

# Equalities Assessment (EA) on the proposed the amalgamation (merger) of Old Church Nursery and Marion Richardson Primary Schools.

## Section 1.0: Background Information

Name of Completing Officer:	Ikwi Mkpuru
Date of Initial Screening:	05/10/21
Date of review	21/01/22
Service Area & Directorate:	Pupil Access and School Sufficiency
Head of Service:	Terry Bryan

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

<b>Name of policy, proposal or activity:</b>
<p>The London Borough of Tower Hamlets, in partnership with the governors of Marion Richardson Primary and Old Church Nursery Schools, are proposing to amalgamate (merge) the two schools to form a two-form entry (2FE) 3-11 primary school with the Foundation Stage located on the Old Church site. The amalgamation is proposed to take effect from 1 September 2022 and will create a single primary school called Marion Richardson Primary School.</p> <p>Owing to significant reduction in funding for early years provisions and falling rolls, both Governing Bodies reached the conclusion that to amalgamate their two schools is the best solution to maintaining an outstanding early year and world-class 3-11 primary educational provision in the area.</p> <p>This Equalities Impact Assessment concerns the proposal to amalgamate Marion Richardson Primary and Old Church Nursery Schools. It is proposed that the amalgamated school will open on 1 September 2022, catering for pupils from ages 3 to 11. The process to achieve this involves the 'technical closure' of Old Church Nursery School on 31st August 2022 and the expansion of the current nursery provision for Marion Richardson Primary School, to accommodate the displaced Old Church Pupil. It should be noted there will be no actual closure of school buildings.</p>
<b>What are the aims / objectives of the policy, proposal or activity?</b>
<p>The proposal is being put forward as part of the strategy for these two schools to move towards integrated 3 to 11 primary school provision, rather than Old Church remaining a standalone Nursery School. This is beneficial to children's education because it will optimise the expertise of the staff across the nursery and primary age range. Bringing the two schools together will provide the benefit of outstanding nursery practice underpinning top quality primary education, in a single education experience.</p> <p>Tower Hamlets has a great tradition of excellent education and values the important role that schools have in increasing the life chances of our children. The proposed amalgamation forms part of a wider review of primary school places across the borough, initiated to enhance the sustainability of schools and their ability to maintain high standards in the face of significant demographic changes.</p> <p>From 24th September to 22nd October 2021, Marion Richardson Primary and Old Church Nursery Schools, consulted their pupils, parents, staff and local communities, on the proposal to amalgamate the schools. The consultation meetings most of which were held remotely, were well attended by parents, staff, the schools' governors and members of the schools' communities and were largely positive. Thirty-four written responses were received, thirty of which were in favour of the amalgamation and four objecting. The consultees who objected raised concerns around the lack of adequate funding for nursery education, and the Nursery maintaining its standard and excellence following a merger with a primary school.</p>

A further four-week statutory consultation was undertaken from 08<sup>th</sup> December 2021 to 05<sup>th</sup> January 2022, giving the public and other stakeholders, the opportunity to comment or make objections on the proposal to amalgamate the schools. One representative was received in response to the statutory consultation objecting to the amalgamation. The representative raised concerns that merger of the nursery and primary school would mean Marion Richardson becomes the sole recipient of the pupils currently at Old Church Nursery, impacting admission to other primary schools who historically received children from Old Church Nursery. They further stated that “Old Church ran up a huge deficit of approximately £½million. At the very least, this suggests a lack of oversight and governance. There appears to be no challenge or real rebuke to this situation. Instead, their deficit is being paid off by the Local Authority as part of the amalgamation. This is unfair to other schools which have carefully lived within their means. It looks like one nursery is being rewarded for its failures”.

The Local Authority has responded stating that this proposal should not have an adverse impact on the reception intakes at nearby primary schools as/ although Marion Richardson will expand its nursery provision to accommodate the displaced Old Church Pupils, it will not be increasing the number of places in its already oversubscribed reception year. The council has worked closely with Old Church Nursery on measures to reduce its budget deficit through staffing changes, including a major HR restructure leading to redundancies in the 2020/21 school year. However, the continuing fall in pupil numbers has meant that governors now feel there is insufficient funding for the school to continue to run independently. This was a key reason for the governing body to propose an amalgamation, alongside the school continuing to take measures to reduce expenditure. The School and LA officers will work together on further staff reductions to reduce the final budget deficit when Old Church closes on amalgamation.

If the proposal to amalgamate the schools is approved, the running of the school would be overseen by a single Headteacher and governing body. The Headteacher at Old Church Nursery, after many successful and dedicated years of service at the Nursery, will be retiring in 2022 and would not be replaced due to the proposed amalgamation. The governing bodies of both schools have agreed that, should the Nursery Headteacher retire before the amalgamation is approved, then the Headteacher at Marion Richardson Primary will become the Executive Headteacher for both schools.

The proposed amalgamation would build on and strengthen the joint working already taking place across the two schools, to:

- Provide continued access for pupils and their families to extended services and facilities.
- Develop more opportunities for the staff, such as shared training and the chance to work more closely across the curriculum and gain experience and understanding of all key stages
- Strengthen and continue developing community links which already exist.
- Ensure opportunities to enhance the educational offer, and access to resources for all pupils embedding top quality early years provision at the heart of children’s educational experience
- Develop greater financial stability to continue to improve and offer world class education.

### Section 3.0: Equality Impact Analysis Test:

<p>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? This should include people of different:</p>	<p>Yes</p>	<p>No ✓</p>	<p>Comments:</p>																														
<p><b>Age</b></p>		<p>✓</p>	<p><u>Pupils:</u></p> <p>Under the proposed amalgamation, all children will remain at their current school site with the Old Church site being used for early years provision. There will be minimal / no disruption to all children aged 3 – 11 years. No one year group will be adversely affected than others.</p> <p>As the table below shows, pupil numbers are distributed evenly across all year groups and across the schools, As the feeder school to Marion Richardson Primary School, it can be assumed that majority of the current Old Church Nursery pupils would have transitioned to Marion Richardson Primary School, by the proposed amalgamation date.</p> <table border="1" data-bbox="526 826 1975 1002"> <thead> <tr> <th>Year Group</th> <th>N1</th> <th>N2</th> <th>R</th> <th>1</th> <th>2</th> <th>3</th> <th>4</th> <th>5</th> <th>6</th> </tr> </thead> <tbody> <tr> <td>Old Church Nursery School</td> <td>56</td> <td>71</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Marion Richardson Primary School</td> <td></td> <td>35</td> <td>59</td> <td>60</td> <td>59</td> <td>60</td> <td>60</td> <td>60</td> <td>58</td> </tr> </tbody> </table> <p>The proposed amalgamation would further ensure a smooth transition From Nursery to Reception whilst maintaining a very high educational standard.</p> <p>The schools are not directly comparable with regards to educational outcomes, due to one being a Nursery and the other a Primary School. However, an Ofsted inspection in July 2019 determined that Old Church Nursery School was rated as “<b>Outstanding</b>”, a rating the school has maintained since 2012, whilst Marion Richardson Primary School, continued to be rated as “<b>Good</b>” with an outstanding leadership and management.</p> <p>Marion Richardson Primary School: <a href="https://reports.ofsted.gov.uk/provider/21/100911">https://reports.ofsted.gov.uk/provider/21/100911</a></p> <p>Old Church Nursery School: <a href="https://reports.ofsted.gov.uk/provider/20/100885">https://reports.ofsted.gov.uk/provider/20/100885</a></p>	Year Group	N1	N2	R	1	2	3	4	5	6	Old Church Nursery School	56	71								Marion Richardson Primary School		35	59	60	59	60	60	60	58
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The differing needs of each age group will continue to be met. The care and importance given to each individual child, which is a strength of both schools, will always remain paramount. Maintaining great quality early years education will be a core value for the amalgamated school.

Staff:

The table below shows a similar split in age ranges for each school. The majority at staff in both schools are in the 25 – 54 age range.

Old Church Nursery School	Staff Age Range	Total
	15 - 24	
	25 - 34	15
	35 - 44	8
	45 - 54	9
	55 - 64	3
	65 - 74	4
	75 - 84	
Marion Richardson Primary School	15 - 24	1
	25 - 34	21
	35 - 44	22
	45 - 54	14
	55 - 64	10
	65 - 74	1
	75 - 84	

The impact on staff, who will merge to form one staffing structure, is expected to be minimal given that all staff still employed at Marion Richardson Primary and Old Church Nursery Schools (**at the time of the proposed amalgamation**) would automatically continue their employment in the new primary school, and their rights would be preserved under TUPE. Because of this, no particular age group will be disadvantaged over another.

Should the merger be approved in the council's Cabinet, there will be a full formal HR consultation, following processes agreed with the trade unions, to maximise staff strengths and build on their expertise and good will. In addition, staff across the schools would benefit from continuity of staff policies and procedures, and the same dates for staff training days and school holidays.

<b>Sex</b>	✓	<p><u>Pupils:</u> The breakdown of boys versus girls is similar in both schools, although both rolls are slightly weighted more towards boys than girls. Irrespective of gender, all pupils will benefit from the increased long-term educational and financial sustainability that the proposed amalgamation would bring; therefore, no adverse impact is identified regarding this protected characteristic.</p> <table border="1" data-bbox="517 261 1261 429"> <thead> <tr> <th></th> <th>Girls</th> <th>Boys</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Old Church Nursery School</td> <td>51</td> <td>76</td> <td>127</td> </tr> <tr> <td>Marion Richardson Primary School</td> <td>214</td> <td>237</td> <td>451</td> </tr> </tbody> </table> <p><u>Staff:</u> The staff gender breakdown is weighted heavily towards women at both schools (see table below), as is the case across most primary school provision in the borough and elsewhere. However, as no redundancies are proposed no disproportionate impact on either gender is anticipated.</p> <table border="1" data-bbox="517 632 1393 778"> <thead> <tr> <th></th> <th>Female</th> <th>Male</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Old Church Nursery School</td> <td>37</td> <td>2</td> <td>39</td> </tr> <tr> <td>Marion Richardson Primary School</td> <td>66</td> <td>3</td> <td>69</td> </tr> </tbody> </table>		Girls	Boys	Total	Old Church Nursery School	51	76	127	Marion Richardson Primary School	214	237	451		Female	Male	Total	Old Church Nursery School	37	2	39	Marion Richardson Primary School	66	3	69
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<b>Race</b>	✓	<p><u>Pupils:</u> Old Church Nursery and Marion Richardson Primary Schools have a similar pupil demographic in terms of ethnicity, as evidenced below:</p> <table border="1" data-bbox="517 954 1568 1476"> <thead> <tr> <th>Ethnicity</th> <th>Old Church Nursery School</th> <th>Marion Richardson Primary School</th> </tr> </thead> <tbody> <tr> <td>Any Other Asian Background</td> <td>1</td> <td>1</td> </tr> <tr> <td>Any Other Black Background</td> <td></td> <td></td> </tr> <tr> <td>Any Other Ethnic Group</td> <td>2</td> <td>15</td> </tr> <tr> <td>Any Other Mixed Background</td> <td>11</td> <td>9</td> </tr> <tr> <td>Any Other White Background</td> <td>13</td> <td>11</td> </tr> <tr> <td>Bangladeshi</td> <td>66</td> <td>369</td> </tr> <tr> <td>Black - Any Other Black African Background</td> <td>4</td> <td>5</td> </tr> <tr> <td>Black - Somali</td> <td>2</td> <td>11</td> </tr> <tr> <td>Black Caribbean</td> <td>3</td> <td>2</td> </tr> <tr> <td>Indian</td> <td></td> <td>3</td> </tr> <tr> <td>Chinese</td> <td></td> <td>1</td> </tr> </tbody> </table>	Ethnicity	Old Church Nursery School	Marion Richardson Primary School	Any Other Asian Background	1	1	Any Other Black Background			Any Other Ethnic Group	2	15	Any Other Mixed Background	11	9	Any Other White Background	13	11	Bangladeshi	66	369	Black - Any Other Black African Background	4	5	Black - Somali	2	11	Black Caribbean	3	2	Indian		3	Chinese		1
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Pakistani	1	10
White - British	17	7
White and Asian	4	3
White and Black African	1	
White and Black Caribbean	2	3
Vietnamese		
Information Not Yet Obtained		1
Total	127	451

**Pupils:**

	EAL	Not EAL	Total
Old Church Nursery School	48	79	127
Marion Richardson Primary School	380	71	451

Merging the schools will not cause any significant changes to the pupil demographic of the new School, with Bangladeshi children still the main ethnicity. Both schools have pupils with English as an additional language (EAL) so will be able to share best practice on how to support children who are bi/multi-lingual. All pupils, irrespective of ethnicity, will also benefit from the long-term stability that should be achieved through the merger.

**Staff:**

Both schools have a similar staff demographic in terms of ethnicity (as evidenced below), with Bangladeshi staff in the majority. This also reflects the pupils' ethnic demography in both schools. Under the proposed amalgamation very little change is anticipated for staff on a day-to-day basis and staff conditions of service will not be affected. Because of this, no particular ethnic group will be disadvantaged over another and children of all ethnicities will therefore benefit from the continuity of having the same known staff at the school.

Ethnicity	Old Church Nursery School	Marion Richardson Primary School
Any Other Asian Background		
Any Other Black Background		
Any Other Ethnic Group		4
Any Other Mixed Background	1	
Any Other White Background	3	3
Bangladeshi	18	36
Black – Any Other Black African Background		1
Black – Somali		
Black Caribbean		2
Chinese		
Indian	1	1

			<table border="1"> <tbody> <tr> <td>Pakistani</td> <td>0</td> <td>2</td> </tr> <tr> <td>White – British</td> <td>10</td> <td>18</td> </tr> <tr> <td>White – Irish</td> <td>1</td> <td></td> </tr> <tr> <td>White and Asian</td> <td>2</td> <td></td> </tr> <tr> <td>White and Black African</td> <td></td> <td>1</td> </tr> <tr> <td>White and Black Caribbean</td> <td></td> <td>1</td> </tr> <tr> <td>Refused</td> <td></td> <td></td> </tr> <tr> <td>Information Not Yet Obtained</td> <td>3</td> <td></td> </tr> <tr> <td>Vietnamese</td> <td></td> <td></td> </tr> <tr> <td>Total</td> <td>39</td> <td>69</td> </tr> </tbody> </table>	Pakistani	0	2	White – British	10	18	White – Irish	1		White and Asian	2		White and Black African		1	White and Black Caribbean		1	Refused			Information Not Yet Obtained	3		Vietnamese			Total	39	69
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Vietnamese																																	
Total	39	69																															
<b>Religion or Philosophical belief</b>		✓	No impact identified – no data collected and neither school is a faith school.																														
<b>Sexual Orientation</b>		✓	No impact identified – no data collected																														
<b>Gender re-assignment</b>		✓	No impact identified – no data collected																														
People who have a <b>Disability</b> (Physical, learning difficulties, mental health and medical conditions)		✓	<p>The table below shows that 2% of pupils in the Nursery School have Education, Health &amp; Care (EHC) Plans, whilst 3% of pupils in the Primary School have EHC Plans. Though the percentage of pupils on SEN support is slightly higher in the Nursery School. Pupils at both schools will continue to receive the quality support they currently get. Merging the two schools will ensure that a child’s transition from Nursery to Primary will be seamless, and embed a robust, inclusive approach to supporting children with SEND from age 3 through to age 11.</p> <table border="1"> <thead> <tr> <th></th> <th>SEN Support</th> <th>EHC Plan</th> <th>None</th> <th>Grand Total</th> </tr> </thead> <tbody> <tr> <td>Old Church Nursery School</td> <td>23</td> <td>2</td> <td>102</td> <td>127</td> </tr> <tr> <td>Marion Richardson Primary School</td> <td>53</td> <td>13</td> <td>385</td> <td>451</td> </tr> </tbody> </table>		SEN Support	EHC Plan	None	Grand Total	Old Church Nursery School	23	2	102	127	Marion Richardson Primary School	53	13	385	451															
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<b>Marriage and Civil Partnerships status</b>		✓	No impact identified – no data collected																														
People who are <b>Pregnant and Maternity</b>		✓	No impact identified – no data collected																														
<b>Parents and Carers</b>		✓	<p><u>Parents:</u> Many parents who attended the virtual meetings and provided written responses felt that amalgamating the schools is in the best interest of the children at both schools, and a positive means to safeguard the quality Nursery education when considering the current Nursery funding constraints.</p>																														

			Ofsted commended an innovative approach developed by Marion Richardson Primary School, in supporting families who are new in the country, and for whom English is not their first language, to help them settle into their community. The reports for both schools outline that parental engagement and support is extremely positive. Merging the two schools will allow for this support to be further developed, with the continued strengthening of existing community links.															
<b>Socio and Economic</b>		✓	<p><u>Pupils:</u></p> <p>Marion Richardson Primary and Old Church Nursery Schools share a very similar socio-economic background, with the proportion of pupils receiving Free School Meals (FSM) in the Primary School much higher than in the Nursery School.</p> <table border="1"> <thead> <tr> <th></th> <th>FSM Eligible</th> <th>No FSM</th> <th>%</th> <th>Grand Total</th> </tr> </thead> <tbody> <tr> <td>Old Church Nursery School</td> <td>14</td> <td>113</td> <td>11</td> <td>127</td> </tr> <tr> <td>Marion Richardson Primary School</td> <td>169</td> <td>282</td> <td>37</td> <td>451</td> </tr> </tbody> </table> <p>Merging both schools should benefit children of all backgrounds via the sharing of existing good practice. “Additional funding to support disadvantage pupils is managed very well. By the end of Key Stage 2, disadvantage pupils achieve as well as other pupils in the school”. Marion Richardson Primary School Ofsted 2017</p>		FSM Eligible	No FSM	%	Grand Total	Old Church Nursery School	14	113	11	127	Marion Richardson Primary School	169	282	37	451
	FSM Eligible	No FSM	%	Grand Total														
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<b>People with different Gender Identities</b>		✓	No impact identified – no data collected															

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 ?

5.5 Reasons a full Equality Impact Analysis is not required:

Yes

No

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.

On a day-to-day basis, very little will change for children at both schools as there will be no need for any pupils to move to another school under this proposal. The care and importance given to each individual child, which is a strength of both schools, will always remain paramount. As a result, the impact on pupils with protected characteristics will not be significant, with no one group more adversely affected than others.

In the exception of the planned retirement of the Old Church Nursery Headteacher and the proposed executive headship for the Primary Headteacher, should the Nursery Headteacher retire before the anticipated merger, very little change is expected for staff on a day-to-day basis under the proposal. All staff employed at the Nursery and Primary Schools (at the time of the proposed amalgamation) would automatically continue their employment in the new primary school, and their rights would be preserved under TUPE.


If the amalgamation progresses, there will be a full HR consultation following processes agreed with the unions, to maximise staff strengths and build on their expertise and good will. Where there are duplicates of posts, creative solutions will be sought to retain staff. As a result, the impact on staff with protected characteristics will not be significant, with no one group more adversely affected than others.

Based on the findings of this EA, the proposal is robust. It ensures increased equality of opportunity for improved educational outcomes for all pupils at both schools. This would also guarantee a smooth transition from nursery to primary phase, and pupils will leave primary education with a robust education having had the opportunity to participate in enriching extra-curricular activities. It is anticipated that an amalgamation will further enhance community links, with shared resources, and outreach strategies helping to build upon existing successful programme of activities. Nursery provision will continue to provide the universal 15 funded hours for all 3- and 4-year-olds as well as 30 funded hours for 3 and 4 year olds with working parents.

## Section 6.0: Sign Off:

Signed:

Date: 21/01/2022



Name: Terry Bryan

Position: Service Head