### EQUALITY IMPACT ASSESSMENT TEMPLATE

#### 1. Topic of assessment

EIA title:	Schools funding changes 2016/17 Changes to high need funding
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EIA author:	David Green, Senior Principal Accountant, (Schools Funding)
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#### 2. Approval

	Name	Date approved
Approved by <sup>1</sup>	Peter-John Wilkinson	

#### 3. Quality control

Version number		EIA completed	
Date saved	16.10.15 2 45pm	EIA published	

#### 4. EIA team

Name	Job title (if applicable)	Organisation	Role	
David Green	Senior Principal Accountant	Surrey County Council	Schools funding lead	
Flora Wilkie	Strategy and Policy Development Officer	Surrey County Council	Co-ordination and analysis	
Jo Holtom	Strategy and Policy Development Senior Manager	Surrey County Council	Input on SEND Strategy and programme	
Gabrielle Close	Quality Assurance & Professional Standards Development Manager	Surrey County Council	Evidence re service impact	
Zarah Lowe	Provision and Partnership Development Manager	Surrey County Council	Evidence re service impact	
Sue Roch	Area Education Officer	Surrey County Council	Evidence re service and staff impact	
Gill Rogers	Strategic HR Relationship Manager	Surrey County Council	Evidence re staff impact	

<sup>&</sup>lt;sup>1</sup> Refer to earlier guidance for details on getting approval for your EIA.

# 7 5. Explaining the matter being assessed

What policy,	Proposed changes to school funding for 2016/17 Changes to high
function or service is being introduced or reviewed?	need Special Educational Needs (SEN) funding (possible cuts in services for pupils with SEN)
What proposals are you assessing?	<ul> <li>The "high needs" budget provides for pupils with SEN, who require provision in specialist schools, or provision over and above that which can be provided by mainstream schools from within their budget shares, and for pupils educated in pupil referral units and other alternative provision. The high needs block is currently supported by £10m of funding transferred from the "schools block" (ie funding which would otherwise be delegated to individual mainstream schools). The Local Authority (LA) does not expect any increase in DfE funding for high cost SEN in 2016/17. Therefore in <u>order to meet rising demand for specialist SEN provision, and to preserve existing support services to schools, it would be necessary to: <ul> <li>a) transfer a further £3.3m from the schools block to high needs</li> <li>in 2016/17, which would mean a reduction in average formula funding per pupil for individual schools. If funding to individual schools is reduced, schools will have to consider how they mitigate the impact to priority groups in their school. Anecdotal evidence suggests that these cuts will be more likely to come out of additional services, such as those for pupils with SEN , or staffing costs.</li> <li>b) cut £3.3m in SEN services.</li> </ul> </u></li> <li>Thus the choice is whether cuts are made by the authority in the cost of services to high needs pupils, or whether funding to individual schools is reduced in order to preserve services to high needs pupils.</li> <li>This equalities impact assessment is to consider the impact of option b). The specific reductions being recommended under option b) are: <ul> <li>i. Remove funding for learning support units for pupils with challenging behaviour in 8 (generally disadvantaged) secondary schools (£0.330m)</li> <li>ii. Cease to fund outreach staff based in LD and ASD special schools and SLCN centres and supporting mainstream schools (£0.750m)</li> <li>iv. Cease to fund learning and language staff (£1.7m)</li> <li>v. Reduce top up funding for pupil referral units (£0.16m)</li></ul></li></ul>
	of following a mainstream secondary curriculum

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	<ul> <li>Increasing occupancy of existing places in existing special schools and centres</li> <li>Redesignating some special schools in order to provide for higher need pupils (eg West Hill-primary learning and additional needs, rather than secondary learning difficulties where there is currently spare capacity). These changes will increase the scope for accommodating pupils in Surrey rather than in non maintained and independent schools</li> <li>We are also closing the secondary provision at The Willows PRU</li> </ul>
Who is affected by the proposals	Potentially, all schools and users and staff of those SEN support services in which reductions are being considered. The support service reductions would affect pupils with a range of special
outlined above?	educational needs. Individual schools would need to consider whether to buy in equivalent services. The impact will be concentrated in schools with the highest levels of need, which may also be affected by proposals to reduce deprivation funding

#### 6. Sources of information

Engagement carried out
The proposals were set out in a consultation paper which has been circulated to all schools and which is also available on the Surrey CC website. Parent voice reps have been made aware of it. The results of the consultation were considered by Schools Forum on 1 October 2015. There are parent representatives on Schools Forum.
Data used
ONS Surreyi
Draft JSNA on SEND
JSNA Children with Disabilities
JSNA Mental Health
JSNA carers



. Impact of the new/amended policy, service or function

7a. Impact of the proposals on residents and service users with protected characteristics

Protected characteristic <sup>2</sup>	Potential positive impacts	Potential negative impacts	Evidence	
		<u>Unless schools buy</u> <u>back/make alternative</u> provision:	<u>Nurture Groups</u> Total number of pupils in nurture groups: 53. School age makeup: 17 YR, 23 Y1, 13 Y2	
P		<u>Nurture Groups:</u> Ceasing funding to nurture groups is more likely to impact primary school children as they are directed at pupils aged 4-6	<u>ASD outreach</u> Data from Freemantles shows that pupils in year 4-6, rather than year 3 – nursery are much more likely to be impacted (340/703). Activities days for outreach services support mostly year 5 and 6.	
Page 70 Age		ASD outreach: The data we have received shows ASD outreach services support children in primary schools. <u>Learning Support Units:</u> Data from the Warwick LSU shows the just under half of	Learning Support Units Data from the LSU in Warwick school shows that 1,268 out of 2582 sessions were for years 8 & 9. The remainder of sessions were spread across years 7,10 and 11. But may not be representative of all units.	
		sessions were for children in year 8 & 9. <u>Learning and Language</u> <u>Staff:</u> The majority children supported in the North West are in Key Stage 2.	Learning and Language Staff: 1319 pupils supported by LLS are in Key Stage 2 in the North West. This is out of a total of 2149 (2013-15). But may not be representative of all quadrants.	
Disability	Physical and sensory support services, which specifically work with children and young people with disabilities, are not being considered for cuts as part of this process. However some of the services to be cut, such as nurture groups and			

 $<sup>^{2}</sup>$  More information on the definitions of these groups can be found <u>here</u>.

outreach, ensure an opportunity for early diagnosis of disabilities. If capacity is not developed elsewhere, there is a danger that the needs of children and young people will not be identified in a timely way which may affect their development further on in their lives.

Evidence shows that Surrey does not perform as well as the national and regional average in supporting disadvantaged children and those with disabilities and special educational needs to achieve and attain in school.

Unlikely from current proposals but other ongoing measures could help to mitigate negative impact:Unless schools buy back/ make alternative provision:Nurture groups: A number of those accessing support for Special Educational Needs (SEN)		Children in Surrey with special educational needs but no statement of SEN continue to fall behind the county's comparators in educational attainment. Evidence suggests that nurture groups have improved this. The children enter the Nurture groups for various reasons:				
designations will provide support for secondary	are likely to be disabled. The intake of those with SEN is		Factor	No. children	Percentage	
school students with	the second most highly		Domestic Violence	5	9.43%	
additional needs.represented for NG intake.There could be positiveHowever, the practicesimpact in that pupils can bedeveloped in nurture groups		LAC	4	7.55%		
	developed in nurture groups		Parent Mental Health	6	11.32%	
educated locally within their	ought to be embedded in all		Pupil Premium	9	16.98%	
local community.	schools.		SEN	16	30.19%	
,			Social Care Involvement	11	20.75%	
			No Risk Factor identified	23	43.40%	
	Learning support units Loss of provision to children		8 secondary schools would be impacted: Christ's, Epsom and Ewell High, Oakwood, Therfield, The Beacon, The			
	and young people with SEND However, the practices	<b>S</b>				
	developed in learning support units ought to be	Not all schools have been able to give us infor those that have, have told us:		us information,		



The set of the se		embedded in all schools The distribution of learning support units is historic and hence in itself is a source of inequality. <u>Pupil Referral Units:</u> Without top up funding, PRUs will be less able to offer earlier intervention to avoid exclusions and there will be an increased risk of permanent exclusions. As a high proportion of PRU pupils	<ul> <li>209 students have 2582 sessions sites 2582 sessions sites 325 1:1 sessions</li> <li>The Bishop Daviation accessed LSU at a construction of the session of the second se</li></ul>	ince Septem orted studen is for 60 stud id Brown sav t least one c sus there we number so	ber 2014 ts in 332 ents w 40% of <u>occasion</u> re over 2 total ove	L lessons total sch <u>2012-15.</u> 60 pupils the yea	nool s in the r could
This table shows that children with SEN are already at a 4 times higher risk of exclusion. As stated above, the majority of children with SEN are likely to be disabled. The numbers of pupils with Statements/EHCPs being excluded is also much higher.Cease to fund outreach services Without outreach services, there will be a reduction in early intervention which could increase the number accessing socialAutism Spectrum Disorder (ASD) outreach by 2 primary and 2 secondary schools: According to the definition of disability (under the Equalities Act 2010), children with a diagnosis of ASD have a disability. The assumption is that all ASD outreach services are supporting a high proportion of children with	Page 72	have SEN (which may overlap with disability) this group will be disproportionately affected by	(1)         6.20           SSEN /            EHCP <sup>(2)</sup> 5.79           Not SEN <sup>(3)</sup> 0.80           All pupils         (SFR	9% 4.02% 0% 0.53%	5.65% 0.77%	5.13% 0.63%	5.17% 0.69%
servicesWithout outreach services, there will be a reduction in early intervention which could increase the number accessing socialand 2 secondary schools: According to the definition of disability (under the Equalities Act 2010), children with a diagnosis of ASD have a disability. The assumption is that all ASD outreach services are supporting a high proportion of children with			This table shows that times higher risk of e majority of children v The numbers of pup excluded is also mu	at children w exclusion. A with SEN ard bils with Stat ch higher.	ith SEN s stated e likely to ements/E	are alrea above, th be disal EHCPs b	dy at a 4 ne bled. eing
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number accessing social services are supporting a high proportion of children with							
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further down the line. It could			นเวินมาแนะง.				

Page 73	also impact the development of hub and outreach to specialist centres, an increased demand for the SALT service. Schools will be less able to respond to the needs of individuals with autism and will be less able to build capacity in the mainstream, leading to increased exclusion of ASD pupils and reduced access to education.	Of the schools that are able to provide data (2/4), we have found that there are over 1632 children who use the services. All services have increased since their introduction in 2006-7 • 596 total visits in 2014-15. • 173 schools supported 2012-13 Training: • 2 Early Bird Plus courses for parents, • autism awareness at 11 schools, • Training for transport providers and 8 parents groups. <u>The Freemantles School ASD Outreach service sees 291</u> children with statements/EHCPs (out of 703). <u>Learning Disability outreach: (All secondary Learning and Additional Needs (LAN) schools)</u> From the schools that were able to provide data, we found that 45 schools were visited and trained and courses run for 70 students (25 with learning difficulties).
	Cease to fund Learning and Language Staff Introduced to skill up mainstream staff in working with children with learning and language difficulties. Without these staff, there could be reduced mainstream capacity, increased demand on the current EP service and speech and language therapist. Children will have to wait a longer time to have	<ul> <li>SLCN is the second most prevalent primary need, with 23% of children in Surrey with Statements listing SLCN as their primary need (2013).</li> <li>In Surrey, 60-70% of children with SLCN are statemented between the ages of two and five, 5-10% receive their SSEN after the age of ten.</li> <li><u>SLCN outreach @ Spelthorne School:</u> supports 20 children a day and provides support to other schools.</li> <li>Across all areas, the <u>Specialist Teaching Team</u> supports: 2394 students and has 1300 open cases (of which around half are estimated to be for Learning and Language Support).</li> </ul>



			their needs accurately identified and may receive poor experiences.	
	Gender reassignment	Unlikely to be relevant	Limited impact due to young age.	Current prevalence of people experiencing gender variance in the UK is estimated at 600 per 100,000 people, with those with gender dysphoria presenting for treatment estimated at 20 per 100,000 people. There is a currently a rapid growth rate of 15% per annum. The median age of people presenting for treatment is 42. "Few younger people present for treatment despite the fact that most gender dysphoric adults report experiencing gender variance from a very early age. Social pressure, in the family and at school inhibit the early revelation of their gender variance." (GIRES, 2009: 4)
- ני -	Page 74 Pregnancy and maternity	Unlikely	Possibly - vulnerable children (LAC/social care) are more likely to become pregnant. LSUs support young people to engage in schools which may reduce the impact of initial vulnerability.	<ul> <li>Women of secondary school age who become pregnant are more likely to be vulnerable.</li> <li>National evidence shows that among the most vulnerable girls, the risk of becoming a teenage mother before the age of 20 is nearly one in three.</li> <li>The Warwick LSU hosts a course for 71 students who have been part of the Youth Empowerment Scheme (YES+) Risk Reduction and Sexual Exploitation programme.</li> </ul>
	Race	None of the activities proposed for cuts are directly linked to language or ethnic minorities	Ethnic minorities have a higher prevalence of statements in comparison to ethnic white groups. However due to the makeup of Surrey, white ethnic groups are more likely to be impacted by the closure of these services.	The percentage of statements of SEN has increased amongst mixed and Asian ethnic groups in the past three years. In 2013 there were 1208 children between the ages of two and 19 with a statement of SEN recording SLCN as a primary need. Amongst this cohort 80% were identified as White, 5% Mixed, 7% Asian / Asian British and 2% Black. For ASD, 1304 children with statements recorded ASD as

			a primary need in January 2013. Within this group, 80% were identified as White, 6% Mixed, 5% Asian, and 1% Black. Nationally, black pupils are more likely than other pupils to have SEN at primary school. <sup>i</sup> 59% of Surrey Gypsy Roma Traveller (GRT) children have special needs compared to 19% amongst the whole Surrey population.
Religion and belief	Unlikely	Not directly	
Page 75 Sex	Unlikely	As boys have a much <u>higher</u> <u>prevalence of statements</u> than girls, they may experience a greater impact with a reduction in any service supporting children with disabilities, especially autism services. <u>Outreach services</u> support much higher numbers of boys than girls. <u>LLS</u> Higher numbers of boys supported than girls <u>Pupil Referral Units</u> The majority accessing the unit were boys. <u>All services</u>	<ul> <li>Boys are nearly three times more likely than girls to have statements in Surrey. (JSNA Chapter: SEN)</li> <li>Boys are also nearly five times as likely as girls to have autism.</li> <li>Evidence from the <u>Freemantles Outreach Service</u> shows that 606/703 children that use their services are boys. Abbey outreach service: 447 boys out of 535.</li> <li>The data available (2013-15) from the North West for <u>Learning and Language staff</u> shows that two times more boys than girls were supported. (690:1451)</li> <li><u>Pupil Referral Units</u> 60% of the total number of children that accessed PRUs on the census day were boys.</li> <li>Experience suggests that girls are less likely to be diagnosed with disabilities at an earlier age than boys, all these services are intended to improve the diagnosis of younger children and thus support them more</li> </ul>



		Girls are less likely to be <b>identified</b> as having a disability at an earlier age.	more likely to e disabilities so an earlier age. young people cent) than girls	externalise frust therefore are ma . The identificati is reportedly hig s (5.8 per cent).	ce shows that boy rations caused by ore likely to be dia on of SEND in chi her among boys Outreach service ding ASD in girls'	ignosed at Idren and (8.8 per s also
Sexual orientation	Unlikely	Unlikely				
Marriage and civil partnerships	N/a	N/a				
Page 76 <b>Carers</b> <sup>3</sup>	This will not impact carers directly, however it will be affecting the people they care for and therefore the carers will feel an impact.	Learning support services and nurture groups – if a Looked After Child (LAC) is not supported in school they may become more at risk of being excluded and this causes extra stress for foster carers and adoptive carers.	a7.55% of children supported in nurture groups aC) is% of LAC with at least one fixed term exclusion in 2013sk ofSurreyNationalStatistical Neighbours		re LAC.	

<sup>&</sup>lt;sup>3</sup> Carers are not a protected characteristic under the Public Sector Equality Duty, however we need to consider the potential impact on this group to ensure that there is no associative discrimination (i.e. discrimination against them because they are associated with people with protected characteristics). The definition of carers developed by Carers UK is that 'carers look after family, partners or friends in need of help because they are ill, frail or have a disability. The care they provide is unpaid. This includes adults looking after other adults, parent carers looking after disabled children and young carers under 18 years of age.'

7b. Impact of the proposals on staff with protected characteristics

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
Age	None		<u>Learning and Language Support</u> staff are employed directly by the local authority in area teams and 7 to 10 FTE are likely to be affected.
Page Disability	None	<ul> <li>Having to find alternative employment may have a disproportionately negative affect disabled workers who may find it difficult to make alternative travel arrangements.</li> <li>Staffing constraints may result in an increased workload and broadened scope which may result in increased levels of stress and poor emotional wellbeing.</li> <li>The increased workloads and reduced budgets may also reduce the level of flexibility available which would disproportionately affect disabled workers. The majority of these staff do not work to FTE, job share or work part time. Disabled people are more likely to work part time.</li> </ul>	At this stage it is not possible to identify exactly which school staff may be at risk as a result of budget reductions in individual schools. Decisions to make individual staff redundant would be a matter for individual schools, which would be expected to have regard to equalities considerations before making any such decision. The impact will be likely to affect school staff in the following areas: <u>Outreach staff</u> - 1 Full Time Equivalent (FTE) in four
Gender reassignment	Unknown at this stage.	Unknown at this stage.	LD Outreach plus 3 at Gosden House, 6 at 0.8 FTE at Woodfield. - Training of other teachers:
Pregnancy and maternity	None	There is the potential that it will be more difficult to offer flexible working opportunities in line with SCC policy if staffing is constrained. The majority of the staff affected by these proposals do not work to FTE, job share or work part time. Parents with children are more likely to want to work part time.	e.g. 50 TAs attending courses by Philip Southcote Schools <u>ASD Outreach:</u> - 6 part time teachers, 1 outreach assistant - Training of other teachers:



Race	Unknown at this stage.	Unknown at this stage	527 people trained 30 schools trained	
Religion and belief	Unknown at this stage.	Unknown at this stage	- Unknown outreach staff numbers	
Sex	None	Female staff in front line roles are more likely to be impacted by ceasing to fund outreach staff and learning and language staff. There is statistically a higher proportion of female staff in these types of roles, meaning they may be disproportionately affected. This may also disproportionately affect female staff with childcare responsibilities for who the financial burden may be higher. The majority of these staff do not work to FTE, job share or work part time. Women are more likely to have childcare responsibilities and therefore more likely to want to work part time.	based in other ASD special schools and SLCN centres and supporting mainstream schools will be impacted. <u>- Learning Support Units</u> From 4 schools that could provide data, there were 9 staff, 2 TAs and 1 counsellor. <u>- Nurture Groups:</u> Each group is led by a teacher and a teacher assistant (8 NGs available.)	
Sexual orientation	Unknown at this stage.	Unknown at this stage.		
Marriage and civil partnerships	Unknown at this stage.	Unknown at this stage.		
Carers	Unknown at this stage.	The increased workloads and reduced budgets may reduce the level of flexibility available in working which could adversely impact on carers. The majority of these staff do not work to FTE, job share or work part time. Carers are more likely to work part times.		

NB Where schools make staff redundant, it is for the schools to ensure the process does not involve discrimination on the basis of protected characteristics

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#### 8. Amendments to the proposals

Change	Reason for change
None	To follow, depending on outcome of consultation

#### 9. Action plan

Potential impact (positive or negative)	Action needed to maximise positive impact or mitigate negative impact	By when	Owner
Loss of provision (e.g. nurture groups) to CYP with SEND could result in an increased risk of exclusion.	Mitigation: Schools could sustain some of these services through own income generation.		Gabrielle Close
Reductions in SEN funding changes overall	Mitigation: Monitor SEN funding through regular review of commissioning for SEND. Analysis will take account of performance information, engagement with local schools and ongoing feedback from families on the local offer of SEND services in Surrey. Mitigation: longer-term development of inclusion and early intervention as part of the SEND Strategy	Summer/autumn 2016 (for 2017/18)and annually thereafter Summer 2016	Peter-John Wilkinson
Reduction in SLCN funding Risk: Reducing mainstream capacity building, support and assessment to schools.	Mitigation: consider offering SENCOs training in completing an agreed set of assessments in house.		Peter-John Wilkinson
Risk: Without LLS there will be a greater demand for overstretched EP service and new Speech and Language Therapy	Mitigation: consider Free Elklan training to all mainstream staff		Gabrielle Close

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	Service with the current operating model, these costs will appear elsewhere in system.		
	Risk: children will not nave their needs accurately identified and will see long waiting times and poor experiences.	Mitigation: review opportunities to develop the capacity of mainstream schools to identify and meet needs of children	Peter-John Wilkinson
	Redundancies to staff Women, pregnant, disabled people and carers are potentially more likely to be impacted	Schools could choose to take alternative action	Peter-John Wilkinson
	Without <u>outreach</u> <u>services</u> , there will be a reduction in early ntervention which could ncrease the number accessing social care and health services further down the line. Risk: to the development of hub and spoke outreach to specialist centres. EP service, increased demand for SALT service. Without SALT, there will be a reduction in the children accessing early ntervention.	Mitigation: Schools could identify options for sustaining service through income generation.	Gabrielle Close Gabrielle Close
i c i i	Risk: schools less able to respond to the needs of ndividuals with autism = challenging behaviour, ncreased exclusion rates, ncreased demand for stretched.	Mitigation: review opportunities to develop the capacity of mainstream schools to identify and meet needs of children with autism	Gabrielle Close
l F	Risk: Boys may be unfairly impacted: 606/703 beople that use their services are boys.	Mitigation: explore how schools can buy in more national accredited training around autism e.g. autism education trust training	Gabrielle Close

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Pupil Referral Units PRUs will be less able to offer earlier intervention to avoid exclusions and there will be an increased risk of permanent exclusions.	Mitigation: Schools may need to contribute to the cost of PRU placements	Peter-John Wilkinson
Risk: Girls are less likely to be identified with disability at an earlier age, much is done by these services to ensure earlier identification	Mitigation: review opportunities to develop the capacity of mainstream schools to identify and meet needs of children with autism	Gabrielle Close

#### **10.** Potential negative impacts that cannot be mitigated

Potential negative impact	Protected characteristic(s) that could be affected
See tables above	

11. Summary of key impacts and actions		
Information and		
engagement		
underpinning equalities		
analysis		
Key impacts (positive		
and/or negative) on		
people with protected		
characteristics		
Changes you have		
made to the proposal		
as a result of the EIA		
Key mitigating actions		
planned to address any		
outstanding negative		
impacts		
Potential negative		
impacts that cannot be		
mitigated		

<sup>&</sup>lt;sup>i</sup> <u>https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/320509/building-understanding-main-report.pdf</u>

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