

Merton Council

Sustainable Communities Overview and Scrutiny Panel

10 January 2018

Supplementary agenda

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| 5 | Call-in: decision to award the construction works for Merton Hall | 1 - 12 |
| | Equality Analysis (appendix 1 to the Cabinet Report of 11 December 2017) | |

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Equality Analysis



Please refer to the guidance for carrying out an [Equality Analysis](#).
 Text in blue is intended to provide guidance – you can delete this from your final version.

<p>What are the proposals being assessed?</p>	<p>In order to site a planned new secondary Free School in a preferred location opposite the High Path Estate, two existing council provisions will be affected – i) Merton Abbey Primary School, which will be required to share part of its existing playing field with the new school; ii) High Path Adult Day Centre, which will need to be re-located. The new school will require a period in temporary accommodation at the ex-MAE site in Whatley Avenue, thus iii) impacting on the adjacent Joseph Hood Primary School.</p> <p>An equalities impact was completed dated 1 July 2017 but at that time did not include the disposal of Merton Hall to Elim Pentecostal Church (which needs to move from their High Path site for the new school) as a key equalities element as it was not considered to be an equalities issue for the reasons stated in paragraph 2.15 of the 4 July 2016 Cabinet report “The Community Centre (Merton Hall) provides facilities for community groups and other organisations to let. The centre could continue to provide for the majority of its lettings if a smaller facility could be provided, and progress could be made in facilitating their work with local primary schools to improve lettings of hall facilities. A property at Pincott Road SW19 has been identified for their use, which only requires minor refurbishment and replacement facility was being provided.”</p> <p>Following a concern raised in an FOI that the Pentecostal Church movement has negative views on homosexuality, and will therefore affect access to such facilities by the Lesbian, Gay, Bisexual and Transgender Community in the London Borough of Merton through the transfer of a Council owned facility to the Elim Church, this Equalities Analysis has been undertaken again to ensure this aspect is fully considered and recorded.</p>
<p>Which Department/ Division has the responsibility for this?</p>	<p>CSF – Contracts and School Organisation; E+R – Sustainable Communities; H + C – Service Provision</p>

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Agenda Item 5

Stage 1: Overview	
Name and job title of lead officer	Tom Procter – Head of Contracts and School Organisation
1. What are the aims, objectives and desired outcomes of your proposal? (Also explain proposals e.g. reduction/removal of service, deletion of posts, changing criteria etc)	Provision of a new secondary school in the borough, necessitating the purchase of sites not in the ownership of the council and impact on three existing council provisions as noted above, and potentially provision for the general community at Merton Hall.
2. How does this contribute to the council's corporate priorities?	The council's community plan confirms it is committed to "better opportunities for youngsters, to improve outcomes and life chances for all the borough's children." The council is also required by statute to provide sufficient suitable school places for all children in the borough who wish to take up a place in a Merton school.
3. Who will be affected by this proposal? For example who are the external/internal customers, communities, partners, stakeholders, the workforce etc.	<p>The new school will be able to offer up to 1050 co-educational places for young people wanting to attend a Merton school for their secondary education.</p> <p>Pupils attending Merton Abbey Primary School will be affected by the shared use agreement with the new Harris Federation secondary school in respect of a section of the primary school's current playing field required to deliver the new secondary school.</p> <p>Users of High Path Adult Day centre will need to move to a new location at Leyton Road.</p> <p>Pupils attending Joseph Hood Primary School will be affected for up to two years as the new secondary school's required temporary site, ex MAE, is adjacent to their school.</p> <p>Merton Hall will close and so will no longer be a community centre operated by South Wimbledon Community Association (SWCA)</p>
4. Is the responsibility shared with another department, authority or organisation? If so, who are the partners and who has overall responsibility?	Yes – CSF, E+R and H+C departments are all involved in delivering aspects of the new school. CSF department has overall lead responsibility.

Stage 2: Collecting evidence/ data

5. What evidence have you considered as part of this assessment?

Provide details of the information you have reviewed to determine the impact your proposal would have on the protected characteristics (equality groups).

Considerable work has been undertaken to identify a potential site for the new secondary school – commissioned site searches have been undertaken by the council and Education Funding Agency and the High Path option is preferred because of its location, proximity to demand, the deliverability of a specification in line with central government's spatial recommendations for schools and the absence of other suitable alternatives. Meetings to consider impact on existing council provision have been held with the Headteacher and Chair of Governors in the two schools impacted and with the Head of Service responsible for the operation of the adults day centre.

In deciding to make Merton Hall surplus to council requirements the council has considered the existing use and considered whether they can be housed without any negative impact. The detailed analysis is outlined below.

Stage 3: Assessing impact and analysis

6. From the evidence you have considered, what areas of concern have you identified regarding the potential negative and positive impact on one or more protected characteristics (equality groups)?

Protected characteristic (equality group)	Tick which applies		Tick which applies		Reason Briefly explain what positive or negative impact has been identified
	Positive impact		Potential negative impact		
	Yes	No	Yes	No	
Age			√		<p>Children attending Merton Abbey Primary School will lose access to grassed areas of their existing playing field. They will gain opportunities in terms of access to specialist provision in a close-by secondary school.</p> <p>Children attending Joseph Hood Primary School will be educated in close proximity to secondary school children for a period of up to two years. This could present risks of bullying or more positively the opportunity to interact with older pupils in cross school projects. NB the pupils will only be a year or two older than the top KS2 classes.</p> <p>Adults attending High Path Adults Day Centre will need to travel to a new location to access their current activities. They have been and will continue to be prepared for these changes.</p>
Disability			√		If Merton Hall is no longer open as a general community facility then there is not necessarily the assurance that these groups would have appropriate facilities without considering mitigation factors. However the owners of the new facility will be covered by existing equalities legislation
Gender Reassignment			√		“
Marriage and Civil Partnership			√		“
Pregnancy and Maternity					
Race			√		“
Religion/ belief			√		“
Sex (Gender)					“
Sexual orientation			√		“
Socio-economic status			√		Pupils attending Merton Abbey Primary School are typically economically more disadvantaged than their peers in the Wimbledon/South Wimbledon areas. Reduced access to playing field activity could, therefore, increase

					vulnerability to issues such as childhood obesity. Access to specialist provision in the new school could mitigate this.
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7. If you have identified a negative impact, how do you plan to mitigate it?

It is intended that the current Merton Abbey Primary School playing field area would be resurfaced with artificial turf. Albeit that a shared use agreement will be needed in respect of access to this area, and that it will not be available to the primary school pupils for as much of the school day as currently, it is considered that there will be greater opportunity overall throughout the year as the artificial surface will not be rendered un-useable due to inclement weather as is the case with the current surface. The impact will be further mitigated by assuring the primary school use of the artificial turfed area during out of school hours. Further, there will be increased access overall for local children and young people for sports and recreational activities.

The potential risks to primary school children at Joseph Hood from having an adjacent secondary school will be mitigated by i) staggered starts to the school day across both schools; ii) appropriate security measures both physical and provided by school staff and iii) the ethos and culture of Harris Federation schools ensuring close supervision of pupils and high expectations re standards of behaviour.

The current High Path Adults Day Centre will be re-provided at Leyton Road – although users will need to travel to an alternative location (some via transport provided or commissioned by the council), the new site is close to the existing provision. Following a feasibility study and appropriate budget allocation, necessary enabling works at Leyton Road will result in the service ‘offer’ to users being the same as currently provided in the existing day centre accommodation.

Replacement facilities will be provided for Merton Hall as follows:

- Pincott Road has been converted from office to provide community space operated by South Wimbledon Community Association (SWCA),
- All Saints Primary school hall is now being operated by SWCA out of school hours,
- When built, the new Harris Wimbledon School will have extensive community facilities out of school hours
- Council officers have spoken to the Elim Church who confirm that the facility will be available for lettings when not required for their purposes. They have also confirmed that all persons would be able to use the facility, whether Lesbian, Gay, Bisexual and Transgender, in keeping with equalities legislation

The council is also aware that there is still capacity from local primary schools out of school hours for letting their facilities and other council building such as Morden Hall, Vestry Hall, and park pavilions.

Stage 4: Conclusion of the Equality Analysis

8. Which of the following statements best describe the outcome of the EA (Tick one box only)

Please refer to the guidance for carrying out Equality Impact Assessments is available on the intranet for further information about these outcomes and what they mean for your proposal

- Outcome 1** – The EA has not identified any potential for discrimination or negative impact and all opportunities to promote equality are being addressed. **No changes are required.**
- Outcome 2** – The EA has identified adjustments to remove negative impact or to better promote equality. **Actions you propose to take to do this should be included in the Action Plan.**
- Outcome 3** – The EA has identified some potential for negative impact or some missed opportunities to promote equality and it may not be possible to mitigate this fully. **If you propose to continue with proposals you must include the justification for this in Section 10 below, and include actions you propose to take to remove negative impact or to better promote equality in the Action Plan. You must ensure that your proposed action is in line with the PSED to have ‘due regard’ and you are advised to seek Legal Advice.**
- Outcome 4** – The EA shows actual or potential unlawful discrimination. **Stop and rethink your proposals.**

Stage 5: Improvement Action Plan

9. Equality Analysis Improvement Action Plan template – Making adjustments for negative impact

This action plan should be completed after the analysis and should outline action(s) to be taken to mitigate the potential negative impact identified (expanding on information provided in Section 7 above).

Negative impact/ gap in information identified in the Equality Analysis	Action required to mitigate	How will you know this is achieved? e.g. performance measure/ target)	By when	Existing or additional resources?	Lead Officer	Action added to divisional/ team plan?
Reduced access to playing fields for Merton Abbey School pupils	Laying of artificial turfed area	Establishment of shared use agreement	At time of building school	Fully funded by ESFA	Tom Procter	N/A
Potential bullying risk to pupils attending Joseph Hood Primary School	Good working relationships between the senior leadership teams at JHPS and new Harris federation secondary school	Working protocols in place	In progress	Existing	Tom Procter	N/A
Users of Adults Day Centre will be required to move to new site	Consultation with existing service users; new transport arrangements in place; advice re travel for users not provided with council transport.	Consultation completed and case by case review of travel arrangements	In progress	Existing	Andy Ottaway-Searle	N/A
Potential displacement of existing community groups including religious and other groups	<ol style="list-style-type: none"> 1. Pincott Road has been converted from office to provide community space operated by South Wimbledon Community Association (SWCA), 2. All Saints Primary school hall is now being operated by SWCA out of school hours, 3. Work with SWCA on any group that may need a community facility See Annex 1 for evidence 4. Ensure there is confirmation from the Elim Church that when letting the facility it will be available to all persons, including Lesbian, Gay, Bisexual and Transgender people, in 	1, 2, 3 and 4 completed. 5 confirmed for opening of school a High Path	4 by September 2020	Completed from project budget	Damian Hemming Tom Procter	N/A

	keeping with equalities legislation 5. Ensure that when built, the new Harris Wimbledon School to open extensive community facilities out of school hours					
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Note that the full impact of the decision may only be known after the proposals have been implemented; therefore it is important the effective monitoring is in place to assess the impact.

Stage 6: Reporting outcomes

10. Summary of the equality analysis

This section can also be used in your decision making reports (CMT/Cabinet/etc) but you must also attach the assessment to the report, or provide a hyperlink

This Equality Analysis has resulted in an Outcome [Two](#) Assessment
 Please include here a summary of the key findings of your assessment.
 Existing service users attending two Merton Primary Schools and One Adults day Centre will be impacted by the proposal to site a new secondary Free school on High Path. The impact has been assessed and will be mitigated as outlined in this assessment.

Stage 7: Sign off by Director/ Head of Service			
Assessment completed by	Tom Procter, Head of Contracts and School Organisation	Signature: Tom Procter	Date: 31/10/17
Improvement action plan signed off by Director/ Head of Service	Jane McSherry , Assistant Director of Education	Signature: Jane McSherry	Date: 10/11/17

Annex 1 – Analysis of user groups at Merton Hall

Use of Merton Hall up to 2016 (Note - SWCA provided all info on users. The time periods were selected for periods prior to any announcement from us or SWCA on the ending of their lease at Merton Hall to avoid any impact of ‘user blight’)

- 12 regular user groups (as of July 2016)
- 97 casual user bookings over the period Jan 2015 – Sept 16.

Merton Hall (SWCA) Regular bookings		
Day	Name of User	Time
Monday	Capoeira Adults Main Hall	20:00-21:30
Tuesday	Siegeris Main Hall/Balcony	16:00-19:30
	C P Fitness Balcony	19:15-20:45
Wednesday	Sanga 7 Balcony	19:00-21:00
Thursday	Perform Workshop Balcony	15:45-18:00
	Shogun Martial Arts Balcony	19:00-21:00
Friday	Johane Masowe Balcony	08:45-17:00
	Om Sakthi Pooja Bar Area	10:00-14:00
	Ratnavadivel Hindu Balcony	18:00-22:00
	Kenshukai Karate Main Hall	18:30-22:00
Saturday	Rugby Tots Main Hall	09:00-12:00
Sunday	New Life Church Main Hall	10:00-13:00

SUMMARY CASUAL USERS/EVENTS	
Birth/ Baptism / Funeral / Wake / Memorial	20
Party / gatherings	27
Religious / Cultural	9
Training / Professional	12
Musical / Dance / Theatrical	19
Misc / Other	8
Wedding	2
TOTAL	97

Analysis of regular groups previously at Merton Hall:

Group	Status
Capoeira Adults	Opted to move to alternative accommodation (non-SWCA)
Pegeeris	Moved to All Saints School Hall and Victory Road Annexe (managed by SWCA)
C.P Fitness	Opted to move to alternative accommodation (non-SWCA) as Pincott Rd was unsuitable for their needs
Sanga 7	Opted to move to alternative accommodation (non-SWCA)
Perform Workshop	Moving to All Saints School Hall in January (managed by SWCA)
Shogun Martial Arts	Opted to move to alternative accommodation (non-SWCA) - All Saints Church Hall
Johane Masowe	Moving to King George V park (council facility managed by idverde) in October
Om Sakthi Pooja	Moving to Pincott Road in November (managed by SWCA)
* Wimbledon Mandram (Ratnavadivel Hindu)	Offered Pincott Road and although raised concern and one point they have now moved here
Kenshukai Karate	Moved to All Saints School Hall (managed by SWCA)
Rugby Tots	Opted to move to alternative accommodation (non-SWCA) - Raynes Park High School
New Life Church	Group closed (unrelated to move from Merton Hall)

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