

Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated May 2015)

School Funding 2019-20 (School & High Needs Block Funding)

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যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	North Yorkshire County Council: Central Services
Lead Officer and contact details	Howard Emmett - Assistant Director – Strategic Services
Names and roles of other people involved in carrying out the EIA	Sally Dunn – Head of Finance (Schools & Early Years) Stuart Masterman – Senior Accountant (Schools and Early Years)
How will you pay due regard? e.g. working group, individual officer	The proposal has been reported to the North Yorkshire Schools Forum (27 th September 2018) and a school wide consultation

	<p>process from 3rd October ending 29th October 2018 and this EIA will be updated during and following the consultation responses.</p> <p>A further discussion is to be held at the North Yorkshire School Forum meeting on 19th November.</p>
<p>When did the due regard process start?</p>	<p>In setting School Funding in 2018/19, due regard was given to the recognition of the increased budget pressures in High Needs for children meeting these needs as part of their educational provision. As a result the North Yorkshire Schools Forum (formerly Education Partnership) gave its permission to transfer 0.5% (£1.6m) of the Schools Block funding to support High Needs.</p> <p>This EIA considers the same issue in respect of 2019-20 School and High Needs Funding.</p>

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

The EIA addresses the need to change how we use the Council's DSG (Dedicated School Grant) and specifically the funding blocks for High Needs and Schools Block

In 2018/19, the DfE acknowledged the increasing pressures related to High Needs budgets faced nationally and allowed LAs, with the permission of their School Forums to use up to 0.5% of the Schools Block funding to support High Needs. This was a temporary measure to enable LAs to work with schools and others to manage the High Needs financial issues. In North Yorkshire 0.5% (£1.6m) was transferred from the Schools Block to High Needs in 2018/19 to help support the increased budget pressures in this area.

For 2019/20, the DfE is continuing to allow the transfer of up to 0.5% of the School Block funding to the High Needs Block The approval of the Schools Forum is required for this transfer and the views of local schools and academies will need to be considered in determining this decision. Any proposal to transfer more than 0.5% requires the approval of the Secretary of State.

Given the demand for High Needs Services for children & young people (0-25) and the resulting financial pressures in North Yorkshire (see 2.) transfers of 0.5% and 1% are being considered from the School Block to High Needs Block for 2019/20.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

The EIA seeks to meet the increasing demand for High Needs Services through an increase in 2019/20 only of up to 1% of the School Block funding for North Yorkshire County Council – up to approx. £3.3m to address the increasing demands and financial pressures.

For 2018/19, the Council receives around £44.8m in High Needs funding with an underlying pressure of £5.5m (adjusted by £1.6m for the 2018/19 transfer from the Schools Block), Future demand predictions indicate that based on current trends the underlying financial pressure of £5.5m will grow by approximately £1.5m - £2.5m in each of the next few years, which if left unchecked, will reach up to £10m-£13m per annum by March 2022.

This is evidenced by the following increase in activity

- Numbers of children receiving SEN Support increasing from 1,014 children (717 primary and 297 secondary) between January 2016 and January 2018;
- Numbers of children with Education Health and Care Plans (EHCP) increasing by 46% between 2014/15 and 2017/18

The Council's five year Strategic Plan for SEND (Education Provision 0-25) 2018-23, launched earlier this year, identifies the re-shaping of the High Needs Budget as one of the three core areas of the Council's Plan.

A number of proposals are being considered (see Strategy), some of which will be the subject of separate consultations. The purpose of making this one-off transfer to the High Needs Block is to provide interim funding towards the financial pressures whilst these proposals are progressed to reduce the spending pressures.

Section 3. What will change? What will be different for customers and/or staff?

The impact of the proposal will be to reduce the overall quantum of funding remaining in the School Block and allow for a corresponding increase in the overall funding available in the High Needs Block, dependent that is upon the preferred percentage that emerges from the consultation, the views of the School Forum and the decision taken by the Council. The funding will remain ring-fenced to the overall Dedicated Schools Grant.

The shift of funding from one block to another will have impacts on children and young people including those with protected characteristics (e.g. targeting of resources for children with SEND) in both the donor and recipient blocks. The Council's SEND Strategy sets out these details in terms of ensuring a continuum of SEND education across the County for children and young people aged 0-25.

From an individual school perspective the benefits of this shift will be dependent upon the cohort and characteristics of the children in the schools. As each school will make a contribution to the transfer of funds but certain schools may benefit more than others in terms of their funding requirements from the High Needs Block.

The impact on individual schools may also vary in relation to the proposed level of the Minimum Funding Guarantee (MFG) to be implemented in 2019/20 as the LA moves to the NFF. A higher level of transfer between blocks will impact on the level of MFG protection which would be able to be provided.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

The specific proposal(s) to transfer a percentage of the DSG Schools Block to the High Needs Block were presented to the Schools Forum in September 2018 (see link) setting out the options and a recommendation that these options be consulted upon with all schools (LA maintained and academies).

The consultation document was sent to all schools (see link) inviting responses to be returned to the LA by October 29th. The responses and results from the consultation exercise will be presented to a special Schools Forum on 19th November. This EIA will be updated during and following the consultation responses. Schools will be notified of the outcome of this before the end of November.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result.

The specific proposal in the EIA is cost neutral as the overall quantum stays the same; rather there is a movement of funding from one block to another. This EIA does refer to the pressures in the High Needs Budget and the Council's SEND Strategy identifies actions that will enable the Council to operate within its available funding but these proposals are addressed in other consultation exercises.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age	✓			There are almost 163,000 children and young people aged 0-25 in North Yorkshire. The proposal to move funds from the Schools Block to High Needs Block within the Dedicated Schools Grant (DSG) will mean that the funding quantum will continue to be for the benefit of children and young people. No other age bands will be affected.
Disability		✓		10.1% of the school population is at SEN Support and 2.3% of these have Education Health and Care Plans (EHCPs), with more than 700 more children with EHCPs than at the beginning of 2016. By transferring funding from the Schools Block in 2019/20, interim funding will ensure appropriate needs are met and children with these characteristics are less disadvantaged receiving the universal, targeted or specialist educational support they need.

Sex (Gender)		✓	✓	The SEND population of young people in North Yorkshire with an EHCP is higher among boys, so proportionally there may be a greater benefit from these proposals for boys than girls but this will be in line with assessed need.
Race	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic
Gender reassignment	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic
Sexual orientation	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic
Religion or belief	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic
Pregnancy or maternity	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic
Marriage or civil partnership	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic

Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
..live in a rural area?	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic
...have a low income?	✓			No data available at time of writing to show there is a greater impact on those children with SEND and families with low incomes

Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.

None identified other than a potential positive impact for boys with SEND by targeting DSG funding in this way.

Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	✓
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or	

missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
Explanation of why option has been chosen. (Include any advice given by Legal Services.)	
No significant adverse impacts have been identified from the EIA affecting one or more protected characteristic.	
The proposal does not recommend a reduction to the level of funding for children and young people rather it seeks to target that available to the area of High Needs identified as an area of growing demand, The EIA identifies that the Council has a Strategy in place to re-shape High Needs Budgets (parts of which are to receive a separate EIA) and that this funding in 2019/20 will provide interim financial support to protect those children with special educational needs and disabilities.	
The consultation with schools will conclude at the end of October. This EIA will be updated during and following the consultation responses should this be required.	

Section 10. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)
In addition to the regular monitoring and reporting of finances to the School Forum, the Strategic SEND Plan sets out a comprehensive countywide North Yorkshire Inclusion Partnership model which will make sure there is a strategic vision across North Yorkshire.
The membership will include as well as LA senior officers both senior representatives from education providers across the 0-25 age range and parents/carers. The new model will include local area groups and panels to ensure the efficient and fair use of financial resources.

Section 11. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.				
Action	Lead	By when	Progress	Monitoring arrangements
1. To undertake a formal consultation with schools	Howard Emmett – Asst. Director	October 29 th 2108		
2. To report outcomes to School Forum	Howard Emmett – Asst. Director	November 19 th 2018		
3. Pending outcome from	Sally Dunn Head of Schools	November 30 th 2018		

1.& 2. write to DfE for a disapplication request	& Early Years			
4. Review via North Yorkshire Inclusion Governance Groups				

Section 12. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The Equality Impact Assessment has assessed the impact of the proposal namely

- To change how we use the Council's DSG (Direct School Grant) and specifically the funding blocks for High Needs and Schools Block
- To consider transfers of 0.5% and 1% from the School Block to High Needs Block for 2019/20.
- To hold consultation with all schools in North Yorkshire over these proposals
- To report findings, conclusions and recommendations to the School Forum

At this stage of the EIA there is no evidence to suggest that the proposal made will significantly disadvantage one or more protected characteristics rather it will assist in supporting targeted funding to children with SEND pending the implementation of specific measures contained in the SEND 5 Year Plan .

Section 13. Sign off section

This full EIA was completed by:

Name: Stuart Masterman
Job title: Senior Accountant (School and Early Years)
Directorate: Central Services
Signature:

Completion date: 11.10.2018

Authorised by relevant Assistant Director (signature):

Howard Emmett

Date: 15.10.2018

