

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

Name of Strategy / Policy / Activity: FAIRWATER COMMUNITY CAMPUS BAND B REDEVELOPMENT	Date of Screening: Updated September 2023
Service Area/Section: Education, School Organisation Planning	Lead Officer: Richard Portas
Attendees: Self-assessment	

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:</p> <ul style="list-style-type: none"> • Replace the Cantonian High School buildings with new build accommodation on the same site expanding the school from six forms of entry (6FE) to eight forms of entry (8FE) with sixth form provision for up to 250 pupils; and expanding the current Specialist Resource Base (SRB) for learners with an Autism Spectrum Condition (ASC), hosted at Cantonian High School from 20 to 30 places in purpose-built accommodation in the new school buildings • Maximise the opportunities afforded by one of the largest educational sites in Cardiff to locate other new school provision on the same site, in addition to Cantonian High School but organised as separate entities, to: • Transfer Woodlands High School, part of the Western Learning Federation, to the Fairwater Road site and increase the capacity from 140 places to 240 places in new build accommodation; • Transfer Riverbank School, part of the Western Learning Federation, to Fairwater Road site and increase the capacity from 70 to 112 places in new build accommodation. 	<p>At its meeting on 17 September 2020 Cabinet noted the approval of the Welsh Minister of proposals to:</p> <ul style="list-style-type: none"> • Increase the capacity of Cantonian High School from 6 forms of entry (6FE) to eight forms of entry (8FE) with sixth form provision for up to 250 pupils in new build accommodation; • Expand the Specialist Resource Base (SRB) for learners with an Autism Spectrum Condition (ASC), hosted at Cantonian High School from 20 to 30 places in purpose-built accommodation in the new school buildings; • Transfer Woodlands High School to the Fairwater Road site and increase the capacity from 140 places to 240 places in new build accommodation; • Transfer Riverbank School to the Fairwater Road site and increase the capacity from 70 to 112 places in new build accommodation. <p>The Minister approved the proposal on the basis that it is likely to maintain at least equivalent outcomes and offer provisions at least equivalent to that which is currently available to learners at the schools.</p>

In addition, the proposal will:

- Provide new school buildings, removing reliance on temporary classrooms, offering an improved learning environment and accommodation with 21st Century facilities;
- Contribute to the effective funding of education;
- Increase the number of English medium secondary school places and contribute towards meeting projected demand for places;
- Increase the number of places in special schools for learners aged 4-19 with complex additional learning needs and autistic spectrum condition and contribute towards meeting projected demand for places.

The Minister noted that the local authority proposed to implement these proposals on 1 September 2023.

The impact of the Covid-19 pandemic combined with operational issues, and optimisation of the site configuration and building design to benefit learners, have had a significant impact on the progression of the proposals which has resulted in a delay to the planned works.

The Council has worked closely with the project's contractor to identify a new programme of work which would allow for the completion of the buildings and occupation from September 2025.

The Council has sought the permission of the Welsh Minister to delay the full implementation of the proposed changes from 1 September 2023 to September 2026 which has been agreed.

In order to ensure the provision of sufficient suitable mainstream places and Additional Learning Needs places in the interim a range of temporary measure are being implemented:

- intakes to Cantonian High School to increase from 6 forms of entry (180 pupils per year group) to 7 forms of entry (210 pupils),

from September 2023, ahead of the permanent expansion to 8 forms of entry when works are complete in 2025/2026;

- the capacity of Woodlands High School to increase from 140 places to 180 places in September 2023, ahead of the permanent expansion to 240 places when works are complete and the school transfers to its new build accommodation on the Fairwater Campus site; the additional places to be provided through the use of new temporary accommodation on the existing school site;
- the capacity of Riverbank School to increase from 70 places to 78 places in September 2023, ahead of the permanent expansion to 112 places when works are complete and the school transfers to its new build accommodation on the Fairwater Campus site; the additional places to be provided through the use of new temporary accommodation on the existing school site.

The designated number of places at the Cantonian High School Specialist Resource Base increased from 20 places to 30 places in September 2023 as per the Welsh Government approved proposal.

The Council has also:

- brought forward an increase in the number of places at entry to Radyr Comprehensive School, from 7 forms of entry (210 pupils per year group) to 8 forms of entry (240 pupils), from September 2022;
- agreed to support the expansion of the Special Resource Base for secondary age learners with Complex Learning Needs by 30 places, at Whitchurch High School from September 2022;
- established a Special Resource Base of 30 places, for secondary

	<p>age learners with Complex Learning Needs, at Willows High School from September 2023;</p> <ul style="list-style-type: none"> • resumed the existing Special Resource Base of 20 places at Windsor Clive Primary School for primary age learners with Complex Learning Needs, from September 2022; • approved the expansion of the Special Resource Base for primary age learners with Complex Learning Needs by 10 places, at Marlborough Primary School, from September 2022; • approved the expansion of the Special Resource Base for primary age learners with Complex Learning Needs by 10 places, at Llanishen Fach Primary School, from September 2022. <p>Whilst it was not intended that Cantonian High School, Woodlands High School and Riverbank School would admit pupils to their full capacity in 2023/2024, the above arrangements will ensure the provision of sufficient, suitable classroom and ancillary accommodation for pupils who may otherwise have enrolled at Cantonian High School or would have required a specialist primary or secondary age placement for complex learning needs during the transition period between 2023/2024 and 2025/2026.</p> <p>At a further Cabinet meeting on 17 November 2022 Cabinet approved recommendations to authorise the total funds required from the Council's Sustainable Communities for Learning Band B Programme, subject to Ministerial approval of the Final Business Case, to enable commencement of the enabling works required to progress the Fairwater Community Campus.</p>
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Part 1: Impact on outcomes and due regard to Sustainable Development

Please use the following scale when considering what contribution the activity makes:		
+	Positive	Positive contribution to the outcome
-	Negative	Negative contribution to the outcome
ntrl	Neutral	Neutral contribution to the outcome
Uncertain	Not Sure	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				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
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				<ul style="list-style-type: none"> - See 1.2 below – encouraging walking, cycling and use of public transport: <ul style="list-style-type: none"> - The new campus will have new sports facilities which will promote active lifestyles.
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> 	x				<ul style="list-style-type: none"> - This proposal would result in pupils from the existing schools namely Cantonian, Riverbank and Woodlands being accommodated in new buildings – offering embodied and operational net zero carbon in turn reducing the Council's carbon footprint in line with the One Planet Cardiff strategy.
	<ul style="list-style-type: none"> <i>encouraging walking, cycling, and use of public transport and improving access to countryside and open space</i> 	x				<ul style="list-style-type: none"> - In line with the Well-being of Future Generations Act Cardiff's Band B programme is committed to providing Local Schools for Local Children, to encourage use of sustainable modes of travel to schools, such as walking and cycling. School projects take into account transport issues when they are being designed and the need to provide safer routes to encourage walking to schools. - In line with Cardiff's Strategic Planning Guidance (SPG), the number of parking places for staff and visitors on site will be reduced and active travel planning will be undertaken with staff and pupils to support the change to encourage more walking, cycling and use of public transport.

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	Un-Crtn	
					<ul style="list-style-type: none"> - It is acknowledged that pupils from Riverbank and Woodlands are likely to need transport to school as the schools are city wide provisions and pupils may have mobility/access issues. There are no plans to change the Council's transport policy for school children, it will remain as exists.
<ul style="list-style-type: none"> • <i>reducing environmental pollution (land, air, noise and water)</i> 			x		<ul style="list-style-type: none"> - The schools would be designed to be in compliance with NZC targets and BREEAM specification, minimising running costs, construction costs and detrimental environmental impact whilst it is acknowledged there will be an element of disruption that would take place during the construction period. A construction management plan would be developed to manage this.
<ul style="list-style-type: none"> • <i>reducing consumption and encouraging waste reduction, reuse, recycling and recovery</i> 	x				<ul style="list-style-type: none"> - Proposals are progressed in line with Welsh Government Community Benefit Measurement Tool which encourages reduced consumption, waste reduction and recycling.
<ul style="list-style-type: none"> • <i>encouraging biodiversity</i> 	x				<ul style="list-style-type: none"> - Site surveys will be undertaken to establish levels of biodiversity and will explore opportunities to develop appropriate initiatives. - As part of SuDs, there will be active encouragement of bio-diversity on site.
1.3 People in Cardiff are safe and feel safe; <i>Consider the potential impact on</i> <ul style="list-style-type: none"> • <i>reducing crime, fear of crime and increasing safety of individuals</i> • <i>addressing anti-social behaviour</i> • <i>protecting vulnerable adults and children in Cardiff from harm or abuse</i> 	x				<ul style="list-style-type: none"> - All schools in Cardiff have policies in place to ensure safeguarding and the wellbeing of staff, children and young people. - Space has been included in the campus to support multi-agency approach.
1.4 Cardiff has a thriving and prosperous economy; <i>Consider the potential impact on</i> <ul style="list-style-type: none"> • <i>economic competitiveness (enterprise activity, social enterprises, average earnings, improve productivity)</i> 	x				<ul style="list-style-type: none"> - The schools provide employment. - The social value offer through the Welsh TOM's has committed to apprenticeships, employment, training opportunities for unemployed, NEETS and Youth

	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	Un-Crtn	
	<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>Offenders and the team will work with partners to achieve targets.</p> <ul style="list-style-type: none"> Consideration would be given to using local contractors and suppliers, in line with the Welsh Government Community Benefits targets.
1.5	<p>People in Cardiff achieve their full potential; <i>Consider the potential impact on</i></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				<ul style="list-style-type: none"> Schools within Cardiff's Band B Programme are being designed around educational visions that provide a link between improving the environment for learning and raising standards of achievement. Whilst organised as separate entities, the location of the two special schools on the same site as Cantonian High School will provide opportunities for collaboration. With significant sports and wider leisure provision now established, or being developed, in many schools a key objective is to enable third parties to access community facilities at schools, on a sustainable financial basis. The development of a viable model for all schools across the city to be accessed by the communities which they serve is needed. Cardiff's Child Friendly City strategy places the rights and voices of children and young people at the heart of Cardiff's policies, strategies and services; involving them in decision making and addressing the barriers which limit their life chances. As such the public consultation on the proposal included representation from children and young people (CYP). CYP from the three schools and cluster primaries have provided comments to feed into the design.

	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	Un-Crtn	
1.6	Cardiff is a Great Place to Live, Work and Play <i>Consider the potential impact on</i> <ul style="list-style-type: none"> <i>promoting the cultural diversity of Cardiff</i> <i>encouraging participation and access for all to physical activity, leisure & culture</i> <i>play opportunities for Children and Young People</i> <i>protecting and enhancing the landscape and historic heritage of Cardiff</i> <i>promoting the City's international links</i> 	x				<ul style="list-style-type: none"> - A key objective of Welsh Governments Sustainable Communities for Learning Programme is that new school builds support community access. - Some schools have sports and wider leisure facilities established or being developed. Fairwater Campus is in the design phase currently and considering what spaces could support community access on a sustainable financial basis. The development of a viable model for all schools across the city to be accessed by the communities which they serve is needed.
1.7	Cardiff is a fair, just and inclusive society. <i>Consider the potential impact on</i> <ul style="list-style-type: none"> <i>the elimination of discrimination, harassment or victimisation for equality groups</i> 			x		<ul style="list-style-type: none"> - See Equality Impact Assessment below and attached. - The Council's recruitment process would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.
	<ul style="list-style-type: none"> <i>has the community or stakeholders been engaged in developing the strategy/policy/activity?</i> <i>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)?</i> 			x		<ul style="list-style-type: none"> - The public consultation on the proposal undertaken prior to the publication of the statutory notice included engagement with a range of relevant stakeholders. This included: <ul style="list-style-type: none"> ▪ Publication of a consultation document for parents, local childcare providers, Headteachers and Chairs of Governors of nearby schools, all Members of local wards and other stakeholders. ▪ Meetings with Staff, Governors, Pupil representatives at Cantonian High School and the Western Learning Federation (Riverbank School, Ty Gwyn Special School and Woodlands High School); ▪ Public meetings at Cantonian High School and at Ty Gwyn Special School at which the proposal was explained and questions answered;

	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	Un-Crtn	
						<ul style="list-style-type: none"> ▪ Drop-in sessions at Fairwater Library Hub, Central Library Hub, Ely and Caerau Community Hub and Fairwater Library Hub, where officers were available to answer questions ▪ Presentations to whole school assemblies at Fairwater Primary School, Pentreban Primary School and Peter Lea Primary School; ▪ Online pupil surveys for pupils at Cantonian High School, Fairwater Primary School, Pentreban Primary School and Peter Lea Primary School; - An online survey asking about learning styles and community use has been completed. - PAC engagement events for the temps and main build have has been completed. - End users have been involved in developing and inputting into the designs and this will continue. - Engagement sessions have been delivered to parents and carers and further sessions are planned.
	<p>EQUALITY IMPACT ASSESSMENT (This is attached on page 13) Will this Policy/Strategy/Project have a differential impact on any of the following:</p>					
1.8	<p>The Council delivers positive outcomes for the city and its citizens through strong partnerships Consider the potential impact on</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> 			x		<p>The 'Cardiff Commitment' is the Council's youth engagement and progression strategy. Cardiff Commitment sets out how the council, together with a wide range of public, private and third sector partners, will work together to ensure a positive destination for every young person in Cardiff after they finish school, either in employment or further education and training.</p> <p>To date over 120 businesses have pledged to support</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	Un-Crtn	
					<p>Cardiff Commitment and provide opportunities to schools and young people, better preparing them for the world of work, contributing to the future economic growth of the city.</p> <p>The Council's proposals for Band B and the Cardiff 2030 strategy, clearly state the link between improving the environment for learning and raising standards of achievement.</p> <p>The Council is keen to assist with the development of opportunities between schools and businesses, to help create a sustainable pool of talent for future workforce needs and spread skills across the city. An example of this is the establishment of Business Forums to provide opportunities for young people to leave education with skills and competences and to be work ready.</p> <p>The significant school development proposed would provide opportunities for strong partnerships with businesses and employers from a range of sectors in the Cardiff economy. Opportunities for further partnerships are being explored and will be progressed in line with the priorities set out in the Cardiff Commitment.</p>

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):

Economic

- Investment in new build facilities that would support the delivery of a broad and balanced curriculum.
- The new accommodation and expansion of provision would provide employment opportunities.
- Consideration would be given to using local contractors and suppliers.

Social

- There is potential for community use of school facilities outside of school hours. A sustainable operational and financial model needs to be developed.

Environmental sustainability

- This proposal would result in the pupils attending a new build designed to be Net Zero Carbon in operation, minimising running costs and detrimental environmental impact.

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

An equality impact assessment would be carried out to identify accessibility to the new build high school site. The equality impact assessment would take into account policies such as the Equality Act 2010, TAN 12: Design 2014 as well as building regulations such as, BS8300, Part M and relevant Building Bulletins.

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Equality Impact Assessment



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	

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Equality Impact Assessment



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

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Equality Impact Assessment

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.*

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Equality Impact Assessment

Who is responsible for developing and implementing the Policy/Strategy/Project/Procedure/Service/Function?	
Name: Richard Portas	Job Title: Programme Director School Organisation Planning
Service Team: School Organisation Planning	Service Area: Education
Assessment Date: Updated September 2023	
Policy/Strategy/Project/Procedure/Service/Function Title: Fairwater Campus	
<ul style="list-style-type: none"> • Increase the capacity of Cantonian High from 6 forms of entry (6FE) to eight forms of entry (8FE) with sixth form provision for up to 250 pupils in new build accommodation; • Expand the Specialist Resource Base (SRB) for learners with an Autism Spectrum Condition (ASC), hosted at Cantonian High School from 20 to 30 places in purpose-built accommodation in the new school buildings; • Transfer Woodlands High School to the Fairwater Road site and increase the capacity from 140 places to 240 places in new build accommodation; • Transfer Riverbank School to the Fairwater Road site and increase the capacity from 70 to 112 places in new build accommodation. 	
<p>The Band B Programme seeks to address the most acute sufficiency, suitability and condition issues in Cardiff.</p> <p>All councils in Wales must provide enough school places for pupils of all ages. School places must meet the needs of all pupils and must be suitable for any additional learning needs.</p> <p>The published capacity of Cantonian High School, based on its permanent buildings, allowed for an Admission Number of 181 places (6 forms of entry) at entry to Year 7, and 70 at entry to the sixth form. The Council has provided sufficient accommodation to enable the admission of learners up to the Published Admission Number of 181 places utilising temporary classrooms since 2018.</p> <p>The planned capacity of Cantonian High School of eight forms of entry reflects the demand for places within its existing catchment area, the excess demand for places in the catchment areas of other schools, and the projected yield of pupils from the strategic housing developments in Northwest Cardiff.</p> <p>Cardiff Council is committed to the principles of inclusion and recognises that the majority of children and young people with additional needs are best supported in their local mainstream schools. The council will continue to provide support, training and resources to schools, and to promote the sharing of best inclusive practice, to ensure that learners with ALN access effective support in their local school.</p> <p>However, it is recognised that in order to thrive and fulfil their potential, children and</p>	

Cardiff Council

Equality Impact Assessment

young people with the most complex additional needs require access to the specialist environments and expertise of a special school. Whilst there are a number of specialist settings across Cardiff, the projected future needs will significantly exceed the number of specialist places currently available. The number of special school and specialist resource base placements has increased steadily every year for the last 5 years and current projections show the number of places will continue to grow over the next 5 to 10 years.

1. What are the objectives of the Policy/Strategy/Project/ Procedure/ Service/Function?

To address sufficiency, building condition and suitability issues by developing the existing Cantonian High School site located in Fairwater in line with Band B priority schemes.

2. 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.]

At its meeting on 17 September 2020 Cabinet noted the approval of the Welsh Minister of proposals to:

- Increase the capacity of Cantonian High from 6 forms of entry (6FE) to eight forms of entry (8FE) with sixth form provision for up to 250 pupils in new build accommodation;
- Expand the Specialist Resource Base (SRB) for learners with an Autism Spectrum Condition (ASC), hosted at Cantonian High School from 20 to 30 places in purpose-built accommodation in the new school buildings;
- Transfer Woodlands High School to the Fairwater Road site and increase the capacity from 140 places to 240 places in new build accommodation;
- Transfer Riverbank School to the Fairwater Road site and increase the capacity from 70 to 112 places in new build accommodation.

The Minister had approved the proposal on the basis that it is likely to maintain at least equivalent outcomes and offer provisions at least equivalent to that which is currently available to learners at the schools. In addition, she considers that the proposal will:

- Provide new school buildings, removing reliance on temporary classrooms, offering an improved learning environment and accommodation with 21st Century facilities;
- Contribute to the effective funding of education;
- Increase the number of English medium secondary school places and contribute towards meeting projected demand for places;
- Increase the number of places in special schools for learners aged 4-19 with complex additional learning needs and autistic spectrum condition and contribute towards meeting projected demand for places.

Cardiff Council

Equality Impact Assessment

The Minister noted that the local authority proposed to implement these proposals on 1 September 2023.

At a further Cabinet meeting on 17 November 2022 Cabinet approved recommendations to authorise the total funds required from the Council's Sustainable Communities for Learning Band B Programme, subject to Ministerial approval of the Final Business Case, to enable commencement of the enabling works required to progress the Fairwater Community Campus.

The impact of the Covid-19 pandemic combined with operational issues, and optimisation of the site configuration and building design to benefit learners, have had a significant impact on the progression of the proposals which has resulted in a delay to the planned works.

The Council has worked closely with the project's contractor to identify a new programme of work which would allow for the completion of the buildings and occupation from September 2025.

The Council has sought the permission of the Welsh Minister to delay the full implementation of the proposed changes from 1 September 2023 to September 2026 which has been agreed.

In order to ensure the provision of sufficient suitable mainstream places and Additional Learning Needs places in the interim a range of temporary measures are being implemented.

The Council has notified Welsh Government of the necessary changes to the building programme and interim arrangements as follows:

- intakes to Cantonian High School to increase from 6 forms of entry (180 pupils per year group) to 7 forms of entry (210 pupils), from September 2023, ahead of the permanent expansion to 8 forms of entry when works are complete in the academic year of 2025/2026;
- the capacity of Woodlands High School to increase from 140 places to 180 places in September 2023, ahead of the permanent expansion to 240 places when works are complete and the school transfers to its new build accommodation on the Fairwater Campus site; the additional places to be provided through the use of new temporary accommodation on the existing school site;
- the capacity of Riverbank School to increase from 70 places to 78 places in September 2023, ahead of the permanent expansion to 112 places when works are complete and the school transfers to its new build accommodation on the Fairwater Campus site; the additional places to be provided through the use of new temporary accommodation on the existing school site.

The designated number of places at the Cantonian High School Special Resource Base increased from 20 places to 30 places in September 2023 as per the Welsh

Cardiff Council

Equality Impact Assessment

Government approved proposal.

The Council has also:

- brought forward an increase in the number of places at entry to Radyr Comprehensive School, from 7 forms of entry (210 pupils per year group) to 8 forms of entry (240 pupils), from September 2022;
- agreed to support the expansion of the Special Resource Base for secondary age learners with Complex Learning Needs by 30 places, at Whitchurch High School from September 2022;
- established a Special Resource Base of 30 places, for secondary age learners with Complex Learning Needs, at Willows High School from September 2023;
- resumed the existing Special Resource Base of 20 places at Windsor Clive Primary School for primary age learners with Complex Learning Needs, from September 2022;
- approved the expansion of the Special Resource Base for primary age learners with Complex Learning Needs by 10 places, at Marlborough Primary School, from September 2022;
- approved the expansion of the Special Resource Base for primary age learners with Complex Learning Needs by 10 places, at Llanishen Fach Primary School, from September 2022.

Whilst it was not intended that Cantonian High School, Woodlands High School and Riverbank School would admit pupils to their full capacity in 2023/2024, the above arrangements will ensure the provision of sufficient, suitable classroom and ancillary accommodation for pupils who may otherwise have enrolled at Cantonian High School or would have required a specialist primary or secondary age placement for complex learning needs during the transition period between 2023/2024 and 2025/2026.

The Council will seek Ministerial approval for the phased transition arrangements through the Final Business Case (FBC) approval processes.

Consultation is undertaken via the planning process to inform the design and layout of the proposed development.

3 Assess Impact on the Protected Characteristics

3.1 Age

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative/]** on younger/older people?

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Equality Impact Assessment

	Yes	No	N/A
3 to 11 years	X		
11 to 18 years	X		
18 - 65 years	X		
Over 65 years	X		

<p>Please give details/consequences of the differential impact, and provide supporting evidence, if any.</p> <p>The provision of school places is determined by age range. As a consequence, any school organisation proposal will differentially impact learners at the schools subject to the proposals and the wider community.</p> <p>Educational provision (age 4 - 19)</p> <p>The impact will be positive as the proposals will support the sufficiency of places in high quality learning environments in both mainstream and special provision.</p> <p>Community provision (all ages)</p> <p>The new schools are being designed to support various facilities that can be accessed by the community.</p> <p>What action(s) can you take to address the differential impact?</p> <p>The Council has a statutory duty to provide pupil places to meet the needs of all pupils in Cardiff. As part of this strategic approach, demand is forecast based on:</p> <ul style="list-style-type: none"> - Recent and historic populations known to be living in each area utilising NHS data; - Recent and historic Numbers on roll taken from verified PLASC (Pupil Level Annual Census) for Cardiff schools; - Recent and historic percentages of children attending English-medium and Welsh-medium community and faith places <p>Demand for places is reviewed on an ongoing basis and proposed changes brought forward as required.</p> <p>The Council's procedure for managing staffing changes arising from any future proposals would be used in implementing any changes. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.</p> <p>If no differential impact, explain the reason(s) for this assessment:</p>

3.2 Disability and Access

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on disabled people?

	Yes	No	N/A
Hearing Impairment	x		
Physical Impairment	x		
Visual Impairment	x		

Cardiff Council

Equality Impact Assessment

Learning Disability	x		
Long-Standing Illness or Health Condition	x		
Mental Health			x
Substance Misuse			x
Other			x

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Access to education in Cardiff is on an equitable basis. All schools operate in accordance with the requirements of the Equalities Act and schools will continue to apply the Council's policies on equal opportunities.

Riverbank School and Woodlands High School provide education provision for children and young people who have complex learning needs. These pupils will occupy new buildings with new fit for purpose facilities.

A change in environment can be unsettling and upsetting for children and young people with additional learning needs. Cardiff schools have well-established processes for planning and supporting transition between settings. Schools work with learners and their families, and any other specialists who may be involved, to ensure children and young people are well-prepared and experiences success.

A milestone map is continually being developed that aims to manage the changes and minimise negative impacts. There needs to be well managed and careful transition arrangements, particularly for pupils with ALN so levels of stress can be reduced.

from the views of parents from Riverbank School and Woodlands High School have been sought and highlighted the need for community use provision of external facilities and this is being considered as the designs are developing.

What action(s) can you take to address the differential impact?

The Council's procedure for managing staffing changes arising from any future proposals would be used in implementing any changes. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

Schools are required to have a Strategic Equality Plan and would work together to ensure that any concerns are addressed.

A further equality impact assessment would be carried out to identify the accessibility of the new school building, following detailed design phase. The equality impact assessment would take into account policies such as the Equality Act 2010, TAN 12: Design 2014 as well as building regulations such as, BS8300, Part M and relevant Building Bulletins.

If no differential impact, explain the reason(s) for this assessment:

3.3 Gender Reassignment

Cardiff Council

Equality Impact Assessment

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on transgender people?

	Yes	No	N/A
Transgender People (People who are proposing to undergo, are undergoing, or have undergone a process [or part of a process] to reassign their sex by changing physiological or other attributes of sex)	x		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
There are no direct impacts arising from the recommendations of this report.
Access to education in Cardiff is on an equal basis. All schools operate in accordance with the requirements of the Equalities Act and schools will continue to apply the Council's policies on equal opportunities.
The Council's procedure for managing staffing changes arising from any future proposals would be used in implementing any changes. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.
Toilets and changing rooms are being designed taking into consideration the needs of all pupils and staff.
What action(s) can you take to address the differential impact?
If no differential impact, explain the reason(s) for this assessment:

3.4. Marriage and Civil Partnership

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on marriage and civil partnership?

	Yes	No	N/A
Marriage			X
Civil Partnership			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
There are no direct impacts arising from the recommendations of this report.
Access to education in Cardiff is on an equal basis. All schools operate in accordance with the requirements of the Equalities Act and schools will continue to apply the Council's policies on equal opportunities.
The Council's procedure for managing staffing changes arising from any future proposals would be used in implementing any changes. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

Cardiff Council

Equality Impact Assessment

What action(s) can you take to address the differential impact?
No action needed.
If no differential impact, explain the reason(s) for this assessment:
N/A

3.5 Pregnancy and Maternity

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on pregnancy and maternity?

	Yes	No	N/A
Pregnancy		x	
Maternity		x	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
<p>There are no direct impacts arising from the recommendations of this report.</p> <p>Access to education in Cardiff is on an equal basis. All schools operate in accordance with the requirements of the Equalities Act and schools will continue to apply the Council's policies on equal opportunities.</p> <p>The Council's procedure for managing staffing changes arising from any future proposals would be used in implementing any changes. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.</p> <p>There are multi-functional staff wellness spaces being designed to support staff wellbeing. Corporate policy would be followed in relation to maternity and pregnancy.</p>
What action(s) can you take to address the differential impact?
No action needed.
If no differential impact, explain the reason(s) for this assessment:

3.6 Race

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
White		x	
Mixed / Multiple Ethnic Groups		x	
Asian / Asian British		x	
Black / African / Caribbean / Black British		x	
Other Ethnic Groups		x	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
There are no direct impacts arising from the recommendations of this report.

Cardiff Council

Equality Impact Assessment

Access to education in Cardiff is on an equal basis. All schools operate in accordance with the requirements of the Equalities Act and schools will continue to apply the Council's policies on equal opportunities.

Pupils, of all ethnicities, will continue to have access to specialist provision, in all settings, on an equal basis in line with catchment arrangements. Cardiff ALN schools have a city-wide catchment.

The Council's procedure for managing staffing changes arising from any future proposals would be used in implementing any changes. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

What action(s) can you take to address the differential impact?

If no differential impact, explain the reason(s) for this assessment:

3.7 Religion, Belief or Non-Belief

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on people with different religions, beliefs or non-beliefs?

	Yes	No	N/A
Buddhist			x
Christian			x
Hindu			x
Humanist			x
Jewish			x
Muslim			x
Sikh			x
Other			x

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

There are no direct impacts arising from the recommendations of this report.

Access to education in Cardiff is on an equal basis. All schools operate in accordance with the requirements of the Equalities Act and schools will continue to apply the Council's policies on equal opportunities.

The Council's procedure for managing staffing changes arising from any future proposals would be used in implementing any changes. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

A multi-functional room is being considered that could be made available for reflection.

What action(s) can you take to address the differential impact?

If no differential impact, explain the reason(s) for this assessment:

3.8 Sex

Cardiff Council

Equality Impact Assessment

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on men and/or women?

	Yes	No	N/A
Men		x	
Women		x	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
What action(s) can you take to address the differential impact?
If no differential impact, explain the reason(s) for this assessment:
<p>There are no direct impacts arising from the recommendations of this report.</p> <p>Access to education in Cardiff is on an equal basis. All schools operate in accordance with the requirements of the Equalities Act and schools will continue to apply the Council's policies on equal opportunities.</p> <p>Maintained school provision admits pupils of both sexes and this would continue to be the case.</p> <p>The Council's procedure for managing staffing changes arising from any future proposals would be used in implementing any changes. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.</p>

3.9 Sexual Orientation

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
Bisexual		x	
Gay Men		x	
Gay Women		x	
Heterosexual		x	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
<p>There are no direct impacts arising from the recommendations of this report.</p> <p>Access to education in Cardiff is on an equal basis. All schools operate in accordance with the requirements of the Equalities Act and schools will continue to apply the Council's policies on equal opportunities.</p> <p>The Council's procedure for managing staffing changes arising from any future proposals would be used in implementing any changes. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.</p>
What action(s) can you take to address the differential impact?

Cardiff Council

Equality Impact Assessment

If no differential impact, explain the reason(s) for this assessment:

3.10 Language

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on Welsh Language?

	Yes	No	N/A
Welsh Language		x	
Other languages		x	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

What action(s) can you take to address the differential impact?

If no differential impact, explain the reason(s) for this assessment:

Language support

The proposal will not directly impact on the level of support provided. The allocation of teachers and TAs is usually in place for the period of the academic year but is liable to change throughout the year to meet fluctuations in demand.

Welsh Language

It is not anticipated that there will be any negative impact on the Welsh Language, as a result of this proposal.

The teaching of Welsh within an English medium setting is subject to the requirements of the National Curriculum. This would not change with the expansion of the school. This proposal does not seek to change the number of Welsh-medium primary or secondary school places available in the area.

The Council works closely and constructively with partners on its Welsh Education Forum, which includes representatives of nursery, primary, secondary and further education, childcare, RhAG and the Welsh Government. The Forum actively informs the planning of Welsh-medium places, to continue to drive the Council's plan to sustainably increase the number of learners within Welsh-medium schools and those learning Welsh in English-medium schools.

The council monitors birth rates, the yield from proposed housing and the patterns of take-up in Welsh-medium provision at primary and secondary age, with a view to bringing forward appropriate plans to meet any increased demand. Whilst forecasts, based on the number of children in the Welsh-medium primary, indicate that additional capacity will be required to meet the demand for places in Welsh-medium secondary schools, separate proposals will be brought forward at the appropriate time to ensure there are sufficient places available.

The Council, and its partners on the Welsh Education Forum, are committed to driving the increase in number of pupils educated through the medium of Welsh, to

Cardiff Council

Equality Impact Assessment

meet the targets within Cardiff's WESP, and to meet the targets set out in the Welsh Government's Cymraeg 2050 strategy. The Council must ensure that the expansion of school provision is brought forward in a strategic and timely manner, which does not compromise existing provision. Expanding Welsh-medium secondary school provision would, inevitably, have an impact on the take-up of places in other schools, and in turn on the ability of schools to balance budgets and to attract or retain staff.

The proposals for Fairwater Campus do not include opportunities for developing Welsh medium ALN provision. Steps to expand specialist ALN provision in the Welsh medium sector are being taken forward separately through the Welsh Education Strategic Plan (WESP), the Educational Tribunal (ALNET) Act Regional Implementation Plan and through the Cardiff ALN Strategy.

4. Consultation and Engagement

What arrangements have been made to consult/engage with the various Equalities Groups?

The internal equality networks will be engaged and be given the opportunity to comment on this scheme.

- The public consultation on the proposal undertaken prior to the publication of the statutory notice included engagement with a range of relevant stakeholders. This included:
 - Publication of a consultation document for parents, local childcare providers, Headteachers and Chairs of Governors of nearby schools, all Members of local wards and other stakeholders.
 - Meetings with Staff, Governors, Pupil representatives at Cantonian High School and the Western Learning Federation (Riverbank School, Ty Gwyn Special School and Woodlands High School);
 - Public meetings at Cantonian High School and at Ty Gwyn Special School at which the proposal was explained and questions answered;
 - Drop-in sessions at Fairwater Library Hub, Central Library Hub, Ely and Caerau Community Hub and Fairwater Library Hub, where officers were available to answer questions
 - Presentations to whole school assemblies at Fairwater Primary School, Pentreban Primary School and Peter Lea Primary School;
 - Online pupil surveys for pupils at Cantonian High School, Fairwater Primary School, Pentreban Primary School and Peter Lea Primary School;
- An online survey asking about learning styles and community use has been completed.
- Pre Application Consultation engagement events for the temporary buildings and permanent buildings were undertaken and informed the design and layout
- End users have been involved in developing and inputting into the designs and this will continue.
- Engagement sessions have been delivered to parents and carers and further sessions are planned.

Cardiff Council

Equality Impact Assessment

5. Summary of Actions [Listed in the Sections above]

Groups	Actions
Age	See Generic over-arching actions below
Disability	
Gender	
Reassignment	
Marriage & Civil Partnership	
Pregnancy & Maternity	
Race	
Religion/Belief	
Sex	
Sexual Orientation	
Language	
Generic Over-Arching [applicable to all the above groups]	

6. Further Action

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area's Business Plan to be monitored on a regular basis.

7. Authorisation

The Template should be completed by the Lead Officer of the identified Policy/Strategy/Project/Function and approved by the appropriate Manager in each Service Area.

Completed By: Angela Withey	Date: September 2023
Designation:	Area Commissioning Lead
Approved By:	Richard Portas
Designation:	SOP Programme Director
Service Area:	Education

- 7.1 On completion of this Assessment, please ensure that the Form is posted on your Directorate's Page on CIS - *Council Wide/Management Systems/Equality Impact Assessments* - so that there is a record of all assessments undertaken in the Council. For further information or assistance, please contact the Citizen Focus Team on 029 2087 3059 or email citizenfocus@cardiff.gov.uk