

Equality Impact Assessment (EIA) Report

This form should be completed for each Equality Impact Assessment on a new or existing function, a reduction or closure of service, any policy, procedure, strategy, plan or project which has been screened and found relevant to equality.

Please refer to the 'EIA Report Form Guidance' while completing this form. If you need further support please contact acesstoservices@swansea.gov.uk.

Where do you work?
Service Area: Education Planning and Resources
Directorate: People

(a) This EIA is being completed for a...

Service/ Function	Policy/ Procedure	Project	Strategy	Plan	Proposal
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(b) Please name and describe below...

Disposal of Surplus Land on School Sites (Olchfa Comprehensive School)

In order to provide vital investment in our schools we are required to provide match-funding for any financial support from the Welsh Government.

As explained in the report to Council on the 25 February 2016, Capital Budget & Programme 2015/16 - 2019/20 there is an ambitious programme of Council asset disposals which shall be used to support not only the 21st Century Schools programme but the General Fund capital programme as a whole.

It is therefore now the case that school land will be considered within the overall assets programme, and the disposal of surplus land will only proceed on the basis of agreement with the governing body and then the support of Cabinet on a case by case basis.

The criteria to be applied for comprehensive school sites are as follows:

- Evaluated on an individual basis rather than a generic filter based on site acreage; there are fewer sites to consider and each case is very different.
- The parcel of land is physically capable of being separated and developed.

Prior to making any final decision on disposal the Authority have been advised by Counsel to seek the views of the Governing Body of each school in question. In particular it was advised that their view must be sought on whether they consider the land to be surplus and if not then they must be given the opportunity of putting forward their reasons and for those reasons to be fully considered.

The formal planning process will further ensure that community considerations and views are fully considered with regard to any alternative use of the areas.

(c) It was initially screened for relevance to Equality and Diversity on 4 May 2016.

(d) It was found to be relevant to...

- | | | | |
|-----------------------------------|-------------------------------------|----------------------------------|-------------------------------------|
| Children/young people (0-18)..... | <input checked="" type="checkbox"/> | Religion or (non-)belief | <input type="checkbox"/> |
| Any other age group (18+) | <input checked="" type="checkbox"/> | Sex | <input checked="" type="checkbox"/> |
| Disability | <input checked="" type="checkbox"/> | Sexual orientation..... | <input type="checkbox"/> |
| Gender reassignment | <input type="checkbox"/> | Welsh language..... | <input type="checkbox"/> |
| Marriage & civil partnership..... | <input type="checkbox"/> | Poverty/social exclusion | <input checked="" type="checkbox"/> |
| Pregnancy and maternity | <input type="checkbox"/> | Carers (inc. young carers) | <input type="checkbox"/> |
| Race | <input checked="" type="checkbox"/> | Community cohesion | <input checked="" type="checkbox"/> |

(e) Lead Officer

Name: Louise Herbert-Evans

Job title: Head of Capital Planning and Delivery Unit

Date (dd/mm/yyyy): 4 May 2016

(f) Approved by Head of Service

Name: Brian Roles

Date (dd/mm/yyyy): 4 May 2016

****Updated on 24 January 2018 and 9 February 2018****

Section 1 – Aims (See guidance):

Briefly describe the aims of the initiative:

What are the aims?

Our main aims are to:

Raising standards

Our vision is that every child will have access to high quality teaching that helps them to make the most of their talents

Better use of resources

The decision is in line with the QEd vision that budgets should be spent on pupils and not wasted on empty places

Quality of learning environment

Quality learning environments have been shown to lead to improved performance by pupils

Our specific aims with this proposal are to:

Identify pockets of land on school land that are considered potentially surplus to the requirements of individual schools which could be released for disposal whilst retaining the appropriate facilities for pupils. In accordance with current policy, the relevant capital receipt will contribute towards the achievement of the Council's capital receipt target to part fund the overall capital programme including the 21st Century Programme for school improvements as set out in the approved capital programme. As such, the capital receipt will not be allocated for any other specific purpose.

Who has responsibility?

Cabinet of the City & County of Swansea

Chief Education Officer

Head of Education Planning and Resources

QEd Programme Manager

Who are the stakeholders?

Cabinet Member(s)
Executive Board
Cabinet
Education Senior Leadership Team
Group Leaders
All Councillors
Trade Unions
Headteacher
School Staff
Governing Body
Pupils
Parents
Evening Post
Welsh Government
Estyn
AMs
MPs
Swansea Bay Radio, Wave/Swansea Sound, BBC, ITV, Western Mail, TES,
All Council staff
Swansea residents

Section 2 - Information about Service Users (See guidance):

Please tick what information you know about your service users and provide details/evidence of how this information is collected.

Children/young people (0-18).....	<input checked="" type="checkbox"/>	Carers (inc. young carers)	<input type="checkbox"/>
Any other age group (18+)	<input type="checkbox"/>	Race	<input checked="" type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	Religion or (non-)belief	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	Sex	<input checked="" type="checkbox"/>
Marriage & civil partnership.....	<input type="checkbox"/>	Sexual orientation.....	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	Welsh language.....	<input checked="" type="checkbox"/>

What information do you know about your service users and how is this information collected?

Pupil information – SIMS which is linked with the Authority's 'One' system which gives more detailed information about pupils with ALN and SEN needs. This is managed by the LEA to ensure that the needs are met of all pupils in all schools within the City & County of Swansea.

The information held on Olchfa is as follows:

School	Using WIMD 2014		Using WIMD 2011		
	2014-2015	2015-2016	2011-2012	2012-2013	2013-2014
Olchfa	9.1	8.8	12.3	12	12

School	Total on roll	Percentage with SEN
	2017	2017
Olchfa	1693	14.4%

PLASC January 2017 EAL Stage of English Acquisition Summary

School	Non-EAL	Stages					Total	%A-D	%A-E
		A	B	C	D	E			
Olchfa	1356	3	9	42	154	129	1693	12.3%	19.9%

Ethnic background	7	8	9	10	11	12	13	Total
Asian	14.8%	9.8%	7.7%	6.5%	10.6%	9.5%	5.7%	9.3%
Black	0.8%	1.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.3%
Chinese	0.4%	2.2%	0.0%	0.7%	0.8%	1.1%	1.6%	1.0%
Mixed	3.8%	2.9%	4.2%	2.5%	5.7%	2.6%	4.2%	3.7%
Other	9.3%	5.8%	6.5%	5.1%	4.5%	5.8%	3.6%	5.9%
White other	5.1%	2.2%	4.2%	3.2%	1.2%	4.2%	4.7%	3.5%
White British	65.7%	76.0%	77.3%	81.9%	77.2%	76.7%	80.2%	76.5%
Not White British*	34.3%	24.0%	22.7%	18.1%	22.8%	23.3%	19.8%	23.5%

*excluding unknowns

Unknown	4.1%	1.8%	1.9%	2.5%	0.8%	2.6%	3.0%	2.3%
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Free school meals

School	Percentage claiming FSM Y1-Y11 Only					2017
	2012	2013	2014	2015	2016	
Olchfa	9.0%	9.5%	8.0%	6.7%	6.0%	5.8%

Any Actions Required?

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Section 3 - Impact on Protected Characteristics (See guidance):

Please consider the possible impact on the different protected characteristics. This could be based on service user information, data, consultation and research or professional experience (e.g. comments and complaints).

	Positive	Negative	Neutral	Needs further investigation
Children/young people (0-18)	➔ <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group (18+)	➔ <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	➔ <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Welsh language	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Thinking about your answers above, please explain in detail why this is the case.

Age – the sale of potentially surplus land will allow the City & County of Swansea to invest in the facilities of a number of schools across the City, benefiting a number of children and young people.

Disability – the money being invested in schools will improve access for a number of children and young people with disabilities

What consultation and engagement has been undertaken (e.g. with the public and/or members of protected groups) to support your view? Please provide details below.

Colleagues from Education and Corporate Building & Property Services have visited the school to discuss the matter with the Headteacher.

Following on from this a letter was sent to the governing body to offer a further opportunity to make representations known to the Authority in writing. In particular, they were invited to comment and make representations on behalf of and reflecting the views of staff, parents and pupils (possibly via the school council). We were seeking views on:

- a) Whether you agree that the land is surplus to requirements; if you do not agree, then please indicate why you do not agree and any alternative that you might wish to suggest.
- b) Whether you consider disposal of the land would have an effect on any disabled children at the school, or any disabled adults visiting the school or working at the school or any person who comes within the protected characteristics under the Equality Act 2010.
- c) Any other representations you consider are relevant.

The governing body at Olchfa are supportive and the findings were reported back to Cabinet.

January 2018 Update

The Council published a notice of the proposed land disposal comprising certain playing fields at Olchfa Comprehensive school, Gower Road Sketty under the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Regulations 2015.

The following organisations were consulted under the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Regulations 2015; Sports Council Wales, Fields In Trust, Natural Resources Wales, Wildlife Trust, Open space Society, Swansea Environmental forum, Play Wales, Children's Play Officer Swansea, Ward Members, School Governing Body and local residents.

Whilst the consultation period was open for 6 weeks as per the regulations the notice also appeared for two consecutive weeks in The South Wales Evening Post on the 18 and 25 September 2017.

A total of 36 pieces of correspondence (22 emails, 13 letters and a petition) were received, including two items of support.

One of the objections received in response to this notice was in the form of a petition containing 111 signatures. The petition referred to the ongoing parking issues on the Hendrefoilan Estate and in particular students using the estate to park their cars. The petitioners feel that "if land is surplus to educational needs it should be retained to provide car parking for students"

The petition states "this is having a serious adverse effect on the enjoyment of environment by the residents due to the following:

1. *The visual amenity of the area*
2. *Adequacy of parking/loading/turning for residents and visitors*
3. *Disabled persons access to properties*
4. *Highway safety due to restricted visibility*
5. *Unsafe congestion on the roundabout*
6. *Noise and disturbance”*

The response to the consultation process has been answered in the report to go to Corporate Briefing on 1 March 2018 and Cabinet on 15 March 2018 for consideration.

The two plans attached at appendix A and B of the report both indicate hatched, the proposed land sale area. The area consists in the main of the red gravel pitch which is in disrepair and is not safe to play on and tennis courts which are unfit for purpose. The disposal of the area indicated would also reduce the number of potential pitches by one.

Should Cabinet declare the site as indicated on the plans surplus to requirements, subject to the provision of an artificial games surface, the school would not lose any current on-site car parking space.

Therefore, the parking concerns raised as part of this consultation process, via letters and petition, are considered to be an ongoing issue and are not as a direct result of or impacted by the proposal to declare land surplus to requirements at Olchfa Comprehensive school. It is therefore considered that no persons with protected characteristics would be negatively affected by the proposal

Whilst we acknowledge the proposal raised as part of the consultation to use the land indicated to provide extra car parking, it is considered that the proposal to declare the land indicated as surplus to requirements subject to the installation of an all-weather pitch; would be far more beneficial to both the school and the community.

It is the intention of the Council to provide an all-weather surface pitch, floodlit and available for hire to the Community outside of school hours. The installation of a 3G facility would provide an all-weather resource available to both pupils and the community, this facility will have a positive effect on community, health, social care and well-being strategies. It is the intention that parking for this facility would utilise the current school site.

If the land in question is to be developed in the future, a planning application will need to be submitted to the Council's planning department outlining the proposals. As part of that application process residents will be afforded the opportunity to formally raise any questions/objections to the proposals within the set 21 day consultation period.

As part of the consultation we have spoken to officers from highways who have informed us that the Council has previously introduced Traffic Regulation Orders (TRO) at key junctions within the estate to maintain access for emergency vehicles. The Council has engaged in consultation for wider TRO's in the estate, however, residents felt that this would be detrimental to their quality of life and that the school should encourage their students to act in a responsible manner.

Highways officers also informed us that Local ward member and traffic officers have visited the school to attend a sixth form assembly to appeal for student cooperation (in terms of parking and inappropriate pedestrian routes)

Highways officers have stated that whilst the Council recognises that, the student parking within the Hendrefoilan Estate does cause an inconvenience to residents and visitors to negotiate through the streets and gain access / egress into their driveways, there is no over-riding threat to road safety.

Should residents wish to reopen the discussion for further TROs they can contact the local authority.

The responses will now be considered by Cabinet.

Any actions required (to mitigate adverse impact or to address identified gaps in knowledge).

- Send response to the petition lead on the action taken/offered by Highways Department.

Section 4 - Other Impacts:

Please consider how the initiative might address the following issues.

You could base this on service user information, data, consultation and research or professional experience (e.g. comments and complaints).

Foster good relations between different groups	Advance equality of opportunity between different groups
Elimination of discrimination, harassment and victimisation	Reduction of social exclusion and poverty

(Please see the specific Section 4 Guidance for definitions on the above)

Please explain any possible impact on each of the above.

Investment in a number of school sites resulting from part capital receipt of potential land sales will lead to improved school buildings and create better environments for all children and young people thus *fostering good relations between different groups*.

A number of the proposed investments resulting from part capital receipt of potential land sales will provide children and young people with facilities already enjoyed in other schools within the City & County of Swansea thus *advancing equality of opportunity between different groups*.

There are a number of examples of improvements to school buildings within the proposed investments resulting from part capital receipt of potential land sales that will provide open school areas that have the potential to *eliminate discrimination, harassment and victimisation*.

Any investment in schools as a result of the potential land sales will have a beneficial impact on the education of the children and young people of Swansea. In the long term this can lead to a *reduction of social exclusion and poverty*. In Olchfa's case the sale of the land will assist in providing a 3G pitch that could potentially also be used by the community.

What work have you already done to improve any of the above?

The Quality in Education (QEd) Programme/21st Century Schools programme has been running for a number of years with a large number of Children and Young People benefiting from investments in our schools.

Is the initiative likely to impact on Community Cohesion? Please provide details.

The sale of land at Olchfa could potentially provide a 3G pitch that could be used by the community.

How will the initiative meet the needs of Welsh speakers and learners?

One of the main beneficiaries of the proposed land sales could be one of the proposed Welsh-medium developments in Band B of the 21st Century Schools Programme. In addition, the possible 3G pitch at Olchfa could be used by all members of the community

including Welsh speakers and Welsh language groups.

Actions (to mitigate adverse impact or to address identified gaps in knowledge).

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Section 5 - United Nations Convention on the Rights of the Child (UNCRC):

In this section, we need to consider whether the initiative has any direct or indirect impact on children. Many initiatives have an indirect impact on children and you will need to consider whether the impact is positive or negative in relation to both children's rights and their best interests

Please visit <http://staffnet/eia> to read the UNCRC guidance before completing this section.

Will the initiative have any impact (direct or indirect) on children and young people? If not, please briefly explain your answer and proceed to Section 6.

The initiative will have a direct impact on children and young people.

Is the initiative designed / planned in the best interests of children and young people? Please explain your answer.

The initiative is designed in the best interest of children as stated in guiding principal Article 3. *Best interests of the child (Article 3): The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.*

The initiative is planned to improve pupils' school environment thus giving them the best opportunity of achieving to their full potential. The proposal relates to the following articles:

Article 3 - All organisations concerned with children should work towards what is best for each child.

Article 12 - Respect for the views of the child

Article 18 - Both parents share responsibility for bringing up their children. We should help parents by providing services to support them.

Article 28 - Children have a right to an education. Discipline in schools should respect children's human dignity.

Article 29 - Education should develop each child's personality and talents to the full.

Article 30 - Children have a right to learn and use the language and customs of their families.

Actions (to mitigate adverse impact or to address identified gaps in knowledge).

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Section 6 - Monitoring arrangements:

Please explain the arrangements in place (or those which will be put in place) to monitor this initiative:

Monitoring arrangements: All projects within the Quality in Education (QEd) 2020 Programme have a clear monitoring process in place. Regular progress meetings will be

held with the school and the contractors, a formal Project Board will be held monthly to discuss key issues and make key decisions, any issues can then be escalated to the QEd Programme Board with the Strategic Programme Board (Corporate) having an overarching view of all City & County of Swansea projects.

Actions: Monitor EIA monthly at the Project Board and Programme Board by exception as required.

Section 7 – Outcomes:

Having completed sections 1-5, please indicate which of the outcomes listed below applies to your initiative (refer to the guidance for further information on this section).

- | | |
|---|-------------------------------------|
| Outcome 1: Continue the initiative – no concern | <input checked="" type="checkbox"/> |
| Outcome 2: Adjust the initiative – low level of concern | <input type="checkbox"/> |
| Outcome 3: Justify the initiative – moderate level of concern | <input type="checkbox"/> |
| Outcome 4: Stop and refer the initiative – high level of concern. | <input type="checkbox"/> |

For outcome 3, please provide the justification below:

For outcome 4, detail the next steps / areas of concern below and refer to your Head of Service / Director for further advice:

Section 8 - Publication arrangements:

On completion, please follow this 3-step procedure:

1. Send this EIA report and action plan to the Access to Services Team for feedback and approval – accesstoservices@swansea.gov.uk
2. Make any necessary amendments/additions.
3. Provide the final version of this report to the team for publication, including email approval of the EIA from your Head of Service. The EIA will be published on the Council's website - this is a legal requirement.

Action Plan:

Objective - What are we going to do and why?	Who will be responsible for seeing it is done?	When will it be done by?	Outcome - How will we know we have achieved our objective?	Progress
Monitor implementation of the proposal if approved by Cabinet	Project Manager	On-going until the project's conclusion	Any future developments as a result of the land sale takes full notice of all equalities issues	
Send response to the petition lead on the action taken/offered by Highways Department.	Project Manager	1 March 2018	Response sent and possible further response from the petition lead	
Propose actions to mitigate issues raised about parking in the area	Highways Department	Completed	Mitigation offered and refused by the local residents	
Re-visit option of TROs should the local residents wish	Residents/Highways Department	No deadline set		

* Please remember to be 'SMART' when completing your action plan (Specific, Measurable, Attainable, Relevant, Timely).