

Equality Impact Assessment (EIA)

1. Topic of assessment

EIA title	Schools funding formula proposals for 2019/20: Changes to additional SEN funding for mainstream schools
EIA author	David Green

2. Approval

	Name	Date approved
Approved by	Liz Mills	18 October 2018

3. Quality control

Version number	001	EIA completed	
Date saved	18 October 2018	EIA published	

4. EIA team

Name	Job title	Organisation	Team role
David Green	Senior Principal Accountant	Surrey County Council	
Julie Stockdale	SEND & School Organisation Strategic Lead	Surrey County Council	

5. Explaining the matter being assessed

What policy, function or service is being introduced or reviewed?

Additional funding is currently allocated to primary and secondary schools where the incidence of “high need” SEND pupils (those requiring additional support costing more than £6000) is high relative to similar schools. The proposal is to raise the eligibility threshold for the additional funding, which will mean reducing the level of additional funding received by individual schools currently receiving additional funding. The proposal may be implemented from April 2019 or from September 2019. There is also an option to graduate the implementation for schools where there is an evidenced case that the impact would be disproportionate in one year on protected groups.

What proposals are you assessing?

DfE guidance expects mainstream schools to meet the cost of the first £6,000 of additional support for every pupil with an EHCP from their main budgets, but expects LAs to consider providing additional funding to a minority of schools with disproportionate numbers of such pupils. DfE guidance does not specify how LAs should do this. DfE expects all LAs to define a notional SEN budget for each school. Surrey has provided “additional SEN funding” to primary schools where the cost of funding the first £6,000 per EHCP exceeds 68.4% of the “level 2” notional SEN funding (that part of the SEN funding which is distributed based on deprivation and low prior attainment indicators) and also to secondary schools where the cost of funding the first £6000 per EHCP exceeds 100% of the level 2 notional SEN budget. The cost of this additional funding has increased as the number of children with EHCPs has increased.

The proposal being assessed is to increase the threshold for primary schools from 68.4% of the level 2 notional SEN budget to 100%, which would reduce the number of schools receiving funding and would reduce the cost of additional SEN funding from an estimated £2.1m to an estimated £1.0m, a reduction of less than 1% of the overall budget.

The impact would be mitigated for some schools by increases in formula funding as the formula factors are moved nearer to the government’s national funding formula.

Who is affected by the proposals outlined above?

The proposals affect schools, although the impact on individual staff and pupils will be a matter for individual schools;
The funding to be withdrawn is not directly attached to individual named pupils, but is driven by the total number of such pupils in a school.

6. Sources of information

Engagement carried out

The proposal was included alongside other proposals for changes in schools funding in a consultation paper which was sent to all schools and was available on the council's website, during September. 198 responses were received from schools, a response rate of 50.5%. This proposal was opposed by a majority of schools in that consultation,

The consultation responses were discussed with Surrey's elected Schools Forum on 28 September 2018. The Schools Forum did not support it either.

Data used

Data is largely drawn from the school census and from LA records of the number of "high needs" pupils. Data on many of the equality priority groups is not available for schools.

DfE benchmarking data for 2017/18 current balances of maintained schools budgets suggests that Surrey is a relatively high spender in this category.

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



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

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
Age	None identified	None identified	
Disability	Unlikely	Yes, to the extent that there are links to SEND	See notes below
Gender reassignment	No data	No data	
Pregnancy and maternity	No data	No data	
Race	None identified	No	The funding being withdrawn is not linked to race/ethnicity. Data analysis shows that schools with above average incidence of ethnic minorities are no more likely to lose funding, and no more likely to lose large sums under the proposed change than other schools.
Religion and belief	No data	No data	
Sex	None identified	None identified	
Sexual orientation	No data	No data	
Marriage and civil partnerships	No data	No data	
Carers (protected by association)	No data	No data	

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

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
Age			It is a matter for schools to ensure they consider the impact of their actions as a result of these funding changes for any staff with protected characteristics
Disability			
Gender reassignment			
Pregnancy and maternity			
Race			
Religion and belief			
Sex			
Sexual orientation			
Marriage and civil partnerships			
Carers (protected by association)			

8. Amendments to the proposals

Change	Reason for change

9. Action plan

Potential impact (positive or negative)	Action needed to maximise positive impact or mitigate negative impact	By when	Owner
Need to monitor whether schools which lose funding under this proposal resist admitting SEND pupils for whom they are the most appropriate placement			

10. Potential negative impacts that cannot be mitigated

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

11. Summary of key impacts and actions

Information and engagement underpinning equalities analysis	Analysis of school census data and consultation with schools and with the Schools Forum
Key impacts (positive and/or negative) on people with protected characteristics	Risk of disadvantage to pupils with disabilities (likely overlap with SEND) if proposals are implemented
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	

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