



## Equality Impact Analysis Initial Screening Tool

### Section 1.0: Background Information

Name of Completing Officer:	
Date of Initial Screening:	<b>15<sup>th</sup> March 2021</b>
Service Area & Directorate:	<b>Pupil Services, Children and Culture</b>
Head of Service:	

### Section 2.0: Summary of policy, proposal or activity being screened

Name of policy, proposal or activity:
<b>London Dock School – Update on negotiations with the DfE on the legal agreements</b>
What are the aims / objectives of the policy, proposal or activity?
<p>In 2018, the Council Cabinet approved the establishment of the London Dock school which would fulfill the demand for secondary school places in the St Katherine and Wapping ward of Tower Hamlets. This would provide a new 6FE (180) secondary school places at London Dock. The DfE appointed the Mulberry Schools Trust as the provider of the new school.</p> <p>The Council and the DfE successfully negotiated a Memorandum of Understanding executed on the 4 December 2020, alongside heads of terms for the related development and grant funding agreements. Discussions with the developer and owner of the site have also taken place in parallel.</p> <p>Upon the securing of the site by the way of an underlease, the council entered into a pre-construction agreement with contractor and the DfE have secured an outstanding Multi-Academy Trust (The Mulberry Trust) to deliver the school. The Mulberry Trust, as a result, entered into a funding agreement with the Secretary of State, enabling the DfE to make a substantial payment of £47m to the Council, for the development of the new school building.</p> <p>On 5 January 2021, the Council received a late request from the DfE to enter into a Clawback Agreement in respect of the under-lease for the London Dock School. This was sought in addition to an extant request for the inclusion of a clawback clause within the Works Funding Agreement. The justification provided by the DfE for both requests was based upon a concern that their grant funding would be exposed to financial risk. In light of this, the DfE have insisted upon the Council's agreement to underwrite any financial losses it may incur in the event of those risks materialising. Though acknowledging that the risk is low, the DfE advised the following as potential attributable risk factors:</p> <ul style="list-style-type: none"><li>• If the site stands fallow and not used as a school for a continuous period of 5 years, in which case the landlord would be permitted to terminate the sub-lease</li></ul>

- A change in Government or education policy which results to the Works Funding Agreement being forfeited

It is therefore considered that the terms of both clawback mechanisms provides both parties with a sufficient level of comfort to protect the funding and ensure that the school will be delivered. In practical terms, the financial and reputational risks to the Council are considered to be low.

### Section 3.0: Equality Impact Analysis Test:

Is there a risk that the policy, proposal or activity being screened disproportionately adversely impacts (directly or indirectly) on any of the groups of people listed below?  Please consider the impact on overall communities, residents and Council employees.  This should include people of different:	Yes ✓	No ✓	Comments :
▪ <b>Sex</b>		x	The new London Dock School will provide co-education thereby catering for both boys and girls. Mulberry School for girls is currently heavily oversubscribed, so the new school will provide an additional choice, and more places, for them.
▪ <b>Age</b>		x	The new London Dock School will provide secondary and sixth form places for pupils age 11-19 in an area that is oversubscribed, thereby benefiting pupils aged 11-19 and will give parents of younger children who are choosing secondary schools an additional choice.
▪ <b>Race</b>		x	The new London Dock School will benefit pupils of all ethnic backgrounds.
▪ <b>Religion or Philosophical belief</b>		x	The new London Dock School will provide secondary spaces for pupils regardless of their religion or philosophical belief – religion is not a criteria for entry.
▪ <b>Sexual Orientation</b>			No impact - we do not collect data on this protected characteristic
▪ <b>Gender re-assignment status</b>			No impact - we do not collect data on this protected characteristic
▪ People who have a <b>Disability</b> (Physical, learning difficulties, mental health and medical conditions)		x	The new London Dock School will provide new secondary spaces for pupils with Special Education Needs and Disability, thereby increasing parental choice.
▪ <b>Marriage and Civil Partnerships status</b>			No impact - we do not collect data on this protected characteristic
▪ People who are <b>Pregnant and Maternity</b>			No impact - we do not collect data on this protected characteristic



<p>You should also consider:</p> <ul style="list-style-type: none"> <li>▪ <b>Parents and Carers</b></li> <li>▪ <b>Socio and Economic</b> status</li> <li>▪ People with different <b>Gender Identities</b> e.g. Gender fluid, Non Binary etc.</li> </ul>		x	<p>The new London Dock School will increase parental choice and provide more employment opportunities for adults in the local area,. The School will further provide spaces which can be utilised by the community for activities and events. With more places, pupils may have a shorter journey to school and more may walk, thereby relieving the pressure on roads and public transport.</p> <p>We do not collect data on this characteristic</p>
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If you have answered **Yes** to one or more of the groups of people listed above, **a full Equality Impact Assessment is required.**

The only exceptions to this are listed in sections 5.1 and 5.2 of this document.

**Section 4.0: Justifying Discrimination:**

**Are all risks of inequalities identified capable of being justified because there is a:** ✓

- (i) *Genuine Reason* for implementation
- (ii) The activity represents a *Proportionate Means* of achieving a *Legitimate Council Aim*
- (iii) There is a *Genuine Occupational Requirement* for the council to implement this activity

**Section 5.0: Conclusion**

Before answering the next question, please note that there are generally only two reasons a full Equality Impact Analysis is not required. These are:

- 5.1 The policy, activity or proposal is likely to have **no or minimal impact** on the groups listed in section three of this document.
- 5.2 Any discrimination or disadvantage identified is **capable of being justified** for one or more of the reasons detailed in the previous section of this document.

**5.3 Conclusion Details:**

5.4 Do you recommend a fully Equality Impact Analysis is performed ?  Yes  No

5.5 Reasons a full Equality Impact Analysis is not required:

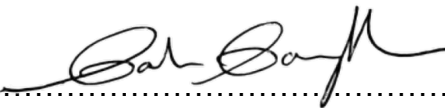
At this point, there is no evidence to suggest a new secondary school will have a detrimental or unfair impact on any of the protected characteristics.

If you have answered **YES** to this question, please proceed to section 6.0 Sign Off.

If you have answered **NO** to this question, please detail your reasons in section 5.5 (across) before proceeding to section 6.0 Sign Off.



**Section 6.0: Sign Off:**

Signed .....  .....

Date: 16/03/2021

Name: Calvin Coughlan.....

Position: ...Head of School Buildings & Development

**Equality Impact Analysis: (EqIA)**

**Section 1: Introduction**

**Name of Proposal**

*For the purpose of this document, 'proposal' refers to a policy, function, strategy or project)*

**Service area & Directorate responsible**

**Name of completing officer**

**Approved by Director/Head of Service**

**Date of approval**

**Conclusion - *To be completed at the end of the Equality Impact Assessment process***

*This summary will provide an update on the findings of the EIA and what the outcome is. For example, based on the findings of the EIA, the proposal was rejected as the impact on a particular group was disproportionate and the appropriate mitigations in place. Or, based on the EIA, the proposal was amended and alternative steps taken)*

	<div style="border: 1px dashed black; padding: 5px;"> <p><b>See Appendix A</b></p> <p>Current decision rating</p> </div>
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**The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:**

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act



- Advancing equality of opportunity between those with 'protected characteristics' and those without them
- Fostering good relations between those with 'protected characteristics' and those without them

**Where a proposal is being taken to a Committee, please append the completed equality analysis to the cover report.**

This Equality Impact Assessment provides evidence for meeting the Council's commitment to equality and the responsibilities outlined above, for more information about the Council's commitment to equality; please visit the Council's website.

## **Section 2 – General information about the proposal**

*Provide a description of the proposal including the relevance of proposal to the general equality duties and protected characteristic pursuant to Equality Act 2010.*

## **Section 3 – Evidence (Consideration of Data and Information)**

*What evidence do we have which may help us think about the impacts or likely impacts on service users or staff?*



**Name of officer completing the EIA:**

**Service area:**

**EIA signed off by:**

**Date signed off:**



## **Section 4 – Assessing the impacts on residents and service delivery**

	<b>Positive</b>	<b>Negative</b>	<b>Neutral</b>	<b>Considering the above information and evidence, describe the impact this proposal will have on the following groups?</b>
<b>Age</b> (All age groups)				
<b>Disability</b> (Physical, learning difficulties, mental health and medical conditions)				
<b>Sex</b>				
<b>Gender reassignment</b>				
<b>Marriage and civil partnership</b>				
<b>Religion or philosophical belief</b>				
<b>Race</b>				
<b>Sexual orientation</b>				
<b>Pregnancy and maternity</b>				



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<b>Other</b>				
<b>Socio-economic</b>				
<b>Parents/Carers</b>				
People with different <b>Gender Identities</b> e.g. Gender fluid, Non-Binary etc				
<b>AOB</b>				





## **Section 5 – Impact Analysis and Action Plan**

<b>Recommendation</b>	<b>Key activity</b>	<b>Progress milestones including target dates for either completion or progress</b>	<b>Officer responsible</b>	<b>Progress</b>



## **Section 6 – Monitoring**

Have monitoring processes been put in place to check the delivery of the above action plan and impact on equality groups?

Yes?




No?

Describe how this will be undertaken:



## Appendix A

### Equality Impact Assessment Decision Rating

Decision	Action	Risk
As a result of performing the EIA, it is evident that a disproportionately negative impact (direct, indirect, unintentional or otherwise) exists to one or more of the nine groups of people who share a Protected Characteristic under the Equality Act. It is recommended that this proposal be suspended until further work is undertaken.	<b>Suspend – Further Work Required</b>	Red 
As a result of performing the EIA, it is evident that there is a risk that a disproportionately negative impact (direct, indirect, unintentional or otherwise) exists to one or more of the nine groups of people who share a protected characteristic under the Equality Act 2010. However, there is a genuine determining reason that could legitimise or justify the use of this policy.	<b>Further (specialist) advice should be taken</b>	Red Amber 
As a result of performing the EIA, it is evident that there is a risk that a disproportionately negatively impact (as described above) exists to one or more of the nine groups of people who share a protected characteristic under the Equality Act 2010. However, this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.	<b>Proceed pending agreement of mitigating action</b>	Amber 
As a result of performing the EIA, the proposal does not appear to have any disproportionate impact on people who share a protected characteristic and no further actions are recommended at this stage.	<b>Proceed with implementation</b>	Green: 