



# Equality and Human Rights Impact Assessment - the Form

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form. Throughout the form, **proposal** should be understood broadly to include the full range of our activities and could refer to a decision, policy, strategy, plan, procedure, report or business case, embracing a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Essentially everything we do!

## STEP 1: Identify essential information

1. Committee Report No.

2. Name of proposal.

3. Officer(s) completing this form.

Name	Designation	Service	Directorate
Derek Samson	Service Manager (Schools)	Education	Education, Culture and Sport

4. Date of Impact Assessment.

5. When is the proposal next due for review?

6. Committee Name.

7. Date the Committee is due to meet.

8. Identify the Lead Council Service and who else is involved in delivering this proposal (for example other Council services or partner agencies).

Education, Culture and Sport

9. Please summarise this Equality and Human Rights Impact Assessment (EHRIA). This must include any practical actions you intend to take or have taken to reduce, justify or remove any adverse negative impacts. This must also include a summary of how this proposal complies with the public sector equality duty for people with protected characteristics - see Step 2. **Please return to this question after completing the EHRIA.**

The proposal will contribute to the efficient and effective management of pupil places in Aberdeen city schools. Any potential adverse impact is reduced as all parents/carers will retain the right to make a placing request to the school of their choice at any time. All children and young people attending schools under the existing zoning arrangements will continue to attend their current school until their parents/carers decide otherwise or they reach school leaving age. The transport arrangements for existing pupils will also be maintained.

10. Where will you publish the results of the Equality and Human Rights Impact Assessment? Tick which applies.

- Para 9 of EHRIA will be published in committee report in Section 6 "Impact"
- Full EHRIA will be attached to the committee report as an appendix
- Copied to Equalities Team to publish on the Council website

## STEP 2: Outline the aims of the proposal

11. What are the main aims of the proposal?

To improve zoning arrangements for pupils in the affected areas and to equitably distribute pupils in schools.

12. Who will benefit most from the proposal?

Pupils attending schools Mile End, Cornhill, Scotstown and Greenbrae Schools and Aberdeen Grammar School, St Machar, Oldmachar and Bridge of Don Academies. Pupils who are re-zoned as a result of the proposals.

13. You should assess the impact of your proposal on equality groups and tell us how implementing this proposal will impact on the needs of the public sector equality duty to: eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations.

There is a high likelihood that there will be a greater equity of opportunity for all pupils affected by the proposal.

There is not anticipated to be any impact upon those pupils attending Mile End School who have Additional Support Needs (ASN).

**STEP 3: Gather and consider evidence**

15. What **evidence** is there to identify any potential positive or negative impacts in terms of involvement, consultation, research, officer knowledge and experience, equality monitoring data, user feedback and other? You must consider relevant evidence, including evidence from equality groups.

Informal consultation undertaken in 2010. Formal, statutory consultation completed and this report provides committee with feedback. All submissions, anonymised as appropriate, have been made available to all internal and external members of Education, Culture and Sport Committee. Education Scotland has produced a report, also made available to committee, which comments upon consultation on the proposal.

**STEP 4: Assess likely impacts on people with Protected Characteristics**

16. Which, if any, people with protected characteristics and others could be affected positively or negatively by this proposal? Place the symbol in the relevant box. Be aware of cross-cutting issues, such as older women with a disability experiencing poverty and isolation.

(Positive +, neutral 0, - negative)

Protected Characteristics					
Age - Younger	+	Disability	0	Gender Reassignment*	0
Older	+				
Marriage or Civil Partnership	0	Pregnancy and Maternity	0	Race**	0
Religion or Belief	0	Sex (gender)***	0	Sexual orientation****	0
Others e.g. poverty	0				

Notes:

\* Gender Reassignment includes Transsexual

\*\* Race includes Gypsy/Travellers

\*\*\* Sex (gender) i.e. men, women

\*\*\*\* Sexual orientation includes LGB: Lesbian, Gay and Bisexual

17. Please detail the potential positive and/or negative impacts on those with protected characteristics you have highlighted above.

In making the assessment you must consider relevant evidence, including evidence received from individuals and equality groups. Having considered all of these elements, you must take account of the results of such assessments. This requires you to consider taking action to address any issues identified, such as removing or

mitigating any negative impacts, where possible, and exploiting any potential for positive impact. If any adverse impact amounts to **unlawful discrimination**, the policy must be amended to avert this. Detail the impacts and describe those affected.

Positive impacts (describe protected characteristics affected)	Negative Impacts (describe protected characteristics affected)
<p>(i) Pupils arriving at Foresterhill Hospital complex will be zoned to Cornhill and St Machar Academy. This proposal will reduce the likelihood of over-occupancy at both schools by removing the increased pupil numbers. The short term nature of occupancy at Foresterhill complex will result in more pupils attending their zoned school in the longer term.</p> <p>(ii) Pupils in the re-zoned area of Scotstown will be re-zoned to Greenbrae and from Bridge of Don to Oldmachar Academy.</p> <p>Pupils from the significant housing development at Dubford will be able to attend Greenbrae School which is much closer to their homes. Also the potential for over-occupancy at Scotstown School will be reduced by this proposal.</p> <p>Pupils attending Scotstown School who are in receipt of free transport will retain this right if this proposal is implemented.</p> <p>All pupils currently attending all schools will not be required to change school as a result of the proposal and parents/carers will retain the right to make a placing request to the school of their choice.</p>	<p>Some pupils arriving in Foresterhill complex may not be able to attend school of parents'/carers' choice through placing request as (a) Mile End School is near capacity (b) they may move to an area where the zoned school is not Mile end or Aberdeen Grammar School.</p> <p>They will retain the right to make a placing request to the school of their choice.</p>

**STEP 5: Human Rights - Apply the three key assessment tests for compliance assurance**

18. Does this proposal/policy/procedure have the potential to interfere with an individual's rights as set out in the Human Rights Act 1998? State which rights might be affected by ticking the appropriate box(es) and saying how. **If you answer "no", go straight to question 22.**

**No**

- Article 3 – Right not to be subjected to torture, inhumane or degrading treatment or punishment
- Article 6 – Right to a fair and public hearing
- Article 8 – Right to respect for private and family life, home and correspondence
- Article 10 – freedom of expression
- Other article not listed above

**How?**

### **Legality**

19. Where there is a potential negative impact is there a legal basis in the relevant domestic law?

No

### **Legitimate aim**

20. Is the aim of the policy identified in Steps 1 and 2 a legitimate aim being served in terms of the relevant equality legislation or the Human Rights Act?

Yes

### **Proportionality**

21. Is the impact of the policy proportionate to the legitimate aim being pursued? Is it the minimum necessary interference to achieve the legitimate aim?

Yes.  
Yes.

### **STEP 6: Monitor and review**

22. How will you monitor the implementation of the proposal? (For example, customer satisfaction questionnaires)

School roll numbers continually monitored through annual school census and school roll forecasts which contribute to effective management of the school estate.

23. How will the results of this impact assessment and any further monitoring be used to develop the proposal?

The proposal, if implemented will contribute to the effective management of the broader school estate across the city.

## STEP 7 SIGN OFF

The final stage of the EHRIA is formally to sign off the document as being a complete, rigorous and robust assessment.

Person(s) completing the impact assessment.

Name	Date	Signature
Derek Samson	27 February 2014	

Quality check: document has been checked by

Name	Date	Signature
Sharon McNutt	27 February 2014	

Head of Service (Sign-off)

Name	Date	Signature
Charlie Penman	27 February 2014	

### Now –

Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal to:

Equalities Team  
Customer Service and Performance  
Corporate Governance  
Aberdeen City Council  
**Business Hub 13**  
Second Floor North  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

Telephone 01224 523039 Email [sandrab@aberdeencity.gov.uk](mailto:sandrab@aberdeencity.gov.uk)