided an answer identified as having a disability. 77.8% did not consider themselves to have a disability and 9% preferred not to say.</p> <p>All but one responder who stated that they had a disability strongly or tended to disagree with the proposal to close the school.</p> <p>Some parents chose to send their children to these schools due to the small size, supportive and nurturing environment and because they consider there are not any other small schools in the</p>	<p>Children with EHCPs will be supported with their school moves. This will ensure that the school that they are moving to will be able to provide the provision identified in their EHCPs and that the school will have the relevant accessibility and adaptability requirements in place so that their access to suitable education is not harmed by the move in location.</p> <p>There may be some need to adapt physical environments to cater for disabilities and many schools in the city have experience of doing so.</p> <p>Staff with disabilities may need additional</p>	<p>Schools will be encouraged to identify families who need additional support to secure a new school place.</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> <p>BHISS & SEN Team will provide support for children with EHCP's to ensure that they move to an appropriate school that can meet their identified needs arising from disability</p> <p>The council will support parents to identify</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
	<p>system and must be treated as personal, sensitive data.</p> <p>The school has an Education Mental Health Practitioner, and access to Schools Mental Health Service.</p>	<p>area that can provide this and meet the needs of their children as well.</p> <p>All but one responder who stated that they had a disability strongly disagreed with the proposal to close the school.</p> <p>There will be an impact on neurodiverse pupils if they must move schools due to change presenting additional challenges to some of these pupils.</p> <p>Respondents felt that small class sizes meant pupils received the attention and support that respondents felt would not be possible in a large class.</p> <p>Families expressed concerns about other schools being able to meet need.</p>	<p>support to apply for new roles.</p> <p>Consideration under the council's transport policy will be given to those parents/carers with disabled children or who have a disability themselves may not be able to travel a distance to take their child to a school place.</p> <p>Some parents have chosen to send their children to these schools due to their small size however the number of pupils at the school has contributed to the reason for the proposals for them to close because most of the funding a school receives is on a per pupil basis and means small classes are not financially viable on the funding provided by the government .</p>	<p>schools which they feel are able to meet their children's needs.</p> <p>We will look to meet the access requirements of pupils by ensuring that any funding for supporting SEND pupils left at the end of the school year in will follow the children to their new school.</p> <p>All children with EHCPs will have an annual review.</p> <p>All children currently in the process of an EHC assessment will have their assessment completed as usual.</p> <p>All B&H mainstream schools should be able to meet needs of children without EHCPs, albeit sometimes with additional support or resources.</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
		We've heard from families that the process of proposal and of consultation has exacerbated existing conditions, e.g. anxiety, and created new concerns.	We recognise that this proposal may mean the need for additional support services for children with additional needs due to this being a significant change in their circumstances.	The Council will continue to set out its expectations to other schools in the city on this matter and ensure new children are received with welcome. Families with disabilities who may need assistance with travel will be able to apply for transport assistance, subject to the Council's criteria. See cumulative section for more on the transition support available.
Gender reassignment¹⁵	We have not yet identified any disproportionate impacts on this group because the data available about parents/children's gender reassignment is inconclusive. We know that parents/carers may not want to disclose	Schools in the city work closely with Allsorts to understand the complex needs of gender diverse children and young people. 4 responses to the consultation were received from those who	All schools in Brighton and Hove are invited to refer to the detailed guidance provided by the City Council known as the Trans Toolkit, and parents and children can be signposted to voluntary organisations who	A package of support is provided to the schools via Brighton & Hove's Trans Toolkit, which will be used to identify and 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: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	information about gender reassignment for reasons such as the perceive lack of support, fear of discrimination, personal choice.	did not identify as the sex they were assigned at birth. The issue of the impact upon children with this protected characteristic has not been raised as part of the anonymous consultation process.	specialise in supporting families of children who are transitioning, or questioning their gender	If individuals indicate that they need further support and assistance, then they will be signposted to the relevant support or community group that they can contact for additional assistance. If this characteristic is identified as an issue when considering a transfer to a new school by a pupil the council can assist to ensure that every situation is dealt with compassionately and fairly and that bespoke assistance is available if individuals request this.
Pregnancy and maternity¹⁶	We do not hold data about pregnancies of the parents/carers in the cohorts of pupils that are affected by the closure. However, we are aware that parents/carers may be in situations where they are on	Parents who are pregnant or on maternity leave may find it difficult to get older children to school. Families have reported concerned about	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 pregnant adult or an adult on maternity leave.

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
	<p>maternity/paternity leave or caring for younger children and may not have time or energy to engage with a school closure and the issues associated with it.</p> <p>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.</p> <p>Future or newborn children could be affected with an older sibling changing school as it could affect where they go to school and may impact on parents' decisions about which schools to apply for.</p> <p>Staff who are new parents may find it difficult to get</p>	<p>travelling to a new school with young pre-school children or when pregnant.</p>	<p>Pregnant people could find it harder to access different school communities which are distances from their home.</p> <p>Pregnant staff may need additional support from their employer during closure process and redeployment.</p> <p>Staff on maternity leave would need to be involved in a redundancy consultation. We will take this into account and ensure that every situation is dealt with compassionately and fairly and that bespoke assistance is available for any individuals where this could be a problem.</p>	<p>We will work with the schools to accommodate any bespoke needs and provide support to all those where we are aware that their circumstances mean that they require additional support.</p> <p>HR advice can be provided for pregnant school staff.</p> <p>The risk assessment tool is available to support pregnant staff.</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
	flexible working arrangements agreed at a new school.			
Race/ethnicity¹⁷ Including migrants, refugees and asylum seekers	<p>The data available for pre-school pupils indicates an increasing percentage of Black and Racially Minoritised 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 January 2023, 30% (9,469) of pupils in Brighton & Hove schools who supplied their data identified as an ethnicity category other than White British. This is an increase of 377 pupils since January 2022. The national figure is higher, at 34.5% of pupils.</p> <p>33% of late school applications were submitted by Black and Racially Minoritised families and for a</p>	<p>Regarding adults, from the consultation, 35.6% of those who responded by providing details identified as other than White British and 64.4% identified as White British. 109 respondents did not answer this question or did not want to specify their ethnicity and therefore this is a substantial proportion of the 300+ responses to this proposal.</p> <p>Feedback from EMAS in relation to admissions consultations indicates that parents from Black and Racially Minoritised communities who speak English as an Additional Language find consultation confusing even with translation or</p>	<p>In some allocation years a higher percentage of pupils from Black and Racially Minoritised communities apply late or are directed to a school that was not a preference.</p> <p>Interested parties from other race/ethnic groups could find it harder to access community resources in the new school area and could experience discrimination.</p> <p>It could be that migrant/refugee families attending the school and the subsequent community built around the school may be their first experience of community in this country. There may be</p>	<p>Offer proactive support to ensure all families can understand the need and be supported to apply for a school place by Easter break to ensure they are allocated new school places for September, by way of the measures identified below</p> <p>Important to ensure that there are sufficient surplus places in local schools for any late applicants for a new school place. Those schools will need to ensure they offer a welcoming and understanding approach to Black or Racially Minoritised families, including those families</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
	<p>further 19% there is no ethnicity information.</p> <p>76.4% of Black or Racially Minoritised families who applied received their first preference school compared to 82% of white British families.</p> <p>In January 2023, St Bartholomew's had 55.6% pupils identified as Black or Racially Minoritised.</p> <p>Whilst we do not hold exact figures we are informed that there are a number of families with pupils attending St Bartholomew's who are migrants/refugees, and are therefore likely to already have experienced trauma and significant change and upheaval in their lives</p> <p>Families from a Black or Racially Minoritised background may have experienced previous trauma and / or racism – upset</p>	<p>interpreting assistance. Understanding the weight of impact of the proposals and relevance to their situation is very challenging to assess for them.</p> <p>There could be difficulty in not being able to attend a local school due to issues with extended journeys due the fear of anti-social behaviour.</p> <p>There were no requests for consultation documentation in alternative formats however some translated material were provided in liaison with the school.</p>	<p>added fear in having to start again after already having to start again in a new country. The added impact of having to move school could have a wider impact on those who have already come to this country in difficult circumstances.</p> <p>The sense of community some have found at St Bartholomew's is at risk by this proposal and the dispersal of students to other schools.</p> <p>Children who have experienced racism may need additional support to settle into a new school.</p> <p>Children's academic outcomes may be impacted as a result of previous experiences of racism, upheaval of schooling situation and other cumulative factors</p>	<p>where English is not their first language, or families with experience of trauma which has required them to seek asylum.</p> <p>Future pupils need to have enough places available.</p> <p>Continue to advertise the admissions dates and the process that families need to follow.</p> <p>Provide language support for families that need to apply for a new school place should the school close.</p> <p>EMAS service to continue to reach out to communities to communicate the potential impact on their community and signpost to resources which will support families.</p>

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	<p>around this may have been reignited by these proposals and by needing to move school e.g. those who have settled in the UK as asylum seekers.</p> <p>It is recognised that there is an overrepresentation of Black & Racially Minoritised pupils in the school relative to the percentage of Racially Minoritised pupils across the city.</p>		discussed in the cumulative impact section.	<p>An interpreter can be sourced upon receiving confirmation and consent from those who would need it.</p> <p>Ensure that any new school that pupils will move to have the appropriate cultural provisions for that family in place (i.e. multi-faith rooms, dietary requirements etc.).</p> <p>If children or parents/carers indicate that they are experiencing discrimination, there will be signposting in place to ensure that they have the relevant support that they need or access to a relevant discriminatory community group that they can contact for assistance.</p> <p>Strong message from the Council to</p>

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				<p>Headteachers in the city about receiving and welcoming displaced pupils. Some pupils will have already experienced upheaval and trauma in their lives as a result of their families having to seek asylum from their parent's country of origin. These pupils and families may need additional support and reassurance to transition to a new school or feel confident that there are other schools in the city which will welcome or understand the needs of their children. Part of the role of the Transition Board indicated below will be to promote receiving schools to consider how best to address this, and to ensure families are offered the information and assistance they need to be reassured</p>

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				<p>about their child's future education and school experience.</p> <p>Current schools and EMAS to continue supporting migrant/refugee families to understand the implications of the decision, to assist families to apply for a suitable new school place and work with the new schools to support the transition. The continuation of working with this service will offer families a degree of continuity in the support they receive to manage any transition to a new school or a change in plan as to the school they will apply for. EMAS will be expected to assist parents advocate for what their children need to maximise their educational</p>

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				<p>opportunities going forward.</p> <p>The Council will operate a Transition Board and individual action plans may be appropriate for certain children.</p> <p>Anti-Racist Education Strategy" that is now in its third year. There includes a comprehensive package of training and support available for schools. Where a school has not engaged yet in the full training offer, we can be proactive in offering this as a priority for all staff and provide additional support from our seconded team of teachers to ensure each setting is taking appropriate steps. Whilst we are not complacent, many of the schools well placed to take children are already</p>

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				<p>engaging with the strategy and will have a foundation of knowledge and practice upon which we can build.</p> <p>All schools are expected to deliver a rich curriculum suitable to all pupils who attend the school. Schools are expected to celebrate the experiences of families in the city and from other areas. We expect the schools to demonstrate understanding of lived experiences of migrants and asylum seekers, and we are committed to supporting schools in further developing their understanding and making reasonable adjustments to ensure curriculum is accessible to all.</p>

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				See cumulative section below for further detail on transition support.
Families with English as additional language	<p>In January 2023, 15.5% (4,861) of Brighton & Hove pupils were exposed to a language other than English in their home. This is an increase of 263 pupils since January 2022, but lower than the latest national figure of 19.5%.</p> <p>St Bartholomew's CE Primary School had 35.5% of pupils where English is an additional language and families speaking 22 different languages.</p> <p>There is relatively high deprivation amongst many of the families with English as additional language who have pupils attending these schools.</p> <p>EMAS have supported one Bengali, two Arabic, one</p>	<p>Based on previous experiences and the technicality of the subject matter, families with English as an additional language may struggle to understand admission arrangements in the city and the provision available in a new school and the process of closure.</p> <p>There will be a number of pupils with additional languages impacted by a school move.</p> <p>Families with English as an additional language also have a number of intersectional vulnerabilities.</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 in the main admission rounds could result in these families not applying for a new school place. This will mean that a new school will be allocated to these pupils which may not be the parents preference.</p> <p>Families may not comprehend the implication of the</p>	<p>Ensure good support is provided to enable families to apply for school places.</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 to reach these families and make them aware of the school admissions applications process.</p> <p>This group may be unfamiliar with the school admissions process and timescales, so additional steps would be taken to</p>

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	Romanian, one Ukrainian, two Pashto and one Polish family to understand and respond to the consultation in meetings and in writing. EMAS continue to support families understand the process and what it means for their family and children. EMAS have liaised with Caseworkers for children with EHCPs.		<p>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 to the various stages of the consultation and then the allocation process.</p> <p>Children may struggle to settle into a new school, especially if their parent have EAL – becoming part of the new school community may prove difficult for some.</p> <p>Interested parties from other race/ethnic groups could find it harder to access community resources in the new school area and could experience discrimination.</p>	<p>engage these families with this consultation.</p> <p>EMAS already work within both schools and support a number of families in each. The service will continue to support these and other families through the process of moving schools.</p> <p>The Council will operate a Transition Board and individual action plans may be appropriate for certain children.</p> <p>An interpreter can be sourced upon receiving confirmation and consent from those who would need it.</p> <p>Challenge from the Council to schools to ensure an appropriate welcome for children starting at a new school.</p>

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			<p>It could be that migrant/refugee families attending the school and the subsequent community built around the school may be their first experience of community in this country. There may be added fear in having to start again after already having to start again in a new country. The added impact of having to move school could have a wider impact on those who have already come to this country in difficult circumstances.</p> <p>The sense of community some have found at St Bartholomew's is at risk by this proposal and the dispersal of students to other schools.</p> <p>Children who have experienced racism may need additional support</p>	<p>Further steps taken to translate documents related to a statutory notice process and ensure materials online can be translated using a webservice.</p> <p>See cumulative section below for further detail on transition support.</p>

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			to settle into a new school. Children's academic outcomes may be impacted.	
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. This school is a Church of England school.</p> <p>In October 2023, 22.5% of primary school pupils in Brighton & Hove attend a church aided school and 77.5% attend a secular school.</p> <p>The proposal is about closing a CofE school and this will reduce the amount of places in each chronological cohort by 10%. The next nearest CofE schools are St Paul's (1082.21 metres) and St Martin's (1704.73 metres)</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>Regarding adults, 47% of responders to the consultation who replied to this question indicated they have no particular religious belief, 32% of those replying to the consultation did not answer the question or preferred not to say. 28% of respondents who answered this question were Christian. Of this group, all but one strongly or tended to</p>	<p>Some parents/carers will want there to be provision so that they can continue to practice their religion if they have been in a position that they have been accessing it at their current school.</p> <p>Some parents/carers will not want to access a religious curriculum and will want to have access to a provision that supports this requirement.</p> <p>Families need to be supported to seek at church schools if required.</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> <p>For those that do not want to continue with a religious curriculum then the Council will need to ensure that there are sufficient places available that supports this.</p> <p>When looking at the timetable for closure, consideration will be given to observance of religious days of significance to ensure</p>

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	<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 no data available on the religion/beliefs of parents or pupils attending this school.</p>	<p>disagree with the proposals.</p> <p>We have heard about the importance of the school's connection to the church and its associated community.</p>		<p>that there is enough time outside of these to ensure parents/carers are able to engage in any necessary processes.</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>In January 2024 St Bartholomew's had 46% female pupils and 54% male pupils.</p> <p>We are aware that parents/carers may be in situations where they are on maternity/paternity leave, are single parent families, and/or from same sex or non-binary families. This doesn't directly impact on school admissions arrangements.</p>	<p>Regarding adults, 54.1% of responses to the consultation were submitted by females and 15.6% by males. 28.7% did not answer or preferred not to say.</p> <p>We've primarily heard from women throughout the consultation where issues have been raised about childcare and concerns about travelling to another school.</p>	<p>Families could find it harder to access community resources in the new school area and could experience discrimination.</p> <p>This proposal could impact on women, with pre-school children, ability to seek employment.</p>	<p>If we are aware of any circumstances where individuals need support, we will ensure that this group is supported and that the school is also supported in using the school's trans toolkit.</p> <p>If children or parents/carers indicate that they are experiencing discrimination, there will be signposting in place to ensure that they have the relevant support that they need or access to a relevant discriminatory</p>

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	<p>Most roles at risk at the school will be filled by women.</p> <p>Additional burdens due to the cost of living could have disproportionate impacts on women due to the nature of their employment types and barriers to employment for those with sole childcare responsibilities.</p> <p>Women are more likely to take on childcare responsibilities so may be impacted by further school journeys, reducing their employment options.</p> <p>There may be children that identify as non-binary who may have additional needs.</p>			<p>community group that they can contact for additional assistance.</p> <p>Assistance with transport will be provided in line with our policy.</p> <p>We will work with the schools to accommodate any bespoke needs and provide support to all those where we are aware that their circumstances mean that they require additional support.</p>
Sexual orientation²⁰	We have not yet identified any disproportionate impacts on this group because the data available about parents/children's sexual orientation is inconclusive.	Regarding adults, 68.4% of the 247 respondents who provided details on their sexual orientation were submitted by heterosexual	We are not aware of any identified disproportionate impacts because the data is not available. However, we are aware that	If we are aware of any circumstances where individuals need support, we will ensure that this group is supported and that the

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		respondents. 9.7% by gay/lesbian or bisexual respondents. 21% preferred not to say.	discrimination against sexual orientation remains a prevalent issue.	school is also supported in guiding people through to resources and signposting support. Voluntary sector organisations are available for support for children and families regarding their sexual orientation in the city. Redeployment of the school staff must not take this into account.
Marriage and civil partnership²¹	We have not yet identified any disproportionate impacts on this group because the data available about parent/carer marital or civil partnership status is inconclusive.	No data is collected on this matter. This did not come up as an issue or consideration in the consultation.	There may be discrimination around civil partnerships and gay marriages and families may find it harder to access community resources in the new school area and could experience discrimination.	If we are aware of any circumstances where individuals need support, we will ensure that this group is supported and that the school is also supported in guiding people through to resources and signposting support.

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Community Cohesion²²	<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>The schools with available spaces for these pupils to move to could be serving different community in this country.</p> <p>Migrant/refugee families attending the school and the subsequent community built around the school may be their first experience of community in this country.</p> <p>There may be added fear in having to start again after already having to start again in a new country. The added impact of having to move school could have a wider impact on those who have already come to this country in difficult circumstances.</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 use resources available to them to support change e.g. with travel or moving house.</p> <p>The school will no longer be available as a community resource such as the Muslim and Bulgarian schools that use the building.</p> <p>Concern has been raised about the nature of the journey to other schools and the potential of anti-social behaviour on the journey to and from another school.</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>Classroom and school dynamics may change with new arrivals.</p> <p>Pupils may be negatively impacted by a loss of friendships and support networks.</p> <p>Some families may struggle with informal childcare e.g. relying on friends and family members with children at the same school</p>	<p>As above the Council can work proactively with other Headteacher's and governing bodies about welcoming pupils to new schools. Especially where there are places available. The leadership of St Bartholomew's can be invited to engage with the alternative schools identified for families to assist their understanding of how to welcome and build an expanded school community to incorporate the families that otherwise would have attended St Bartholomew's school.</p> <p>Support needed for class teachers to manage an additional cohort of children mid-year or at the start of Sept 2024.</p>

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	<p>High numbers of SEN children being dispersed from St Bartholomew's.</p> <p>The school has a member of staff (teacher) who is a seconded co-lead for the Council's Anti-Racist Education Strategy. She has established excellent relationships with the families of BRM children and will have a good understanding of the policies and practices needed to ensure all families are treated fairly and made to feel part of the school's community.</p>	<p>Some families living in the community may not be in receipt on public funds and are reliant upon the support offered and signposted of the school.</p>		<p>Current schools and EMAS to continue supporting migrant/refugee families to understand the implications of the decision, to assist families to apply for a suitable new school place and work with the new schools to support the transition.</p> <p>Schools may need to seek additional advice, support and guidance around the intake of children with needs and experiences the receiving have had little or no experience in.</p> <p>See cumulative section below for more details on transition support.</p>
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>Brighton & Hove City Council have adopted Children in Care and Care Experienced Young People as a protected characteristic.</p>	<p>We need to ensure that the profile of children and young people accessing school places are not discriminated against and have the</p>	<p>Brighton & Hove City Council have adopted Children in Care and Care Experienced as a protected characteristic.</p>

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	<p>In the city, 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>St Bartholomew's have 5 children with a social worker. 2 on Child Protection and 3 on Children in Need plans. None are currently in care. It is not known whether any parents of children attending the school or likely to have chosen the school are care leavers.</p>	<p>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>6.3% of responders who provided information have been a Child in Care or Care Experienced Young person. 85.3% had not and 8.4% preferred not to say.</p> <p>All but one of those who had been a child in care disagreed with the proposal to close the school.</p>	<p>opportunity to access school provision.</p> <p>We recognise that care experienced children are likely to have experienced trauma and this process could reignite those negative feelings.</p> <p>It can be expected that parents who were themselves care experienced may also re-experience the trauma that was present earlier in their lives.</p>	<p>Children in care and previously looked after children have the top admission priority when applying for school places.</p> <p>The virtual school has a responsibility to support children in care and those known to a social worker. Support will be provided to any relevant child displaced from St Bartholomew's and to the school that they will be attending.</p>

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Cumulative impact²³	<p>The public consultation ran between 7 November 2023 and 22 December 2023. There were 6 meetings online or at the school and 327 responses to the online consultation were received. In addition, there were 15 direct responses to the council's school organisation and school admissions email account about the proposals.</p> <p>Approximately 120 people attended the three fully open public meetings, not including Council officers or the core school leadership.</p> <p>That number will include some repeat attenders and some school staff and governors.</p> <p>This demonstrates the wide extent of how we have heard from people throughout the</p>	<p>We've heard from families who have reported they will be negatively impacted and disadvantaged by the closure of the school.</p>	<p>.</p> <p>With approximately 100+ pupils on roll at the school in October 2023 and the staffing levels in the school it can be expected that 327 responses are a proportionate response compared to the overall number of people affected and that results are therefore reliable.</p> <p>Families may fear discrimination throughout the application process to secure a new school place and transition to the new school.</p> <p>A school move for those who have added socio-economic issues and those arising from a</p>	<p>If we are aware of any circumstances where individuals need support we will ensure that this group is supported and that the school is also supported in guiding people through to resources and signposting support.</p> <p>Where there are multi layered impacts, we are willing to assess this on a case-by-case basis with bespoke resources and support to address these barriers.</p> <p>As above we will have a transition oversight board meeting planned to meet regularly to consider individual, collective and intersection needs arising from planned</p>

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	<p>process including pupils who were part of the school's Youtube video. https://youtu.be/tPDp_LP7Tvc</p> <p>A range of steps were taken to enable people to engage with the consultation process. Information from the online consultation events was available after the event.</p> <p>We know there are a number of families with a number of intersectional characteristics who will be affected by these proposals. The change to the established schooling and community support offered at St Bartholomew's will affect families with children at the school.</p> <p>We are aware that there will be people who may be impacted because of multiple protected characteristics and intersections of vulnerability.</p> <p>Multi layered impacts on certain people may exist</p>		<p>history of discrimination or needing to seek asylum may add an extra layer of stress to those families.</p> <p>Families may continue to experience re-trauma with this closure.</p> <p>Children and families are worried that they may not receive the same support in a new setting.</p> <p>We recognise the feeling of loss that a long established and well-loved school closure brings to a community.</p>	<p>transition activity. This will include SEN, Inclusion Support, EMAS, School Admissions, and the Schools Mental Health Service and individual action plans may be appropriate for certain children.</p> <p>We have additional funding agreed with the LA for these support services.</p> <p>Pupil led funding allocations will divert to the receiving schools on the closure of St Bartholomew's</p>

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	<p>which could severely impact their ability, desire, or access to engage with both the consultation and any future engagement around school closures and applying for new school places.</p> <p>The lived experience of many families may mean they may not want to engage not have time or energy to engage with a school closure and the issues associated with it.</p>			
Assessment of overall impacts and any further recommendations²⁴				
<p>Reducing the number of surplus school places is necessary to safeguard the broad range of schools in the city and to reduce the risk of financial difficulties as pupil numbers continue to reduce. The proposed closures are part of this strategy along with reducing the PANs 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>By not reducing the number of surplus places in the city in the longer-term school occupancy rates will not increase meaning that school budgets will remain lower and this may make more schools less viable. As schools are more likely to be able to balance their budgets if operating with full, or close to full, forms of entry.</p> <p>Pupils currently attending this school will need to apply for and move to a new school by September 2024. Support and understanding will be needed for many of the groups with protected characteristics in order to ensure that they understand the processes in order to secure a new school place that is suitable for the family's requirements.</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
<p>Staff will be at risk of being made redundant and may need to seek alternative employment. Where staff are impacted due to protected characteristics, the employer will need to ensure additional steps and support are taken where necessary. Some staff have had long associations with the school and may therefore be disproportionately affected by the decision to close the school.</p> <p>Every person across all protected characteristics is likely to be negatively impacted by the closures and requirement to move schools due to the emotional toll, mental toll and upheaval involved. This will be more severe for certain groups of people on top of the protected characteristics already assessed. Some families and staff affected will have more than one protected characteristic and the additional stress for them needs to be recognised.</p> <p>The schools and staff will need to be supported to identify families and children requiring additional help with this transition process and for these children to be able to move to a new school which can support them appropriately. This is particularly relevant where English is an additional language and for Black and Racially Minoritised global majority families as there are a high percentage of these children in the school.</p> <p>The turnout of responses to the consultation does not match the numbers of signatures to recent petitions but does appear to match the numbers of staff and families affected by the proposals. There are some gaps in data on the protected characteristics of those who would be affected by these proposals but the most prominent issues have been captured in the public meetings and responses including those facilitated by colleagues in EMAS.</p> <p>We recognise that whilst the consultation reached many, there will be some we've not heard from directly. We will continue to publish the consultation arrangements in the next phase and factor that into the transition oversight board, that there may yet be further needs not yet fully identified and recognised.</p> <p>The council has undertaken a public consultation on proposals to close St Bartholomew's CE Primary School on 31 August 2024. The vast majority of replies stating their disagreement with the proposals and concern about how pupils who attend the school will be supported by other schools should they need to move. The school is currently operating with 135 pupils and this is the second smallest primary school in Brighton & Hove. The primary school with the lowest number of pupils is also proposed to close on 31 August 2024. The school is anticipating ending the financial year with a £205,260 deficit. The low numbers of pupils attending the school and the absence of a credible financial plan that shows the school coming out of deficit means any alternative to closure would need additional support from the Council. The Council's view is that a medium to long term strategy to maintain the school though a reduced number of pupils onsite is not a viable approach with pupil numbers still expected to fall in future years and parental preference being a mainstay of</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
<p>government policy. In recommending that the school closes the council is committed to supporting all pupils to find an alternative school place, be supported to attend that school if their circumstances mean they are entitled to transport assistance and to work with the receiving schools to meet the needs of the children. The Council has put additional resources in place to provide teams with dedicated time and staff to oversee transition arrangements and will clearly state its expectations of receiving schools so as to minimise the impact of children having to attend another school. The Central City planning area is expected to have over 100 unfilled places and rise in the coming years. It is a planning area with one of the highest proportions of unfilled spaces to expected pupils. St Bartholomew's CE Primary School has received low levels of parental preferences in recent years. It is recommended that the school closes by 31 August 2024.</p> <p>If the recommendations in this report are agreed, a statutory representation period of four weeks will run between 23 January 2024 and 20 February 2024 during which any person may make further comments on the proposal. Once any further comments are considered a further report will be brought to a special meeting of the Children, Families & Schools Committee on 29 February 2024. In the event that closure is recommended, a final decision will be made by Full Council on 4 March 2024.</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)
October 2023 school census	October 2023	Census does not cover all protected characteristics – some data is from the fuller January 2023 census	
Responses from the school closure consultation	7/11/2023 – 22/12/2023	Equalities monitoring questions relating to marriage or civil partnership were not asked.	
Infant & Primary school allocation data	September 2023		

5. Prioritised Action Plan²⁵

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.				
All	Ensure all actions identified by grouping in this EIA are fulfilled, especially those supporting under-represented and minoritised groups of families, children and staff for instance actions identified for reaching migrant, asylum seeker, those who are Gypsy, Roma, Travellers, Black and Racially Minoritised and those with English as an additional language.	Improved communication that is more far-reaching coupled with appropriate outreach and proportionate and planned targeted community engagement.	Consultation and engagement is planned and reaches diverse and under-represented and Minoritised communities intersectionally – report and internal monitoring to be conducted successfully.	By Summer 2024
Transition Oversight Board	Board to be established in January 2024 to provide operational and strategic oversight of pupil transition.	Transition is well planned.	Children all have an appropriate school place for September 2024.	By Summer 2024
Funding available to support children with additional needs and vulnerabilities	The Council has secured additional internal funding to allow for further capacity in internal support services	Transition is well planned	Children are prepared for transition and supported through their transition.	By summer 2024
Disabled parents and parents with children who have a disability may find it more difficult to	Schools will be encouraged to identify families who need additional support to	Pupils will move to a new school which is appropriate for their individual needs.	Pupils will move to a new school which is appropriate for their individual needs	By September 2024

participate in the school application process	<p>secure a new school place.</p> <p>BHISS & SEND will provide support for children with EHCPs to ensure that they move to an appropriate school that can meet their needs.</p> <p>The council will support parents to identify schools which they feel are able to meet their children's needs.</p>			
Ensure that families with English as an additional language are aware of the support available to assist with the move to a new school place.	<p>Advice and support 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>An interpreter can be sourced upon receiving confirmation and consent from those who would need it.</p>	More Families with English as an additional language are supported to find a new school place.	More Families with English as an additional language are supported to find a new school place.	By September 2024
We are aware that discrimination against various groups remains a prevalent issue.	If we are aware of any circumstances where individuals need support we will ensure that this group is supported and		Families feel supported in the process and have access to the resources and signposting support that they need, when they need it.	During the Spring and Summer Terms

	that the school is also supported in guiding people through to resources and signposting support. We will continue to monitor and gather data.			
Vulnerable pupils and families need to be identified by the schools so that appropriate support can be provided to support the application process and the transition to a new school.	Processes put in place to identify vulnerable children who would be particularly affected by moving schools. Appropriate support identified and provided by for example, Brighton & Hove Inclusion Support Services (BHISS), schools wellbeing service and EMAS to assist with the transition for these vulnerable pupils.	All families get to express a preference for a new school and the transition for pupils is a smooth as possible.	All families get to express a preference for a new school and the transition for pupils is a smooth as possible.	During the Spring and Summer Terms

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, Head of School Organisation

Date: 10-January-24

Directorate Management Team rep or Head of Service/Commissioning:

Jo Lyons, Assistant Director – Education and Skills

Date: 11-January-24

CCG or BHCC Equality lead:

Jamarl Billy, Equality, Diversity, and Inclusion (EDI) Business Partner and Sabah Holmes, EDI Manager
Approved with clarifications/ amendments put in place in response to Jamarl's comments and feedback.

Date: 11-January-24

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

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- **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

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- 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.

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- 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 **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

²⁴ **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?

²⁵ **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
Statutory Notice for the closure of St Bartholomew's CE Primary School, Brighton

Notice is given in accordance with section 15(1) of the Education and Inspections Act 2006, as amended, and the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 that Brighton and Hove City Council, Hove Town Hall, Norton Road, Hove BN3 3BQ ('the Council'), is proposing to discontinue St Bartholomew's CE Primary School, Ann Street, Brighton BN1 4GP with effect from 31 August 2024.

St Bartholomew's CE Primary School is a voluntary aided school.

Should the decision to discontinue the school be agreed, all children attending St Bartholomew's CE Primary will be offered a place in local schools for September 2024. There are currently 135 children on roll who are aged 4 to 11.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: Richard Barker, Head of School Organisation, Brighton & Hove City Council, Hove Town Hall, Norton Road, Hove, BN3 3BQ or by contacting School Admissions Team on 01273 293653 or via email at schoolorganisation@brighton-hove.gov.uk. The full proposal is also on the council's website and can be found at www.brighton-hove.gov.uk/school-statutory-notice

Within four weeks from the date of publication of this proposal (i.e. by 5pm on the 20 February 2024), any person may object to or make comments on the proposal by visiting XXX (online consultation portal address to be inserted upon publication), by email to schoolorganisation@brighton-hove.gov.uk or by writing to Richard Barker, Head of School Organisation, Brighton & Hove City Council, Hove Town Hall, Norton Road, Hove, BN3 3BQ.

Information on translations will be available upon publication.

All statutory consultation requirements relating to these proposals have been complied with

Signed: Deb Austin

Publication Date: 23 January 2024



BRIGHTON AND HOVE CITY COUNCIL

Statutory Notice for school closure – St Bartholomew's CE Primary School, Brighton

In accordance with section 15(1) of the Education and Inspections Act 2006, Brighton and Hove City Council proposes to close St Bartholomew's CE Primary School with effect from 31 August 2024.

Contact details

The name and contact address of the local authority or governing body publishing the proposals:.

Head of School Organisation
Brighton & Hove City Council
Hove Town Hall
Norton Road
Hove
BN3 3BG
schoolorganisation@brighton-hove.gov.uk

The name, address and category of the school it is proposed that should be discontinued

St Bartholomew's CE Primary School

Ann St,
Brighton
BN1 4GP

Implementation

It is proposed that the school will be closed on 31 August 2024. It is not intended to implement this proposal in stages.

Reason for closure

The city is seeing a significant decline in the number of children seeking a school place.

School funding is primarily determined by the number of children on roll, and falling rolls equate to reduced funding to deliver education. While primary schools' rolls are falling but the number of schools remains unchanged, there is effectively less financial resource across all schools. This is because many costs are driven by the number of classes in a school, whereas funding levels are driven by the number of pupils.

The Council has a statutory duty to ensure there are a sufficient number of school places for pupils and that places are planned effectively. The Council monitors surplus reception places, a key measure of demand, and aims to maintain a 5-10% surplus across all city primary phase schools to allow for parental preference and for movers across or into the city.

Since 2017 the Council has been seeking to reduce the number of surplus places in its primary phase schools, through proposed reductions in published admissions numbers. Not all of these proposals have been able to be implemented, leaving the city with a significant

number of surplus places and, with the impact of parental preference, meaning some schools remain full and viable and others not.

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.

The Council's own projection of pupil numbers starting Reception in the coming years forecasts that there will be 640 surplus places in 2025 and 657 surplus places in 2026. The earliest indication for 2027 suggests that number will rise to 824 unfilled places.

Therefore, with 2610 starting school places the city will have over 25% surplus capacity from September 2025.

School Year	Pupil Forecast	Unfilled places	Surplus Capacity
September 2024	2132	478	18%
September 2025	1970	640	25%
September 2026	1953	657	25%
September 2027	1787	823	32%

In the October 2023 census the school had recorded the following number of pupils on roll compared to October 2022. The school has the capacity to admit 210 pupils.

Census Date	Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
October 2023	19	17	23	23	20	16	23	141
October 2022	13	20	24	17	12	18	20	124

This was the second lowest total number of pupils of any of the city's primary schools in October 2023 and the lowest total number of pupils in any of the city's primary schools in October 2022. The only schools with a lower pupil population in October 2023 was Hertford Infant School (80 pupils) but this school only has three age groups compared to 7 in a primary school. The other school is St Peter's Community Primary and Nursery School, which is the other school where closure is proposed.

For the financial year 2023-24, the school has 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.

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.

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.

St Bartholomew's CE Primary School budget forecast for 2023/24 is a deficit of £205,000. Based on budget plans submitted in summer term 2023, the school is unable to forecast reaching a balanced budget position in the longer term.

During the consultation period the school submitted a high level budget plan intending to indicate an alternative option to closure however they were unable to demonstrate an ability to move out of deficit position.

The revised proposals put forward to assist the school to remain open were about mitigating the low pupil numbers, through reducing the PAN, introducing a nursery and funded SEN support provision being made available. Proposals did not consider how the school would seek to improve levels of parental preference and fill to the school's capacity of 210 pupils. The council's view is that a medium to long term strategy to maintain the school though a reduced number of pupils onsite is not a viable approach with pupil numbers still expected to fall in future years and parental preference being a mainstay of government policy.

Pupil numbers and admissions

At 8 January 2024 the school had the number of pupils on roll detailed in the table below:

School	Yr R	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6	Total
St Bartholomew's CE Primary School	19	16	22	24	17	14	23	135
Numbers of surplus places	11	14	8	6	13	16	7	
Percentage of surplus places	37%	47%	27%	20%	43%	53%	23%	

The school is a coeducational school that admits girls and boys. In January 2024 they had 73 boys and 62 girls on roll. It is a primary school catering for pupils between the age of 4 and 11. Pupils are able to start school before they reach compulsory school age if their parents choose to send them to school at the start of the academic year rather than at the start of the term they would become 5. All pupils are day pupils.

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 116 surplus places in 2025, 164 surplus places 2026 and this is expected to rise to 179 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.

As of 9 October 2023, there were 11 pupils with EHCPs at St Bartholomew's. According to the October School census, there were 33 pupils recorded as being SEN Support.

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.

Displaced pupils

It is expected that pupils in Year 6 will continue to attend the school until its proposed closure at the end of the academic year 2023-24.

The table below shows the number of pupils likely to be displaced.

School	Yr R	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
St Bartholomew's Community Primary School	19	16	22	24	17	14

There are 8 schools within 1.0 mile of the school. Spaces in other schools at 8 January 2024 are shown in the table below.

	Current Year group						
School (distance from St Bartholomew's in metres)	Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
St Bartholomew's – Current pupil numbers	19	16	22	24	17	14	
St Paul's (1082.21m)	4	13	10	3	5	2	
St Martin's (1704.73m)	15	11	2	5	9	8	
Stanford schools (1096.91m)	25	10	16*	29	11	0	
Carlton Hill (1310.95m)	0	0	3	2	0	0	
Downs Schools (1294.66m)	4	5	13*	2	2	1	
St Mary Magdalen's (1506.08m)	10	4	14	10	13	11	
Fairlight (1588.25m)	10	19	13	15	33	23	
Middle Street (1390.54)	1	5	2	11	6	3	
St Joseph's (2102.31m)	11	13	5	10	6	9	

*assuming only pupils from the Infant school move up to the Junior school.

It would technically be possible to move entire classes onto some other school sites and this could be explored if the school were to close.

The Council maintains that there is sufficient capacity to accommodate displaced pupils at a reasonable distance if the school is to close, even when taking into account sibling links of children in primary school classes.

It is recognised that parent/carers may choose to send their child to another Church Aided school in the city. There are sufficient places at Church Aided schools within 1.3 miles of the school to accommodate the number of pupils currently at St Bartholomew's. There are places in all year groups at the two closest Church of England schools which are within 1.06 miles of St Bartholomew's, but these are not sufficient places if all pupils wanted to move to these schools.

Where possible we will place a child at the school preferred by the parents/carers and support will be provided to find and apply for new schools.

No interim arrangements are required for pupils.

Impact on the community

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 Inclusion Support Service, Schools Mental Health Service and Ethnic Minority Achievement Service, will be put in place to facilitate the movement of those students to local schools and minimise the impact of change upon them.

The Council recognises that the school's community stretches beyond the area the school sits within and consideration has been made to how pupils and families can be supported in that transition so that the sense of community can be given the chance to be maintained. It is expected that this will happen through the scheduling of opportunities for pupils and families to come together through and beyond the transition phase with the support of the council's mental health in schools' team.

Through the consultation process concerns have been expressed about the potential harm a school closure would have on families and children who have special educational needs, have life experiences that have caused trauma and created disadvantage. It is reported that these are families who have experienced multiple intersectional vulnerabilities but who have found a welcome and supportive environment in the school that has led to a build-up of community support and resilience that would be lost if the school was to close. Whilst it is clear that any change of school will have an impact on a family and child, the council is committed to minimising the harmful impact of that in conjunction with both St Bartholomew's CE Primary School and the receiving school.

The closure of St Bartholomew's CE Primary School would reduce the number of surplus primary school places in the city.

The Council considers that allowing surplus places to remain at current through inaction would directly and negatively impact the financial viability of many local schools, which in turn will have an impact on the quality and breadth of the education offered at those schools.

Balance of denominational provision

The proposal is about closing a Church of England Voluntarily Aided school and this will reduce the amount of Church of England places in each chronological cohort by 10%, as we are proposing to reduce 30 offered places out of 300 Church of England places across the city. However, some of the Church of England schools are running with surplus school places therefore the reduction in real terms is less.

The proposal would reduce the number of Church of England school places in the planning area by 30 which is a 50% reduction. The Council notes in the consultation response from

the Chichester Diocesan Board of Education that highlights the decrease in the number of Church of England school places available to children in the city.

The Central City planning area is estimated to have over 100 unfilled places in the coming years. As a church school it is accepted that the school will not simply draw pupils from the BN1 4 postcode but the localised picture in the planning area, of there being surplus places is replicated in other adjoining planning areas.

The Council will request that church schools who are their own admission authority give due consideration to any applications they receive, in line with their own admission arrangements, including where there is provision to prioritise children with additional needs and vulnerabilities. The submission from the Chichester Diocesan Board of Education outlines the commitment of the Diocese to work as partners in exploring places in alternative schools for children with identified, documented, additional needs within an EHCP and children with high level needs but without an EHCP are determined.

The Council considers that should the proposed closure be implemented the impact on the balance of denominational provision in the area and the impact on parental choice will not be significantly impacted. The next closest Church of England school is St Paul's CE Primary School under 1100 metres from St Bartholomew's CE Primary school followed by St Martin's CE Primary and Nursery School at 1705 metres distance from St Bartholomew's CE Primary School. According to the October 2023 census return both schools are currently operating at approximately 84% occupancy and neither school full in the Reception year on allocation day.

It is expected that some families, whilst currently at a church school, will not specifically be seeking a church school alternative.

Maintained nursery schools

Not applicable.

St Bartholomew's CE Primary School is not a maintained nursery school nor does it have nursery provision.

Special educational needs provision

At St Bartholomew's School no specialist places are specifically reserved for pupils with special educational needs.

The numbers of children with EHCPs and on SEN Support are provided above.

During the consultation we heard a lot of concern raised about the intersectionality of needs at the school e.g. having SEN and being from a Black or Racially Minoritised community.

The Council understands that a change of setting for pupils with SEN (or for those with a range of additional needs or vulnerabilities) can often be challenging and require additional support to ensure a successful transition. Officers from the Council are making arrangements for all children including those with EHCPs and on SEN support, to ensure that they are appropriately placed. If the decision is taken to proceed as proposed, parents will be supported in the Spring term to help them understand their options and find out their preferences for alternative schools for their children. Families with children who have an EHCP impacted by this proposal will be directly supported by the SEN team to explain the process of how their children will transfer to other schools.

The Council has secured one-off additional funding to support children and families in their transition to new schools. This process will be overseen by the Assistant Director for Education and Skills and oversight and scrutiny will be provided by the co-chairs of Children, Families & Schools Committee.

The Council acknowledges the support provided by the school to children with a range and intersectionality of additional needs and vulnerabilities. Unfortunately, the high level of support currently provided has become increasingly difficult to sustain for schools like St Bartholomew's which have falling rolls. The financial impact of low pupil numbers is cumulative and therefore this support cannot continue to be provided and will lead to increased school deficits.

As a result of these proposals, outcomes for pupils with SEND may improve as they would move to a more financially viable and therefore long-term sustainable school. This means that the new school would be able to provide the additional necessary support and resources required to support children with EHCPs and those on the SEN register.

The Council's Social Communication Resource base is currently located within St Bartholomew's. This resource supports children with social communication difficulties to attend school (any school – not specific to St Bartholomew's) and will need to move to another setting should the school close.

Travel

Information is provided above to demonstrate that alternative school places can be provided within a reasonable distance. 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.

It is recognised that longer journeys to school may occur for some families if they take a place at a school further from their home address. This applies to children where their family may wish for them to attend a Church of England School which is further away from their home address than St Bartholomew's.

Assessment for home to school transport assistance needs to consider if the child is eligible under distance or the above SEN criteria including, are the child's learning difficulties or disabilities such that it could not be reasonably expected that the child could walk to school.

The Council will work with schools who receive pupils from St Bartholomew's CE Primary School to develop their school travel plans to seek to mitigate against increased car use.

Sixth form provision

Not applicable to this proposal

Rural primary schools

Not applicable this school is not a designated rural primary school.

Ownership of the site

The freehold of the site is owned by The Chichester Diocesan Fund and Board of Finance (Incorporated) Charity Number 243134

Consultation

All applicable consultation was carried out prior to publishing this full proposal. Initially meetings were held between the Council, the Headteacher and the governing board.

A consultation document was prepared and issued on 7 November 2023. It was published online on the council's website and was circulated to the parents, staff and governors of St Bartholomew's CE Primary School and to Headteachers of all schools in the city via the Council's weekly Schools Bulletin. It was also circulated to local Councillors and members of the Children Families and Schools Committee, local Members of Parliament, neighbouring Local Authorities and the two diocese responsible for schools in the city. A copy of the questions posed and the text used in that consultation are attached as **Appendix 1** to this document (to be provided upon publication).

The document contained details of how comments on the proposal could be made and the closing date of the consultation, 22 December 2023. The duration of this period of consultation was 6 weeks 4 days.

During this consultation stage six meetings were held – 4 in person at the school and one via Teams. A copy of the notes taken at the three open public meetings is attached as **Appendix 2** to this document (to be provided upon publication). A presentation was given at this meeting by the Head of School Organisation. A copy of the presentation is attached as **Appendix 3** to this document (to be provided upon publication).

The results of this consultation were reported to the Children, Families and Schools Committee on 22 January 2024. At that meeting the decision was to proceed to the publication of the statutory notice and full proposal. A copy of the Committee report and Appendices is available at XXX (weblink to be provided upon publication).

Where and when the Statutory Notice and Full Proposal Information will be available

Brighton and Hove City Council will publish the statutory notice for this proposal on Tuesday 23 January 2024. Within four weeks of the date of publication any person may object to or make comments on the proposal i.e. until 5 pm on Tuesday 20 February 2024. Copies of the notice will be published in the Argus newspaper on 25 January 2024. A copy of the statutory notice is attached as **Appendix 4** to this document (to be provided upon publication).

On 23 January 2024 the full proposal information (this document plus appendices) will be sent to the following recipients:

The Governing Board of the school
The Diocese of Chichester
The Diocese of Arundel & Brighton
Members of the Children, Families and Schools Committee
Local Ward Councillors
The Member of Parliament for Brighton Pavilion
The Secretary of State (schoolorganisation.notifications@education.gov.uk)

It will also be published on the council's website at the following address XXX (to be provided upon publication)

Any person may request a copy of the full proposal information either by writing to Head of School Organisation, Brighton & Hove City Council, Brighton & Hove City Council, Hove Town Hall, Norton Road, Hove, BN3 3BQ or emailing schoolorganisation@brighton-hove.gov.uk.

How to make representation or comment on the proposal

Any person may object or make a representation or comment on the proposal either by responding to the consultation at XXX (to be provided upon publication) or by writing to Head of School Organisation, Brighton & Hove City Council, Hove Town Hall, Norton Road, Hove, BN3 3BQ before the closing date of 20 February 2024 (by 5pm) or via email to schoolorganisation@brighton-hove.gov.uk

Following the closing date for representations, comments and objections, a report will be prepared for the Children, Families and Schools Committee to consider the proposal. In the event that closure is recommended, a final decision will be made by Full Council to determine the proposal within 2 months i.e. no later than 9 April 2024. At the present time it is anticipated that the report will be considered at the Children, Families and Schools Committee on 29 February 2024 and Full Council on 4 March 2024.

Brighton & Hove City Council

Children, Families & Schools Committee

Agenda Item 47

Subject: Proposed Closure of St Peter's Community Primary and Nursery School

Date of meeting: 22 January 2024

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 In response to the fall in pupil numbers, the Council is proposing the closure of two primary schools to address the number of unfilled places in the city, having considered the longer-term viability of both schools in relation to pupil numbers and financial viability.
- 1.2 This report details the response to the recent public consultation on the proposal to close St Peter's Community Primary and Nursery School on 31 August 2024 and seeks approval to publish statutory notices.

2. Recommendations

- 2.1 That Committee agree to the publication of a statutory notice in respect of the proposed closure of St Peter's Community Primary and Nursery School on 31 August 2024. The committee notes that publication of the statutory notice will trigger a four-week representation period which will run from 23 January 2024 to 20 February 2024 during which period interested parties can comment on the proposal.
- 2.2 That Committee notes that following the representation period a further report will come back to a meeting of the Children, Families & Schools (CFS) Committee on 29 February 2024. In the event that closure is recommended, a final decision will be made by Full Council on 4 March 2024.

3. Context and background information

Process to close a school

- 3.1 The Department for Education has issued Statutory Guidance on the process that must be followed to close a maintained school 'Opening and closing maintained schools - Statutory guidance for proposers and decision makers (January 2023.)'.

- 3.2 The statutory guidance details some of the reasons why a school closure might be considered including: where there are surplus places elsewhere in the local area which can accommodate displaced pupils, and where there is no predicted demand for the school in the medium to long term and it is no longer considered viable.
- 3.3 The first step of the closure process is a requirement to undertake a public consultation on the proposals. This has now been completed. Following consideration of the outcome at this committee meeting, the Council has to make a decision whether to proceed with the proposals by publishing statutory notices. Publication of notices is followed by a four-week representation period during which interested parties may make further comment on the proposals.
- 3.4 If, having considered the consultation outcome, committee decides to publish statutory notices it is proposed that the four-week representation period starts on Tuesday 23 January 2024 and runs until 20 February 2024. A report will then be prepared for consideration by the CF&S committee on 29 February 2024. In the event that closure is recommended a final decision will be made by Full Council on 4 March 2024.

Public consultation

- 3.5 On the 6 November 2023, the CF&S Committee agreed to undertake a public consultation on the proposal to close St Peter's Community Primary and Nursery School.
- 3.6 The public consultation ran between 7 November 2023 and 22 December 2023. There were 5 public meetings and 313 responses to the online consultation were received. In addition, there were 15 direct responses to the Council's school organisation or school admission email accounts about the proposals. Approximately 150 people attended the four general open public meetings, not including Council officers or the core school leadership. That number will include some repeat attenders and some school staff and governors. There was a fifth meeting held at the school for families of children with additional needs.
- 3.7 A summary of the 313 responses to the consultation portal is provided below. Only 7.7% of responses agreed with the Council's proposals to close the school. 88.5% of responses either strongly or tended to disagree with the Council's proposals.

Option	Total	Percent
Strongly agree	14	4.47%
Tend to agree	10	3.19%
Neither agree nor disagree	7	2.24%
Tend to disagree	12	3.83%
Strongly disagree	265	84.66%
Don't know / not sure	5	1.60%
Total	313	

- 3.8 Of all the 467 responders to the consultation on proposed school closures, via the online portal, including those responding in relation to St Bartholomew's CE Primary School the vast majority strongly disagreed with the council reducing the total number of surplus school spaces in the city, as outlined in the table below.

Option	Total	Percent
Strongly agree	31	6.64%
Tend to agree	38	8.14%
Neither agree nor disagree	47	10.06%
Tend to disagree	38	8.14%
Strongly disagree	286	61.24%
Don't know / not sure	20	4.28%
Not Answered	7	1.50%
Total	467	

- 3.9 Reasons provided by responders for opposing the proposals included:

- concerns that the Council was taking a short-term approach,
- the accuracy of pupil forecasts including the need for more places should pupil numbers rise in future years,
- the high levels of pupils' additional needs which could benefit from smaller class sizes,
- smaller class sizes being an opportunity to improve teaching and learning,
- ensuring public services have spare capacity to aid their resilience
- missing a positive opportunity to do something different with school education in Brighton & Hove.

- 3.10 Most responders to the consultation who provided further information detailed that they were Brighton & Hove residents with 19% of all responders being parents/guardians of a child(ren) directly affected by the proposal to close St Peter's Community Primary and Nursery School, detailed in the table below. The 89 responders who provided details were 28.4% of the 313 replies received in relation to St Peter's Community Primary and Nursery School.

Option	Total	Percent
Brighton & Hove resident	155	33.19%
Parent or guardian of a child(ren) directly affected by the proposal to close St Bartholomew's C of E Primary School	47	10.06%
Parent or guardian of a child(ren) directly affected by the proposal to close St Peter's Community Primary School	89	19.06%

Parent or guardian of a child(ren) not directly affected by the proposed changes	52	11.13%
Teacher in one of Brighton & Hove schools	33	7.07%
Governor at one of Brighton & Hove schools, please give detail below	5	1.07%
Representative of a voluntary or community group, please give details below	7	1.50%
Other, please give details below	67	14.35%
Not Answered	12	2.57%

Concerns raised during consultation

- 3.11 The responses to the public consultation events raised the following concerns:
- the availability of alternative school and nursery class places for families, particularly those with siblings in other year groups. This is a particular issue for those families who live in West Sussex but who currently attend St Peter's.
 - the ability to fit new school arrangements into working lives and the impact of distance and the suitability of walking route to families who would be required to move school.
 - the absence of sufficient school places in the south Portslade area.
 - the potential loss of a valued community resource with over 100 years of history, including the air raid shelters which are located on the school site.
- 3.12 Significant levels of concern were also raised about the potential loss of the nursery provision which is teacher led. The cost, opening hours and quality is valued not only by those with children in the provision but also by those whose children have attended and those with younger siblings whose parents had hoped they would attend.
- 3.13 There was scepticism about the Council's claims that there are sufficient nursery and school places available in the surrounding area and whether these places would be sufficiently reasonable in distance and routes for those whose children would be displaced by the school's closure.
- 3.14 It was evident that several families value the community that has built up around the school. It was explained how this has in some cases replaced distant family and provided support mechanisms that allow children to attend regularly. It also enables families without extended family support nearby to cope with unforeseen events that may occur. The small size of the school was seen as a real positive to many families. They felt that their children were coping much better in a smaller teaching environment, where all staff knew the children and therefore were able to meet their needs without always having to go through additional, formal processes such as statutory assessment to formalise the support required.

- 3.15 Concerns were expressed that the proposal to close the school would impact most on pupils whose special educational needs and family circumstances meant they had significant needs. The anxiety and concerns experienced by these children as well as the loss of the school's community might make it even harder for families to keep coping without the intervention or reliance on statutory services.
- 3.16 The responses to the online consultation also raised concerns that the proposals went against the Department of Education's guidance on opening and closing schools. It was felt that decision makers should not make blanket assumptions about school size and that the Council were promoting large class sizes at schools that would have a detrimental impact on pupils such as those attending St Peter's. It was also felt that the school's low numbers were as a result of decisions by the previous school's leadership and that insufficient time has been given for the school to 'turn things around'.
- 3.17 Concerns were expressed that many parts of the city are now unaffordable for families. Areas such as south Portslade were felt to offer more affordable housing together with easy links to other parts of the city. Closing the school, might push people away even further and leave others to travel to different locations for education reasons thereby adding to the environmental impact and traffic congestion.
- 3.18 In relation to nursery provision, it was noted that Portslade residents have lost four nurseries already and the absence of suitable provision could put parents out of a job as they would not be able to afford to put their child in another nursery.
- 3.19 Concerns were also expressed that the consultation was not widely advertised, that a formal matrix of criteria was not used to determine where school closures should be proposed and there was insufficient time for a full consultation, especially when compared with the length of time of the recent Council consultation on graffiti.
- 3.20 In addition to a revised budget plan in support of a change in the school's organisation, to be more viable as a smaller school (see paragraphs 3.29 – 3.33), the school raised a number of other concerns during the consultation period. These included:
- the lack of engagement with West Sussex County Council in relation to available places for displaced pupils and the needs that those pupils have
 - the lack of due consideration to the numbers of pupils in Brighton & Hove who are home educated or on part time timetables
 - the council's overall work to ensure the city is affordable for families. Whilst highlighting issues with how the proposals go against other council priorities and manifesto commitments
- 3.21 The school's response to the consultation suggested steps that might enable the school to remain open including a mitigation to low pupil numbers and a

bolstering of the nursery provision. However, the school's proposals did not consider how the school would seek to improve levels of parental preference (other than through the adoption of a unique curriculum offer as demonstrated by the Bilingual School as an example) and thus fill to the school's capacity of 210 pupils. A medium to long term strategy of remaining at 105 pupils does not appear to the Council to be a viable approach with the Council unable to enforce changes in other schools and unwilling to accept greater risks to its funding arrangements, both of which would be required to make the school's proposals workable. The Council's approach is informed by an acceptance that pupil numbers are expected to remain low in future years and parental preference is the mainstay of government policy. The forecast of pupil numbers in the Portslade planning area shows a further drop from 180 pupils needing a place in 2025 to 158 pupils needing a place in 2027.

- 3.22 The Council has also received several responses directly from some pupils via their parents. In addition, some parents have provided details of the impact these proposals have had on their children and the changes in behaviour that have resulted from the consultation being launched. The promotion of the campaign to object to the council's proposals has included comments from pupils about the staff at the school and the happiness they get from being part of the school.

School context

- 3.23 Over the last five years the Council's data shows that the school's number of pupils in Year R to Year 6 has fallen from 178 in 2018. In that time the proportion of children with EHCPs has risen by 3.3% above the city wide average for primary schools alongside above average rises in the proportion of pupils with English as an Additional Language and BAME families, using the DfE definition based on where families have self-identified their ethnic group as other than White British, Refused or Not Known.

Category	2018 data	2023 data	School 5 year change	BHCC Primary average change
% of children with EHCPs	2.8	6.1	3.3	1.4
% of EAL children	14.7	24.4	9.7	2.1
% of BAME children	23.2	31.3	8.1	3.4

Reasons to propose to close the school

- 3.24 The Council acknowledges the level of opposition to the proposal. It is nonetheless recommended to proceed with publishing statutory notices to close St Peter's Community Primary and Nursery School on 31 August 2024. Closure is considered necessary for the reasons set out below.

- 3.25 At the October 2023 census the school had recorded the following number of pupils on roll compared to October 2022 as shown in the table below. This is the lowest number of children in Year R to Year 6 of any primary school in Brighton & Hove. It is recognised that by undertaking a consultation on a proposal to close the school families have chosen to remove their children from the school, therefore artificially distorting the number of children on roll. At 8 January 2024, records show 69 pupils being on roll in Year R to Year 6 and 27 children in the nursery.

Census Date	N2	Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
October 2023	21	12	13	10	12	17	9	18	112
October 2022	16	18	13	16	17	13	17	19	129

- 3.26 In the Autumn Term 2023 the school's official headcount in the nursery class was 21 children.
- 3.27 The school has an intake of 3 – 11 years old which includes a nursery class. It is clear from the consultation responses that the nursery is held in high regard for its quality of education, affordability, and hours of operation. However, while retaining high numbers of children in the nursery class, not all parents then choose for their children to attend St Peter's in Year R and there is no automatic transfer from the nursery to the school. Under the School Admissions Code, a separate application to the school must be made by each parent of a child who attends the nursery.
- 3.28 The children attending the nursery before January 2023 will all be able to finish their nursery education at St Peter's and then start Reception at alternative schools in September 2024. The school has had new children join the nursery class in January 2024 and these children will be required to find alternative nursery provision should the school close.
- 3.29 The school is forecasting that its budget position at the end of 2023-24 financial year to be in deficit by £203,000. This represents 26% of the school's 2023/24 formula budget and early years funding allocation of £792,000. During the consultation process the school submitted a revised budget plan that showed that the school would be able to operate within its means and end each future year with a surplus that would contribute to reducing the deficit in future years.
- 3.30 However, the school's high-level, revised budget plan is based on the school being full when admitting up to a revised PAN of 15 pupils each year with 5 teachers and a headteacher overseeing the 105 pupils who would be on roll. The plan includes a reduction in the level of additional support from other staff and the SENCO duties being shared between the Headteacher and a class teacher.

- 3.31 It is accepted that the information provided by the school was an indicative account of what could change rather than a detailed proposal. The viability of the budget, if fully implemented, would look to contribute to a reduction in the school's overall deficit by £65,000 by March 2027. How the organisational structure would impact on the quality of education the school provides and the progress of the school's improvement journey is untested. However, it is accepted that the revised school model would have to be undertaken in conjunction with other stakeholders because there would be fewer staff to implement on-going improvements and provide the capacity to maintain change, respond to any barriers that emerge and enable the school to return to providing a good quality of education.
- 3.32 The financial modelling also takes no account of the costs incurred in maintaining a lease for the part of the school's accommodation not owned by the Council. Part of the school's accommodation is rented and while, in recent years, a decision has been taken by the Schools Forum that the costs will be met from all school's budgets this is a year-on-year decision and the membership of the forum has indicated concern about maintaining the current arrangement in future years.
- 3.33 The lease runs until 2037 and has further rent reviews scheduled for 2027 and 2032. The current annual rent is circa £42,000. Without the support of the Schools Forum, the funding to meet the annual rent, should the school remain open, would have to be made by the school from its own funding or by the Council directly.
- 3.34 The school is currently judged Requires Improvement by Ofsted, is subject to Ofsted monitoring and has a Council School Improvement Strategy Board as a school requiring support and intervention. The school has a temporary leadership structure with an Executive Headteacher and Head of School. This is not a long-term leadership model with the governing body working outside of any formal collaborative structure such as a federation. As outlined above, the school have developed a budget plan that shows a substantive headteacher and a smaller number of class teachers. Yet this structure would not enable the swift school improvement required to ensure the children at the school received a good quality of education.
- 3.35 During the public consultation period the Council obtained updated data to forecast pupil projections to September 2027 and revised previous forecasts for earlier years. The table below outlines the Council's forecast of demand for school places in the coming years and the expected surplus of places if the current number of school places was to remain unchanged. More details are provided in Appendix 1.

School Year	Pupil Forecast	Unfilled places
September 2024	2132	478
September 2025	1970	640
September 2026	1953	657
September 2027	1787	823

3.36 The table below shows the council's forecast of demand for school places in the Portslade planning area up to September 2027.

Date of Birth / school year	School year in Sept 2024	BN41 1	BN41 2			
1 Portslade		St Peters Primary Benfield Primary St Marys Primary	Brackenburg 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
places in each school year from Sept 2024		90	180	270		
01 September 19 to 31 August 20	R	64	131	195	176	95
01 September 20 to 31 August 21	2025	64	136	200	180	90
01 September 21 to 31 August 22	2026	57	129	186	167	103
01 September 22 to 31 August 23	2027	51	124	175	158	113

3.37 There are estimated to be under 60 children living in the BN41 1 postcode requiring a school place in 2026 and 2027. There are currently 90 places available, albeit 30 places are at a church school. St Peter's Community Primary and Nursery School admits several children who live in West Sussex; the Council does not have a statutory duty to provide school places for those not resident in Brighton & Hove but cannot restrict admissions to the school to only those living in Brighton & Hove.

3.38 In West Sussex County Council's [Planning School Places](#) document it states that in the Lancing planning area, the "current provision of places across the planning area is sufficient to meet the demand from those expected to apply for a place for starting school in the coming years". The planning area is operating at 89% occupancy and is considered full by WSCC when at 95%. In the Shoreham planning area it states, the "primary pupil numbers in the school planning area have seen a steady decline in recent years and whilst this does not reflect other areas of the county is based largely on changes to the demography in the area". It is operating at 90% capacity. The forecast primary pupil numbers in the Adur district show a decline through to 2026-27.

3.39 When all of these factors are taken into consideration, the Council's conclusion is that the school is no longer viable and therefore statutory notices should be published in order to proceed with the proposal to close the school.

Displaced pupils

3.40 The council is confident that there is sufficient capacity to accommodate displaced pupils if the school is to close, even when considering sibling links of children in either the nursery or primary school classes. While school places potentially fluctuate daily, the availability of school places on 8 January 2024 is as follows.

	Current Year group						
School (distance from St	Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6

Peter's in metres)							
St Peter's – Current pupil numbers	13	9	7	9	12	3	
St Mary's (545m)	3	0	2	1	0	0	
Benfield (1246m)	6	0	2	0	15	4	
Brackenbury (1062m)	1	0	5	13	7	2	
St Nicolas (1109m)	1	0	5	0	5	0	
Peter Gladwin (1723m)	0	1	6	3	2	3	
West Hove Infants – Portland Rd (2357m)	2	1	8	8	13	3	
Hangleton (2799m)	8	9	8	09	9	19	
Mile Oak (2886m)	3	17	4	15	7	20	
Eastbrook (1931m)	7	0	0	0	0	0	
The Glebe (3058m)	8	16	22	13	0	0	
Holmbush (3862m)	4	0	1	7	0	17	
St Peter's (Shoreham) (3862m)	5	5	0	0	0	7	
St Nicolas & St Mary's (4023m)	0	13	4	4	4	0	
Swiss Gardens (4667m)	14	22	1	0	3	4	
Shoreham Beach (5150m)	0	0	2	0	0	4	
Buckingham Park (5472m)	31	14	15	12	8	13	

3.41 From the information held by the Council, excluding the Year 6 pupils, there are 3 sets of siblings living in Brighton and Hove and 7 sets of siblings living in West Sussex currently attending St Peter's. The Brighton and Hove siblings could all be placed in Portslade schools, if their parents so wish

based on current availability. Both Benfield and Brackenbury primary schools currently have sufficient space to accommodate these families. The same applies for three of the seven West Sussex siblings. The other four sets of West Sussex siblings that have current Year 1 children are likely to have to travel to Hangleton or Mile Oak if they want to attend another Brighton and Hove school or go to St Nicolas & St Mary's or Swiss Garden for a West Sussex school.

- 3.42 As of 8 January 2024, there are 53 pupils still on roll at St Peter's in Years R to Year 5. It is expected that pupils in Year 6 will continue to attend the school until its proposed closure at the end of the academic year 2023-24.
- 3.43 Subject to final decision by Full Council, parents who have not applied by the end of the Spring term for a new school place, will be contacted by the School Admissions Team and asked to submit preferences for new school places by 28 March 2024. New places will be allocated to these pupils by 15 April 2024 and these places will be available to take up until September 2024, meaning that families who wish for their children to complete the academic year at St Peter's Community Primary and Nursery School can do so.
- 3.44 Children with Education, Health and Care Plans will be contacted by a nominated SEN Casework Officer in order that an annual review can take place in the Spring term 2024. Consideration can be then given to the education provision stated in the Education, Health and Care Plan and work can start on identifying a new education setting for September 2024 at the latest.

Nursery Provision

- 3.45 On 8 January there were 27 children attending the nursery provision. In addition to the recently opened Hippy Kids playschool located at South Portslade Community Centre, the Council is aware of the following Brighton and Hove early years provision within two miles of St Peter's.

Early Years Setting	Age range	Walking distance from St Peter's Primary School
Hippy Kids Playschool	0 to 5	0.2 miles
Southern Cross Pre-school Nursery	2 to 5	0.5 miles
Sparrows Nursery	2 to 5	0.7 miles
Footsteps Day Nursery Portslade	0 to 5	0.8 miles
Baby Ducks	2 to 5	0.9 miles
Pumpkin Patch in the Park	3 to 5	0.9 miles
Teddy Bears Day Nursery	0 to 5	0.9 miles
Bright Horizons Wish Park	0 to 5	1.0 miles
Fizzy Fish @ Peter Gladwin	2 to 5	1.1 miles
Nanny's House	0 to 5	1.1 miles
Hove Village Day Nursery	0 to 5	1.1 miles
Hopscotch West Hove Nursery	0 to 5	1.3 miles
Just Like Home Kindergarten	3 to 5	1.3 miles

La Casita	0 to 5	1.4 miles
Little Lambs Kindergarten	0 to 5	1.4 miles
Bright Horizons New Church Road	0 to 5	1.5 miles
Home from Home Nursery	0 to 5	1.5 miles
Young Sussex Hove	0 to 5	1.5 miles
Acorn Nursery	0 to 5	1.6 miles
Goldstone Primary School Nursery Class	3 to 5	1.6 miles
Active Kids	0 to 5	1.6 miles
Shoresh	2 to 5	1.6 miles
Bee in the Woods Kindergarten	3 to 7	1.7 miles
Early Explorers Pre-school	2 to 5	1.7 miles
Fizzy Fish Pre-school	3 to 5	1.7 miles
Woodpeckers Nursery	2 to 5	1.7 miles
Little Oaks	2 to 5	1.8 miles
Mini Adventurers Pre-school	2 to 5	1.8 miles
Apple Tree Montessori Hove	0 to 5	1.9 miles

3.46 The Council has heard the high regard the school's nursery provision is held by parents and the community and the benefits that it offers. As a result of this feedback the Council has begun discussion with other schools about the potential of opening up governing board led nursery provision to maintain a similar offer to that at St Peter's into the future.

3.47 It can usually be expected that working parents want early years provision for full days, all year round and for children younger than three, not all of which is covered by the current St Peter's provision. The Council heard that some parents are working and using the nursery. Of the children enrolled in the autumn term, eight are of working parents. Two of these families take their extended entitlement in another setting, not at the school's nursery provision.

3.48 The Council is responsible for ensuring sufficient nursery places are available to meet the needs of the community. It is not required to maintain the identical offer of provision should an early years provision be required to close. However, as stated at paragraph 3.46 above, the Council has begun discussion with other schools about the potential of opening governing board led nursery provision to maintain a similar offer to that at St Peter's. It is regrettable that in proposing the closure of St Peter's Community Primary and Nursery School the offer provided by the nursery class will not be maintained and families with children who started in the nursery in January 2024 and therefore not expected to start school in September 2024 and those who had planned to send their children to the setting beyond that date will be inconvenienced and will need to find suitable early provision that best meets their needs in other settings. The Council's family hubs team will support parents to find alternative early years provision.

3.49 All early years providers offering the early years free entitlements have to be registered on the Ofsted early years register and follow the early years foundation stage statutory framework which includes learning and

development requirements and welfare requirements, specifying staff:child ratios and staff qualifications. They are also required to comply with the council's EYFE funding agreement.

- 3.50 The Council's 2023 Childcare Sufficiency Assessment did not find a shortage of early years provision across the city as a whole. Between December 2019 and August 2023 the number of early years places on the Ofsted register in Brighton and Hove increased by 4% compared with a 1.5% increase in England as a whole. Where nurseries in the city have closed they are sometimes replaced by a new provider on the same site; nurseries have also opened on new sites.
- 3.51 From April 2024 the early years free entitlement starts to be rolled out to younger children, with a significant expansion (30 hours a week from the age of nine months) from September 2025. The DfE's local authority readiness data states that "in Brighton and Hove we estimate that 0 places will need to be created by September 2025". The DfE have stated that they will further refine local data which may change that conclusion, but this has not yet been provided.
- 3.52 Where parents require additional early years provision in addition to their EYFE they may be eligible for help with childcare costs through tax free childcare/childcare element of universal credit.

Pupils with Special Educational Needs

- 3.53 There are 4 Brighton and Hove pupils recorded as attending St Peter's Community Primary and Nursery school with an Education, Health and Care Plan (EHCP) and 24 pupils recorded as having SEN support.
- 3.54 Through the consultation concerns have been expressed about how other schools will be able to meet the needs of those pupils at St Peter's who have special educational needs, how those pupils will cope with a transition to another school, and whether any receiving school would put in place appropriate interventions to support these pupils.
- 3.55 As stated above, all pupils with EHCPs will have an annual review to inform the decision about future provision. Pupils who are currently undergoing statutory assessment will see no disruption to the process as a result of the proposal to close the school. In addition, the evidence that has been collated for pupils attending the school, in advance of a formal request for statutory assessment, will be made available to a receiving school and will be taken into consideration when considering what the appropriate next steps might be to meet a pupil's needs.
- 3.56 Pupils living in West Sussex will need to make any request for statutory assessment to West Sussex County Council. Council staff are committed to work with colleagues in West Sussex to ensure any supporting information is made available and the receiving schools will be asked to maintain evidence of interventions and their impact on pupils to help facilitate any future requests for additional support that may be made.

- 3.57 There have also been suggestions that the council might need to find more specialist placements or provide additional funding to that which is currently available to pupils at St Peter's, and that therefore it would cost the Council more should the school close. However, the Council is confident that the needs of all pupils can be met within other local mainstream settings, subject to the updated information obtained during the annual review process.
- 3.58 Importantly the council has put in place dedicated support from a senior SEN Casework Officer and Team Manager to oversee the transfer of pupils at the school who are known to the Council's SEN service.
- 3.59 As stated above the school has also put forward proposals to mitigate the impact of the school's low pupil numbers by reducing the school's PAN and combining classes. They have also suggested looking at alternative options for the nursery provision as part of a Portslade family hub or combining the nursery with a special provision that caters for the needs of pupils with Special Educational Needs. The Council continues to keep under review its sufficiency of SEN places and remains in dialogue with mainstream schools about how to meet the needs of pupils via alternative provision and additional specialist placements. At this point in time there are no viable concrete proposals that would support St Peter's Community Primary and Nursery School remaining open and utilising the expertise and accommodation the school currently has available.
- 3.60 When new specialist placements hosted by schools have been proposed they have been required to be sited in schools that have at least a Good Ofsted judgment and are able to demonstrate financial stability in future years. In addition other qualitative judgments are made in relation to vision, ethos and governance. St Peter's would not meet the requirements on quality of education or financial stability.

Supporting transition

- 3.61 Through the consultation the Council has heard significant levels of concern about the impact the consultation and a potential decision to close the school has had upon pupils and their families. Many families have spoken about the way that St Peter's Community Primary and Nursery School has met their child's additional needs and, in some cases, after other schools have not been able to do so. The Council recognises that there will be an impact on all children who are required to move schools and is seeking to work with staff at the school and any receiving school to minimise the negative impact of the change. The Council is enhancing its resources in its Inclusion Support Service, SEN services and Standards and Achievement team to do so. In addition, the Ethnic Minority Achievement Service, who support children and families where English is not their first language, and the Schools Mental Health Service have also received additional funding to meet the needs that occurs from the move of pupils, should the school close.
- 3.62 The Council is proposing to put in place a Transition Board, chaired by the Assistant Director: Education & Skills with oversight from the Co-Chairs of the

CF&S committee to monitor and oversee the arrangements put in place for individual children who currently attend St Peter's Community Primary and Nursery School in their transition to new schools. This Transition Board will work closely with the teams mentioned above, the existing St Peter's staff, and staff at receiving schools to ensure the transition of pupils is managed in a 'child-centred', caring and considered way.

- 3.63 All schools in the city will be reminded of their role to support the children who need to move school and to ensure that they use the additional funding that would have been made available to St Peter's Community Primary and Nursery School between September 2024 – March 2025 to support them in their new setting.
- 3.64 As the admission authority for community schools, the Council will consider any circumstances where a child's medical or social need means their needs can only be met at a specific school, when parents make applications for other schools.
- 3.65 The Council has heard many families comment on the benefits of St Peter's Community Primary and Nursery School's small class sizes. It will not be possible to replicate the small class size experience in other schools and this is a contributory factor to schools currently facing financial pressures. The vast majority of school funding is based on pupil numbers and therefore schools operating with small class sizes are less likely to be financially viable, particularly smaller schools where economies of scale that may exist in larger schools, do not apply.
- 3.66 In addition, the Council has also heard families talk about the range of support open to pupils that has been provided without the provision of an Education, Health and Care Plan. Families are concerned that when moving to new schools their children will not be adequately supported in a new setting, especially when they have heard of the pressures in the system currently with demand for services exceeding what is available from schools.
- 3.67 Information on pupils' needs and strategies and interventions that work to support pupils in their learning will be made available to receiving schools and staff will be encouraged to discuss individual pupils as part of the transition process. Evidence collated by St Peter's Community Primary and Nursery School will remain valid and can be used as supporting information for an Education, Health and Care Needs Assessment. The process of assessment will lead to a conclusion as to how best to meet the child's needs and whether there is a need to identify a child's primary area of difficulty and the type of school best suited to meet that need.

Impact on the community

- 3.68 Responses to the consultation have described the sadness in the community at the possibility of such a long-established school closing. The school was first opened in 1906 and has been a community resource that includes intact air raid shelters from 1939. There is concern that this asset will be lost to the community.

- 3.69 There are no active plans for the Council to re-purpose the accommodation that would become vacant should the school close. Therefore, it is expected that the site will remain as it is now preserving the building as a good quality example of an Edwardian state infant school with Arts and Crafts influences, in addition to the air raid shelters underneath.
- 3.70 It has been recognised that the school's community stretches beyond south Portslade, when consideration is given to the pupils served by the school. As it is not possible for complete classes from the school to move into the same new school, even if parents expressed such a wish, the Council has closely considered how pupils and families could be supported in that transition in order that the sense of community can be preserved so far as possible. It is expected that this will happen through the scheduling of opportunities for pupils and families to come together through and beyond the transition phase with the support of the Council's Schools Mental Health Service.

Staffing

- 3.71 Should the school close, staff's jobs will be at risk. The Council will strongly recommend that should the school close the staff affected be given the opportunity to be considered for roles in other schools prior to any recruitment process that they may undertake. However, this is a decision for individual governing boards and whilst the Council would like to see all schools consider redeployment before recruitment this is not a decision that the Council can impose on schools. As of 8 January 2024, there were 5 primary school teaching jobs being advertised by schools and 24 support staff roles. Additionally, there are 50 posts in the Council's redeployment pool as staff will also have access to those. Discussions have taken place with colleagues in secondary schools, who report a number of unfilled support roles, to provide opportunities for staff to experience what working in a secondary school would be like.
- 3.72 With the support of trade unions, the Council will begin a staff consultation on proposed redundancy in late January. Whilst this will be during the statutory notice period, should committee agree to the recommendation in this report and before a final decision has been taken on the school's future, it will give staff the opportunity to be included in the Council's own redeployment pool at the earliest opportunity. Should the Council not go ahead with the proposed closure of the school then the staff consultation will end without implementation.
- 3.73 The Council is hoping to retain the knowledge and experience of staff working at St Peter's Community Primary and Nursery School should the school close, for the benefit of the education community in the city. However, it is recognised that as pupil numbers continue to fall across the city schools are having to reduce the numbers of staff employed.
- 3.74 The school's proposals to remain open as a smaller school would mean the retention of most staff. The high-level budget proposals did not include any calculation for the cost of redundancy that would be a responsibility of the

school to meet when reducing the numbers of staff at the school. This would have a bearing on the school's ability to ensure its expenditure was less than its income in the initial period whilst the school adjusted to a smaller teaching staff.

- 3.75 Staff who are made redundant will receive their relevant entitlements depending on the role in which they hold at the school and their continuous service.

Accommodation

- 3.76 There are no active plans for the future use of the school site. The Council will be required to meet the costs of the rental agreement should the school close, until a future purpose and funding source has been identified. The Council is committed to maintaining educational provision from the site and ensuring the community resource, whose history is much valued, remains; so that its contribution to the area is not forgotten.
- 3.77 Any alternative uses of the site will be subject to consultation, where the impact on the community will need to be assessed as part of any future decision-making process.

Travel

- 3.78 The government guidance outlines that when proposing to close a school, decision makers should consider whether the proposal will result in unreasonably long journey times or increased travel costs for local authorities or families, as well as any increase in the use of motor vehicles which is likely to result from the discontinuance of the school, and the likely effects of any such increase.
- 3.79 The Council is unable to forecast what preferences parents will have for alternative schools for their children to attend. As a result, it is not possible to quantify the impact on travel of closing the school. Most families will be able to choose a school within a 2-mile walking route from St Peter's. However, through the consultation concerns have been expressed by families about their ability to get their children to different schools because of work commitments, the reliability and accessibility of public transport and the safety of walking routes to other schools in the Portslade area. Concerns have been expressed by families with young children, and the practicalities of transporting them to and from a new school site when accompanying their school aged sibling.
- 3.80 The Council's Home to School transport policy reflects the legislation and sets out that the council has a duty to provide assistance with transport for children of compulsory school age between home and school if the child is under the age of 8 and lives more than two miles from their nearest suitable school; or the child is aged between 8 and 16 years and lives more than three miles from their nearest suitable school. The 'nearest suitable school' in relation to primary education is considered to be the closest maintained school to the child's permanent home address that is suitable to age, educational needs

and has a place available. Families may therefore be eligible for transport assistance from the Council, because of their circumstances, when a new school place is known. Factors that may be taken into account in deciding eligibility for assistance include having to take other primary age or younger children to a different school or pre-school, fixed employment patterns and the medical condition or disability of a parent or carer which means they cannot accompany their child to school.

- 3.81 In accordance with the Council's Home to School transport policy and the Department for Education's statutory guidance, the starting point for assessment of eligibility for assistance with travel is that as far as possible parents should accompany their children to school or that children should make their own way to school. For children with SEN, a disability or mobility problems this may mean that some additional support is provided.
- 3.82 The Council will work with schools who receive pupils from St Peter's Community Primary and Nursery School to develop their school travel plans to seek to mitigate against increased car use.

Equalities

- 3.83 When contemplating school closure, the Council must have 'due regard' to the duties set out in section 149 of the Equalities Act 2010 (the Public Sector Equality Duty). This requires the Council to consider how any decision to close might affect people who are protected under the Equality Act. Decision makers should be satisfied that the proposer has shown a commitment to providing access to a range of opportunities which reflect the ethnic and cultural mix of the area in which a school is located, whilst ensuring that such opportunities are open to all.
- 3.84 This report is accompanied by an Equalities Impact Assessment (Appendix 2) which has been undertaken as part of the statutory process to identify any equality implications of the proposal and to address any concerns through appropriate mitigations if a decision is made to close the school. This EIA has been particularly informed by the responses to the consultation.
- 3.85 Through the consultation concerns were expressed by responders regarding whether the Council had put in sufficient measures to ensure the consultation was accessible to all. Additional support for families where English was not the first language and for those whose children have special educational needs were put in place by the Council.
- 3.86 Staff from the Ethnic Minority Achievement Service (EMAS) have supported families they have worked with throughout the consultation period to understand the proposals and have facilitated them in responding to the Council. The Brighton and Hove Parent and Carer Council have also been available for families to support them as part of the process and liaised with colleagues in West Sussex to support families who live there. In addition, a specific meeting was held at the school for those families for whom English is not their first language, families from Black or Racially Minoritised groups and for those whose children have special educational needs in order that any

particular concerns which they might have had could be listened to and addressed.

- 3.87 EMAS have directly supported three Bengali, one Polish, one Brazilian Portuguese, one Ukrainian and three Arabic speaking families to understand and send in responses to the consultation. EMAS also supported two Black African parents who are English speakers to register their children, at a different school, for reception in September.
- 3.88 Closing St Peter's Community Primary and Nursery School will remove the option of a school place in the south Portslade area at a school that is appreciated for how it supports families and children irrespective of their disabilities, race and life experiences.
- 3.89 It is recognised that any alternative school place will not be in a school of a similar size and is unlikely to have the small class sizes that the school has had in recent years and which have been valued by responders to the consultation. However, these factors have contributed to the school's financial position and if similar circumstances, such as small class sizes, were replicated it would place those other schools at risk of not being financially viable, as detailed in paragraph 3.65.
- 3.90 By proposing the closure of St Peter's Community Primary and Nursery School it is hoped that it will ensure other schools in the city are supported to remain resilient in the short and medium term and better placed to continue to meet the needs of all pupils including those with protected characteristics. Doing so is demonstrating the council's commitment to providing access to a range of opportunities which reflect the ethnic and cultural mix of the area whilst ensuring that such opportunities are open to all.

4. Analysis and consideration of alternative options

- 4.1 The Council could propose not to close St Peter's Community Primary and Nursery School, further explore the suggestions put forward by the school for alternative delivery models or propose to close the school over a longer time period.
- 4.2 The requirement to undertake an initial consultation on the Council's proposals prior to a formal consultation has meant that the school staff, families and community have faced a significant amount of uncertainty since November 2023. This has resulted in some families taking up opportunities of school places elsewhere, in anticipation of a decision to close the school.
- 4.3 As a result, the viability of alternative options to closure are diminished. In addition, putting forward a proposal to close the school at a later date is not considered viable or appropriate. It can be reasonably expected that more families will move their children to alternate schools as a revised closure date gets closer plus staff would be needing to consider other employment opportunities to maintain their employment and continuity of service. This will further compound the school's viability and ability to sustain its school

improvement journey. Therefore, an alternative timing of closure or proposal not to close the school are not considered appropriate.

- 4.4 Whilst undoubtedly affected by the Council's proposals, the number of preferences received for the school from parents of children due to start school is expected to be very low.
- 4.5 As part of the consultation process the school put forward three alternative options within the school building:
- to reduce the size of the school
 - extend the nursery to include younger age children and create an Early Years Hub for Portslade
 - keep the nursery and develop a specialist provision facility
- 4.6 The school also submitted a revised budget plan to show how expenditure could be kept lower than current expenditure through a reduction in teaching staff and the purchasing of fewer support services. The surplus generated would be used to offset the school's current deficit.
- 4.7 Whilst these proposals demonstrate the potential for an alternative to the school's closure there is not sufficient compelling information for the Council to consider them as alternatives to closure when considered alongside the Council's own expectations, financial position and ability to accept risk.
- 4.8 As outlined, the proposals in the budget plan show a reduction in teaching staff that could place the school's on-going improvement journey at risk and requires the school to maintain sufficient popularity in the community to maintain 105 pupils across the school. In addition, the Council's own proposals for family hubs, early years and special education needs provision do not align with the school's alternative proposals.
- 4.9 By not reducing the number of surplus places in the city in the longer-term school occupancy rates will not increase meaning that school budgets will remain lower and this may make more schools less viable. As schools are more likely to be able to balance their budgets if operating with full, or close to full, forms of entry.

5. Community engagement and consultation

- 5.1 The Council undertook a public consultation exercise between 7 November and 22 December 2023. A total of 5 public meetings held in-person or online took place and were attended by a total of approximately 150 people. Many people attended more than one meeting.
- 5.2 The online consultation response form received 313 responses and 15 email replies were received directly to the council's school organisation or school admissions inbox.
- 5.3 The consultation was notified to West Sussex County Council, both diocese and nurseries were informed.

6. Conclusion

- 6.1 The Council has undertaken a public consultation on proposals to close St Peter's Community Primary School and Nursery on 31 August 2024.
- 6.2 A total of 313 responses received via the consultation portal and there were 15 direct responses to the Council's school organisation or school admission email accounts about the proposals. The vast majority of replies stated their disagreement with the proposals and concern for how pupils who attend the school will be supported by other schools should they need to move. In addition, there is concern that by closing the school its nursery provision, which is affordable, meets the needs of working parents and is highly regarded, will be lost.
- 6.3 On 8 January the school was operating with 69 pupils and this is the smallest primary school in Brighton & Hove.
- 6.4 The school is anticipating ending this financial year with a £203,000 deficit.
- 6.5 The low numbers of pupils still attending the school and the absence of a credible financial plan that shows the school coming out of deficit means any alternative to closure would need additional support from the Council.
- 6.6 Some parents of children attending the school and nursery are concerned that their children's needs will not be met as well as they are by staff at St Peter's should the school close. Several families are also concerned that there are insufficient school and nursery places a reasonable distance from the school to be a viable alternative to attending the school.
- 6.7 In the school's submitted response to the consultation the proposals put forward to assist the school to remain open were about mitigating the low pupil numbers, through reducing the PAN and enhancing the nursery and SEN support made available. Proposals did not consider how the school would seek to improve levels of parental preference and fill to the school's current capacity of 210 pupils. The Council's view is that a medium to long term strategy to maintain the school through a reduced number of pupils onsite is not a viable approach with pupil numbers still expected to fall in future years and parental preference being a mainstay of government policy.
- 6.8 In recommending that the school closes the Council is committed to supporting all pupils to find an alternative school place, be supported to attend that school if their circumstances mean they are entitled to transport assistance and to work with the receiving schools to meet the needs of the children. The Council has put additional resources in place to provide teams with dedicated time and staff to oversee transition arrangements and will clearly state its expectations of receiving schools so as to minimise the impact of children having to attend another school.
- 6.9 The Portslade planning area is expected to have 90 or more unfilled places in 2025 through to 2027. The Council's statutory duty is to ensure sufficient

school places for pupils living in Brighton & Hove and wanting a place in a city school. With sufficient school places in the area and an indication that West Sussex County Council also have sufficient school places to meet the need of families who live in close proximity to St Peter's Community Primary and Nursery School, it is recommended that the school closes on 31 August 2024.

- 6.10 If the recommendations in this report are agreed, a statutory representation period of four weeks will run between 23 January 2024 and 20 February 2024 during which any person may make further comments on the proposal. Once any further comments are considered a further report will be brought to a special meeting of the Children, Families & Schools Committee on 29 February 2024. In the event that closure is recommended, a final decision will be made by Full Council on 4 March 2024.

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 The governing body approved budget plan submitted by St Peter's in summer term 2023 shows the school with an estimated deficit balance of £202,849 at the end of the 2023/24 financial year with no long-term plan to bring the budget back into balance. The school did submit a revised budget plan during the consultation period based on a reduced PAN and this demonstrates how expenditure could be lowered through a reduction in costs including fewer teaching assistants. The revised plan shows potential in-year surpluses which would partially offset the school's current deficit, however the predicted position at the end of the 2026/27 financial year still shows a cumulative deficit in the region of £140,000.
- 7.4 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 deficit of St Batholomew's by the end of the academic year 2023/24 is estimated to be £200k 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.

8. Legal implications

- 8.1 In order to achieve any reorganisation of school provision the council must comply with School Organisation legislation, the Education and Inspections Act 2006 (EIA), associated regulations, and statutory guidance published by the Department for Education "Opening and closing maintained schools, Statutory guidance for proposers and decision makers, January 2023". Both the legislation and guidance set out the steps which the council must take before making any decisions on proposals to reorganise school provision.
- 8.2 In accordance with Section 15 of the Education and Inspections Act 2006 ("the EIA 2006") (as amended) and the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 ("the Regulations"), a formal consultation exercise has now been carried out with all interested parties. If the decision is taken to proceed with the proposed closure of St Peter's Community Primary and Nursery School following this consultation, a statutory notice must be published. Publication of the notice triggers a four-week period of representation during which interested parties are able to comment on the proposal. At the end of this representation period a further report will be brought back to Children Families and Schools committee. In the event that committee recommend that the school is closed, the final decision will be taken by Full Council on 4 March 2024.
- 8.3 In taking decisions the Council must act lawfully, including acting within its powers and following its own procedures as well as those required by law. The Council must ensure that all required consultations are properly undertaken in accordance with relevant law and guidance. It must make rational, evidence-based decisions, take into account all relevant considerations, act for a proper purpose, and be properly reasoned.
- 8.4 The Council is required to have 'due regard' to the duties set out in Section 149 of the Equality Act 2010 (the Public Sector Equality Duty) in determining the proposal. In order to comply with the public sector equality duty the Committee should have due regard to the analysis of the impact upon those affected by the proposal who have protected characteristics under the Act. This is summarised within the EIA template and the body of the report. Recent government guidance indicates that the general duty requires decision-makers to have due regard to advance equality of opportunity and foster good relations in relation to activities such as providing a public service. As indicated in recent government guidance the duty does not dictate a particular outcome. The level of "due regard" considered sufficient in any particular context depends on the facts. The duty should always be applied in a proportionate way depending on the circumstances of the case and the seriousness of the potential equality impacts on those with protected characteristics

- 8.5 The Council is the employer of staff engaged at its community schools. It must take further advice to ensure compliance with employment law if staff become affected by these proposals.

Name of lawyer consulted: Serena Kynaston Date consulted: 11.01.2024

9. Equalities implications

- 9.1 An Equalities Impact Assessment (EIA) has been undertaken and is included as Appendix 2 to this report. As the earlier equalities section details, in proposing the closure of a school the Council needs to consider the impact of the proposals on the relevant protected characteristics and any issues that may arise from the proposals. In so doing, decision makers should be satisfied that the proposer has shown a commitment to providing access to a range of opportunities which reflect the ethnic and cultural mix of the area in which a school is located, whilst ensuring that such opportunities are open to all.
- 9.2 In addition, the Government refreshed guidance on the Public Sector Equality Duty which requires public authorities to have due regard to certain equality considerations when exercising their functions, like making decisions. The guidance reiterates that “It is for the decision-maker to decide how much weight should be given to the various factors informing the decision. The duty does not mean that decisions cannot be taken which disadvantage some people (provided this does not constitute unlawful discrimination), but the decision-maker should be aware of the equality impacts of these decisions and consider how they could positively contribute to the advancement of equality and good relations. The decision-maker should consider ways of preventing, or balancing the effects that their decision may have on certain groups. They should decide which mitigations, if any, they might want to put into place in reconsidering the decision. The mitigation should be proportionate to the problem at hand.” Therefore, compliance with the general duty involves consciously thinking about the equality aims while making decisions. There is no prescribed process for doing or recording this.
- 9.3 Through the consultation process concerns have been expressed about the potential harm a school closure would have on families and children who have special educational needs, have life experiences that have caused trauma and created disadvantage. Whilst it is clear that any change of school will have an impact on a family and child, the Council is committed to minimising the harmful impact of that in conjunction with both St Peter’s Community Primary and Nursery School and the receiving school.
- 9.4 It is possible that families may need to travel further to school than they do currently and there will be a need to establish new trusting relationships for families and children with staff in a new school.

- 9.5 The EIA outlines the potential actions that can be undertaken to advance equality of opportunity, eliminate discrimination, and foster good relations should the proposal to close the school be agreed.
- 9.6 The Council recognises that the proposal to close the school is at odds with other stated objectives of the Council including its anti-racist pledge. Whilst the Council recognises that it must be more transparent in its decision making and better demonstrate consideration of the impact decisions could have on those with protected characteristics, the requirement to address the issue of falling pupils numbers, financial pressures across the school system and minimise the risk to the Council's own viability result in having to put forward the proposal to close a school in an area with declining pupil numbers for which there is no compelling evidence of the school's on-going viability.
- 9.7 As a result, the Council has identified in the EIA steps that can be taken to mitigate the effects of the school's closure.

10. Sustainability implications

- 10.1 The proposal to close St Peter's Community Primary and Nursery School could extend the length of journey families need to undertake to take their children to school. This could have an impact on the use of private vehicles, or the number of journeys undertaken on public transport especially if the distance from home to school increases when children are placed in other schools.
- 10.2 At this stage it is not possible to anticipate patterns of parental preference to identify what mitigation measures will need to be in place. However, 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

And it would be expected that schools receiving pupils as a result of a decision to close the school are supported to amend these to take account of the changes that occur.

- 10.3 The Council has heard the concern about safe walking routes to school especially for families who have younger children or those whose additional needs may make their behaviour unpredictable. Consideration will need to be made to reviewing routes considered safe walking routes where concerns have been expressed. In addition, due consideration will be given to the circumstances of any families who apply for transport assistance once their child has been allocated a new school place.

Supporting Documentation

1. Appendices

1. Primary School Place Forecast
2. Equalities Impact Assessment
3. Draft Statutory Notice
4. Draft Full Proposal Information

2. Background documents

The responses received via the consultation portal have been made available confidentially to Councillors sitting on the CF&S Committee for their consideration.

Date of Birth / school year	School yr in Sept 24	Grand Total all planning areas from 2023 data	pupils likely to want a school place based on 90% of GP reg data	Permanent places in Year R in 2024	Surplus places or shortfall of places	Comparison with 2022 data	
All planning Areas							
places in each school year from Sept 2024						Surplus places or shortfall of places based on 2022 data	Number of surplus places have risen fallen between 2022 and 2023
01 September 13 to 31 August 14	6	2,994	2,695				
01 September 14 to 31 August 15	5	2,846	2,561				
01 September 15 to 31 August 16	4	2,834	2,551				
01 September 16 to 31 August 17	3	2,743	2,469				
01 September 17 to 31 August 18	2	2,603	2,343				
01 September 18 to 31 August 19	1	2,435	2,192				
01 September 19 to 31 August 20	R	2,369	2,132	2,610	478	593	-115
01 September 20 to 31 August 21	2025	2,189	1,970	2,610	640	741	-101
01 September 21 to 31 August 22	2026	2,170	1,953	2,610	657	752	-95
01 September 22 to 31 August 23	2027	1,985	1,787	2,610	824		

593
743
753

Date of Birth / school year	School year in Sept 2024	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 2024		270	660	90	540	150	450	270	180	2610
01 September 13 to 31 August 14	6	249	0	0	0	159	0	0	0	409
01 September 14 to 31 August 15	5	260	0	0	0	171	0	0	0	431
01 September 15 to 31 August 16	4	215	0	0	0	171	0	0	0	386
01 September 16 to 31 August 17	3	231	0	0	0	160	0	0	0	392
01 September 17 to 31 August 18	2	224	0	0	0	152	0	0	0	376
01 September 18 to 31 August 19	1	217	0	0	0	123	0	0	0	340
01 September 19 to 31 August 20	R	176	564	79	423	129	429	164	168	2132
01 September 20 to 31 August 21	2025	180	528	54	424	105	388	140	151	1970
01 September 21 to 31 August 22	2026	167	534	69	376	123	372	162	149	1953
01 September 22 to 31 August 23	2027	158	484	53	361	92	367	128	144	1787

Date of Birth / school year	School year in Sept 2024	BN41 1	BN41 2				Comparison with 2022 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		90	180	270				
01 September 13 to 31 August 14	6	84	193	277	249			
01 September 14 to 31 August 15	5	85	204	289	260			
01 September 15 to 31 August 16	4	67	172	239	215			
01 September 16 to 31 August 17	3	75	182	257	231			
01 September 17 to 31 August 18	2	84	165	249	224			
01 September 18 to 31 August 19	1	66	175	241	217			
01 September 19 to 31 August 20	R	64	131	195	176	95	87	8
01 September 20 to 31 August 21	2025	64	136	200	180	90	95	-5
01 September 21 to 31 August 22	2026	57	129	186	167	103	109	-6
01 September 22 to 31 August 23	2027	51	124	175	158	113		

Date of Birth / school year	School year in Sept 2024	BN3 1	BN3 2	BN3 3	BN3 4	BN3 5	BN3 6	BN3 7				Comparison with 2022 data	
2 Central Hove		West Hove Infant @Holland Road Hove Juniors Holland Road Brunswick Primary		St Andrews Primary		West Hove Infant Hove Junior	Cottesmore Primary Bilingual Primary School	Aldington Primay Goldstone 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		150		90		120	150	150	660				
01 September 13 to 31 August 14	6	86	49	136	93	167	170	156	857				
01 September 14 to 31 August 15	5	93	36	116	76	136	131	160	748				
01 September 15 to 31 August 16	4	97	42	99	68	154	145	154	759				
01 September 16 to 31 August 17	3	64	42	133	93	124	115	141	712				
01 September 17 to 31 August 18	2	94	39	113	61	149	127	134	717				
01 September 18 to 31 August 19	1	77	38	97	71	120	131	94	628				
01 September 19 to 31 August 20	R	85	32	96	72	132	82	128	627	564	96	130	-34
01 September 20 to 31 August 21	2025	80	32	105	50	118	100	102	587	528	132	174	-42
01 September 21 to 31 August 22	2026	78	39	118	66	122	80	90	593	534	126	143	-17
01 September 22 to 31 August 23	2027	70	38	111	56	112	64	87	538	484	176		

Date of Birth / school year	School year in Sept 2024	BN3 8				Comparison with 2022 data	
3 West Blatchington and North Hangleton		Hangleton Primary West Blatch 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		90	90				
01 September 13 to 31 August 14	6	141	141				
01 September 14 to 31 August 15	5	128	128				
01 September 15 to 31 August 16	4	123	123				
01 September 16 to 31 August 17	3	96	96				
01 September 17 to 31 August 18	2	107	107				
01 September 18 to 31 August 19	1	102	102				
01 September 19 to 31 August 20	R	88	88	79	11	11	-0
01 September 20 to 31 August 21	2025	60	60	54	36	36	0
01 September 21 to 31 August 22	2026	77	77	69	21	18	3
01 September 22 to 31 August 23	2027	59	59	53	37		

Date of Birth / school year	School year in Sept 2024	BN1 2	BN1 3	BN1 5	BN1 1	BN1 4	BN1 6	BN1 7				Comparison with 2022 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	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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024			60	150	30	30	210	60	540				
01 September 13 to 31 August 14	6	31	63	136	10	51	207	112	610				
01 September 14 to 31 August 15	5	20	65	123	≤5	57	210	96	571				
01 September 15 to 31 August 16	4	24	80	116	12	64	182	103	581				
01 September 16 to 31 August 17	3	33	52	116	10	60	173	86	530				
01 September 17 to 31 August 18	2	24	69	100	9	42	173	91	508				
01 September 18 to 31 August 19	1	23	69	91	9	58	165	70	485				
01 September 19 to 31 August 20	R	32	62	86	12	43	145	90	470	423	117	185	-68
01 September 20 to 31 August 21	2025	20	60	99	9	57	145	81	471	424	116	173	-57
01 September 21 to 31 August 22	2026	28	67	72	7	40	146	58	418	376	164	222	-58
01 September 22 to 31 August 23	2027	15	60	85	6	61	112	62	401	361	179		

Date of Birth / school year	School year in Sept 2024	BN1 8				Comparison with 2022 data	
5 Patcham		Patcham Infant Patcham Junior Carden 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		150	150				
01 September 13 to 31 August 14	6	177	177	159	-9		
01 September 14 to 31 August 15	5	190	190	171	-21		
01 September 15 to 31 August 16	4	190	190	171	-21		
01 September 16 to 31 August 17	3	178	178	160	-10		
01 September 17 to 31 August 18	2	169	169	152	-2		
01 September 18 to 31 August 19	1	137	137	123	27		
01 September 19 to 31 August 20	R	143	143	129	21	26	-5
01 September 20 to 31 August 21	2025	117	117	105	45	47	-2
01 September 21 to 31 August 22	2026	137	137	123	27	32	-5
01 September 22 to 31 August 23	2027	102	102	92	58		

Date of Birth / school year	School year in Sept 2024	BN2 0	BN2 1	BN2 2	BN2 3	BN2 5	BN2 9				Comparison with 2022 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	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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		90			150	90	120	450				
01 September 13 to 31 August 14	6	56	55	≤5	72	153	133	469				
01 September 14 to 31 August 15	5	45	44	≤5	86	142	127	444				
01 September 15 to 31 August 16	4	61	51	≤5	94	122	129	457				
01 September 16 to 31 August 17	3	57	58	≤5	98	140	141	494				
01 September 17 to 31 August 18	2	46	39	≤5	87	144	133	449				
01 September 18 to 31 August 19	1	42	55	≤5	99	124	131	451				
01 September 19 to 31 August 20	R	53	63	≤5	89	143	129	477	429	21	36	-15
01 September 20 to 31 August 21	2025	42	46	≤5	94	115	134	431	388	62	55	7
01 September 21 to 31 August 22	2026	47	51	≤5	84	118	113	413	372	78	85	-7
01 September 22 to 31 August 23	2027	43	59	≤5	73	125	108	408	367	83		

Date of Birth / school year	School year in Sept 2024	BN2 6	BN2 7	BN2 8				Comparison with 2022 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		120	60	90	270				
01 September 13 to 31 August 14	6	128	21	99	248				
01 September 14 to 31 August 15	5	126	34	96	256				
01 September 15 to 31 August 16	4	115	38	93	246				
01 September 16 to 31 August 17	3	122	34	82	238				
01 September 17 to 31 August 18	2	108	32	72	212				
01 September 18 to 31 August 19	1	100	26	82	208				
01 September 19 to 31 August 20	R	90	26	66	182	164	106	107	-1
01 September 20 to 31 August 21	2025	85	20	50	155	140	131	134	-4
01 September 21 to 31 August 22	2026	89	30	61	180	162	108	112	-4
01 September 22 to 31 August 23	2027	75	18	49	142	128	142		

Date of Birth / school year	School year in Sept 2024	BN1 9	BN2 4				Comparison with 2022 data	
8 City North		Coldean Primary	Bevendean Primary Coombe Rd Primary Moulsecomb 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		60	120	180				
				0				
01 September 13 to 31 August 14	6	56	159	215				
01 September 14 to 31 August 15	5	58	162	220				
01 September 15 to 31 August 16	4	52	187	239				
01 September 16 to 31 August 17	3	60	178	238				
01 September 17 to 31 August 18	2	56	136	192				
01 September 18 to 31 August 19	1	45	138	183				
01 September 19 to 31 August 20	R	42	145	187	168	12	11	1
01 September 20 to 31 August 21	2025	35	133	168	151	29	29	-0
01 September 21 to 31 August 22	2026	37	129	166	149	31	32	-1
01 September 22 to 31 August 23	2027	27	133	160	144	36		

Equality Impact and Outcome Assessment (EIA)

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).

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	Proposed Closure of St Peter's Community Primary and Nursery School	ID No.⁶	FCL-103-Jan-24-EIA-StPetersSchoolClosure
Team/Department⁷	Families, Children & Learning – Education & Skills		
Focus of EIA⁸	<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 6 other schools. A total reduction of 240 places.</p> <p>This EIA is focussed on the proposed closure of St Peter's Community Primary and Nursery School, and the impact on the cohorts of children between the age of 3-11 years old who will be affected by the closures. The EIA will also cover some factors potentially affecting staff at the school.</p> <p>A public consultation process has taken place (from 7 November 2023 to 22 December 2023) and the results of the views of other admission authorities, adjoining neighbouring local authorities, schools' governing bodies, parents of children and any other people interested in the proposals have been gathered and inform this EIA document. Where the data for this consultation has been provided, the effects of the closures on any impacted groups have been reflected in this EIA.</p>		

	<p>This EIA is looking at the impacts of the proposed closures to ensure that groups affected have been considered fairly and to help inform decision making. This document takes account of the Government's updates guidance on the Public Sector Equality Duty that outlines the purpose of an EIA and states:</p> <p>It is for the decision-maker to decide how much weight should be given to the various factors informing the decision. The duty does not mean that decisions cannot be taken which disadvantage some people (provided this does not constitute unlawful discrimination), but the decision-maker should be aware of the equality impacts of these decisions and consider how they could positively contribute to the advancement of equality and good relations. The decision-maker should consider ways of preventing, or balancing the effects that their decision may have on certain groups. They should decide which mitigations, if any, they might want to put into place in reconsidering the decision. The mitigation should be proportionate to the problem at hand.</p> <p>Therefore, compliance with the general duty involves consciously thinking about the equality aims while making decisions. There is no prescribed process for doing or recording this.</p>
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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 primarily impact on primary school age children who currently attend the school or may have wished to attend the school, these will be children currently 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 and those born between 1/09/2020 and 31/08/2022 who would be due to start the nursery.</p> <p>St Peter's school received 11 pupils allocated on National Offer Day to start reception in Sept 2023, 22 pupils to start reception in Sept 2022 and 13 pupils to start reception in Sept 2021.</p> <p>These proposals will have a disproportionate impact on children in the current Year 5</p>	<p>Regarding adults, the consultation on school closures received 467 responses of which there were 313 responses in relation to St Peter's, through the consultation portal. 53.7% of responders provided their age with the youngest being 18 and the oldest over 75.</p> <p>Out of these responses provided 11% were under 30. 32% were aged between 30-39; 35% aged between 40-49; 15% were aged between 50-59 and 7% were 60 or older.</p> <p>A number of parents with siblings attending the school in different year groups have raised concerns about all siblings attending the same new school and</p>	<p>Regarding adults, respondents to the consultation aged between 30 and 59 accounted for about 82% of the responses.</p> <p>Children in Year 5 may be disproportionately affected by having to move school for Sept 24. Children currently attending the school will be affected by having to start a new primary school.</p> <p>Younger children may find settling into a new school more challenging than older children.</p> <p>Children currently in the nursery who are moving to Reception in September 24 will no longer have St Peter's school as an option and</p>	<p>Ensure that vulnerable children who would be particularly affected by moving schools are identified and supported with the change of schools. Appropriate support provided by Brighton & Hove Inclusion Support Services (BHISS) and Schools Mental Health Service to assist with the transition for identified pupils. The Council will operate a Transition Board and individual action plans may be appropriate for certain children.</p> <p>Receiving schools to be made aware of impact of transition on these groups of children so appropriate support can be provided.</p> <p>Council's 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: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	<p>as they will have to move to a new school for Year 6 and then secondary school in Year 7 consequently attending 3 different schools in 3 years.</p> <p>Children in the current Reception class will have only just settled into schooling and may find the transition to a new school difficult.</p> <p>St Peter's School has a teacher led nursery provision attached which would be lost if the school closes. In the Autumn term there were 21 children on roll. Those children attending in Autumn 2023 are all due to start school in September 2024.</p> <p>Staff who are close to retirement age may find new employment difficult to gain.</p> <p>The age profile of staff is: Age 21 - 30 = 10% 31 - 40 = 27.5%</p>	<p>perceived lack of available places at alternative local schools.</p> <p>Concern about loss of affordable nursery provision and longer hours availability.</p> <p>The consultation responses indicated the benefits of the nursery provision at the school being teacher led, affordable and offered for hours that supported working parents. Of the children enrolled in the nursery eight are of working parents - two of these take their extended entitlement in another setting, not at the school.</p> <p>The nursery provided children who moved on to the school a good start in their education and families wanted younger siblings to</p>	<p>may need to look elsewhere.</p>	<p>admission team to be aware of the issue with siblings and to work with families to facilitate them attending the same school where possible.</p> <p>School admissions team will work with families who have expressed a preference for St Peter's for Reception in September to ensure they know about the closure proposal and can seek alternative preferences.</p> <p>Those who cannot apply for a school place online can contact the school admissions team for support.</p> <p>We can ensure there is a school place available for each child in each chronological year group. The school admissions team is</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
	41 - 50 = 27.5% 51 - 60 = 35%	experience what their other children experienced.		available to work with families to meet their preferences. We can ensure there are nursery places available for anyone displaced from St Peter's for those children starting at the nursery from January 2024 not due to start school in September 2024. Family Hubs and the early years team will support families to find early years provision which meets their needs throughout the city. Our 2023 Childcare Sufficiency Assessment did not find a shortage of early years places overall.
Disability¹⁴	Children with Special Educational Needs and Disabilities (SEND) who have an Education, Health & Care Plan (EHCP) would be placed in school under the SEND	Regarding adults, from the responses through the consultation portal, 11% who provided an answer identified as having a disability. 76%	Children with EHCPs will be supported with their school moves. This will ensure that the school that they are moving to will be able to	Schools will be encouraged to identify families who need additional support to secure a new school 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: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	<p>code of Practice by the SEN team.</p> <p>From the October 2023 School census St Peter's had 7 pupils on roll with an EHCP and 24 students receiving additional educational support.</p> <p>There is no data available about the number of children at the schools whose parents have a disability.</p> <p>Identifying details on the profile of staff's disabilities relies on staff entering information into the Council's management information system and must be treated as sensitive data.</p> <p>The school has an Education Mental Health Practitioner, and access to Schools Mental Health Service.</p>	<p>did not consider themselves to have a disability and 13% preferred not to say.</p> <p>All but one responder who stated that they had a disability strongly disagreed with the proposal to close the school.</p> <p>There will be an impact on neurodiverse pupils if they must move schools due to change presenting additional challenges to some of these pupils.</p> <p>Respondents felt that small class sizes meant pupils received the attention and support that respondents felt would not be possible in a large class.</p> <p>We heard from families who were concerned about their physical</p>	<p>provide the provision identified in their EHCPs and that the school will have the relevant accessibility and adaptability requirements in place so that their access to suitable education is not harmed by the move in location.</p> <p>There may be some need to adapt physical environments to cater for disabilities and many schools in the city have experience of doing so.</p> <p>Staff with disabilities may need additional support to apply for new roles.</p> <p>Consideration under the council's transport policy will be given to those parents/carers with disabled children or who have a disability themselves may not be</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> <p>BHISS & the SEN Team will provide support for children with EHCPs to ensure that they move to an appropriate school that can meet their identified needs arising from disability.</p> <p>The council will support parents to identify schools which they feel are able to meet their children's needs.</p> <p>We will look to meet the access requirements of pupils by ensuring that any funding for supporting SEND pupils left at the end of the</p>

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
		<p>ability to walk further distances to a new school. Families expressed concerns about other schools being able to meet need.</p> <p>We heard from families who have caring responsibilities for other adults in their households, restricting their ability to take more time to travel to other schools.</p> <p>We've heard from families that the process of proposal and of consultation has exacerbated existing conditions, eg anxiety, and created new concerns.</p>	<p>able to travel a distance to take their child to a school place.</p> <p>Some parents have chosen to send their children to these schools due to their small size however the number of pupils at the school has contributed to the reason for the proposals for them to close because most of the funding a school receives is on a per pupil basis and means small classes are not financially viable on the funding provided by the government</p> <p>We recognise that this proposal may mean the need for additional support services for children with additional needs due to this being a significant change in their circumstances.</p>	<p>school year will follow the children to their new school.</p> <p>All children with EHCPs will have an annual review.</p> <p>All children currently in the process of an EHC assessment will have their assessment completed as usual.</p> <p>All B&H mainstream schools should be able to meet needs of children without EHCPs, albeit sometimes with additional support or resources.</p> <p>The Council will continue to set out its expectations to other schools in the city on this matter and ensure new children are received with welcome.</p>

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				Families with disabilities who may need assistance with travel will be able to apply for transport assistance, subject to the Council's criteria. See cumulative section for more on the transition support available.
Gender reassignment¹⁵	We have not yet identified any disproportionate impacts on this group because the data available about parents/children's gender reassignment is inconclusive. We know that parents/carers may not want to disclose information about gender reassignment for reasons such as the perceived lack of support, fear of discrimination, personal choice.	Schools in the city work closely with Allsorts to understand the complex needs of gender diverse children and young people. 4 responses to the consultation were received from those who did not identify as the sex they were assigned at birth. The issue of the impact upon children with this protected characteristic has not been raised as	All schools in Brighton and Hove are invited to refer to the detailed guidance provided by the City Council known as the Trans Toolkit, and parents and children can be signposted to voluntary organisations who specialise in supporting families of children who are transitioning, or questioning their gender .	A package of support is provided to the schools via Brighton & Hove's Trans Toolkit, which will be used to identify and meet the individual needs of children and young people. If individuals indicate that they need further support and assistance, then they will be signposted to the relevant support or community group that they can contact for additional assistance.

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
		part of the anonymous consultation process.		If this characteristic is identified as an issue when considering a transfer to a new school by a pupil the council can assist to ensure that every situation is dealt with compassionately and fairly and that bespoke assistance is available if individuals request this.
Gender reassignment¹⁶	<p>We have not yet identified any disproportionate impacts on this group because the data available about parents/children's gender reassignment is inconclusive.</p> <p>We know that parents/carers may not want to disclose information about gender reassignment for reasons such as the perceive lack of support, fear of discrimination, personal choice.</p> <p>.</p>	<p>Schools in the city work closely with Allsorts to understand the complex needs of gender diverse children and young people.</p> <p>Regarding adults, 3 responses were received from those who did not identify as the sex they were assigned at birth.</p> <p>This matter has not been raised as part of the anonymous consultation process.</p>	<p>The needs of any impacted within this cohort will be taken into consideration using Council policy and the School Trans Toolkit, which can be used by schools.</p>	<p>A package of support is provided to the city's schools via Brighton & Hove's Trans Toolkit which will be adapted to meet the individual needs of children and young people.</p> <p>If individuals indicate that they need support and assistance, then they will be signposted to the relevant support or discriminatory community group that they can contact for additional assistance.</p>

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				We will take this into account and ensure that every situation is dealt with compassionately and fairly and that bespoke assistance is available if individuals request this.
Pregnancy and maternity¹⁷	<p>We do not hold data about pregnancies of the parents/carers in the cohorts of pupils that are affected by the closure.</p> <p>However, we are aware that parents/carers may be in situations where they are on maternity/paternity leave or caring for younger children and may not have time or energy to engage with a school closure and the issues associated with it.</p> <p>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</p>	<p>Parents who are pregnant or on maternity leave may find it difficult to get older children to school.</p> <p>Staff on maternity leave would need to be involved in a redundancy consultation.</p> <p>Families have reported concerns about travelling to a new school with young pre-school children or when pregnant.</p>	<p>There needs to be sufficient places within a reasonable distance from families where there is a pregnant adult or an adult on maternity leave.</p> <p>Pregnant people could find it harder to access different school communities which are distances from their home.</p> <p>Pregnant staff may need additional support from their employer during closure process and redeployment.</p> <p>Staff on maternity leave would need to be</p>	<p>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.</p> <p>We will work with the schools to accommodate any bespoke needs and provide support to all those where we are aware that their circumstances mean that they require additional support.</p>

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	<p>(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.</p> <p>Future or newborn children could be affected with an older sibling changing school as it could affect where they go to school and may impact on parents' decisions about which schools to apply for.</p> <p>Staff who are new parents may find it difficult to get flexible working arrangements agreed at a new school.</p>		involved in a redundancy consultation. We will take this into account and ensure that every situation is dealt with compassionately and fairly and that bespoke assistance is available for any individuals where this could be a problem.	<p>HR advice can be provided for pregnant school staff.</p> <p>The risk assessment tool is available to support pregnant staff.</p>
Race/ethnicity¹⁸ Including migrants, refugees and asylum seekers	<p>The data available for pre-school pupils indicates an increasing percentage of Black and Racially Minoritised 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>	Regarding adults, from the consultation, 19.5% of those who responded by providing details identified as other than white British and 80.5% identified as white British. 118 respondents did not answer this question or did not want to specify their ethnicity and therefore this is a	<p>In some allocation years a higher percentage of pupils from Black and Racially Minoritised communities apply late or are directed to a school that was not a preference.</p> <p>Interested parties from other race/ethnic groups could find it harder to</p>	Offer proactive support to ensure all families can understand the need and be supported to apply for a school place by Easter break to ensure they are allocated new school places for September, by way of the measures identified below

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	<p>In January 2023, 30% (9,469) of pupils in Brighton & Hove schools who supplied their data identified as an ethnicity category other than White British. This is an increase of 377 pupils since January 2022. The national figure is higher, at 34.5% of pupils.</p> <p>33% of late school applications were submitted by Black and Racially Minoritised families and for a further 19% there is no ethnicity information.</p> <p>76.4% of Black or Racially Minoritised families who applied received their first preference school compared to 82% of white British families.</p> <p>In January 2023 St Peter's had 31.3% of pupils identified as Black or Racially Minoritised.</p> <p>Whilst we do not hold exact figures we are informed that</p>	<p>substantial proportion of the 300+ responses to this proposal.</p> <p>Feedback from EMAS in relation to admissions consultations indicates that parents from Minority Ethnic groups who speak English as an Additional Language find consultation confusing even with translation or interpreting assistance. Understanding the weight of impact of the proposals and relevance to their situation is very challenging to assess for them.</p> <p>Regarding adults, there were no requests for consultation documentation in alternative formats however some translated materials were provided in liaison with the school.</p>	<p>access community resources in the new school area and could experience discrimination.</p> <p>It could be that migrant/refugee families attending the school and the subsequent community built around the school may be their first experience of community in this country. There may be added fear in having to start again after already having to start again in a new country. The added impact of having to move school could have a wider impact on those who have already come to this country in difficult circumstances.</p> <p>The sense of community some have found at St Peter's is at risk by this proposal and the</p>	<p>Important to ensure that there are sufficient surplus places in local schools for any late applicants for a new school place. Those schools will need to ensure they offer a welcoming and understanding approach to Black or Racially Minoritised families, including those families where English is not their first language, or families with experience of trauma which has required them to seek asylum.</p> <p>Future pupils need to have enough places available.</p> <p>Continue to advertise the admissions dates and the process that families need to follow.</p>

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	<p>there are a number of families with pupils attending St Peter's who are migrants/refugees, and are therefore likely to already have experienced trauma and significant change and upheaval in their lives.</p> <p>Families from a Black or Racially Minoritised background may have experienced previous trauma and / or racism – upset around this may have been reignited by these proposals and by needing to move school e.g. those who have settled in the UK as asylum seekers.</p>		<p>dispersal of students to other schools.</p> <p>Children who have experienced racism may need additional support to settle into a new school.</p> <p>Children's academic outcomes may be impacted as a result of previous experiences of racism, upheaval of schooling situation and other cumulative factors discussed in the cumulative impact section.</p>	<p>Provide language support for families that need to apply for a new school place should the school close.</p> <p>EMAS service to continue to reach out to communities to communicate the potential impact on their community and signpost to resources which will support families.</p> <p>An interpreter can be sourced upon receiving confirmation and consent from those who would need it.</p> <p>Ensure that any new school that pupils will move to have the appropriate cultural provisions for that family in place (i.e. multi-faith rooms, dietary requirements etc.).</p>

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				<p>If children or parents/carers indicate that they are experiencing discrimination, there will be signposting in place to ensure that they have the relevant support that they need or access to a relevant discriminatory community group that they can contact for assistance.</p> <p>Strong message from the Council to Headteachers in the city about receiving and welcoming displaced pupils. Some pupils will have already experienced upheaval and trauma in their lives as a result of their families having to seek asylum from their parent's country of origin. These pupils and families may need additional support and reassurance to transition</p>

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				<p>to a new school or feel confident that there are other schools in the city which will welcome or understand the needs of their children. Part of the role of the Transition Board indicated below will be to promote receiving schools to consider how best to address this, and to ensure families are offered the information and assistance they need to be reassured about their child's future education and school experience.</p> <p>Current schools and EMAS to continue supporting migrant/refugee families to understand the implications of the decision, to assist families to apply for a suitable new school place and work with the new schools to support</p>

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				<p>the transition. The continuation of working with this service will offer families a degree of continuity in the support they receive to manage any transition to a new school or a change in plan as to the school they will apply for. EMAS will be expected to assist parents advocate for what their children need to maximise their educational opportunities going forward.</p> <p>The Council will operate a Transition Board and individual action plans may be appropriate for certain children.</p> <p>Anti-Racist Education Strategy" that is now in its third year. There includes a comprehensive package of training and support</p>

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				<p>available for schools. Where a school has not engaged yet in the full training offer, we can be proactive in offering this as a priority for all staff and provide additional support from our seconded team of teachers to ensure each setting is taking appropriate steps. Whilst we are not complacent, many of the schools well placed to take children are already engaging with the strategy and will have a foundation of knowledge and practice upon which we can build.</p> <p>All schools are expected to deliver a rich curriculum suitable to all pupils who attend the school. Schools are expected to celebrate the experiences of families in the city and from other areas. We</p>

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				<p>expect the school's to demonstrate understanding of lived experiences of migrants and asylum seekers, and we are committed to supporting schools in further developing their understanding and making reasonable adjustments to ensure curriculum is accessible to all.</p> <p>See cumulative section below for further detail on transition support.</p>
Families with English as additional language	<p>In January 2023, 15.5% (4,861) of Brighton & Hove pupils were exposed to a language other than English in their home. This is an increase of 263 pupils since January 2022, but lower than the latest national figure of 19.5%.</p> <p>St Peter's Community Primary and Nursery School had 33.9% of pupils where</p>	<p>Based on previous experiences and the technicality of the subject matter, families with English as an additional language may struggle to understand admission arrangements in the city and the provision available in a new school and the process of closure.</p>	<p>Families with pupils who have English as an additional language are proportionally more likely to apply late which significantly reduces their chance of being offered a place at an oversubscribed school.</p> <p>The higher number of families with English as an additional language</p>	<p>Ensure good support is provided to enable families to apply for school places.</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>

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	<p>English is an additional language and families speaking 16 different languages.</p> <p>There is relatively high deprivation amongst many of the Families with English as additional language who have pupils attending these schools.</p> <p>EMAS have directly supported three Bengali, one Polish, one Brazilian Portuguese, one Ukrainian and three Arabic speaking families to understand and send in responses to the consultation. EMAS also supported two Black African parents who are English speakers to register their children for reception in September.</p>	<p>There will be a disproportionately high number of pupils with additional languages impacted by a school move.</p> <p>Families with English as an additional language also have a number of intersectional vulnerabilities.</p>	<p>applying late in the main admission rounds could result in these families not applying for a new school place. This will mean that a new school will be allocated to these pupils which may not be the parent's preference.</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 to the various stages of the consultation and then the allocation process.</p> <p>Children may struggle to settle into a new school, especially if their parent have EAL – becoming</p>	<p>Greater emphasis needs to be made to reach these families and make them aware of the school admissions applications process.</p> <p>This group may be unfamiliar with the school admissions process and timescale, so additional steps would be taken to engage these families with this consultation.</p> <p>EMAS already work within both schools and support a number of families in each. The service will continue to support these and other families through the process of moving schools.</p> <p>The Council will operate a Transition Board and individual action plans may be appropriate for certain children.</p>

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			<p>part of the new school community may prove difficult for some.</p> <p>Interested parties from other race/ethnic groups could find it harder to access community resources in the new school area and could experience discrimination.</p> <p>It could be that migrant/refugee families attending the school and the subsequent community built around the school may be their first experience of community in this country. There may be added fear in having to start again after already having to start again in a new country. The added impact of having to move school could have a wider impact on those who have already come</p>	<p>An interpreter can be sourced upon receiving confirmation and consent from those who would need it.</p> <p>Challenge from the Council to schools to ensure an appropriate welcome for children starting at a new school.</p> <p>Further steps taken to translate documents related to a statutory notice process and ensure materials online can be translated using a webservice.</p> <p>See cumulative section below for further detail on transition support.</p>

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			<p>to this country in difficult circumstances.</p> <p>The sense of community some have found at St Peter's is at risk by this proposal and the dispersal of students to other schools.</p> <p>Children who have experienced racism may need additional support to settle into a new school.</p> <p>Children's academic outcomes may be impacted.</p>	
Religion or belief¹⁹	<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>In October 2023, 22.5% of primary school pupils in Brighton & Hove attend a church aided school and</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>Regarding adults, 74% of responders to the consultation indicated</p>	<p>Some parents/carers will want there to be church school provision so that they can achieve their preference for their child's education.</p> <p>Some parents/carers will not want to access a religious curriculum and will want to have access to a provision that</p>	<p>The council will need to ensure that there are sufficient secular and church school places available for pupils who require one within a reasonable distance of the school.</p> <p>When looking at the timetable for closure,</p>

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	<p>77.5% attend a secular school.</p> <p>This proposal is about closing a community school and the next nearest school in the city is a Catholic school. This proposal reduces the amount of secular education available in the city.</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 no data available on the religion/beliefs of parents or pupils attending this school.</p>	<p>they have no particular religious belief, did not answer the question or preferred not to say.</p> <p>94% of responders who stated they were Christian tended to or strongly disagreed with the proposals. Which is relevant when consideration is given to the next nearest south Portslade schools being a church school.</p> <p>Some families do not want their child to attend a faith school and are concerned about losing secular places</p>	<p>supports a secular delivery of education.</p> <p>Some families may have to travel further to gain a place at a school that is suitable for their needs.</p>	<p>consideration will be given to observance of religious days of significance to ensure that there is enough time outside of these to ensure parents/carers are able to engage in any necessary processes.</p>
Sex/Gender²⁰	<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>In January 2024 St Peter's had 62% female pupils and 38% male pupils.</p>	<p>Regarding adults, 51% of responses to the consultation were submitted by females and 13% by males. 35% did not answer or preferred not to say.</p>	<p>Families could find it harder to access community resources in the new school area and could experience discrimination.</p>	<p>If we are aware of any circumstances where individuals need support, we will ensure that this group is supported and that the school is also supported in using the school's trans toolkit.</p>

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	<p>We are aware that parents/carers may be in situations where they are on maternity/paternity leave, are single parent families, and/or from same sex or non-binary families. This doesn't directly impact on school admissions arrangements.</p> <p>Most roles at risk at the school will be filled by women.</p> <p>Additional burdens due to the cost of living could have disproportionate impacts on women due to the nature of their employment types and barriers to employment for those with sole childcare responsibilities.</p> <p>Women are more likely to take on childcare responsibilities so may be impacted by further school journeys, reducing their employment options. The closure of the nursery</p>	<p>We've primarily heard from women throughout the consultation where issues have been raised about childcare and concerns about travelling to another school. We have heard from some families where the childcare provider parent does not have access to the family car during the school day.</p>	<p>This proposal could impact on women, with pre-school children, ability to seek employment.</p>	<p>If children or parents/carers indicate that they are experiencing discrimination, there will be signposting in place to ensure that they have the relevant support that they need or access to a relevant discriminatory community group that they can contact for additional assistance.</p> <p>Assistance with transport will be provided in line with our policy.</p> <p>We will work with the schools to accommodate any bespoke needs and provide support to all those where we are aware that their circumstances mean that they require additional support.</p>

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	<p>provision may impact on women's opportunity to seek employment.</p> <p>There may be children that identify as non-binary who may have additional needs.</p>			
Sexual orientation²¹	We have not yet identified any disproportionate impacts on this group because the data available about parents/children's sexual orientation is inconclusive.	Regarding adults, 69% of the 226 respondents who provided details on their sexual orientation were submitted by heterosexual respondents. 7% by gay/lesbian or bisexual respondents. 24% did not answer or preferred not to say.	We are not aware of any identified disproportionate impacts because the data is not available. However, we are aware that discrimination against sexual orientation remains a prevalent issue.	<p>If we are aware of any circumstances where individuals need support, we will ensure that this group is supported and that the school is also supported in guiding people through to resources and signposting support.</p> <p>Voluntary sector organisations are available for support for children and families regarding their sexual orientation in the city.</p> <p>Redeployment of the school staff must not take this into account.</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
Marriage and civil partnership²²	We have not yet identified any disproportionate impacts on this group because the data available about parent/carer marital or civil partnership status is inconclusive.	No data is collected on this matter in relation to parents/carers. This did not come up as an issue or consideration in the consultation.	There may be discrimination around civil partnerships and gay marriages and families may find it harder to access community resources in the new school area and could experience discrimination.	If we are aware of any circumstances where individuals need support, we will ensure that this group is supported and that the school is also supported in guiding people through to resources and signposting support.
Community Cohesion²³	<p>St Peter's Community Primary and Nursery School has 1% of pupils within the 10% most deprived areas of Britain and 33% of pupils within the 20% most deprived areas of Britain.</p> <p>The schools with available spaces for these pupils to move to could be serving different communities in this country.</p> <p>Migrant/refugee families attending the school and the subsequent community built around the school may be their first experience of community in this country.</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 use resources available to them to support change e.g. with travel or moving house.</p> <p>The school will no longer be available as a community resource such as the school hall</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>Classroom and school dynamics may change with new arrivals.</p> <p>Pupils may be negatively impacted by a loss of friendships and support networks.</p> <p>Some families may struggle with informal childcare e.g. relying on</p>	<p>As above the Council can work proactively with other Headteacher's and governing bodies about welcoming pupils to new schools. Especially where there are places available.</p> <p>Support needed for class teachers to manage an additional influx of children mid-year or at the start of Sept 2024.</p> <p>Current schools and EMAS to continue supporting migrant/refugee families</p>

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	<p>There may be added fear in having to start again after already having to start again in a new country. The added impact of having to move school could have a wider impact on those who have already come to this country in difficult circumstances.</p> <p>High numbers of SEN children being dispersed from St Peter's.</p> <p>A high proportion of families attending the school live in the West Sussex area.</p>	<p>being used for community activities.</p> <p>We've heard much about the air raid shelters at the school – these are a valued community resource/landmark.</p> <p>Families and other responders to the consultation have reported a sense of south Portslade (where the school is located) being different to other parts of the local area.</p> <p>Concern has been raised about the nature of the journey to other schools and the need to cross what are perceived to be dangerous and large roads.</p> <p>Some families living in the community may not be in receipt on public</p>	<p>friends and family members with children at the same school</p>	<p>to understand the implications of the decision, to assist families to apply for a suitable new school place and work with the new schools to support the transition.</p> <p>Schools may need to seek additional advice, support and guidance around the intake of children with needs and experiences the receiving have had little or no experience in.</p> <p>See cumulative section below for more details on transition support.</p>

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		funds and are reliant upon the support offered and signposted of the school.		
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>St Peter's have 2 children with a social worker, both on Children in Need plans. None</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>5% of responders who provided information have been a Child in Care or Care Experienced Young person. 85% had not and 10% preferred not to say.</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>We recognise that care experienced children are likely to have experienced trauma and this process could reignite those negative feelings.</p> <p>It can be expected that parents who were themselves care experienced may also re-experience the trauma that was present earlier in their lives.</p>	<p>Brighton & Hove City Council have adopted Children in Care and Care Experienced as a protected characteristic.</p> <p>Children in care and previously looked after children have the top admission priority when applying for school places.</p> <p>The virtual school has a responsibility to support children in care and those known to a social worker. Support will be provided to any relevant child displaced from St Peter's and to the school that they will be attending.</p>

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	are currently in care. It is not known whether any parents of children attending the school or likely to have chosen the school are care leavers.	All but one of those who had been a child in care disagreed with the proposal to close the school.		
Cumulative impact²⁴	<p>The public consultation ran between 7 November 2023 and 22 December 2023. There were 5 public meetings and 313 responses to the online consultation were received. In addition, there were 15 direct responses to the council's school organisation email account about the proposals.</p> <p>Approximately 150 people attended the four non-specific public meetings, not including Council officers or the core school leadership.</p> <p>That number will include some repeat attenders and some school staff and governors.</p>	We've heard from families who have reported they will be negatively impacted and disadvantaged by the closure of the school.	<p>With approximately 100+ pupils on roll at the school in October 2023 and the staffing levels in the school it can be expected that 313 responses are a proportionate response compared to the overall number of people affected and that results are therefore reliable.</p> <p>Families may fear discrimination throughout the application process to secure a new school place and transition to the new school.</p>	<p>If we are aware of any circumstances where individuals need support, we will ensure that this group is supported and that the school is also supported in guiding people through to resources and signposting support.</p> <p>Where there are multi layered impacts, we are willing to assess this on a case-by-case basis with bespoke resources and support to address these barriers.</p> <p>As above, we will have a transition oversight board meeting regularly</p>

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	<p>The Council also received letters and comment from children who attend the school.</p> <p>A range of steps were taken to enable people to engage with the consultation process. Information from the online consultation events was available after the event.</p> <p>We know there are a number of families with a number of intersectional characteristics who will be affected by these proposals. The change to the established schooling and community support offered at St Peter's will affect families with children at the school.</p> <p>We are aware that there will be people who may be impacted because of multiple protected characteristics.</p> <p>Multi layered impacts on certain people may exist which could severely impact</p>		<p>A school move for those who have added socio-economic issues and those arising from a history of discrimination or needing to seek asylum may add an extra layer of stress to those families.</p> <p>Families may continue to experience re-traumatising with this closure.</p> <p>Children and families are worried that they may not receive the same support in a new setting.</p> <p>We recognise the feeling of loss that a long established and well-loved school closure brings to a community.</p>	<p>to consider individual, collective and intersection needs arising from planned transition activity. This will include SEN, Inclusion Support, EMAS, School Admissions, and the Schools Mental Health Service and individual action plans may be appropriate for certain children.</p> <p>We have additional funding agreed with the LA for these support services.</p> <p>Pupil led funding allocations will divert to the receiving schools on the closure of St Peter's.</p> <p>The Council will work with schools who receive pupils from St Peter's Community Primary and Nursery School to develop their</p>

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	<p>their ability, desire, or access to engage with both the consultation and any future engagement around school closures and applying for new school places.</p> <p>The lived experience of many families may mean they may not want to engage not have time or energy to engage with a school closure and the issues associated with it.</p>			<p>school travel plans to seek to mitigate against the need for increased car use.</p>
Assessment of overall impacts and any further recommendations²⁵				
<p>Reducing the number of surplus school places is necessary to safeguard the broad range of schools in the city and to reduce the risk of financial difficulties as pupil numbers continue to reduce. The proposed closures are part of this strategy along with reducing the PANs 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>By not reducing the number of surplus places in the city in the longer-term school occupancy rates will not increase meaning that school budgets will remain lower and this may make more schools less viable. As schools are more likely to be able to balance their budgets if operating with full, or close to full, forms of entry.</p> <p>Pupils currently attending this school will need to apply for and move to a new school by September 2024. Support and understanding will be needed for many of the groups with protected characteristics in order to ensure that they understand the processes in order to secure a new school place that is suitable for the family's requirements.</p>				

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<p>Staff will be at risk of being made redundant and may need to seek alternative employment. Where staff are impacted due to protected characteristics, the employer will need to ensure additional steps and support are taken where necessary. Some staff have had long associations with the school and may therefore be disproportionately affected by the decision to close the school.</p> <p>Every person across all protected characteristics is likely to be negatively impacted by the closures and requirement to move schools due to the emotional toll, mental toll and upheaval involved. This will be more severe for certain groups of people on top of the protected characteristics already assessed. Some families and staff affected will have more than one protected characteristic and the additional stress for them needs to be recognised.</p> <p>The schools and staff will need to be supported to identify families and children requiring additional help with this transition process and for these children to be able to move to a new school which can support them appropriately. This is particularly relevant where English is an additional language and for Black and Racially Minoritised global majority families as there are a high percentage of these children in the school.</p> <p>The turnout of responses to the consultation does not match the numbers of signatures to recent petitions but does appear to match the numbers of staff and families affected by the proposals. There is some gaps in data on the protected characteristics of those who would be affected by these proposals but the most prominent issues have been captured in the public meetings and responses including those facilitated by colleagues in EMAS.</p> <p>We recognise that whilst the consultation reached many, there will be some we've not heard from directly. We will continue to publish the consultation arrangements in the next phase and factor that in to the transition oversight board, that there may yet be further needs not yet fully identified and recognised.</p> <p>The council has undertaken a public consultation on proposals to close St Peter's Community Primary School and Nursery on 31 August 2024. The vast majority of replies stated their disagreement with the proposals and concern for how pupils who attend the school will be supported by other schools should they need to move. In addition, there is concern that by closing the school its nursery provision, which is affordable, meets the needs of working parents and is highly regarded, will be lost. The school is currently operating with 69 pupils and this is the smallest primary school in Brighton & Hove. The school is expected to receive a very low number of first preferences for a place at the school in September 2024. The school is anticipating ending the financial year with a £203,000 deficit. The low numbers of pupils still attending the school and the absence of a credible financial plan that shows the school coming out of deficit means any alternative to closure would need additional support from the Council. The council's view is that a medium to long term strategy to</p>				

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<p>maintain the school though a reduced number of pupils onsite is not a viable approach with pupil numbers still expected to fall in future years and parental preference being a mainstay of government policy. In recommending that the school closes the council is committed to supporting all pupils to find an alternative school place, be supported to attend that school if their circumstances mean they are entitled to transport assistance and to work with the receiving schools to meet the needs of the children. The Council has put additional resources in place to provide teams with dedicated time and staff to oversee transition arrangements and will clearly state its expectations of receiving schools so as to minimise the impact of children having to attend another school. The Portslade planning area is expected to have 90 or more unfilled places in 2025 through to 2027. The council's statutory duty is to ensure sufficient school places for pupils living in Brighton & Hove and wanting a place in a city school. With sufficient school places in the area and an indication that West Sussex County Council also have sufficient school places to meet the need of families who live in close proximity to St Peter's Community Primary and Nursery school, it is recommended that the school closes on 31 August 2024.</p> <p>If the recommendations in this report are agreed, a statutory representation period of four weeks will run between 23 January 2024 and 20 February 2024 during which any person may make further comments on the proposal. Once any further comments are considered a further report will be brought to a special meeting of the Children, Families & Schools Committee on 29 February 2024. In the event that closure is recommended, a final decision will be made by Full Council on 4 March 2024.</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)
October 2023 school census	October 2023	Census does not cover all protected characteristics – some data is from the fuller January 2023 census	
Responses from the school closure consultation -including public meetings and meetings / communications with the schools affected	7/11/2023 – 22/12/2023	Equalities monitoring questions on the portal relating to marriage or Civil partnership were not asked.	
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.				
All	Ensure all actions identified by grouping in this EIA are fulfilled, especially those supporting under-represented and minoritised groups of families, children and staff for instance actions identified for reaching migrant, asylum seeker, those who are Gypsy, Roma, Travellers, Black and Racially Minoritised and those with English as an additional language.	Improved communication that is more far-reaching coupled with appropriate outreach and proportionate and planned targeted community engagement.	Consultation and engagement is planned and reaches diverse and under-represented and Minoritised communities intersectionally – report and internal monitoring to be conducted successfully.	By Summer 2024
Transition Oversight Board	Board to be established in January 2004 to provide operational and strategic oversight of pupil transition.	Transition is well planned.	Children all have an appropriate school place for September 2024.	By Summer 2024
Funding available to support children with additional needs and vulnerabilities	The Council has secured additional internal funding to allow for further capacity in internal support services	Transition is well planned	Children are prepared for transition and supported through their transition.	By summer 2024
Disabled parents and parents with children who have a disability may find it more difficult to	Schools will be encouraged to identify families who need additional support to	Pupils will move to a new school which is appropriate for their individual needs.	Pupils will move to a new school which is appropriate for their individual needs	By September 2024

participate in the school application process	<p>secure a new school place.</p> <p>BHISS & SEND will provide support for children with EHCP's to ensure that they move to an appropriate school that can meet their needs.</p> <p>The council will support parents to identify schools which they feel are able to meet their children's needs.</p>			
Ensure that families with English as an additional language are aware of the support available to assist with the move to a new school place.	<p>Advice and support 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>An interpreter can be sourced upon receiving confirmation and consent from those who would need it.</p>	More Families with English as an additional language are supported to find a new school place.	More Families with English as an additional language are supported to find a new school place.	By September 2024
We are aware that discrimination against various groups remains a prevalent issue.	If we are aware of any circumstances where individuals need support we will ensure that this group is supported and		Families feel supported in the process and have access to the resources and signposting support that they need, when they need it.	During the Spring and Summer Terms

	<p>that the school is also supported in guiding people through to resources and signposting support.</p> <p>We will continue to monitor and gather data.</p>			
<p>Vulnerable pupils and families need to be identified by the schools so that appropriate support can be provided to support the application process and the transition to a new school.</p>	<p>Processes put in place to identify vulnerable children who would be particularly affected by moving schools.</p> <p>Appropriate support identified and provided by for example, Brighton & Hove Inclusion Support Services (BHISS), schools wellbeing service and EMAS to assist with the transition for these vulnerable pupils.</p>	<p>All families get to express a preference for a new school and the transition for pupils is a smooth as possible.</p>	<p>All families get to express a preference for a new school and the transition for pupils is a smooth as possible.</p>	<p>During the Spring and Summer Terms</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, Head of School Organisation

Date: 10-January-24

Directorate Management Team rep or Head of Service/Commissioning:
 Jo Lyons, Assistant Director – Education and Skills

Date: 11-January-24

CCG or BHCC Equality lead:
 Jamarl Billy, Equality, Diversity, and Inclusion (EDI) Business Partner and Sabah Holmes, EDI Manager
 Approved with clarifications/ amendments put in place in response to Jamarl’s comments and feedback.

Date: 11-January-24

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

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- **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

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- 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 **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 **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
Statutory Notice for the closure of St Peter's Community Primary and
Nursery School, Brighton and Hove.

Notice is given in accordance with section 15(1) of the Education and Inspections Act 2006, as amended, and the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013, that Brighton and Hove City Council, Hove Town Hall, Norton Road, Hove BN3 3BQ ('the Council'), is proposing to discontinue St Peter's Community Primary and Nursery School, St Peter's Road, Brighton BN41 1LS with effect from 31 August 2024.

Should the decision to discontinue the school be agreed, all children attending St Peter's Community Primary and Nursery School will be offered a place in local schools for September 2024. There are currently 69 children on roll who are aged 4-11 and 27 children in the nursery class.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: Richard Barker, Head of School Organisation, Brighton & Hove City Council, Hove Town Hall, Norton Road, Hove, BN3 3BQ or by contacting School Admissions Team on 01273 293653 or via email at schoolorganisation@brighton-hove.gov.uk The full proposal is also on the council's website and can be found at www.brighton-hove.gov.uk/school-statutory-notice

Within four weeks from the date of publication of this proposal (i.e. by 5pm on the 20 February 2024), any person may object to or make comments on the proposal by visiting XXX (online consultation portal address to be inserted upon publication), by email to schoolorganisation@brighton-hove.gov.uk or by writing to Richard Barker, Head of School Organisation, Brighton & Hove City Council, Hove Town Hall, Norton Road, Hove, BN3 3BQ.

Information on translations will be available upon publication.

All statutory consultation requirements relating to these proposals have been complied with.

Signed: Deb Austin

Publication Date: 23 January 2024



BRIGHTON AND HOVE CITY COUNCIL

Statutory Notice for school closure – St Peter's Community Primary and Nursery School

In accordance with section 15(1) of the Education and Inspections Act 2006, Brighton and Hove City Council proposes to close St Peter's Community Primary and Nursery School with effect from 31 August 2024.

Contact details

The name and contact address of the local authority or governing body publishing the proposals:

Head of School Organisation
Brighton & Hove City Council
Hove Town Hall
Norton Road
Hove
BN3 3BG
schoolorganisation@brighton-hove.gov.uk

The name, address and category of the school it is proposed that should be discontinued:

St Peter's Community Primary and Nursery School
St Peter's Rd,
Portslade
BN41 1LS

Implementation

It is proposed that the school will be closed on 31 August 2024. It is not intended to implement this proposal in stages.

Reason for closure

The city is seeing a significant decline in the number of children seeking a school place.

School funding is primarily determined by the number of children on roll, and falling rolls equate to reduced funding to deliver education. While primary schools' rolls are falling but the number of schools remains unchanged, there is effectively less financial resource across all schools. This is because many costs are driven by the number of classes in a school, whereas funding levels are driven by the number of pupils.

The Council has a statutory duty to ensure there are a sufficient number of school places for pupils and that places are planned effectively. The Council monitors surplus Reception places, a key measure of demand, and aims to maintain a 5-10% surplus across all city primary phase schools to allow for parental preference and for movers across or into the city.

Since 2017 the Council has been seeking to reduce the number of surplus places in its primary phase schools, through proposed reductions in published admissions numbers. Not all of these proposals have been able to be implemented, leaving the city with a significant

number of surplus places and, with the impact of parental preference, meaning some schools remain full and viable and others not.

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 Southeast (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.

The Council's own projection of pupil numbers starting Reception in the coming years forecasts that there will be 640 surplus places in 2025 and 657 surplus places in 2026. The earliest indication for 2027 suggests that number will rise to 824 unfilled places.

Therefore, with 2610 starting school places the city will have over 25% surplus capacity from September 2025.

School Year	Pupil Forecast	Unfilled places	Surplus Capacity
September 2024	2132	478	18%
September 2025	1970	640	25%
September 2026	1953	657	25%
September 2027	1787	823	32%

In the October 2023 census the school had recorded the following number of pupils on roll compared to October 2022. The school has the capacity to admit 210 pupils.

Census Date	N2	Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
October 2023	21	12	13	10	12	17	9	18	112
October 2022	16	18	13	16	17	13	17	19	129

This was the lowest total number of pupils of any of the city's primary schools in October 2023. The only school with a lower pupil population was Hertford Infant School (80 pupils) but this school only has three age groups compared to 7 in a primary school.

St Peter's Community Primary and Nursery School has also recorded a total of 21 children in its nursery provision in October 2023. Currently there are 27 children on roll at the nursery.

For the financial year 2023-24, the school has 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.

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.

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.

St Peter's Community Primary and Nursery School budget forecast for 2023/24 is a deficit of £203,000. Based on budget plans submitted in summer term 2023, the school is unable to forecast reaching a balanced budget position in the longer term.

During the consultation period the school submitted a high level budget plan intending to indicate an alternative option to closure however they were unable to demonstrate an ability to move out of a deficit budget position.

The revised proposals put forward by the school to assist them to remain open were about mitigating the low pupil numbers, through reducing the PAN and enhancing the nursery and SEN support made available. Proposals did not consider how the school would seek to improve levels of parental preference and fill to the school's capacity of 210 pupils. The Council's view is that a medium to long term strategy to maintain the school through a reduced number of pupils onsite is not a viable approach with pupil numbers still expected to fall in future years and parental preference being a mainstay of government policy.

The budget situation is further compounded by how the school will need to pay for a leased part of its premises. The lease runs until 2037 and has further rent reviews scheduled for 2027 and 2032. The current annual rent is circa £42,000. Without the support of the Schools Forum (which used to meet this cost but will not from the end of this academic year), the funding to meet the annual rent would have to be made by the school from its own funding or by the Council directly.

The school's current Ofsted grading is Requires Improvement. The school has a temporary leadership structure with an Executive Headteacher and Head of School. This is not a long-term leadership model with the governing body working outside of any formal collaborative structure such as a federation. The Council recognises the school have provided a revised plan that includes a substantive Headteacher however the Council does not feel the high-level proposal is viable and therefore does not merit further detailed proposals.

Pupil numbers and admissions

At 8 January 2024 the school had the number of pupils on roll detailed below.

School	Yr R	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6	Total
St Peter's Community Primary School	13	9	7	9	12	3	16	69
Numbers of surplus places	17	21	23	21	18	27	14	
Percentage of surplus places	57%	70%	77%	70%	60%	90%	47%	

The school is a co-educational school that admits girls and boys. In January 2024 the school had 26 boys and 43 girls on roll. It is a primary school with a nursery class with an age range of 3 to 11. Pupils in the nursery class are not of compulsory school age. Figures from the May 2023 school census show that there were 33 pupils on the nursery of which 10 were part time and 23 were full time. All pupils are day pupils. In January 2024 there are 27 children in the nursery.

Nursery roll since autumn 2020 is shown below

School year	Autumn term	Spring term	Summer term
2020/21	14	16	21
2021/22	22	20	30
2022/23	15	23	31
2023/24	21		

Pupils are able to start school before they reach compulsory school age if their parents choose to send them to school at the start of the academic year rather than at the start of the term they would become 5.

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 over 110 in 2027. The school admits the lowest number of pupils of schools in the planning area.

In West Sussex County Council's [Planning School Places](#) document it states that in the Lancing planning area, the "current provision of places across the planning area is sufficient to meet the demand from those expected to apply for a place for starting school in the coming years". The planning areas is operating at 89% occupancy and is considered full by WSCC when at 95%. In the Shoreham planning area it states, the "primary pupil numbers in the school planning area have seen a steady decline in recent years and whilst this does not reflect other areas of the county is based largely on changes to the demography in the area". It is operating at 90% capacity. The forecast primary pupil numbers in the Adur district shows a decline through to 2026-27.

As of 9 October 2023, there were 9 pupils (9%) with EHCP's at St Peter's. According to the October 2023 school census, there were 24 pupils (21%) recorded as being SEN Support.

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.

Displaced pupils

It is expected that pupils in Year 6 will continue to attend the school until its proposed closure at the end of the academic year 2023-24.

St Peter's current pupil numbers at 8/01/2024	R	Year 1	Year 2	Year 3	Year 4	Year 5
Pupils living in Brighton & Hove	8	4	4	5	3	2
Pupils Living in West Sussex	5	5	3	4	9	1
Total	13	9	7	9	12	3

There are 4 schools within 1.0 mile of the school, and 10 schools within 2.0 miles of the school. Spaces in other schools at 8 January 2024 are shown in the table below.

	Current Year group						
School (distance from St Peter's in metres)	Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
St Peter's – Current pupil numbers	13	9	7	9	12	3	
St Mary's (545m)	3	0	2	1	0	0	
Benfield (1246m)	6	0	2	0	15	4	
Brackenbury (1062m)	1	0	5	13	7	2	
St Nicolas (1109m)	1	0	5	0	5	0	
Peter Gladwin (1723m)	0	1	6	3	2	3	
West Hove Infants – Portland Rd (2357m)	2	1	8	8	13	3	
Hangleton (2799m)	8	9	8	09	9	19	
Mile Oak (2886m)	3	17	4	15	7	20	
Eastbrook (1931m)	7	0	0	0	0	0	
The Glebe (3058m)	8	16	22	13	0	0	
Holmbush (3862m)	4	0	1	7	0	17	
St Peter's (Shoreham) (3862m)	5	5	0	0	0	7	
St Nicolas & St Mary's (4023m)	0	13	4	4	4	0	
Swiss Gardens (4667m)	14	22	1	0	3	4	

Shoreham Beach (5150m)	0	0	2	0	0	4	
Buckingham Park (5472m)	31	14	15	12	8	13	

Mapping of children by postcode demonstrates that they reside across a wide area within and outside of Brighton and Hove. This means that families are very likely to have several alternative schools within statutory walking distance of their homes (i.e. two miles for children under eight years of age, three miles for pupils aged 8–16).

The table above demonstrates there are sufficient vacant places at schools within a reasonable distance. This includes a recognition of sibling link connections plus younger children currently in the nursery.

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 and Hove.

There are currently 21 children attending the nursery (autumn 2023). There is currently early years provision at 29 settings within a two mile walk of St Peter's, including private, voluntary and maintained providers, offering a range of full day, all year round, and sessional term time only provision. All these providers are on the Ofsted early years register, follow the Early Years Foundation Stage, including the learning and development and welfare requirements, and offer the early years free entitlements. Of these providers one is a nursery class at Goldstone Primary School offering equivalent provision to that at St Peter's.

The Council has begun discussion with other schools about the potential of opening up governing board led nursery provision to maintain a similar offer to that at St Peter's into the future.

Where possible we will place a child at the school preferred by the parents/carers and support will be provided to find and apply for new schools.

No interim arrangements are required for pupils.

Impact on the community

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 the Inclusion Support Service, Schools Mental Health Service and Ethnic Minority Achievement Service, will be put in place to facilitate the movement of those students to local schools and minimise the impact of change upon them.

The Council recognises the value placed upon the historical importance of the long-established school in south Portslade, it having opened in 1906 and it being a community resource that includes intact air raid shelters from 1939. There is concern that this asset will be lost to the community. It is expected that the site will remain as it is now preserving the

school as a good quality example of an Edwardian state infant school with Arts and Crafts influences, in addition to the air raid shelters underneath.

The Council is hoping to retain the knowledge and experience of staff working at St Peter's Community Primary and Nursery school, should the school close, for the benefit of the education community in the city.

It has been recognised that the school's community stretches beyond the area the school sits within and consideration has been made to how pupils and families can be supported in that transition so that the sense of community can be given the chance to be maintained. It is expected that this will happen through the scheduling of opportunities for pupils and families to come together through and beyond the transition phase with the support of the Council's Schools Mental Health Service.

The closure of St Peter's Community Primary and Nursery School would reduce the number of surplus primary school places in the city.

The Council considers that allowing surplus places to remain at current through inaction would directly and negatively impact the financial viability of many local schools, which in turn will have an impact on the quality and breadth of the education offered at those schools.

Maintained nursery schools

Not applicable.

St Peter's Primary School is not a maintained nursery school. Nursery provision currently exists at the school and parents /carers who access this provision will be able to access alternative provision locally. Information and advice for parents can be found at: www.familyinfobrighton.org.uk

During the initial public consultation significant levels of concern were raised about the potential loss of the schools' nursery class that is teacher led, is considered to be affordable, meets the needs of working parents and is highly regarded. The Council recognises that whilst there is sufficiency of nursery provision in the area, not all of those factors are provided for all.

Special Educational Needs provision

At St Peter's School no specialist places are specifically reserved for pupils with special educational needs.

The numbers of children with EHCPs and on SEN Support are provided above.

The Council understands that a change of setting for pupils with SEN can often be challenging and require additional support to ensure a successful transition. Officers from the Council are making arrangements for all children including those with EHCPs and on SEN support, to ensure that they are appropriately placed. If the decision is taken to proceed as proposed, parents will be supported in the Spring term to help them understand their options and find out their preferences for alternative schools for their children. Families with children who have an EHCP impacted by this proposal will be directly supported by the SEN team to explain the process of how their children will transfer to other schools.

The Council has secured one-off additional funding to support children and families in their transition to new schools. This process will be overseen by the Assistant Director for Education and Skills and oversight and scrutiny will be provided by the co-chairs of Children, Families & Schools Committee.

The Council acknowledges the support provided by the school to children with a range and intersectionality of additional needs and vulnerabilities. Unfortunately, the high level of support currently provided has become increasingly difficult to sustain for schools like St Peter's which have falling rolls. The financial impact of low pupil numbers is cumulative and therefore this support cannot continue to be provided and will lead to increased school deficits.

As a result of these proposals, outcomes for pupils with SEND may improve as they would move to a more financially viable and therefore long-term sustainable school. This means that the new school would be able to provide the additional necessary support and resources required to support children with EHCPs and those on the SEN register.

Travel

Information is provided above to demonstrate that alternative school places can be provided within a reasonable distance. 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 and Hove.

It is recognised that longer journeys to school may occur for some families if they take a place at a school further from their home address.

Assessment for home to school transport assistance needs to consider if the child is eligible under distance or the above SEN criteria including, are the child's learning difficulties or disabilities such that it could not be reasonably expected that the child could walk to school.

The Council will work with schools who receive pupils from St Peter's Primary and Nursery School to develop their school travel plans to seek to mitigate against increased car use.

Sixth form provision

Not applicable to this proposal

Balance of denominational provision

Not applicable to this proposal

Rural primary schools

Not applicable this school is not a designated rural primary school.

Ownership of the site

The freehold of part of the site is owned by Brighton and Hove City Council, part of the site is leased to Brighton and Hove City Council with the freehold being owned by others.

Consultation

All applicable consultation was carried out prior to publishing this full proposal. Initially meetings were held between the Council, the Headteacher and the governing board.

A consultation document was prepared and issued on 7 November 2023. It was published online on the Council's website and was circulated to the parents, staff and governors of St Peter's Community Primary and Nursery School and to Headteachers of all schools in the city via the Council's weekly Schools Bulletin. It was also circulated to local Councillors and members of the Children, Families and Schools Committee, local Members of Parliament,

neighbouring Local Authorities and the two-diocese responsible for schools in the city. A copy of the questions posed and the text used in that consultation are attached as **Appendix 1** to this document (to be provided upon publication).

The document contained details of how comments on the proposal could be made and the closing date of the consultation, 22 December 2023. The duration of this period of consultation was 6 weeks 4 days.

During this consultation stage five public meetings were held – four in person at the school and one via Teams. A copy of the notes taken at the four fully open meetings are attached as **Appendix 2** to this document (to be provided upon publication). A presentation was given at this meeting by the Head of School Organisation. A copy of the presentation is attached as **Appendix 3** to this document (to be provided upon publication).

The results of this consultation were reported to the Children, Families and Schools Committee on 22 January 2024. At that meeting the decision was to proceed to the publication of the statutory notice and full proposal. A copy of the Committee report and Appendices is available at XXX (weblink to be provided upon publication).

Where and when the Statutory Notice and Full Proposal Information will be available

Brighton and Hove City Council will publish the statutory notice for this proposal on Tuesday 23 January 2024. Within four weeks of the date of publication any person may object to or make comments on the proposal ie until 5pm on Tuesday 20 February 2024. Copies of the notice will be published in the Argus newspaper on 25 January 2024. A copy of the statutory notice is attached as **Appendix 4** to this document (to be provided upon publication).

On 23 January 2024 the full proposal information (this document plus appendices) will be sent to the following recipients:

The Governing Board of the school
The Diocese of Chichester
The Diocese of Arundel & Brighton
Members of the Children, Families and Schools Committee
Local Ward Councillors
The Member of Parliament for Hove
The Secretary of State (schoolorganisation.notifications@education.gov.uk)

It will also be published on the council's website at the following address XXX (to be provided upon publication)

Any person may request a copy of the full proposal information either by writing to Head of School Organisation, Brighton & Hove City Council, Brighton & Hove City Council, Hove Town Hall, Norton Road, Hove, BN3 3BQ or emailing schoolorganisation@brighton-hove.gov.uk.

How to make representation or comment on the proposal

Any person may object or make a representation or comment on the proposal either by responding to the consultation at XXX (to be provided upon publication) or by writing to Head of School Organisation, Brighton & Hove City Council, Hove Town Hall, Norton Road, Hove, BN3 3BQ before the closing date of 20 February 2024 (by 5pm) or via email to schoolorganisation@brighton-hove.gov.uk

Following the closing date for representations, comments and objections, a report will be prepared for the Children, Families and Schools Committee to consider the proposal, In the event that closure is recommended a final decision will be made by Full Council to determine the proposal within 2 months i.e. no later than 9 April 2024. At the present time it is anticipated that the report will be considered at the Children, Families and Schools Committee on 29 February 2024 and Full Council on 4 March 2024.

DRAFT

Brighton & Hove City Council

Children, Families & Schools Committee

Agenda Item 48

Subject: School Admission Arrangements 2025-26

Date of meeting: 22 January 2024

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. This report details the proposed school admission arrangements for the city's schools, for which the Council is the admission authority, for the academic year 2025-26.
- 1.2. The report details the outcome of the consultation undertaken in November and December 2023 on the proposed changes to the Published Admission Number of nine primary schools and the inclusion of a new priority criteria for secondary school applications in the event of oversubscription.
- 1.3. The Committee will be asked to approve the recommendations in this report and determine the admission arrangements, including the scheme for coordinated admissions and the "relevant area" for the academic year 2025-26.

2. Recommendations

- 2.1. That Committee agrees to make no changes to the Council's school admission arrangements or secondary school catchment areas, except for the changes listed in sub- paragraphs 2.2- 2.8 below.
- 2.2. That Committee agrees to change the Published Admission Number (PAN) of Brunswick Primary School from 120 to 90.
- 2.3. That the Committee agree to change the Published Admission Number (PAN) of Goldstone Primary School from 90 to 60.
- 2.4. That the Committee agree to change the Published Admission Number (PAN) of Patcham Infant School from 90 to 60.
- 2.5. That the Committee agree to change the Published Admission Number (PAN) of Saltdean Primary School from 90 to 60.

- 2.6. That the Committee agree to change the Published Admission Number (PAN) of Stanford Infant School from 90 to 60.
- 2.7. That the Committee agree to change the Published Admission Number (PAN) of St Luke's Primary School from 90 to 60.
- 2.8. That the Committee agree to change the admission priorities for Brighton & Hove community secondary schools to include a new priority for pupils eligible for Free School Meals (up to the city average percentage). The details of the change can be found in Paragraph 3.71.
- 2.9. That the Committee agree to make no change to the Published Admission Number (PAN) of Queen's Park Primary School.
- 2.10. That the Committee agree to make no change to the Published Admission Number (PAN) of Rudyard Kipling Primary School.
- 2.11. That the Committee agree to make no change the Published Admission Number (PAN) of Woodingdean Primary School.
- 2.12. That the Committee agree to make no change to the "relevant area".

3. Context and background information

- 3.1. Admission Authorities are required to determine their admission arrangements annually. 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 sets out those groups and individuals who must be consulted. This includes parents of children between the ages of 2 and 18; other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions; all other admission authorities within the relevant area and any adjoining neighbouring local authority areas, where the admission authority is the local authority.
- 3.2. The Council has a statutory duty to ensure there are a sufficient number of school places for pupils and that places are planned effectively. Pupil numbers overall across the city have been falling and are forecast to continue to fall over the next few years. Since the consultation started the Council has updated its forecast of future pupil numbers and more detail is provided in paragraph 3.7-3.11.
- 3.3. Schools are funded by the Government, not the Council. The funding is largely done on a per-pupil basis and nearly all of it covers staffing costs. If schools don't have enough pupils attending or suffer from fluctuating numbers, they may not be able to operate in a financially efficient way and risk entering a budget deficit. If the number of surplus places in the city is not addressed some schools could face significant financial issues that will impact on their ability to sustain their school improvement journey. Where schools do not take appropriate action to adjust their expenditure in line

with changes in revenue, they risk incurring a deficit budget which has an implication for the school and the Council's own budget.

- 3.4. This comes at a time when the Council is facing several other financial pressures and without taking action to reduce the number of unfilled places in the city it will place greater risk on the Council's own funding to meet the gap in funding between budget surplus held by some schools and budget deficits held by others. Currently it is forecast that these amounts balance each other out. However, based on 2023/24 final budget plans submitted by schools, 33 out of 61 schools are forecasting a deficit position at the end of the financial year.
- 3.5. These proposals come at a time when the Government is raising awareness of the need to carefully consider how best to approach the drop in pupil numbers. Baroness Barran, Minister for the School System and Student Finance, has urged "caution" over closing schools in the face of falling pupil numbers. In addition, Lara Newman, Chief Executive of LocatED, the Department for Education's property company, cautioned against selling school sites and ensuring school space is not "permanently lost from the education system".
- 3.6. As such, the Council will only consider school closures as a last resort when there are no other viable alternatives. The Council is therefore seeking to manage the significant fall in pupil numbers across the city by reducing the Published Admission Number of some schools in the city. As it is ultimately for local authorities and academy trusts to balance the supply and demand of school places, in line with changing demographics by reducing or re-purposing high levels of spare capacity, in order to avoid undermining the educational offer or financial viability of schools in the area.

Pupil Projections

- 3.7. Appendix 1 provides the most recent estimates made by the council of future pupil numbers of children starting school, up to 2027. Across the city, it is forecast that the number of children needing a school place will continue to fall until, at least, September 2027.

Starting School Year	Number of places required
2025	1970
2026	1953
2027	1787

- 3.8. There are currently 2610 Reception places in the city's schools. If the proposals contained in this report are agreed and proposals to close two primary schools by 31 August 2024 are also agreed there will be a reduction of 240 starting school places by September 2025.
- 3.9. Across the city's 8 planning areas the number of unfilled places vary with the highest percentage found in the Portslade, Deans and Central City

planning areas. The least number of unfilled places are in the City North, City East and Patcham planning areas.

- 3.10. The Council has also updated its secondary school pupil forecasts following receipt of the October census data from schools. Appendix 6 provides details of the forecast numbers in each secondary school catchment area. The methodology used was reviewed in 2015 and informs the projection of pupil numbers to 2030. The Council has continued to apply this methodology to 2034 but it has not been subject to any review.
- 3.11. It is forecast that in 2025, there will be 2279 secondary school places required in the city. These figures continue to drop as outlined in the table below. There are currently 2560 secondary school places available.

Year of entry	Number of places required
2025	2279
2026	2270
2027	2231
2028	2217
2029	2114
2030	2011

Consultation

- 3.12. On the 6 November 2023, the Children, Families & Schools Committee agreed to undertake a public consultation on the Council's proposed admission arrangements for September 2025.
- 3.13. The public consultation ran between 7 November 2023 – 22 December 2023, there were 22 public meetings and 1511 responses to the online consultation were received. Two meetings were arranged for each school featured in the proposals, one during the daytime and one in the early evening. For the secondary proposals there were three evening online meetings. In addition, there were 76 direct responses to the council's School Organisation and School Admissions email accounts about the admissions arrangement proposals. Approximately 385 people attended meetings held during the consultation period, many people attended more than one meeting. The Council also publicised the consultation by issuing press releases and advertising on social media.
- 3.14. An offer was made for parents to contact the Council to discuss the proposals and provide a verbal response to the consultation that could be recorded by officers; however, this offer was not taken up by any respondents.
- 3.15. Additionally, the Council endeavoured to encourage responses to the consultation from groups in the city who might not usually participate in consultations on school admissions. The Parent and Carer Council and Amaze issued information to parents in their community about the proposals and consultation and EMAS (Ethnic Minority Achievement

Service) provided information, advice and assistance to complete the consultation to families through their Home:School Liaison workers.

3.16. Of all the 1435 responders, via the online portal, who commented on the question about reducing the total number of surplus school spaces in the city the vast majority strongly disagreed with the Council, as outlined in the table below.

Option	Total	Percent
Strongly agree	142	9.9%
Tend to agree	223	15.6%
Neither agree nor disagree	118	8.2%
Tend to disagree	138	9.6%
Strongly disagree	762	53.1%
Don't know / not sure	52	3.6%
Total	1435	

3.17. Reasons for opposing the proposals included:

- concerns that the Council was taking a short-term approach and ignoring the benefits of small class sizes,
- the accuracy of pupil forecasts and need for more places in the future,
- disagreement with the methodology used in deciding where to seek to reduce the spare places,
- criticism of the Council in putting too many proposals forward in one go,
- the impact on reducing parental preference which would result from the proposals.

3.18. The majority of responders to the consultation, who provided further information, detailed that they were a parent or guardian of a child(ren) directly affected by the proposed changes with approximately 60% of all responders being from this group.

Option	Total	Percent
Brighton & Hove resident	219	14.49%
Parent or guardian of a child(ren) directly affected by the proposed changes	902	59.70%
Parent or guardian of a child(ren) not directly affected by the proposed changes	251	16.61%
Teacher in one of Brighton & Hove schools	50	3.31%
Governor at one of Brighton & Hove schools, please give detail below	14	0.93%

Representative of a voluntary or community group, please give details below	13	0.86%
Other, please give details below	40	2.65%
Not Answered	22	1.46%
Option	Total	Percent

3.19. The following table details the level of support for the proposals in each school.

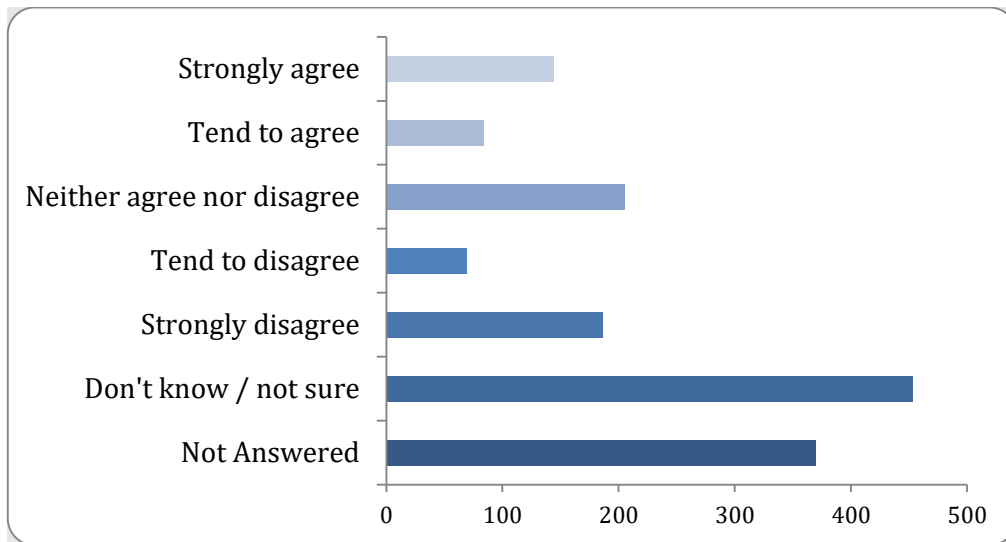
School	% of responses who strongly or tended to support the proposal
Brunswick Primary School	20.0%
Queen's Park Primary School	17.2%
Saltdean Primary School	16.2%
Rudyard Kipling Primary School	16.0%
Patcham Infant School	15.7%
Stanford Infant School	15.7%
Woodingdean Primary School	15.3%
Goldstone Primary School	15.0%
St Luke's Primary School	14.7%

3.20. Most proposals in the consultation received a majority of responses against the proposals, with the exception being the introduction of a new secondary school admission criteria for Free School Meals. The level of opposition to the proposed PAN reductions at each school is set out below:

School	% of responses who strongly or tended to disagree with the proposal
Patcham Infant School	48.6%
St Luke's Primary School	48.3%
Goldstone Primary School	38.9%
Stanford Infant School	30.0%
Queen's Park Primary School	28.1%
Woodingdean Primary School	26.9%
Rudyard Kipling Primary School	24.2%
Saltdean Primary School	23.4%
Brunswick Primary School	22.3%

Brunswick Primary School

3.21. There were 1141 responses to this part of the proposal through the consultation portal and a summary of the responses are provided in the table below. In total 228 respondents tended to agree or strongly agreed with this proposal compared to 255 respondents who strongly disagreed or tended to disagree with this proposal. 823 respondents didn't offer an opinion or didn't answer the question.

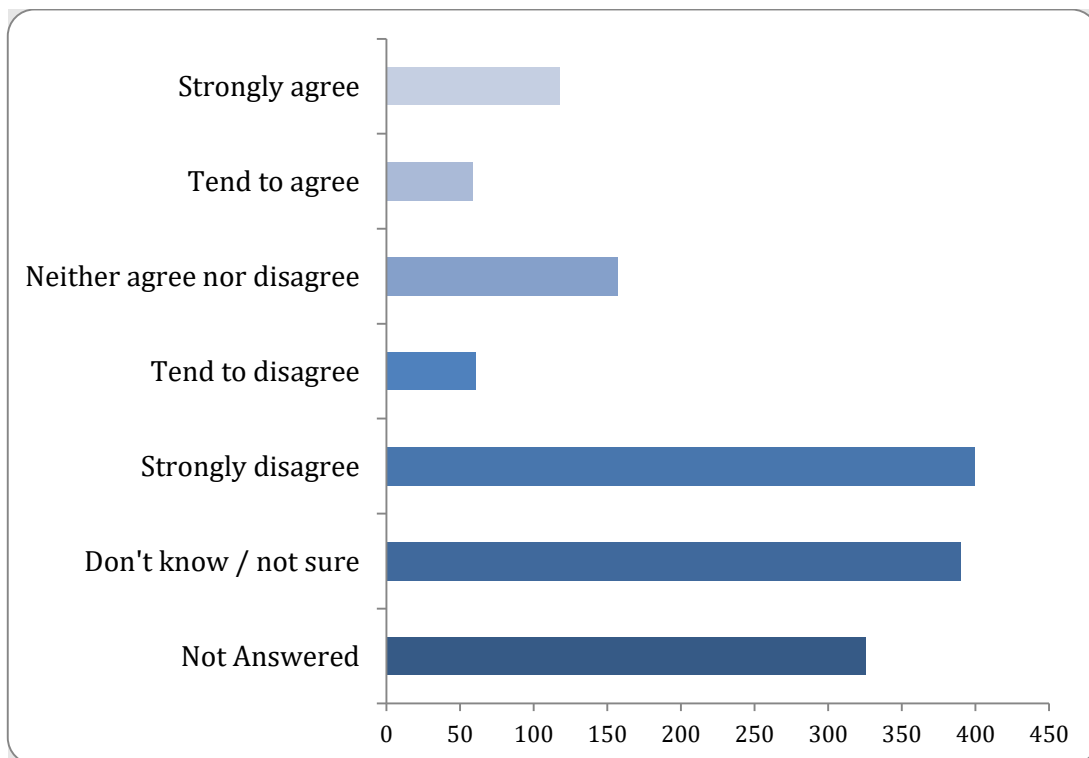


3.22. Comments provided in relation to the proposal highlighted that there were more undersubscribed schools than Brunswick, that the proposed reduction of places at the school and at Stanford Infant School would reduce the offer of secular education in the area, leading to more non-faith children attending faith schools, and concerns that the Council had not fully considered the impact of new homes in the Hove area. Others who responded considered the school too big at present and with spaces in year groups it would be logical to reduce its PAN especially as there are other schools near Brunswick.

3.23. No members of the public attended the public meetings and the school did not make a formal representation to the Council but had previously outlined its support for the proposed change in PAN.

Goldstone Primary School

3.24. There were 1185 responses to this part of the proposal through the consultation portal and a summary of the responses are provided in the table below. In total 177 respondents tended to agree or strongly agreed with this proposal compared to 461 respondents who strongly disagreed or tended to disagree with this proposal. 716 respondents didn't offer an opinion or didn't answer the question.



- 3.25 Comments provided in relation to the proposal highlighted that the school is oversubscribed with total preferences, that it is a thriving community school which allows it to provide a number of other services and opportunities which could be put at risk, that by reducing the school's PAN families would be denied places at the school and that there would be a negative impact on the services which the school would be able to provide.
- 3.26 The school made a formal representation during the consultation which expressed concern at the Council's approach whilst acknowledging the complex responsibility that the Council had to resolve. The Governing Board did not see that the school meet the Council's criteria for inclusion in the proposals and saw the proposals as limiting parents' opportunity to attend a community school, thereby narrowing the diversity of its intake, negatively impacting on the school's financial position and the wide range of support it is able to provide.
- 3.27 The school also drew attention to the Council's decision to seek to reduce the school's PAN from 90 to 60 in 2021. The reason for seeking the reduction that year had similarly related to the falling numbers of primary school pupils in the city. The Council had been seeking to avoid the need for any school closures by addressing the fall in pupil numbers in a fair and equitable way across all schools in the city, thus ensuring that parents would still have a range of neighbourhood schools to choose from. The Governing Board had formally objected to the Schools Adjudicator who subsequently overturned the Council's decision. One of the reasons put forward by the School's Adjudicator in support of their decision was that there was no evidence that any school was at risk of closure if the number of vacant places in the local authority was not reduced.

3.28 The Council believes that the situation in 2024 is very different. The number of vacancies in schools has increased to such an extent that the Council is proposing the closure of two primary schools in the city from September 2024, and additionally the reduction in PAN at six schools across the city.

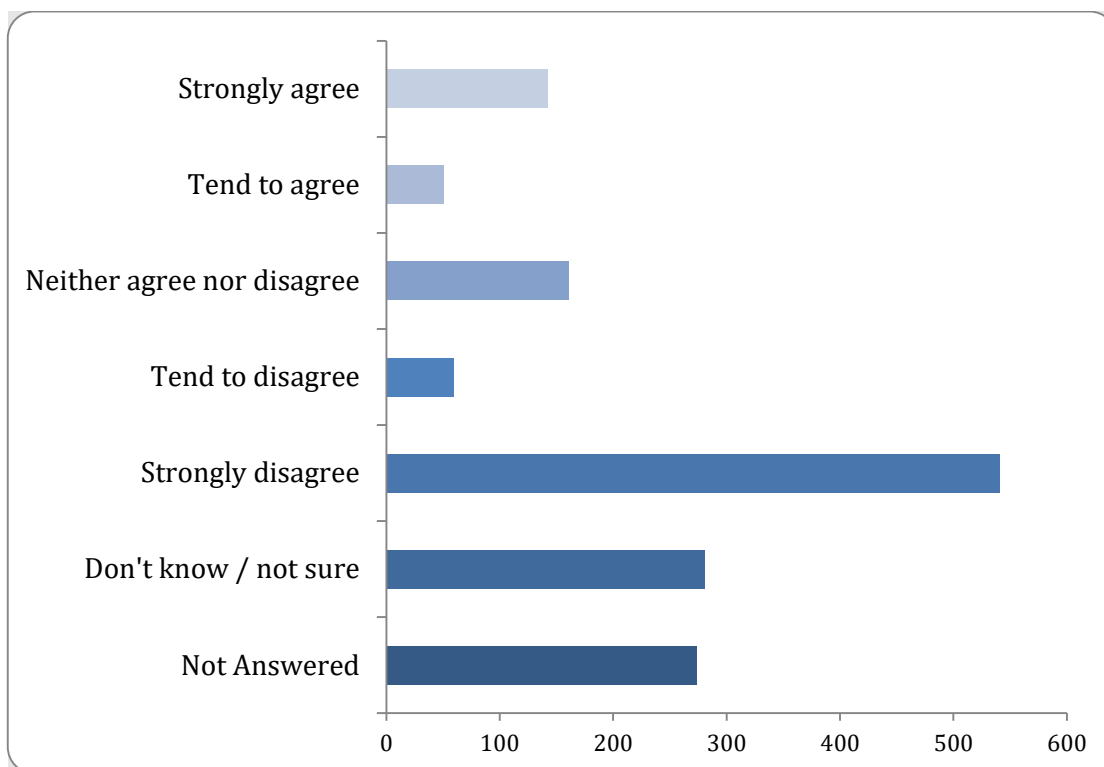
3.29 The Council is mindful of the provisions contained in paragraph 1.3 of the School Admissions Code 2021 which state that if the PAN of a community school is set lower than the school would wish, and the Governing Board objects, in making a determination the Schools Adjudicator must have regard to the strong presumption in favour of an increase in the PAN. The Council is fully cognisant of the fact that a reduction in the PAN would result in a potential frustration of parental preference but is of the view that the justification for a reduction is now powerful; the overall situation in the city has significantly worsened since 2021 and it is now vital that the Council takes action to reduce the number of school places across the city.

3.30 The table below shows the number of on time first preferences the school received in the last 3 years.

PAN	Number of on-time 1st preferences		
	2023	2022	2021
90	86	80	82

Patcham Infant School

3.31. There were 1237 responses to this part of the proposal through the consultation portal and a summary of the responses are provided in the table below. In total 194 respondents tended to agree or strongly agreed with this proposal compared to 601 respondents who strongly disagreed or tended to disagree with this proposal. 555 respondents didn't offer an opinion or didn't answer the question.



3.32. Comments provided in relation to the proposal highlighted the need to ensure that there are sufficient school places for those who live in the community of Patcham. In addition, there was concern that the forecasting of future numbers does not take account of the popularity of the area and the changing demographic with more families moving into the area and requiring local school places. There was also concern that this proposal would impact negatively on the junior school and that there could be an ulterior motive to introduce primary education in the area. Concerns were expressed about unrealistic journeys to an alternative school if there were not enough places at Patcham which, based on the popularity of the school now and its thriving nursery, was felt to be a possible outcome if the proposal to reduce the PAN is agreed by Committee.

3.33. The school made a formal representation to the Council as did the linked junior school. The infant school were concerned about the Council's 'opaque reasoning' in considering a reduction in the school's PAN, and a consultation which they considered to be rushed. They also expressed the view that the proposals appeared to be at odds with other Council priorities. In their view the Council's citywide approach did not reflect realistically on the Patcham area itself, as the school is popular, and oversubscribed. There were concerns that insufficient time would be committed to reviewing the responses to the consultation and that the proposal would make the school smaller than a one form entry primary school.

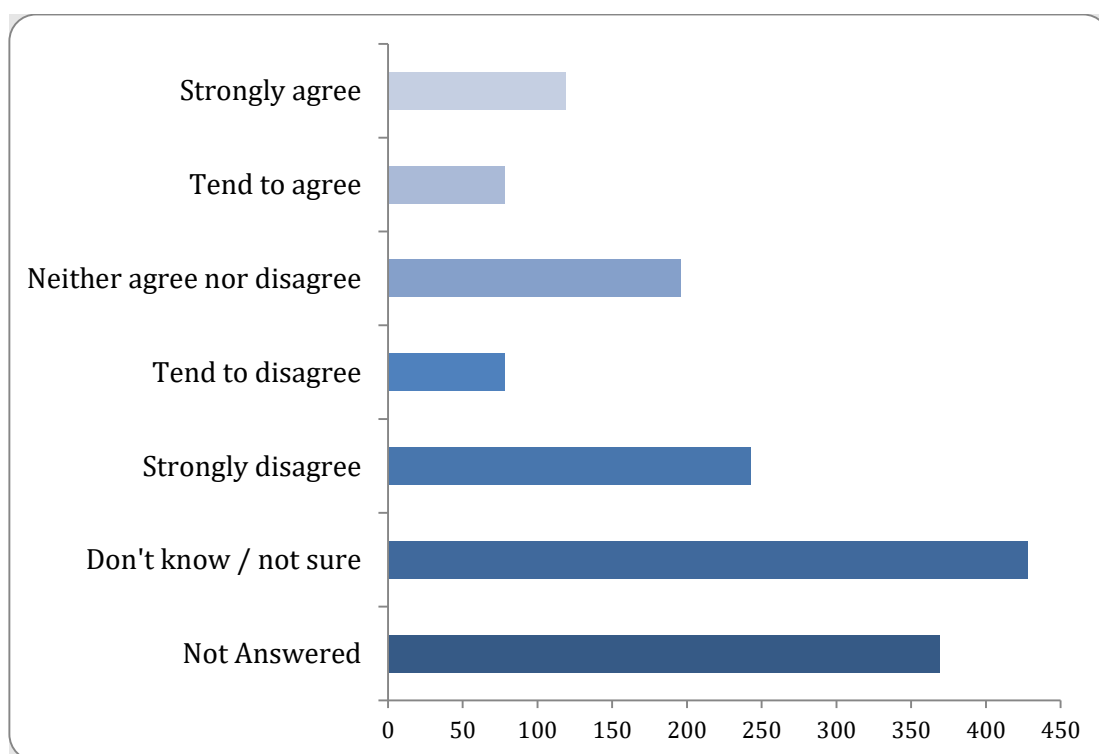
3.34. The table below shows the number of on time first preferences the school received in the last 3 years:

	Number of on-time 1st preferences		
PAN	2023	2022	2021
90	77	87	84

3.35. The junior school highlighted that the schools served a distinct community and that the range of family homes made the area an attractive proposition for families to move into, thereby holding up pupil numbers into the future. The response recognised the high level of preferences for the school and the impact that increased travel would have should families not get a place at a local school.

Queen's Park Primary School

3.36. There were 1142 responses to this part of the proposal through the consultation portal and a summary of the responses are provided in the table below. In total 197 respondents tended to agree or strongly agreed with this proposal compared to 321 respondents who strongly disagreed or tended to disagree with this proposal. 797 respondents didn't offer an opinion or didn't answer the question.



3.37. Responses to the consultation highlighted the disproportionate impact on the school of being asked to make a 50% reduction in capacity as well as the planning area having to have more places removed relative to the number of unfilled places forecast. Concerns were raised about political representation given recent news about one of their ward councillors and that the school was being adversely affected just when it was seeing the improvements introduced by the recently appointed Headteacher. It was felt that families would be denied a 2-form entry school option and families who move into the area at alternative time to the year might need to travel

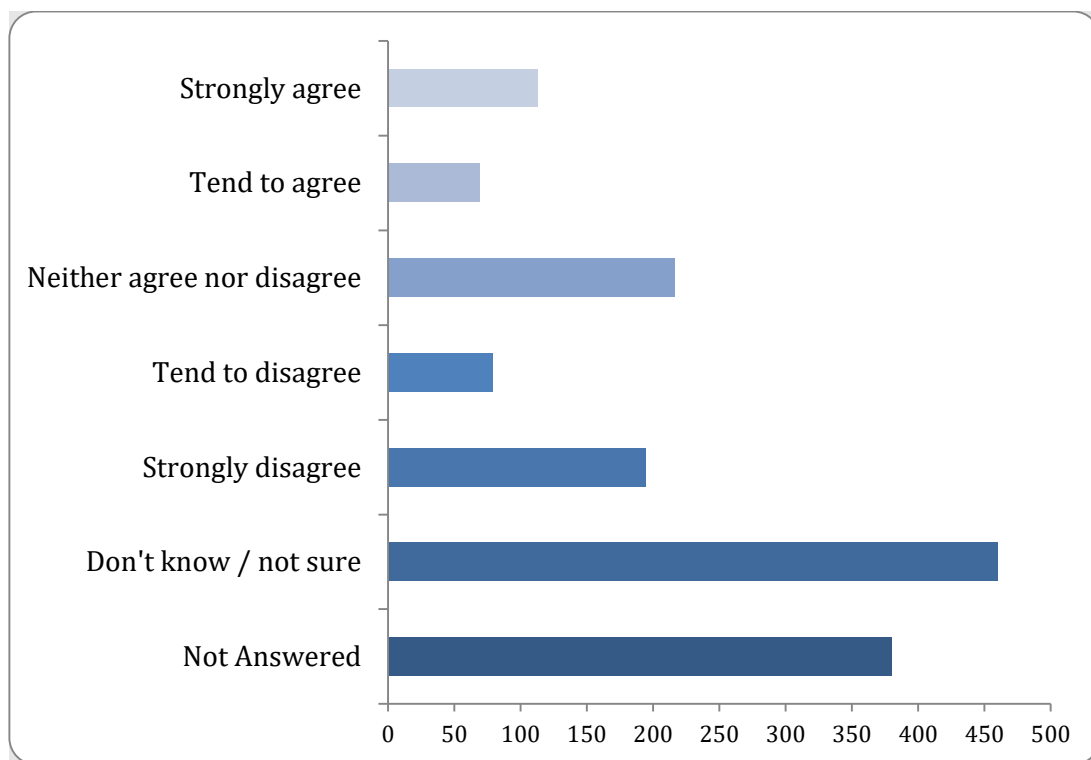
further for a school place, especially as the school supports the area where staff working at the hospital are often located. There was concern that the school would not have as diverse an intake if its PAN was reduced. The Resident's Association for St Luke's felt that there was a disproportionate impact on the area served by both Queen's Park and St Luke's schools and that more time was needed to be able to consider the options for this part of Brighton.

3.38. The school made a formal representation to the Council on the proposal and expressed concern in the absence of clear criteria as to why the school was chosen, the impact the timing of the consultation would have on those applying for places for September 2024 and suspicion that this was a proposal that would lead to a future decision to close the school. In addition, the school highlighted the need to consider all options for its future and felt that the proposal could produce inequality across the schools in the area especially if other schools were to have a reduction put in place but successfully objected to the Schools Adjudicator.

3.39. Having given due consideration to the fact that this proposal would have created an additional one form entry primary school, that the school is not in a budget deficit and that there is concern a change in PAN may impact on the positive improvement trajectory the school is following, it is recommended not to implement a change in PAN.

Rudyard Kipling Primary School

3.40. There were 1131 responses to this part of the proposal through the consultation portal and a summary of the responses are provided in the table below. In total 182 respondents tended to agree or strongly agreed with this proposal compared to 273 respondents who strongly disagreed or tended to disagree with this proposal. 840 respondents didn't offer an opinion or didn't answer the question.



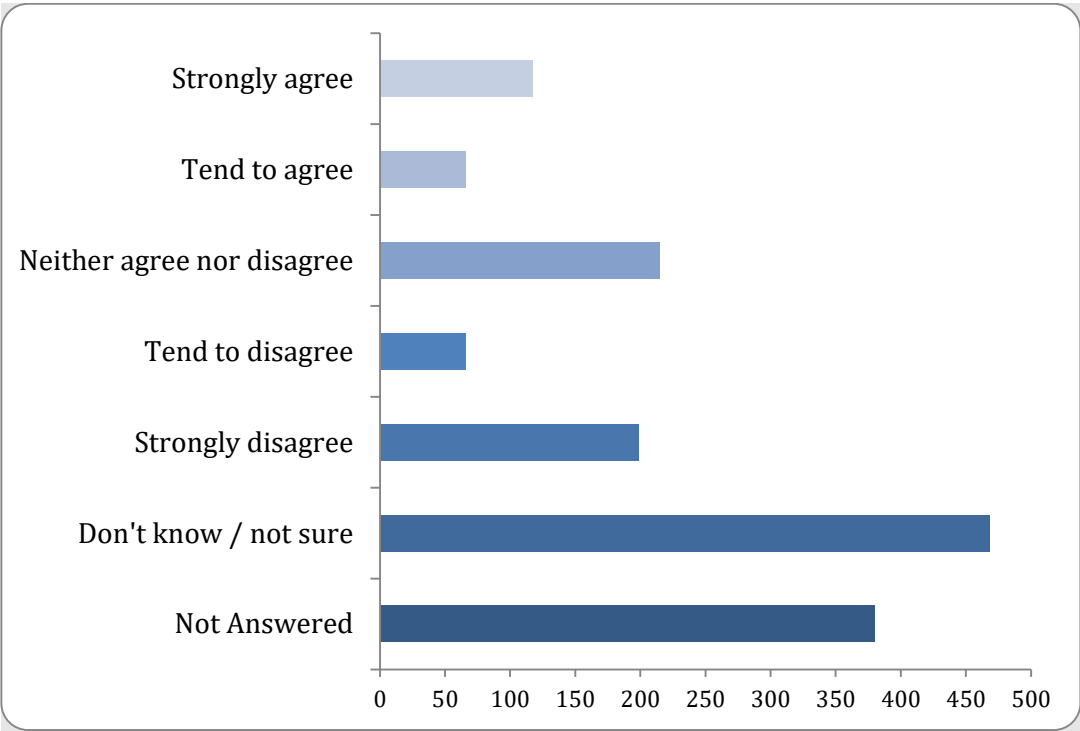
3.41. Responses to the proposal highlighted the fact that responders felt that the school served a distinct community, alongside Woodingdean Primary School. There was also concern about the implications of having a PAN of 45 including mixed age teaching and the potential of having to have a second class in alternate years that would have an impact on the school's budget. The public meetings did not have significant representation from the local community.

3.42. The school did not make a formal representation to the Council but had previously outlined its understanding and acceptance for the proposed change in PAN whilst outlining their concern that the schools serving the Woodingdean community should be treated equitably. As a result of the representation made by the Governing Board of Woodingdean Primary School to the proposal to reduce that school's PAN to 45 the school made its views known to the Council that it could not endorse a change of PAN.

3.43. The Council recognises that the Woodingdean area serves a distinct community, although it notes Woodingdean Primary School's reference to the ability for families outside of the area to utilise bus routes so that children outside the area could attend the school if they wish. As a result, changes in PAN in this area do not affect areas of the city where the largest number of unfilled places occur. In addition, the Council wants to see greater collaboration and harmonisation between the two schools for the benefit of all Woodingdean residents. This is considered to be at risk if a change in PAN was implemented across both schools. Therefore, it is recommended that no change is made to the PAN of Rudyard Kipling Primary School.

Saltdean Primary School

3.44. There were 1131 responses to this part of the proposal through the consultation portal and a summary of the responses are provided in the table below. In total 183 respondents tended to agree or strongly agreed with this proposal compared to 265 respondents who strongly disagreed or tended to disagree with this proposal. 848 respondents didn't offer an opinion or didn't answer the question.



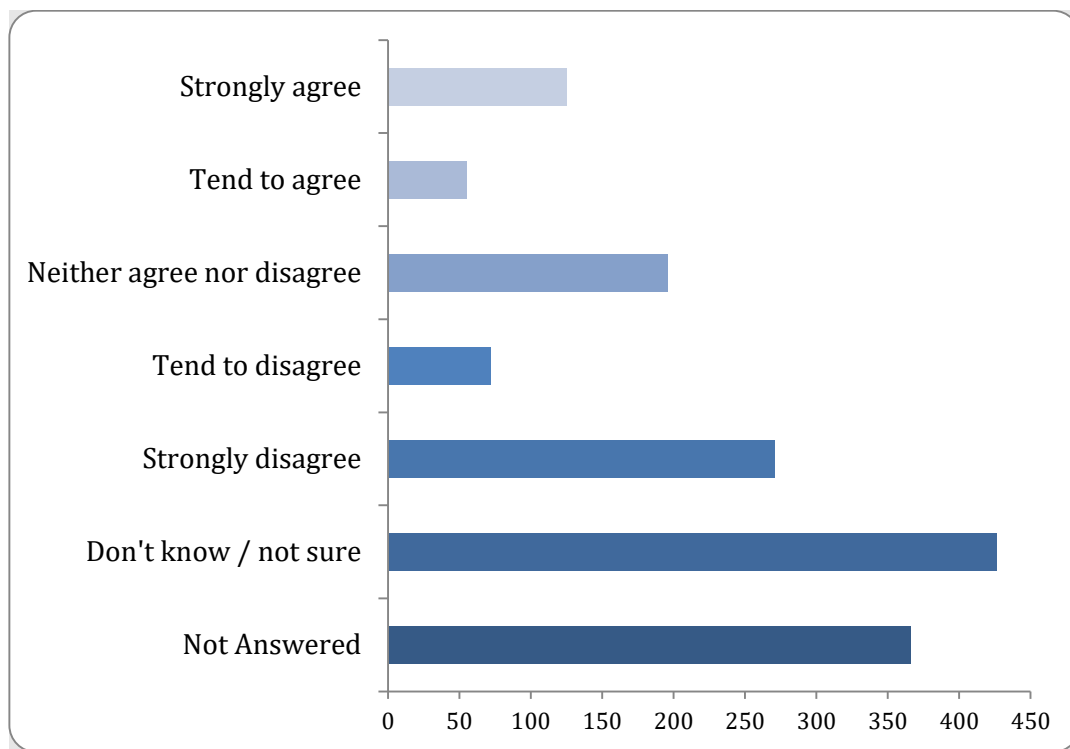
3.45. Low numbers of the public attended the public meeting about the proposal to reduce the PAN at Saltdean Primary School. In the consultation responses concern was expressed regarding the ability to meet the demand for places from those living in the Saltdean community should the school's PAN be reduced as well as a concern that as a school serving a distinct community that attracted families, the number of children living in the area may rise in future years particularly as the school had only recently been expanded to cater for rising pupil numbers in previous years. Observations were also made about the quality of education in nearby schools, outside of Brighton and Hove, and how that may impact on the number of applications in future years.

3.46. The school did not make a formal representation to the Council but has previously outlined its support for the proposed change in PAN.

Stanford Infant School

3.47. There were 1145 responses to this part of the proposal through the consultation portal and a summary of the responses are provided in the table below. In total 180 respondents tended to agree or strongly agreed

with this proposal compared to 343 respondents who strongly disagreed or tended to disagree with this proposal. 792 respondents didn't offer an opinion or didn't answer the question.



3.48. Responses to the consultation highlighted the affection and high regard that the school is held in and the wish that children should still have the opportunity of a separate infant and junior education in the city. There was concern that a unilateral decision about the infant school would have consequences for the junior school as well as being based on questionable forecasting of pupil numbers that did not take account of where pupils live, who attends the school and the fact that there are limited secular school places for families in the area if the school was reduce its PAN. The proposal would also frustrate parental preference as there would not be as many places available at the school.

3.49. The table below shows the number of on time first preferences the school received in the last 3 years:

PAN	Number of on-time 1st preferences		
	2023	2022	2021
90	59	84	72

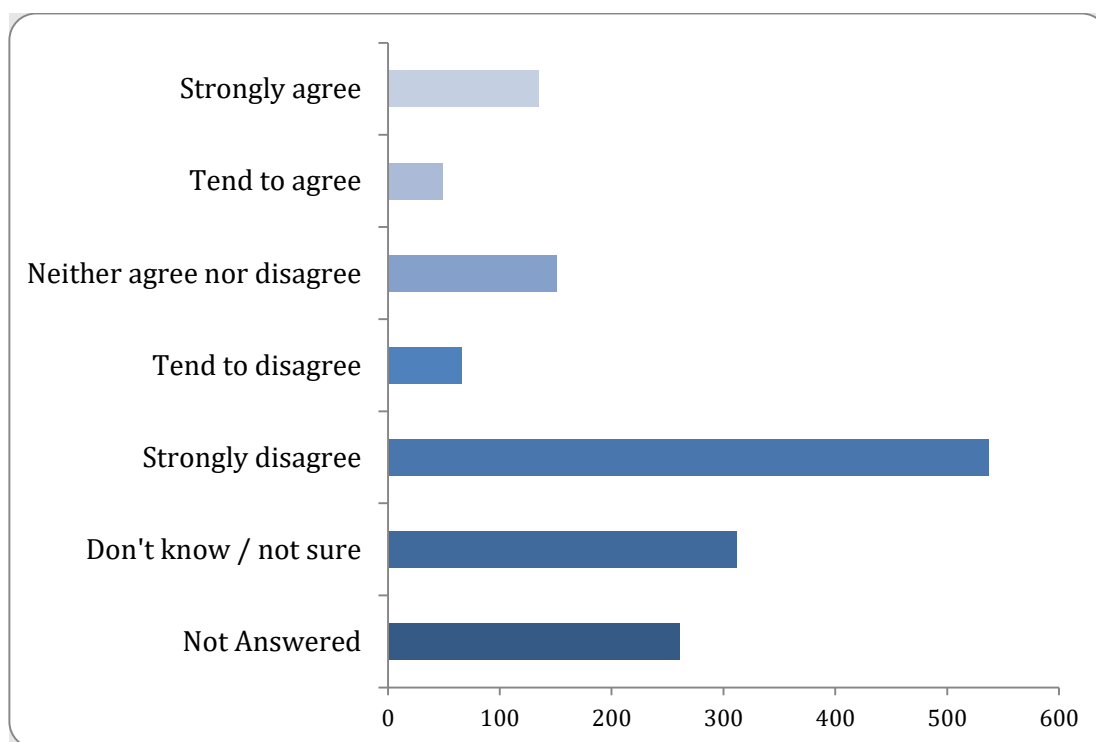
3.50. The school made a response to the Council and whilst recognising the issue facing the Council regarding excess school places it felt that there had not been enough consideration of the school's particular circumstances. The school emphasised the greater proportionate impact of a reduction in 30 places at an infant school, as the proposal would reduce it to a size smaller than a one form entry primary school. Concerns were raised that it would hamper the education that the school is currently able to deliver and the

standard that the school is able to reach, alongside limiting the opportunities for new families when the impact of siblings is taken into consideration. The school were concerned for their future viability, the costs of redundancy and the absence of clarity from the Council about the support it would put in place alongside a desire to better understand the pattern of parental preference including the preferences for September 2024 before decisions are made.

- 3.51. As with Goldstone Primary School above, the Council sought to reduce the PAN of Stanford Infants from 90 to 60 in 2021. The governors objected to the Schools Adjudicator who upheld their complaint and ordered that the PAN should remain at 90. Again, one of the reasons put forward by the School's Adjudicator in support of their decision was that there was no evidence that any school was at risk of closure if the number of vacant places in the local authority was not reduced.
- 3.52. As set out above the situation in 2024 is very different as the Council is now proposing that two primary schools are closed alongside the reduction in PAN at six schools across the city.
- 3.53. Again, the Council is mindful of the provisions in the School Admissions Code 2021 regarding the frustration of parental preference however would submit that the circumstances have changed since 2021. As can be seen from the table above the number of first preferences has significantly reduced to 59 in 2023. If numbers remain at a similar level, there will be little or no frustration of parental preference. As stated above the justification for a reduction is now much stronger as the overall situation in the city regarding vacant places has significantly worsened since 2021.

St Luke's Primary School

- 3.54. There were 1250 responses to this part of the proposal through the consultation portal and a summary of the responses are provided in the table below. In total 184 respondents tended to agree or strongly agreed with this proposal compared to 603 respondents who strongly disagreed or tended to disagree with this proposal. 573 respondents didn't offer an opinion or didn't answer the question.



3.55. Responses received concerned a perceived lack of clarity as to why the school met the Council's criteria for selection for reduction in PAN and criticism that the Council would be reducing the number of places at an Ofsted rated Outstanding school which has high levels of parental preference. Reduction of the PAN would deny people a place at a school held in high esteem by the local community. Similar concerns were expressed to those received in relation to the proposed reduction at Queens Park Primary School regarding the removal of 60 places from the planning area. This was seen as a disproportionate response to the number of unfilled places. It was highlighted that it would reduce the number of larger schools in the city and impact on the support and approach the school provided which was considered unique and special by a number of responders. It was also felt that the reduction in places would narrow the availability of places at the school and create more journeys for those who would previously have been offered a place at the school. Mention was made of the recent capital investment in the building.

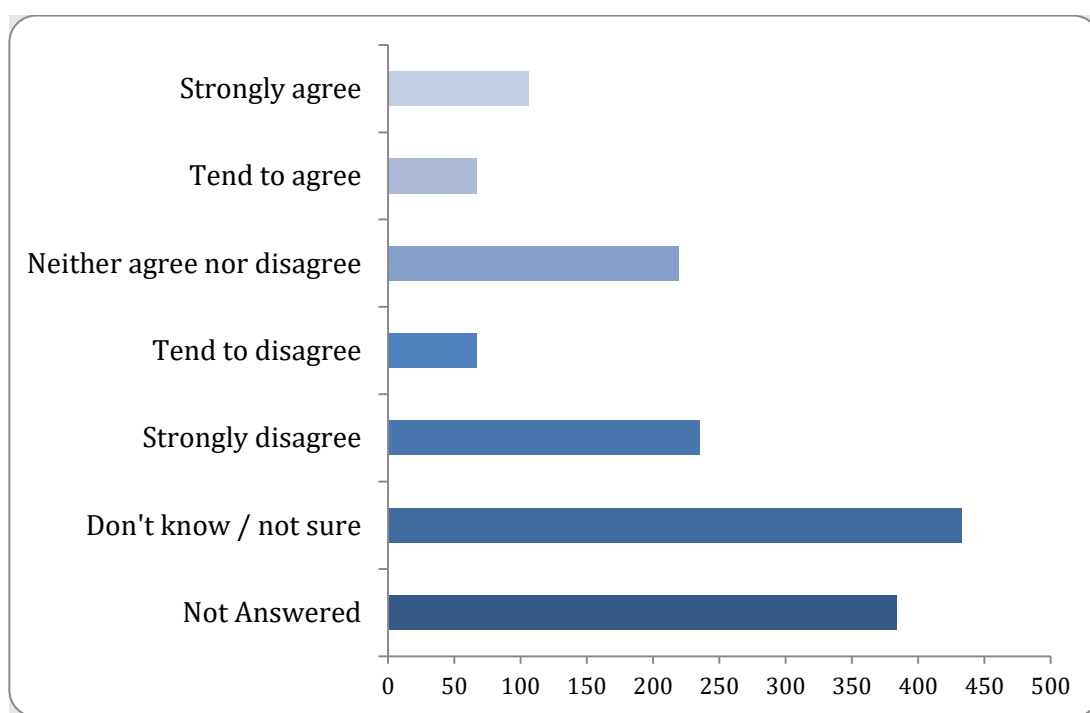
3.56. As previously stated, the Resident's Association for St Luke's felt that there was a disproportionate impact on the area served by both Queen's Park and St Luke's schools and that more time was needed to be able to consider the options for this part of Brighton.

3.57. The table below shows the number of on-time first preferences the school received in the last 3 years:

PAN	Number of on-time 1st preferences		
	2023	2022	2021
90	78	115	131

Woodingdean Primary School

3.58. There were 1127 responses to this part of the proposal through the consultation portal and a summary of the responses are provided in the table below. In total 173 respondents tended to agree or strongly agreed with this proposal compared to 302 respondents who strongly disagreed or tended to disagree with this proposal. 817 respondents didn't offer an opinion or didn't answer the question.



3.59. Responders expressed concerns about there being sufficient places for all children as both Woodingdean and Rudyard Kipling Primary Schools serve a distinct community and a reduction in PAN is being proposed for both schools. Parents reported that according to estate agents the area continues to attract families into the community, meaning that the Council's forecasts may not adequately calculate the number of places required in future years. There was concern that a PAN reduction would have a detrimental impact on the delivery of education as it would require a move to mixed aged teaching. Some responders felt that the two schools in Woodingdean shouldn't therefore be treated equally. Responders referred to the transport links to the school, meaning it was well placed to offer more places to those outside of the immediate community. There was also a sense that the schools would still need to operate two classes even if the PAN of 45 was set.

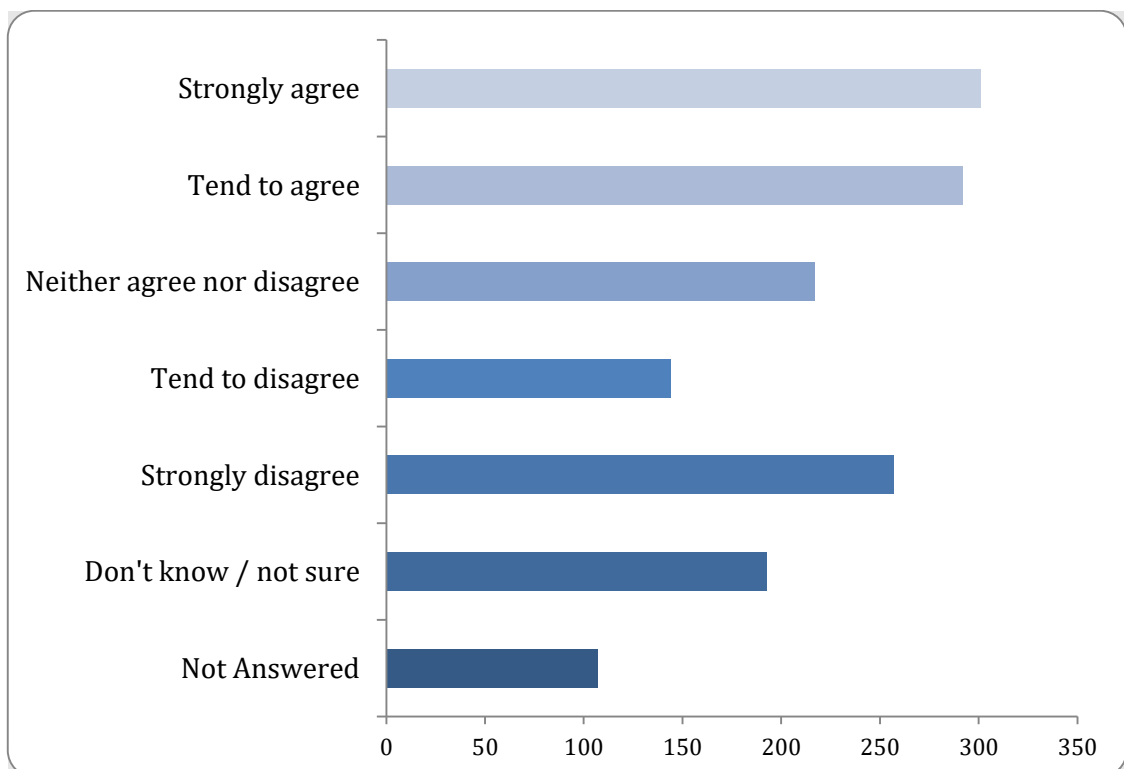
3.60. The school made a formal representation to the Council in which they formally raised their objections, whilst acknowledging the unenviable problem of an excess of primary school places. The school felt the proposal was in response to the need for Rudyard Kipling Primary School requiring a

move to a mixed age offer and a PAN of 45. In the school's view putting forward these proposals would frustrate parental preference and mean the school would operate at a lower capacity than it currently does at present. The school provided information to demonstrate that mixed age teaching was unpopular for parents, staff and was unproven as a system to improve outcomes. The school has been able to manage a positive budget position and had also heard that the area remained popular with families and was therefore likely to maintain strong numbers of future pupil numbers into the future. The school also clarified their intention to continue to operate single age classes should the school's PAN be changed.

- 3.61. As outlined in paragraphs 3.42 – 3.43, the Council recognises that the Woodingdean area serves a distinct community. As a result, changes in PAN in this area do not affect areas of the city where the largest number of unfilled places occur. In addition, the Council wants to see greater collaboration and harmonisation between the schools for the benefit of all Woodingdean residents. This is considered to be at risk if a change in PAN was implemented across both schools. Therefore, it is recommended that no change is made to the PAN of Woodingdean Primary School.

Secondary school admission arrangements

- 3.62. The Council consulted on proposals to introduce a new criterion 3 in its admission arrangements. There were 1404 responses to this part of the proposal through the consultation portal and a summary of the responses are provided in the table below. In total 593 respondents tended to agree or strongly agreed with this proposal compared to 401 respondents who strongly disagreed or tended to disagree with this proposal. 300 respondents didn't offer an opinion or didn't answer the question.



- 3.63. Following further consideration of the proposal and in response to early feedback on the proposals the Council identified a need to change the proposed criteria required to implement the policy intention. The recommendation outlined in paragraph 3.71 outlines the criteria to be used.
- 3.64. Responses to the consultation included criticism that the Council was virtue signalling, that travel journeys would increase and that families and communities would run the risk of being split, with implications for the health of children. Some responders referred back to their children's experiences when they were the only child in their friendship group not to be offered a place in the same school as their friends and others highlighted that more uncertainty would increase young people's anxiety levels.
- 3.65. Free School Meals (FSM) was considered by some to be a blunt measure that unless assessed yearly would provide protection for some pupils even if families would no longer qualify for benefits as their circumstances had improved. Some responders felt a better approach would be to work on other strategies such as making housing more affordable and ensuring all schools perform at the same standard. Some responders were concerned about the impact on schools that would have fewer children and less funding as well as a concern that there was not sufficient information to demonstrate the impact of such a policy change and therefore any responses were not sufficiently informed.
- 3.66. A key theme was the concern that if the proposal was introduced this would reduce the number of places available to children living within the catchment area. This might then have knock on consequences in the event of oversubscription in the catchment area meaning catchment area pupils might miss out on a place at their catchment school.
- 3.67. The Sutton Trust made a response to the consultation in which they outlined their research on top performing comprehensive schools and FSM levels (Selective Comprehensives 2017 - Sutton Trust) and the conclusion that proximity-based oversubscription criteria have a part in these schools having low numbers of FSM eligible pupils.
- 3.68. As a result, they strongly advocate for more comprehensive schools to implement admissions policies which they consider to be fairer, thus ensuring greater numbers of disadvantaged children can gain access to high performing schools and have access to high quality teaching in their local areas.
- 3.69. Additionally, the Sutton Trust highlighted their research (Fairer School Admissions - Sutton Trust) which found that 50% of senior leaders in schools are of the view that social segregation is a problem in state schools. Introducing a Pupil Premium priority criteria would help to fight this issue. Similarly, they have found that 78% of parents believe that schools should have a fairer mix of pupils from different social backgrounds.

- 3.70. The Sutton Trust believes that the admissions arrangements being consulted on in Brighton and Hove would be a “bold step forward”, enabling more pupils from disadvantaged backgrounds to access the best schools in their area and wholeheartedly support this proposal.
- 3.71. These secondary school admission proposals were shared at the public meetings held on 7, 13 and 14 December 2023. A total of 22 people attended the online meetings. At the meeting the proposed adapted criteria were shared and form the basis of the recommendation to the Children, Families & Schools Committee in this paper.
- 3.72. Proposed Admission priorities for Secondary Schools (for whom the Council is the admission authority)
1. Looked after children and all previously looked after children
 2. Compelling medical or other exceptional reasons for attending the school.
 3. A sibling link applied for those living within the designated catchment area only
 4. Free School Meals eligible children living in the designated catchment area
 5. Other children eligible for Free School Meals up to the city average.
 6. Those pupils living in the designated catchment area for the school(s).
 7. Other children.

Transport implications

- 3.73. In the meetings concern was expressed about how current home to school transport arrangements might affect the proposed new criteria. Questions were also raised about how the existing arrangements might impact on schools in the city and the Council undertook to provide more detail in the report.
- 3.74. Secondary aged pupils are eligible for assistance with transport if they are aged between 8 and 16 years and live more than three miles (4828 metres) from their nearest suitable school. The nearest suitable school in relation to secondary education means the catchment area school (or schools in a dual catchment area) for those able to attend a mainstream school, except for children whose family meets the criteria for low income, where the suitable school may be one of the three closest schools. Low Income Families, where pupils are entitled to free school meals or their parents are in receipt of maximum Working Tax Credit or equivalent qualifying benefit have an entitlement to assistance if they are aged 11 to 16 and go to a school 2 to 6 miles away and it's one of their three nearest suitable schools, or the school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (aged 11 to 16).

- 3.75. All of north Whitehawk FSM pupils would be eligible for transport if they were allocated a place at Varndean or Dorothy Stringer schools. All of these pupils would also receive transport assistance to attend their catchment area school, Longhill High School. Therefore, there would be no significant increase in cost of transport for these pupils however Longhill High School may be affected by families seeking to apply to other schools under the proposed new admission priority.
- 3.76. The south Whitehawk area is already in the Dorothy Stringer and Varndean catchment area so no change in costs to the Council of transport would occur as pupils would already be attending these schools.
- 3.77. For those living in proximity to Brighton Marina, Varndean School is one of the three closest schools, but Dorothy Stringer School isn't, (Longhill, CNCS, Varndean) but these addresses are also 3 miles from Longhill High School so these pupils would already receive transport assistance if they attended the catchment area school. Therefore, there would be no significant increase in cost of transport for these pupils. However, Longhill High School could be affected by families seeking to apply to Varndean School.
- 3.78. Most of Woodingdean pupils would be eligible for transport if they were offered a place at Varndean (BACA, Longhill & Varndean are the 3 closest schools) but not if they were offered a place at Dorothy Stringer School, so there is a possibility of additional transport costs for this area.
- 3.79. Saltdean, Rottingdean and most of Ovingdean have Longhill, BACA & CNCS as their closest schools, so there are no transport cost implications as a result of these proposals or impact on those schools in relation to pupils living in this area.
- 3.80. Coldean, Moulsecoomb and Bevendean FSM pupils would be eligible for transport if they attended Varndean or Dorothy Stringer Schools and all of these would be an additional transport cost.

Calculating FSM

- 3.81. In terms of the September 2025 intake, should the proposal be agreed by Committee, the Council would calculate the city average of Free School Meals from the October 2024 census data for the Year 6 pupils. That would give the city average for the cohort starting secondary school in September 2025.
- 3.82. If this remains at 28% (as it was from the last census) then the Council would allocate up to 28% of the school's PAN under the FSM priority.
- 3.83. As an example, Patcham High School would have 63 places available for FSM pupils ($225/100 * 28 = 63$) and Dorothy Stringer School would have 92 places available for FSM pupils ($330/100 * 28 = 92$).

- 3.84. At the point that the Council seeks to offer places from the re-allocation pool (or waiting list) place, the Council will need to maintain details of the number of FSM eligible pupils the school has on roll in each year group, but the principle would be the same in that we would calculate the city average from the most recent October census for the cohort in question and then only allocate up to that number of FSM eligible pupils.

Published Admission Arrangements

- 3.85. Many of the responses to this question referenced representations made regarding specific proposals to reduce the PAN of certain primary schools and the process undertaken. Some suggestions were made about providing alternative priority criteria including in relation to young carers and those impacted by domestic abuse and others in relation to government policy. There were no specific responses that have led to changes in the proposed arrangements and therefore, it is recommended that no other changes are made to the Infant & Primary school admission arrangements.

The co-ordinated admission schemes for 2025/26

- 3.86. Many of the responses to this question referenced representations made regarding specific proposals to reduce the PAN of certain primary schools and the process undertaken. As well as comments on the Council's approach to the consultation process. Some responders indicated that this part of the consultation was unclear. There were no specific responses that have led to changes in the proposed schemes and therefore, it is recommended that no change is made to these schemes.

The 'relevant area' for consultation

- 3.87. There were responses suggesting that the planning areas used by the council should be amended to better reflect the realities of people's journeys to school as well as suggestions that the area should be expanded to include neighbouring authorities. The 'relevant area' is the area for a school within which the admission authority for that school must consult all other prescribed schools on its admission arrangements. It is recommended that no change is made to the 'relevant area' as currently stated.

4. Analysis and consideration of alternative options

- 4.1. The Council could seek to implement all the proposals put forward to consultation. However, this would ignore representations made as part of the consultation regarding schools where it was felt that a reduction in PAN would not have a significant impact on the city's overall number of surplus places. In addition, it would not take into account the position of some of the affected schools who have advised that they consider that they are able to balance their budget and that a reduction in PAN would not assist them maintaining a positive budget position. Nor would it consider the impact of a reduction in PAN to a school's essential school improvement journey.

- 4.2. The Council has only consulted upon proposals to reduce the PAN at the nine schools detailed in this report. Any additional changes to other schools were not considered as part of a public consultation and therefore the views of the community on those alterations would not be known.
- 4.3. Under the School Admission Code, admission authorities must consult where they propose a decrease to the PAN. Community schools have the right to object to the Schools Adjudicator if the PAN set for them is lower than they would wish.
- 4.4. The Council could have considered recommending a change in the PAN of Queen's Park Primary School, Rudyard Kipling Primary School and Woodingdean Primary School, but having considered the responses to the consultation and each schools' current situation, it was decided not to recommend proceeding with the proposed changes in PAN for these schools for the reasons set out in this report.
- 4.5. Had the Council proposed not to continue with changes to other school's PANs then the number of unfilled places expected to be in the city in September 2025 would be higher. This could place further pressure on school's budgets through schools having class sizes, based on parental preference, that are not viable.
- 4.6. However, it would ensure the Council could meet a high level of parental preferences if more places were available.
- 4.7. It is possible for the Council to seek agreement from the Schools Adjudicator for a variation to the PAN of schools with effect from September 2025 after notifying all other admission authorities within the relevant area. This would need to follow a major change in circumstances which, the Council would need to argue, could include details of actual preferences received for specific schools from January 2025 onwards.
- 4.8. The Council could look to make no change to its secondary school admission arrangements taking into account that further organisational change will be required in future years. Doing so may not allow for the opportunity to put forward an approach in 2025 that is aimed to support families whose children are entitled to Free School Meals to have a greater opportunity to receive a place in a school other than their catchment area school.
- 4.9. There is a need to work collaboratively with all secondary schools including those who are their own admission authority to consider the future of secondary school education. It is possible that agreement on a strategic approach to take effect beyond September 2025 is not achievable and therefore delaying a proposed change to secondary school arrangements may not result in an opportunity for families who qualify for free school meals.

5. Community engagement and consultation

- 5.1. The public consultation ran between 7 November 2023 – 22 December 2023, there were 22 public meetings and 1511 responses to the online consultation were received. In addition, there were 76 direct responses to the Council's School Organisation and School Admissions email accounts about the admissions arrangement proposals. Approximately 385 people attended meetings held during the consultation period, many people attended more than one meeting.
- 5.2. The consultation was notified to West Sussex County Council, East Sussex County Council, both diocese. Nurseries were notified of the consultation.

6. Conclusion

- 6.1. The Council is proposing to reduce the Published Admission Number of 6 schools to reduce the number of unfilled places across the city. After consideration of the responses to the consultation, the Council is not proposing to reduce the PAN of Queen's Park Primary School, Rudyard Kipling Primary School or Woodingdean Primary School.
- 6.2. The Council is also proposing to introduce a new admission priority in its secondary school arrangements for pupils who qualify for free school meals.
- 6.3. It is forecast that pupil numbers will continue to fall until, at least, 2027 with the estimated number of children needing a starting school place reducing from 1970 in 2025 to 1787 in 2027. As a result, the Council is seeking to reduce the number of unfilled primary school places across the city.
- 6.4. It is doing so in full knowledge that the Schools Adjudicator may overturn individual decisions on appeal, because of their need to consider the role of parental preference. However, the Council is signalling a clear intent to seek to protect the wide range of schools in the city and ensure the availability of school places to all communities in the city.
- 6.5. Any objection will be robustly defended and the Adjudicator's attention will be drawn to the fact that the Council has proposed the closure of two one form entry primary schools and that 33 out of 61 primary schools are expecting to end the 2023-24 financial year in deficit.
- 6.6. Beyond these changes the Council is proposing no other change to the admission arrangements. After determination, arrangements can only be revised by detailing a "major change in circumstances" to the Schools Adjudicator and obtaining their approval.

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.
- 7.4. The proposal to introduce a new admission priority in secondary school arrangements for pupils who qualify for Free School meals may lead to changes in pupil numbers in individual schools that would not otherwise occur. It is possible that those schools with high numbers of FSM eligible pupils may have a reduced number of pupils attending their schools, leading to lower budget allocations, because under the proposal, pupils eligible for FSM will have a greater priority for a place at another school. There is also a risk of some increases in home to school transport costs as described in the report.

Name of finance officer consulted: Steve Williams Date consulted 11/01/24

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 to admission arrangements 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. Following consultation the admission arrangements must be determined by 28 February 2024. Community schools have the right to object to the Schools Adjudicator if the PAN set for them is lower than they would wish. Objections to admissions arrangements must be referred to the Schools Adjudicator by 15 May 2024.

- 8.3. The School Admissions Code 2021 provides that Admission Authorities may give priority in their oversubscription criteria to children eligible for the pupil premium. The categories of eligible premium recipients to be prioritised should be clearly defined in the admission arrangements.
- 8.4. The 1998 Act also requires local authorities to establish a relevant area in which admission authorities must consult regarding their admission arrangements. The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 requires LAs to consult on these proposals every two years.
- 8.5. In order to comply with the public sector equality duty pursuant to the Equality Act 2010 the Committee should have due regard to the analysis of the impact upon those affected by the proposal who have protected characteristics under the Act. This is summarised within the EIA template and the body of the report. Recent government guidance indicates that the general duty requires decision-makers to have due regard to advance equality of opportunity and foster good relations in relation to activities such as providing a public service. As indicated in recent government guidance the duty does not dictate a particular outcome. The level of “due regard” considered sufficient in any particular context depends on the facts. The duty should always be applied in a proportionate way depending on the circumstances of the case and the seriousness of the potential equality impacts on those with protected characteristics.

Name of lawyer consulted: Serena Kynaston

Date consulted 11.01.2024

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 7 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 by virtue of their proximity to certain schools and the availability of places should families make a late application.
- 9.4. When determining admission arrangements, the Council needs to ensure that there are sufficient school places available within a reasonable distance for families who may have members who have vulnerabilities relating to protected characteristics. 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.

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

9.6. 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.

9.7. These priorities will ensure that for pupils who are care experienced, they will receive the highest priority for a place in a different school.

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. However, with a reduction in PAN it can be expected that some children will not get a place at their preferred school which could require them to travel further and families may not be able to or chose to use sustainable methods.

10.5. It is recognised that schools are at the heart of their communities and have a significant role to play for families in supporting their local community. However, in the longer term the reduction in pupil numbers could lead to schools having additional financial pressures which could threaten their long-term viability.

Supporting Documentation

1. Appendices

1. Primary School Places Forecast
2. Published Admission Numbers
3. Admission Arrangements and Priorities
4. Primary Coordinated Scheme
5. Secondary Coordinated Scheme

6. Secondary Catchment Forecast
7. Equalities Impact Assessment

2. Background documents

The responses received via the consultation portal have been made available confidentially to Councillors sitting on the CF&S Committee for their consideration.

Date of Birth / school year	School yr in Sept 24	Grand Total all planning areas from 2023 data	pupils likely to want a school place based on 90% of GP reg data	Permanent places in Year R in 2024	Surplus places or shortfall of places	Comparison with 2022 data	
All planning Areas							
places in each school year from Sept 2024						Surplus places or shortfall of places based on 2022 data	Number of surplus places have risen fallen between 2022 and 2023
01 September 13 to 31 August 14	6	2,994	2,695				
01 September 14 to 31 August 15	5	2,846	2,561				
01 September 15 to 31 August 16	4	2,834	2,551				
01 September 16 to 31 August 17	3	2,743	2,469				
01 September 17 to 31 August 18	2	2,603	2,343				
01 September 18 to 31 August 19	1	2,435	2,192				
01 September 19 to 31 August 20	R	2,369	2,132	2,610	478	593	-115
01 September 20 to 31 August 21	2025	2,189	1,970	2,610	640	741	-101
01 September 21 to 31 August 22	2026	2,170	1,953	2,610	657	752	-95
01 September 22 to 31 August 23	2027	1,985	1,787	2,610	824		

593
743
753

Date of Birth / school year	School year in Sept 2024	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 2024		270	660	90	540	150	450	270	180	2610
01 September 13 to 31 August 14	6	249	0	0	0	159	0	0	0	409
01 September 14 to 31 August 15	5	260	0	0	0	171	0	0	0	431
01 September 15 to 31 August 16	4	215	0	0	0	171	0	0	0	386
01 September 16 to 31 August 17	3	231	0	0	0	160	0	0	0	392
01 September 17 to 31 August 18	2	224	0	0	0	152	0	0	0	376
01 September 18 to 31 August 19	1	217	0	0	0	123	0	0	0	340
01 September 19 to 31 August 20	R	176	564	79	423	129	429	164	168	2132
01 September 20 to 31 August 21	2025	180	528	54	424	105	388	140	151	1970
01 September 21 to 31 August 22	2026	167	534	69	376	123	372	162	149	1953
01 September 22 to 31 August 23	2027	158	484	53	361	92	367	128	144	1787

Date of Birth / school year	School year in Sept 2024	BN41 1	BN41 2				Comparison with 2022 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		90	180	270				
01 September 13 to 31 August 14	6	84	193	277	249			
01 September 14 to 31 August 15	5	85	204	289	260			
01 September 15 to 31 August 16	4	67	172	239	215			
01 September 16 to 31 August 17	3	75	182	257	231			
01 September 17 to 31 August 18	2	84	165	249	224			
01 September 18 to 31 August 19	1	66	175	241	217			
01 September 19 to 31 August 20	R	64	131	195	176	95	87	8
01 September 20 to 31 August 21	2025	64	136	200	180	90	95	-5
01 September 21 to 31 August 22	2026	57	129	186	167	103	109	-6
01 September 22 to 31 August 23	2027	51	124	175	158	113		

Date of Birth / school year	School year in Sept 2024	BN3 1	BN3 2	BN3 3	BN3 4	BN3 5	BN3 6	BN3 7				Comparison with 2022 data	
2 Central Hove		West Hove Infant @Holland Road Hove Juniors Holland Road Brunswick Primary		St Andrews Primary		West Hove Infant Hove Junior	Cottesmore Primary Bilingual Primary School	Aldrington Primay Goldstone 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		150		90		120	150	150	660				
01 September 13 to 31 August 14	6	86	49	136	93	167	170	156	857				
01 September 14 to 31 August 15	5	93	36	116	76	136	131	160	748				
01 September 15 to 31 August 16	4	97	42	99	68	154	145	154	759				
01 September 16 to 31 August 17	3	64	42	133	93	124	115	141	712				
01 September 17 to 31 August 18	2	94	39	113	61	149	127	134	717				
01 September 18 to 31 August 19	1	77	38	97	71	120	131	94	628				
01 September 19 to 31 August 20	R	85	32	96	72	132	82	128	627	564	96	130	-34
01 September 20 to 31 August 21	2025	80	32	105	50	118	100	102	587	528	132	174	-42
01 September 21 to 31 August 22	2026	78	39	118	66	122	80	90	593	534	126	143	-17
01 September 22 to 31 August 23	2027	70	38	111	56	112	64	87	538	484	176		

Date of Birth / school year	School year in Sept 2024	BN3 8				Comparison with 2022 data	
3 West Blatchington and North Hangleton		Hangleton Primary West Blatch 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		90	90				
01 September 13 to 31 August 14	6	141	141				
01 September 14 to 31 August 15	5	128	128				
01 September 15 to 31 August 16	4	123	123				
01 September 16 to 31 August 17	3	96	96				
01 September 17 to 31 August 18	2	107	107				
01 September 18 to 31 August 19	1	102	102				
01 September 19 to 31 August 20	R	88	88	79	11	11	-0
01 September 20 to 31 August 21	2025	60	60	54	36	36	0
01 September 21 to 31 August 22	2026	77	77	69	21	18	3
01 September 22 to 31 August 23	2027	59	59	53	37		

Date of Birth / school year	School year in Sept 2024	BN1 2	BN1 3	BN1 5	BN1 1	BN1 4	BN1 6	BN1 7				Comparison with 2022 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	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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024			60	150	30	30	210	60	540				
01 September 13 to 31 August 14	6	31	63	136	10	51	207	112	610				
01 September 14 to 31 August 15	5	20	65	123	≤5	57	210	96	571				
01 September 15 to 31 August 16	4	24	80	116	12	64	182	103	581				
01 September 16 to 31 August 17	3	33	52	116	10	60	173	86	530				
01 September 17 to 31 August 18	2	24	69	100	9	42	173	91	508				
01 September 18 to 31 August 19	1	23	69	91	9	58	165	70	485				
01 September 19 to 31 August 20	R	32	62	86	12	43	145	90	470	423	117	185	-68
01 September 20 to 31 August 21	2025	20	60	99	9	57	145	81	471	424	116	173	-57
01 September 21 to 31 August 22	2026	28	67	72	7	40	146	58	418	376	164	222	-58
01 September 22 to 31 August 23	2027	15	60	85	6	61	112	62	401	361	179		

Date of Birth / school year	School year in Sept 2024	BN1 8				Comparison with 2022 data	
5 Patcham		Patcham Infant Patcham Junior Carden 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		150	150				
01 September 13 to 31 August 14	6	177	177	159	-9		
01 September 14 to 31 August 15	5	190	190	171	-21		
01 September 15 to 31 August 16	4	190	190	171	-21		
01 September 16 to 31 August 17	3	178	178	160	-10		
01 September 17 to 31 August 18	2	169	169	152	-2		
01 September 18 to 31 August 19	1	137	137	123	27		
01 September 19 to 31 August 20	R	143	143	129	21	26	-5
01 September 20 to 31 August 21	2025	117	117	105	45	47	-2
01 September 21 to 31 August 22	2026	137	137	123	27	32	-5
01 September 22 to 31 August 23	2027	102	102	92	58		

Date of Birth / school year	School year in Sept 2024	BN2 0	BN2 1	BN2 2	BN2 3	BN2 5	BN2 9				Comparison with 2022 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	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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		90			150	90	120	450				
01 September 13 to 31 August 14	6	56	55	≤5	72	153	133	469				
01 September 14 to 31 August 15	5	45	44	≤5	86	142	127	444				
01 September 15 to 31 August 16	4	61	51	≤5	94	122	129	457				
01 September 16 to 31 August 17	3	57	58	≤5	98	140	141	494				
01 September 17 to 31 August 18	2	46	39	≤5	87	144	133	449				
01 September 18 to 31 August 19	1	42	55	≤5	99	124	131	451				
01 September 19 to 31 August 20	R	53	63	≤5	89	143	129	477	429	21	36	-15
01 September 20 to 31 August 21	2025	42	46	≤5	94	115	134	431	388	62	55	7
01 September 21 to 31 August 22	2026	47	51	≤5	84	118	113	413	372	78	85	-7
01 September 22 to 31 August 23	2027	43	59	≤5	73	125	108	408	367	83		

Date of Birth / school year	School year in Sept 2024	BN2 6	BN2 7	BN2 8				Comparison with 2022 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		120	60	90	270				
01 September 13 to 31 August 14	6	128	21	99	248				
01 September 14 to 31 August 15	5	126	34	96	256				
01 September 15 to 31 August 16	4	115	38	93	246				
01 September 16 to 31 August 17	3	122	34	82	238				
01 September 17 to 31 August 18	2	108	32	72	212				
01 September 18 to 31 August 19	1	100	26	82	208				
01 September 19 to 31 August 20	R	90	26	66	182	164	106	107	-1
01 September 20 to 31 August 21	2025	85	20	50	155	140	131	134	-4
01 September 21 to 31 August 22	2026	89	30	61	180	162	108	112	-4
01 September 22 to 31 August 23	2027	75	18	49	142	128	142		

Date of Birth / school year	School year in Sept 2024	BN1 9	BN2 4				Comparison with 2022 data	
8 City North		Coldean Primary	Bevendean Primary Coombe Rd Primary Moulsecomb 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 2022 data	Number of surplus places have risen fallen between 2022 and 2023
places in each school year from Sept 2024		60	120	180				
				0				
01 September 13 to 31 August 14	6	56	159	215				
01 September 14 to 31 August 15	5	58	162	220				
01 September 15 to 31 August 16	4	52	187	239				
01 September 16 to 31 August 17	3	60	178	238				
01 September 17 to 31 August 18	2	56	136	192				
01 September 18 to 31 August 19	1	45	138	183				
01 September 19 to 31 August 20	R	42	145	187	168	12	11	1
01 September 20 to 31 August 21	2025	35	133	168	151	29	29	-0
01 September 21 to 31 August 22	2026	37	129	166	149	31	32	-1
01 September 22 to 31 August 23	2027	27	133	160	144	36		

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
Brackenhurst 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 Primary	30
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	60
Rudyard Kipling Primary	60
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	60
Secondary Admission Numbers 2025-26	
Name of school	Planned admission no. 2025-26
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 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. A sibling link applied for those living within the designated catchment area only. *(note c)*
4. Children living within the designated catchment area and eligible for Free School Meals. *(note d)*
5. Other children eligible for Free School Meals up to the city average. *(note d)*
6. Those pupils living in the designated catchment area for the school(s).
7. 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.

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 292652.



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.

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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.

Data from Oct 23 school census & Nov 23 GP data

Year of secondary entry	places available	numbers take from GP data (-10%)				school Census by year in Oct 23							Estimated number going to CN	Number Attending Kings	total/avera
		-4	-3	-2	-1	R	1	2	3	4	5	6			
		2034	2033	2032	2031	2030	2029	2028	2027	2026	2025	2024			
PACA catchment	220	158	167	182	177	263	230	236	224	272	255	235			
reduced by 1.96%		155	164	178	174	258	225	231	220	267	250	230			
adjusted for CN & Kings		115	124	138	134	218	185	191	180	227	210	190	25	15	
Number of FSM eligible pupils						48	58	59	60	72	73	71			
% of pupils in catchment area eligible for FSM						18%	25%	25%	27%	26%	29%	30%			26%
difference in pupil numbers from Oct 2022 forecast		6	6	-8	39	15	-9	1	0	2	-3				49
difference in final forecast numbers from Oct 22 forecast		6	6	-8	39	15	-9	1	1	3	-2				
Hove Park & Blatch catchment area	510	601	690	653	725	649	731	729	770	746	825	731			
reduced by 6.19%		564	647	613	680	609	686	684	722	700	774	686			
adjusted for CN & Kings		287	370	336	403	332	409	407	445	423	497	409	140	137	
Number of FSM eligible pupils						66	140	137	168	152	203	149			
% of pupils in catchment area eligible for FSM						10%	19%	19%	22%	20%	25%	20%			19%
difference in pupil numbers from Oct 2022 forecast		-19	9	4	-92	3	10	-8	-21	-27	0				-135
difference in final forecast numbers from Oct 22 forecast		-16	10	6	-84	5	11	-5	-18	-23	2				
Stringer & Varndean catchment area	630	565	575	641	670	651	647	683	678	681	665	707			
reduced by 2.71%		550	559	624	652	633	629	664	660	663	647	688			
adjusted for CN & Kings		477	486	551	579	560	556	591	587	590	574	615	67	6	
Number of FSM eligible pupils						116	137	173	178	163	185	176			
% of pupils in catchment area eligible for FSM						18%	21%	25%	26%	24%	28%	25%			24%
difference in pupil numbers from Oct 2022 forecast		1	-1	20	17	2	-6	2	-5	12	11				33
difference in final forecast numbers from Oct 22 forecast		-3	-5	15	12	-2	-10	-2	-9	8	7				
Longhill catchment area	270	204	236	206	248	270	288	302	295	327	314	308			
reduced by 24.07%		155	179	156	188	205	219	229	224	248	238	234			
adjusted for CN & Kings		104	128	105	137	154	168	178	173	197	187	183	46	5	
Number of FSM eligible pupils						73	85	99	107	122	102	114			
% of pupils in catchment area eligible for FSM						27%	30%	33%	36%	37%	32%	37%			33%
difference in pupil numbers from Oct 2022 forecast		6	-2	6	13	-1	-6	-2	-1	8	-2				9
difference in final forecast numbers from Oct 22 forecast		-2	-7	-2	3	-8	-12	-9	-9	-1	-9				
BACA catchment area	180	131	129	131	146	135	146	184	172	168	163	151	19	2	
reduced by 3.42%		127	125	127	141	130	141	178	166	162	157	146			
adjusted for CN & Kings		106	104	106	120	109	120	157	145	141	136	125			
Number of FSM eligible pupils						37	73	85	90	76	100	73			
% of pupils in catchment area eligible for FSM						27%	50%	46%	52%	45%	61%	48%			47%
difference in pupil numbers from Oct 2022 forecast		2	-3	3	-1	-2	9	-3	4	-1	-3				3
difference in final forecast numbers from Oct 22 forecast		5	0	6	2	2	13	1	8	3	1				
Patcham catchment area	225	129	161	163	176	185	226	243	253	243	224	288			
reduced by 5.29%		122	152	154	167	175	214	230	240	230	212	273			
adjusted for CN & Kings		97	127	129	142	150	189	205	215	205	187	248	23	2	
Number of FSM eligible pupils						14	36	52	41	53	45	57			
% of pupils in catchment area eligible for FSM						8%	16%	21%	16%	22%	20%	20%			18%
difference in pupil numbers from Oct 2022 forecast		10	3	1	2	-2	-1	-2	6	-2	-3				-2
difference in final forecast numbers from Oct 22 forecast		8	2	-0	1	-3	-2	-3	5	-3	-4				
Total for catchment area Schools	2035	1185	1340	1365	1514	1524	1627	1730	1744	1783	1792	1769			
Total for all Schools	2560	1672	1827	1852	2001	2011	2114	2217	2231	2270	2279	2256			
difference in final forecast numbers from Oct 22 forecast		7	14	26	-19	17	0	-8	-14	-6	2				
Number of surplus places	888	733	708	559	549	446	343	329	290	281	304				
% of surplus places	35%	29%	28%	22%	21%	17%	13%	13%	11%	11%	12%				

Equality Impact and Outcome Assessment (EIA)

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).

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	School Admission Arrangements 2025-26	ID No.⁶ FCL-102-Jan-24-EIA-School Admission Arrangements 2025-26	
Team/Department⁷	Families, Children & Learning – Education & Skills		
Focus of EIA⁸	<p>In response to the fall in pupil numbers in the city the Council proposed the reduction in Published Admission Number (PAN) of 9 primary schools. In addition, the Council proposed to introduce a new admission criterion for secondary schools that takes into account a child's eligibility for Free School Meals.</p> <p>Any proposed changes to the Council's admission arrangements are required to be consulted upon for a minimum of 6 weeks between October and 31 January approximately 18 months in advance of taking effect.</p> <p>This EIA is focussed on the proposed PAN reductions and the proposed new criterion for secondary school admissions. The EIA will also cover some factors potentially affecting staff at the school.</p>		

A public consultation process has taken place (from 7 November 2023 to 22 December 2023) and the results of the views of other admission authorities, adjoining neighbouring local authorities, Dioceses, schools' governing bodies, parents of children and any other people interested in the proposals have been gathered and inform this EIA document.

This Equalities Impact Assessment is looking at the impacts of the proposed closures to ensure that groups affected have been considered fairly and to help inform decision making. This document takes account of the Government's updates guidance on the Public Sector Equality Duty that outlines the purpose of an EIA and states: It is for the decision-maker to decide how much weight should be given to the various factors informing the decision. The duty does not mean that decisions cannot be taken which disadvantage some people (provided this does not constitute unlawful discrimination), but the decision-maker should be aware of the equality impacts of these decisions and consider how they could positively contribute to the advancement of equality and good relations. The decision-maker should consider ways of preventing, or balancing the effects that their decision may have on certain groups. They should decide which mitigations, if any, they might want to put into place in reconsidering the decision. The mitigation should be proportionate to the problem at hand.

Therefore, compliance with the general duty involves consciously thinking about the equality aims while making decisions. There is no prescribed process for doing or recording this.

The changes proposed in this consultation are for a reduction in PAN at: Brunswick Primary School, Goldstone Primary School, Patcham Infant School, Saltdean Primary School, Stanford Infant School and St Luke's Primary School. Together with the introduction of a new FSM admission criteria for secondary schools.

It is proposed to make no change to the PAN of: Queen's Park Primary School, Rudyard Kipling Primary School and Woodingdean Primary School.

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>PAN changes will have most impact on children and parents of those born between 1/09/2020 and 31/08/2021 who are due to start school in September 2025 and those born between 01/09/2013 and 31/08/2014 who are due to start secondary school in September 2025. The proposals will also impact on primary school age children who currently attend the schools where a change is proposed.</p> <p>There are projected to be 2189 children in the starting school age bracket, and it is estimated 1970 will require a mainstream reception school place in September 2025. There are projected to be 2279 children requiring a secondary school place</p>	<p>Regarding adults, the consultation received 1511 responses through the consultation portal. 62.9% of responders provided their age with the youngest being 21 and the oldest 90.</p> <p>Out of these responses provided 2.4% were under 30. 31.5% were aged between 30-39; 54.8% aged between 40-49; 8.7% were aged between 50-59 and 2.6% were 60 or older.</p> <p>Some responders expressed concern about getting younger siblings into the primary phase schools where reductions were proposed.</p>	<p>The number of responses to the consultation was approximately 36% of the child cohort in September 2025 when the changes in primary and secondary schools are proposed to be implemented.</p> <p>Respondents aged between 30 and 59 accounted for 95% of the responses.</p> <p>Responses to the admissions consultations and attendance at the public meetings were predominantly by people likely to have school age children and children attending the affected schools.</p> <p>Children due to start school in September 2025 or move into secondary education will be affected by changes</p>	<p>Ensure that there are sufficient school places in the planning and catchment areas to accommodate pupils starting a new school in Sept 2025.</p> <p>Those who cannot apply for a school place online can contact the school admissions team for support.</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
	in 2025.		to the admission arrangements and may be affected by not being able to attend school with their friends.	
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>Regarding adults, from the responses through the consultation portal, 7.0% identified as having a disability. 81.3% did not consider themselves to have a disability and 11.7% preferred not to say.</p> <p>Concerns were raised at public meeting about the ability of schools to support children with additional needs if the proportion of these children increases due to a drop in PAN.</p> <p>Concerns were raised at public meetings that larger schools have economies of scale so have more money, and in some case staff,</p>	<p>Parents with disabled children or who have a disability themselves may not be able to travel a distance to take their child to a school place further away, in the case of primary admission, or a change to secondary school admission priorities.</p> <p>There could be additional pressure on schools to put in place specific support programmes and interventions should the schools be reduced in size.</p> <p>The Council's own services may come under further pressure should parents whose children's needs were met by the school without any</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> <p>All B&H mainstream schools should be able to meet needs of non-EHCP children, albeit sometimes with additional support or resources.</p> <p>Consideration under the council's transport policy will be given to those parents/carers with disabled children or who have a disability themselves may not be able to travel a distance to take their child to a</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
		<p>available to provide pupils with identified additional support.</p> <p>In terms of secondary admission arrangements concerns were expressed about pupils with a disability being able to take up the opportunity of a school place away from their catchment area school and the issues of ensuring their full participation in the life of the school.</p>	<p>statutory process requesting additional support through formal processes and therefore increasing the Council's statutory responsibilities and costs.</p> <p>There may be some need to adapt physical environments to cater for disabilities which schools are experienced in doing.</p> <p>In terms of secondary school transition processes the original primary school may need to establish new protocols of communication with a receiving secondary school.</p> <p>Staff with disabilities may need additional support to apply for new roles if their role is at risk due to a change in PAN.</p> <p>Children who are unable</p>	<p>school place.</p> <p>The Vulnerability Index process that supports transition from primary to secondary school is being reviewed in light of other proposals and is available to be used by all primary and secondary schools in the city to aid communication about pupils moving from one school to another.</p>

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			to attend school with their peers or with others from their community may require additional support.	
Gender reassignment¹⁵	<p>We have not yet identified any disproportionate impacts on this group because the data available about parents/children's gender reassignment is inconclusive.</p> <p>We know that parents/carers may not want to disclose information about gender reassignment for reasons such as the perceive lack of support, fear of discrimination, personal choice.</p>	<p>Schools in the city work closely with Allsorts to understand the complex needs of gender diverse children and young people.</p> <p>Only 10 responses were received from those who did not identify as the sex they were assigned at birth.</p> <p>This matter has not been raised as part of the anonymous consultation process.</p>	<p>All schools in Brighton and Hove are invited to refer to the detailed guidance provided by the City Council known as the Trans Toolkit, and parents and children can be signposted to voluntary organisations who specialise in supporting families of children who are transitioning, or questioning their gender</p>	<p>A package of support is provided to the schools via Brighton & Hove's Trans Toolkit, which will be used to identify and meet the individual needs of children and young people.</p> <p>If individuals indicate that they need further support and assistance, then they will be signposted to the relevant support or community group that they can contact for additional assistance.</p> <p>If this characteristic is identified as an issue when considering a transfer to a new school by a pupil the council can assist to ensure that</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
				every situation is dealt with compassionately and fairly and that bespoke assistance is available if individuals request this.
Pregnancy and maternity¹⁶	<p>We do not hold data about pregnancies of the parents/carers in the cohorts of pupils that are affected by the proposed admission arrangements.</p> <p>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.</p> <p>Future or newborn children could be affected with an older sibling</p>	<p>Parents/carers who are pregnant or on maternity leave may find it difficult to get older children to school.</p> <p>Families have reported concerned about travelling to a new school with young pre-school children or when pregnant.</p>	<p>Reducing PAN at some schools may mean longer travel times for some families.</p> <p>Pregnant people could find it harder to access different schools if they are larger distances from their home.</p> <p>There needs to be sufficient places within a reasonable distance from families where there is a pregnant adult or an adult on maternity leave.</p>	<p>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.</p> <p>We will work with the schools to accommodate any bespoke needs and provide support to all those where we are aware that their circumstances mean that they require additional support.</p> <p>HR advice can be provided for pregnant school staff.</p> <p>The risk assessment tool is available to support</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
	<p>changing school as it could affect where they go to school and may impact on parents' decisions about which schools to apply for.</p> <p>Staff who are new parents may find it difficult to get flexible working arrangements agreed at a new school.</p>			<p>pregnant staff.</p>
Race/ethnicity¹⁷ Including migrants, refugees and asylum seekers	<p>The data available for pre-school pupils indicates an increased percentage of Black and Racially Minoritised 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 2025.</p> <p>In January 2023, 30% (9,469) of pupils in Brighton & Hove schools who supplied their data</p>	<p>Regarding adults, from the consultation, 22.6% of those who responded by providing details identified as other than white British and 77.4% identified as white British. 380 respondents did not answer this question or did not want to specify their ethnicity, this is approximately 25% of the consultation responders.</p> <p>There were no formal requests for consultation documentation in alternative formats.</p>	<p>In some allocation years a higher percentage of pupils from Black and Racially Minoritised communities apply late or are directed to a school that was not a preference.</p> <p>Children who have experienced racism may need additional support to settle into a new school if they are unable to be placed with their friends because of a reduction in PAN at a preferred school.</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 and to accommodate pupils who can't secure a place at their preferred school due to the distance tie break.</p> <p>All schools are expected to deliver a rich curriculum suitable to all pupils who attend the school. Schools are expected to celebrate the experiences of families in</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
	<p>identified as an ethnicity category other than White British. This is an increase of 377 pupils since January 2022. The national figure is higher, at 34.5% of pupils.</p> <p>33% of late school applications were submitted by Black and Racially Minoritised families and for a further 19% there is no ethnicity information.</p> <p>76.4% of Black and Racially Minoritised families who applied received their first preference school compared to 82% of white British families.</p> <p>In January 2023, for the cohort joining Secondary school in Sept 2025, 32% of pupils were identified as an ethnicity category other than White British.</p>	<p>There are concerns about pupils' exposure to racism on journeys to and from school. This could be exacerbated by pupils eligible for FSM being allocated places at schools outside of their catchment area.</p>		<p>the city and from other areas. We expect the school's to demonstrate understanding of lived experiences of migrants and asylum seekers, and we are committed to supporting schools in further developing their understanding and making reasonable adjustments to ensure curriculum is accessible to all.</p> <p>Migrants, refugees, asylum seekers and traveller children requiring places outside the usual admission rounds and unable to secure a place at their preferred school can be placed through the fair access protocol.</p> <p>If children or parents/carers indicate that they are experiencing discrimination, there will</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
	32% of children eligible for Free School Meals identified as an ethnicity category other than White British.			<p>be signposting in place to ensure that they have the relevant support that they need or access to a relevant discriminatory community group that they can contact for additional assistance.</p> <p>Anti-Racist Education Strategy" that is now in its third year. There includes a comprehensive package of training and support available for schools. Where a school has not engaged yet in the full training offer, we can be proactive in offering this as a priority for all staff and provide additional support from our seconded team of teachers to ensure each setting is taking appropriate steps. Whilst we are not complacent, many of the schools well placed to take children are already engaging</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
				with the strategy and will have a foundation of knowledge and practice upon which we can build.
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. A number of these schools do prioritise children of other faiths above children of no faith. None of the faith schools are proposing a reduction in PAN for September 2025, however there are currently proposals being consulted upon to close a church aided primary school in the city.</p> <p>22% of first preference applications for September 2023 were for church aided schools and 78% expressed a first preference for secular</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>65.3% of responders to the consultation indicated they have no particular religious belief or preferred not to say. 11.8% of all responders did not answer this question. 12.4% of those who did reply were Christian.</p>	<p>All schools identified for a reduction in PAN are community schools and this could potentially have a disproportionate impact on pupils with no faith.</p> <p>Faith schools in the city are responsible for their own admission arrangements and the council cannot consult on changes to their PAN or the introduction of a criterion for Free School Meals.</p>	<p>The council will continue a dialogue with both Catholic and Anglican diocese about the part church schools can play in helping to reduce the number of surplus places in the city.</p> <p>The council will need to ensure that there are sufficient secular school places available for all residents who require one within a reasonable distance.</p> <p>All schools should ensure that appropriate cultural provisions are in place for families (i.e. multi-faith rooms, dietary requirements etc.).</p>

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	schools.			
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>We are aware that parents/carers may be in situations where they are on maternity/paternity leave, are single parent families, and/or from same sex families or non-binary families. Their lived experience may mean they may not want to engage not have time or energy to engage with a school closure and the issues associated with it.</p> <p>Additional burdens due to the cost of living could have disproportionate impacts on women due to the nature of their</p>	<p>Regarding adults, 74.8% of responses who replied to this question were submitted by females and 24.4% by males. 21.6% of all responders to the consultation did not answer or preferred not to say.</p> <p>We've primarily heard from women throughout the consultation where issues have been raised about places being available where parents have a preference for their child(ren) to attend.</p>	<p>This proposal could impact on women's, with pre-school children, ability to seek employment if parental preferences are determined by how they would facilitate being in work.</p>	<p>If we are aware of any circumstances where individuals need support, we will ensure that this group is supported and that the school is also supported in using the school's trans toolkit.</p> <p>Have awareness of any socio-economic issues that will require further support with securing a school place.</p> <p>If children or parents/carers indicate that they are experiencing discrimination, there will be signposting in place to ensure that they have the relevant support that they need or access to a relevant discriminatory community group that they can contact for</p>

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	employment types and barriers to employment for those with sole childcare responsibilities. There may be children that identify as non-binary. Most staff working in schools will be women.			additional assistance.
Sexual orientation²⁰	We have not yet identified any disproportionate impacts on this group because the data available about parents/children's sexual orientation is inconclusive.	Regarding adults, 92.2% of the 247 respondents who provided details on their sexual orientation were submitted by heterosexual respondents. 7.3% by gay/lesbian or bisexual respondents. 32.9% of all respondents to the consultation preferred not to say or did not answer.	We are not aware of any identified disproportionate impacts because the data is not available. However, we are aware that discrimination against sexual orientation remains a prevalent issue.	If we are aware of any circumstances where individuals need support, we will ensure that this group is supported and that schools are also supported in guiding people through to resources and signposting support. Voluntary sector organisations are available for support for children and families regarding their sexual orientation in the city. Any staff processes such as staff redesign must

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				not take this into account.
Marriage and civil partnership²¹	We have not yet identified any disproportionate impacts on this group because the data available about parent/carer marital or civil partnership status is inconclusive.	No data is collected on this matter. This did not come up as an issue or consideration in the consultation.	There may be discrimination around civil partnerships and gay marriages and families may find it harder to access community resources in the school area and could experience discrimination.	If we are aware of any circumstances where individuals need support, we will ensure that this group is supported and that schools are also supported in guiding people through to resources and signposting support.
Community Cohesion²²	The schools identified in the consultation are mostly in different planning areas serving different communities within the city. St Luke's Primary School has 14% of pupils within the 10% most deprived areas of Britain and 20% of pupils within the 20% most deprived areas of Britain. The other schools within the proposals have 1% or	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 to instigate a cohesive community response to the proposals that may disproportionately influence the decision making about which schools will have their	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 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	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. 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

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	<p>less of pupils within the 10% most deprived areas of Britain and less the 5% (except Goldstone with 13%) of pupils within the 20% most deprived areas of Britain.</p> <p>28% of pupils are currently eligible for Free School Meals for the cohort joining Secondary school in Sept 2025.</p> <p>The free school meal (FSM) protections policy was introduced in 2018 to protect those eligible for FSM from becoming ineligible while Universal Credit (UC) is being rolled out. This means that a pupil who was FSM eligible on 1 April 2018, or who has become eligible under the benefits/low-earnings criteria since then, will continue to receive free meals, even if their household income</p>	<p>PAN reduced.</p> <p>Some communities may not be adequately represented in public meetings or in the responses to the consultation.</p> <p>Although introducing a priority for children eligible for Free School Meals will give parents of these pupils a realistic chance to be offered any community school in the city that they apply for. A parent's choice could be limited by the cost of transport required getting to that school each day.</p> <p>Children and Young people's mental health can be affected by decisions about school places especially when placed away from their friendship group or support within the community.</p>	<p>more replies and in a variety of ways.</p> <p>Parents of children eligible for Free School Meals, may not be able to afford to pay for the transport to get their children to their school of preference.</p> <p>There may be children who are eligible to be allocated school places under the Free School Meals priority who are then re-assessed and no longer eligible when they start secondary school. These pupils won't be considered under the extended entitlement for Home to School transport assistance.</p> <p>Classroom and school dynamics may change resulting from changes in admission arrangements to schools.</p>	<p>comprehensive education offer.</p> <p>Clear information needs to be provided to parents about the Free School Meals priority and the council's Home to School Transport policy so parents don't apply for and get allocated a school place where transport costs would be too expensive for them.</p> <p>Schools will need to have the ability to access support services to help mitigate the impact of community cohesion should proposed changes take effect.</p>

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	exceeds the eligibility threshold, up until March 2025 and then until the end of their phase of education. This means that there will be pupils who are eligible for Free School Meals when they apply for a secondary school place but who may no-longer be eligible when they actually start secondary school because they will have been re-assessed.	Schools may not be able to afford the interventions, required to facilitate good community cohesion amongst pupils and families attending the school.	Some families may struggle with informal childcare e.g. relying on friends and family members with children at the same school. Schools unable to afford the interventions without statutory or similar processes being undertaken which would impact on the council's own responsibilities and budgets.	
Families with English as additional language	In January 2023, 15.5% (4,861) of Brighton & Hove pupils were exposed to a language other than English in their home. This is an increase of 263 pupils since January 2022, but lower than the latest national figure of 19.5%. The percentage of pupils with English as an additional language varies across primary schools and planning	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 and those from Black and Racially Minoritised may struggle to understand the detail and implication of the proposed changes to the admission	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. The higher number of families with English as an additional language applying late could be contributed to several factors such as these	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. This is particularly important for schools in areas with a high proportion of these pupils. Greater emphasis needs to be made to reach

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	<p>areas.</p> <p>In October 23, Brunswick Primary School have 30.4% of pupils where English is an additional language and families speaking 40 different languages. Goldstone Primary School have 10.9% of pupils where English is an additional language and families speaking 16 different languages. Patcham Infant School have 4.1% of pupils where English is an additional language and families speaking 11 different languages. Saltdean Primary School have 10.4% of pupils where English is an additional language and families speaking 25 different languages. St Luke's Primary School have 9% of pupils where English is an additional language and families speaking 20 different</p>	<p>arrangements in the city.</p> <p>Schools may not have sufficient economies of scale to provide additional support to those pupils who have English as an additional language. This may limit the progress pupils can make should they not have access to interventions.</p>	<p>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>Interested parties from other race/ethnic groups could find it harder to access community resources in the new school area and could experience discrimination.</p>	<p>these families and make them aware of the school admissions applications process. This group may be unaware of the school admissions timescale, so additional steps would be taken to engage these families with this consultation.</p> <p>Continue to work with EMAS to increase engagement with the admissions process for families with English as an additional language.</p>

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	<p>languages. Stanford Infant School have 11.7% of pupils where English is an additional language and families speaking 12 different languages.</p> <p>There is relatively high deprivation amongst many of the families with English as additional language.</p> <p>In January 2023, 17% of children eligible for Free School Meals in the city have English as additional language.</p>			
Other relevant groups 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>Across the city, 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</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</p>	<p>We need to ensure that the profile of children and young people accessing school places are not discriminated against and can access school provision.</p> <p>We recognise that care experienced children are likely to have experienced trauma and the school admission</p>	<p>Brighton & Hove City Council have adopted Children in Care and Care Experienced as a protected characteristic.</p> <p>Children in care and previously looked after children have the top admission priority when applying for school places.</p>

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	<p>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>experience are enabled to have the same opportunities as any other child or young person.</p> <p>1.9% of responders who provided information have been a Child in Care or Care Experienced Young person. 90.1% had not and 8.0% preferred not to say.</p> <p>Schools may not have sufficient economies of scale to provide additional support to those pupils who have previous care experience. This may limit the progress pupils can make should they have access to interventions.</p>	<p>process could reignite those negative feelings depending on the outcome of allocations of pupils with lower priority.</p> <p>It can be expected that parents who were themselves care experienced may also re-experience the trauma that was present earlier in their lives.</p>	<p>The virtual school has a responsibility to support children in care and those known to a social worker.</p>
Cumulative impact²³	A range of steps were taken to enable people to engage with the consultation process.	The Council has heard from families who have reported they will be negatively impacted and	Families may fear discrimination throughout the application process to secure a new school	The Council will ensure there are sufficient places for all pupils so that a

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	<p>Information from the online consultation events was available after the event.</p> <p>The lived experience of many families may mean they may not want to engage not have time or energy to engage with a consultation to change admission arrangements or school's PANs and the issues associated with it.</p> <p>We are aware that there will be people who may be impacted because of multiple protected characteristics. Multi layered impacts on certain people may exist which could severely impact their ability, desire, or access to engage with the consultation.</p> <p>The lived experience of many families may mean they may not want to</p>	<p>disadvantaged by the reduction in places at certain primary schools and concerns about the potential impact of a new FSM category for secondary aged pupils. closure of the school.</p>	<p>place.</p> <p>A school move for those who have added socio-economic issues may add an extra layer of stress to those families.</p> <p>A school move for those who have added socio-economic issues may add an extra layer of stress to those families.</p> <p>Children and families may not receive the same support in a setting if its PAN has been adjusted or the cohort of pupils changes significantly.</p>	<p>reasonable offer can be made.</p> <p>For those having to travel greater distance consideration of support for transport assistance will be made in line with the current policy on Home to School transport.</p> <p>Statutory services will need to be available to support schools whose only deliverables are impacted by a change in economies of scale.</p> <p>Schools need to be aware of the impact on children and young people's mental health when not educated as part of their own community.</p>

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	engage not have time or energy to engage with a school closure and the issues associated with it.			
Assessment of overall impacts and any further recommendations²⁴				
<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 continued reduction in school places to match dropping pupil numbers 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>By not reducing the number of surplus places in the city in the longer-term school occupancy rates will not increase meaning that school budgets will remain lower and this may make more schools less viable. As schools are more likely to be able to balance their budgets if operating with full, or close to full, forms of entry.</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>In considering the proposals it is important for the Council to ensure that there are sufficient school places in all areas of the city for all pupils to be able to attend a local school.</p> <p>Staff could be at risk of being made redundant if a school is required to re-organise to educate a smaller cohort of children. Where staff have needs around protected characteristics, the employer will need to ensure additional steps and support are taken where necessary.</p> <p>Schools will need to work together to support families and children whose school place is not with their friendship group or those considered part of their community. This is particularly relevant where English is an additional language and for Black and Racially Minoritised families.</p>				

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<p>The Council recognises that whilst the consultation reached many, there will be some the Council has not heard from directly.</p> <p>The Council is proposing to reduce the Published Admission Number of 6 schools to reduce the number of unfilled places across the city. After consideration of the responses to the consultation, the Council is not proposing to reduce the PAN of: Queen's Park Primary School, Rudyard Kipling Primary School or Woodingdean Primary School.</p> <p>The Council is also proposing to introduce a new admission priority in its secondary school arrangements for pupils who qualify for Free School Meals.</p> <p>It is forecast that pupil numbers will continue to fall until, at least, 2027 with the estimated number of children needing a starting school place reducing from 1970 in 2025 to 1787 in 2027. As a result, the Council is seeking to reduce the number of unfilled places across the city. It is doing so in full knowledge that the Schools Adjudicator may overturn individual decisions on appeal, as a result of their need to consider the role of parental preference. However, the Council is seeking to signal clear intent to seek to protect the wide range of schools in the city and ensure the availability of school places to all communities in the city.</p> <p>Any objection will be robustly defended and the Adjudicator's attention will be drawn to the fact that the Council is continuing to propose the closure of two one form entry primary schools and 33 out of 61 schools are forecasting a deficit position at the end of the financial year.</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)
October 2023 school census	October 2023	Census does not cover all protected characteristics – some data is from the fuller January	
Admissions consultation sought views through the council's consultation portal and themes identified in series of virtual public meetings.	7/11/2023 – 22/12/2023	Equalities monitoring questions relating to marriage or Civil partnership were not asked.	
Infant & Primary school allocation data	September 2023		

5. Prioritised Action Plan²⁵

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.				
All	Ensure all actions identified by grouping in this EIA are fulfilled, especially those supporting under-represented and minoritised groups of families, children and staff for instance actions identified for reaching migrant, asylum seeker, those who are Gypsy, Roma, Travellers, Black and Racially Minoritised and those with English as an additional language.	Improved communication that is more far-reaching coupled with appropriate outreach and proportionate and planned targeted community engagement.	Consultation and engagement is planned and reaches diverse and under-represented and Minoritised communities intersectionally – report and internal monitoring to be conducted successfully.	For September 2025
Parents with disabled children or have a disability themselves may not be able to travel a distance to take their child to a school place	There needs to be sufficient places within a reasonable distance of families including those families who have someone with a disability living with them.	All families able to access a school within a reasonable distance	All families able to access a school within a reasonable distance	For September 2025
In some allocation years a higher percentage of pupils from Black and racially Minoritised families apply late or are directed to a school that was not a preference.	Important to ensure that there are some surplus places in each planning area so there are local school places available for any late applicants and to accommodate	Reduce any disadvantage for this group when applying for school places.	Increase in percentage of these pupils receiving a school of preference.	For September 2025

	<p>pupils who can't secure a place at their preferred school due to the distance tie break.</p> <p>Continue to work with EMAS to increase engagement with the admissions process for families with English as an additional language.</p>			
All schools identified for a reduction in PAN are community schools and this could potentially have a disproportionate impact on pupils with no faith. (although a church aided school has been proposed for closure subject to consultation)	The Council will need to ensure that where PANs are reduced there are sufficient secular school places for the number of pupils in these areas.	Sufficient secular school places for all families wanting this type of education.	Pupils are not directed to a voluntary aided school when this is not a preference.	For September 2025
Pupils with SEND in mainstream classes could have their provision affected by the proposals.	Ensure pupils with SEND are not adversely impacted by the reduction of PAN in any school. This will include considering if sufficient places are available in other schools in the city.	That all pupils continue to receive the support that they require.	That no pupil's education provision is adversely affected by the changes in PAN.	For September 2025
There may be children who are eligible to be allocated school places under the Free School Meals priority who are then re-assessed and no longer eligible when they start secondary school. These pupils won't be	Clear information needs to be provided to parents about the Free School Meals priority and the council's Home to School Transport policy so parents don't apply for and get allocated a school place where	All families able to make informed choices in their school applications	That all pupils are able to access their allocated secondary school.	For September 2025

considered under the extended entitlement for home to school transport assistance.	transport costs would be too expensive for them.			
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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: 10.1.24

Directorate Management Team rep or Head of Service/Commissioning: Jo Lyons

Date: 11.1.24

CCG or BHCC Equality lead: Jamarl Billy, Equality, Diversity, and Inclusion (EDI) Business Partner
and Sabah Holmes, EDI Manager

Date: 11-January-24

Approved with clarifications/ amendments put in place in response to Jamarl's comments and feedback.

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 **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

²⁴ **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?

²⁵ **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 49

Subject: Families, Children and Learning Fees and Charges 2024/25

Date of meeting: 22 January 2024

Report of: Executive Director Families, Children & Learning

Contact Officer: Name:
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Ward(s) affected: All

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT:

- 1.1 The purpose of the report is to review the Families, Children and Learning Services fees and charges in accordance with the corporate policy.

2. RECOMMENDATIONS:

- 2.1 That the implementation of new fees & charges rates is as soon as practicably possible.
- 2.2 That the position on fees charged for nurseries as detailed in section 3.3 be agreed.
- 2.3 That the position on fees and charges for Childcare Workforce Development as detailed in section 3.4 be agreed.
- 2.4 That the position on fees and charges for the Early Years Quality Improvement Programme as detailed in section 3.4.6 be agreed.
- 2.5 That the position on the charges for school meals as detailed in section 3.5 be noted.
- 2.6 That the position on fees and charges for Adult Education Courses as detailed in section 3.6 be agreed.
- 2.7 That the position on fees and charges for Home to School Transport as detailed in 3.7 be agreed.

Note: If the above recommendations are not agreed, or if the committee wishes to amend the recommendations, then the item will need to be referred to Strategy Finance & City Regeneration Committee meeting on 8th February 2024 to be considered as part of the overall budget proposals. This is because the budget is being developed on the assumption that the fees and charges are agreed as recommended and any failure to agree, or a proposal to agree different fees and charges, will have an impact on the overall budget, which means it will normally need to be dealt with by Strategy Finance & City Regeneration Committee as per the requirements of the constitution. This does not prohibit the service committee from making alternative recommendations to Strategy, Finance & City Regeneration Committee.

3. CONTEXT/ BACKGROUND INFORMATION:

- 3.1 As part of the budget setting process Executive Directors are required to agree changes to fees and charges through relevant Committee Meetings. The management of fees and charges is fundamental both to the financial performance of the City Council and the achievement of the Council's corporate priorities. The council's Corporate Fees & Charges Policy requires that all fees and charges are reviewed at least annually and should normally be increased in line with the cost of providing the service to maintain income in proportion to the net cost of service. The Corporate Fees & Charges Policy also stipulates that increases above or below an agreed 'corporate rate of inflation' should be approved by committee. However, it should be noted that the corporate rate of inflation (3.5% for 2024/25) is not a default rate of increase and is a financial planning assumption only, set early in the financial year, and should not therefore determine actual increases which should normally reflect current and projected inflationary cost pressures to ensure that income is maintained in proportion to expenditure.
- 3.2 The committee are advised if the proposed fees & charges recommended in this report are not agreed, or if the committee wishes to amend the recommendations, then the item will normally need to be referred to the Strategy Finance & City Regeneration Committee meeting on 8 February 2024 to be considered as part of the overall 2024/25 budget proposals. This is because the 2024/25 final budget proposals will have been developed on the assumption that fees and charges are agreed as recommended and therefore any rejection or amendment of the proposed fees and charges, may have an impact on the overall budget proposals, which means it would need to be dealt with by Strategy, Finance & City Regeneration Committee as per the requirements of the constitution. However, this does not fetter the committee's ability to make recommendations to Strategy, Finance & City Regeneration Committee.

It is not always possible when amending fees and charges to increase by the exact inflation figure due to rounding. As a result, some fees and charges are rounded for ease of payment and/or administration.

3.3 Nurseries

3.3.1 Part of the council's early year's strategic action plan is to provide high quality childcare in the most disadvantaged areas to ensure local children can access provision. Council run nurseries are:

- Acorn Nursery – North Portslade Children's Centre
- Bright Start Nursery – Old Slipper Baths (North Laines)
- Cherry Tree Nursery – Hollingdean Children's Centre
- Jump Start – Moulsecoomb Children's Centre
- Roundabout Nursery – Roundabout Children's Centre (Whitehawk)

3.3.2 The nurseries provide free part-time early education places for low-income families of two-year olds and for three & four year olds, and childcare that parents pay for. All the nurseries are based in buildings owned by the Council.

3.3.3 The Council subsidy for the nurseries in 2023/24 was £1.215m, which includes £150k of pressure funding, with each of the council nurseries receiving a subsidy of at least £200k.

Funding for free childcare places for 2,3 and 4 year olds

3.3.4 Early years free entitlement is being extended from April 2024. Disadvantaged two-year olds will continue to be entitled to 570 hours a year free childcare from the term after their second birthday. In addition to this from April 2024 two-year olds of working parents will be entitled to 570 hours a year, and from September 2024 children from the age of nine months of working parents will also be entitled to 570 hours a year. A key priority is to ensure there are sufficient high-quality places for these children. The government has published indicative funding rates which are £9.22 per hour for two-year olds (compared to a national average of £8.17) and £12.52 per hour for nine month olds (with the national average being £11.06).

3.3.5 All three- and four-year-olds are entitled to 570 hours (15 hours a week, term time only) of free childcare. Some three- and four-year-olds whose parents are working are entitled to 1,140 hours per year (this is the universal entitlement of 570 hours, plus an additional entitlement of 570 hours). Funding is allocated to local authorities by government on a national formula. The original gross rate for Brighton & Hove in 2023/24 is £5.02 per hour which is currently below the national average of £5.40. The current average rate in the Southeast is £5.36. These figures refer to the total rate paid to the local authority and include inclusion funding and central costs. The council is passing on at least 95% of its funding allocation to childcare providers, with an average hourly rate of £4.58. This is less than the average fee that parents pay for childcare. For the period September 2023 to March 2024 the government is providing councils with an early year's supplementary grant that will result in increased payments to early years providers for free entitlement provision over this time. The gross rate for three and four years will increase from £5.02 per hour to £5.53 per hour from September 2023.

3.3.6 Final national free entitlement funding rates for 2024/25 are likely to be published in December 2023.

Nursery Fees

3.3.7 The existing fee policy for the Council nurseries is:

- £6.00 for all ages of children
- £2.65 for lunches and teas. Breakfast and snacks are included in the hourly rate. Parents can choose to bring a packed lunch.

3.3.8 The proposal is to increase fees by 3.5%. This is in line with the expected corporate rate of inflation of 3.5%. The proposals are to:

- Increase the standard hourly rate of £6.00 for all ages of children to £6.21. This is a 21p per hour increase.
- Increase the cost of meals by 9p to £2.74 per meal for lunch or tea by the inflation rate of 3.5%.

3.3.9 There is a range of help from the Government for parents with childcare costs in addition to the free early year's entitlement of 15 or 30 hours. Parents on Universal Credit can claim up to 85% of childcare costs and parents on higher incomes can apply for Tax Free Childcare which will pay 20% of their childcare costs (see paragraph 5.3.1).

3.4 Childcare Workforce Development

3.4.1 It is proposed that charges for early years and childcare providers for childcare training should increase by 3.5%, rounded to the nearest pound:

Training	Brighton & Hove 2023/24	Providers outside Brighton & Hove 2023/24	Brighton & Hove 2024/25	Providers outside Brighton & Hove 2024/25
Full day face to face	£68	£108	£70	£112
Half day face to face	£45	£76	£47	£79
Full day online (live)	£32	£64	£50	£94
Half day online (live)	£17	£32	£30	£50
Safeguarding face to face	£22	£43	£23	£45
Safeguarding e-learning	£20	£38	£21	£39
E-learning	£11	£22	£11	£23
Job advertisement	£74	£130	£77	£135

3.4.2 The charges for live online courses have been increased more significantly because the cost of providing these is only slightly lower than the cost of providing

face to face courses. These are different from e-learning which is not a live offer and can be accessed at any time.

- 3.4.3 The increase in charges is being kept to a minimum, because of the limited ability of early years providers to pay for training. We want childcare providers to continue to access our high-quality training programme in order to maintain the quality of early years provision in the city.
- 3.4.4. Providers will receive an increase in their funding for two year olds and for three and four year olds in April 2024. The amount is not yet known. However, they will also have increased costs because of the uplift in the national living wage from April 2024, particularly for younger staff members. Much of the early years workforce is on minimum wage and many providers employ younger staff and apprentices for whom the NWL percentage increases are significant.
- 3.4.5 Benchmarking of training costs with other local authorities is difficult because pricing is not easily available and is not consistent. In addition, some local authorities include training with a subscription for other services.

Early Years Quality Improvement

- 3.4.6 There is a charge of £150 per module for early years providers completing the Quilt quality improvement programme. This charge is waived for providers with a large number of disadvantaged children to support closing the gap between these children and their peers.

3.5 School Meals

- 3.5.1 The cost of school meals to the local authority (schools) is inflated annually in accordance with the price review mechanism detailed in the school meals contract as outlined below. The current contract started on 1 August 2018 for a period of 4 years with an opportunity to extend up to 24 months. As a fully delegated service, schools may choose to buy into the contract or make their own school meals arrangements. All secondary schools and secondary academies within the city and the Bilingual Primary School, City Academy Whitehawk and Moulsecoomb Primary and West Blatchington from 1st January 2024 provide meals, including free meals to entitled pupils, through their own individually negotiated contracts.
- 3.5.2 The charge for school meals in primary schools increased by 35p per meal to £2.60 from 30th October 2023. The price was last increased in January 2023 from £2.20 to £2.25. The contract requires the payment of the Living Wage (Living Wage Foundation) to employees. Any decision to increase the selling price to parents will be made by July 2024 for implementation from 1st September 2024 and will be based on the new contract to be awarded in April/May 2024. It is likely that the indices used for future price reviews will be those detailed below:

The meal cost will be varied in line with the following two indices:

a) Food element

Annual movement in the Retail Price Index (all items) as published by the Office for National Statistics. (Food CHBA)

b) Labour element

The labour element will increase based on the percentage (%) annual movement as agreed by the Living Wage Commission for the UK Living Wage (outside of London).

c) Management Fee

The Management fee price will vary in line with the annual movement in the Consumer Price Index (all items) published by the Office for National Statistics.

As this is built into the contract terms and conditions, approval by the Children, Families & Schools Committee would only be sought if an increase exceeding the direct inflationary impact detailed above was being proposed.

3.5.3 Under the current contractual arrangement there continues to be a low fixed cost in the form of a management fee and a higher variable cost for each meal served, this ensures that the contractor should be more inclined to increase sales as we have seen with the previous contract. This budget area is now operated in a way that the need to fulfil a shortfall would be most unlikely and this is being demonstrated through the current contract performance and the continued support of central government grant funded Universal Infant Free School Meals (UIFSM). There are strong incentives for the contractor to grow the service and these are supported by successful partnership working with the Council. The full increased cost of free school meals has not been passed onto schools for the financial year 2023/2024, this will be mitigated through the use of the free school meals supplementary grant.

3.5.4 The decision for the price to be increased for all meals served from 30 October 2023 instead of September 2023 was to try to maintain numbers of children choosing to have a school lunch during the period of economic uncertainty and the cost of living crisis pressures to support families. The majority of income from school meals is now funded from Free School Meals charges made to schools for children where guardians are in receipt of a qualifying benefit and grant funding provided to cover the provision of UIFSM. As school budgets experience increased pressure it is important that any increased costs of meals are recouped to mitigate any further negative impact.

The increase in contract meal prices from August 2023 was much higher than in previous years. Schools were advised of the impact on charges for meals provided for FSM and UIFSM and the increase from £2.25 to £2.60 for cash paying customers from October 2023.

3.6 Adult Education Courses

Pound Plus is a term used by the Education and Skills Funding Agency to describe additional income or added value generated by providers of adult education over and above the core Adult Education Budget. It is important because generating additional income allows us to maximise the value of public investment and is used to increase the service, we can provide to residents.

All courses are funded by the Education and Skills Funding Agency. In order to receive this money, we must ensure that public funding is focused on people who need it most, those least likely to participate in learning. We therefore collect fees from people who can afford to pay, unless otherwise prescribed by the ESFA, and use these to extend provision to those who cannot. In addition, we will look to increase the value of funding received for Community Learning using the principles of Pound Plus by working closely with partners to access free or reduced cost resources.

As part of our 'Pound Plus' commitment, the Adult Education Hub will fully waive fees for evidenced unemployed people/learners in receipt of one of the following benefits or on a low income:

- Job Seekers Allowance
- Employment Support Allowance
- Income Support
- Earning Less than £20,319

Other learners may also be exempt from fees that meet the ESFA funding guidance. These may include full time carers of adults, refugees and asylum seekers.

For those that can afford to pay and do not meet any of the above the rate of £5 per hour will be charged for the 2023/2024 academic year.

3.7 Home to School Transport

At the Children, Families and Schools Committee meeting in November 2023, it was agreed that for the academic year starting in September 2024, there would be a financial contribution of the same value as a CitySAVER ticket towards taxis and minibuses for pupils of sixth form age with special educational needs and disabilities. No contribution will be requested where families experience low income or in circumstances where the young person travels with a specialist professional (e.g. nurse or medically trained support staff) and/or large/essential medical equipment. No contribution will be expected from families who receive a personal travel budget.

At the time of writing the CitySAVER ticket is set at £547.00.

According to [National Guidance on Post 16 transport and travel support to education and training](#) there is no legal requirement for Local Authorities to provide free or subsidised travel support to young people of 'sixth form age' (16-19), including those with special educational needs and or disabilities.

The LA has a statutory duty in respect of 'adult learners' (aged 19 to 25 with an ECHP). Any transport arrangements provided under this duty must be free of charge if they are considered 'necessary' to facilitate 'education and training'. The overall intention of the adult transport duty is to ensure that 'those with the most severe disabilities with no other means of transportation can undertake further education and training after their 19th birthday to help them move towards more independent living.'

As outlined in the draft Post 16 Transport Policy Statement 2024-2025 that accompanied the committee report, an invoice will be sent, and payment will usually be made either annually or termly, but can be made differently, e.g. in monthly instalments, if preferred.

Payment will usually be made via Direct Debit except where another payment method has been agreed.

Transport will not usually be arranged until the first payment is made. Transport may be ceased if payments are not made on schedule - if this occurs the council will always first contact the parent/carer to try and avoid this action.

If family's qualification under the low-income criteria changes part way through the year families must let the Council know.

4 COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 Budget holders with responsibility for specific fees and charges were consulted in the preparation of this report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The total Families, Children and Learning fees and charges budget for 2023/24 is approximately £2.5m excluding schools.

The fees and charges recommended in this report have been reviewed in line with the Corporate Fees & Charges Policy and all relevant regulations and legislation. The anticipated recurring financial impacts of fee changes will be reflected within service revenue budgets. Increases to meet the corporate rate of inflation of +3.5% should normally be applied to all council income budgets as a minimum. However, this rate is set early in the year, as part of the Medium Term Financial Strategy, and may not match current inflation rates. Fees and Charges should therefore take into account current rates of inflation and be uplifted accordingly to ensure income is maintained as a proportion of the net cost of service wherever possible. Constitutionally, increases above or below the corporate rate of inflation must be approved by the relevant service committee or Strategy Finance & City Regeneration Committee and can result in additional contributions toward either the cost of services and/or overheads. This can also result in the achievement of a net budget saving to the council. Where this is the case, this will be reflected in proposals for the relevant service and will be incorporated within the revenue budget report to Strategy Finance & City Regeneration Committee and Budget Council in February 2024. Income from fees and charges is monitored as part of the Targeted Budget Monitoring (TBM) process.

Finance Officer Consulted: Louise Hoten

Date: 14/11/2023

Legal Implications:

- 5.2 Families, Children and Learning Services are entitled to review fees and charges as set out in the report. At the time fees and charges are set they must be demonstrably fair and reasonable in all the circumstances. This report sets out the analysis against which the recommendations have been made and the statutory obligations of the council in relation to the funding of the services set out in the report.

Lawyer Consulted: Serena Kynaston

Date: 04/12/2023

5.3 Equalities Implications:

- 5.3.1 Equal access to childcare is encouraged by ensuring that the nurseries all offer the universal free early years entitlement of 15 hours a week for all 3 & 4 year olds and eligible two year olds. The entitlement for 3 & 4 year olds with working parents is 30 hours (term time only).
- 5.3.2 Two-year olds from low income working families are eligible for free childcare in addition to two-year olds from families on out of work benefits. Parents on Universal Credit are entitled to claim 85% of childcare costs. Parents on higher incomes may apply for Tax Free Childcare. For every £8 a parent pays into their childcare account, the government will pay in an extra £2 up to a maximum of £2,000. Parents can then use this money to pay their childcare provider.
- 5.3.3 Equal access to school meals is provided by all primary and special schools through participating in a citywide contract that is the same meal at the same price available to all pupils. The contract specifies that provision should be made for modified meals required on the grounds of cultural, religious or medical requirements.

Sustainability Implications:

- 5.4 There are no direct sustainability issues arising from this report.

Crime & Disorder Implications:

- 5.5 There are no direct crime and disorder issues arising from this report.

Social Value and Procurement Implications

- 5.6 Social Value is about securing maximum impact on local priorities from all public investment. The city seeks to maximise social value by focusing particularly on strengthening communities through collaborative working across the public, private and community and voluntary sectors.

The School Meals Service provides significant funding in the order of £3.5m pa to the local and wider economy through its school meals contract. The contract requires employers delivering services on the council's behalf to pay the Living Wage Foundation Living Wage.

Public Health Implications:

- 5.7 The opportunity to receive a free school meal or meal for no charge (UIFSM) is extremely important to a substantial number of children from low income families, for whom a school lunch may be the only balanced meal they will eat in a day. Research shows that when children eat better, they do better. Whether families

are paying for school meals or are entitled to them for free, children are more likely to concentrate in the classroom in the afternoon after eating healthy school lunches in a pleasant environment. This also improves their health and their learning about making better food choices. Research also shows that children eligible for free school meals are less likely to: do well at school, continue into further education, or secure higher paid jobs. Therefore, ensuring that these children eat and gain the benefits of the free school meals they are entitled to, really will make a difference to their ability to learn and succeed.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Alternative options considered for the nursery fee increases included limiting the number of free hours that children can use each day and further increasing the hourly charge for the hours that parents pay for in addition to the free hours.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To agree and/or note the Families, Children and Learning Services Fees and Charges for 2024/25.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms

None

Background Documents

- 1. Fees and Charges Analysis – 2023/24

Brighton & Hove City Council

Children, Families & Schools Committee

Agenda Item 50

Subject: Residential Child Care Placements

Date of meeting: 22 January 2024

Report of: Executive Director Families, Children & Learning

Contact Officer: Name: Steve Dillow
Tel: 07395 282757
Email: steve.dillow@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 This report seeks approval for the procurement of a framework agreement or Dynamic Purchasing System (DPS), and the award of the framework agreement or DPS and individual placement agreements, for residential child care placements in the independent sector.
- 1.2 Children, Families & Schools Committee has the appropriate authority to agree to the recommendations. Further authorisation from Strategy, Finance & City Regeneration Committee is not required as the cost of the proposed services fall within the agreed directorate budgets.

2. Recommendations

- 2.1 That Committee delegates authority to the Executive Director of Families, Children & Learning to:
 - (i) take all necessary steps to procure and award a framework agreement or DPS, including subsequent extensions, with Southampton City Council (SCC) and consortium partners, for the provision of residential child care placements in the independent sector commencing on or after 1 October 2024, and
 - (ii) procure and award call off contracts and individual placement agreements from the framework agreement or DPS outlined at 2.1(i) above.

3. Context and background information

Summary of the current service provision

- 3.1 Legislation requires local authorities to secure sufficient accommodation for Children in Care (CiC), that meets their needs, and is within the local area wherever this is reasonably practicable. The Council acts as the corporate

parent for CiC and has strong controls for safeguarding to manage the welfare of vulnerable children.

- 3.2 The current number of the Council's residential child care placements for children under age 18 in the independent sector and those directly managed by the Council are shown below:

Figures at October 2023:

Independent Sector Placements		Council Placements	
Independent Residential Children's Homes	35	In-house Residential Children's Homes	10

The in-house placement numbers include one full time placement for a child under age 18 and nine short break respite placements from a group of 25 children.

- 3.3 There's a need to make residential child care placements in the independent sector and a compliant means of procuring these services is required.
- 3.4 The Council's budgets for 2023-24 for external residential child care placements, including children's disability placements, total £10.87m.

Current procurement arrangements

- 3.5 The Council is party to a joint framework agreement for residential child care led by Southampton City Council, and comprising a total of 21 local authorities across the south of England, which commenced on 1 October 2018 and expires on 30 September 2024. The framework has re-opened for new applications each year during its life. This framework has been our primary initial source of seeking residential child care placements since 2018. The framework may be extended for a short period of time to help manage the re-procurement process, subject to legal advice that this is permissible under the Public Contracts Regulations 2015.
- 3.6 The Council is also a named contracting authority on the West Sussex County Council (WSCC) Dynamic Purchasing System for social care placements.

Tender process for new framework agreement or DPS

- 3.7 In order to comply with the Public Contracts Regulations 2015 and the Council's internal Contract Standing Orders, a formal tendering process must take place to procure the new framework agreement or DPS. This service falls under the Light Touch Regime of the Public Contracts Regulations 2015, providing local authorities with some flexibility in their approach to procuring contracts, whilst following the principles of transparency and equal treatment.
- 3.8 In order to meet the deadline for contract commencement on the cessation of the current framework agreement, a procurement timetable has been

drawn up. A comprehensive specification is being drafted to accompany the Invitation to Tender. This will be based on the National Contract, which is a set of default standard terms used by providers and local authorities, and varied according to local need, including using the NEF Outcomes Framework and adding requirements on social value.

- 3.9 The tender documents will be developed between the consortium members. This will include the framework or DPS length. Preliminary discussions between the current consortium partners have indicated a likely initial period of 4 years with further optional 2 years plus 2 years extensions.

Risk

- 3.10 The Competition and Markets Authority (CMA) undertook a study into the Children's Social Care market in 2021 and outlined concerns in relation to placement availability and price and with provider profit and risk. There has been a reduction in the number of children's homes on the current framework over the last year, with a number of providers citing staffing recruitment and retention challenges.
- 3.11 Inflation has been high, and this has placed pressure on placement costs, particularly for off-framework placements.
- 3.12 The Nationwide Association of Fostering Providers reports that their members receive on average 100 referrals for every foster care vacancy. This balance of supply and demand is thought to be similar in the residential child care sector. Although the Council's CiC numbers have reduced over the last year, this is not reflective nationally. In England, the number of Children in Care increased by 9500 in between 2017 and 2022. The market has not increased provision accordingly.

National Care Review

- 3.13 The Independent Review of Children's Social Care by Josh MacAlister was published in May 2022. The review includes a recommendation to establish of up to 20 Regional Care Cooperatives, owned and managed by local authorities, which would be responsible for the commissioning and management of all children's placements.

4. Analysis and consideration of alternative options

- 4.1 An alternative to a regional framework or DPS would be for the Council to procure these services on its own. Tendering as a sole local authority reduces the potential for sharing costs and exercising leverage and influence in the provider market. The Council does not have the level of placement numbers to be of interest to the majority of the provider market and providers are likely to choose not to apply to join a Council only framework or DPS, which will negatively impact on placement costs.
- 4.2 The Council periodically reviews the estimated cost of running more children's homes directly. This process will continue but on each previous

occasion the estimated cost of setting up and running these services in-house has been judged to be more expensive than external provision.

- 4.3 The Council is party to the West Sussex DPS for social care placements but is not currently using this for residential child care. This is due to the low number of providers and children's homes on the DPS in comparison to the SCC framework.
- 4.4 The Institute of Public Care (IPC), Oxford Brookes University published a research report in July 2015 titled 'The efficacy and sustainability of consortia commissioning of looked after children's services'. This included a recommendation to promote continuing development and greater effectiveness of consortia commissioning.
- 4.5 Managing demand for CiC placements has the greatest impact on value for money but this needs to be managed safely through care planning. Early Help interventions and planned step-down arrangements contribute to these plans.

5. Community engagement and consultation

- 5.1 WSCC received project funding from the DfE Innovation Programme in 2015-16. The project, which the Council participated in, included developing a new Outcomes Framework for social care placements.
- 5.2 The Outcomes Framework was developed by the New Economic Foundation (NEF) and drafted through co-production with local authorities, providers, parent/carer representatives and Children in Care Council representatives. This Outcomes Framework sets out outcomes for children/young people in care and is now used by a number of local authorities across the country, including the Council. This Outcomes Framework is currently used by the SCC consortium.

6. Conclusion

- 6.1 It is necessary to re-tender these services as the current framework agreement with SCC for residential child care placements will expire on 30 September 2024. In order to benefit from collaborative working with regional partners, and to build in sufficient time to carry out a fair and transparent procurement process, the process must commence as soon as possible.
- 6.2 Regional joint commissioning and procurement is considered to provide the best placement choice and value for money for these services. The current consortium comprises 21 local authorities across the south of England. A number of other local authorities have had preliminary discussions about joining the consortium.

7. Financial implications

- 7.1 The 2023/24 budget allocation for externally procured residential home placements is £10.875m, to fund 41 children placed in residential home accommodation.
- 7.2 The Framework agreement or DPS have no financial value in themselves but allows the Council to commission residential placements as efficiently and effectively as possible in a very competitive market environment.

Name of finance officer consulted: David Ellis Date consulted: 06/10/23

8. Legal implications

- 8.1 The Children, Families & Schools Committee is the appropriate committee for the recommendations set out in paragraph 2 above in accordance with Part 4 of the Council's constitution.
- 8.2 The Council has a statutory duty under 22(G) of the Children Act 1989 to secure sufficient accommodation for looked after children. Joint procurement with other contracting authorities is permitted under regulation 38 (1) of the Public Contract Regulations. The framework agreement or DPS must be procured and awarded in accordance with the Public Contract Regulations 2015, including regulations 74-76 which apply specifically to services which fall within the Light Touch Regime, which are over the threshold of £663,540.00.

Name of lawyer consulted: Sian Stevens Date consulted : 20/10/23

9. Equalities implications

- 9.1 The Council has a responsibility to promote access to appropriate educational provision for all in accordance with legislation including the Equality Act 2010.

10. Sustainability implications

- 10.1 Subject to placement availability, placements for Children in Care will be made as closely to networks of family and friends and the child/young person's current school, where this is safe to do so, and in the child/young person's best interests.
- 10.2 We will advocate for a question on providers' sustainability policies and initiatives to be included in the Selection Questionnaire as part of the tender and for a key performance indicator in the contract to monitor performance against providers' stated actions.

11. Other Implications

Social Value and procurement implications

- 11.1 The Public Services (Social Value) Act 2012 requires that public bodies tendering for services above the threshold to consider how what is proposed

to be procured might improve the economic, social and environmental well-being of the relevant area. Social Value will form part of the tender evaluation process in accordance with Council policy. This will be addressed by SCC and the consortium within the tender documents.

Crime & disorder implications:

- 11.2 The Outcomes Framework has a number of measures under basic needs (safety and health), functioning (control, relationships and achievement), personal resources (resilience, self-esteem and emotional intelligence) and preparation for adulthood (participation, independence, inclusion and wellbeing) that contribute to the prevention of crime and disorder.

Public health implications:

- 11.3 Improving health and wellbeing are two of the key objectives within the Outcomes Framework.

Supporting Documentation

1. Background documents

1. CMA) study into the Children's Social Care Market report. The final report published in March 2022 can be found at: [Children's social care market study final report - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/108444/childrens-social-care-market-study-final-report-2022.pdf).
2. 'The Independent Review of Children's Social Care' by Josh Macalister was published in May 2022 and can be found at: [Final Report - The Independent Review of Children's Social Care \(childrensocialcare.independent-review.uk\)](https://childrensocialcare.independent-review.uk/final-report)
3. Institute of Public Care (IPC), Oxford Brookes University 'The efficacy and sustainability of consortia commissioning of looked after children's services' Research report July 2015. The published report can be found at: [The Efficacy and Sustainability of Consortia... | IPC Brookes](https://www.brookes.ac.uk/research/publications/the-efficacy-and-sustainability-of-consortia-commissioning-of-looked-after-childrens-services/).