



Report sponsor: Cllr John Whitby, Cabinet Member for Children's Social Care, Learning and Skills, Andy Smith, Strategic Director for People Services.

Report author: Gurmail Nizzer, Director for Commissioning & Delivery

Proposal to 'merge' Walbrook Nursery School and Pear Tree Infant School

Purpose

- 1.1 Walbrook Nursery School and Pear Tree Infant School have been operating as federated schools for many years. This means that they share the same Headteacher and Governing Body but have separate financial budgets. The Council is responsible for both of these schools, as maintained schools.
- 1.2 Following Derby City Council's successful bid to the Government's School Rebuilding Programme (SRP), it has been confirmed that Pear Tree Infant School will be rebuilt. This is an exciting project to provide new teaching and learning facilities for the benefit of children, staff and the whole school community.
- 1.3 The Department for Education (DfE) is leading on the school rebuild project, working together in close partnership with Pear Tree Infant School and Derby City Council. Based on latest discussions with the DfE, the new school building may be ready for opening in January 2026.
- 1.4 The Governing Body of the Pear Tree and Walbrook Nursery Federation approached the Council with a request to consider formally merging the infant and nursery school, to create a single school, within the brand-new Pear Tree Infant School building. A consultation proposal was, therefore, developed to form a single infant and nursery school for children aged 2-7.
- 1.5 There is no provision within School Organisation Regulations to 'merge' schools and so to achieve a single infant and nursery school, it is necessary to follow a statutory consultation process to 'close' Walbrook Nursery School and expand the size and age range of Pear Tree Infant School. If the proposal is approved, children attending Walbrook Nursery School would relocate to the newly built Pear Tree Infant School, on its completion.
- 1.6 Following Cabinet Member approval, initial consultation has now taken place on the proposal. Consultation was carried out over a six-week period between 12 September to 24 October 2023, with the Consultation Document circulated widely to all key stakeholders and interested parties. The Consultation Document and response form were also made available online on Let's Talk Derby. A copy of the Consultation Document is attached as Appendix 1 to this report.
- 1.7 A total of 157 responses were received during the consultation period. Of those responses, 153 (97%) were in support of the proposal. A summary of

responses, including very positive comments in support of the merger, are outlined in Appendix 2. Due to the significant level of support shown in the consultation responses, and the advantages that can be achieved through a merger, this report seeks Council Cabinet approval to progress to the next stage of the process which includes the publication of a statutory notice, and a further four-week representation period. It is anticipated that a final decision will be taken on the merger proposal in March 2024.

Recommendation(s)

- 2.1 To approve the publication of a statutory notice, with a further four-week formal consultation period, on the proposal to close Walbrook Nursery School and expand the age range and size of Pear Tree Infant School to form a single infant and nursery school for pupils aged 2-7.
- 2.2 Subject to 2.1 (above), to delegate authority to determine the proposal to the Strategic Director of People Services and Section 151 Officer if no objections are received and, if objections are received, to bring a further report to Council Cabinet for a decision.

Reason(s)

- 3.1 The Governing Body of the Pear Tree and Walbrook Nursery Federation approached the Council with a request to consider formally merging the infant and nursery school, to create a single school for pupils aged 2-7. Following Cabinet Member approval, initial consultation has now taken place on the proposal.
- 3.2 The rebuild of Pear Tree Infant School, through the Government's School Rebuilding Programme (SRP), presents an exciting opportunity to merge the infant and nursery school, to create a single school, within a brand-new building.

Supporting information

Background

- 4.1 Walbrook Nursery School and Pear Tree Infant School have been operating as federated schools for many years. This means that they share the same Headteacher and Governing Body but have separate financial budgets. It has been a long-standing aspiration of the Pear Tree and Walbrook Nursery Federation to merge the Nursery and Infant School to create a single school for pupils aged 2-7. The Council is responsible for both of these schools, as maintained schools.
- 4.2 Following Derby City Council's successful bid to the Government's School Rebuilding Programme (SRP), it has been confirmed that Pear Tree Infant School will be rebuilt. This is an exciting project to provide new teaching and learning facilities for the benefit of children, staff and the whole school community.
- 4.3 The Department for Education (DfE) is leading on the school rebuild project, working together in close partnership with Pear Tree Infant School and Derby City Council. Early indications were that the new school building may be ready to open in September 2025. However, based on latest discussions with the DfE, a January 2026 opening is currently being indicated.

Proposal to merge Walbrook Nursery School and Pear Infant School

- 4.4 The Governing Body of the Pear Tree and Walbrook Nursery Federation approached the Council with a request to consider formally merging the infant and nursery school, to create a single school, within the brand-new Pear Tree Infant School building. If the proposal is approved, children attending Walbrook Nursery School would relocate to the newly built Pear Tree Infant School, on its completion.
- 4.5 Pear Tree Infant School and Walbrook Nursery School already work closely together through a federation arrangement. A merged infant and nursery school provides the opportunity to continue to raise standards for Derby's children. The advantages in forming a single infant and nursery school, within a new school building, are outlined in more detail below.
 - The proposed new school would include modern high-quality purpose-built nursery accommodation, and out-door play space, designed specifically to meet the needs of the nursery children at the school and modern curriculum requirements.
 - A single infant and nursery school would make the transition of children between nursery and reception smoother and better for pupils and their families.
 - The possibility to create a single and continuous approach to learning.
 - The same policies and procedures and more potential to co-ordinate dates for staff training days, parents' evenings and events.
 - More development opportunities for the staff, such as shared training and the chance to gain experience and understanding across the nursery and infant school age ranges.

- Better access for pupils and the families to extended services and facilities.
- The opportunity to share resources and greater space for extended learning opportunities for all ages.
- The opportunity for both the nursery and infant phase to keep improving and moving forward.

4.6 The proposal is for the merged single school to continue with an admission number of 90. With regard to nursery places, currently there are 40 full-time 3 and 4 year old nursery places and 8 full-time 2 year old nursery places. The school has requested a very minor change, to better align nursery places with existing staff to child ratios of 1:13, with a proposal to move to 39 full-time nursery places for 3 and 4 year old eligible children and 8 full-time nursery places for 2 year olds. In practice the nursery is already operating in this way, due to staffing ratios, and so, effectively, there will be no change in the number of places available.

4.7 There is no provision within School Organisation Regulations to 'merge' schools and so to achieve a single infant and nursery school, it is necessary to follow a statutory process to 'close' Walbrook Nursery School and expand the size and age range of Pear Tree Infant School.

Summary of Consultation Responses

4.8 Following Cabinet Member approval, initial consultation has now taken place on the proposal. Consultation was carried out over a six-week period between 12 September and 24 October 2023, with the Consultation Document circulated widely to all key stakeholders and interested parties. The Consultation Document and response form were also made available online on Let's Talk Derby. A copy of the Consultation Document is attached as Appendix 1 to this report.

4.9 A total of 157 responses were received during the consultation period. Of those responses, 153 (97%) were in support of the proposal. A summary of responses, including very positive comments in support of the merger, are outlined in Appendix 2. The 4 respondents who stated that they did not support the proposal provided no comment on why. The key themes that emerged through the consultation were as follows:

- Merging the nursery and infant school can only have a positive impact for staff, children, parents and the wider community.
- A combined infant and nursery budget can give additional opportunities to both schools and the communities they serve.
- The consistency of approach will ensure that children progress through phase groups seamlessly, where the focus remains on their academic progress and overall development.
- Children will remain settled throughout their early school experience.

- It will benefit the community to have the facilities on one site. A number of parents have siblings who attend the nursery and the infant school and this makes it easier for them.
- Staff can be based on one site and can be a single team together.
- The merger opens up a lot of exciting opportunities for the whole community.
- It will be helpful for the Governing Body to overlook one budget with one setting, meaning that resources can be used in a more flexible manner.
- Staff will have opportunities for more training and experience to work with different age groups.

Proposed Next Steps

- 4.10 Due to the significant level of support shown in the consultation responses, and the advantages that can be achieved through a merger, this report seeks Council Cabinet approval to progress to the next stage of the consultation process. This includes the publication of a statutory notice, and a further four-week formal representation period.
- 4.11 Subject to approval to move to the next stage of the process, it is anticipated that a final decision on the merger proposal will be taken in March 2024. If the proposal moves forward, a single infant and nursery school would be established from January 2026, subject to the completion of the new school building, with the children attending Walbrook Nursery School at this time relocating to the newly built Pear Tree Infant School.

Public/stakeholder engagement

- 5.1 There is no provision within School Organisation Regulations to 'merge' schools and so to achieve a single infant and nursery school, it is necessary to follow a statutory process to 'close' Walbrook Nursery School and expand the size and age range of Pear Tree Infant School. Following Cabinet Member approval, initial consultation took place on the proposal over a six-week period from 12 September 2023 to 24 October 2023. The consultation document was circulated widely to all interested parties, including parents, staff, governors, ward members and trade unions.
- 5.2 This report seeks Council Cabinet approval to move to the next stage of the process, which includes the publication of a statutory notice. If there is approval to move to the next stage, there will be a further four-week statutory consultation period. The four-week statutory consultation period is prescribed in legislation (School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013) and cannot be shortened or lengthened. Following this, it is anticipated that a final decision on the proposal will be taken in March 2024. Subject to this decision, Walbrook Nursery School and Pear Tree Infant School will 'merge' from January 2026, subject to the completion of the new school building

Other options

- 6.1 There is an option to retain a separate nursery and infant school. However, it is generally accepted that combined nursery and infant schools can offer certain advantages including continuity for pupils and parents, as well as flexibility in terms of school resources.
- 6.2 The request to consider a 'merger' has been raised by The Pear Tree and Walbrook Nursery Federation. The rebuild of Pear Tree Infant School, through the Government's School Rebuilding Programme, presents an exciting opportunity to merge the infant and nursery school, to create a single school, within a brand-new building.

Financial and value for money issues

Revenue Funding

- 7.1 Currently, Walbrook Nursery School receives additional funding from the Department of Education as a maintained standalone nursery, to recognise the increased costs associated with such a set-up. Standalone Nursery schools in Derby agreed that the protection would be distributed via two parts, to both mirror a historic 'lump sum' and an enhanced hourly rate.
- 7.2 Whilst a 'merger' will result in a reduction in funding, with standalone nursery schools being funded differently, it should help to provide stability by creating a single school and reducing building maintenance and running costs. The Governing Body has fully considered the financial changes that would apply, if a single infant and nursery school is created, and wishes to proceed with the proposal in view of the overall benefits that can be achieved.
- 7.3 If the proposal is approved in March 2024, any future use or disposal of the existing nursery building will be considered in due course. All costs associated with managing the vacant building will be funded from Schools Capital Programme funding, which would require switching with revenue funding to establish the correct funding source to fund this expenditure, as it is not capital in nature. This can be dealt with by switching school capital programme funding with the School's revenue contribution to the capital costs of providing the new nursery at the new school, as set out below. Subject to any relevant DfE approvals, any future potential capital receipt will net off any vacant building management costs. Subject to approval and completion of the new school, the site is likely to become vacant and available for disposal around January 2026.

Capital Funding

- 7.4 The DfE is funding the rebuild of Pear Tree Infant School through the Government's SRP. Whilst a nursery can be delivered as part of the overall school rebuild project, it cannot be funded through the Government's programme, as nursery accommodation is additional to the current school building and Walbrook Nursery did not meet the criteria for inclusion within the DfE SRP, in its own right.

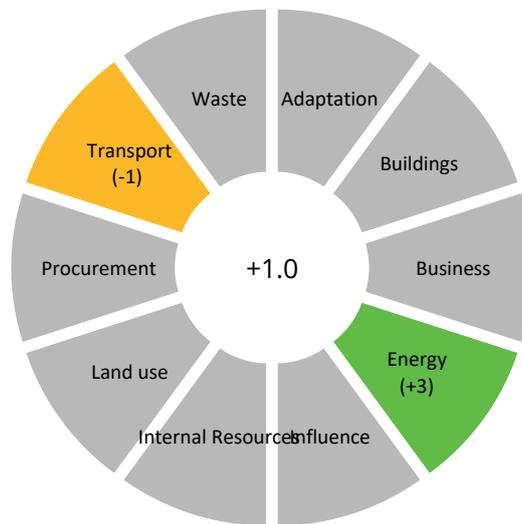
- 7.5 The DfE has advised that the cost of the additional building work for the nursery is estimated as £590,000, subject to a variation of 20% (increase or decrease). The Pear Tree and Walbrook Nursery Federation has agreed to meet the DfE's required full capital cost for the nursery, as an investment in modernising teaching and learning facilities for children, staff and the school community. The Federation has sufficient funding available to cover the estimated cost of providing a nursery from a balance of funding that has been accrued by the Federation over a number of years, with a view to the nursery and infant school merging.
- 7.6 Derby City Council has entered into a Third-Party Contribution Letter, making a legal commitment to fund the full capital cost of the nursery to enable the DfE to proceed. Before providing the Third-Party Contribution Letter, the Council entered into a separate legal agreement with the Governors of Pear Tree Infant School and Walbrook Nursery, for the schools to indemnify the Council against any liability which may arise from the Third-Party Contribution Letter, including payment of any and all financial commitments.

Legal implications

- 8.1 The statutory process, as set out in this report, will be followed in relation to proposal.
- 8.2 The Council has entered into a Third-Party Contribution Letter with the DfE in relation to providing a nursery as part of the SRP and has direct liability to the DfE to pay any sums which fall due. This is being offset by the agreement with the Governors of Pear Tree Infant School and Walbrook Nursery, with the direct liability from Derby City Council to the DfE being mitigated by the Council's legal agreement with the Governing Body.
- 8.3 A longstop date of 28 June 2024 is necessary for completion of the statutory process. Failure to complete the statutory consultation process by this date would mean that Derby City Council is committed to the contribution, regardless of whether or not the consultation results in the 'merger' being able to proceed. The indemnity provided by the Governors of Pear Tree Infant School and Walbrook Nursery would cover Derby City Council in this circumstance.
- 8.4 Should the merging of the schools not proceed for whatever reason (whether as a result of the statutory consultation, or otherwise) Derby City Council will be obliged to meet the DfE's additional costs resulting from the abortive design work and delays. The indemnity provided by the Governors of Pear Tree Infant School and Walbrook Nursery would cover Derby City Council in this circumstance.

Climate implications

9.1



9.2 In line with Council policy, a Climate Impact Assessment has been carried out for this proposal. If Walbrook Nursery School were to 'close', it is possible that some families may need to travel slightly further to Pear Tree Infant School, which could result in a small impact. This impact is unlikely to be significant, as the two sites are approximately only 0.3 miles apart. However, this would be offset by the closure of the Walbrook Nursery School site and the associated reductions in energy usage and increased energy efficiency, with the infant and nursery school operating from a single site. The DfE SRP proposal is for the new school to be net zero carbon in operation.

Socio-Economic implications

10.1 Walbrook Nursery School and Pear Tree Infant School serve a community with relatively high levels of socio-economic disadvantage. The proposal will have a positive impact on the quality of childcare and education that children receive. The children on roll at Walbrook Nursery School would move to new purpose-built nursery facilities at Pear Tree Infant School. It is anticipated that the children will benefit from the potential of a wider range of resources and improved staff development, as well as a smoother transition from nursery to infant school.

Other significant implications

Personnel

11.1 The Council expects that the budget for the 'merged' infant and nursery school will be sufficient to maintain sustainable levels of staffing. A 'merger' should create greater stability and security. Staff contracts and conditions of service will not be affected by this proposal.

Equalities

11.2 An Equalities Impact Assessment on the proposal has been completed and is attached as Appendix 3.

Property and Asset Management

- 11.3 The Council will consider future options for the Walbrook Nursery School site at the end of the statutory consultation period. Any maintenance and security costs will also need to be considered if a decision is taken to close the nursery and the site is not immediately disposed of.

This report has been approved by the following people:

| Role | Name | Date of sign-off |
|------------------------------|---|-------------------------|
| Legal | Simon Brown, Legal Services | 30/10/2023 |
| Finance | Toni Nash, Head of Finance - Corporate Resources | 10/11/2023 |
| | Janice Hadfield, Head of Finance - Service Support | 15/11/2023 |
| 11Service Director(s) | Gurmail Nizzer, Director for Children's Integrated Commissioning | 15/11/2023 |
| Report sponsor | Andy Smith, Strategic Director of People Services | |
| Other(s) | Diane Whitehead, Head of School Organisation and Provision | 30/10/2023 |
| | Philip Derbyshire, Head of Property Projects and Consultancy Services | 30/10/2023 |
| | John Sadler, Head of Estates and Property Review | 31/10/2023 |
| | Liz Moore, Head of HR | |

| | |
|----------------------------|---|
| Background papers: | None |
| List of appendices: | Appendix 1 – Consultation Document Appendix 2 – Summary of Consultation Responses Appendix 3 – Equalities Impact Assessment |

Consultation Document

**Please give us your views and comments
on our proposal to merge Pear Tree Infant
School and Walbrook Nursery School**

Consultation Period:

12 September 2023 to 24 October 2023

To: Parents of children attending Walbrook Nursery School and Pear Tree Infant School, Staff, Governors, Trade Unions and Derby City Councillors (Ward Members).

Tuesday, 12 September 2023 to Tuesday, 24 October 2023

To:

Parents, Staff, Governors, Trade Unions, Derby City Councillors (Ward Members).

Please let us know your views on our proposal to merge Pear Tree Infant School and Walbrook Nursery School to form a single school for pupils aged 2-7

Background

Walbrook Nursery School and Pear Tree Infant School have been operating as federated schools for many years. This means that they share the same Headteacher and Governing Body but have separate financial budgets.

It has been a long-standing aspiration of the Pear Tree and Walbrook Nursery Federation to merge the infant and nursery school to create a single school for pupils aged 2-7. It is generally accepted that combined nursery and infant schools can offer certain advantages including continuity for pupils and parents, as well as flexibility in terms of school resources.

Following Derby City Council's successful bid to the Government's School Rebuilding Programme, it has been confirmed that Pear Tree Infant School will be rebuilt. This is a really exciting project to provide new teaching and learning facilities for the benefit of children, staff and the whole school community.

The Department for Education (DfE) is leading on the school rebuild project, working together in close partnership with Pear Tree Infant School and Derby City Council. Very early indications are that the new school building may be completed around Summer 2025. The school will provide updates for parents and staff on timescales for the rebuild, including the proposed opening date for the new school building, as the project progresses and further information becomes available.

The Governing Body of the Pear Tree and Walbrook Nursery Federation has approached the Council with a request to consider formally merging the infant and nursery school, to create a single school, within the brand-new Pear Tree Infant School building. A consultation proposal has, therefore, been developed to form a single infant and nursery school for children aged 2-7.

If the proposal moves forward, a single infant and nursery school would be established from 1 September 2025, subject to the completion of the new school building, with the children attending Walbrook Nursery School at this time moving to the newly built Pear Tree Infant School.

This consultation document sets out the reasons for our proposal and how the decision-making process works. Please take time to read the document and let us know your views on the attached Consultation Response Form. The closing date for responses is **Tuesday, 24 October 2023**. We hope you find the document helpful and informative, and we really welcome your comments, thoughts and views.

What is the proposal?

Derby City Council is consulting on a proposal to 'merge' Pear Tree Infant School and Walbrook Nursery School to form a single infant and nursery school, for children aged 2-

7, which would be based within Pear Tree Infant School’s brand-new building. The proposal has been developed following a request from the Governing Body of the Pear Tree and Walbrook Nursery Federation and the Governing Body fully supports the proposal.

A ‘merger’ is the joining of two or more schools or nurseries into one. In this case, it would be achieved through the “closure” of Walbrook Nursery School and the expansion of the age range and size of Pear Tree Infant School to form a single infant and nursery school. Benefits of the ‘merger’ proposal are set out in the next section of this consultation paper.

In terms of timescales, the proposal is to merge Walbrook Nursery School and Pear Tree Infant School to form a single school from 1 September 2025, subject to the completion of the new school building. The new Pear Tree Infant School building will include a purpose-built nursery and, if the proposal is approved, staff and children based at the current Walbrook Nursery School site would move to these new and exciting nursery facilities.

The current capacities of Walbrook Nursery School and Pear Tree Infant School are as follows:

| Name | Number of places available |
|-------------------------|--|
| Walbrook Nursery School | <p>40 full-time 3 and 4 year old nursery places, providing 80 part-time 15 hour nursery places.</p> <p>8 full-time 2 year old nursery places, providing 16 part-time 15 hour nursery places.</p> |
| Pear Tree Infant School | 270 places across Reception, Year 1 and Year 2 (90 places per year group) |

The proposal will not result in any significant changes to the number of nursery or school places available. The merged single school would continue with an admission number of 90, with a minor change to the nursery capacity of 39 full-time nursery places (78 part-time nursery places) for 3 and 4 year old eligible children and 8 full-time nursery places (16 part-time nursery places) for 2 year olds.

The DfE is funding the rebuild of Pear Tree Infant School, following a successful bid from Derby City Council to the Government’s School Rebuilding Programme. Whilst a nursery can be delivered as part of the overall school rebuild project, it cannot be funded through the Government’s programme, as nursery accommodation is additional to the current Pear Tree Infant School building.

If approved, the proposed new school will include modern high-quality purpose-built nursery accommodation, and out-door play space, designed specifically to meet the needs of the nursery children at the school and modern curriculum requirements.

The DfE’s current cost estimate for providing a nursery, as part of the school rebuild, is approximately £590,000. The Pear Tree and Walbrook Nursery Federation has agreed to meet the DfE’s required full capital cost for the nursery, as an investment in modernising teaching and learning facilities for children, staff and the school community. The Federation has sufficient funding available to cover the estimated cost of providing a nursery from a balance of funding that has been accrued by the Federation over a number of years, with a view to the nursery and infant school merging.

What are the benefits?

Pear Tree Infant School and Walbrook Nursery School already work closely together through a federation arrangement. A merged infant and nursery school provides the opportunity to continue to raise standards for our young people. The benefits in forming a single infant and nursery school, within a new school building, are outlined in more detail below.

- A single infant and nursery school would make the transition of children between nursery and reception smoother and better for pupils and their families.
- The possibility to create a single and continuous approach to learning.
- The same policies and procedures and more potential to co-ordinate dates for staff training days, parents' evenings and events.
- More development opportunities for the staff, such as shared training and the chance to gain experience and understanding across the nursery and infant school age ranges.
- Better access for pupils and the families to extended services and facilities.
- The opportunity to share school resources and greater space for extended learning opportunities for all ages.
- The opportunity for both the nursery and infant phase to keep improving and moving forward.

What will it mean for the children?

All of the above will have a positive impact on the quality of childcare and education that children receive. If the merger proposal is approved, the children attending Walbrook Nursery School would move to newly built nursery facilities at Pear Tree Infant School. The proposal is for this to take place in September 2025, subject to the completion of the new school building.

There will, inevitably, be a period of adjustment while the school settles down. However, on a day-to-day basis there will be little change to the way in which the nursery and school are run. It is anticipated that the children will benefit from the potential of a wider range of resources and improved staff development, as well as a smoother transition from nursery to infant school.

It is important to be aware that, if the nursery and infant school do merge, parents will still need to apply for a school place, in the usual way, when their child reaches compulsory school age. It will not be possible to guarantee places at the infant school for those children on roll in the nursery, which is the case for all schools that offer nursery provision.

What will it mean in terms of organisation?

- There should be no changes in the way in which the nursery and school are organised on a day-to-day basis, other than children accessing a new Pear Tree Infant School building.
- The combined infant and nursery school will receive a single budget based on pupil numbers. In the longer term, the Headteacher and Governors are likely to have greater flexibility in allocating staff and resources.
- There will be no change to admissions criteria.

What will it mean for the staff?

Again, very little on a day-to-day basis, but a merger will create greater stability and security. Staff contracts and conditions of service will not be affected.

Pear Tree Infant School and Walbrook Nursery School will be holding an information meeting on the proposal for staff, which will take place on **Monday 4 September 2023 (INSET day)**.

What will it mean for parents/carers?

A merger will mean that the nursery and infant school will continue to operate as usual and that parents/carers of pupils will continue to receive the same high level of quality provision.

Pear Tree Infant and Walbrook Nursery will be holding an information meeting for parents on the proposal, which will take place on **Monday 25 September 2023**.

What will it mean for the Governing Body?

If the proposal is approved, the Governing Body of the Pear Tree and Walbrook Nursery Federation will become the new Governing Body of the single merged nursery and infant school.

What will it mean for school funding arrangements?

Currently, Walbrook Nursery School receives additional funding from the Government, as a maintained standalone nursery, but this is always under review. Nursery schools in Derby also benefit from an enhanced hourly rate per place to deliver three and four-year-old funded places. This is in recognition of the increased costs associated with standalone nurseries.

Whilst a 'merger' will result in a reduction in funding, with standalone nursery schools being funded differently, it should help to provide stability by creating a single school and reducing building maintenance and running costs. The Governing Body has fully considered the financial changes that would apply if a single infant and nursery school is created and wishes to proceed with the proposal in view of the overall benefits that can be achieved for the children.

What happens now?

The consultation period starts on **Tuesday 12 September 2023** and ends on **Tuesday 24 October 2023**. Following this, Derby City Council will consider the consultation comments and will decide whether to progress to the next stage of the process.

If proposals are to be taken forward, there will then be a further four-week statutory consultation period. It is anticipated that a final decision would then be made by Derby City Council in March 2024 on whether to merge the nursery and infant school. If merger does proceed, then the combined infant and nursery school will be in place for 1 September 2025, subject to the completion of the new school building.

With regard to the school rebuild project, the school will continue to provide updates to parents and staff as the project progresses and further information becomes available.

If a merger is approved, Derby City Council will then consider future options for the Walbrook Nursery School site.

How can I get more information on the proposal?

We are very interested in your views and welcome your comments. Please respond to us by using the Consultation Response Form attached to this paper. Should you have any queries regarding any specific aspects of this proposal, please contact:

The School Organisation and Provision Team, Email: school.proposals@derby.gov.uk

Let us have your views

Your views are very important. Please do let us know what you think and whether you agree or disagree with the proposal by **Tuesday 24 October 2023**.

You can make your views known in the following ways:

- by completing the attached Consultation Response Form and returning it to us at the address provided at the end of the questionnaire.
- by using the online consultation response form at <https://letstalk.derby.gov.uk/>
- by sending an e-mail to letstalkderby@derby.gov.uk

**Consultation Response Form:
Proposed Merger of Pear Tree Infant School and Walbrook Nursery School**

Your views are very important, please do let us know what you think.

Please tick the relevant box.

I am a:

Parent / Carer of an infant school child
Parent / Carer of a nursery school child
Governor
Member of Staff - Infant
Member of Staff - Nursery
Other (please state)

| |
|--------------------------|
| <input type="checkbox"/> |

I support the merger of Pear Tree Infant School and Walbrook Nursery School to form a single infant and nursery school.

OR

I do not support the merger of Pear Tree Infant School and Walbrook Nursery School to form a single infant and nursery school.

Please add your comments below and attach additional sheets if necessary:

Please return your response form to:
School Organisation and Provision Team, Derby City Council, The Council House,
Corporation Street, Derby, DE1 2FS
or email your comments to letstalkderby@derby.gov.uk

Privacy Notice

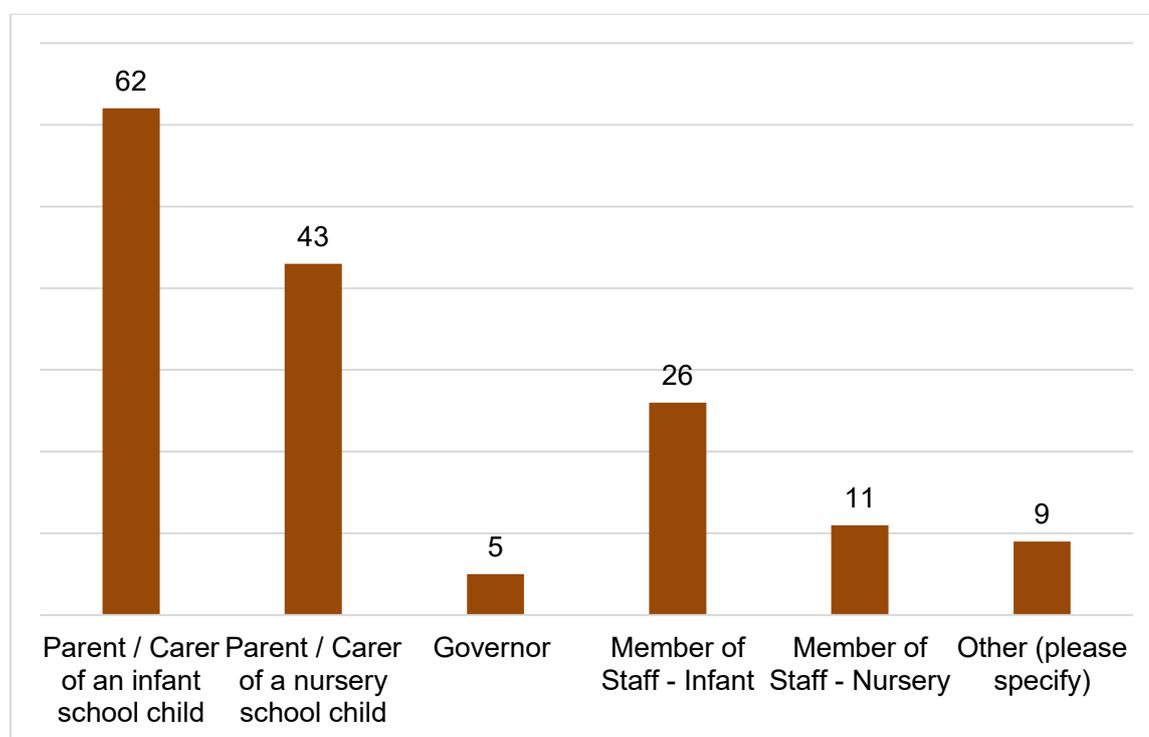
The information we collect will only be used by Derby City Council's School Organisation and Provision Team for the purpose of making a decision on the proposed merger of Pear Tree Infant School and Walbrook Nursery School to form a single infant and nursery.

For further information about how your personal information will be used, please visit www.derby.gov.uk where you can see a full copy of our Privacy Notice. Alternatively, you can request a hard copy from: Contact Support Team, Business Support, Derby City Council, Council House, Derby, DE1 2FS
E-mail: contact.support@derby.gov.uk Tel: 01332 640825

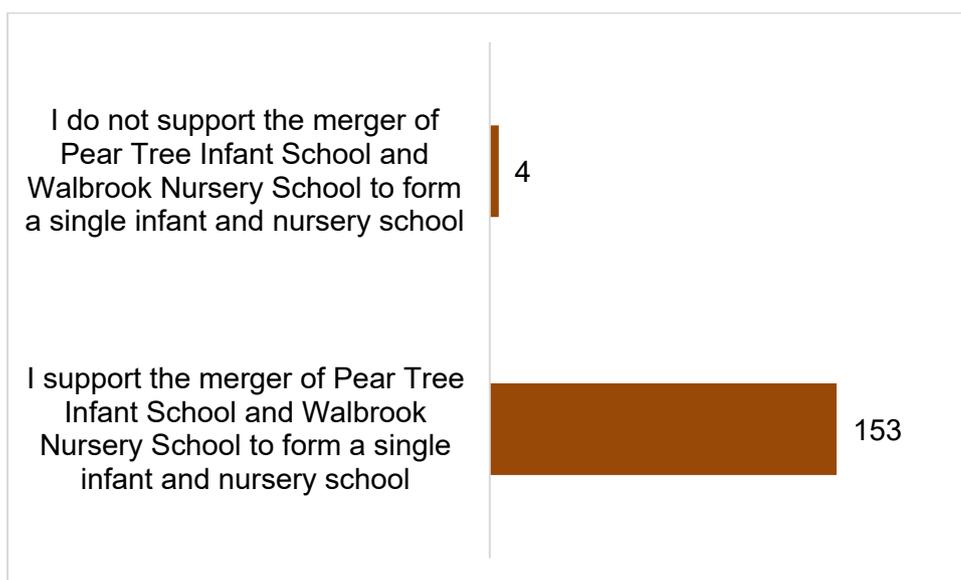
Proposal to merge Pear Tree Infant School and Walbrook Nursery School: Consultation Results

Please tick the relevant box. I am responding as:

| | |
|--|----|
| Parent / Carer of an infant school child | 62 |
| Parent / Carer of a nursery school child | 43 |
| Governor | 5 |
| Member of Staff - Infant | 26 |
| Member of Staff - Nursery | 11 |
| Other (please specify) | 9 |



| | |
|---|-----|
| Please select one of the following to indicate if you support or oppose the proposed merger of Pear Tree Infant School and Walbrook Nursery School? | |
| I support the merger of Pear Tree Infant School and Walbrook Nursery School to form a single infant and nursery school | 153 |
| I do not support the merger of Pear Tree Infant School and Walbrook Nursery School to form a single infant and nursery school | 4 |



The 4 respondents who stated that they did not support the proposal provided no comment on why.

Comments supporting the proposal to merge Pear Tree Infant School and Walbrook Nursery School

Merging both schools can only have a positive impact for staff, children, parents and the wider community. Bringing both sites together will have such an impact on community cohesion and we would be able to offer better wrap around care for parents in the area. The merger would safeguard the nursery from restrictions in the future. Children that attend the nursery will have more opportunities if the financial budgets are merged as at present maintained nurseries are hugely underfunded by the government. Merging the combined infant and nursery budget can give an overwhelming amount of opportunities to both schools and the communities in which we serve.

Merging Pear Tree Infant School and Walbrook Nursery will provide children with a consistently high-quality approach to teaching. This will secure optimum progress for the children helping them reach their full potential.

| |
|--|
| <p>Previously, children made a fantastic start to Walbrook Nursery, but suffered a noted setback when transitioning from nursery to an infant school. The consistency of approach will ensure that children progress through phase groups seamlessly, where the focus remains on their academic progress and overall development.</p> |
| <p>Children will be provided with a consistent approach to education which allows them to thrive academically, socially and emotionally.</p> |
| <p>The merging of Pear Tree Infant School will provide our community with a stable institution that enables children to learn from the nursery phase through to year 2. The school will share one ethos and one vision. Parents will have an understanding of the school system through to year 2, without experiencing another transition. Children will remain settled throughout their early school experience.</p> |
| <p>It would be a good thing for Pear Tree and Walbrook School to merge as it would make things a lot easier for staff and parents all under one build with one head teacher. A lot easier for staffing. Parents could have children in school from two until seven years at the same school which would be good all round.</p> |
| <p>This merger will benefit all parties. The children will benefit from having a stable setting from the 2's group, and the smooth transition from nursery to infant stage.</p> |
| <p>It will benefit the community to have the facilities on one site. A number of parents have siblings attend Nursery and the Infant school and this makes it easier for them. It will ensure a smoother transition through their early years of education and will also allow greater sharing of resources, staff expertise and to allow accelerated progress for the children.</p> |
| <p>I believe this proposed merger of Pear Tree Infant school and Walbrook Nursery School will be beneficial to the children, parents, staff and wider community. They already function as one school so it would make sense to have everything under one roof. This will also have a huge positive impact on the transition for children from the nursery to the infant school.</p> |
| <p>It will be good for members of the community to be able to take their children to one place.</p> |
| <p>I wholly support this proposal and believe it will be a beneficial outcome for the school community!</p> |
| <p>I think this is a great idea. It suits the needs of everyone involved - both adults and children. The school and community deserve a safe haven that caters for all in such a disadvantaged area. It would thrive!</p> |
| <p>I think this merger will be brilliant, it will mean that those in the nursery can have a more streamlined introduction to infant school which for a little child can be very daunting. It will mean that all staff can be based on one site and can be one big team together. It will also be better for parents as they will also be more familiar with staff and that can help ease parent anxiety when children move from nursery to school.</p> |
| <p>I fully support this merger. Not only will it help parents with numerous school drop-offs coming to one location, but also opens up a lot of exciting opportunities for the whole community. Both schools provide excellent education as seen through school data and league tables, and combining the two will allow for further cohesion between sites and professionals.</p> |
| <p>As a member of staff, I think the merging of Pear Tree Infant School and Walbrook Nursery School would be extremely beneficial in terms of continuation of learning for children and the staff as a whole. Things like meetings and training for example and sharing information would be much easier between staff, which is important to keep continuity for the teaching of children. It's also better to have a shared budget for both nursery and school so we can share resources and have more money left over to spend on providing more enrichment for the children.</p> |

| |
|--|
| Makes sense to merge the nursery and infant school. |
| This would be excellent for the children, parents and staff. Fantastic idea, should have happened years ago. |
| I believe that the merger of Pear Tree Infant School and Walbrook Nursery School would be highly beneficial for the pupils of the respective schools, as well as the teachers and other staff who all try their best to create the best environment for the children to thrive. |
| This would be beneficial to all children. |
| The merge of Pear Tree Infants and Walbrook Nursery will benefit all stakeholders. Staff will be able to support each other, resources will be shared and parents will drop off and pick up children from one site with ease instead of having to rush. |
| As the member of Pear Tree Infant and Walbrook Nursery Governing Body I am very excited and pleased to see that the consultation is taking place and I support it fully. We strongly believe that the merge of the schools will help us to serve the children and their families even better and continue to raise the standards of education. Our local diverse community will benefit from a setting which will be based in one place, one building which will support the continuity and transfers between the age groups. It will help the parents as they will bring the siblings to one setting. In regard to maintenance, it will help the Governing Body to overlook one budget of one setting when resources can be used in a more flexible manner, and the staff will have opportunities for more training and experience to work with different age groups. |
| I agree with all the points made in this welcome proposal, which will benefit the children and their families and the staff and the local community. The continuity and progression of the curriculum and the children's learning and development will be enhanced. The parents/carers will be able to drop off and collect their children on the same site. |
| Think it would be a very beneficial move for all. |
| I strongly agree with the proposal. It makes perfect sense to merge the school to aid transition for the children going from nursery to school. It will help the parents that currently have to drop off and pick up children from two different sites. |
| This merge will be so beneficial to the children and their families as it will offer them great opportunities. |
| I really think is a good idea. |
| Happy. |
| Really good having everything together. |
| I am happy with this proposal. |
| Good because they will be altogether. |
| Great idea. |
| Easy for parents. |
| Will be great for the community to have it altogether. |
| Happy with merger. |
| I think it's a fantastic idea to have the nursery and school in the same building. |
| What a fantastic idea to have nursery and infant school in the same building. |
| I believe this is a wonderful idea! I fully support the idea behind it. This is very beneficial opportunity for Walbrook Nursery and Pear Tree Infant to merge. |
| I believe this proposal is such a wonderful idea. The whole school community will benefit from this. The transition for children going up from the Nursery to the Infants will benefit tremendously. Children will be more school-ready when entering Reception and have more confidence as they will know their environment. Parents will benefit a great deal especially with the practicality of dropping off and picking up families. Staff will extremely benefit from being able to share resources and working within close proximity of other staff members and having the experience of the leadership team close by. |

The merger of the two schools will ensure consistency for our children in all areas of teaching and learning.

The merger makes sense from an educational point of view because staff and resources will be able to be shared more efficiently, and the skills base will be able to be flexibly deployed across the schools.



Equality impact assessment form

| | |
|---------------------|--|
| Directorate | People Services |
| Service area | School Organisation and Provision |
| Proposal | <p>To consider a proposal to 'merge' Walbrook Nursery School and Pear Tree Infant School to form a single infant and nursery school for children aged 2-7, within a brand-new building.</p> <p>There is no provision within School Organisation Regulations to 'merge' schools and so to achieve a single infant and nursery school, it is necessary to follow a statutory consultation process to 'close' Walbrook Nursery School and expand the size and age range of Pear Tree Infant School.</p> |
| Reason for proposal | <p>The Governing Body of the Pear Tree and Walbrook Nursery Federation has approached the Council with a request to consider formally merging the infant and nursery school, to create a single school for pupils aged 2-7. The rebuild of Pear Tree Infant School, through the Government's School Rebuilding Programme, presents an exciting opportunity to merge the infant and nursery school, to create a single school, within a brand-new building.</p> <p>The Department for Education has carried out an Equalities Impact Assessment of the School Rebuilding Programme and the view is that no categories of persons with a protected characteristic will be negatively impacted by the policy. The programme will provide modern buildings with improved accessibility and teaching facilities. Overall, it is expected that the</p> |

| | |
|-------------------------------------|---|
| | policy will have a positive impact on all categories of persons with protected characteristics, due to the improvement in school condition. |
| Sign off (Director/Head of Service) | Diane Whitehead, Head of School Organisation and Provision |
| Date of assessment | 30/10/2023 – 31/10/2023 |

Please read the support notes to help you in Appendix 1 before completing your assessment

The form

You need to attach the completed form to any report to help councillors and colleagues make their decisions by taking equality implications into account.

The assessment team or name of individual completing this form

Team leader’s name and job title – Hayley Millward, Senior Commissioning Officer – School Place Planning, Derby City Council.

Other team members if appropriate

| Name | Job title | Organisation | Area of expertise |
|--------------------------|---|--------------------|---|
| Heather Ryder-Carrington | Childcare and Families Information and SENDIASS Commissioning Manager | Derby City Council | Childcare sufficiency, business support and sustainability. |
| Helen Zwart | Project Development Officer | Derby City Council | School Capital Projects. |

Step 1- setting the scene

Make sure you have clear aims and objectives on what you are impact assessing – this way you keep to the purpose of the assessment and are less likely to get side- tracked.

| | |
|---|--|
| 1. What are the main aims, objectives and purpose of the decision you want to make? | Council Cabinet, at its meeting on 6 December 2023, will be asked to consider approving the publication of a statutory |
|---|--|

| | |
|---|---|
| | <p>notice on the proposal. This will mark the start of a further four-week formal consultation period, on the proposal to close Walbrook Nursery School and expand the age range and size of Pear Tree Infant School to form a single infant and nursery school for pupils aged 2-7.</p> |
| <p>2. Why do you need to make this decision?</p> | <p>The publication of the statutory notice is the next stage in the required process to merge the Infant School and Nursery School to form a single school.</p> <p>If there is approval to move to the next stage, there will be a further four-week statutory consultation period. The four-week statutory consultation period is prescribed in legislation (School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013) and cannot be shortened or lengthened.</p> <p>Following this, it is anticipated that a final decision on the proposal will be taken in March 2024. Subject to this decision, Walbrook Nursery School and Pear Tree Infant School will 'merge' from January 2026, subject to the completion of the new school building.</p> |
| <p>3. Who delivers/will deliver the changed service/policy including any consultation on it and any outside organisations who deliver under procurement arrangements?</p> | <p>The consultation process is being carried out by the Council, working together in close partnership with Pear Tree Infant School and Walbrook Nursery School.</p> <p>If the Infant School and Nursery School merge following the statutory consultation process, then the single combined school will deliver education for all children on roll.</p> |

| | |
|---|---|
| 4. Who are the main customers, users, partners, colleagues or groups affected by this decision? | The main customers are pupils, parents, staff and governors of Walbrook Nursery School and Pear Tree Infant School. All were consulted through the initial consultation period. |
|---|---|

Step 2 – collecting information and assessing impact

| | |
|--|---|
| 5. Who have you consulted and engaged with so far about this change, and what did they tell you? Who else do you plan to consult with? – tell us here how you did this consultation and how you made it accessible for the equality groups, such as accessible locations, interpreters and translations, accessible documents. | <p>Consultation was carried out over a six-week period between 12 September and 24 October 2023, with the Consultation Document circulated widely to all key stakeholders and interested parties. The Consultation Document and response form were also made available online on Let’s Talk Derby.</p> <p>A total of 157 responses were received during the consultation period. Of those responses, 153 (97%) were in support of the proposal. The key themes that emerged through the consultation were as follows:</p> <ul style="list-style-type: none"> • Merging the Nursery School and Infant School can only have a positive impact for staff, children, parents and the wider community. • A combined Infant and Nursery budget can give additional opportunities to the children and the communities that the school serves. • The consistency of approach will ensure that children progress through phase groups seamlessly, where the focus remains on their academic progress and overall development. • Children will remain settled throughout their early school experience. |
|--|---|

| | |
|--|--|
| | <ul style="list-style-type: none"> • It will benefit the community to have the facilities on one site. A number of parents have siblings who attend the nursery and the infant school and this makes it easier for them. • Staff can be based on one site and can be a single team together. • The merger opens up a lot of exciting opportunities for the whole community. • It will be helpful for the Governing Body to overlook one budget with one setting, meaning that resources can be used in a more flexible manner. • Staff will have opportunities for more training and experience to work with different age groups. <p>The 4 respondents who stated that they did not support the proposal provided no comment on why.</p> |
|--|--|

6. Using the skills and knowledge in your assessment team or what you know yourself, and from any consultation you have done, what do you already know about the equality impact of the proposed change on particular groups? Also, use any other information you know about such as any customer feedback, surveys, national research or data. Note that this template now includes Socio-Economic Duty (SED) local data can be found [here](#). Indicate by a tick for each protected characteristic group whether this is a negative or a positive impact. Only fill in the mitigation box if you think the decision will have a negative impact and then you'll need to explain how you are going to lessen the impact.

| People with protected characteristics | What do you already know? | Positive impact | Negative impact | Mitigation - what actions will you take to lessen impact? |
|---------------------------------------|---|-----------------|-----------------|---|
| Age – older and younger people | The proposal will directly benefit children of school age. A merged infant and nursery school provides the opportunity to continue to raise standards for Derby's children. | Yes | | |

| People with protected characteristics | What do you already know? | Positive impact | Negative impact | Mitigation - what actions will you take to lessen impact? |
|---------------------------------------|---|-----------------|-----------------|---|
| | <p>Some of the advantages in forming a single infant and nursery school, within a new school building, are outlined below:</p> <ul style="list-style-type: none"> • The proposed new school would include modern high-quality purpose-built nursery accommodation, and out-door play space, designed specifically to meet the needs of the nursery children at the school and modern curriculum requirements. • A single infant and nursery school would make the transition of children between nursery, who are then eligible for a reception place, smoother and better for pupils and their families. • The possibility to create a single and continuous approach to learning. • The opportunity to share resources and greater space for extended learning opportunities for all ages. • The opportunity for both the nursery and infant phase to keep improving and moving forward. <p>It is important to be aware that, if the nursery and infant school do merge,</p> | | | |

| People with protected characteristics | What do you already know? | Positive impact | Negative impact | Mitigation - what actions will you take to lessen impact? |
|---|--|-------------------|-----------------|---|
| | <p>parents will still need to apply for a school place, in the usual way, when their child reaches compulsory school age. It will not be possible to guarantee places at the infant school for those children on roll in the nursery, which is the case for all schools that offer nursery provision.</p> | | | |
| <p>Disability – the effects on the whole range of disabled people, including Deaf people, hearing impaired people, visually impaired people, people with mental health issues, people with learning difficulties, people living with autism and people with physical impairments</p> | <p>The proposal is to formally merge the Infant School and Nursery School, to create a single school, within the brand-new Pear Tree Infant School building.</p> <p>We know that poor condition buildings can disproportionately impact on disabled people. The proposed new school would include modern high-quality purpose-built teaching accommodation, and out-door play space, designed to meet the needs of the children at the school and modern curriculum requirements. It will also meet the needs of disabled staff members and disabled parents/grandparents.</p> <p>The rebuild will provide improved accessibility and teaching facilities.</p> | <p>Yes</p> | | |
| <p>Gender identity- trans and those people who don't identify with a particular gender, for example, non-</p> | <p>There is no reason to believe that pupils or teachers will be negatively impacted by the merger on account of gender identity.</p> | <p>Yes</p> | | |

| People with protected characteristics | What do you already know? | Positive impact | Negative impact | Mitigation - what actions will you take to lessen impact? |
|--|---|-------------------|-----------------|---|
| <p>binary, genderfluid, genderqueer, polygender and those who are questioning their gender or non-gendered identity.</p> | <p>The advantages of the proposed merger and rebuild of the school are likely to have a positive impact on all categories of persons with protected characteristics, due to enhanced development opportunities for the staff and improvement in the school's accommodation.</p> | | | |
| <p>Marriage and Civil Partnership</p> | <p>There is no reason to believe that teachers or staff will be negatively impacted by the merger on account of marriage or civil partnerships.</p> <p>The advantages of the proposed merger and rebuild of the school are likely to have a positive impact on all categories of persons with protected characteristics, due to enhanced development opportunities for the staff and improvement in the school's accommodation.</p> | <p>Yes</p> | | |
| <p>Pregnancy and maternity - women who are pregnant or who have recently had a baby, including breast feeding mothers</p> | <p>Through the initial consultation, responses were received indicating that many families have children who attend both the Nursery School and Infant School. The merger would make it easier for them, as they will be able to drop off and collect their children from a single setting.</p> <p>The merger should also result in better access for pupils and families to childcare, extended services and facilities.</p> | <p>Yes</p> | | |

| People with protected characteristics | What do you already know? | Positive impact | Negative impact | Mitigation - what actions will you take to lessen impact? |
|---|--|-------------------|-----------------|---|
| | <p>These advantages would apply to all families with children on roll at the Nursery School and / or Infant School and are likely to be helpful for women who are pregnant or who have recently had a baby, as well as same sex couples with babies.</p> | | | |
| <p>Race - the effects on minority ethnic communities, including newer communities, Gypsies and Travellers and the Roma community</p> | <p>There is no reason to believe that children, teachers or staff will be negatively impacted by the merger on account of race.</p> <p>The proposal will have a positive impact on the quality of childcare and education that children in the area receive. If the proposal is approved, the children on roll at Walbrook Nursery School would move to new purpose-built nursery facilities at Pear Tree Infant School. It is anticipated that the children will benefit from the potential of a wider range of resources and improved staff development, as well as a smoother transition from nursery to infant school.</p> <p>New buildings and facilities should have a positive impact on attainment, accessibility, health and safety and well-being.</p> | | | |
| <p>Religion or belief or none - the effects on religious and cultural</p> | <p>There is no reason to believe that children, teachers or staff will be negatively impacted by</p> | <p>Yes</p> | | |

| People with protected characteristics | What do you already know? | Positive impact | Negative impact | Mitigation - what actions will you take to lessen impact? |
|---|---|-----------------|-----------------|---|
| communities, customers and colleagues | <p>the merger on account of their religious beliefs (or none).</p> <p>Pupils, teachers and staff of all faiths and none are expected to benefit from the merger of the infant and nursery school and the rebuilding of their school.</p> | | | |
| Sex - the effects on both men and women and boys and girls | <p>There is no reason to believe that pupils, teachers, or staff will be negatively impacted by the merger on account of sex.</p> <p>The advantages of the proposed merger and rebuild of the school are likely to have a positive impact on all categories of persons with protected characteristics, due to the possibility of creating a single and continuous approach to learning and improvement in the school's accommodation.</p> | Yes | | |
| Sexual orientation - the effects on lesbians, gay men, bisexuals, pansexual, asexual and those questioning their sexuality | <p>There is no reason to believe that pupils, teachers, or staff will be negatively impacted by the merger on account of sexual orientation.</p> <p>The advantages of the proposed merger and rebuild of the school are likely to have a positive impact on all categories of persons with protected characteristics, due to the possibility of creating a single and continuous approach to</p> | Yes | | |

| People with protected characteristics | What do you already know? | Positive impact | Negative impact | Mitigation - what actions will you take to lessen impact? |
|---|--|-----------------|-----------------|---|
| | learning and improvement in the school's accommodation. | | | |
| Those who experience socio-economic disadvantages Please see notes on page 4 to help with this section | Walbrook Nursery School and Pear Tree Infant School serve a community with relatively high levels of socio-economic disadvantage. The proposal will have a positive impact on the quality of childcare and education that children receive. The children on roll at Walbrook Nursery School would move to new purpose-built nursery facilities at Pear Tree Infant School. It is anticipated that the children will benefit from the potential of a wider range of resources and improved staff development, as well as a smoother transition from nursery to infant school. | Yes | | |

Important - For any of the equality groups you don't have any information about, then please contact our Lead on Equality and Diversity for help. You can also get lots of information on reports completed from organisations' websites such as the Equality and Human Rights Commission, Stonewall, Press for Change, Joseph Rowntree Trust and so on. Please don't put down that the impact affects 'everyone the same' – it never does!

Step 3 – deciding on the outcome

7 What outcome does this assessment suggest you take? – You might find more than one applies. Please also tell us why you have come to this decision?

| | | |
|------------------|---|--|
| Outcome 1 | ✓ | No major change needed – the EIA hasn't identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken |
| Outcome 2 | | Adjust the proposal to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified? |

| | | |
|------------------|--|---|
| Outcome 3 | | <p>Continue the proposal despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are:</p> <ul style="list-style-type: none"> • sufficient plans to stop or minimise the negative impact • mitigating actions for any remaining negative impacts • plans to monitor the actual impact. |
| Outcome 4 | | Stop and rethink the proposal when the EIA shows actual or potential unlawful discrimination |

Why did you come to this decision?

If you have decided on **Outcome 3**, then please tell us here the justification for continuing with the proposal. You also need to make sure that there are actions in the Mitigation Box to lessen the effect of the negative impact. This is so important and may face a legal challenge in the future.

If you have decided on **Outcome 4** then if the proposal continues, without any mitigating actions, it may be likely that we will face a legal challenge and possibly a Judicial Review on the process - it is so important that the equality impact assessment is done thoroughly, as this is what the Judge will consider

Appendix 1

Equality impact assessment form– please read this section first before you do the assessment

This is our equality impact assessment form to help you equality check what you are doing when you are about to produce a new policy, review an older one, write a strategy or plan or review your services and functions. In fact, you need to do an equality impact assessment whenever a decision is needed about our services and functions that affects people and **before** that decision is made. This also includes quick Covid 19 related decisions.

We use the term ‘policy’ as shorthand on this form for the full range of policies, practices, plans, reviews, activities and procedures.

Policies will usually fall into three main categories...

- Organisational policies and functions, such as recruitment, complaints procedures, re-structures.
- Key decisions such as allocating funding to voluntary organisations, budget setting.
- Policies that set criteria or guidelines for others to use, such as criteria about school admissions, procurement methods, disabled facilities grants, on street parking bays.

So why do we need to do equality impact assessments? Although the law does not require us to do them now, the courts still place significant weight on the existence of some form of documentary evidence of compliance with the **Public Sector Equality Duty** when determining judicial review cases. This method helps us to make our decisions fairly, taking into account any equality implications, so yes we still need to complete them.

The Public Sector Equality Duty is part of the Equality Act 2010 and this Duty requires us as a public body to have '**due regard**' to eliminating discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act. It requires us to advance equality of opportunity and foster good relations between people who share a '**relevant protected characteristic**' and people who don't. The nine protected characteristics are age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race religion and belief, sex and sexual orientation.

Having 'due regard' means:

- removing or minimising disadvantages suffered by people due to their protected characteristics
- taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- encouraging people with certain protected characteristics to participate in public life or in other activities where the participation is disproportionately low.

Assessing Socio-Economic Duty (SED) as part of the EIA

The Council agreed to voluntarily implement the Socio-Economic Duty alongside our Public Sector Equality Duty categories in May 2022.

We have added a section to this impact assessment template on the Socio-Economic Duty) to make sure we actively consider how our decisions can contribute to reducing inequalities resulting from socio-economic disadvantage.

Areas to actively consider in the decision-making process when assessing the SED include thinking about:

- what are the
- intended aims and/or outcomes of the policy or decision being made?
- whether the assessment of the duty taking place is through all stages of development?
- whether there a particular socio-economic impact for certain groups?
- how people in communities can have an active say in the decision-making process
- whether the policy/decision actively can contribute to reducing inequality outcomes?
- considering how you can engage with people with lived experience of SED?
- collecting and actively considering evidence and stories of residents' lived experiences in implementing the SED. You can get more information on the [corporate insight](#) pages on SharePoint.

When you consider the SED you need to identify if the decision requires analysis of socio-economic factors such as:

- people who live in deprived areas
- households with low income
- people who are in low paid employment
- people who are homeless or are at risk of homelessness
- people who face barriers to employment such as low levels of educational attainment
- people who are or have been care experienced
- people who care for others
- people who face multiple deprivation through a combination of these factors

This completed form should be attached to any Corporate Leadership, Senior Leadership, Cabinet or Personnel Committee report to help decision makers take the equality implications into account when they make the decision. Equality impact assessments **must be done before** decisions are made.

You'll find that completing these assessments will help you to:

- understand your customers' and communities needs

- develop service improvements
- improve service satisfaction
- demonstrate that you have been fair and open and considered equality when working on re-structuring
- make sure you pay due regard to the requirements of the Public Sector Equality Duty.

Unless this is a quick Covid 19 decision, don't do the form by yourself. Get a small team together and make sure you include key people in the team such as representatives from our Equality Hubs and Forums and employee networks and you could invite trade union representatives too – the more knowledge around the table the better. You also need to decide how and who you will consult with to help inform the equality impact assessment. Our Lead on Equality and Diversity can help with useful contacts – we have a team of people who are used to doing these assessments and can help with information on barriers facing particular groups and remedies to overcome these barriers.

You'll need to pull together all the information you can about how what you are assessing affects different groups of people and then examine this information to check whether some people will be negatively or positively affected. Then you'll need to look at ways of lessening any negative effects or making the service more accessible – this is where your assessment team is very useful and you can also use the wider community. Against every negative impact you will need to complete the mitigation section to explain how you will lessen the impact.

Agree an equality action plan with your assessment team, setting targets for dealing with any negative effects or gaps in information you may have found. Set up a way of monitoring these actions to make sure they are done and include them in your service business plans.

Remember, we need to complete these assessments as part of our everyday business, so we get our equality responsibilities right and stay within the law – Equality Act 2010. If in doubt – it's better and safer to do an Equality Impact Assessment than not to bother! You never know when we may get a legal challenge and someone applies for Judicial Review.

When you have completed the assessment, get it signed by your Head of Service or Service Director and **send it to our Lead on Equality and Diversity for checking and to publish on our website**. It is a public document so must not contain any jargon and must be easy to understand.

Contact for help

Ann Webster – Lead on Equality and Diversity

ann.webster@derby.gov.uk

Tel 01332 643722 mobile 07812301144 Relay UK 18001 01332 643722

[Sign Language Service](#)

[Shelley Harrod – Policy and Consultation Manager](#)

shelley.harrod@derby.gov.uk

Tel 01332 640995 Relay UK 18001 01332 640995

[Sign Language Service](#)

We can give you this information in any other way, style or language that will help you access it. Please contact us on **01332 643722, 07812301144** or derby.gov.uk/signing-service/

Punjabi

ਇਹ ਜਾਣਕਾਰੀ ਅਸੀਂ ਤੁਹਾਨੂੰ ਕਿਸੇ ਵੀ ਹੋਰ ਤਰੀਕੇ ਨਾਲ, ਕਿਸੇ ਵੀ ਹੋਰ ਰੂਪ ਜਾਂ ਬੋਲੀ ਵਿੱਚ ਦੇ ਸਕਦੇ ਹਾਂ, ਜਿਹੜੀ ਇਸ ਤੱਕ ਪਹੁੰਚ ਕਰਨ ਵਿੱਚ ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਕਰ ਸਕਦੀ ਹੋਵੇ। ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਇੱਥੇ ਸੰਪਰਕ ਕਰੋ: **01332 64XXXX** ਜਾਂ derby.gov.uk/signing-service/

Polish

Aby ułatwić Państwu dostęp do tych informacji, możemy je Państwu przekazać w innym formacie, stylu lub języku. Prosimy o kontakt: **01332 64XXXX** lub derby.gov.uk/signing-service/

Slovak

Túto informáciu vám môžeme poskytnúť iným spôsobom, štýlom alebo v inom jazyku, ktorý vám pomôže k jej sprístupneniu. Prosim, kontaktujte nás na tel. č.: **01332 64XXXX** alebo na stránke derby.gov.uk/signing-service/

Urdu

یہ معلومات ہم آپ کو کسی دیگر ایسے طریقے، انداز اور زبان میں مہیا کر سکتے ہیں جو اس تک رسائی میں آپ کی مدد کرے۔ براہ کرم **01332 640000** یا derby.gov.uk/signing-service/ پر ہم سے رابطہ کریں