

Policy/Strategy/Project/Procedure/Service/Function Title:

City of Cardiff Council's Schools Admissions Policy 2019/20

New/Existing/Updating/Amending

Who is responsible for developing and implementing the Policy/Strategy/Project/Procedure/Service/Function?

Name: Janine Nightingale	Job Title: Head of School Organisation, Access & Planning
Service Team: School Organisation, Access & Planning	Directorate: Education & Lifelong Learning
Assessment Date: 26/10/2017	

1. Aims and Objectives

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

To equitably administer the admission of eligible children to nursery, primary and secondary classes/schools based on parent/guardian preference in accordance with the admissions criteria detailed in the City of Cardiff Council's School Admissions Policy 2019/20.

2. Background Information

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.]

The City of Cardiff Council is committed to equality of opportunity and to eliminating unlawful discrimination. In respect of admissions to community schools, all pupils and prospective pupils are treated equitably, regardless of gender, race, ethnicity, culture, nationality, language, ability/disability or religious belief.

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The Council is the Admissions Authority for the following:

- Community Nursery Schools/Nursery Classes in Community Schools
- Community Primary Schools
- Community Secondary Schools

In order to facilitate the admissions process, the Local Authority has to consider:

- Children are entitled to a part-time nursery place from the start of the term following their third birthday and must attend for five half days.
- Children are admitted to reception classes in the September following their fourth birthday.
- Children transfer to secondary education in the September following their eleventh birthday.
- All maintained schools must admit pupils up to their published Admission Number.

Parents have the right to express a preference for their preferred schools; these will be considered individually and complied with wherever possible. Some schools have more requests for places than there are places available. Where a school is oversubscribed preferences will still be considered but the oversubscription criteria set by the Council will be applied. In deciding which children to admit to a school, the Council applies the criteria set out in its Schools Admissions Policy Document and examines the merits to support each case by considering any reasons put forward supporting any expressed preference.

If parents are dissatisfied with the result of an application for a particular School, an appeal may be submitted to the Independent Statutory Appeal Panel, any decision made by the Panel being binding on the Council; school and the appellant. If the appeal is not successful, further requests to appeal for a place at the same school will not be considered for the same academic year unless the Director of Education & Lifelong Learning determines there are significant and material changes in the circumstances of pupil/parents or school. There is no right of appeal for admission to a Community Nursery School/ Nursery Classes in Community Schools.

This proposal has been developed in accordance with the requirements of the Equality Act 2010 throughout and in compliance with the Welsh Government's School Admissions Code E.3 which states:

“An admission authority **must not** discriminate on the grounds of disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil.”

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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?

	Yes	No	N/A
Up to 18 years	✓		
18 - 65 years	✓		
Over 65 years	✓		

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

The nature of the policy is such that it will inherently apply to the 3 - 16 years age group as it targets school and nursery aged children and young adults.

Whilst implementation of this policy would therefore have a differential impact, it would not be regarded as prejudicial to older age groups as they are not part of this educational place provision process.

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

N/A

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3.2 Disability

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

	Yes	No	N/A
Hearing Impairment	✓		
Physical Impairment	✓		
Visual Impairment	✓		
Learning Disability	✓		
Long-Standing Illness or Health Condition	✓		
Mental Health	✓		
Substance Dependence	✓		
Other	✓		

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

This proposal has been developed in accordance with the requirements of the Equality Act 2010 throughout and in compliance with the Welsh Government's School Admissions Code E.3 which states:

"An admission authority **must not** discriminate on the grounds of **disability**; gender reassignment; pregnancy and maternity; race; religion or belief; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil."

Differential impact could occur as the implementation of the School Admissions Policy would allow for priority to be given to applicants where the legislation and protection prescribe the inclusion of specific criteria in relation to Special Educational needs which support pupils with disabilities that are also learning difficulties.

Similarly differential impact could occur as the implementation of the School Admissions Policy would allow for priority to be given to applicants for whom compelling medical and/or compelling social grounds could be evidenced indicating particular needs. This would be a positive impact if the degree of need was such that preferential placement were to apply.

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

N/A

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3.3 Gender Reassignment

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)		✓	

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

This proposal has been developed in accordance with the requirements of the Equality Act 2010 throughout and in compliance with the Welsh Government's School Admissions Code E.3 which states:

“An admission authority **must not** discriminate on the grounds of disability; **gender reassignment**; pregnancy and maternity; race; religion or belief; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil.”

No differential impact would occur as the implementation of the Schools Admissions Policy would not affect this protected characteristic.

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

N/A

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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			✓
Civil Partnership			✓

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

No differential impact would occur as the implementation of the Schools Admissions Policy would not affect this protected characteristic.

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

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		✓	
Maternity		✓	

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

This proposal has been developed in accordance with the requirements of the Equality Act 2010 throughout and in compliance with the Welsh Government's School Admissions Code E.3 which states:

"An admission authority **must not** discriminate on the grounds of disability; gender reassignment; **pregnancy and maternity**; race; religion or belief; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil."

No differential impact would occur as the implementation of the Schools Admissions Policy would not affect this protected characteristic.

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

N/A

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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		✓	
Mixed / Multiple Ethnic Groups	✓		
Asian / Asian British		✓	
Black / African / Caribbean / Black British	✓		
Other Ethnic Groups	✓		

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

Two options are set out for admission to secondary education.

The inclusion of a 'feeder school' secondary school oversubscription criterion in Option B would, in areas of popular / fully subscribed primary schools, benefit those families most able to secure a primary school place at their catchment area primary school at an early stage. Pupils that move into a catchment area of a fully subscribed school at a later stage may be unable to gain admission to this local school.

Analysis undertaken to compare PLASC data of pupils enrolled in primary school at Reception Year in January 2011 to PLASC data for the Year 6 cohort in January 2017 confirms the relative percentages of groups of pupils that are on roll throughout that period. The relative percentages of groups of pupils on roll in their catchment area primary school in Reception year (the entry year to primary education) who remain on roll in that school in the final year of primary education is as below:

Ethnicity	Rec from Jan 2011	Yr6 from Jan 2017	% Remaining
Asian / Asian British pupils	26	24	92.3%
Black / African / Caribbean / Black British pupils	49	37	75.5%
Mixed / Multiple ethnic groups	14	12	85.7%
Other ethnic groups	365	296	81.1%
White British pupils	1265	1104	87.3%
Total	1719	1473	85.7%

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Traveller Family	Rec from Sept 2010	Yr6 from Sept 2016	% Remaining
Total	5	4	80.0%

As can be seen from the tables above, on average 14.3% of pupils living in their local catchment at the point of transfer to secondary school would be disadvantaged by the introduction of a feeder criterion owing to the fact they moved into catchment later in the primary phase.

Whilst there is not a significant different between the average and particular groups, the analysis shows White British pupils and Asian/ Asian British pupils are, on average, more likely to be on roll in a primary school throughout the primary phase (and therefore could benefit from the feeder criterion should they opt to apply for their catchment school).

Black / African / Caribbean / Black British pupils, Traveller families (although the sample size for this group is small) and other ethnic groups are, on average, less likely to be on roll in a primary school throughout the primary phase (and therefore would potentially be disadvantaged from the feeder criterion should they opt to apply for their catchment school).

The reasons for moving into catchment during the primary phase are varied, these include immigration from outside the city, internal relocation within Cardiff associated with affordability and availability of appropriate properties etc. The employment of a feeder school criterion whilst applying a practice to all pupils equally has the effect of discriminating against populations that experience a higher degree of mobility. If a particular group demonstrating a higher degree of mobility is disproportionately represented as having one of the prescribed characteristics, this group could be judged to be disadvantaged (indirect discrimination).

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

In order to prevent a differential impact on the basis of length of time pupils have lived in the catchment area and/or whether they were able to secure admission to an in-catchment primary feeder school as a result of residing in the area at the point of application, the Council could implement admissions criteria as set out in Option A, which relies upon proximity, that is how close a pupil lives to the school.

The Council will therefore consider the outcomes of the consultation before the final admission criteria is determined.

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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		✓	
Christian		✓	
Hindu		✓	
Humanist		✓	
Jewish		✓	
Muslim		✓	
Sikh		✓	
Other		✓	

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

This proposal has been developed in accordance with the requirements of the Equality Act 2010 throughout and in compliance with the Welsh Government's School Admissions Code E.3 which states:

"An admission authority **must not** discriminate on the grounds of disability; gender reassignment; pregnancy and maternity; race; **religion or belief**; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil."

There are a number of maintained voluntary aided faith schools in Cardiff which are either Roman Catholic or Church in Wales which deal with their own admissions and admit children of those faiths. There are also 3 independent Muslim schools who deal with their own admission arrangements. As a result there may be a lower number of pupils of these faiths within community schools. However, the Council's admission arrangements do not differentiate between applicants of differing belief systems who apply to attend Community Schools.

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

The Council will remain sensitive to the needs of religious communities seeking faith place provision.

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3.8 Sex

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

	Yes	No	N/A
Men		✓	
Women		✓	

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

This proposal has been developed in accordance with the requirements of the Equality Act 2010 throughout and in compliance with the Welsh Government's School Admissions Code E.3 which states:

"An admission authority **must not** discriminate on the grounds of disability; gender reassignment; pregnancy and maternity; race; religion or belief; **sex**; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil."

All schools to which the Schools Admission Policy applies are non-gender specific in relation to their admissions criteria.

No differential impact would occur as the implementation of the Schools Admissions Policy would not affect this protected characteristic.

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

N/A

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3.9 Sexual Orientation

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

	Yes	No	N/A
Bisexual		✓	
Gay Men		✓	
Gay Women/Lesbians		✓	
Heterosexual/Straight		✓	

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

This proposal has been developed in accordance with the requirements of the Equality Act 2010 throughout and in compliance with the Welsh Government's School Admissions Code E.3 which states:

"An admission authority **must not** discriminate on the grounds of disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; or **sexual orientation**, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil."

No differential impact would occur as the implementation of the Schools Admissions Policy would not affect this protected characteristic.

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

N/A

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3.10 Welsh Language

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

	Yes	No	N/A
Welsh Language		✓	

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

The Council will continue to implement its Welsh in Education Strategic Plan and will ensure that there are schools to meet the demand for Welsh medium education.

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

N/A

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4. Consultation and Engagement

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

The consultation re: School Admission Policy includes engagement with the following stakeholders:

- All Community; Foundation; Voluntary Controlled and Voluntary Aided School Governing Bodies in Cardiff.
- Cardiff's Diocesan Directors of Education.
- Neighbouring Local Authorities.
- Cardiff Admissions Forum.
- Local Assembly Members.
- Local Members of Parliament.
- Any other interested parties who wish to respond

Consultation on the 2019/20 City of Cardiff Council's School Admission Policy is proposed from 01/12/2017 to 01/02/2018. The Council welcomes all views.

Details of the Schools Admission Policy will be made available on the Council's website:

<https://www.cardiff.gov.uk/ENG/resident/Schools-and-learning/Schools/Applying-for-a-school-place>

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5. Summary of Actions To Be Taken [from the Actions listed in the Sections above]

These actions should be included in your Directorate's Equality Action Plan for the year, monitored on a regular basis and reported in your Directorate Equality Annual Report.

Groups	Actions
Age	None
Disability	None
Gender Reassignment	None
Marriage & Civil Partnership	None
Pregnancy & Maternity	None
Race	The Council will consider the relative potential benefits/disadvantages to respective ethnic groups prior to taking a decision on this proposal and whether to include a feeder criterion.
Religion/Belief	The Council will remain sensitive to the needs of religious communities seeking faith place provision.
Sex	None
Sexual Orientation	None
Welsh Language	None
Generic Over-Arching [applicable to all the above groups]	None

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6. ACTIONS TO BE CONSIDERED IN THE FUTURE

List here any actions that you could not take in the immediate future, but which have arisen as issues to be considered for future service developments

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 : Ian Warburton	Date: 26/10/2017
Designation: Project Officer	
Approved By: Michele Duddridge Hossain	
Designation: Operational Manager, Planning and Provision	
Service Area: Education and Lifelong Learning Service	

- 7.1 On completion of this Assessment, please send it to equalityteam@cardiff.gov.uk, who will publish it on the Council's Website.

For further information or assistance, please contact the Equality Team 029 2087 2536 or email equalityteam@cardiff.gov.uk.