

Equality Impact Assessment (EqIA) (including Welsh Language & Socio-economic Duty)

March 2021

Name of Policy or Practice	Proposed Amalgamation of Ysgol Glan Gele and Ysgol Sant Elfod		
Responsible Officer / Head of Department (responsible for the Policy or Practice)	John Davies		
Service / Department	Education	Start Date of Assessment	26/08/2024

Name of officer(s) (and partners) completing the EqIA		
Name(s)	Job Title(s)	Signature(s)
Gareth Robertson	Project Manager	<i>G. Robertson</i>

*Consider including only job titles when publishing

Document Version	Revision Date	Briefly Describe the Changes
V1	16/09/2024	

EqIA Approved by Responsible Officer / Head of Department / Service / Committee	
Date EqIA Concluded	16/09/2024
Name	John Davies
Job Title	Strategic Manager
Signature	<i>J.R. Davies</i>

Introduction

This document is a multi-purpose tool ensuring the appropriate steps are taken to comply with the [Public Sector Equality Duty](#) Equality Impact Assessment legislation and to demonstrate that we have shown due regard to the need to reduce inequalities of outcome resulting from socio-economic disadvantage when taking strategic decisions under the [Socio-economic Duty](#). It also ensures consideration of the [Welsh Language Standards](#).

When we plan to introduce a new, or revise an existing, policy or practice, make changes or cuts to a service or make strategic decisions, we are required to consider if the decision would have a disproportionate impact on people sharing one or more [protected characteristic](#) or whether it could create inequalities of outcome around socio-economic disadvantage. Where this is likely to be the case, we must take appropriate action. The EqIA process is not intended to prevent us doing things but to ensure we have considered the impact. It helps us focus on the actions we can take to remove and/or mitigate any disproportionate or discriminatory impact and introduce measures to advance equality of opportunity.

To comply with the [General Duty](#) and [Socio-economic Duty](#), we must have 'due regard' (or consciously consider the need) to: eliminate discrimination, advance equality of opportunity and foster good relations and to the need to reduce the inequalities of outcome resulting from socio-economic disadvantage. The greater the relevance and potential impact, the higher the regard required by the duty. The General Duty will be more relevant to some functions than others and they may also be more relevant to some protected characteristics than others. Our duty must be exercised with rigour, an open mind and considered at a time when it can make a difference to our decisions. Policies with high relevance, such as strategic budgetary decisions, grant-making programmes, changes to service delivery (including withdrawal or reorganisation of services), and recruitment or pay policies should always be subject to an assessment for impact. For further guidance see [EHRC Assessing Impact Guidance](#). Our duty to comply with this legislation cannot be delegated.

This form should demonstrate the steps taken to carry out the assessment including relevant engagement/consultation, the information taken into account, the results of the assessment and any decisions taken in relation to those results. The EqIA should be published where it shows a substantial (or likely) impact on our ability to meet the General Duty.

Benefits of undertaking an EqIA:

- Gain a better understanding of those who may be impacted by the policy or practice
- Better meet differing needs and become more accessible and inclusive
- Enable planning for success – identifies potential pitfalls and unintended consequences before any damage is done
- Enable improved planning that will make decisions proactive rather than reactive, avoid having to reverse decisions which could have cost and reputational implications
- Demonstrate decisions are thought through and have taken into account the views of those affected
- Enable us to manage expectations by explaining the limitations within which we are working (eg, budget)
- Help avoid risks and improve outcomes for individuals

- Remove inappropriate or harmful practices and eliminate institutional discrimination
- Ensure we put Welsh and English Language on an equal footing and that decisions are made that safeguard and promote the use of the Welsh language

Whilst this document may seem lengthy, as well as containing the necessary steps in the process, it also contains guidance notes in the key areas to assist you in undertaking the EqIA. Additional links to further information are also included for assistance. Further information can be found on NHS/ WLGA PSED/ EIA [here](#).

Equality and Welsh Language Impact Assessment Steps

- Step 1 - Identify the Main Aims and Objectives of the Policy or Practice
- Step 2 - Data, Engagement and Assessing the Impact
- Step 3 - Procurement and Partnerships
- Step 4 - Dealing with Adverse or Unlawful Impact and Strengthening the Policy or Practice
- Step 5 - Decision to Proceed
- Step 6 - Actions and Arrangements for Monitoring Outcomes and Reviewing Data
- Step 7 - Publishing the Equality Impact Assessment

Important Note to Completing Officer(s):

It is important that the EqIA is completed when the policy or practice is being developed so that the findings from the EqIA can be used to influence and shape the policy or practice. It is recommended as a minimum, it is completed by a lead officer who is responsible for the policy or practice, a subject matter expert and a critical friend with at least one who has received formal EqIA training. This document needs to be presented to the decision makers along with the draft policy or practice as part of the decision making process.

Where you are developing a high level strategy or plan that does not contain sufficient detail to show how it will impact on individuals or groups (ie, where there will be plans and actions sitting beneath the strategy that will determine this), you should still undertake the full Equality Impact Assessment. You may also need to complete additional EqIA(s) on the plans and actions beneath the high level strategy. This will ensure you demonstrate that you have shown due regard to complying with the [General Duty](#), the [Public Sector Equality Duty](#), the [Welsh Language Standards](#) and the [Socio-economic Duty](#).

If your policy or practice is as a result of a UK, Welsh Government or Local Authority wide directive, you should still assess the impact of this locally to identify any differential impact due to local difference.

You should consider whether other events, eg, Covid-19, Brexit, Black Lives Matter, etc, have highlighted or exacerbated inequalities that need to be addressed as you work through the EqIA.

STEP 1 – Identify the Main Aims and Objectives of the Policy or Practice

1. What is being assessed? *(Please double click on the relevant box(es) (X) and select 'checked' as appropriate)*

- New and revised policies, practices or procedures (which modify service delivery or employment practices)
- Service review or re-organisation proposals which affect the community and/or staff, eg, early years provision, care, education
- Efficiency or saving proposals, eg, resulting in a change in community facilities, activities, support or employment opportunities
- Setting budget allocations for new financial year and strategic financial planning
- Decisions affecting service users, employees or the wider community including (de)commissioning or revised services
- New project proposals affecting staff, communities or accessibility to the built environment, eg, new construction work or adaptations to existing buildings, moving to on-line services, self-service, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation (refer to any national EqIA and consider local impact)
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Service Boards which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services
- Other please explain in the box below:

2. What are the overall aims, objectives and intended outcomes of the policy or practice?

The Local Authority is proposing the amalgamation of Ysgol Glan Gele and Ysgol Sant Elfod. The proposed new school would remain located on the sites of the two current schools but would operate under one Board of Governors and one Management structure.

3. Who are the main consultative groups (stakeholders)?

Note: Consider communities of interest or place (where people are grouped together because of specific characteristics or where they live)

Parents, carers and guardians, teachers & staff of Ysgol Glan Gele& Ysgol Sant Elfod, Governors of Ysgol Glan Gele & Ysgol Sant Elfod and other groups as identified by the School Organisation Code (Full list provided in consultation document).

4. Is the policy related to, influenced by, or affected by other policies or areas of work (internal or external), eg, strategic EqlAs if this is an operational EqlA and vice versa?

Note: Consider this in terms of statutory requirements, local policies, regional (partnership) decisions, national policies, welfare reforms.

No

STEP 2 - Data, Engagement and Assessing the Impact

When completing this section, you need to consider if you have sufficient information with which to complete your EqlA, or whether you need to undertake a period of engagement/consultation before continuing. The legislation relating to the EqlA process requires you to **engage and involve people who represent the interests of those who share one or more of the protected characteristics and with those who have an interest in the way you carry out your functions**. The socio economic duty also requires us to **take into account the voices of those in the community including those with lived experience of socio economic disadvantage**. You should undertake engagement with communities of interest or communities of place to understand if they are more affected or disadvantaged by your proposals so that you can address inequalities of outcome. This needs to be proportionate to the policy or practice being assessed. Remember that stakeholders can also include our own staff as well as partner organisations.

Before carrying out particular engagement activities, you should first look to data from recent consultations, engagement and research. This could be on a recent related policy or recent assessments undertaken by colleagues or other sources, eg, [Is Wales Fairer?](#), [North Wales Background Data Document](#), InfoBase Cymru, WIMD¹. This can help to build confidence among groups and communities, who can see that what they have said is being acted on. If you have very little or no information from previous engagement that is relevant to this EqlA, you should undertake some engagement work with your stakeholders and with relevant representative groups to ensure that you do not unwittingly overlook the needs of each protected group. It is seldom acceptable to state simply that a policy will universally benefit/disadvantage everyone, and therefore individuals will

¹ Wales Index of Multiple Deprivation

be affected equally whatever their characteristics. The analysis should be more robust than this, demonstrating consideration of all of the available evidence and addressing any gaps or disparities. Specific steps may be required to address an existing disadvantage or meet different needs.

The Gunning Principles, established from past court cases, can be helpful in ensuring we apply fairness in engagement and consultation:

Principle 1: Consultation must take place when the proposals are still at a formative stage. You must not have already made up your mind.

Principle 2: Sufficient reasons must be put forward to allow for intelligent consideration and response. Have people been given the information and opportunity to influence?

Principle 3: Adequate time must be given for consideration and response. Is the consultation long enough bearing in mind the circumstances?

Principle 4: The product of consultation must be conscientiously taken into account when finalising the decision.

5. Have you complied with the duty to engage as described above and are you sufficiently informed to proceed?

Yes No *(please cross as appropriate X)*

6. If Yes, what engagement activities did you undertake and who with?

Meetings have been held with the school (Head teacher and Governors) who were keen to explore the option. Meetings have been held with relevant CCBC officers and elected members. The full consultation will allow all interested stakeholders the opportunity to share their views.

7. If No, you may wish to consider pausing at this point while you undertake (further) engagement activities which you can include in the action plan below. Please incorporate any information obtained from this additional activity in the boxes in question 8.

Action	Dates	Timeframe	Lead Responsibility	Information added to EqIA (✓)

8. **What information do you hold about the impact on each of the following characteristic and statutory considerations / duties from your experience of current service delivery and recent engagement or consultation?** Include any additional relevant data; research and performance management information; surveys; Government, professional body or organisation studies; Census data; Is Wales Fairer? (EHRC² data); information from initial screening; complaints/compliments; service user data and feedback; inspections/ audits; socio-economic data including WIMD³ data. You may wish to include sub-headings showing where each element of your data has come from, eg, national data, local data, organisation data, general or specific engagement exercises, etc. Remember to consider Intersectionality issues, that is, the relationship between overlapping social identities (or socio-economic groups) and protected characteristics.

Consider any positive or negative impact including trends in data, geography (urban or rural issues), demography, access issues, barriers, etc. Also include any areas where there are inequalities of outcome resulting from socio-economic disadvantage or other relevant issues identified by communities of interest or communities of place (ie, where stakeholders, service users, staff, representative bodies, etc. are grouped together because of specific characteristics or where they live) and any issues identified for people living in less favourable social and/or economic circumstances.

Protected Characteristic /Group	Relevant Data	Positive and / or Negative Impact	Prompts (not an exhaustive list) Consider:
Race	<p>(PLASC 2024) In Ysgol Glan Gele 90% of its pupils who are over 5 years old are 'White British', and the remaining 10% were 'Mixed', 'Asian', 'Black' and 'Other/Unknown'.</p> <p>PLASC 2024 data tells us that 59.6% of pupils are 'British', 28.7% 'Welsh', 5.7% 'Other', 4.6% 'English' and 1% 'Irish'.</p> <p>Information in relation to race is regarded as 'sensitive data' and as such, the information for pupils under the age of 5 is withheld.</p> <p>(PLASC 2024) In Ysgol Sant Elfod 94% of its pupils are 'White British', and the remaining 6% were 'Mixed', 'Asian', 'Black' and 'Other/Unknown'.</p>	No impact	Ethnicity Nationality Gypsies / Travellers Language: interpreter provision Refugee / Asylum Seekers Migrants Positive Action Awareness events United Nations Convention on the Elimination of All Forms of Racial Discrimination (UNCERD)

² Equality and Human Rights Commission

³ Wales Index of Multiple Deprivation

Protected Characteristic /Group	Relevant Data	Positive and / or Negative Impact	Prompts (not an exhaustive list) Consider:
	The PLASC 2024 data tells us that 59.4% of pupils are 'British', 32.6% 'Welsh', 5.6% 'English' and 2.4% 'Other'.		Consider intersectionality issues
Disability	<p>(PLASC 2024) There are currently around 6% of pupils at Ysgol Glan Gele who receive some support for Additional Learning Needs.</p> <p>(PLASC 2024) There are currently around 23% of pupils at Ysgol Sant Elfod who receive some support for Additional Learning Needs.</p>	No impact	Mobility / Dexterity Blind or Visually impaired Deaf or Hearing impaired Mental Health Learning Disabilities Dementia Neurological difference / Autism Access to buildings/ facilities Access to communication methods Carers Dietary requirements Other Long Term Health Conditions United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) Consider intersectionality issues
Sex	<p>(PLASC 2024) Of the pupils who currently attend school full time at Ysgol Glan Gele there are 51% boys and 49% girls.</p> <p>(PLASC 2024) Of the pupils who currently attend Ysgol Sant Elfod there are 57% Boys and 43% Girls.</p>	No impact	Men / Women Gender Identity Toilet facilities/baby changing Childcare Gender Pay Gap Sex workers United Nations Convention on the

Protected Characteristic /Group	Relevant Data	Positive and / or Negative Impact	Prompts (not an exhaustive list) Consider:
			Elimination of All Forms of Discrimination against Women (UNCEDAW) Consider intersectionality issues
Age	<p>Ysgol Glan Gele is an infant’s school providing full time education for pupils aged 4-7 and part time nursery for pupils aged 3-4 years old.</p> <p>Information classed as ‘sensitive’ e.g. ethnicity, nationality, is not reported for children under 5 years of age, in line with National recommendations.</p> <p>Ysgol Sant Elfod is a junior school providing education for pupils aged 7 to 11.</p>	No impact	Older People Children Young People Working Age People Young Families Demographics NB: Where children / young people are affected complete the Childrens Rights Checklist United Nations Convention on the Rights of the Child (UNCRC) Caring responsibilities Consider intersectionality issues
Religion & Belief	<p>Ysgol Glan Gele and Ysgol Sant Elfod are not affiliated denominational schools.</p> <p>School level data is being sought.</p> <p>The 2011 census data for Abergele/Pensarn shows that 64.1% of people identify as Christian and 26.5% have no religion.</p>	No impact	Faith Communities Non Beliefs Dietary requirements Vegetarianism/Veganism Other philosophical beliefs Dress code/uniforms Religious festivals/activities Consider intersectionality issues

Protected Characteristic /Group	Relevant Data	Positive and / or Negative Impact	Prompts (not an exhaustive list) Consider:
Sexual Orientation	N/A	No impact	Gay Lesbian Bi-sexual Heterosexual Terminology Confidentiality about sexuality Consider intersectionality issues
Gender Reassignment	N/A	No impact	A person who proposes to, starts or has changed their gender identity Transgender Appropriate language use, ie, appropriate pronouns Gender neutral changing facilities and toilets Consider intersectionality issues
Marriage & Civil Partnership	N/A	No impact	Marital status Civil Partnership status Consider intersectionality issues
Pregnancy & Maternity	N/A	No impact	Pregnant mothers Those entitled to maternity and paternity leave Foster/Adoption Breastfeeding mothers Consider intersectionality issues

Protected Characteristic /Group	Relevant Data			Positive and / or Negative Impact	Prompts (not an exhaustive list) Consider:
Welsh Language	Analysis of the use of Welsh Language	Ysgol Glan Gele	Ysgol Sant Elfod	No impact	Ensuring equal status of both Welsh and English languages. Availability of and access to services, activities and information. Technology Rights of individuals to ask for WL services. Impact on Welsh speaking communities, including: Positive / negative effects on opportunities to use the WL. Possible changes to number/percentage of Welsh speakers Migration Job opportunities / Staffing changes. Training needs and opportunities Availability of Welsh medium education Consider intersectionality issues
	Pupil Numbers – Full and Part Time (as of January 2024)	282 (inc 67 N)	288		
	Language category of the school	English Medium	English Medium		
	(PLASC 2024) Percentage of pupils from homes where the language spoken is: <i>Does not speak Welsh at Home</i> <i>Speaks Welsh at Home</i> <i>Not applicable, cannot speak Welsh</i>	1% 0% 99%	2% 2% 96%		
	Percentage <u>taught</u> through the medium of Welsh	0%	0%		
	Pupils language medium in the <i>Playground</i> <i>Breakfast Club</i> <i>After-school club</i>	English English English	English English English		
	School participates annually in: <i>Cylch Meithrin / Ti a Fi</i> <i>Eisteddfodau</i> <i>Urdd Branches</i> <i>Other Welsh Medium activities</i>	No No No No	No No No No		
	The school is used by the community to learn Welsh	No	No		
	Percentage of Teaching staff able to teach through the medium of Welsh:	-	-		
	Percentage of Support Staff that are able to teach through the medium of Welsh:	-	-		
	Percentage of Governors that are able to speak Welsh:	-	-		

Protected Characteristic /Group	Relevant Data			Positive and / or Negative Impact	Prompts (not an exhaustive list) Consider:
	Language most commonly used during: <i>Governor meetings –</i> <i>PTA meetings</i> <i>Staff meetings</i>	English English English	English English English		
	(of persons aged 3+) The percentage of the Local Ward that as at census date 2011: <i>Speak Welsh</i>	Abergele	Abergele		
	<i>No skills in Welsh</i>	11.6%	11.6%		
Socio Economic Considerations	(PLASC 2024) 26.0% of pupils that attend Ysgol Glan Gele are currently eligible for free school meals. (PLASC 2024) There are around 22.9% of pupils who attend Ysgol Sant Elfod that are currently eligible for free school meals.			No impact	People living in less favourable social and economic circumstances than others in the same society. Disadvantage may be exacerbated by many factors of daily life, not just urban or rural boundaries. Consider 'Intersectionality' issues - where identity compounds socio-economic status, eg, single parents (often women), disabled people, some BAME groups.
Human Rights	The rights of the pupils will not be impacted by this proposal.			No impact	See Human Rights Articles . Consider intersectionality issues
Other (please state)					Eg, Modern Slavery, Safeguarding, Other Covid effects, Carers,

Protected Characteristic /Group	Relevant Data	Positive and / or Negative Impact	Prompts (not an exhaustive list) Consider:
			Ex-offenders, Veterans, Care Leavers, Substance Abuse, Homeless Consider intersectionality issues

Human Rights Act 1998 <ul style="list-style-type: none"> • Article 2 Right to life • Article 3 Freedom from torture and inhuman or degrading treatment • Article 4 Freedom from Slavery and forced labour • Article 5 Right to liberty and security • Article 6 Right to a fair trial • Article 7 No punishment without law 	<ul style="list-style-type: none"> • Article 8 Respect for private life, family, home and correspondence • Article 9 Freedom of thought, belief and religion • Article 10 Freedom of expression • Article 11 Freedom of Assembly and association • Article 12 Right to marry and start a family • Article 13 Right to access effective remedy if rights are violated • Article 14 Protection from discrimination
--	---

9. Are there any data or information gaps and if so what are they and how do you intend to address them?

Gaps identified around availability of data of Staff/Support staff and Governors Welsh Language ability and also school specific religious belief data.
This information will be gathered over the coming weeks and be added and reviewed accordingly.

Note: If it is not possible to obtain this information now, you should include this in your action plan in Step 6 so that this information is available for future EqlAs.

10. If this EqlA is being updated from a previous version of a similar policy or practice, were the intended outcomes of the proposal last time achieved or were there other outcomes? (Please provide details, for example, was the impact confined to the people you initially thought would be affected, or were other people affected and if so, how?)

11. **What does your proposal include to demonstrate you have given due regard to the Public Sector Equality Duty (to advance equality of opportunity; help to eliminate unlawful discrimination, harassment, or victimisation and foster good relations and wider community cohesion; as covered by the 3 aims of the General Duty in the Equality Act 2010)?**

N/A

12. **How does your proposal demonstrate you have given due regard to the need to address inequalities of outcome as a result of socio-economic disadvantage? (Please note that this is about closing inequality gaps rather than just improving outcomes for everyone.)**

The proposal is to amalgamate the two schools, but they will remain on the existing sites.
The financial implications to parents will be around uniform costs if the Governors decide to change to one uniform for an amalgamated school. A change in uniform would have to follow the latest Welsh Government guidance "[School uniform and appearance: policy guidance for governing bodies \(WG23-17\)](#)", which states that "when introducing a new uniform, or considering changes in uniform requirements, governing bodies should give high priority to cost and affordability".
The guidance also advises Governors that "If there is a change to a school uniform policy, introduce a transitional period so that old uniforms can be worn for at least a year or until outgrown before a total changeover to a new uniform and consider if items of the old uniform can be retained in the new policy".

13. **How does your proposal ensure that you are working in line with the requirements of the Welsh Language Standards (Welsh Language Measure (Wales) 2011), to ensure the Welsh language is not treated less favourably than the English language, and that every opportunity is taken to promote the Welsh language (beyond providing services bilingually) and increase opportunities to use and learn the language in the community?**

Conwy's language strategy has committed to the Welsh Government's aspiration to continuously increase the numbers and percentages of the population who can speak Welsh. The aim is that all the county's pupils have appropriate language skills in Welsh and English.
This proposal will not impact the language provision at the schools.

14. **What is the cumulative impact of this proposal on different protected groups when considering other key decisions affecting these groups made by the organisation? (You may need to discuss this with your Service Head or Cabinet Member to consider more**

widely if this proposal will affect certain groups more adversely because of other decisions the organisation is making, eg, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, eg, disabled people, older people, single parents (who are mainly women), etc)

As stated above, the only potential change is to the school uniform and name – this is a school governor decision.

15. How does this proposal meet with the 7 goals of the Well-being of Future Generations (Wales) Act 2015 including to create a More Equal Wales? (Summarise findings if you may have already considered this as part of the screening process)

For more information, please see: [Wellbeing of Future Generations \(Wales\) Act 2015](#)

This proposal seeks to ensure that the right schools serve the right areas now and into the future, based on assessment of current and future requirements.

16. Describe any intended negative impact identified and explain why you believe this is justified (for example, on the grounds of advancing equality of opportunity or fostering good relations between those who share a protected characteristic and those who do not or because of an objective justification¹ or positive action²)

No negative impact identified.

Note¹: Objective Justification - gives a defence for applying a policy, rule or practice that would otherwise be unlawful direct or indirect discrimination. To rely on the objective justification defence, the employer, service provider or other organisation must show that its policy or rule was for a good reason – that is 'a proportionate means of achieving a legitimate aim'. A **legitimate aim** is the reason behind the discrimination which must not be discriminatory in itself and must be a genuine or real reason, eg, health, safety or welfare of individuals. If the aim is simply to reduce costs because it is cheaper to discriminate, this will not be legitimate. Consider if the importance of the aim outweighs any discriminatory effects of the unfavourable treatment and be sure that there are no alternative measures available that would meet the aim without too much difficulty (proportionate) and would avoid the discriminatory effect.

Note²: Positive Action - The Equality Act 2010 allows for positive action towards a specific group if there is sufficient evidence of need. For example, where an employer takes specific steps to improve equality in the workplace to address any imbalance of opportunity, lessen a disadvantage or increase participation in a particular activity, by, say, increasing the number of disabled people in senior roles where they are under-represented by targeting specific groups with job adverts or offering training to help create opportunities for certain groups. The public sector is expected to consider the use of positive action to help them comply with the Public Sector Equality Duty.

17. Could any of the negative impacts identified amount to unlawful discrimination but are perceived to be unavoidable (eg, reduction in funding)?

Yes No Not Sure (Please double click on the relevant box (X) and select 'checked' as appropriate)

18. If you answered Yes or Not Sure to question 17, please state below, which protected group(s) or other groups this applies to and explain why (including likely impact or effects of this proposed change)

19. If you answered No to question 17, are there any barriers identified which amount to a differential impact for certain groups and what are they?

None known

STEP 3 - Procurement and Partnerships

The Public Sector Equality Duty (PSED) requires all public authorities to consider the needs of protected characteristics when designing and delivering public services, including where this is done in partnership with other organisations or through procurement of services. The Welsh Language Standards also require all public authorities to consider the effects of any policy decision, or change in service delivery, on the Welsh language, which includes any work done in partnership or by third parties. We must also ensure we consider the Socio-economic Duty when planning major procurement and commissioning decisions to consider how such arrangements can reduce inequalities of outcome caused by socio-economic disadvantage.

When procuring works, goods or services from other organisations (on the basis of a relevant agreement), we must have due regard to whether it would be appropriate:

- for the award criteria for that contract to include considerations to help meet the General Duty (to eliminate discrimination, promote equality of opportunity and foster good relations);
- to stipulate conditions relating to the performance of the contract to help meet the three aims of the General Duty.

This only applies to contractual arrangements that are “relevant agreements” which means either the award of a ‘public contract’ or the conclusion of a ‘framework agreement’, both of which are regulated by the Public Sector Directive (Directive 2004/18/EC) which regulates the specified EU thresholds. Further information can be found [here](#).

We must consider how such arrangements can improve equal opportunities and reduce inequalities of outcome due to protected characteristics and caused by socio-economic disadvantage, particularly on major procurement and commissioning decisions. The PSED applies to the work

that private sector organisations undertake when delivering a public function on our behalf. We therefore need to ensure that those organisations exercise those functions by ensuring our procurement and monitoring of those services complies with the General Duty under Section 149 of the Equality Act 2010. In the same way, the Welsh Language Standards applies to any work undertaken on behalf of, and in the name of, public bodies that are themselves subject to the Standards, and so consideration should be given to how these requirements are monitored and communicated through the procurement documents. The Socio-Economic Duty does not pass to a third party through procurement, commissioning or outsourcing. Therefore when we work in partnership with bodies not covered by the Socio-Economic Duty, the duty only applies to us as the relevant public body.

20. Is this policy or practice to be carried out wholly or partly by contractors or in partnership with another organisation(s)?

Yes No (Please double click on the relevant box (X) and select 'checked' as appropriate)

If No, please proceed to Step 4

21. If Yes, what steps will you take to comply with the General Equality Duty, Human Rights and Welsh Language Legislation and the Socio-Economic Duty in regard to procurement and/or partnerships? Think about:

Procurement

- Setting out clear equality expectations in Tendering and Specification documentation, showing how promotion of equality may be built into individual procurement projects
- On what you based your decisions in the award process, including consideration of ethnical employment and supply chain code of practice
- Ensure that contract clauses cover the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 and socio-economic requirements as well as Welsh Language Duties (remember that any duties from the Welsh Language Measure 2011 and Welsh Language Standards are also applicable to services provided on your behalf under contract by external bodies).
- Performance and Monitoring measures are included to monitor compliance, managing and enforcing contracts

Partnerships

Be clear about who is responsible for:

- Equality Monitoring relevant data
- Equality Impact Assessments
- Delivering the actions from the EqIA
- Ensuring that equality, human rights and Welsh Language legislation is complied with by all partners
- Demonstrating due regard to the Public Sector Equality Duty and the Socio-Economic duty

STEP 4 - Dealing with Adverse or Unlawful Impact and Strengthening the Policy or Practice

22. When considering proportionality, does the policy or practice have a significantly positive or negative impact or create inequalities of outcome resulting from socio-economic disadvantage? (Please give brief details)

Significantly positive impact	Significantly negative impact
	Potential additional cost identified for school uniforms if governors decide on a whole new uniform.

23. It is important that you record the mitigating actions you will take in developing your final policy/practice draft. Record here what measures or changes you will introduce to the policy or practice in the final draft which could reduce or remove any unlawful or negative impact or disadvantage and/or improve equality of opportunity/introduce positive change; or reduce inequalities of outcome resulting from socio-economic disadvantage? (This could also inform the Action Plan in Q34)

Unlawful or Negative Impact Identified	Mitigation / Positive Actions Taken in the Policy/Practice	Completed (✓)
Potential additional cost identified for school uniforms if governors decide on a whole new uniform.	Existing guidance in place to mitigate this - A change in uniform would have to follow the latest Welsh Government guidance " School uniform and appearance: policy guidance for governing bodies (WG23-17) ", which states that "when introducing a new uniform, or considering changes in uniform requirements, governing bodies should give high priority to cost and affordability". The guidance also advises Governors that "If there is a change to a school uniform policy, introduce a transitional period so that old uniforms can be worn for at least a year or until outgrown before a total changeover to a new uniform and consider if items of the old uniform can be retained in the new policy".	✓

24. Will these measures remove any unlawful impact or disadvantage?

Yes No *(Please double click on the relevant box (X) and select 'checked' as appropriate)*

25. If No, what actions could you take to achieve the same goal by an alternative means?

26. What other measures or changes could you include to strengthen or change the policy/practice to demonstrate you have given due regard to the Public Sector Equality Duty? (To advance equality of opportunity; help to eliminate unlawful discrimination, harassment or victimisation; and foster good relations and wider community cohesion; as covered by the 3 aims of the General Duty in the Equality Act 2010)

The final decision is to be made by Conwy County Borough Council's Cabinet, adding strength to the determination.
If approval is given to formally start the process of amalgamation, there will be a further period of consultation, allowing for public feedback.

27. What other measures or changes could you include to strengthen or change the policy/practice to demonstrate you have given due regard to the need to reduce inequalities of outcome as a result of socio-economic disadvantage?

See point 23

28. What other measures or changes could you include to strengthen or change the policy/practice to demonstrate you have followed important legislative considerations to increase opportunities to use the Welsh language and in treating the Welsh language no less favourably than the English language as set out in the Welsh Language (Wales) Measure 2011 and to reduce or prevent any adverse effects that the policy/practice may have on the Welsh language?

See point 13

29. Do you have enough information to make an informed judgement?

Yes No *(Please double click on the relevant box (X) and select 'checked' as appropriate)*

30. If you answered Yes, please justify:

The Report on the Proposed Amalgamation details the reasoning behind the decision.

31. If you answered No, what information do you require and what do you need to do to make a decision?

(Note: Should data collection be included in the action plan (Step 6)?)

[You may need to stop here until you have obtained the additional information]

STEP 5 - Decision to Proceed

32. Using the information you have gathered in Steps 1 – 4 above, please state on the table below whether you are able to proceed with the policy or practice and if so, on what basis?

(Please double click on the relevant box (X) and select 'checked' as appropriate)

Decision	
<input checked="" type="checkbox"/> Yes	Continue with policy or practice in its current form
<input type="checkbox"/> Yes	Continue with policy or practice but with amendments for improvement or to remove any areas of adverse impact identified in Step 4
<input type="checkbox"/> Yes	Continue with the plan as any detrimental impact can be justified
<input type="checkbox"/> No	Do not continue with this policy or practice as it is not possible to address the adverse impact. Consider alternative ways of addressing the issues.

33. Are there any final recommendations in relation to the outcome of this Equality Impact Assessment?

No

STEP 6 - Actions and Arrangements for Monitoring Outcomes and Reviewing Data

The EqIA process is an ongoing one that doesn't end when the policy/practice and EqIA is agreed and implemented. There is a specific legal duty to monitor the impact of policies/practices on equality on an ongoing basis to identify if the outcomes have changed since you introduced or amended this new policy or practice. If you do not hold relevant data, then you should be taking steps to rectify this in your action plan. To review the EHRC guidance on data collection you can review their [Measurement Framework](#).

34. Please outline below any actions identified in Steps 1-5 or any additional data collection that will help you monitor your policy/practice once implemented:

Action	Dates	Timeframe	Lead Responsibility	Add to Service Plan (✓)
Obtain data of Staff/Support staff and Governors Welsh Language ability and also school specific religious belief data	11/10/2024	1 month	Gareth Robertson / MIS and EIS team	

35. Please outline below what arrangements you will make to monitor and review the ongoing impact of this policy or practice including timescales for when it should be formally reviewed:

Monitoring and Review arrangements (including where outcomes will be recorded)	Timeframe & Frequency	Lead Responsibility	Add to Service Plan (✓)
Review Equality Impact Assessment following Statutory Consultation process has been completed.	One Time review	Gareth Robertson	
Admission Officer and MIS	One Time review	MIS and EIS team	

STEP 7 - Publishing the Equality Impact Assessment

Please arrange for this completed EqIA to be agreed by your Head of Service/Department and arrange for translation and publishing with a copy sent to the Equality Officer.