

Impact Assessment completed by:		Responsible officer:	
Name/Job Title(s)		Name/Job Title	
Christine McNeil School Organisation (Policy) Manager		Dave Black, Head of Planning, Transport and Environment	
Date of sign off:	14.3.14		

1. Background

1.1 Title:

School Organisation

1.2 Description:

Include a description of the service, policy or practice. Include information about partners and stakeholders, context and background information here. Do not use jargon.

The purpose of School Organisation is to ensure the process for statutory changes to any of the 312 maintained schools in Devon in relation to pupil place planning are undertaken. These changes include: new schools, closure of schools and any changes to schools. The new School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and (Establishment and Discontinuance of Schools) Regulations 2013 came into force on 28 January 2014. The new Regulations introduced streamlined procedures allowing governing bodies of all maintained schools, including community schools, to make certain changes themselves without the need for a statutory process and where significant changes are proposed for governing bodies and Local Authorities to follow a streamlined statutory process. In the case of new schools the Local Authority must seek proposals to establish an academy/free school first and if this does not result in a suitable academy/free school a statutory competition can be held with the consent to the Secretary of State.

The relevant Acts and Policies are:

Education and Inspections Act 2006

The Schools Standards and Framework Act 1998 as amended by the Education Act 2002

The Education Act 2011

The School organisation (Establishment and Discontinuance of Schools (England) Regulations 2013

School Governnace (Roles, Procedures and Allowances)(England)Regulations 2013

The Education Act 2005

DfE School Organisation Maintained Schools (Guidance for proposers and decision-makers) January 2014

DfE Guidance on Designated Rural Schools

Devon County Council's Strategic Plan

Devon County Council: Education Infrastructure Plan 2013-2031

Devon County Council Championing Children
Sex Discrimination Act 1975
Race Relations Act 1976 (Amendment) Act 2000
Disability Discrimination Act 1995
Human Rights Act 1998
School Staffing (England) Regulations 2009
The Transfer and Disposal of School Land in England: A General Guide for Schools, Local Authorities and the Adjudicator.
School Premises Regulations
Town and County Planning Act 1990 and Planning Obligations Section 106
Changes to school provision can be controversial and contentious and can cause public anger, concern and distress. The policies adopted set out the principles of involvement of all stakeholders giving clear and precise information, within set timescales and updating and providing information on a regular basis.

1.3 **Service users:**

Describe who uses the service or is affected by the policy or practice. Provide as much information as possible including the number of service users, and where possible break this down by any particular characteristics (vulnerability, diversity, geographic location).

The relevant stakeholders include: All young people, Parents, Staff, All Schools, Local Learning Communities, Communities, Service Users, Special Needs service users and providers, Early years service users and providers, Parish Councils, District Councils, Faith Groups, Neighbouring Authorities, Social Care and Health providers, Unions, Developers.

The benefits are as follows:

- Greater participation/understanding by all schools and partners
- Greater choice and diversity in school provision
- Greater participation of the public and all stakeholders and contributing to future policy
- Raising awareness and involvement of communities
- Better understanding of local issues affecting all schools
- Recognition of concerns, i.e. environmental issues

1.4 **Describe any reasons for change and intended aims and benefits:**

What does the service, policy or practice/change seek to achieve (for example, save money, improve take-up or promote independence)? How much does it cost per capita? Does it provide value for money and what are the cost-benefits? Provide data and information as evidence. What is the scope/what are the limitations?

The Local Authority has responsibility for ensuring that every child has fair access to all schools, promoting a diverse supply of strong schools and the highest standards of teaching, including early years, post 16 and those with special educational needs. It also supports local schools for local children in terms of environmental and economic impact whilst supporting our rural communities. Our Education Infrastructure Plan 2013-2031 identifies our future infrastructure and the need to seek proposers for all new schools through structured procedures which will give parents more choice with the education landscape becoming more diverse. The new streamlined procedures will balance the workload for the team in relation to new schools coming forward as a result of housing development and changes for schools as a result of demographic growth.

1.5 **Overlap with other policies, services etc:**

The procedures are related to the The Education Infrastructure Plan 2013-2031, and is relevant to the main priorities contained within Devon County Council's Strategic Plan and Championing Children, the Education and Learning Strategy

1.6 **The following stakeholders have been involved in this assessment:**

Who have you consulted (for example, service users, community groups or the business community), when did you consult and what feedback did they give you? Have key partners been consulted about any impact on their services and could there be any unintended consequences for partner agencies?

Schools have been informed of the new procedures through the Schools Organisation, Capital and Admissions Committee (SOCA) and through an article in Headlines.

1.7 **The following research or guidance has been referred to, or advice sought, in order to inform the assessment:**

The proposals are in accordance with the Acts and policies contained in 1.2 above.

1.8 **Options Appraisal**

The procedures for all changes to schools are required as part of our statutory responsibilities as commissioner of services.

Option	Pros	Cons	Cost/Achievability
N/A			

Recommended/preferred option(s):

It should be noted that where governing bodies wish to undertake changes including expansion they are required to have secured any necessary capital funding and identified suitable accommodation and sites and an expectation to have discussed their plans with the Local Authority. Devon County Council will only support proposals with capital investment where there is a shortfall in pupil places for that particular area.

2. Analysis

2 Social impacts

There has been significant change to school provision over the past few years with the Local Authority's role changing to that of commissioner. There are new providers entering

the system with the introduction of academies, free schools and a new process for new school sponsors. In addition, significant housing development is planned in Devon. The LA has responsibility for ensuring a sufficient supply of pupil places and promoting high standards, fulfilment of potential, fair access to education and securing sufficient school places and increasing opportunities for parental choice.

	In what way is this characteristic relevant, or not relevant, to the service, policy or practice? Refer to the Social (Equality) Analysis guidance for further information.
Age:	Relevant
Disability:	“
Gender/Sex (men and women):	“
Marriage and civil partnership:	“
Pregnancy and maternity:	“
Race/ethnicity:	“
Religion/belief:	“
Sexual orientation:	“
Trans-gender/gender identity:	“
Other (e.g. socio-economic, general health and wellbeing, human rights, safeguarding):	Safeguarding, Special Educational Needs
Overall degree of relevance to equality:	High
Geographic areas affected:	Devon

2.1.1 Positive impacts:

As the schools estate changes with a diverse range of providers entering the region through new schools, free schools, studio schools etc. there will be opportunities for creating new employment opportunities and will give parents and pupils a wider choice of educational provision.

2.1.2 Negative impacts and mitigations or justification:

None known

2.3.4 Neutral impacts:

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None known

2.2 Economic impacts

	In what way is this factor relevant, or not relevant, to the service, policy or practice? <i>Refer to the Economic Analysis guidance for further information.</i>
Impact on knowledge and skills:	Relevant
Impact on employment levels:	Relevant
Impact on local business:	Relevant

2.2.1 Positive impacts:

With approximately 30 new primary and secondary and early years provision planned in the area together with increasing capacity in schools as a result of in area demand, there will be a range of opportunities for creating new employment in Devon.

2.2.2 Negative impacts and mitigations or justification:

None known.

2.3 Environmental impacts

2.3.1 The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please select and proceed to Section 2.3, otherwise complete table below):

	Devon County Council’s Environmental Review Process for permitted development highway schemes.
√	Planning Permission under the Town and Country Planning Act (1990).
	Strategic Environmental Assessment under European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment”.

	In what way is this factor relevant, or not relevant, to the service, policy or practice?
Reduce waste, and send less	Relevant

waste to landfill:	
Conserve and enhance biodiversity (the variety of living species):	Relevant
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	Relevant
Conserve and enhance the quality and character of our built environment and public spaces:	Relevant
Conserve and enhance Devon's cultural and historic heritage:	Relevant
Minimise greenhouse gas emissions:	Relevant
Minimise pollution (including air, land, water, light and noise):	Relevant
Contribute to reducing water consumption:	Relevant
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):	Relevant
Other (please state below):	

2.3.2 Positive impacts:

The Education Infrastructure Plan supports the delivery of energy efficiency measures and renewable energy solutions across the education estate and Devon County Council will continue to encourage and support new and existing schools to look at long term investment in renewable energy schemes to mitigate the impact of increasing energy costs.

2.3.3 Negative impacts and mitigations or justification:

Governing bodies of schools will now be able to undertake certain changes without the need for a statutory process. Through our relationship with Local Learning Communities it is hoped that all schools, including academies and free schools will continue to keep the Local Authority informed of any changes that will impact on pupil place planning

2.4 Combined Impacts

2.4.1 Linkages or conflicts between social, environmental and economic impacts:

New schools have an impact on parental choice. However, DCC will continue to promote sustainable patterns of provision and travel by promoting high quality provision which is within reasonable travelling distance for a child or young person, enabling pupils to be able to walk to school

2.4.2 'Social Value' of planned commissioned/procured services:

A diverse range of providers entering the education system will bring choice for parents, pupils and schools. We will however continue to promote local schools for local children with sustainable provision that maximises accessibility, meets local needs and recognises the need generated by planned growth in specific localities.

2.4.3 Potential impacts on partner agencies:

The Local Learning Communities are fully aware of long term strategy in relation to pupil place planning through regular meetings and as contained within the Education Infrastructure Plan. In addition we are closely involved with District Councils and their plans for future educational provision as a result of development. There has been pressure on places in particular areas as a result of an increase in the birth rate, demographic changes and housing development while a decline in pupil numbers in rural areas. We will continue to work with all schools and support our communities through sustainable patterns of provision.

3. Actions and risk management

3.1 Actions:

1. Consultation in accordance with statutory guidance and Devon County Council's policy on Consultation and Engagement
2. Decision making - Account to be taken of all those affected by proposals or who have an interest in, especially parents of children of affected schools.
3. Robust strategy and evidence base
4. Continued partnership working and engagement of all schools, Local Learning Communities, Local Members, stakeholders.

3.2 How will you monitor the actual impacts of recommendations/decisions (consider what service user monitoring and consultation is necessary)?:

Robust and transparent methodology is in place for monitoring pupil place forecasting and allocating capital resources to meet our requirements as commissioner of pupil places and the necessary statutory will be carried out in accordance with new guidance.

3.3 Risk assessment

Inherent risk (mark an X in one box).

5 Catastrophic 5

Major	4					
Moderate	3					x
Minor	2					
Negligible	1					
		1	2	3	4	5
		Rare	Unlikely	Possible	Likely	Almost certain

Likelihood (in a 5 year timeframe)

Current risk (mark an X in one box).

The risk **with** mitigating actions/changes in place.

Severity	Catastrophic	5					
	Major	4					
	Moderate	3				x	
	Minor	2					
	Negligible	1					
			1	2	3	4	5
			Rare	Unlikely	Possible	Likely	Almost certain

Likelihood (in a 5 year timeframe)