



Equalities log template

Issue: Consultation on proposed ISS advice

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

<p>No – give reasons or rationale</p>	<p>Yes – <i>say which protected characteristics</i></p> <p>Race Religion or belief Sex</p> <p><i>Say which persons</i></p> <p>Pupils attending faith schools used primarily or exclusively by families with that faith who prefer to use them in preference to state schools, often for faith reasons. These pupils will often be of Muslim or Ultra-Orthodox Jewish faith, but also some Christian denominations. They will often be of racial groups which have a high proportion of adherents of these religions - although they will be of varying races even within one school they are more likely to share protected characteristics of race with other pupils in the school than with the general population. Many of the schools concerned are single sex schools.</p> <p>The families of such pupils.</p> <p>Staff of such schools</p>
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Part 2:

Will there be a positive impact on people with the protected characteristics identified above?	Will there be a be a negative impact on people with the protected characteristics identified above?	Justification of conclusion of analysis	Conclusion (e.g. <i>impact is positive, go ahead; negative impact, go ahead if justified; negative impact, don't go ahead.</i>)	Date when equality conclusion will be reviewed (e.g., in light of new information; change in circumstances; at a policy review.)
Yes, in some cases	Yes, in some cases and in the short term (or longer term for some staff)	The proposed document offers schools advice on how they should meet the independent school standards. Its effect is arguably limited as it is setting out advice on what is already the law. However, schools attended by the specified groups often have particular difficulties in meeting the standards. For some schools which choose to use the advice, this will improve the education and welfare of their pupils; for others who choose not to, the fact that the advice is published and has not been followed will increase the chances of enforcement action taken against those schools being successfully defended by DfE at Tribunal. This would lead to short term disruption for pupils and their families, but ultimately would be in the interests of the children involved. For school staff, succesful enforcement action would be more likely to cause loss of employment or affect pay levels	As there will be positive impact for some children straightaway, and for others in the longer term even if there is short term disruption, we believe we should continue on the basis that it is appropriate to publish the advice – but that first we consult on it which, and the responses may assist in any further analysis relating to the PSED that we will undertake. The employment prospects of staff in independent schools are not DfE's concern but in any event the education and welfare of pupils at the schools concerned is more important.	2019