## Fairness and Equalities Impact Assessment (FEIA)

This is an integrated Impact Assessment which aims to ensure Newport City Council makes decisions which are fair, take account of relevant evidence, and seek to secure the best outcomes for our communities. An FEIA should be used to inform the first steps of decision-making, at concept stage, not when a decision is already made, or at the point when it cannot be influenced. This impact assessment considers our legislative responsibilities under:

- The Equality Act (2010), including the Socio-economic Duty
- The Wellbeing of Future Generations (Wales) Act (2015)
- The Welsh Language (Wales) Measure (2011)

The FEIA process is not intended to prevent decisions being made, but to ensure we have considered their potential impact. An FEIA also helps us to focus on how we can reduce any negative impacts, and provides us with evidence that we have met our legal duties.

For support to complete your FEIA, please contact the **Connected Communities Team** 

### What do we mean by Fairness?

The Newport Fairness Commission is an independent body which advises the council on the best use of resources and powers to achieve the fairest outcomes for local people. The Fairness Commission has established four **Principles of Fairness** which should be considered as part of any decisions that the council make – the questions below are useful to reflect on before you start your FEIA.

Equity	Are people being treated in a consistent way, whilst acknowledging their differences (for example, need, barriers to accessing services)?
	Will the gap between those with more, and those with less be reduced?
	Have the interests of different groups affected (including minority or disadvantaged communities) been taken into account?
Priority	Have the needs of the most disadvantaged and vulnerable across the city been given priority?
	Have you considered possible indirect consequences for minority/disadvantaged communities when other priorities are directing decisions?
Inclusion	Will the voices of all those affected by your decision be heard?
	Are people able to participate in and shape a service, as well as receiving it?
	Have you considered the impact of your decision on the relationship between communities, and the spaces they share?
Communication	Are decisions being made transparently and consistently?
	How will decisions be communicated to people who are affected in a clear way, with the opportunity for feedback?

# Part 1: Identification

Name of person completing the FEIA	Robert Fisher
Role of person completing the FEIA	Education Information & Development Officer
Date of completion	23 <sup>rd</sup> August 2023
Head of Service who has approved this FEIA	Sarah Morgan

1.	What is being assessed? (Please double click on the relevant box(es) (X) and select 'checked' as appropriate)
	New or revised policies, practices or procedures (which modify service delivery or employment practices)
$\boxtimes$	Service review or re-organisation proposals which affect the community and/or staff
	Efficiency or saving proposals
	Setting budget allocations for new financial year and strategic financial planning
$\boxtimes$	Decisions affecting service users, employees or the wider community including (de)commissioning or revising services
	New project proposals affecting staff, communities or access to the built environment
	Public events
	Local implementation of National Strategy/Plans/Legislation
	Strategic directive and intent, including those developed at Regional Partnership Boards and Public Service Boards
	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. Please describe the overall aims, objectives and intended outcomes of your decision

The intended outcome is to obtain permission to progress with the demolition of the vacant and condemned Millbrook Primary School building.

In July 2022, Newport City Council was advised of potentially significant problems at Millbrook Primary School; this resulted in the school being temporarily relocated to Brynglas Adult Training Centre while further structural investigations were undertaken. The report prepared by a specialist contractor following these investigations indicated that the school building should not be re-occupied in its current condition. The school has therefore continued to operate from Brynglas Adult Training Centre since September 2022, with the Millbrook Primary School building remaining vacant since this time.

In recent months the vacant building has been subject to significant break-ins, resulting in extensive vandalism and anti-social behaviour. These problems will worsen whilst the building remains empty. The Council has now agreed to progress a replacement school build rather than repair and remodel the existing building. As such, the current building is now considered obsolete. Given the significant health and safety risks presented by this vacant building, approval is now sought for its demolition.

3. Who are the main stakeholders who may be impacted by your decision and what data do you hold on them? Consider communities of place (people who live in the same geographic area) and communities of interest (people who share particular characteristics but may live in different geographic areas). Stakeholders may include residents, local businesses, community groups, staff or partners.

#### The key stakeholders are:

- Pupils attending Millbrook Primary School
- Parents and families of pupils currently attending Millbrook Primary School;
- Teachers, staff and governors at Millbrook Primary School;
- Families with pre-school aged children in the Bettws area.
- Families with children moving into the Bettws area.

The key stakeholders most likely live or access services in the Bettws area of Newport. Millbrook Primary School is located within the Bettws ward.

The information provided below is based on information from the Newport community well-being profiles. There were six local community well-being profiles produced for 2021 which were published on 5<sup>th</sup> May 2022 prior to the ward changes implemented at local council elections in 2022.

The Bettws ward represents approximately 5.2% of Newport's total population. The table below shows the makeup of the Bettws ward population against the all-Newport population using the mid-year population estimates 2020 data from the One Newport ward profiles. The data shows that the area matches the same averages than the Newport-wide figure. The Bettws ward has an area of 5.14 km², the population density within the ward is 1,582 people per km² which is ranked 13<sup>th</sup> most densely populated of the 20 Newport wards.

Population (Mid-year population estimates 2020)								
Total Aged 0 to 15 Aged 16 to 64 Aged 65+								
Bettws	8,132	1,703 (21%)	5,076 (62%)	1,353 (17%)				
Newport	156,447	32,050 (21%)	97,743 (62%)	26,654 (17%)				

The population in the Bettws ward decreased between 2001 and 2011 but has seen growth over the past 10 years from 2011, whereas the whole Newport population has also grown significantly in the past 20 years.

Population 2001 – 2020 (2001 – 2011 Census Figures) (Mid-year population estimates – 2020)									
	2001	2011	2020						
Bettws	8,278	7,606	8,132						
Newport	137,011	145,736	156,447						

Approximately 5% of the primary cohort within Newport currently attend Welsh-medium primary schools. 10.5% of the primary cohort within Newport attend Faith-based primary schools. We would expect to see similar percentages of families opting for these mediums of education from the Bettws ward. Newport City Council's Welsh in Education Strategic Plan (WESP) has recently been approved by Welsh Government and proposes to establish more Welsh-medium provision in Newport between 2022-2032 and aims to increase the percentage of primary age pupils in Welsh-medium education to 12%. Ysgol Gymraeg Ifor Hael, located in the Bettws ward has a capacity of 210 pupils is one of four Welsh-medium primary schools in Newport. The 2022/23 Reception

year group as of PLASC 2023 was full and the 2023/24 Reception class for September 2023 is currently full although a small number of places have been offered to out-of-catchment applicants.

The table below shows that over the last 5 years there has been a slight increase of pupils eligible for Free School Meals (FSM) in Millbrook Primary School. The Millbrook Primary FSM figures are significantly higher than the Newport and Wales average.

Free School Meals (FSM)								
2018 2019 2020 2021 2022								
Millbrook Primary	28.4%	27.0%	27.7%	31.7%	33.9%			
Newport	19.2%	19.3%	19.6%	21.5%	22.4%			
Wales	18.4%	18.5%	19.3%	21.3%	23.0%			

Millbrook Primary School is located within the Bettws ward. The FSM data aligns with the ward profile data, Millbrook Primary School is located between the Bettws 2 and Bettws 6 LSOA and both LSOA are ranked within the top 50% of most deprived wards in Wales. Bettws 2 is within the top 20% of most deprived wards in Wales making Bettws one of the most deprived wards in Newport.

The table below shows the percentage of children learning English as an additional language in Millbrook Primary School.

English as an additional language (EAL)								
2018 2019 2020 2021 2022								
Millbrook Primary	11.6%	8.8%	5.9%	5.0%	4.9%			
Newport	18.1%	17.8%	18.0%	17.4%	16.9%			
Wales	6.2%	6.0%	6.1%	6.0%	6.1%			

The proportion of pupils for whom English is an additional language has decreased steadily in 5 years in Millbrook Primary School, the proportion of EAL pupils remains significantly below the Newport average.

Black, Asian and Minority Ethnic Pupils								
2018 2019 2020 2021 2022								
Millbrook Primary	14.4%	17.6%	12.8%	12.2%	14.4%			
Newport	26.7%	27.5%	28.1%	28.3%	29.2%			
Wales	12.2%	12.5%	12.7%	12.9%	13.3%			

The proportion of Black, Asian and Minority Ethnic Pupils has fluctuated in Millbrook Primary School over 5 years, but as a percentage, the school population remains significantly below the Newport average.

## Part 2: Engagement

When completing this section, you need to consider whether you have sufficient information about the views and experiences of people who your decision will impact upon. If you don't, you may need to undertake a period of engagement/consultation before continuing. An FEIA is a live document, so can be updated with consultation findings, and amended as needed during the decision-making process.

The council has a duty to consult and engage with people who may experience inequalities as a result of your decision. This includes people who share Protected Characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and people who have lived experience of socio-economic disadvantage. The council's Youth Promise also requires us to ensure all young people in Newport are listened to and included in decisions affecting them.

The council also has a duty to ensure that any consultation is available bilingually (in Welsh as well as English), and you may like to consider any other community languages that are spoken by people who may be impacted by your decision. Below are some questions that should be included in any public consultation relating to a decision which may impact on the use of Welsh language in Newport:

- 1. Do you believe that the proposed decision/policy will have a positive or negative effect on opportunities to use the Welsh language?
- 2. If you think it will have a negative effect, what steps could we take to lessen or remove this and improve positive effects?
- 3. Do you believe that the proposed decision/policy will treat the Welsh language less favourably than the English language?
- 1. How have you engaged with people who may be affected by your decision (the stakeholders you have identified)?

If permission to take this proposal forward is granted, the identified stakeholders will be kept informed during the demolition process. Documentation and progress will be published on the Newport City Council web pages and site notices will be posted at the school gates.

Letters on progress will be distributed via the school and information shared on social media platforms such as Twitter and Facebook.

All information shared will be available bilingually in Welsh and English and questions and concerns can be submitted bilingually. Any questions or concerns submitted in Welsh will receive an answer in the same language.

#### 2. What do you know about the views or experiences of people who may be affected by your decision?

We know that local families and the school community have been frustrated by the closure of the Millbrook School site and some have found adapting to the temporary arrangements and transport provision difficult. Although this proposal confirms that the temporary arrangement will remain for the short-to-medium-term, the decision to provide a replacement building and the proposed demolition of the old school represents progress and will provide a better long-term solution.

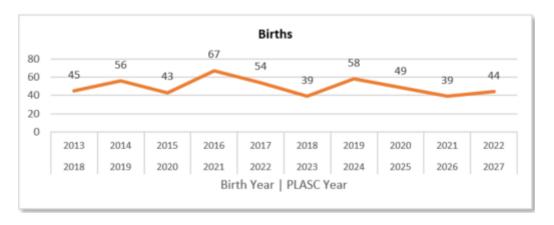
The people affected by the decision are the parents/carers, pupils and staff of Millbrook Primary School and young families within the Bettws ward.

The FSM and EAL figures for the school indicate the school community has a relatively high proportion of low-income households and the vast majority speak English as a first language. The Black, Asian and Minority Ethnic figures for the school community have fluctuated over the past 5 years but the figures indicate the school community is predominantly of White-British ethnicity.

Pupils attending Millbrook Primary School and school staff are key stakeholders in this proposal as they will continue to attend the temporary facility at Brynglas Adult Training Centre (ATC). There are currently 276 pupils on roll at Millbrook Primary School in Reception – Year 6 classes. The table below shows the total pupil numbers at the school broken down by year group.

Millbrook Primary School (Reception – Year 6)									
Pupil Numbers – PLASC 2023									
Year	Reception	Reception Year 1 Year 2 Year 3 Year 4 Year 5 Year 6 Total							
2022/23	31	39	43	37	45	38	43	276	

The low intake in Reception in 2022 reflected in the 2023 PLASC census could be attributed to an unusually low birth rate in the corresponding birth year (2018). However, the low intake could also be linked to the recent structural issues with the Millbrook Primary School building and the relocation of the school to the Brynglas ATC. The birth rates for the catchment area are shown below, they suggest Reception numbers could increase but the September 2023 Reception allocation numbers don't reflect a large increase in pupil numbers with only 32 places allocated as of 15<sup>th</sup> August.



#### Part 3: Assessment

This section requires you to assess the potential impact of your decision on a range of groups who may experience specific disadvantages. Your assessment should be supported by evidence – either from your own engagement/consultation, similar or previous engagement, what you already know about the people who access your service, or from local and national sources of information.

Useful documents which set out information about how communities are impacted by inequalities include <u>EHRC – Is Wales Fairer?</u> and the council's <u>COVID-19</u> <u>Community Impact Assessment</u>. Your decision may have both positive and negative impacts – if this is the case, please place a cross in both boxes.

#### 1. Impact on people that share Protected Characteristics

<u>Protected Characteristics</u> are defined under the Equality Act 2010, and describe groups of people who are protected from discrimination, either in the workplace, or through the provision of goods and services. The council must consider how decisions may impact on people differently because of a protected characteristic, and how any negative impact could be reduced. National guidance on assessing equality impacts and the Public Sector Equality Duty can be found here. You can also access further advice and examples of positive and negative impacts here.

	Impa	act:		
Protected characteristic	Positive	Negative	Neither	Provide further details about the nature of the impact in the sections below, considering the Public Sector Equality Duty that the council has to:  1. Promote equal opportunity across different groups 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation
Age				The demolition of the Millbrook Primary School building will confirm the requirement for current and future pupils of Millbrook Primary School to continue to attend the Brynglas ATC for the foreseeable future. This will see the current arrangements continue as pupils are transported to Brynglas ATC by bus from the Millbrook Primary School site. This arrangement has worked with Newport Transport team supporting the school with additional buses running to support the school returning to the usual start and end times for the school day. Advice provided to Newport City Council suggests that the demolition and replacement of the building would not take significantly longer than a repair and refurbishment. On this basis the impact of the decision on the situation is considered negligible.
Disability				There is no evidence that suggests the demolition will have a disproportionate impact on people that share this Protected Characteristic. The school is inclusive and is accessible to pupils with visibility and mobility needs. The temporary site has been adapted to ensure that it provides a suitable environment to meet the needs of pupils.
Gender Reassignment				There is no evidence that suggests the demolition will have a disproportionate impact on people that share this Protected Characteristic.
Marriage or civil partnership				There is no evidence that suggests the demolition will have a disproportionate impact on people that share this Protected Characteristic.
Pregnancy or maternity				Millbrook Primary School not currently having a permanent base may have affected the number of pupils that apply for places in the school while there is uncertainty over the future of the school. The drop in Reception numbers for 2022/23 suggest parents may be applying for places elsewhere as the pupil number in Reception was the lowest in the school, and as of 15/08/2023 the Reception number for 2023/24 is lower

	Impa	act:		
Protected characteristic	Positive	Negative	Neither	Provide further details about the nature of the impact in the sections below, considering the Public Sector Equality Duty that the council has to:  1. Promote equal opportunity across different groups 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation
				than the previous years when the school was at its permanent base. This proposal and the declared intention to replace the building provides a level of assurance in a time of uncertainty.
	'	•	'	
Race				There is no evidence that suggests the demolition will have a disproportionate impact on people that share this Protected Characteristic.
	'	•	'	
Religion or Belief or non- belief				There is no evidence that suggests the demolition will have a disproportionate impact on people that share this Protected Characteristic.
Sex			$\boxtimes$	There is no evidence that suggests the demolition will have a disproportionate impact on people that share this Protected Characteristic.
Sexual Orientation			$\boxtimes$	There is no evidence that suggests the demolition will have a disproportionate impact on people that share this Protected Characteristic.

## 2. Impact on Welsh Language

The Welsh Language (Wales) Measure specifies that for all policy decisions, the council must consider the effects (both positive and negative) on the Welsh language. For further guidance on Welsh language considerations see <a href="here">here</a>.

	Impa	ct:		
	Positive	Negative	Neither	
Welsh Language				Welsh-medium education in the Bettws area is provided at Ysgol Gymraeg Ifor Hael.  The demolition affects an English-medium school. The demolition is to demolish an unsafe school building within the English-medium sector. The demolition could directly affect the Welsh-medium sector as Ysgol Gymraeg Ifor Hael is within the immediate vicinity of Millbrook Primary School and could see the amount of in catchment applications for Ysgol Gymraeg Ifor Hael rise if parents choose to keep their children within the local area.  The proposal has no impact on the Council's plans for growing Welsh-medium education provision across Newport as outlined in our 10-year Welsh in Education Strategic Plan. It is therefore acknowledged that this proposal will not contribute to the Council's targets in relation to Cymraeg 2050.
	1	I		

1. Please describe how you have ensured your engagement has considered the view of Welsh speakers in Newport and the impact of your decision on the Welsh language.

All documentation published will run bilingually.

In order to ensure that an equitable consultation is achieved in both Welsh and English, Newport City Council:

- Will ensure all publicly available documentation will be available bilingually
- Will ensure all stakeholder emails are bilingual
- Will ensure there will be a Welsh language version of the consultation web page on the NCC website
- Will provide translation services at drop in session where appropriate
- Will encourage stakeholders to respond to the consultation in Welsh

• Will ensure the consultation questionnaire asked specific questions in relation to the project's potential positive or negative impact on opportunity to promote and use the Welsh language

## 3. The Sustainable Development Principle

The Well-being of Future Generations Act puts in place a sustainable development principle which helps organisations consider the impact they could have on people living in Wales in the future, and ensure they are focused on tackling long-term challenges. Below, consider how your decision promotes, advances, or contradicts the <u>5 ways of working</u> which underpin the sustainable development principle. You can access further guidance on considering the sustainable development principle <u>here</u>.

Long term	646	The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs.	The Council has announced an intention to progress a replacement school build for the Millbrook community, and as such the current school building is now obsolete. Given the health and safety risks posed in maintaining this building, demolishing it at an early stage safeguards the school community and supports opportunities for future development. The intention to progress a replacement building will provide a long term solution for the school community providing a new facility that will last for generations, rather than repair and remodel which may not have as long a lifespan, nor be a suitable to delivery of 21st Century education as a new replacement building.
Prevention		Putting resources into preventing problems occurring or getting worse	The vacant building contains potentially hazardous materials and is a target for vandalism and anti-social behaviour. Demolishing the building at an early stage will resolve these problems and mitigate the risk to the public
Integration	H	Considering how the public body's well- being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.	This proposal supports the "A prosperous Wales" and "A Wales of cohesive communities" Well-being Goals and has no adverse effect on any of the other Well-being Goals.

Collaboration		Working together to deliver objectives.	In managing the problems associated with this vacant building, the Council has liaised with and taken advice from Gwent Police and South Wales Fire Service.
Involvement	(;;;;) ()8,6	Involving those with an interest and seeking their view - ensuring that those people reflect the diversity of the area.	The Council will engage with the school and the local community to ensure that they understand the reasons for this demolition in advance of any replacement school build. This could include specifically targeted sessions with pupils of the school. Further information around the replacement school build will be shared with the school community in due course.

### 4. Socio-economic Duty

The <u>Socio-economic Duty</u> is set out in the Equality Act 2010, and requires the council, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage. Inequalities of outcome are felt most acutely in areas such as health, education, work, living standards, justice and personal security, and participation.

A 'strategic decision' is defined by Welsh Government as a decision which affects how the council fulfils its statutory purpose over a significant period of time and does not include routine 'day to day' decisions. Strategic decisions include:

- Corporate plans
- Setting wellbeing, equality and other strategic objectives
- Changes to, or development of public services
- Strategic financial planning
- Strategic policy development

If you do not think your decision meets this definition, and you do not plan on carrying out a Socio-economic Duty Assessment in this section, please provide your rationale below. Any decision which is presented to a Cabinet Member, at Cabinet or Council will be viewed as a strategic decision.

If your decision does meet the definition, please consider the impact of your decision on the socio-economically disadvantaged groups, and areas of inequality that may arise from socio-economic disadvantage contained in the matrix below. The groups listed are not exhaustive and you should consider any additional groups relevant to your decision who may experience socio-economic disadvantage in the following ways:

- Low Income/Income Poverty cannot afford to maintain regular payments such as bills, food, clothing, transport etc.
- Low and/or no Wealth enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provisions for the future
- Material Deprivation unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, hobbies etc.)
- Area Deprivation where you live (rural areas), where you work (accessibility of public transport)
- Socio-economic Background for example, parents' education, employment and income

Indicate a positive or negative impact, or both where they apply, and the severity of this impact by coding the sections of the grid based on the below. If there is no/neutral impact, please leave blank.

Nega	Negative Impact		Positive Impact		
N1	N1 Negative impact – mild		Positive impact – mild		
N2	N2 Negative impact – moderate		Positive impact – moderate		
N3	Negative impact – significant	Р3	Positive impact – significant		
N4	N4 Potential for negative impact (but unsure)		Potential for positive impact (but unsure)		

#### Areas of inequality that may arise from socio-economic disadvantage – definitions

Education: The capability to be knowledgeable, to understand and reason, and to have the skills and opportunity to participate in the labour market and in society

Work: The capability to work in just and favourable conditions, to have the value of your work recognised, even if unpaid, to not be prevented from working and to be free from slavery, forced labour and other forms of exploitation

**Living Standards:** The capability to enjoy a comfortable standard of living, in appropriate housing, with independence and security, and to be cared for and supported when necessary.

**Justice, Personal Security and Community Safety**: The capability to avoid premature mortality, live in security, and knowing you will be protected and treated fairly by the law

**Health:** The capability to be healthy, physically and mentally, being free in matters of sexual relationships and reproduction, and having autonomy over care and treatment and being cared for in the final stages of your life

Participation: The capability to participate in decision making and in communities, access services, know your privacy will be respected, and express yourself

Groups	Areas of inequality						
	Living Standards	Work	Health	Education	Justice and community safety	Participation	Physical Environment
Children living in poverty			P2	P2		P4	P4

Low income households without dependent children					
Unemployed young people					
Long term unemployed					
Homeless households					
Refugees, migrants and asylum seekers					
Deprived neighbourhoods - WIMD rank in 10% most deprived LSOA		P1	P4	P4	Р3
People on Universal Credit / income related benefits					
Adults with no qualifications or low qualifications					
People living in low quality housing or in Houses of Multiple Occupation			P4		

1. What evidence do you have about socioeconomic disadvantage and inequalities of outcome in relation to this decision?

As an 'Education' plan, it will reduce potential inequalities of opportunity by demolishing an obsolete and unsafe building, and the intention is then to provide Millbrook Primary School with a replacement building rather than repair and remodel. This will have a positive impact on the community as it will provide progress on an issue within the area and provides an outline of the plan for the future of the school.

2. Please describe how you have ensured your engagement has considered the views of people living in Newport who are affected by socio-economic disadvantage.

The documents will be available digitally and in hard format on a variety of digital platforms online and at Millbrook Primary School.

3. Does this decision contribute to a cumulative impact?

No

## Part 3: Actions and Outcomes

Considering any negative impacts that you have identified, indicate below how you will reduce these, increase the potential for positive impacts, and how you will monitor those impacts. Further guidance on how to complete your action plan can be found <a href="https://example.com/here">here</a>.

IMPACT ON PEOPLE THA	T SHARE PROTECTED CHARACTERISTICS			
Summary of impact	Action to reduce negative impact / opportunities to increase positive impacts	How this impact will be monitored	Owner	
IMPACT ON WELSH LAN	GUAGE			
Summary of impact	Action to reduce negative impact / opportunities to increase positive impacts	How this impact will be monitored	Owner	
SOCIO ECONOMIC IMPA	CTS			
SOCIO-ECONOMIC IMPA		Have this impact will be manitored	0	
Summary of impact	Action to reduce negative impact / opportunities to increase positive impacts	How this impact will be monitored	Owner	
SUSTAINABLE DEVELOPN	MENT PRINCIPLE			
Summary of impact	Action to reduce negative impact / opportunities to increase positive impacts	How this impact will be monitored	Owner	

Once your FEIA is complete, please forward to <a href="mailto:nccequality@newport.gov.uk">nccequality@newport.gov.uk</a>