

Cardiff Council

Statutory Screening Tool Guidance

If you are developing a strategy, policy or activity that is likely to impact people, communities or land use in any way then there are a number of statutory requirements that apply. Failure to comply with these requirements, or demonstrate due regard, can expose the Council to legal challenge or other forms of reproach.

For instance, this will apply to strategies (i.e. Housing Strategy or Disabled Play Strategy), policies (i.e. Procurement Policy) or activity (i.e. developing new play area).

Completing the Statutory Screening Tool will ensure that all Cardiff Council strategies, policies and activities comply with relevant statutory obligations and responsibilities. Where a more detailed consideration of an issue is required, the Screening Tool will identify if there is a need for a full impact assessment, as relevant.

The main

statutory requirements that strategies, policies or activities must reflect include:

- **Equality Act 2010 - Equality Impact Assessment**
- **Welsh Government's Sustainable Development Bill**
- **Welsh Government's Statutory Guidance - Shared Purpose Shared Delivery**
- **United Nations Convention on the Rights of the Child**
- **United Nations Principles for Older Persons**
- **Welsh Language Measure 2011**
- **Health Impact Assessment**
- **Habitats Regulations Assessment**
- **Strategic Environmental Assessment**

This Statutory Screening Tool allows us to meet all the requirements of all these pieces of legislation as part of an integrated screening method that usually taken no longer than an hour.

The Screening Tool can be completed as a self assessment or as part of a facilitated session, should further support be needed. For further information or if you require a facilitated session please contact the Policy, Partnerships and Citizen Focus Team on 2078 8563 e-mail: siadavies@cardiff.gov.uk. Please note:

- **The completed Screening Tool must be submitted as an appendix with the Cabinet report.**
- **The completed screening tool will be published on the intranet.**



Statutory Screening Tool

<p>Name of Strategy / Policy / Activity: Welsh-medium Primary and Secondary Schools Catchment Area Consultation: - Ysgol Gyfun Gymraeg Glantaf - Ysgol Gyfun Gymraeg Plasmawr - Ysgol Pencae</p>	<p>Date of Screening: January 2016</p>
<p>Service Area/Section: Education</p> <p>Attendees: Self assessment</p>	
<p>Lead Officer: Janine Nightingale</p>	

What are the objectives of the Policy/Strategy/Project/Procedure/Service/Function	Please provide background information on the Policy/Strategy/Project/Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]	
<p>Proposal: Changes to catchment areas are proposed that seek to achieve a balance between the revised catchment areas of Ysgol Gyfun Gymraeg Glantaf; Ysgol Gyfun Gymraeg Plasmawr and Ysgol Pencae.</p>	<p>At present, Ysgol Pencae serves a catchment area that include parts of Canton, Fairwater, Llandaff and Riverside The catchment area of Ysgol Pencae falls entirely within the secondary school catchment area of Ysgol Gyfun Gymraeg Plasmawr.</p> <p>Projections indicate that the demand for Welsh-medium places from within the existing catchment area of Ysgol Gyfun Gymraeg Plasmawr will exceed the number of places available at entry to the school from September 2017, whilst demand from within the existing catchment area of Ysgol Gyfun Gymraeg Glantaf will be less than the school is able to accommodate.</p> <p>It is therefore proposed that the catchment area of Ysgol Pencae transfers from the catchment area of Ysgol Gyfun Gymraeg Plasmawr to the catchment area of Ysgol Gyfun Gymraeg Glantaf. The proposed changes seek to achieve a balance between the revised catchment areas of each of the schools.</p>	

Part 1: Impact on outcomes and due regard to Sustainable Development

Please use the following scale when considering what contribution the activity makes:

	Positive contribution to the outcome
+	Positive contribution to the outcome
-	Negative contribution to the outcome
ntrl	Neutral contribution to the outcome
Uncertain	Uncertain if any contribution is made to the outcome

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick			Un-Crtn	Evidence or suggestion for improvement/mitigation
		+	-	Ntrl		
1.1	<p>People in Cardiff are healthy; <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> <i>the promotion of good health, prevention of damaging behaviour, promote healthy eating/active lifestyles etc,</i> <i>vulnerable citizens and areas of multiple deprivation</i> <i>Addressing instances of inequality in health</i> 			X		<p>Should the proposal be implemented the majority of pupils affected by the change would remain within 1 mile of Ysgol Gyfun Gymraeg Glantaf, and a significant proportion would be resident within 0.5 miles of the school. There may be a small increase in the number of pupils in the Fairwater area (those in close proximity to the Plasmawr site) choosing more polluting forms of travel.</p>
1.2	<p>People in Cardiff have a clean, attractive and sustainable environment; <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> <i>the causes and consequences of Climate Change and creating a carbon lite city</i> <i>encouraging walking, cycling, and use of public transport and improving access to countryside and open space</i> <i>reducing environmental pollution (land, air, noise and water)</i> 			X	X	<p>Less than half of the total secondary school age pupil population in this area presently commute to English medium schools or faith schools. The majority of these attend Cantonian High School (located in Fairwater); Fitzalan High School (located in Leckwith) or The Bishop of Llandaff CW High School (located in Llandaff). Many pupils attending these schools walk to school and it is expected that the number of pupils that are affected by the proposal and who are both further from their local secondary school and also opting to use more polluting forms of transport will be few.</p> <p>Should the proposal be implemented pupils in Cathays and Gabalfa and some parts of Canton; Fairwater; Llandaff North and Riverside would likely continue using existing forms of travel.</p>

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick			Un-Crtn	Evidence or suggestion for improvement/mitigation
		+	-	Ntrl		
						<p>Should the proposal not be implemented, pupils in Llandaff and other parts of Canton; Fairwater and Riverside would likely continue using existing forms of travel.</p> <p>In summary, implementing the proposal would most likely have a positive effect as a result of a net reduction of pupils using polluting modes of travel, compared to not implementing the proposal.</p> <p>Primary catchment: The proposed revision of the primary catchment of Ysgol Pencae to achieve a balance between the revised catchment areas of Ysgol Gyfun Gymraeg Glantaf and Ysgol Gyfun Gymraeg Plasmawr should stabilise the supply to cater for the demand for Welsh-medium school places in the affected areas and therefore encourage walking and cycling to and from school.</p> <p>All parents of pupils would still retain the right to express a preference for their child's admission to any of the schools concerned.</p>
	<ul style="list-style-type: none"> reducing consumption and encouraging waste reduction, reuse, recycling and recovery encouraging biodiversity 					N/A
1.3	<p>People in Cardiff are safe and feel safe; Consider the potential impact on</p> <ul style="list-style-type: none"> reducing crime, fear of crime and increasing safety of individuals addressing anti-social behaviour protecting vulnerable adults and children in Cardiff from harm or abuse 					N/A
1.4	<p>Cardiff has a thriving and prosperous economy; Consider the potential impact on</p> <ul style="list-style-type: none"> economic competitiveness (enterprise activity, social enterprises, average earnings, improve productivity) 					N/A

Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?		Please Tick		Un-Crtn	Evidence or suggestion for improvement/mitigation
		+	-		
1.5	<ul style="list-style-type: none"> Assisting those Not in Education, Employment or Training attracting and retaining workers (new employment and training opportunities, increase the value of employment, promoting local procurement opportunities or enhancing the capacity of local companies to compete) <p>People in Cardiff achieve their full potential; Consider the potential impact on</p> <ul style="list-style-type: none"> promoting and improving access to life-long learning in Cardiff raising levels of skills and qualifications giving children the best start improving the understanding of sustainability addressing child poverty (financial poverty, access poverty, participation poverty) the United Nations Convention on the Rights of a Child and Principles for Older persons 	x			<p>Secondary catchments: The transfer of catchment area (Ysgol Pencae) is not expected to have a detrimental impact on the numbers of children attending Ysgol Gyfun Gymraeg Plasmawr as there is significant demand in excess of supply from within catchment. As such the school will continue to benefit from the current levels of per pupil funding and therefore the range of subjects offered together with the specialisms of staff to offer a comprehensive range of subjects would not be affected.</p> <p>The transfer of catchment area into the Ysgol Gyfun Gymraeg Glantaf catchment from Ysgol Gyfun Gymraeg Plasmawr will increase the number of children likely to attend Ysgol Gyfun Gymraeg Glantaf. An increased number of children will result in increased funding for Ysgol Gyfun Gymraeg Glantaf (based on the per pupil funding allocation) thereby allowing for a greater range of subjects and staff specialists which would improve the offer to existing and future pupils at the school.</p> <p>Both schools offer a full and comprehensive education to their pupils and work together with other schools as part of the 14-19 partnership offer across Cardiff.</p> <p>Primary catchments: The proposed revision of the primary catchment of Ysgol Pencae to achieve a balance between the revised catchment areas of Ysgol Gyfun Gymraeg Glantaf and Ysgol Gyfun Gymraeg Plasmawr should stabilise the supply to cater for the demand for Welsh-medium school places in the affected areas and therefore encourage walking and cycling to and from school.</p>

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick			Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	
1.6	<p>Cardiff is a Great Place to Live, Work and Play</p> <p>Consider the potential impact on</p> <ul style="list-style-type: none"> • promoting the cultural diversity of Cardiff • encouraging participation and access for all to physical activity, leisure & culture • play opportunities for Children and Young People • protecting and enhancing the landscape and historic heritage of Cardiff • promoting the City's international links 			X	In the event the proposal were to proceed to implementation all schools concerned would continue to have a mixed intake of pupils. Whilst proportions may change students will continue to benefit from the full complement of cultural and education experiences they have received to date, the proposed change does not impact on the quality of education nor limit the offer specific to cultural diversity, physical activity, leisure or culture offered by each school.
1.7	<p>Cardiff is a fair, just and inclusive society.</p> <p>Consider the potential impact on</p> <ul style="list-style-type: none"> • the elimination of discrimination, harassment or victimisation for equality groups 			X	All schools have appropriate policies in place to deal with any issues that present and have a duty to ensure discrimination of any of the equality groups is not tolerated.
	<ul style="list-style-type: none"> • has the community or stakeholders been engaged in developing the strategy/policy/activity? • how will citizen participation be encouraged (encouraging actions that consider different forms of consultation, through more in depth engagement to full participation in service development and delivery)? 	X			The consultation process is compliant with the Welsh Government admissions code intended to engage stakeholders with the views put forward as part of this intended to inform the decision making specific to the proposed change.
	<p>EQUALITY IMPACT ASSESSMENT</p> <p>Will this Policy/Strategy/Project have a differential impact on any of the following:</p>				Please give details/consequences of the differential impact (positive and negative), and what action(s) can you take to address any negative implications?
	<ul style="list-style-type: none"> • Age (including children and young people aged 0-25 and older people over 65 in line with the United Nations Conventions) 	X			See 1.1. and 1.2
					Children with siblings attending a school affected by catchment area change: There would not be an impact on younger siblings resident within Cardiff attending the same school as their older siblings if a school were to become part of another catchment area:

Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick			Evidence or suggestion for improvement/mitigation
	+	-	Un-Crtn	
				<p>Oversubscription criterion 1a: "Where an older sibling was directed by the Council to an alternative school because the alternative school was previously the catchment area school, if the parent desires, the Council will admit younger siblings to the alternative school. This applies only where the older sibling is in attendance at the alternative school during the academic year to which the application relates. In addition the younger sibling must be residing in the same address (or an address within the catchment area that was the subject of the change before it was implemented) in the City of Cardiff that the older sibling was living at the time of the original application."</p> <p>This would not apply to siblings living outside of Cardiff. However, pupils resident outside of Cardiff would retain the right to express a preference for admission to any school in Cardiff.</p>
<ul style="list-style-type: none"> Disability 			x	<p>Catchment changes could result in a child living closer or further away from their local school. Pupil transport needs are assessed on an individual basis.</p> <p>Catchment changes do not require a pupil to change schools if the school they currently attend becomes part of another catchment area.</p> <p>Reasonable adjustments to adapt school premises are made in order to meet the needs of applicants to schools. Otherwise, children are directed to attend alternative provision.</p>
<ul style="list-style-type: none"> Gender Reassignment 				N/A
<ul style="list-style-type: none"> Marriage & Civil Partnership 				N/A
<ul style="list-style-type: none"> Pregnancy & Maternity 				N/A
<ul style="list-style-type: none"> Race 			x	<p>Catchment changes would not have a differential impact upon one particular ethnic group as educational provision is available to all irrespective of race.</p>

Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick			Un-Cr:n	Evidence or suggestion for improvement/mitigation
	+	-	Ntrl		
<ul style="list-style-type: none"> Religion/Belief 			X		Community school catchment proposals do not affect the catchments of faith schools. All schools directly affected by the proposed changes are community schools and are taught in line with the relevant national curriculum for their age including personal, social health education and religious education.
<ul style="list-style-type: none"> Sex 					N/A
<ul style="list-style-type: none"> Sexual Orientation 					N/A
<ul style="list-style-type: none"> Welsh Language 					The demand for Welsh Medium education has been conducted in accordance with regulations made under Section 86 of the School Standards and Organisation (Wales) Act 2013 and takes into consideration the Welsh-Medium Education Strategy incorporating a focus on the sustainability of Welsh medium provision in the local 14-19 network and wider area to promote access to availability of Welsh medium courses in post-16 education.
<p>1.8</p> <p>The Council delivers positive outcomes for the city and its citizens through strong partnerships</p> <p><i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> <i>strengthening partnerships with business and voluntary sectors</i> <i>the collaboration agenda and the potential for shared services, cross-boundary working and efficiency savings</i> 					N/A

SUMMARY OF APPRAISAL (highlight positive and negative effects of the policy / plan / project being assessed, demonstrating how it contributes to the economic, social and environmental sustainability of the city):

The proposed changes to the catchment areas are intended to have a positive impact by seeking to allow a greater proportion of children to attend their local catchment area school and providing families applying for school places in each catchment area with a reasonable expectation of admission to their local catchment area school.

The current secondary school catchment area arrangements are disadvantaging those families applying for secondary school places for their children in the parts of the Ysgol Penciae catchment area furthest from Ysgol Gyfun Gymraeg Plasmawr (including parts of Fairwater; Llandaff and Riverside) where the distance to alternative Welsh-medium high school provision would be greatest and where there are high proportions of families on low incomes.

The proposed changes would mean a fairer distribution of secondary school places albeit it is acknowledged that for some children living in very close proximity to the Ysgol Gyfun Gymraeg Plasmawr site there could be increased travel distances to their catchment school. All pupils directly affected by changes would be under 2 miles from Ysgol Gyfun Gymraeg Glantaf and safe walking routes are available, many of which are already used by children accessing the faith and English-medium schools serving the locality.

Both Ysgol Gyfun Gymraeg Glantaf and Ysgol Gyfun Gymraeg Plasmawr provide comprehensive education for their pupils and appropriate measures are in place to support each in the areas identified for their improvement. All children impacted by the proposal will have equal access to education appropriate to their age and stage of development regardless of all protected characteristics and take into account Cardiff's 7 citizen focussed outcomes.

The proposed changes would mean a fairer distribution of secondary school places and provide better assurance for parents in being able to attend their local catchment area school.

WHAT ACTIONS HAVE BEEN IDENTIFIED OR CHANGES BEEN MADE TO THE POLICY / PLAN / PROJECT AS A RESULT OF THIS APPRAISAL:

The proposed changes to catchment areas are at the point of consultation with stakeholders. Once the outcome of this process is known and in the event any negative impact being substantiated appropriate consideration of mitigation would be undertaken.

Part 2: Strategic Environmental Assessment Screening

		Yes	No
2.1	Does the plan or programme set the framework for future development consent?		x
2.2	Is the plan or programme likely to have significant, positive or negative, environmental effects?		x

Is a Full Strategic Environmental Assessment Screening Needed?	Yes	No
<ul style="list-style-type: none"> ▪ If yes has been ticked to both questions 2.1 and 2.2 then the answer is yes ▪ If a full SEA Screening is required then please contact the Sustainable Development Unit to arrange (details below) 		X

If you have any doubt on your answers to the above questions regarding SEA then please consult with the Sustainable Development Unit on 2087 3228 sustainabledevelopment@cardiff.gov.uk

Part 3: Habitat Regulation Assessment (HRA)

		Yes	No	Unsure
3.1	Will the plan, project or programme results in an activity which is known to affect a European site, such as the Severn Estuary or the Cardiff Beech Woods?		x	
3.2	Will the plan, project or programme which steers development towards an area that includes a European site, such as the Severn Estuary or the Cardiff Beech Woods or may indirectly affect a European site?		x	
3.3	Is a full HRA needed?		x	

Details of the strategy will be sent to the County Ecologist on completion of the process to determine if a Habitat Regulation Assessment is needed. For further information please phone 2087 3215 or email biodiversity@cardiff.gov.uk

Appendix 1 – Statutory Requirements

It is possible that the Impact Screening Tool will identify the need to undertake specific statutory assessments:

- **Equality Impact Assessment:** *This assessment is required by the Equality Act 2010 and Welsh Government's Equality Regulations 2011.*
- **Sustainable Development Bill:** *The Bill, when it comes into effect, will require sustainable development (SD) to be a central organising principle for the organisation. This means that there is a duty to consider SD in the strategic decision making processes.*
- **Shared Purpose Shared Delivery-** *The Welsh Government requires local authorities to produce a single integrated plan to meet statutory requirements under a range of legislation. Cardiff Council must therefore demonstrate its contribution towards Cardiff's own integrated plan; "What Matters".*
- **United Nations Convention on the Rights of the Child:** *The Children Act 2004 guidance for Wales requires local authorities and their partners to have regard to the United Nations Convention on the Rights of a Child.*
- **United Nations Principles for Older Persons:** *The principles require a consideration of independence, participation, care, self-fulfillment and dignity.*
- **The Welsh Language Measure 2011:** *The measure sets out official status for the Welsh language, a Welsh language Commissioner, and the freedom to speak Welsh.*
- **Health Impact Assessment:** *(HIA) considers policies, programmes or projects for their potential effects on the health of a population*
- **Strategic Environmental Impact Assessment:** *A Strategic Environmental Assessment (SEA) is an European Directive for plans, programmes and policies with land use implications and significant environmental effects.*
- **Habitats Regulations Assessment:** *The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 provides a requirement to undertake Habitats Regulations Assessment (HRA) of land use plans.*