

## London Borough of Hackney Equality Impact Assessment Form

The Equality Impact Assessment Form is a public document which the Council uses to ensure that it can show that decisions it makes impact in a fair way, are based on evidence and are transparent. The process helps show that it has complied with the Public Sector Equality Duty (s149 of the Equality Act 2010) when making and implementing decisions which affect the way the Council works.

The form collates and summarises information which has been used to inform the planning and decision-making process.

**All the information needed in this form should have already been considered and should be included in the documentation supporting the decision or initiative, e.g. the delegate powers report, saving template, business case etc.**

The form must be reviewed and agreed by the relevant Director, who is responsible for ensuring it is made publicly available and is in line with guidance.

### Title of this Equality Impact Assessment:

**Education Sufficiency and Estates Strategy**

### Purpose of this Equality Impact Assessment:

To ensure there has been due regard to the Equalities Act 2010 and the duties outlined within when developing the strategy. To further ensure that the strategy seeks to advance equality within its recommendations.

### Officer Responsible:

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<b>Directorate:</b> Education	<b>Department/Division:</b> High Needs and School Places

**Name of Director:** Paul Senior

**Date:** 30 November 2023

**Comment:.**

### Version control

v4	EIA	Date approved 30 November 2023
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## **STEP 1: DEFINING THE ISSUE**

### **1. Summary of the reason/s for having to make a new decision.**

The following reflects the Council's views in considering putting forward these proposals. Hackney's Education Sufficiency and Estate (ESE) strategy, agreed at Cabinet February 2022, is a 10 year plan which seeks to address four strategic priorities:

1. The creation of sufficient additional in borough special school places;
2. Partnership working with mainstream primary schools whose rolls are falling to seek viable solutions;
3. Partnership working over the coming five academic years with mainstream secondary schools whose numbers are likely to be below PANS over the period 2022-2027, and;
4. A long term sustainable use plan for all education sites in the borough.

In progressing priority 2, Cabinet made the decision, in May 2023, to consult on proposals to amalgamate or close a number of schools in Hackney.

Following years of growth, the number of primary aged children joining Hackney primary schools has been in steady decline since 2014/15, a trend observed across London, and most prevalent in inner-London boroughs. Pupil numbers are forecast to continue falling until at least 2028.

School funding is primarily determined by the number of children on roll, and falling rolls equates to reduced funding to deliver education across the borough. While primary schools' rolls are falling but the number of schools remains unchanged, there is effectively less financial resource per school/child.

The Council has a statutory duty to ensure there are a sufficient number of school places for pupils and that places are planned effectively. Despite removing 375 reception places across Hackney schools between 2019 and 2023, the projections still indicate a steady increase in surplus reception places from 19% in 2023/24 up to 23% in 2025/26. This surplus is then projected to slowly decrease and stagnate at 20% until the end of the projection period in 2031/32.

The Council considers that allowing surplus places to remain above 20% through inaction would directly and negatively impact the financial viability of many Hackney schools, which in turn will have an impact on the quality and breadth of the education offered at those schools. This is because schools with less income have less money for staff salaries, for extra curricular activities, for equipment, to pay bills and carry out maintenance work. The quality of education and classroom support offered for children in these schools would deteriorate in time, as the affected schools would have to deplete surplus funds or go into deficit to maintain their current education offer.

Whilst mainstream primary rolls have fallen in Hackney, there has been an increase in the prevalence of children identified as requiring Special Educational Needs & Disabilities (SEND) provision, partly due to the impact of the Covid-19 pandemic which led to the disruption of 2 years of schooling. In addition, the impact of falling rolls has affected schools' financial stability and limits their capacity to invest in training, resources etc. to meet the increasing wider range of pupils' needs across the borough.

The council must make best efforts to ensure that the gradual attrition of pupils does not further disadvantage those who are already disadvantaged socially/educationally.

## 2. Who are the main people that will be affected?

The following groups may be affected by the proposed closures/mergers

### **Children and young people attending the mainstream school affected by the proposals & Children and young people with SEND in Hackney**

Within this group the following protected characteristics may be present;

- **Age** (a person belonging to a particular age or range of ages)
- **Disability** (a person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities)
- **Gender reassignment** (the process of transitioning from one sex to another)
- **Pregnancy and maternity** (Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding)
- **Race** (Refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.)
- **Religion and belief** (Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief.)
- **Sex** (A man or a woman)
- **Sexual orientation** (Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.)

In addition to protected characteristics, Hackney also considers disadvantages for people by socio-economics and identifies other priority groups, for example, children in care and single parents.

If the decision is made to either close or amalgamate schools, pupils at the schools affected will be supported to move to a neighbouring school during the Summer Term of 2024. There are sufficient school places in the areas where the schools are affected to accommodate all children. The Local Authority has chosen amalgamation/merger sites that are close walking distance to the original schools, to ensure travel times don't exceed the statutory walking distance requirement of 2 miles or under. This will also ensure that pupils stay in areas that they are familiar with. Should parents choose a different school closer to their home, the Local Authority will support them with this.

The Local Authority will ensure that children with SEND are placed in appropriate settings to minimise disruption. Specialist SEND professionals including Educational Psychology and Speech and Language therapists will continue to work with settings and pupils to ensure that children with SEND receive robust and appropriate transitional support.

None of the schools that are being considered during this phase are faith schools, however should parents wish to enrol their child in one of these schools we will work with the Diocesan Board to accommodate this wish.

## **Teaching and support staff who work within the schools affected**

Within this group the following protected characteristics may be present;

- Age
- Disability
- Gender Reassignment
- Race
- Religion
- Pregnancy and maternity
- Sex
- Sexual orientation

The proposals will impact staff at the schools with potential redundancies and/or redeployment. The Local Authority will work closely with staff impacted by the proposals to ensure that any needs of staff are taken into account, especially those with protected characteristics. Should the proposals go ahead, the Local Authority will work with affected staff and their trade unions in the reorganisation process and commit to providing extensive support throughout the consultation process and beyond. This will include, where possible, HR overseeing redeployment support throughout the family of Hackney schools and also emotional and reflective support via our employee assistance programme. We will also work with our partners in Hackney Works and Employment and Skills to support staff with job applications, interview skills and job searching generally.

## **Parents and carers of the children and young people attending the schools affected**

Within this group the following protected characteristics may be present;

- Age
- Disability
- Gender Reassignment
- Race
- Religion
- Pregnancy and maternity
- Sex
- Sexual orientation

Should the proposals go ahead, parent-carers will have a choice of local provision. The Local Authority will maintain a surplus of between 5-10% in order to meet their statutory duty in providing sufficient school places. Although the Local Authority cannot guarantee all parents will get their first preference, we will be committed to year groups staying together in the case of amalgamation/merger and siblings moving to the same school.

We recognise that single parents may be a specific group and 90% of single parents are women. Just under 10% of households, or 10,000 households in Hackney are single parents with dependent children and a further 6% are single parents with non dependent children. Whilst the proportion of single parents with children has decreased slightly since 2011, the proportion of those with non dependent children has grown more than for couples with non dependent children. Nationally, 90% of single parents are women and half live in poverty.

We recognise multigenerational/intergenerational family groups live in Hackney - we recognise that parents and carers may for example include a broader range of age

groups - from very young to much older including grandparents.

The difference in location may impact parents and carers with longer travel times. We have provided a list of all schools within 2 miles of each affected setting. We recognise that longer travel times may impact groups of parents and carers differently, especially those who are disabled parent carers, single parents or those who rely on older relatives for the school run.

### **Services and provisions supporting children and young people in Hackney [Staff]**

Within this group the following protected characteristics may be present;

- Age
- Disability
- Gender Reassignment
- Race
- Religion
- Pregnancy and maternity
- Sex
- Sexual orientation

### **Local residents living near the potential sites for amalgamation/merger / closure**

Within this group the following protected characteristics may be present;

- Age
- Disability
- Gender Reassignment
- Race
- Religion
- Pregnancy and maternity
- Sex
- Sexual orientation

Residents living near potential sites considered may experience noise disruption in the future depending on what the vacant sites are used for/ whether there is building work to adapt the sites. Depending on what the future site use is, this may benefit local residents.

## STEP 2: ANALYSING THE ISSUES

### 3. What information and consultation have you used to inform your decision making?

#### Information and Consultation

The Education Sufficiency & Estate Strategy addresses the need and plan for falling primary school rolls and surplus reception places. Hackney seeks to retain 5% surplus reception places, however the January 2023 school census shows 616 surplus reception places (21%), the equivalent of over 20 empty reception classes. On the information we have, and without taking action, surplus reception places are forecast to rise above 23% by 2025. This would bring sustained and increasing financial strain on affected schools. .

An evidence based framework was used to identify the six schools proposed for amalgamation/merger and/or closure. Schools were only considered where they are actively seeking change such as amalgamation/merger with support from the Local Authority.

The initial long list included schools meeting one of the following three criterion

- greater than 25% surplus reception places
- greater than 25% surplus physical capacity
- budget deficit in the top 10 schools raising most financial concern

The list was then reduced to schools meeting more than one of the initial three criteria or with greater than 45% surplus reception places. Additional schools falling outside these criteria were also considered where they are located near a shortlisted school and identified as a potential partner for amalgamation/merger. The list of schools derived from the above quantitative data driven criteria were then reviewed for further data and qualitative considerations. The community schools were reviewed based on: locality and geographic partnership options, suitability of site to host an amalgamation/merger and finally overall school effectiveness and quality of education, as indicated by current Ofsted grading, trajectory of pupil outcome data and local reporting. The framework was applied to schools and resulted in options to either amalgamate/merger or close schools. Options for amalgamation/merger pairings and closure options were reviewed and finalised put into a shortlist.

#### Governance

Each stage of the process for the selection of the amalgamation/merger and/or closure option has been reviewed by the Education Senior Leadership Team, ESES executive board and members' oversight group.

#### Evidence and Data

Table 1 shows the level of surplus reception places in Hackney since January 2016. It shows that the current level of surplus reception places stands at 21% (616 places), the highest level recorded, despite permanent published admission number (PAN) reductions made in 2019 and 2022. Officers have sought to mitigate the effects of falling rolls through the use of temporary and permanent PAN reduction measures. Rolls have continued to fall each year in Hackney and across local authorities in London. This trend looks set to continue, as data from the pan London admissions

coordination scheme shows that Hackney received 6% fewer on-time reception applications for September 2023 entry, when compared to 2022.

**Table 1. Number of surplus reception places compared to number of available places (2015 - 2023)**

Academic year (January school census)	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
No. of children on roll	2805	2757	2635	2565	2599	2530	2398	2284
No. of reception places available (PAN)	3080	3170	3155	3155	3035	3035	3035	2900
No. of surplus reception places	275	413	520	590	436	505	637	616
% surplus reception places	9%	13%	17%	19%	14%	17%	21%	21%

The impact of falling rolls and surplus place is multifaceted and can effect the following:

### **Roll instability**

Surplus places in a local authority context also provide an opportunity for children to move from school to school - again often in an unorganised way. This 'school hopping' is rarely in the best interest of the children and presents challenges for schools as high levels of mobility are unsettling and reduce the quality of teaching and learning and require significant additional resources to properly induct and support new starters.

### **School income and deficit**

The Council considers that significant levels of surplus reception places lead to a reduced income for schools and often bring the added challenge of vertically grouped classes across two year groups increasing the complexity of day to day management and organisation.

High surplus results directly in a reduction in income which can lead to deficit budgets. Falling rolls is a major theme that runs through the budget planning considerations of many schools in financial difficulty. A number of schools are currently managing small year group sizes that prove to be uneconomical and require adopting a more flexible approach to resourcing i.e. vertical grouping and capping of PAN. Whilst federations can provide some financial support through economies of scale, our current data in relation to budget deficits suggests that it does not protect schools sufficiently. Deficit budgets of course directly contribute to a school's lack of viability.

As the majority of school funding, in accordance with DfE funding regulations, has to be allocated on the basis of pupil numbers the impact of surplus places can be significant to a school's overall budget and financial viability.

### **School performance**



School performance and Ofsted grading can often be seen as a protective factor in the context of falling rolls. This might be the case in less severe circumstances, however in the current climate when surpluses across the borough are so high, and schools across the board in Hackney are generally good or better (97% of schools in Hackney are rated 'good' or 'outstanding'), it is not as predictive. What is clear is that the effectiveness and capacity of school leaders to strategically plan for a falling roll is somewhat dependent on school leaders and Governors making difficult decisions over changes to provision for existing pupils, this relates to decisions around restructuring and removal of provision such as after school clubs to balance the budget in light of falling rolls.

### Schools with excess physical space and large sites

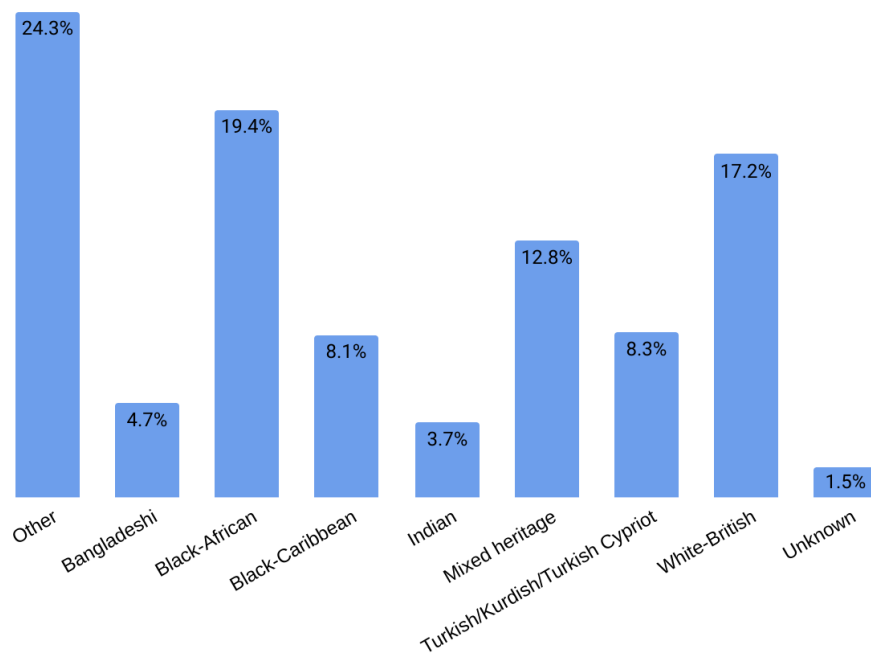
We have a few examples where the school simply cannot 'afford' to live within their current estate in the short to medium term. Reduced budgets will impact on the schools ability to set aside sufficient budget to deal with day to day repair and maintenance issues as tight budgets will be prioritised to deal with staffing and essential resources. This can have a significant impact on larger school buildings and sites with fewer pupils which will have higher premises costs. Underinvestment in the premises will create longer term issues for the future and increased need for capital funding to deal with a lack of maintenance.

### Hackney profile and data review

Protected Characteristic	Hackney profile
Age	Primary school children, parents and staff ages
Disability	<p>Hackney has an increasing high number of EHCPs partly due to schools' increasingly high budget deficits - The number of Hackney residents with an EHCP rose from 3,062 in 2022 to 3,243 in 2023, equivalent to a 5.9% increase. At 4.08%, the percentage of resident 0-24 year olds in Hackney with an EHCP was the second highest among statistical neighbours and the 9th highest across England. [Mime Dashboard October 2023]</p> <p>The proportion of both primary and secondary school pupils in state-funded mainstream schools with an EHCP is high in Hackney. This is particularly striking for primary pupils and at 4.6%, the proportion of these pupils with an EHCP is the second highest of any England local authority, and just under twice the England figure of 2.3% [Mime Dashboard October 2023].</p> <p>High levels of EHCP and SEN support will be imperative for any changes.</p>
Pregnancy and maternity	The LA will work with the school to establish numbers of staff currently on MAT and will engage and consult appropriately.
Race this includes ethnic or national	<b>Hackney all pupil average Ethnicity breakdown: [May 2023 School Census]</b>



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According to the Census 2021, over half, 53.1% of Hackney's residents identify as 'White', 21.1% as 'Black', 10.4% as 'Asian', 6.7% as 'Mixed' and 8.7% identify within the 'Other ethnic group' category. [[2021 Population Census](#)]

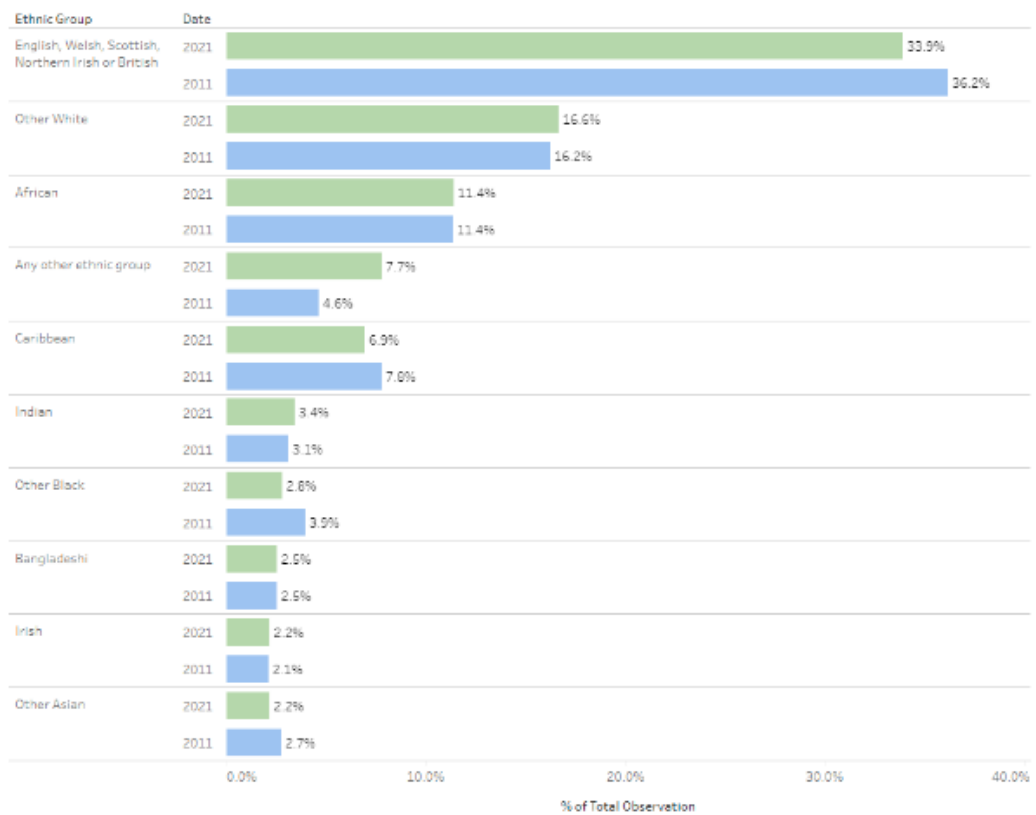
The multi-dimensional and subjective nature of ethnic identity is reflected in the fact that equivalent responses are also recorded within other high-level categories. For example, Turkish, Jewish, Hispanic/Latin American, Arab, Kurdish and Turkish Cypriot are also responses that can also be found within the 'White' category in the Census 2021 data. This includes 2.0% who identify as Turkish, and 1.2% as Jewish.

The proportion of people of the Jewish faith living in Hackney has increased slightly from 6.3% to 6.7% of Hackney residents. According to the 2021 Census, the number of people who identify as being of the Jewish faith has risen from 15,477 in 2011 to 17,426 in 2021, an increase of 1,949 persons in the past decade. The vast majority of people of the Jewish faith living in Hackney belong to the Orthodox Jewish community, located in and around Stamford Hill in the North East of the borough.

However, the Interlink Foundation, an organisation which brings together Orthodox Jewish communities in Hackney estimates Hackney's Orthodox Jewish community at between 27,405 and 29,460 individuals, between 11.7 and 12.5% of Hackney's population.

### Ethnic Group (detailed)

Figure 1: Breakdown of ethnic groups in Hackney(2021/2011 comparison)



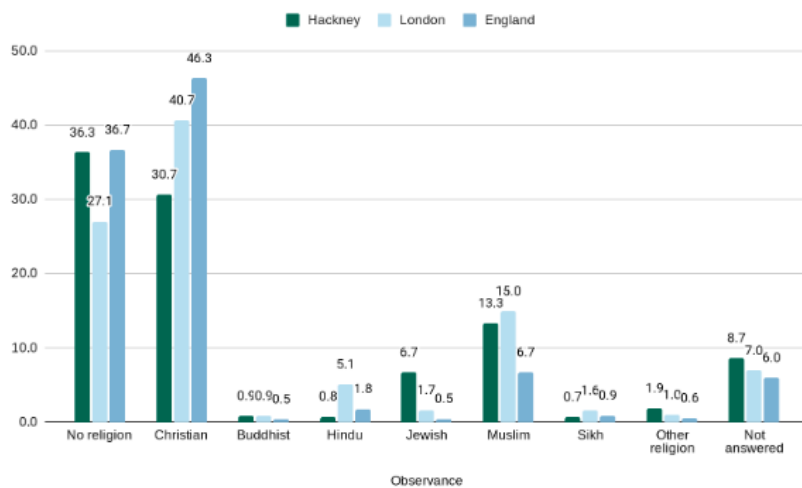
Source, Office for National Statistics 2021 Census

[Source Census 2021 briefing](#)

Religion or belief – this includes lack of belief

Hackney’s communities represent a diversity of religions and beliefs. In terms of religious observance, the largest group of census respondents in Hackney (36.3%) stated they had ‘no religion’. Nearly a third of Hackney residents identify as Christian (30.7%), 13.3% identify as Muslims, 6.7% as Jewish faith (This community is largely made up of Orthodox, or Charedi Jewish people who mainly live in the North East of the borough. The Census did not distinguish between Orthodox, and Non-Orthodox Jewish people so all are categorised as ‘Jewish’ in the Census). In Also 0.7% identify as Sikh and 0.8% as Hindu and 0.9% as people who practise Buddhism:

Figure 2: Religious observance for Hackney, London and England



Office for National Statistics 2021 Census, Percentage of all usual residents

[Office for National Statistics 2021 Census, Percentage of all usual residents] Source- Census 2021 Briefing

Sex	The gender split at primary schools in Hackney is almost equal [boys 50%, girls 50%, Yearly School Census 2023]
Sexual orientation	<p>In Hackney 7.8% residents identified as Lesbian, Gay, Bisexual or another non-heterosexual orientation. This means Hackney has proportionally the 6th highest LGB+ population in England &amp; Walks and the 5th highest in London. In comparison to other London boroughs, Hackney has the highest number &amp; proportion of residents who identify as “bisexual” or “queer”.</p> <p>Given that Hackney has a relatively high population of residents with a Lesbian, Gay, Bisexual or other non-heterosexual identity it is reasonable to assume there are LGB+ pupils within many Hackney schools, although the number is not possible to ascertain.</p> <p>While the council holds no school or ward level data on sexual orientation of under 18 year olds means it is not possible to ascertain how many young people may be affected by the closures, there is research that demonstrates a significant impact when a young person is supported/unsupported at school or home.</p> <p>An LGB+ young person who is currently in a supportive school environment moving to another environment may experience anxiety about the move if there is uncertainty about how they will be supported. Schools may have different policies and practices around support LGB+ children. This can be mitigated by ensuring all schools have visible, robust policies and practices on supporting LGB+ children.</p> <p>LGB+ parents may have similar anxieties about schools closing around levels of support and acceptance. Parents may have chosen a school or location due to reputation or community support. This may be mitigated by ensuring visible, robust policies and practices on supporting LGB+ children and have</p>

	<p>clear anti-discrimination policies. Further information can be found in the <a href="#">Positive Futures</a> report.</p>
<p>Gender reassignment</p>	<p>“Gender reassignment: The definition is broad, so is likely to cover a wide range of transgender and non-binary people, but in the UK it is a protected characteristic under the Equality Act (2010). A person is protected from the point at which they propose to undergo “a process (or part of a process) for the purpose of reassigning the person’s sex by changing physiological or other attributes of sex”. In England, Scotland and Wales, this does not have to involve any surgical or medical procedures. So, someone would almost certainly be protected if they were simply changing their name, hairstyle, voice and/or presentation.”</p> <p>“there is a broad consensus that the definition of ‘gender reassignment’ in the Equality Act (2010) is broad and covers a wide range of transgender and non-binary people.”</p> <ul style="list-style-type: none"> <li>• Fletcher, L., &amp; Marvell, R. (2023) Transgender and Non-Binary Inclusion at Work Guide. London: Chartered Institute of Personnel and Development (CIPD) Doi: 10.15125/BATHRO-271384630</li> </ul> <p>It can be understood from the above that “gender reassignment” covers “gender identity”.</p> <p>“(Taylor v Jaguar Land Rover Ltd) ruled that non-binary and genderfluid people have the protected characteristic of gender reassignment and so are protected from harassment, discrimination and victimisation”</p> <ul style="list-style-type: none"> <li>• Fletcher, L., &amp; Marvell, R. (2023 s for the first time in 2021. Respondents were asked “Is the gender you identify with the same as your sex registered at birth?”. This question was a yes or no answer, with a box to write in a gender identity if the response was “no”. This question was only asked of those aged 18 and upwards.</li> </ul> <p>2241 people responded that their gender identity was different to the sex registered at birth, representing 1.07% of the population aged 16 or over (although 16 and 17 year olds were not asked this question, it is not possible to remove them from the data, as the census age category is 16-24, and we do not have data for individual ages)</p> <p>According to the Census, Hackney has the highest number and proportion of adults who identify as a gender other than male or female (a nonbinary+ gender identity) than any other London Borough. Hackney has a roughly average number of trans women and trans men in Hackney compared to other London Boroughs.</p> <p>Given that Hackney has a relatively high population of gender diverse adults, it is reasonable to assume there are gender diverse pupils within many Hackney schools, although the number is not possible to ascertain.</p> <p>While the council holding no school or ward level data on gender identity of</p>

under 18 year olds means it is not possible to ascertain how many young people may be affected by the closures, there is research that demonstrates a significant impact when a young person is supported/unsupported at school or home.

There is currently no means for gender diverse young people under the age of 18 to legally change their gender identity. The Gender Recognition Act 2004 only applies to adults aged 18 or over, and only to binary gender identities (male/female). Young people with the protected characteristic of “gender reassignment” therefore rely on the support of those around them, including their schools, to support and affirm them.

Studies have demonstrated a clear link between affirmation of gender identity and better mental health outcomes, with lack of affirmation being linked to worse mental health outcomes; and the benefits of a whole-system approach to reducing minority stress e.g. Dolotina B, Turban JL. A Multipronged, Evidence-Based Approach to Improving Mental Health Among Transgender and Gender-Diverse Youth. JAMA Netw Open. 2022;5(2):e220926. doi:10.1001/jamanetworkopen.2022.0926

Data in the Just Like Us Positive Futures report outlines the impact of an unsupportive home and/or school.

LGBT+ young adults from unsupportive school and home backgrounds were:

- Four times as likely to feel ashamed of being LGBT+ (41% vs 9%)
- More than twice as likely to have experienced panic attacks (60% vs 28%) and nearly twice as likely to have experienced depression in the past year (82% vs 42%)
- More than three times as likely to ‘never or rarely’ feel optimistic about their future (42% vs 12%)
- Three times more likely to not be confident they’ll have a career they enjoy (48% vs 17%)
- Half as as likely to feel good about themselves (41% vs 89%)
- More than four times as likely to ‘rarely or never’ feel close to other people (49% vs 11%)
- Half as likely to be confident that they will find a life partner (34% vs 70%) and have children (25% vs 49%), even though they want to
- Nearly half as likely to say they are happy in adulthood (43% vs 85%)
- More than twice as likely to have had suicidal thoughts and feelings (85% vs 39%)
- More than twice as likely to have self-harmed (71% vs 33%)

There is currently no specific national guidance for schools on how to support gender diverse children in school settings in England. The UK Government have repeatedly delayed publishing guidance. As recently as September 2023 it was reported that this guidance would likely be subject to continual delay due to legal advice to the government that its own guidelines were likely to breach the Equality Act.

Sources - [Pink News](#) & [The Times](#)

This demonstrates the context in which schools are operating of the

	<p>politicisation of gender diverse youths, a factor which increases the “minority stress” referred to in Dolotina B, Turban JL (referenced above).</p> <p>A gender diverse young person who is currently in a supportive school environment moving to another environment may experience significant anxiety about the move if there is uncertainty about how they will be supported. Schools may have different policies and practices around supporting and affirming gender diverse children.</p> <p>The Census records data on family composition and therefore the number of households likely to feature Gender Diverse parents. The 2021 census records:</p> <p>By family composition          0.9% of households with dependant children include a gender diverse adult          1.2% of single parent households include a gender diverse adult</p> <p>By gender identity          Single parent households: 15.2% of gender diverse adults</p> <ul style="list-style-type: none"> <li>● Disambiguated:             <ul style="list-style-type: none"> <li>● 21.4% of trans women</li> <li>● 17% of trans men</li> <li>● 19.5% of trans people who did not declare their gender identity but said their gender identity was different to their sex registered at birth</li> </ul> </li> </ul> <p>Family/couple with dependent children: 15.7% of gender diverse adults</p> <ul style="list-style-type: none"> <li>● Disambiguated:             <ul style="list-style-type: none"> <li>● 19.5% of trans women</li> <li>● 27.2% of trans men</li> <li>● 17.8% of trans people who did not declare their gender identity but said their gender identity was different to their sex registered at birth</li> </ul> </li> </ul> <p>Gender diverse parents may have similar anxieties about schools closing around levels of support and acceptance. Parents may have chosen a school or location due to reputation or community support.</p> <p>Child and parental anxiety can be mitigated by ensuring all schools have visible, robust, evidence-based policies and practices on supporting gender diverse children, clear anti-discriminatory policies with reference to children and their parents/carers and that there is a whole-school approach towards gender diversity, which includes the students, teachers and parents.</p> <p>(The Census defines “dependant child” as “A dependent child is a person aged 0 to 15 years or a person aged 16 to 18 years who is in full-time education and lives in a family with their parent, parents, grandparent or grandparents”)</p>
Other considerations	<p><b>Free School Meals:</b>          “In 2020/21, Hackney’s state-funded special schools had the highest proportion of children that were eligible for free school meals at 59.9%.</p>

This equates to almost 2 out of every 3 children (134)” - [Health Needs Assessment](#)

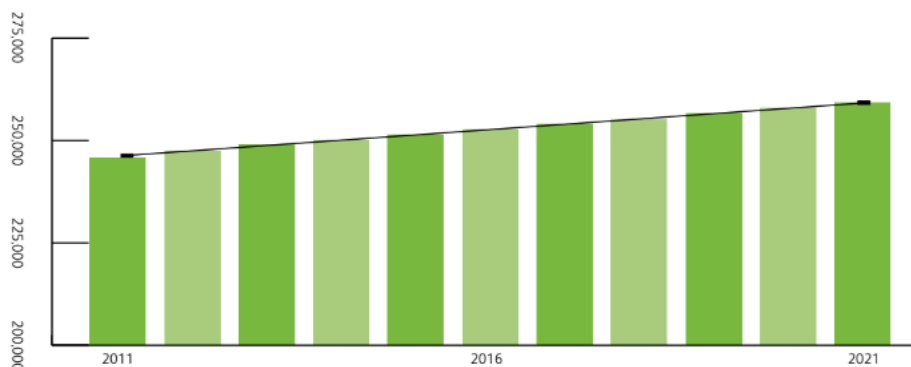
**Deprivation - IDACI 2019 - (Income Deprivation Affecting Children)**

The London Borough of Hackney is one of the most socio-economically deprived areas in England, ranking among the most deprived 30% of areas in 2019 (40). The Income Deprivation Affecting Children Index (IDACI) measures the proportion of children aged 0-15 living in income deprived families in each of the small local areas (called Lower Layer Super Output Areas or LSOAs). IDACI is a subset of the English Indices of Deprivation that allow categorisation by LSOA into five quintiles of deprivation: with quintile one the most deprived and quintile five the least (41).

In Hackney, more than 80% of LSOAs fall within quintiles one and two of IDACI, the most deprived in the country. None of the LSOAs fell within the least deprived quintile, with only 5% in the second-least deprived quintile. The percentage of under 16s living in low-income families in Hackney (24.7%) is higher than both London (18.8%) and England (17.0%) averages (42).

<https://www.gov.uk/government/collections/english-indices-of-deprivation>

**Population trends**

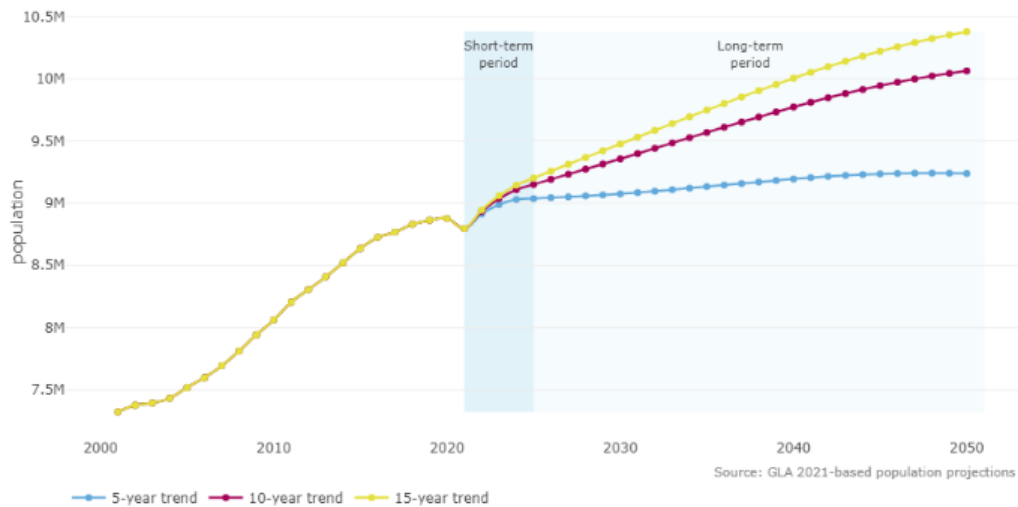


Source <https://hackney.gov.uk/strategic-plan>

The London Datastore (drawing on census data) shows that since 2016 London’s population has markedly slowed down, and that the trend is set to continue:



Figure 1: Projected Population, London



Source

<https://data.london.gov.uk/blog/new-population-projections-for-london-building-on-the-2021-census/>

### Air quality:

Air pollution is the largest environmental risk to the public's health in the UK. There is evidence to suggest that children in their early years are especially at risk, including increased risks of asthma and poorer lung development. Whilst the impact to health from air pollution depends on multiple factors such as exposure time, age and gender; children, pregnant women, the elderly and those with certain pre-existing medical conditions such as chronic obstructive pulmonary disease (COPD) are considered at most risk of poorer health outcomes.

The borough's strategy aims to improve air quality across the area with a specific focus on implementing initiatives that target the most susceptible groups in Hackney so that those most at risk are not disproportionately affected by the impacts of poor air quality. Within Hackney, current air pollution levels exceed legal standards at some locations and can lead to negative impacts on the health of all residents and visitors.

Air quality, as measured by annual average nitrogen dioxide (NO<sub>2</sub>), at the six school sites in Hackney was reviewed. For 2022 all of the diffusion tubes located near these schools were below the air quality objective of 40 µg/m<sup>3</sup>, as seen in table below. Levels of nitrogen dioxide fell or stayed the same at most schools between 2021 and 2022, with only a small increase at one school where NO<sub>2</sub> was already low.

Site name	2021 NO <sub>2</sub> annual concentration (µg/m <sup>3</sup> )	2022 NO <sub>2</sub> annual concentration (µg/m <sup>3</sup> )	Pollutants monitored
Randal Cremer	20	19	NO <sub>2</sub>

Primary School			
Nightingale Primary School	19	17	NO2
Baden-Powell Primary School	18	19	NO2
De Beavior Primary school	39	36	NO2
Colvestone Primary School	23	21	NO2
Princess May 1	23	20	NO2
Princess May 2	32	32	NO2

Source ([Air quality Action plan 2021-2025](#) and [ASR Hackney 2022](#))

**Data reviewed includes:** Actual data for children on roll at school and year groups, demographic data from Census, actual data regarding children on roll at neighbouring schools to determine options for amalgamations/mergers such as capacity, data regarding SEND the number of children with an n Education Health and Care Plan (EHCP). Financial information for the school, school improvement information, information relating to nearby schools including distance, impact assessment on staff numbers, children centres , Free School Meals, place projections from GLA.

A statutory consultation and period of representation will take place to ensure that all parents, carers, families, staff and others in the community have an opportunity to give feedback on the proposals.

## Equality Impacts

### 4. Identifying the impacts

#### 4 (a) What positive impact could there be overall, on different equality groups, and on cohesion and good relations?

##### Key benefits (positive impacts)

If taken forward, the proposals outlined in the December 2023 Cabinet Report would begin to address the issue of falling rolls by removing 105 places. The council has a legal responsibility to manage school places and ensure that schools provide high quality education for all children. The impact of fewer children starting reception in individual schools creates challenges for school leaders and needs to be managed both individually and collectively.

This impacts disproportionately with oversubscribed schools being unaffected while others are now facing serious financial pressure after year-on-year declines to their roll. This impacts on the efficient running of schools, financial stability and education outcomes as outlined below.

The council is trying to avoid this gradual decline and inevitable “market” forces and unplanned attrition that would impact on the quality of school experience and resources

associated with schools experiencing falling rolls. The gradual decline in the quality of school experience would likely disproportionately impact certain groups such as families with SEND pupils and black and global majority families.

Protected Characteristic	Positive Impact
Age	<p>The proposal will not be disruptive to pupils who are currently in year 6 as they will have progressed to secondary school by the Autumn term 2024.</p> <p>The proposed changes will take place at the start of a new academic year, this will allow for a new start and give pupils time to settle in their new setting without disrupting their academic studies in the middle of a term.</p> <p>Pupils' educational outcomes shouldn't be affected and may be improved. This is because the educational quality of 95% schools and therefore a school they may move to is likely graded either 'Good' or 'Outstanding' by Ofsted.</p> <p>The proposals would affect all children of a primary age and parents/carers irrespective of age.</p> <p>Acting sooner rather than later to create a stable school estate means less disruption for younger pupils and their families in terms of school choices and reduced number of moves and transitions.</p>
Disability & SEND	<p>Outcomes for pupils with SEND may improve as they would move to a more financially viable and therefore long term sustainable school, this means that the school would be able to provide the additional necessary support and resources required.</p> <p>Priority 1 of the strategy is to increase SEN provision in Hackney and a programme of new ARP delivery is ongoing.</p> <p>Parents who are disabled may have access to a school which is able to provide further support.</p>
Gender reassignment	<p>Admissions arrangements operate irrespective of gender reassignment of the child or parents. We hold no school or ward level data on gender reassignment.</p>
Pregnancy and maternity	<p>The LA will work with the school to establish numbers of staff currently on maternity leave and will engage and consult appropriately.</p>
Race this includes ethnic or national origins, colour or nationality	<p>Different schools have different ethnicity breakdowns, however the schools which are proposed as appropriate settings to transition to remain local to the setting, therefore, pupils will still remain close to cultural connections and community spaces. Reception and in year admissions are undertaken irrespective of the race or ethnicity of the child or family.</p>

	The amalgamation/mergers will lead to more diverse communities which will be reflective of the Hackney Census 2021
Religion or belief – this includes lack of belief	None of the schools that are being considered during this phase are faith schools. Community schools admission arrangements admit children irrespective of religion or beliefs of the child or family. The Council does not have the same authority over Voluntary Aided schools.
Sex	The gender split at primary schools in Hackney is almost equal, therefore no consequences relating to gender are expected .
Sexual orientation	<p>In Hackney 7.8% residents identified as Lesbian, Gay, Bisexual or another non-heterosexual orientation. This means Hackney has proportionally the 6th highest LGB+ population in England &amp; Wales and the 5th highest in London. In comparison to other London boroughs, Hackney has the highest number &amp; proportion of residents who identify as “bisexual” or “queer”.</p> <p>Given that Hackney has a relatively high population of residents with a Lesbian, Gay, Bisexual or other non-heterosexual identity it is reasonable to assume there are LGB+ pupils within many Hackney schools, although the number is not possible to ascertain.</p> <p>While the council holds no school or ward level data on sexual orientation of under 18 year olds means it is not possible to ascertain how many young people may be affected by the closures, there is research that demonstrates a significant impact when a young person is supported/unsupported at school or home.</p> <p>An LGB+ young person who is currently in a supportive school environment moving to another environment may experience anxiety about the move if there is uncertainty about how they will be supported. Schools may have different policies and practices around support LGB+ children. This can be mitigated by ensuring all schools have visible, robust policies and practices on supporting LGB+ children.</p> <p>LGB+ parents may have similar anxieties about schools closing around levels of support and acceptance. Parents may have chosen a school or location due to reputation or community support. This may be mitigated by ensuring visible, robust policies and practices on supporting LGB+ children and have clear anti-discrimination policies. Further information can be found in the <a href="#">Positive Futures</a> report.</p>
Community	The amalgamations/mergers and closure could support community cohesion by reducing the number of school choices in a local area.
Other socio economic factors	Consolidation of Hackney’s primary school estate could result in benefit for children in receipt of FSM through the consolidation and

	injection of increased pupil premium to the school.
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Based on projection data evidenced in section 3 the availability of reception and primary school places is scheduled to remain some way above the recommended 10% for the next 5 or 6 years' time, which would imply that there would remain extensive choice for applicants, [irrespective of characteristics] both locally and across the LA. There is room in the locality to accommodate all children affected by the proposals.

**4 (b) What negative impact could there be overall, on different equality groups, and on cohesion and good relations?**

Protected Characteristic	Negative Impact
Age	<p>Changing schools can be seen as disruptive for school age children.</p> <p>Higher impact for those currently in Y4 as will do one year in a new school and then move to secondary. Higher impact for those who have just joined reception and will do one year and then move.</p> <p>To seek to mitigate this impact, the Local Authority will need to work closely with pupils and families to minimise disruption to their education. Should the proposals go ahead, amalgamated sites will have whole year groups moved to a different setting and therefore minimising disruption. In the case of closures, the Local authority would work with families to review that siblings are placed in the same setting where possible.</p> <p>The effect on children of poor air quality is well documented. Air quality has been found to be worse at Princess May than at Colvestone. Children moving from Colvestone to Princess May would be subject to higher levels of poorer quality air, and may experience this too on their walk to and from school.</p>
SEND	<p>Strong representations have been made by some parents that they believe some of the schools proposed for closure (particularly Colvestone) provide very good education for their SEND children, are a valuable local resource for SEND children, and believe the provision for SEND children locally will be detrimentally affected.</p> <p>Those in favour of keeping Colvestone open draw attention to the proportion of children on the SEND register at that school, which is higher than other schools. A concern was raised that the Council has not addressed Colvestone's record on SEND; and that that the School has implemented a SEND strategy with excellent feedback. It is also said that consideration should be given to the potential savings of Colvestone's integrated SEND provision, and its current surplus capacity, which it is said has</p>

	<p>the potential to save the Council money that it would otherwise have to spend in sending children with SEND to independent schools</p> <p>The Council acknowledges the excellent support provided by Hackney schools for children with SEND, and particularly in those schools proposed to close. Unfortunately the support provided will become increasingly difficult to sustain for schools with falling rolls. The financial impact of low pupil numbers is cumulative and means that, in the coming years, these schools will be unable to continue to provide the same level of support without exhausting contingency funds or going into deficit.</p> <p>The Council understands that a change of setting for pupils with SEN can often be challenging and require additional support to ensure a successful transition.</p> <p>Families with children who have an EHCP impacted by the proposals will be directly supported by the SEN team to explain the process of how their children will transfer to other schools if the Cabinet decision is to proceed with the proposals.</p> <p>Hackney has a high number of children and young people with EHCPs - there were 3,243 issued in 2023, at 4.08% the percentage of resident 0-24 year old in Hackney with an EHCP was the second highest among statistical neighbours and the 9th highest across England [Mime Dashboard October 2023].</p> <p>There may be additional pressure on receiving schools to ensure that they have the right SEND provision in place for the children with EHC plans and on SEN support. Additional resources (e.g. equipment, staff training, time from external agencies...) will be needed to support smooth transitions for the children identified with SEND.</p> <p>Parents who are disabled may have longer travel times.</p>
Gender reassignment	<p>Stonewall's 2017 schools report suggested that 64% of trans pupils experience bullying at school, with 1 in 10 being subjected to death threats.</p> <p>Changing schools may be disruptive to trans pupils as they will be moving to a new school where they are not known / may not feel as accepted and safe. This could lead to them experiencing discrimination and bullying. Which could impact on their emotional wellbeing and academic performance.</p> <p>Their current setting may be familiar with the needs of trans pupils and has a plan in place to support them</p>
Pregnancy and	The LA will work with the school to establish numbers of staff

maternity	currently on maternity leave and will engage and consult appropriately.
Race this includes ethnic or national origins, colour or nationality	No impact, Hackney is a diverse borough
Religion or belief – this includes lack of belief	None of the schools that are being considered during this phase are faith schools. Community schools admission arrangements admit children irrespective of religion or beliefs of the child or family.
Sex	No impact, all children, families and staff impacted will be supported.
Sexual orientation	The council holds no school or ward level data on sexual orientation. All children, staff and families will be supported throughout any change.
Other socio economic factors	Families in receipt of FSM and those living in income deprived families could struggle with the costs associated with their children having to change schools, eg. purchase of uniforms.



### STEP 3: REACHING YOUR DECISION

#### 5. Describe the recommended decision

It is recommended that Cabinet agrees to proceed with the following proposals to:

- a. close De Beauvoir Primary School from September 2024.
- b. close Randal Cremer Primary School from September 2024.
- c. close Colvestone Primary School from September 2024, guarantee all children a place at Princess May Primary School if they want it.
- d. close Baden Powell Primary School from September 2024, guarantee all children a place at Nightingale Primary School if they want it.
- e. increase the published admission number of Nightingale Primary School by adding an additional form of entry to all year groups. This proposal is related to proposal d above.

### STEP 4 DELIVERY – MAXIMISING BENEFITS AND MANAGING RISKS

#### 6. Equality and Cohesion Action Planning

N o :	Objective	Actions	Outcomes highlighting how these will be monitored
1	Provide continued support to families and staff affected by the proposed changes	<p>Keep all groups up to date on changes and options available to them.</p> <p>Hold a statutory consultation so that their views are reflected in the decisions.</p> <p>Provide dedicated support through agreed plan throughout any change.</p> <p>Ensure trade unions have a regular forum to raise any concerns/issues on behalf of their members and staff generally.</p>	Parent-Carers and staff affected feel supported on the proposed changes
2	Publication and communication of the plan to schools, parents/carers and young people	<p>Publish the plan on Hackney Education's Website</p> <p>Promote the publication through schools, parent forums, and staff (internal and external communications)</p>	Schools, parents/carers and young people are informed of the Council's plan for falling rolls

<b>3</b>	Review of the implementation plans	Regular review of the plan to ensure feasibility and appropriateness.	Will ensure the plan remains relevant and is cohesive within a wider provision plan for the borough.
<b>4</b>	Support package for families going through closure and amalgamation/merger	<p>Support offer to be in place for families impacted by the proposals The support package should include tailored processes for families going through the process.</p> <p>Work closely with proposed schools to ensure messaging and support reaches all communities.</p>	Parents, carers and pupils impacted by the proposals are aware of the proposals and feel supported.

## **Appendix A - Data on the protected characteristics at the six schools**

The school profile for the proposals includes data on protected characteristics for each of the above schools, highlighting key school community information for consideration. The decision makers should consider this fully when making their decisions, thus complying with their ongoing duty under s149 Equality Act 2010:

### **Disability - EHCP:**

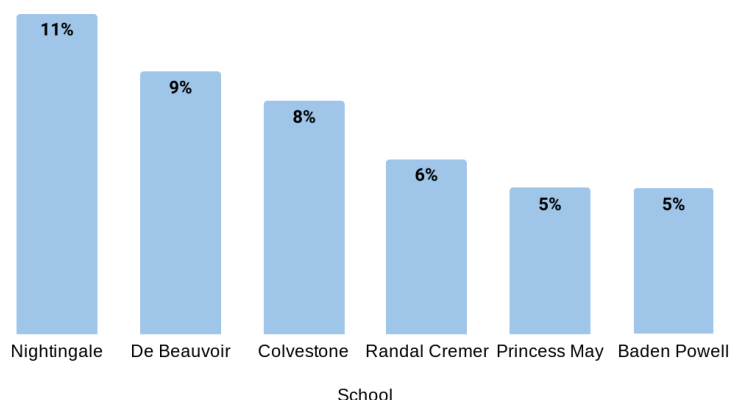
The number and percentage of children (Reception to Yr 6) with Education, Health and Care Plans and requiring SEN support in schools impacted by the proposals is outlined below (May 2023 data).

<b>School</b>	<b>Number of pupils with EHCPs</b>	<b>% of pupils with EHCPs</b>	<b>Number of pupils requiring SEN support</b>	<b>% of pupils with SEN Support</b>
Baden Powell	8	4.8%	22	13.1%
Colvestone	10	7.7%	21	16.2%
De Beauvoir	10	9.1%	28	25.5%
Nightingale	24	11.9%	30	14.9%
Princess May	10	5.1%	17	8.7%
Randal Cremer	17	7.0%	42	17.4%
Hackney*	843	4.6%	2,656	15.2%
England*	116,661	2.5%	608,827	13.5%

\* Hackney and England data, DfE SEND National Statistics, June 2023

Representations made to the Council state that Colvestone School has a higher proportion of children with SEND (17%) than the national average (13%), and that the numbers are such that 25% of children in that school have SEND. Cabinet will wish to be aware of this when taking into account the extent of impact of the proposals.

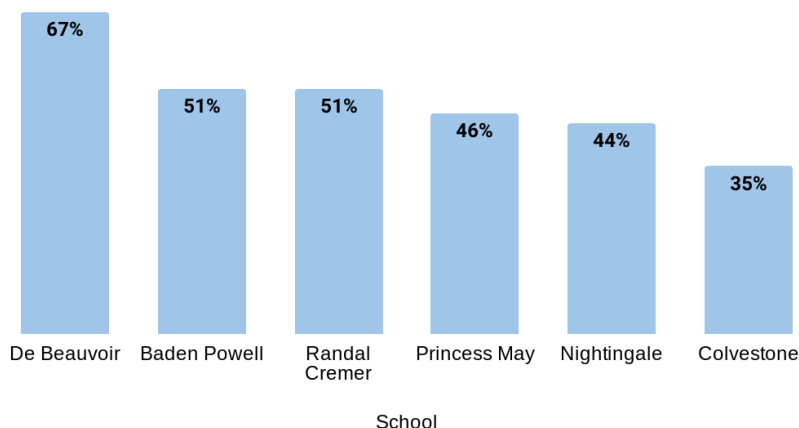
% of pupils with EHCP



The Council acknowledges the excellent support provided by Hackney schools for children with SEND and particularly in those schools proposed to close. Unfortunately the support provided will become increasingly difficult to sustain for schools with falling rolls. The financial impact of low pupil numbers is cumulative and means that, in the coming years, these schools will be unable to continue to provide the same level of support without exhausting contingency funds or going into deficit.

The % of pupils with an EHCP in state-funded mainstream schools in Hackney is 4.6%, second highest in England (*Mime Data October 2023*), All schools currently in scope have a higher proportion of EHCPs than the Hackney average, with the top two highest % of EHCPs being Nightingale having 11% and De Beauvoir 9%.

**Free School Meals (FSM) eligibility figures:**

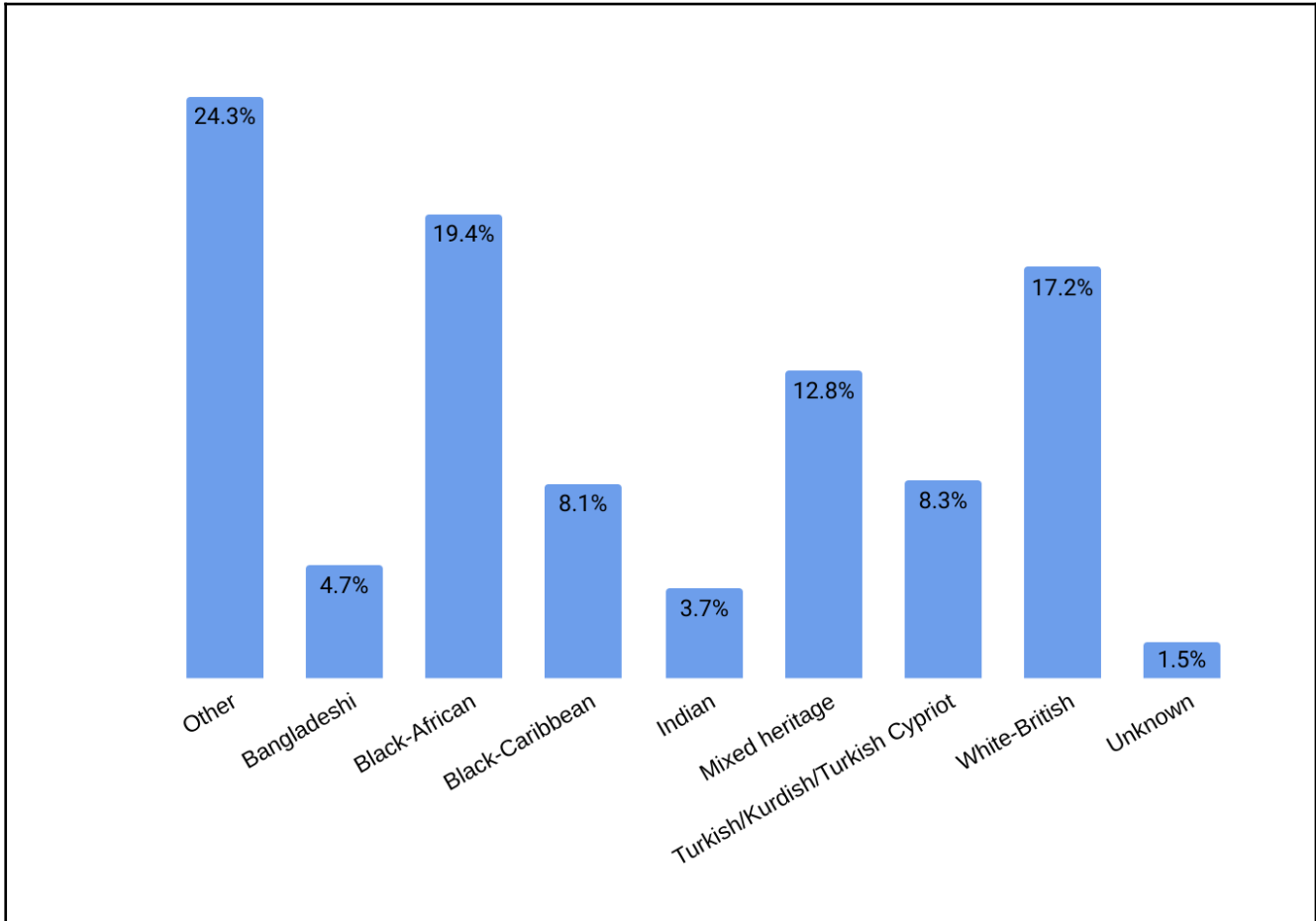


Free school meals are available to pupils in receipt of, or whose parents are in receipt of, one or more government benefits.

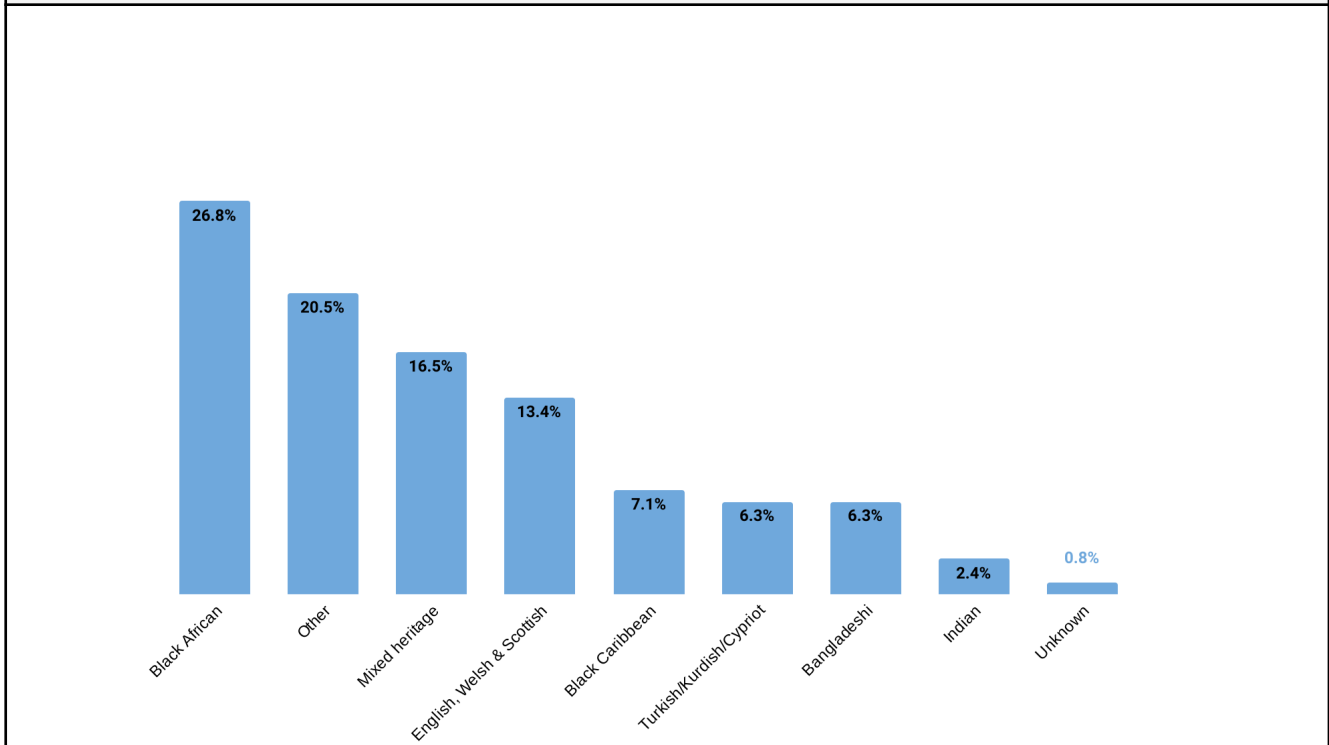
The average percentage of pupils who are eligible for Free School Meals in primary school in Hackney is 38%, apart from Colvestone (35%) all other schools in scope have a higher than average percentage of pupils eligible for free school meals.

**Ethnicity (School Census May 2023) -**

Hackney all pupil average ethnicity breakdown as percentage:

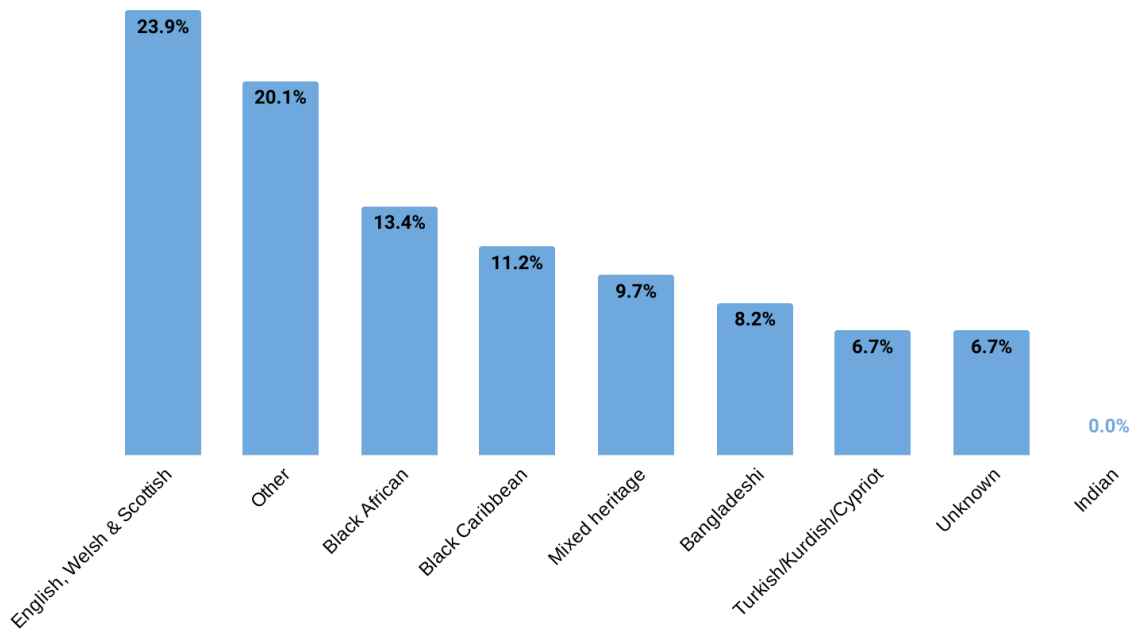


**De Beauvoir Ethnicity Breakdown:**



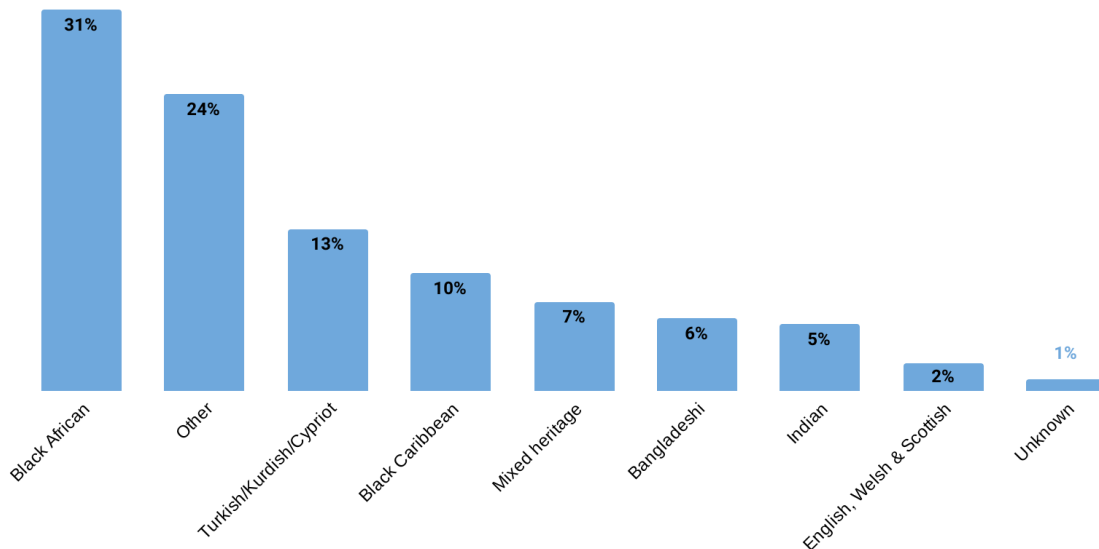
The top three ethnicities that will be most impacted by a proposed school closure of De Beauvoir would be Black African (26.8%), Other heritage (20.5%) and mixed heritage (16.5%) - this accounts for 63.8% of the pupils at De Beauvoir.

**Colvestone Ethnicity Breakdown:**



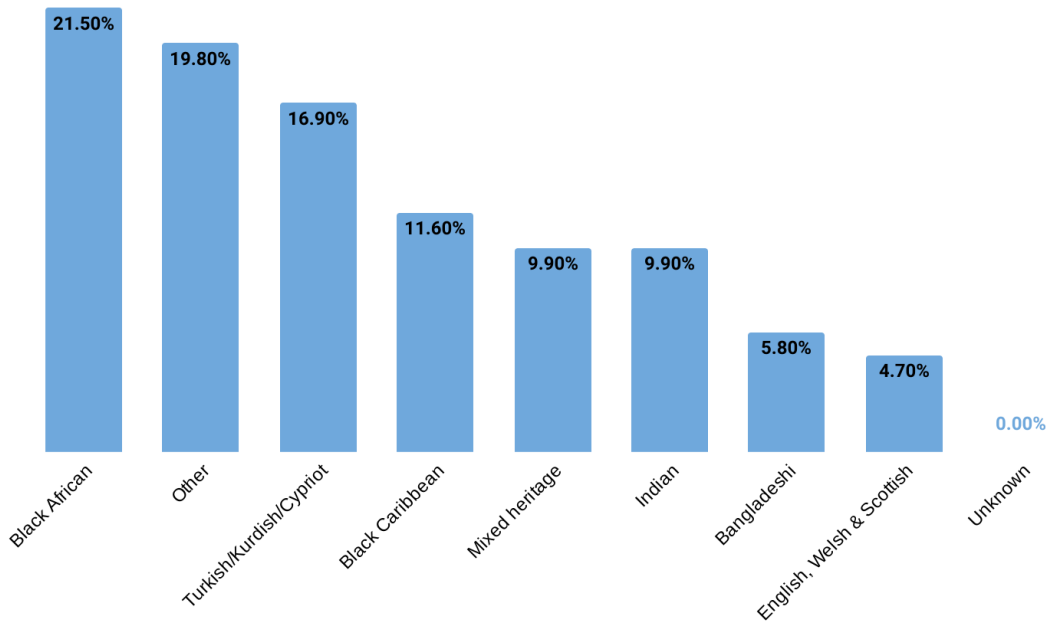
The top three ethnicities that will be most impacted by a proposed school closure of Colvestone and amalgamation/merger with Princess May would be English, Welsh and Scottish (23.8%), Other heritage (20.1%) and Black African (13.4%) - this accounts for 57.4% of the pupils at Colvestone.

### Princess May



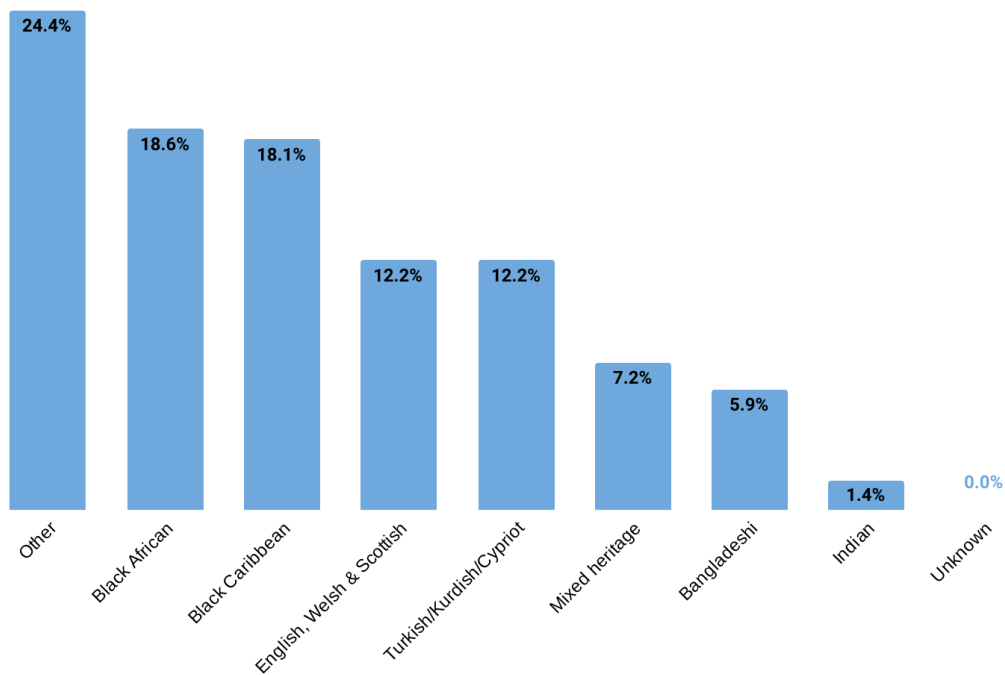
The three main ethnicities at Princess May are Black African (31%), Other heritage (24%) and Turkish/Kurdish/Cypriot (13%).

### Baden Powell



The top three ethnicities that will be most impacted by a proposed school closure of Baden Powell and amalgamation/merger with Nightingale would be Black African (21.50%), Other Heritage (19.80%) and Turkish /Kurdish/Cypriot (16.90%), this accounts for 58.2% of the pupils at Baden Powell.

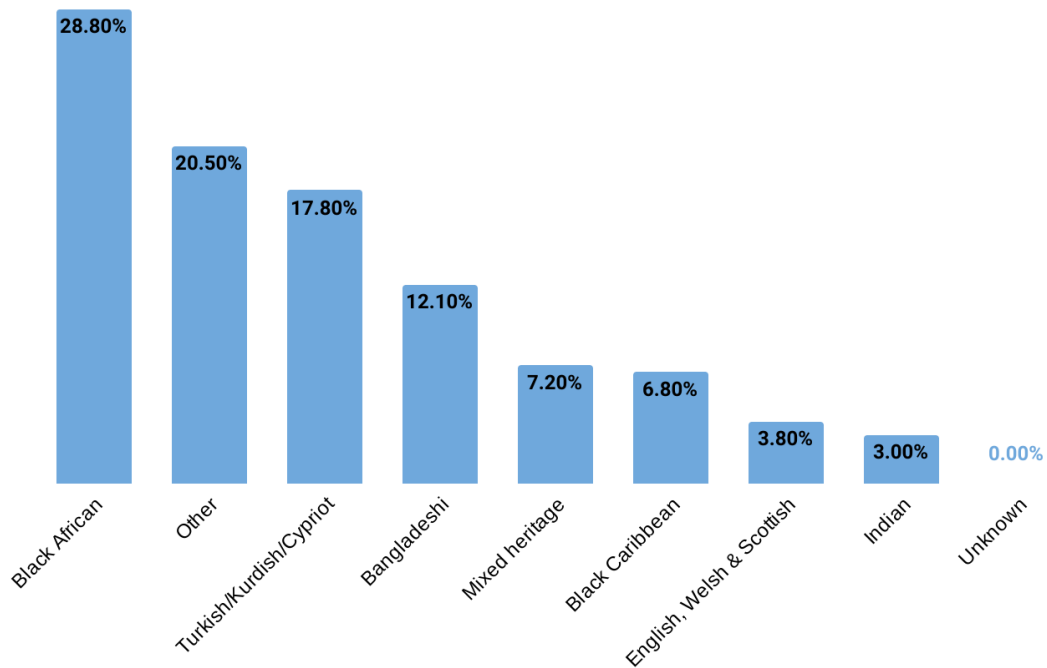
### Nightingale



The three main ethnicities at Nightingale are Other heritage (24.4%), Black African (18.6%), Black Caribbean (18.1%).



### Randal Cremer



The top three ethnicities that will be most impacted by the proposed school closure of Randal Cremer would be Black African (28.80%), Other heritage (20.50%) and Turkish/Kurdish/Cypriot (17.80%) - this accounts for 67.1% of the pupils at Randal Cremer.

### Gender [Yearly School Census 2023]

Schools	% of Female pupils in primary phase schools (R-Y6)	% of Male pupils in primary phase schools (R-Y6)
Baden Powell	47%	53%
De Beauvoir	60%	40%
Colvestone	49%	51%
Nightingale	47%	53%
Princess May	56%	44%
Randal Cremer	52%	48%

### Pregnancy and maternity

- Figures of staff numbers which are in this category at the time of any consultation will be reviewed and the LA will engage appropriately

### Age

- All primary school pupils - The proposals would affect all children of a primary age and parents/carers irrespective of age.

### **Sexual orientation**

- The council holds no school or ward level data on sexual orientation. All children, staff and families will be supported throughout any change.

### **Number of staff impacted**

We acknowledge the serious impact these proposals have on staff wellbeing prior to any final decision and the direct impact on the lives and livelihood of staff should the decision to close or merge schools go ahead. In view of this we will ensure those staff have access to an employee assistance programme, where they can access confidential advice and counselling.

The number of teachers and support staff that would be affected if the proposals are taken forward are summarised in the table below (data as at 31/08/2024).

<b>School</b>	<b>Teachers</b>	<b>Support staff</b>	<b>Total</b>
Baden Powell	13	22	<b>35</b>
Colvestone	10	8	<b>18</b>
De Beauvoir	8	11	<b>19</b>
Randal Cremer	18	31	<b>49</b>
<b>Total</b>	<b>49</b>	<b>72</b>	<b>121</b>

In the event of closures, the Council will do everything it can to help staff find alternative roles in schools across Hackney. However, as a last resort, some staff will be offered redundancy, which the Council hopes would be managed through voluntary redundancies and retirements.

In the event of a merger, we will work with the leadership teams of the affected schools to assess the full impact on staff. Governors and school leaders in receiving schools will lead the significant changes brought by these proposals.

Staff and all other relevant parties including trade unions would be consulted about any potential changes.

Those affected will be supported through practical outplacement support such as application and CV writing, interview skills and potential job opportunities in other Hackney Schools. A particular emphasis will be given to supporting support staff, many of whom are Hackney residents.