

EIA Title Schools funding 2022/23 Impact of transferring £3.6m (0.5%) from schools block to high needs block to fund SEN inclusion initiatives in mainstream schools

Question	Answer
Did you use the EIA Screening Tool? (Delete as applicable)	No

1. Explaining the matter being assessed

Question	Answer
What policy, function or service change are you assessing?	<p>A transfer of £3.6m from schools to high needs SEND is proposed, which is 0.5% of the overall Schools Block of the Dedicated Schools Grant (estimated at £735m). This £3.6m would be distributed to mainstream schools by a panel of school leaders in order to fund projects to increase inclusion of SEND pupils in mainstream schools, via governance arrangements being developed by a working group of school headteachers. This means that the increase in funding distributed to schools in 2022/23 through the funding formula would be £3.6m smaller than it would otherwise be. This EIA is looking at the impact of the £3.6m transfer and at whether the impact of not receiving the £3.6m at school level through formula allocations disadvantages protected groups relative to the school population as a whole.</p> <p>The decision is for one year only and any similar request for 2023/24 would require separate approval.</p> <p>The proposal will mean that some schools benefit from additional funding through the allocation of the £3.6m outside the formula. We are unable to forecast the impact of this on individual schools and/or protected groups, because the allocation criteria have yet to be agreed and they will need to be subject to a separate equalities impact assessment in due course.</p> <p>For technical reasons the proposal cannot be implemented for one phase (primary or secondary) alone.</p>

Equality Impact Assessment

Question	Answer
<p>Why does this EIA need to be completed?</p>	<p>The distribution of funding between schools, other than that allocated for high needs special educational needs, must be based on a formula and related criteria. The amount distributed and the way in which it is distributed could have a differential impact on protected groups. The service is statutory and there are statutory constraints on the way in which schools funding is distributed, which preclude direct recognition of most protected groups in funding. There could be an impact on disability/race/deprivation for pupils, age/sex/race for staff.</p>
<p>Who is affected by the proposals outlined above?</p>	<p>The proposal would affect pupils and staff in those schools which receive smaller funding increases as a result of the transfer of £3.6m out of the funding formula, and those schools which receive additional allocations for inclusion initiatives. However, it is important to note that almost all schools will receive increases in average pupil led funding per pupil 2022/23 under the funding formula.</p>
<p>How does your service proposal support the outcomes in the Community Vision for Surrey 2030?</p>	<p>Everyone benefits from education, skills and employment opportunities that help them succeed in life.</p>
<p>Are there any specific geographies in Surrey where this will make an impact? (Delete the ones that don't apply)</p>	<ul style="list-style-type: none"> • County-wide

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Equality Impact Assessment

Question	Answer
Briefly list what evidence you have gathered on the impact of your proposals	<p>We have looked at funding guidance and regulations from the department for education (DFE) and at the data which we have on schools. We consulted all Surrey state maintained schools and also consulted the Schools Forum, which is a statutory consultative body largely made up of representatives of schools. The proposed funding transfer was supported by 50% of schools responding to the consultation and by the Schools Forum on a vote of 9-8, subject to clarification of governance arrangements. The main concerns raised in the consultation were about the need to develop robust governance arrangements and to ensure that the funding was used effectively and promptly.</p> <p>All mainstream schools will still receive a minimum increase in pupil led funding of at least 1.6% per pupil (subject to certain technical exceptions). So the issue is how additional funding is allocated, rather than whether existing funding is reduced.</p> <p>Ultimately individual schools decide how they spend their budgets and will be responsible for ensuring that any negative impact on those with protected characteristics is minimised.</p>

2. Service Users / Residents

There are 10 protected characteristics to consider in your proposal. These are:

1. Age including younger and older people
2. Disability
3. Gender reassignment
4. Pregnancy and maternity
5. Race including ethnic or national origins, colour or nationality
6. Religion or belief including lack of belief
7. Sex
8. Sexual orientation
9. Marriage/civil partnerships
10. Carers protected by association

Though not included in the Equality Act 2010, Surrey County Council recognises that socio-economic disadvantage is a significant contributor to inequality across the County and therefore regards this as an additional factor.

Therefore, if relevant, you will need to include information on this. Please **refer to the EIA guidance** if you are unclear as to what this is.

Equality Impact Assessment

Age

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	This proposal only concerns funding of education for children aged 4-16 (schools)
Impacts (Delete as applicable)	N/a in total outside above age range

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Disability

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	We do not have direct data on incidence of disability in schools. The nearest we have is evidence on incidence of SEN and on children with Education Health Care Plans (EHCPs). While ultimately it is for individual schools to decide how to spend their funding, we would have cause for concern if a proposed funding change had a disproportionate impact on schools with high levels of SEND. We have looked at the proportion of schools whose budget increase would be at least 0.1% lower, at least 0.4% lower and at least 0.8% lower under the proposed transfer than without it (these thresholds reflect three main ways in which budgets may be affected). Our modelling shows that the proportion of primary schools with high incidence of SEN or of “high need” pupils, facing lower funding increases in excess of 0.4% or 0.8% of budget under the proposals is less than the corresponding proportion of primary schools as a whole (please see table at end of this section and annex 7 of schools funding consultation paper) although the reverse applies in secondary schools. The proportion of schools with the highest incidence of EHCPs or of SEN seeing lower funding increases exceeds the proportion of schools as a whole, but many of these see only small reductions in funding increases. Note that this is not a loss in funding.. It is actually a smaller increase than if the

Question	Answer
	proposal was not implemented. Therefore we conclude that there is no clear impact on schools with a high incidence of disability. (NOTE DfE regulations mean that the proposals will have no impact on schools on the DfE minimum per pupil funding level, which are generally relatively “low need” schools).
Impacts (Delete as applicable)	Inconclusive

Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner
The relative impact on schools with a high incidence of pupils in protected groups is mixed	Data from school census and funding modelling	Minimising negative impacts on protected groups will be a matter for individual schools	Ongoing	Issue for individual schools
Question		Answer		
What other changes is the council planning/already in place that may affect the same groups of residents? Are there any dependencies decisions makers need to be aware of		The accompanying proposal for an increase in lump sum funding may have less benefit for schools with high incidence of SEND		

Question	Answer
Any negative impacts that cannot be mitigated? Please identify impact and explain why	N/a

Gender reassignment

Equality Impact Assessment

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	No data is available on the incidence of this characteristic within Surrey schools.
Impacts (Delete as applicable)	N/a

Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner
No data available	n/a	n/a	n/a	n/a

Question	Answer
What other changes is the council planning/already in place that may affect the same groups of residents? Are there any dependencies decisions makers need to be aware of	None known

Pregnancy/maternity

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	This is not considered to be a major issue for schools funding
Impacts (Delete as applicable)	n/a

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Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner
Data not available	n/a	n/a	n/a	n/a

Question	Answer
What other changes is the council planning/already in place that may affect the same groups of residents? Are there any dependencies decisions makers need to be aware of	None known as group not identified for funding purposes

Question	Answer
Any negative impacts that cannot be mitigated? Please identify impact and explain why	n/a

Equality Impact Assessment

Race, including ethnic or national origins, colour or nationality

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	We do not have direct data on incidence of race in schools but we can extract data on ethnicity from the school census as a proxy. Again ultimately it is for individual schools to decide how to spend their funding, although we would have cause for concern if a proposed funding change had a disproportionate impact on schools with high levels of ethnic minorities. For this purpose we have looked at incidence of non British and non white ethnicity. Our modelling shows that the proportion of primary and secondary schools with high incidence of either, facing reductions in the level of funding increases, under the proposals is less than the corresponding proportion of primary and secondary schools as a whole. Note that overall this is not a reduction in funding. It is actually a smaller increase than if the proposal was not implemented.
Impacts (Delete as applicable)	Not disproportionately negative. The majority of mainstream schools will receive less of an increase in funding under these proposals. The issue under consideration is whether schools with a high incidence of protected groups are relatively affected and the data suggests that schools with high proportions of ethnic minorities are not.

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Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner
No differential negative impact	School census data (see end of section 2)	n/a	n/a	n/a

Question	Answer
What other changes is the council planning/already in place that may affect the same groups of residents? Are there any dependencies decisions makers need to be aware of	The separate proposal to increase the value of the schools lump sum (in order to support small schools) has marginally less benefit for schools with high incidence of this protected group.

Question	Age
Any negative impacts that cannot be mitigated? Please identify impact and explain why	No

Religion and belief, including lack of belief

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	No data is available on this characteristic for school pupils
Impacts (Delete as applicable)	Unknown

Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner
No impact identified as no data available	n/a	n/a	n/a	n/a

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Sex

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	We have looked at the variation in the proportion of girls and boys in year R-11 at school level. All except two of Surrey's mainstream schools are co-educational and for 80% of them the proportion of girls is between 45% and 54%. We concluded that this range was narrow enough for further analysis not to be justified.
Impacts (Delete as applicable)	Not known

Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner
None, see above	n/a	n/a	n/a	n/a

Sexual orientation

Question	Answer
<p>What information (data) do you have on affected service users/residents with this characteristic?</p>	<p>No data is held on this characteristic for school pupils.</p>
<p>Impacts (Unknown as no data)</p>	<p>n/a</p>

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Marriage/civil partnerships

Question	Answer
<p>What information (data) do you have on affected service users/residents with this characteristic?</p>	<p>Unlikely to be a significant issue as we are considering the impact on pupils of the distribution of funding to schools</p>
<p>Impacts (Delete as applicable)</p>	<p>n/a</p>

Equality Impact Assessment

Carers (protected by association)

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	We have no data on the number of school pupils who are carers
Impacts (Delete as applicable)	N/a

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Socio economic deprivation

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	We have looked at the incidence of pupils on free school meals at school level as a proxy for economic deprivation. For primary schools, the proportion of schools with above average incidence of free school meals seeing larger reduction in funding increases (up to 0.9% of budget) under these proposals is below the proportion of schools as a whole. The reverse is true for secondary schools. The proportion of schools with above average incidence of free school meals seeing any reductions in funding increases (including small ones) exceeds the proportion of all schools.
Impacts (Delete as applicable)	We concluded that the relative impact on schools with high incidence of protected groups is inconclusive.

Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner
Inconclusive	Data on incidence of pupils entitled to free school meals	No further action proposed	N/a	N/a

Question	Answer
<p>What other changes is the council planning/already in place that may affect the same groups of residents? Are there any dependencies decisions makers need to be aware of</p>	<p>The proposed increase in lump sum funding is less beneficial to schools with a high incidence of deprivation</p>

Question	Age
<p>Any negative impacts that cannot be mitigated? Please identify impact and explain why</p>	<p>N/a</p>

Equality Impact Assessment

Key data table for section 2: impact on customers/residents

The table shows the impact of the proposal on typical schools if it is implemented using the council's preferred method which is to have the highest possible minimum funding guarantee consistent with the transfer. In general, in Surrey, a higher minimum funding guarantee benefits schools with higher incidence of deprivation, SEND and ethnic minorities among pupils.

Reduction in budget	Primary			Secondary		
	>0.1%	>0.4%	>0.8%	>0.1%	>0.4%	>0.8%
% of schools seeing specified reduction or more						
Of all schools	64.86%	45.95%	41.55%	92.86%	76.79%	69.64%
Of schools with						
above average non British	61.22%	36.05%	30.61%	92.86%	75.00%	64.29%
above upper quartile non British	63.01%	36.99%	28.77%	92.86%	57.14%	50.00%
Above average non white	62.16%	35.14%	30.41%	92.86%	75.00%	71.43%
Above upper quartile non white	66.22%	37.84%	29.73%	92.86%	57.14%	50.00%
Above average for EHCPs	68.92%	43.24%	39.86%	100.00%	82.14%	78.57%
Above upper quartile for EHCPs	79.73%	43.24%	37.84%	100.00%	78.57%	71.43%
Above average for %SEN	73.65%	43.92%	39.19%	100.00%	82.14%	78.57%
Above upper quartile for %SEN	79.73%	39.19%	36.49%	100.00%	78.57%	78.57%
Above average for %FSM	78.23%	46.26%	42.18%	100.00%	82.14%	78.57%
Above upper quartile for %FSM	95.89%	39.73%	38.36%	100.00%	64.29%	57.14%

3. Staff

The data which we hold on characteristics of school staff is limited, not least because many schools are academies, whose staff are not local authority employees. We have looked at the DfE workforce census data but the only data which appears usable for this purpose is age (in part) and ethnicity; data on gender is provided in the survey but is substantially incomplete and data for most of the other categories is not held.

Staff age

Question	Answer						
<p>What information (data) do you have on affected service users/residents with this characteristic?</p>	<p>We have looked at data on teacher ages from the DfE workforce census, looking in particular at the proportion of teachers aged under 30 and over 50 (see table below). Corresponding data is not published for support staff.</p>						
		Primary Lose >0.1% of budget	Lose>0.4% of budget	Lose>0.8% of budget	Secondary Lose >0.1% of budget	Lose>0.4% of budget	Lose>0.8% of budget
	All schools	64.86%	45.95%	41.55%	92.86%	76.79%	69.64%
	Above average incidence	63.09%	44.97%	40.27%	92.86%	78.57%	71.43%
	Above upper quartile teachers aged over 50	68.00%	48.00%	42.67%	100.00%	78.57%	71.43%
	Above average incidence	57.72%	37.58%	33.56%	85.71%	71.43%	64.29%
	Above upper quartile teachers aged under 30	56.00%	29.33%	26.67%	85.71%	71.43%	64.29%

Equality Impact Assessment

Question	Answer
Impacts (Delete as applicable)	The distribution of funding between schools may affect the scope for promotion or put pressures on staffing budgets. It is always the responsibility of school management to ensure that protected groups are treated fairly when considering either issue. The available data indicates that transferring funding into the high needs block has a marginally greater impact on schools with the highest proportion of older teaching staff.

Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner
Possible marginal negative impact identified	Workforce census	Marginal-schools will be expected to manage	n/a	n/a

Staff ethnicity

Question	Answer																																										
<p>What information (data) do you have on affected service users/residents with this characteristic?</p>	<p>We have looked at published data from the DfE’s workforce census, see below.</p> <table border="1" data-bbox="660 478 2184 957"> <thead> <tr> <th></th> <th>Primary Lose >0.1% of budget</th> <th>Lose>0.4% of budget</th> <th>Lose>0.8% of budget</th> <th>Secondary Lose >0.1% of budget</th> <th>Lose>0.4% of budget</th> <th>Lose>0.8% of budget</th> </tr> </thead> <tbody> <tr> <td>all schools</td> <td>64.86%</td> <td>45.95%</td> <td>41.55%</td> <td>92.86%</td> <td>76.79%</td> <td>69.64%</td> </tr> <tr> <td>Above avg for ethnic minority teachers</td> <td>66.44%</td> <td>44.97%</td> <td>40.94%</td> <td>100.00%</td> <td>82.14%</td> <td>71.43%</td> </tr> <tr> <td>Above upper quartile for ethnic minority teachers</td> <td>73.33%</td> <td>46.67%</td> <td>41.33%</td> <td>100.00%</td> <td>78.57%</td> <td>71.43%</td> </tr> <tr> <td>Above avg for ethnic minority support staff</td> <td>55.03%</td> <td>45.64%</td> <td>27.52%</td> <td>92.86%</td> <td>67.86%</td> <td>64.29%</td> </tr> <tr> <td>Above upper quartile for ethnic minority support staff</td> <td>58.67%</td> <td>36.00%</td> <td>30.67%</td> <td>92.86%</td> <td>50.00%</td> <td>50.00%</td> </tr> </tbody> </table> <p>The data shows no clear evidence that schools employing a higher proportion of ethnic minority staff receive less of an increase in funding under the proposals.</p>		Primary Lose >0.1% of budget	Lose>0.4% of budget	Lose>0.8% of budget	Secondary Lose >0.1% of budget	Lose>0.4% of budget	Lose>0.8% of budget	all schools	64.86%	45.95%	41.55%	92.86%	76.79%	69.64%	Above avg for ethnic minority teachers	66.44%	44.97%	40.94%	100.00%	82.14%	71.43%	Above upper quartile for ethnic minority teachers	73.33%	46.67%	41.33%	100.00%	78.57%	71.43%	Above avg for ethnic minority support staff	55.03%	45.64%	27.52%	92.86%	67.86%	64.29%	Above upper quartile for ethnic minority support staff	58.67%	36.00%	30.67%	92.86%	50.00%	50.00%
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<p>Impacts (Delete as applicable)</p>	<p>The distribution of funding between schools may affect the scope for promotion or put pressures on staffing budgets in individual schools. It is always the responsibility of school management to ensure that protected groups are treated fairly when considering either issue. The available data indicates that the method of distributing funding does not disadvantage schools with higher incidence of staff in this particular priority group.</p>																																										

Equality Impact Assessment

Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner
No negative impact identified	N/a	n/a	n/a	n/a

4. Amendments to the proposals

CHANGE	REASON FOR CHANGE
We have not made any changes as a result of this EIA. We believe that the proposed combination of formula factors offers the best balance between minimising the impact on protected groups, maintaining financial stability of a range of schools and converging on the national funding formula.	None made.

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5. Recommendation

Based your assessment, please indicate which course of action you are recommending to decision makers. You should explain your recommendation below.

Outcome Number	Description	Tick
Outcome One	No major change to the policy/service/function required. This EIA has not identified any potential for discrimination or negative impact, and all opportunities to promote equality have been undertaken	

<p>Outcome Two</p>	<p>Adjust the policy/service/function to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?</p>	
<p>Outcome Three</p>	<p>Continue the policy/service/function despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are:</p> <ul style="list-style-type: none"> • Sufficient plans to stop or minimise the negative impact • Mitigating actions for any remaining negative impacts plans to monitor the actual impact. 	<p>x</p>
<p>Outcome Four</p>	<p>Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination</p> <p>(For guidance on what is unlawful discrimination, refer to the Equality and Human Rights Commission's guidance and Codes of Practice on the Equality Act concerning employment, goods and services and equal pay).</p>	

<p>Question</p>	<p>Answer</p>
<p>Confirmation and explanation of recommended outcome</p>	<p>The proposal offers the scope for significant investment in improving inclusion of children with SEN in mainstream schools through the redistribution of transferred funding, and there is little consistent evidence that the lower mainstream formula funding needed to go with it has a negative impact on protected groups.</p>

6a. Version control

Version Number	Purpose/Change	Author	Date
0.1		David Green	22 Oct 2021
0.2		Mary Burguieres/ /David Green	29 Oct 2021

The above provides historical data about each update made to the Equality Impact Assessment. Please do include the name of the author, date and notes about changes made – so that you are able to refer back to what changes have been made throughout this iterative process. For further information, please see the EIA Guidance document on version control.

6b. Approval

Approved by*	Date approved
Head of Service	
Executive Director	
Cabinet Member	
Directorate Equality Group	

EIA Author	
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*Secure approval from the appropriate level of management based on nature of issue and scale of change being assessed.

6c. EIA Team

Name	Job Title	Organisation	Team Role
David Green	Senior Finance Business Partner	Surrey CC-Resources	Author

If you would like this information in large print, Braille, on CD or in another language please contact us on:

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