

Title of proposed EIA	Al-Hijrah School Transformation
Reference No	EQUA139
EA is in support of	Amended Function
Review Frequency	Quarterly
Date of first review	31/01/2019
Directorate	Children and young people
Division	Pathways & Participation
Service Area	Education Infrastructure
Responsible Officer(s)	 David Board
Quality Control Officer(s)	 Simon J Field
Accountable Officer(s)	 Julie H Young
Purpose of proposal	Propose and implement changes to remedy issues at Al-Hijrah School
What sources of data have been used to produce the screening of this policy/proposal?	
Please include any other sources of data	
PLEASE ASSESS THE POTENTIAL IMPACT ON THE FOLLOWING PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Service Users / Stakeholders
Age details:	<p>The proposals in this project specifically relate to children aged between 4 - 16.</p> <p>Pupils aged (4 - 11): the proposal to move to a new site. remove all-through provision; will need to apply for year 7 place at alternative provision (school). Pupils in year 6 (age 11) during 2018/2019 academic year have the opportunity to apply for a place at an alternative school.</p> <p>Secondary age boys (11 - 16): change of age range would remove secondary provision from Al-Hijrah School. Displaced Boys would have to apply for secondary schools elsewhere. (there is sufficient secondary school places [in the city, in this area?]).</p> <p>Secondary age girls (11 - 16): change of age range</p>

would remove secondary provision. Displaced Girls would have to apply for secondary schools elsewhere. (there is sufficient secondary school places [in the city, in this area?]

Protected characteristic: Disability

Disability details:

Not Applicable

There is no evidence that persons with a disability are affected by this process. Any and all stakeholders are welcome to participate in stakeholder engagement and all comments will be considered indiscriminately.

Protected characteristic: Gender

Gender details:

Service Users / Stakeholders

One of reasons for the proposals at Al-Hijrah School is to address a ruling that the segregation by sex/gender currently practiced by the school for older pupils is unlawful [in a co-education / mixed sex school]. The proposals in the project relate to all pupils of the school. Particular elements relate to primary age pupils (move to a new school site); the primary school will continue to be a lawfully compliant co-educational/mixed sex school.

secondary age boys: there are single sex boys school in birmingham for secondary age pupils to apply and includes some with an islamic ethos/muslim character; so providing lawful single sex provision.

Secondary age girls: there are single sex girls schools in birmingham for secondary age pupils to

	<p>apply; so providings lawful single sex provision.</p> <p>Currently there are no single sex secondary schools for girls in Birmingham with an islamic ethos/muslim character (see section under Religion).</p>
Protected characteristics: Gender Reassignment	Not Applicable
Gender reassignment details:	<p>There is no evidence that persons having or had gender reassignment are affected by this process. Any and all stakeholders are welcome to particpate in stakeholder engagement and all comments will be considered indiscriminately.</p>
Protected characteristics: Marriage and Civil Partnership	Not Applicable
Marriage and civil partnership details:	<p>There is no evidence that persons with a disability are affected by this process. Any and all stakeholders are welcome to participate in stakeholder engagement and can all comments will be considered indiscriminately.</p>
Protected characteristics: Pregnancy and Maternity	Not Applicable
Pregnancy and maternity details:	<p>There is no evidence that persons experiencing pregnancy or matternity are affected by this process. Any and all stakeholders are welcome to participate in stakeholder engagement and all comments will be considered indiscriminately.</p>
Protected characteristics: Race	Not Applicable
Race details:	<p>There is no evidence that persons of particular race or races are affected by this process. Any and all stakeholders are welcome to particpate in stakeholder engagement and all comments will be considered indiscriminately.</p>
Protected characteristics: Religion or Beliefs	Service Users / Stakeholders
Religion or beliefs details:	

The proposals in this project relate specifically to schools operating with an Islamic ethos or Muslim character.

The LA are currently proposing a new Free School application under the presumption route for a single sex secondary schools for girls in Birmingham with an Islamic ethos/muslim character. This is intended to balance the diversity of provision in Birmingham.

Protected characteristics: Sexual Orientation

Sexual orientation details:

Not Applicable

There is no evidence that persons of any or particular sexual orientation are affected by this process. Any and all stakeholders are welcome to participate in stakeholder engagement and all comments will be considered indiscriminately.

Please indicate any actions arising from completing this screening exercise.

Please indicate whether a full impact assessment is recommended

What data has been collected to facilitate the assessment of this policy/proposal?

Consultation analysis

Adverse impact on any people with protected characteristics.

Could the policy/proposal be modified to reduce or eliminate any adverse impact on any particular group(s)?

How will the effect(s) of this policy/proposal on equality be monitored?

What data is required in the future to ensure effective monitoring of this policy/proposal?

Are there any adverse impacts on any particular group(s)

No

If yes, please explain your reasons for going ahead.

Initial equality impact assessment of your proposal

Al-Hijrah is a voluntary aided, Islamic, all-through school for girls and boys aged 4-16 years.

Since February 2014, the school has consistently received "inadequate" following Ofsted Inspections. An Interim Executive Board has been in place at the school since May 2014.

One of the reasons for the "inadequate"

Ofsted judgement was the school's practice of segregation of older pupils by sex.

A legal case concluded that segregation by sex in co-educational (mixed sex) schools is contrary to the Equality Act 2010.

Following this judgement, the Secretary of State for Education said that mixed schools which segregated by sex should be given time to stop the practice. Segregation by sex will be taken into account in Ofsted school inspections from September 2018.

Following a further inspection by Ofsted in March 2017 the school received an "inadequate" Ofsted judgement, and was made subject to a Directive Academy Order.

The IEB and the Local Authority are proposing the following solution:

- **Lower the Age Range of Al-Hijrah all-through school to be a Primary School:** this means that Al-Hijrah will no longer offer secondary places for girls and boys so therefore alternative provision will have to be offered.

(The Directive Academy Order will then apply to the Primary provision and the preferred sponsor is Star Academies Trust. The primary provision on the current Al-Hijrah site is not fit for purpose so therefore we propose to relocate the primary pupils to the site formerly known as

the Small Heath Lower School site on Waverley Road. It should be noted that the name of the new Primary School will be determined by the Academy sponsor) TO EDIT.

- **Secondary Provision for Boys:** displaced Boys would have the opportunity for a place at a different secondary school.

- **Secondary Provision for Girls:** displaced Girls would have the opportunity for a place at a different secondary school and we are currently proposing a new Free School application under the presumption route for an Islamic Girls Secondary School (EIA for the Free School ref: EQUA187).

The project is acknowledged as challenging and complex.

The initial assessment considered all protected characteristics and identified the following characteristics as being specific to this project: age, gender and faith/belief.

Consulted People or Groups

All Councillors of Birmingham; all MPs of Birmingham; selected groups/services of Birmingham City Council Employees; parents/carers of pupils at Al-Hijrah; pupils at Al-Hijrah; staff at Al-Hijrah; Birmingham schools; neighbouring Local Authorities; the Archdiocesan and the Anglican Diocese of

	Birmingham; and Trade Unions.
Informed People or Groups	Local residents
Summary and evidence of findings from your EIA	<p>The School Organisation Project Process for the change of age range is prescribed by law through statutory government guidance and best practice. The process is robust, inclusive and indiscriminate. (School Organisation Project Process: EA000088).</p> <p>Admission arrangements must be adhered to by law through the the governments admission code which has intrinsic and implicit adherence to the Equalities Act 2010. Part of the admission code and process required by law is for "fair access" arrangements which are inclusive and indiscriminate.</p> <p>The process for conversion of Local Authority Maintained schools into Academy schools is prescribed by law and must be adhered to and delivered by the Local Authority. Decisions on which schools become academies are made by the Secretary of State and are not subject to any decisions made by the Local Authority. (Changing Status of Schools (Academisation) EA000046).</p> <p>The process for establishing a new school through the "free-school presumption" is a prescribed government process to which the Local Authority must adhere.</p>
QUALITY CONTORL SECTION	
Submit to the Quality Control Officer for reviewing?	Yes
Quality Control Officer comments	
Decision by Quality Control Officer	
Submit draft to Accountable Officer?	No

Decision by Accountable Officer

Date approved / rejected by the Accountable Officer


Reasons for approval or rejection


Please print and save a PDF copy for your records

Yes

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