

Equality Impact Assessment

1. What are you assessing?

Proposal to reconfigure nursery provision in Penarth from September 2022.

Proposal 1: To amalgamate Bute Cottage Nursery School and Evenlode Primary School by:

- Changing the lowest age range of pupils at Evenlode Primary School from 4 to 3, to include 96 part time nursery places;
- Increasing the capacity of Evenlode Primary School to accommodate the 96 part time nursery places; and
- Discontinuing Bute Cottage Nursery School and transferring all staff and pupils of the nursery phase under the governance of Evenlode Primary School from September 2022.

Proposal 2: To amalgamate Cogan Nursery School and Cogan Primary School by:

- Changing the lowest age range of pupils at Cogan Primary School from 4 to 3, to include 96 part time nursery places;
- Increasing the capacity of Cogan Primary School to accommodate the 96 part time nursery places; and
- Discontinuing Cogan Nursery School and transferring all staff and pupils of the nursery phase under the governance of Cogan School from September 2022.

2. Who is responsible?

Name	Nathan Slater	Job Title	Project Manager
Team	21 st Century Schools	Directorate	Learning & Skills

3. When is the assessment being carried out?

Date of start of assessment	November 2021
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4. Describe the proposal?

What is the purpose of the proposal?

The Vale of Glamorgan Council is committed to ensuring that all pupils within the Vale have every opportunity to attain the best possible outcomes. In order to achieve this ambition it is essential that we ensure schools remain sustainable, reflect the needs of the local community and are equipped with the best possible learning environments.

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The Managing Director authorised the Director of Learning & Skills to undertake a consultation from **20 September 2021** to **5 November 2021**, on a proposal to reconfigure nursery provision in Penarth from September 2022.

Proposal 1: To amalgamate Bute Cottage Nursery School and Evenlode Primary School by:

- Changing the lowest age range of pupils at Evenlode Primary School from 4 to 3, to include 96 part time nursery places;
- Increasing the capacity of Evenlode Primary School to accommodate the 96 part time nursery places; and
- Discontinuing Bute Cottage Nursery School and transferring all staff and pupils of the nursery phase under the governance of Evenlode Primary School from September 2022.

Proposal 2: To amalgamate Cogan Nursery School and Cogan Primary School by:

- Changing the lowest age range of pupils at Cogan Primary School from 4 to 3, to include 96 part time nursery places;
- Increasing the capacity of Cogan Primary School to accommodate the 96 part time nursery places; and
- Discontinuing Cogan Nursery School and transferring all staff and pupils of the nursery phase under the governance of Cogan School from September 2022.

The proposals would mean that Bute Cottage Nursery School and Cogan Nursery School would be discontinued and all staff and pupils from the nursery phases would be transferred under the governance of Evenlode Primary School and Cogan Primary School respectively. However, nursery provision would continue to be provided from the existing buildings with both proposals.

The feedback and views expressed in the consultation are being considered together in the publication of a consultation report on the proposal and this Equality Impact Assessment. A Community Impact Assessment has also been undertaken.

Why do you need to put it in place?

Over the past 10 years the Council has sought to move towards a primary school model for 3 to 11 years education.

Evenlode Primary School and Cogan Primary School are two of four primary schools that do not currently provide nursery provision. The other primary schools that do not have a nursery provision are subject to separate proposals which will involve creating nursery provision.

Bute Cottage Nursery School and Cogan Nursery School are the only two stand-alone nursery schools within the Vale; i.e. separate entities with their own governing bodies and a delegated budget.

Bute Cottage Nursery School prioritises pupils living in the Evenlode Primary School

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catchment area and Cogan Nursery School priorities pupils living in the Cogan Primary School catchment area.

It is proposed that Evenlode Primary School and Bute Cottage Nursery School are amalgamated, resulting in 96 part time nursery places being provided at Evenlode Primary School (on the existing Bute Cottage Nursery School site). It is also proposed that Cogan Primary School and Cogan Nursery School are amalgamated, resulting in 96 part time nursery places being provided at Cogan Primary School (on the existing Cogan Nursery School site). This would develop continuity and progression in children's learning from the age of three. This would ensure there is a consistent approach to planning and delivery of the foundation phase (nursery to year two) and minimise the potential for disruption during transition from nursery to primary school.

The introduction of consistent policies, strategies and pedagogy across all ages would result in clear expectations and a shared ethos which is understood by children, parents and carers throughout all phases of primary education. The proposal would also support a coordinated approach to planning for the needs of vulnerable pupils across the foundation phase.

A single leadership team and governing body across each school would result in the removal of duplication of management and governance functions. Parents would only need to familiarise themselves with one set of policies and one set of communications.

Do we need to commit significant resources to it (such as money or staff time)?

Human Resources

The Vale of Glamorgan Council would fully support the governors, headteacher and staff at the school with any employment related matters. The school has access to the Council's Human Resources policies and procedures, including recruitment policies. The Human Resources service works closely with governors to ensure regular and clear communication with all employees takes place on all matters relating to a change in location of their workplace.

Bute Cottage Nursery School and Cogan Nursery School staff would transfer under the management of the governing bodies of Evenlode Primary School and Cogan Primary School respectively.

The governing bodies of Evenlode Primary School and Cogan Primary School would be responsible for amending their staffing structures to reflect the addition of the nursery phase. It is not anticipated that there would be any compulsory redundancies as a result of these proposals. However, any proposed changes to staffing would be subject to full consultation with staff and the relevant trade unions where necessary.

Officer time has been addressed via the creation of a 21st Century Schools Team.

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Capital Funding

There would be no capital implications as a result of the two proposals.

However, £1.362m is included within the Capital Programme as part of the 21st Century Schools Programme to support reconfiguration of nursery provision in Penarth. Should the proposals be approved, the Council would prioritise relocating nursery provision at Evenlode Primary School onto a single site. The Council would undertake a full feasibility assessment and any plans would be subject to a separate consultation exercise as part of the planning process.

Revenue Funding

The 2021/22 budget for Bute Cottage Nursery School is £286,292, which equates to £6,983 per pupil (FTE). Cogan Nursery School received a budget totalling £280,829 which equates to £7,590 per pupil (FTE). The amount of funding per pupil is significantly higher than the average funding per pupil across all primary schools which was £3,804 in 2021/22. Funding per pupil is generally higher in standalone nursery schools due to the costs of the headteacher and other fixed costs absorbed over a low number of pupils.

Evenlode Primary School currently receives the lowest level of funding per pupil across all Vale schools (£3,252 in 2021/22). This is partly due to the lack of nursery provision. In 2021/22 Cogan Primary School received £4,071 per pupil funding.

Should the proposals be implemented, Evenlode Primary School and Cogan Primary School would each receive an individual budget including allocations for the nursery phase. As the majority of school funding is based on the number of pupils on roll, the proposals would improve the overall budget position for Evenlode Primary School and Cogan Primary School.

The funding formula is driven by per pupil funding and a number of lump sum allocations per school. On that basis the formula saving from amalgamating Bute Cottage Nursery School and Evenlode Primary School would be £70,000 based on the removal of lump sum allowances. The 2021/22 Evenlode Primary School budget is £1,346,511 and the Bute Cottage Nursery School budget is £286,292 (totalling £1,632,803). The combined budget generated by amalgamating Bute Cottage Nursery School with Evenlode Primary School would be £1,562,803 at the 2021/22 funding rates.

The funding formula saving from amalgamating Cogan Nursery School and Cogan Primary School would be £70,000 based on the removal of lump sum allowances. The 2021/22 Cogan Primary School budget is £838,705 and the Cogan Nursery School budget is £280,829 (totalling £1,119,534). The combined budget generated by amalgamating Cogan Nursery School and Cogan Primary School would be £1,049,934 at the 2021/22 funding rates.

The proposals would result in a more efficient use of financial resources across all schools. Larger schools are also generally able to secure better value for money through economies of scale and a single budget may be easier to manage, e.g., accounting for

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spend on site maintenance which would benefit both nursery and primary phases compared with administering two different contracts.

What are the intended outcomes of the proposal?

- A single governance and accountability regime with a single headteacher and governing body with responsibility for all phases of education at each primary school.
- Opportunities for greater professional development opportunities by being part of a primary school teaching across all phases of primary education.
- A single set of policies across all year groups, incorporating areas of best practice from the individual schools.
- A single vision, strategy and ethos across all phases.
- Generates revenue savings associated with increased running costs for standalone nursery schools which would release additional funding into the overall schools' funding formula.
- Opportunities to make efficiency savings through economies of scale and joined up procurement.
- Streamlined communication between parents and staff with a single point of contact throughout all phases of primary education.

Who does the proposal affect?

Staff, pupils, parents of pupils, governors at Bute Cottage Nursery School, Evenlode Primary School, Cogan Nursery School, and Cogan Primary School.

Will the proposal affect how other organisations work?

The proposals are unlikely to have a significant impact on any other schools in the local area as no change to the existing catchment area is proposed.

There is currently no nursery provision at Evenlode Primary School or Cogan Primary School. Children can access nursery provision at other nursery units of schools or at a registered provider.

Will the proposal affect how you deliver services?

The Council must ensure that schools serve their local communities and are reflective of demand. There is a need to meet future demand for nursery places within the Vale.

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A great deal of information is available with relation to the population within the Vale of Glamorgan. This can be accessed from the following sources.

Household projections by local authority <https://gov.wales/docs/statistics/2017/170323-household-projections-local-authorities-2014-based-en.pdf>

Future population trends <https://www.slideshare.net/StatisticsWales/welsh-government-future-trends-report-2017-population>

ONS 2016 population estimates (row 392 code W06000014)
<https://www.ons.gov.uk/file?uri=/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesforukenglandandwalesscotlandandnorthernireland/mid2017/ukmidyearestimates2017finalversion.xls>

Protected characteristic data from 2011 Census (data from the 2021 census has not yet been published)
<https://gov.wales/statistics-and-research/census-population/?lang=en>

Will the proposal impact on other policies or practices?

The proposal is part of the council's overall strategic outline programme for Band B of the 21st Century Schools Programme. The operation of the school will continue to be supported by many policies and procedures. The governing body will be required to continue to comply with all policies, including the Council and schools Equality Policies. All schools will have their part to play in meeting the equality objectives that the Learning and Skills Directorate is responsible for delivering and support the performance reported on in the annual equality monitoring report where appropriate.

Can you change the proposal so that it further promotes equality of opportunity and fosters good relations?

The proposals being put forward are to reconfigure nursery provision within Penarth to provide the best educational outcomes.

Our formal consultation process follows Welsh Government guidelines outlined in the School Organisation Code 2018. A range of individuals and groups were asked for their views about these proposals during the consultation period. All responses received as part of the consultation are reflected in the Consultation Report.

Before any decisions are made, the Council needs to ensure that it offers a number of opportunities for individuals and interested groups to make their views and opinions on the proposals known.

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The Council consulted with the following groups:

List of groups consulted as part of the consultation process	
Staff (teaching and non-teaching) at Bute Cottage Nursery School, Evenlode Primary School, Cogan Nursery School and Cogan Primary School	Governing Body of Bute Cottage Nursery School, Evenlode Primary School, Cogan Nursery School and Cogan Primary School
Parents/Carers and Guardians of children at Bute Cottage Nursery School, Evenlode Primary School, Cogan Nursery School and Cogan Primary School	Diocesan Directors of Education
Penarth Town Council and Sully and Lavernock Community Council	Vale of Glamorgan Early Years Development Partnership (EYDCP)
Vale of Glamorgan Children and Young People's Programme Board	Local Councillors
Members of the Senedd (MS's) / Members of Parliament (MP's)	Welsh Language Commissioner
Rhieni dros Addysg Gymraeg (RHAG)	Primary schools in the Vale of Glamorgan
Estyn	Central South Consortium Joint Education Service
Welsh Government Ministers	Trade Unions
Local Police and Crime Commissioner	Directors of Education – All Neighbouring Authorities
Council's Transportation Department	

How will you achieve the proposed changes?

The consultation period for the proposals started on 20 September and ended on 5 November 2021.

Within 13 weeks of the closing date, a consultation report will be published on the Council's and school's websites. Hard copies of the report will also be available from the Council on request. The report will summarise the issues raised by consultees during the consultation period and responses to these issues. The report will also contain Estyn's view of the proposals. In December 2021 Cabinet will consider the consultation report and decide whether or not to proceed with the proposals.

If the Council decides to continue with the proposals it must publish a statutory notice.

The proposal would mean nursery provision in Penarth is reconfigured. Bute Cottage Nursery School would be discontinued and amalgamated with Evenlode Primary School. Cogan Nursery School would be discontinued and amalgamated with Cogan Primary School. Both Nursery Schools would remain on their current sites but under the management of the respective primary schools and their governing bodies.

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Who will deliver the proposal?

Subject to the approval of this proposal, the Council would manage the process and the governing body, staff, parents and pupils of the affected schools will be fully engaged in the development of the plans.

How will you know whether you have achieved the proposal's purpose?

The Council would have determined the proposal and would have reconfigured nursery provision in Penarth.

Cabinet may decide to approve, reject or approve the proposals with modifications. In doing so, the Council will take into account any statutory objections that it has received.

5. What evidence are you using?

Engagement (with internal and external stakeholders)

The consultation processes followed Welsh Government guidelines, in compliance with the Schools Standards and Organisation (Wales) Act 2013 and School Organisation Code 2018. The Council consulted with a range of statutory consultees outlined in and required by the Code.

Formal consultations were conducted through a consultation document and response form distributed electronically to prescribed consultees and published on the Vale of Glamorgan website the on the 20 September 2021.

The bilingual consultation documents were distributed online; through social media and on the Vale of Glamorgan Council's website. Consultees were provided with an electronic copy of the documents and a link to the Vale of Glamorgan website. Hard copies were available from the Council on request.

During the consultation period, the Council received 238 responses by the closing date of 5 November 2021. Consultees were asked to indicate whether they 'support', 'do not support' or have 'no opinion' on the three individual elements of the proposal.

- Proposal 1 - Amalgamating Bute Cottage Nursery School and Evenlode Primary School : Out of 238 individual responses, 48 consultees were in support of the proposal, 169 were opposed and 21 offered no opinion either way.
- Proposal 2 - Amalgamating Cogan Nursery School and Cogan Primary School: Out of 238 individual responses, 47 consultees were in support of the proposal, 73 were opposed and 118 offered no opinion either way.

Consultees were asked for their opinion on a key question to each proposal:

1) Do you support the proposal to amalgamate Bute Cottage Nursery School and Evenlode Primary School?

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2) Do you support the proposal to amalgamate Cogan Nursery School and Cogan Primary School?

Consultees were able to respond to either or both questions with Yes, No or No opinion either way.

Consultees were also offered the opportunity to comment further.

As the tables below show, most responses were **not** in favour of Proposal 1.

Breakdown of consultation responses (Proposal 1)						
Total (individual) responses:	Total support		Total not support		Total no opinion	
No.	No.	%	No.	%	No.	%
238	48	20%	169	71%	21	9%

Breakdown of consultation responses (Proposal 2)						
Total (individual) responses (A):	Total support		Total not support		Total no opinion	
No.	No.	%	No.	%	No.	%
238	47	20%	73	31%	118	50%

Respondents were provided with the option of answering equality monitoring questions. Respondents did not have to answer as the questions were optional and a prefer not to say option was provided. Results are summarised in the table below.

What is your gender?							
Male	42	Female	171	Non-binary	N/A	Prefer not to say	15
How old are you?*							
25-34	41	35-44	100	45-54	50	55-74	30
Are your day-to-day activities limited because of a physical or mental health condition, illness or disability?							
Yes – limited a lot	2	Yes – limited a bit	4	No	203	Prefer not to say	16
How would you describe your ethnic group?*							
White	194	Mixed	5	Asian	6	Prefer not to say	18
Which of the following options best describes how you think of yourself?*							
Heterosexual / straight	195	Gay or lesbian	0	Bisexual or pansexual	4	Prefer not to say	20
What is your legal marital status?*							

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Single	27	Married	161	Divorced or widowed	12	Prefer not to say	20
Are you currently pregnant or have you been pregnant within the last year?							
Yes	19	No	179			Prefer not to say	23

*table just displays options with responses, further options were available to select.

Consultation was undertaken at a formative stage and allowed for intelligent consideration and response. The timescales for consultation comply with the School Organisation Code and allowed 7 weeks for consultees to consider and prepare a response.

A number of themes received in as part of the process will be addressed and contained within a consultation report to be reported to Cabinet on the proposal. The Council has a statutory duty to publish a consultation report on the proposal.

The consultation processes gave a range of consultees and local people the opportunity to learn about the proposal and for the Council to hear the views of all those with an interest so that they can be taken into account before any decisions are made. The number of respondents and characteristics thereof are detailed in the consultation response report.

Consultation (with internal and external stakeholders)

Please see response above (engagement)

National data and research

A great deal of information is available with relation to the population within the Vale of Glamorgan. This can be accessed from the following sources.

Household projections by local authority <https://gov.wales/docs/statistics/2017/170323-household-projections-local-authorities-2014-based-en.pdf>

Future population trends <https://www.slideshare.net/StatisticsWales/welsh-government-future-trends-report-2017-population>

ONS 2016 population estimates (row 392 code W06000014)
<https://www.ons.gov.uk/file?uri=/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesforukenglandandwalesscotlandandnorthernireland/mid2017/ukmidyearestimates2017finalversion.xls>

Protected characteristic data from 2011 Census (data from the 2021 census has not yet been published)
<https://gov.wales/statistics-and-research/census-population/?lang=en>

Changes to school provision, in the form of statutory school organisation proposals, are often necessary as part of local authority plans within the 21st Century Schools and Education Capital Programme.

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The School Standards and Organisation (Wales) Act 2013 requires that the Welsh Ministers issue a School Organisation Code. The School Organisation Code 2018 sets out requirements for consultation upon and publication of, statutory proposals for change and local authorities are required to follow the Code. The Code sets out requirements and provides guidance in respect of school reorganisation proposals brought forward to reconfigure school provision and for those responsible for determining proposals. The consultation process follows Welsh Government guidelines outlined in the School Organisation Code.

Local data and research

The Council is using current demographic, school and pupil data to inform the proposal. A strategic review of data was used to inform the process.

The four educational settings affected by the proposals are within the area of Penarth. Penarth is a wealthy seaside town and retains extensive Victorian and Edwardian architecture in many traditional parts of the town.

Bute Cottage Nursery School was established in 1974 to provide for 40 full-time places. The school is situated near the centre of the town of Penarth and provides nursery provision for the Evenlode Primary School catchment area.

Evenlode Primary School was established in 1969 as the first open-plan Primary School in South East Wales.

Cogan Nursery School was established in the 1970s to provide for nursery education in the Penarth area.

Cogan Primary School was established in 1884 and is situated in Cogan.

A community impact assessment was undertaken in preparation for the consultation. This assessment included information about local population and material deprivation levels. All comments received relating to the community impact assessment have been included within the consultation response report.

The community impact assessment is available here:

www.valeofglamorgan.gov.uk/nurseryprovisionpenarth

6. How robust is the evidence?

Does it show what the impact will be (positive and negative)?

This proposal pays due regard to the need to eliminate discrimination, advance equality, and foster good relations as an integral part of the decision making process. The impact

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of the proposal will be positive in terms of managing the demand for nursery provision in Penarth.

What are the gaps?

There is limited information held within the Directorate of the protected characteristics of the staff and governing body / management committee of the affected schools, however the proposal is designed to have a positive or neutral impact on those with protected characteristics accessing the new building. As the staff and governing body are small in number, this data may also serve to identify individuals and personal information held about them. However as part of the consultation several opportunities via a variety of confidential methods were given to staff and governing body to express concerns with relation to their personal circumstances as well as any wider concerns. No issues were raised during the consultation or subsequently that were considered to have an adverse impact on the protected characteristics of staff or governing body. As a result this is not included in this assessment.

The council would ensure that the governing bodies of the affected schools were supported to ensure that all staff and governors would not be adversely impacted as a result of their protected characteristic as a result of this proposal.

What will you do about this?

Consideration of the protected characteristics of the pupils, staff and governing body would be reflected in the development of the governance structure.

Information is provided to the school by the parents and professionals on the child's enrolment at the school. This allows the school to ensure that the school can meet their needs.

What monitoring data will you collect?

The Pupil Level Annual School Census (PLASC) data is collected on an annual basis, protected characteristics are captured through this process.

How often will you analyse and report on this?

The pupils Level Annual School Census (PLASC) is completed annually. The Council and schools use the data to develop and monitor policy and performance in the Vale of Glamorgan. The effectiveness of this proposal will be monitored via the school's governing body, the Council, the Central South Consortium and Estyn.

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Where will you publish monitoring data and reports?

School Census School is published by Welsh Government on the STATS Wales website for each local authority area.

There would be continued monitoring of school standards across all year groups by the governing body, the Local Authority and the Central South Consortium and via Estyn.

Standards in schools are monitored on an annual basis by the Consortium and reported back to the Local Authority. Standards for children who have been identified with additional learning needs, along with those children identified as school action and school action plus will also be part of the Annual National Categorisation School Report carried out by the Central South Consortium in partnership with the school.

7. [Impact](#)

Is there an impact?

There has been no perceived negative impact on the protected characteristics identified.

The impacts are outlined below in the relevant section.

If there is no impact, what is the justification for thinking this? Provide evidence.

Evidence is assessed through the consultation process and through school and pupil data.

If there is likely to be an impact, what is it?

Age

According to the Pupil Level Annual School Census (PLASC) carried out in January 2021 there were 84 part-time pupils on roll at Bute Cottage Nursery School, 62 part-time pupils on roll at Cogan Nursery School, 414 pupils on roll at Evenlode Primary School, and 206 pupils on roll at Cogan Primary School.

It is proposed that Evenlode Primary School and Bute Cottage Nursery School are amalgamated, resulting in 96 part time nursery places being provided at Evenlode Primary School (on the existing Bute Cottage Nursery School site). It is also proposed that Cogan Primary School and Cogan Nursery School are amalgamated, resulting in 96 part time nursery places being provided at Cogan Primary School (on the existing Cogan Nursery School site). This would develop continuity and progression in children's learning from the age of three. This would ensure there is a consistent approach to planning and delivery of the foundation phase (nursery to year two) and minimise the potential for

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disruption during transition from nursery to primary school.

If approved, these proposals would ensure the schools are able to continue providing high quality education. Amalgamation would enable the strengths present in the existing separate nursery and primary schools to be combined to deliver high quality provision operating across separate sites. This would allow a shared vision and leadership fully embedding a consistent and coherent curriculum across the primary phase.

None of the respondents indicated that these proposals would have an adverse impact on their status in this regard.

For the reasons stated above, including shared policies and vision for early years education, the proposals would provide a **positive** impact for children.

However, it is noted that section 149, so far as relating to age, does not apply to the exercise of a function relating to the provision of education to pupils in schools (see paragraph 1 of Schedule 18 to the 2010 Act).

Disability

The data held on pupils is characterised by Special Educational Needs (SEN) not disability.

The following table provides information about the needs of pupils from January 2021 PLASC.

Outline of ALN needs for pupils at the schools and nurseries and comparison against regional (primary) and national level						
Type	Evenlode Primary School	Bute Cottage Nursery	Cogan Primary School	Cogan Nursery	Vale of Glamorgan (primary)	Wales (all*)
School Action	0%	0%	12%	3%	6%	12%
School Action Plus	3%	1%	8%	6%	5%	7.4%
Statemented	0%	0%	1%	2%	1%	2.8%

As the table above shows, Cogan Primary School has above the average of School Action and School Action Plus pupils on roll, Cogan Nursery School has above the Vale average of School Action Plus pupils on roll, and Bute Cottage Nursery School and Evenlode Primary School have below the average across all measures.

Bute Cottage Nursery School, Evenlode Primary School and Cogan Nursery School do not have an attached specialist resource base (SRB); specialist support is provided for children who have identified needs in an inclusive setting within the school.

Cogan Primary School provides additional support to pupils with hearing difficulties via a Hearing Resource Base. The team is made up of a specialist teacher and support staff who help children with moderate to profound deafness. The children have specialist support and are fully integrated into the daily routines of the school. As noted in their most recent Estyn inspection, *'Pupils from the resource base flourish alongside other pupils.*

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They make good and often excellent progress from their individual starting points. Specialist staff work highly effectively with their mainstream colleagues and with a range of specialist services to ensure exceptional provision for these pupils.'

The educational settings provide a targeted and bespoke curriculum which is responsive to the individual child's abilities and ensures that all children who require additional support are integrated across all areas of the curriculum.

Current ALN provision would not be changed as a result of these proposals. However, needs could be identified at an earlier age and pupil needs monitored within a single data setting to ensure continuity.

None of the respondents indicated that these proposals would have an adverse impact on their status in this regard.

The proposals will therefore provide a **positive** impact for pupils, staff, governors and the wider community visiting the school who have been identified within this protected group as they will continue to have access to specialist provision, and this would not be negatively impacted upon by either of these proposals.

Gender reassignment, including gender identity

There are no plans to change any policies relating to gender reassignment or identity based on these proposals.

None of the respondents indicated that this proposal would have an adverse impact on their gender identity.

Based on current evidence these proposals would have a **neutral** impact on this protected group.

Marriage and civil partnership (discrimination only)

None of the respondents indicated that this proposal would have an adverse impact on their status in this regard.

This information is not held at a directorate level for staff and governors however the proposal is designed to have a positive or neutral impact on those with protected characteristics accessing the new building. Pupils at the School are below the legal marriage age. Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the Governing Body and Council in order to support the staff at the school.

None of the respondents indicated that these proposals would have an adverse impact on their status in this regard.

Based on the policies in place that would not change as a result of either proposals, these proposals would have a **neutral** impact on this protected group.

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Pregnancy and Maternity

It is considered that there will not be a negative impact on pupils in this protected group as there is a minimal likelihood of pupils falling within this protected group due to the age range of the school. The provision of education for any pupil who were within this protected group would remain unaltered by the proposal.

Staff who are currently on maternity leave or are pregnant at the point of the proposed move would be protected under the Equalities Act 2010.

None of the respondents indicated that this proposal would have an adverse impact on their status in this regard however reference to the impact, both positive and negative, on future children was made in a small number of responses.

Based on the policies in place that would not change as a result of these proposals, these proposals would have a **neutral** impact on people in this protected group.

Race

The predominant ethnicity at the educational settings is currently White – Welsh/English/Scottish/Northern Irish British (see table). The percentage is lower in all the settings, apart from Bute Cottage Nursery, than the average (90% White British) across the wider Vale school population.

Schools	Total pupils	Total pupils identifying as White (Welsh/English/Scottish/Northern Irish British)		Total pupils identifying as Ethnic Minority	
Bute Cottage Nursery School	82	74	90.2%	8	9.7%
Evenlode Primary School	421	361	85.7%	60	14.2%
Cogan Nursery School	63	45	71.4%	18	28.5%
Cogan Primary School	209	168	80.3%	41	19.6%

It is unlikely that the proposals would change the ethnic profile of the schools as there are no changes to the catchment areas.

All staff, pupils and governors would continue to receive protection under the Equalities Act 2010 which would be referred to by the Governing Body and Council in order to support the staff at the school.

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None of the respondents indicated that these proposals would have an adverse impact on their status in this regard.

Based on the policies in place that would not change as a result of the proposals and the very small number of pupils in this category, these proposals would have a **neutral** impact on people in this protected group.

Religion and belief

Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the Governing Body and Council in order to support the staff at the school.

Respect for all religious and non-religious beliefs would not change due to this proposal. This school is a community school and the aspect of the curriculum relating to religion and belief would not change as a result of this proposal.

None of the respondents indicated that this proposal would have an adverse impact on their status in this regard.

Based on the policies in place that would not change as a result of the proposals, these proposals would have a **neutral** impact on people in this protected group.

Sex

The latest data containing pupil gender information is from My Local School, 2021 (see table below).

Schools	Total pupils	Total female pupils		Total male pupils	
Bute Cottage Nursery School	82	47	57.3%	35	42.6%
Evenlode Primary School	421	205	48.6%	216	51.3%
Cogan Nursery School	63	29	46%	34	54%
Cogan Primary School	209	111	53.1%	98	46.8%

Children of both sexes would be treated and taught equally in the schools. There would be no different methods of teaching or curricula for either sex. The school would aim to reduce - as far as possible - segregating pupils and students by gender. Pupils would continue to be supported to enable equal access to PE and where lessons are segregated by sex/gender they would be enabled to participate in the activity which corresponds to their gender identity if this is what they request. The aspect of the

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curriculum management relating to any identified gender-based attainment gap would not change as a result of this proposal.

Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the Governing Body and Council in order to support the staff at the schools. This proposal would lead to an increase in employment opportunities at the schools as additional training would be required to meet the specialist needs of pupils. This may lead to more employment opportunities for people of either sex.

None of the respondents indicated that these proposals would have an adverse impact on their status in this regard.

Based on the policies in place that would not change as a result of the proposals, these proposals would have a **neutral** impact on people in this protected group.

Sexual orientation

Inclusivity and respect of others is an intrinsic element of the national curriculum. The principles of school inspection as described in the 'Framework for School Inspection', September 2015 states that the inspection will focus on the needs of pupils and parents by evaluating the extent to which schools provide an inclusive environment which meets the needs of all pupils irrespective of age, disability, gender reassignment, race, religion or belief, sex or sexual orientation. The Estyn School Inspection Handbook also details how inspection will evaluate how well individual pupils benefit from the school and states it may be relevant to pay particular attention to those with protected characteristics, therefore including transgender pupils. Under spiritual, moral, social and cultural development Estyn will look for evidence where pupils develop awareness and respect for diversity in relation to, for example gender, race, religion and belief, sexual orientation and disability.

Inspectors will also consider types, rates and patterns of bullying and the effectiveness of the school's actions to prevent and tackle all forms of bullying and harassment – this includes cyber bullying and prejudice-based bullying related to special education need, sexual orientation, sex, race, religion and belief, gender reassignment or disability.

Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the Governing Body and Council in order to support the staff at the school.

None of the respondents indicated that these proposals would have an adverse impact on their status in this regard.

Based on the policies in place that would not change as a result of the proposals, these proposals would have a **neutral** impact on people in this protected group.

Welsh language

The Council's School Investment Programme reflects the Council's commitments in the Welsh in Education Strategic Plan (WESP), which aims to ensure that demand for Welsh medium education can be met in the long-term. It is in line with Welsh Government's

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National Cymraeg 2050 strategy and contributing to its ambitious target of 1 million Welsh speakers by 2050.

Ysgol Pen-Y-Garth serves as the Welsh medium primary provision for the Penarth area. The school has capacity for 420 primary pupils and 76 part-time nursery places.

Bute Cottage Nursery School is committed to helping pupils develop their Welsh language education from an early age. This includes through a Welsh mascot called Dewi Draig who helps the children to understand and use Welsh words and phrases. Dewi also helps pupils to learn about the Welsh culture and what it means to be a citizen of Wales. The nursery has Helpu'r Heddiw T-shirts that pupils are given to wear as a reward when they are heard using Welsh words in nursery. The nursery is working towards gaining the "Siarter Iaith" Welsh Charter Bronze Award.

Cogan Nursery School is committed to helping pupils develop their Welsh language education from an early age. Skills are developed through communicating in a range of enjoyable, practical planned activities and using a range of stimuli that build on and increase children's previous knowledge and experiences. Pupils listen to a range of stimuli, including audio visual material and ICT interactive software.

Although Evenlode Primary School and Cogan Primary School teach predominantly through the medium of English, the high standards achieved in Welsh language contribute to the Council's commitment to encouraging bilingual speakers.

Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the Governing Body and Council in order to support the staff at the schools.

None of the respondents indicated that these proposals would have an adverse impact on their status in this regard.

Based on current evidence, these proposals would have a **neutral** impact on people in this protected group.

Human rights

Consideration of the UNICEF document, A Human Rights-Based Approach to Education For All was given as part of the development of this consultation. This document advises that Chapter 2 introduces a conceptual framework for the rights-based approach to education that embodies three interlinked and interdependent dimensions. It contends that human rights related to education cannot be realized unless and until all three are addressed:

- The right of access to education – the right of every child to education on the basis of equality of opportunity and without discrimination on any grounds. To achieve this goal, education must be available for, accessible to and inclusive of all children.
- The right to quality education – the right of every child to a quality education that enables him or her to fulfil his or her potential, realize opportunities for

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employment and develop life skills. To achieve this goal, education needs to be child-centred, relevant and embrace a broad curriculum, and be appropriately resourced and monitored.

- The right to respect within the learning environment – the right of every child to respect for her or his inherent dignity and to have her or his universal human rights respected within the education system. To achieve this goal, education must be provided in a way that is consistent with human rights, including equal respect for every child, opportunities for meaningful participation, freedom from all forms of violence, and respect for language, culture and religion.

This proposal has been presented in order to address the right of access to education, the right to quality education and the right to respect within the learning environment for all pupils within the Vale of Glamorgan.

The intended benefits of this proposal would provide:

- A single governance and accountability regime with a single headteacher and governing body with responsibility for all phases of education at each primary school.
- Opportunities for greater professional development opportunities by being part of a primary school teaching across all phases of primary education.
- A single set of policies across all year groups, incorporating areas of best practice from the individual schools.
- A single vision, strategy and ethos across all phases.
- Generates revenue savings associated with increased running costs for standalone nursery schools which would release additional funding into the overall schools' funding formula.
- Opportunities to make efficiency savings through economies of scale and joined up procurement.
- Streamlined communication between parents and staff with a single point of contact throughout all phases of primary education.

None of the respondents indicated that these proposals would have an adverse impact on their status in this regard. Based on current evidence, these proposals would have a **positive** impact on people in this protected group.

Socio-economic duty

The overall aim of the duty is to deliver better outcomes for those who experience socio-economic disadvantage. The duty, which applies to strategic decisions, commenced 31 March 2021. Socio-economic considerations have subsequently been assessed and the

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results are documented below. For the purposes of this assessment, socio-economic indicators include education, economic, employment, health and wellbeing, and accessible transport.

Education

It is determined that if implemented the proposals would have the following benefits related to improving educational outcomes:

- A single governance and accountability regime with a single headteacher and governing body with responsibility for all phases of education at each primary school.
- Opportunities for greater professional development opportunities by being part of a primary school teaching across all phases of primary education.
- A single set of policies across all year groups, incorporating areas of best practice from the individual schools.
- A single vision, strategy and ethos across all phases.
- Streamlined communication between parents and staff with a single point of contact throughout all phases of primary education.

The proposals are unlikely to have a significant impact on any other schools in the local area as no change to the existing catchment area is proposed.

There is currently no nursery provision at Evenlode Primary School or Cogan Primary School. Children can access nursery provision at other nursery units of schools or at a registered provider.

Proposal 1 would result in 96 part time English-medium nursery places in Evenlode Primary School. This is the same as currently available at Bute Cottage Nursery School. Bute Cottage Nursery works with local private nurseries (St Aubin Nursery and Hazelhurst Nursery) to provide 'wrap-around-care'. This arrangement would not be impacted by this proposal.

Proposal 2 would result in 96 part time English-medium nursery places in Cogan Primary School. This is 4 fewer part time places than currently available at Cogan Nursery School. However, this is sufficient to meet demand within the local area (see table 2 in admissions section below).

Any local registered providers were able to respond to the consultation. This consultation document was made available to other childcare and early years institutions, including private and third sector providers. Any feedback was considered as part of the consultation report.

Economic

The four educational settings affected by the proposals are within the area of Penarth. Penarth is a wealthy seaside town and retains extensive Victorian and Edwardian architecture in many traditional parts of the town.

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Bute Cottage Nursery School is located within the St Augustine's 3 ward in Penarth. The overall St Augustine's ward has a population of 7,351 (Office of National Statistics, 2019).
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Evenlode Primary School is located within the Plymouth 2 ward in Penarth. The overall Plymouth ward has a population of 5,786 (Office of National Statistics, 2019).

Cogan Nursery School and Cogan Primary School are located within the Cornerswell 2 ward in Penarth. The overall Cornerswell ward has a population of 5,366 (Office of National Statistics, 2019).

The wards have low levels of deprivation, overall they are within 50% least deprived wards within Wales.

The schools do take in pupils from wider areas with more varied socio-economic status, this would not change as a result of these proposals.

Employment

The Vale of Glamorgan Council would fully support the governors, headteacher and staff at the school with any employment related matters. The school has access to the Council's Human Resources policies and procedures, including recruitment policies. The Human Resources service works closely with governors to ensure regular and clear communication with all employees takes place on all matters relating to a change in location of their workplace.

Bute Cottage Nursery School and Cogan Nursery School staff would transfer under the management of the governing bodies of Evenlode Primary School and Cogan Primary School respectively.

The governing bodies of Evenlode Primary School and Cogan Primary School would be responsible for amending their staffing structures to reflect the addition of the nursery phase. It is not anticipated that there would be any compulsory redundancies as a result of these proposals. However, any proposed changes to staffing would be subject to full consultation with staff and the relevant trade unions where necessary.

Health and Wellbeing

The schools have a highly positive and inclusive ethos, which helps pupils to develop self-esteem and grow in confidence.

Accessible transport

The Council has a statutory duty to provide free school transport for pupils of statutory school age who reside beyond walking distance to the nearest appropriate school. In accordance with 'The Learner Travel (Wales) Measure 2008'. 24

The Vale of Glamorgan Council does not provide free school transport for nursery-age children other than those children who have a Statement of Special Educational Needs

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(SEN). Under these proposals there are no plans to change the Council's policy on the transport of children to and from schools. As the nursery phases would remain on their current sites with their current capacity, there are no envisaged implications for transport and learner travel arrangements.

None of the respondents indicated that these proposals would have an adverse impact on their socio-economic status in this regard. Based on current evidence noted above, these proposals would have a **neutral** impact on pupils from families which are socio-economically disadvantaged.

How do you know?

Explain this for each of the relevant protected characteristics as identified above.

Data is provided and analysed through the Pupil Level Annual School Census data collected in the January of each year. The Council also uses current demographic, school and pupil data to inform the proposal. The staff would also continue to receive protection under the Equalities Act 2010 which would be referred to by the governing body and Council in order to support the staff at the school.

What can be done to promote a positive impact?

Explain this for each of the relevant protected characteristics as identified above.

The availability of the school, its benefits and the facilities available will be published on the Council's website and through the Council's Parental Guide to School Admissions for parents to consider when making a decision on where to express a preference for a pupil place. Having due regard to the need to advance equality of opportunity includes having due regard to the need to remove or minimize disadvantages suffered by them. Due regard would therefore be paid to the need to take steps to meet the needs of such persons where those needs are different from persons who do not have that characteristic, and to encourage those who have a protected characteristic to participate in public life. The steps involved in meeting the needs of disabled persons include steps to take account of the persons' disabilities would be key to the design of the new building. Having due regard to 'fostering good relations' involves having due regard to the need to tackle prejudice and promote understanding. This is an important aspect to curriculum delivery and would not change as a result of this proposal.

It is acknowledged that complying with the duty may involve treating some people better than others, as far as that is allowed by the discrimination law.

Age

As the school would continue to provide sufficient places for nursery pupils under a shared and consistent set of policies, the proposals would provide a **positive** impact on

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this criteria.

Disability

Current ALN provision would not be changed as a result of these proposals. However, needs could be identified at an earlier age and pupil needs monitored within a single data setting to ensure continuity. The proposals would provide a **positive** impact on this criteria.

Gender reassignment, including gender identity

All children would be supported to receive a high quality education if the proposal were to be successfully implemented regardless of gender identity. Inclusivity and respect of others is an intrinsic element of the national curriculum.

Marriage and civil partnership

Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the Governing Body and Council in order to support the staff at the school.

Inclusivity and respect of others is an intrinsic element of the national curriculum. The Council will ensure that the school promotes this requirement through its monitoring and challenge carried out by the school improvement service and Human Resources.

Pregnancy and Maternity

Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the Governing Body and Council in order to support the staff at the school.

Inclusivity and respect of others is an intrinsic element of the national curriculum. The Council will ensure that the school promotes this requirement through its monitoring and challenge carried out by the school improvement service and Human Resources.

Race

Inclusivity and respect of others is an intrinsic element of the national curriculum. The Council will ensure that the school promotes this requirement through its monitoring and challenge carried out by the school improvement service and Human Resources.

Religion and belief

Inclusivity and respect of others is an intrinsic element of the national curriculum. The Council will ensure that the school promotes this requirement through its monitoring and challenge carried out by the school improvement service and Human Resources.

Sex

Children of both sexes would continue to be treated and taught equally in the new school building. There would be no different methods of teaching or curricula for either sex.

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Inclusivity and respect of others is an intrinsic element of the national curriculum. The Council will ensure that the school promotes this requirement through its monitoring and challenge carried out by the school improvement service and Human Resources.

Sexual orientation

Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the Governing Body and Council in order to support the staff at the school.

Inclusivity and respect of others is an intrinsic element of the national curriculum. The Council will ensure that the school promotes this requirement through its monitoring and challenge carried out by the school improvement service and Human Resources.

What can be done to lessen the risk of a negative impact?

Explain this for each of the relevant protected characteristics as identified above.

N/A – no negative impacts identified

Is there a need for more favourable treatment to achieve equal outcomes? (Disability only)

N/A

Will the impact be positive, negative or neutral?

Explain this for each of the relevant protected characteristics as identified above.

Age – Positive

Disability – Positive

Gender reassignment, including gender identity – Neutral

Marriage and civil partnership – Neutral

Pregnancy and Maternity – Neutral

Race – Neutral

Religion and belief – Neutral

Sex – Neutral

Sexual orientation – Neutral

(Welsh language – Neutral

Human rights – Positive

Socio-economic duty - Neutral)

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Please see reasons outlined in the previous sections. In conclusion, there is no real risk of direct or indirect discrimination as the Council is pursuing a legitimate aim (namely, improving the capacity and efficiency of education) and the decision to publish the proposals to make regulated alterations is a proportionate means of achieving that aim.

8. Monitoring on-going impact

Date you will monitor progress

PLASC data is annual and if approved by cabinet a project plan for this proposal will be initiated. This will include reference to this document. Any changes in outcomes resulting from this ongoing analysis will be used to update this Equality Impact Assessment, including any mitigating actions which may be required.

Measures that you will monitor

PLASC data for all pupils will be broken down and monitored by Age, Disability, Race, Religion and belief and Welsh language. The Equalities Team monitors service data and provides information in the annual equality monitoring report. The measures identified for the education of pupils are a matter for the governing body in their School Improvement Plan.

Date you will review implemented proposal and its impact

Subject to cabinet approval, the school will receive enhanced support and challenge in the year following its move as is the practice following all school re-organisations. This will be provided by the Central South Consortium and the Council. Thereafter, the school will be subject to routine monitoring and challenge from the Central South Consortium, Estyn, and the Council.

The Vale of Glamorgan Council works closely with the governing bodies of schools to ensure that standards are robust, that teaching and learning is of a high quality and that leadership and governance is strong. The Council works with two organisations in order to monitor the performance of schools and to support school improvement.

Estyn is the office of Her Majesty's Chief Inspector of Education and Training in Wales. It is a Crown body, established under the Education Act 1992. Estyn is independent of the National Assembly for Wales but receives its funding from the Welsh Government under section 104 of the Government Wales Act 1998. Estyn inspects quality and standards in education and training providers in Wales.

The Central South Consortium Joint Education Service (CSCJES) was established in September 2012. The Local Authority works with the Consortium to support and challenge all schools in the Vale of Glamorgan.

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Schools are inspected as part of a national programme of school inspection. The purpose of an inspection is to identify good features and shortcomings in schools in order that they may improve the quality of education offered and raise the standards achieved by their pupils (Estyn).

In September 2017 a new Estyn School Common Inspection Framework was introduced for all schools across Wales.

Bute Cottage Nursery was last inspected by Estyn in October 2013 (under the previous framework). The inspection report for Bute Cottage Nursery School can be found at: <https://www.estyn.gov.wales/provider/6731013>

Evenlode Primary was last inspected by Estyn in March 2015 (under the previous framework). The inspection report for Evenlode Primary School can be found at: <https://www.estyn.gov.wales/provider/6732148>

Cogan Nursery was last inspected by Estyn in November 2019. The inspection report for Cogan Nursery School can be found at: <https://www.estyn.gov.wales/provider/6731011>

Cogan Primary was last inspected by Estyn in May 2018. The inspection report for Cogan Primary School can be found at: <https://www.estyn.gov.wales/provider/6732114>

9. [Further action as a result of this equality impact assessment](#)

Possible Outcomes	Say which applies
No major change	Yes
Adjust the policy	
Continue the policy	
Stop and remove the policy	

10. [Outcomes and Actions](#)

Recommend actions to senior management team
Outcome following formal consideration of proposal by senior management team

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11. Important Note

Where you have identified impacts, you must detail this in your Cabinet report when seeking approval for your proposal.

12. Publication

Where will you publish your approved proposal and equality impact assessment?

Vale of Glamorgan Website

In addition to anywhere you intend to publish your approved proposal and equality impact assessment, you must send a copy to Tim Greaves, Equality Co-ordinator, to publish on the equality pages of the Vale of Glamorgan website.

13. Authorisation

Approved by (name)	Paula Ham
Job Title (senior manager)	Director of Learning and Skills
Date of approval	
Date of review	