



## Equalities Log

**Issue: Consultation on the consolidation of the Education (Independent Educational Provision in England)(Provision of Information) Regulations 2010 with amendments and consultation on amendments to the Non-Maintained Special Schools (England) Regulations 2015 and to Education (Independent School Standards) Regulations 2014**

### Part 1: Will the outcome of this decision have a particular impact on any persons who share one or more protected characteristics

<p>The proposal is to consolidate with amendments the provisions in Education (Independent Educational Provision in England) (Provision of Information) Regulations 2010 (“the 2010 Regulations”). The consolidated Regulations are in many respects similar to those made in 2010, but contain additional requirements as to the information to be supplied by proprietors and prospective proprietors of independent schools; and in particular the additional requirements include provisions relating to employment history and photographs, together with dates of birth and National Insurance details.</p> <p>Conclusion reached by: Stephen Bishop</p> <p>Date of conclusion: 19/02/2018</p> <p>Date conclusion reviewed : dd/mm/yyyy</p>	<p><b>Yes</b> –say which protected characteristics</p> <p>Religion or belief</p> <p>There may be a particular impact on persons of certain races although the schools concerned serve pupils from many races and it is not possible to be specific</p> <p>Say which persons:</p> <p>People holding religious beliefs</p> <p><b>Complete Part 2</b></p>
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## Part 2:

<p><b>Will there be a positive impact on people with the protected characteristics identified above?</b></p>	<p><b>Will there be a be a negative impact on people with the protected characteristics identified above?</b></p>	<p><b>Justification of conclusion of analysis</b></p>	<p><b>Conclusion</b> (e.g. <i>impact is positive, go ahead; negative impact, go ahead if justified; negative impact, don't go ahead.</i>)</p>	<p><b>Date when equality conclusion will be reviewed</b> (e.g., <i>in light of new information; change in circumstances; at a policy review.</i>)</p>
<p><b>Evidence</b></p> <p>The positive impact on those with protected characteristics is derived from the greater scrutiny and due diligence measures on those who are applying to register a school and on those managing a school. Therefore schools will be safer for all, including those pupils with the protected characteristics.</p>	<p><b>Evidence</b></p> <p>Yes, in that due diligence processes tend to concentrate on evidence of extremism or narrow faith views and currently the perceived likelihood of those occurring in the independent school sector is greatest for small faith schools, and proprietors of such schools are likely to be subject to greater scrutiny than other proprietors, in practice. This is the negative consequence of ensuring greater safety for pupils.</p>	<p><b>Rationale</b></p> <p>Every independent school must have a registered proprietor or chair of proprietor body, and the independent school standards regulations require that suitability checks are carried out by the Secretary of State. In addition, when considering applications for registration of a new school the Secretary of State must be satisfied that the independent school standards are likely to be met by the school. This means that more extensive due diligence checks are being carried out on all prospective and new proprietors, and will include open source searches - which can be made more effectively when more personal data is</p>	<p><b>Decision</b></p> <p>The importance of satisfactory due diligence on proprietors for new independent schools, and independent schools changing proprietors, in safeguarding all pupils, justifies the additional information requirements in the revised regulations, which should go ahead.</p>	<p>tbc</p>

<p><b>Will there be a positive impact on people with the protected characteristics identified above?</b></p>	<p><b>Will there be a be a negative impact on people with the protected characteristics identified above?</b></p>	<p><b>Justification of conclusion of analysis</b></p>	<p><b>Conclusion</b> (e.g. <i>impact is positive, go ahead; negative impact, go ahead if justified; negative impact, don't go ahead.</i>)</p>	<p><b>Date when equality conclusion will be reviewed</b> (e.g., <i>in light of new information; change in circumstances; at a policy review.</i>)</p>
		<p>available. There is likely to be a higher proportion of individuals with the protected characteristics who are more likely to be prevented from being a proprietor. This analysis is based on the experience from inspection and regulation of independent schools in recent years, because a larger proportion of such a category of persons hold views thought to be incompatible with the relevant standards such as meeting the standards relating to spiritual, moral, social and cultural development of pupils and Quality of Education. However, the number of such cases is likely to be small in any given year.</p>		