

Equality Impact Assessment Record

Date of EIA

August 2009

Directorate

Corporate Services

Initial Screening Record																					
Activity to be assessed	Appeals including: 1. Licensing Panels 2. School Admission and Exclusion Appeal Panels 3. Complaint Review Panels																				
What is the activity?	<input type="checkbox"/> Policy/strategy <input checked="" type="checkbox"/> Function/procedure <input type="checkbox"/> Project <input type="checkbox"/> Review <input type="checkbox"/> Service <input type="checkbox"/> Organisational change																				
Is it a new or existing activity?	<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing																				
Aim / objective / purpose of the activity – who is the activity designed to benefit/target?	<p>The purpose of the activity is to:</p> <ol style="list-style-type: none"> 1. Provide an appeal mechanism for individuals who have had applications under the licensing act refused. 2. Provide parents with an opportunity to appeal against decisions not to allocate their child a place at their preferred school, or against a decision to exclude their child from school. 3. Consider complaints against the Council's social care services. <p>The activity is designed for:</p> <ol style="list-style-type: none"> 1. The benefit of appellants to ensure the right of appeal. 2. The benefit of parents. 3. The benefit of clients of the Council but it also enables the Council to address concerns raised and learn from the process whether mistakes were made or the client perceived that the Council's service delivery was flawed. <p>Statistics for the numbers of appeals are as follows:</p> <p><u>All Appeals</u></p> <table border="1"> <thead> <tr> <th></th> <th>2005/06</th> <th>2006/07</th> <th>2007/08</th> </tr> </thead> <tbody> <tr> <td>Heard</td> <td>89</td> <td>88</td> <td>85</td> </tr> <tr> <td>Allowed</td> <td>38</td> <td>26</td> <td>20</td> </tr> <tr> <td>Refused</td> <td>51</td> <td>62</td> <td>65</td> </tr> <tr> <td>% Allowed</td> <td>43%</td> <td>30%</td> <td>24%</td> </tr> </tbody> </table>		2005/06	2006/07	2007/08	Heard	89	88	85	Allowed	38	26	20	Refused	51	62	65	% Allowed	43%	30%	24%
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Who is responsible for the activity?	The person/section/team responsible for this policy/function is: Democratic Services.																				
Did Step 1: Initial Screening indicate that a full EIA was necessary?	<input checked="" type="checkbox"/> Yes – full EIA completed and recorded below. <input type="checkbox"/> No – full EIA not completed therefore record ends here.																				
Full EIA Record																					
Who are the members of the EIA team?	Ann Moore, Hannah Colman.																				
What evidence has been found to indicate that the activity might need to be amended? (Include any consultation undertaken)	Good practice within the Education Appeals Support Initiative in terms of recruiting a wide range of panel members.																				
With regard to the equalities themes, which groups might be impacted by the activity? Might any of these groups be impacted	Groups Impacted	Groups impacted adversely																			
	<input checked="" type="checkbox"/> Race and ethnicity <input checked="" type="checkbox"/> Disability <input checked="" type="checkbox"/> Gender	<input checked="" type="checkbox"/> Race and ethnicity <input checked="" type="checkbox"/> Disability <input type="checkbox"/> Gender																			

<p>adversely?</p>	<input checked="" type="checkbox"/> Age <input checked="" type="checkbox"/> Sexual Orientation <input checked="" type="checkbox"/> Religion or belief	<input checked="" type="checkbox"/> Age <input type="checkbox"/> Sexual Orientation <input checked="" type="checkbox"/> Religion or belief
<p>What evidence is there to suggest an impact/adverse impact?</p>	<p>So far we have been able to accommodate all the requests for assistance i.e. interpreters. However in terms of age, children are restricted in coming to a hearing about themselves by the School Admissions Appeals Code, although they are encouraged by the School Exclusion Appeals Code.</p> <p>The School Admissions Appeals Code states that appeals should not be held on days of religious observance and we have tried to avoid this.</p>	
<p>On what grounds can impact or adverse impact be justified?</p>	<p>Absence of the appropriate translation service/high cost.</p> <p>The Code restricts childrens' attendance at school admission appeals.</p> <p>Although we have checked as far as possible that appeal hearings are not held at times of religious observance, there may be an occasion when this is the case but moving the hearing would be disruptive to a number of appellants.</p>	
<p>Is there any current action that addresses issues for any of the groups impacted/adversely impacted?</p>	<p>We offer the translation of documents and ask appellants to provide us with details of any assistance they might need in order for them to attend a hearing.</p> <p>All appeals are held in premises which are accessible and DDA compliant.</p> <p>In terms of literacy, we take care to ensure that arrangements are made that ensure appellants understand the process and have access to it. This could be through a friend or adviser. Details of external advocates are also provided.</p> <p>There is no evidence that the process is unfair to any particular groups, however data available via the Social Care and Learning Department on the ethnic origin of those attending school admission appeals can be obtained and monitored.</p> <p>An independent review of the school admission appeals process was undertaken by the Office of the Schools Adjudicator in March 2008 which showed that the process was sound and did not contravene the School Admission Appeals Code issued by the Department for Children, Schools and Families. There have been no complaints to the Local Government Ombudsman regarding the school admission appeals process since August 2006.</p>	
<p>What changes will you make to the activity reduce or remove any differential/adverse impact?</p>	<p>Questionnaires will be provided to appellants following their school admission appeal hearing to provide them with the opportunity to raise any concerns. This questionnaire will also ask appellants to indicate their ethnic origin.</p> <p>All appeals processes are constantly kept under review to ensure that they comply with the relevant Code and guidance.</p> <p>The review of school admission and exclusion appeals include observation by the Head of Democratic and Registration Services, monitoring by the Senior Democratic Services Officer and at anytime a representative from the Administrative Justice and Tribunals Council could observe a hearing and give feedback.</p> <p>The process for advertising for lay members to sit on school admission and exclusion appeal panels will be reviewed in order</p>	

	that it is more accessible for all groups.
Into which action plan/s will these actions be incorporated?	School Admission Appeals Action Plan within Democratic Services
Who is responsible for the action plan?	Ann Moore
Have any examples of good practise been identified as part of the EIA?	No
Has the EIA been published on the Council website?	Yes
Who is the relevant Chief Officer and have they signed off the EIA?	Director of Corporate Services <i>A Sanders</i>
Which PMR will this EIA be reported in?	Corporate Services – Quarter 2, 2009/10