

Impact of the proposals on residents, service users and staff with protected characteristics

Schools Funding Consultation for 2019/20 Minor items

References are to sections in the schools funding consultation paper.

Proposal C4 Post 16 SEN place funding in mainstream schools

(This proposal is to allocate SEN place funding to mainstream sixth forms based on the number of sixth form pupils with EHCPs in the school in the previous year rather than the number in place in autumn 2012, as used so far. It follows a change of rules by DfE allowing the distribution of funding to schools to be updated. It will thus redistribute funding according to (nearly) current need (measured by current EHCPs) rather than historic need. As such, it should have a positive impact on SEND pupils, in so far as EHCPs are a reliable measure of high cost SEND).

| Protected characteristic | Potential positive impacts | Potential negative impacts |
|--|--|--|
| Age | N/a | N/a |
| Disability | Yes. Distribution will better match current need | Should be none. Funding moves with need. |
| Gender reassignment | No data | No data |
| Pregnancy and maternity | No data | No data |
| Race | N/a | N/a |
| Religion and belief | No data | No data |
| Sex | N/a | N/a |
| Sexual orientation | No data | No data |
| Marriage and civil partnerships | N/a | N/a |
| Carers Protected by association | No data | No data |

| | | |
|--|--|--|
| | | |
|--|--|--|

Are there any direct or indirect impacts on protected characteristics? If yes, you will need to complete a full Equality Impact Assessment.

Yes **No**

(Expect a positive impact through targeting funding on current needs rather than historic needs)

NB Nature of proposal is such that no negative impact should be expected. It is just to update the distribution data annually – ie distribute funding on current EHCP numbers rather than historic EHCP numbers. Up to a few years ago DfE rules did not allow us to update the distribution data

Proposal D3 Growing schools and falling rolls funding

The proposals under consideration are to scale down vacancy funding for bulge classes and to phase out additional funding for schools with temporary falls in roll.

| Protected characteristic | Potential positive impacts | Potential negative impacts |
|--|----------------------------|---|
| Age | N/a | n/a |
| Disability | N/a | Could be indirect impact but not considered significant see below |
| Gender reassignment | No data | No data |
| Pregnancy and maternity | No data | No data |
| Race | N/a | Unlikely |
| Religion and belief | N/a | No data |
| Sex | N/a | No data |
| Sexual orientation | N/a | No data |
| Marriage and civil partnerships | N/a | No data |
| Carers Protected by association | N/a | No data |

Are there any direct or indirect impacts on protected characteristics? If yes, you will need to complete a full Equality Impact Assessment.

Yes

No

N

The proposals are to make small reductions in vacancy funding for growing schools and to phase out transitional funding for schools with temporary falls in rolls. Both funding streams are linked only

to changes in pupil numbers rather than to other characteristics, however, further analysis has been undertaken to consider whether they have a disproportionate impact on schools with high incidence of ethnic minorities or of pupils with SEN. This analysis suggests that there is no evidence that a reduction in growing schools funding would disproportionately affect schools with above average incidence of non white pupils although there is a slightly higher impact on schools with higher levels of SEN and low prior attainment

| | |
|---|--------|
| Proportion of primary schools receiving vacancy funding | 21.07% |
| Proportion of primary schools receiving vacancy funding which are | |
| Above average for % non white | 22.15% |
| In top quartile for % non white | 21.33% |
| In top percentile for % non white | 18.42% |
| | |
| Above average for % in | |
| EHCPs | 22.15% |
| In top quartile for % in EHCPs | 24.00% |
| In top percentile for % on EHCPs | 21.05% |
| | |
| Above average for % SEN | 26.85% |
| In top quartile for % SEN | 28.00% |
| In top percentile for % SEN | 28.95% |
| | |
| Above average for % low prior attainer | 24.83% |
| In top quartile for % low prior attainers | 28.00% |
| In top percentile for % low prior attainers | 23.68% |

Falling rolls funding is being received by 6 secondary schools in 2018/19. The incidence of non white pupils, pupils with EHCPs and pupils with all stages of SEN in these schools is summarised below

| | % non | | | rank (1=highest) for | | |
|----------------|--------|--------|--------|----------------------|-------|-------|
| | wh | % EHCP | % SEN | non wh | EHCPs | % SEN |
| Ash Manor | 12.47% | 0.75% | 8.49% | 36 | 53 | 48 |
| Glebelands | 5.58% | 1.58% | 14.76% | 53 | 34 | 23 |
| Bishop David | | | | | | |
| Brown | 36.16% | 2.39% | 19.45% | 3 | 18 | 10 |
| Therfield | 10.03% | 5.61% | 22.16% | 43 | 2 | 6 |
| Woolmer Hill | 6.50% | 1.68% | 20.13% | 52 | 32 | 9 |
| Matthew Arnold | 17.52% | 1.97% | 14.39% | 19 | 26 | 25 |

On the basis of 2018/19 pupil number assumptions, neither Bishop David Brown nor Therfield schools would have been expected to qualify for falling rolls funding anyway in 2019/20 even if the criteria remained unchanged.

Thus falling rolls funding does not disproportionately benefit schools with high incidence of ethnic minorities or with high incidence of SEN, particularly if Bishop David Brown and Therfield schools are excluded from the comparisons.

Proposal D4 Maintained schools de-delegation proposals

The proposal is that all existing de-delegations continue ie

- Behaviour support
- CAPITA SIMS licences
- Teaching association and trade union facilities time (but for primary sector only)
- Other special staff costs
- Free school meals eligibility checking
- Primary school specific contingency
- Additional school improvement, including support to travellers

Some of these services particularly support vulnerable groups eg behaviour support services in part support pupils with SEN, travellers support is for a disadvantaged ethnic minority.

As Schools Forum approved all but one of the de-delegation proposals, current arrangements will continue with that one exception, and hence there will be no changes to services and no equality impact, purely as a result of the funding consultation. The one exception is union facility time for maintained secondary schools. Whether this has an equalities impact depends on whether priority groups are disproportionately represented in union caseloads. However, even if this is the case, decisions on de-delegation are legally decisions for Schools Forum, unless the LA chooses to appeal to the Secretary of State.

The LA will attempt to mitigate any impact on equality priority groups by extending the existing de-delegated union facilities to maintained secondary schools, on a contribution basis.

Proposal D5 Redistribution of surplus primary school contingency funding back to maintained primary schools

This proposal concerns a surplus which has accumulated because funding was deducted from maintained primary schools' budgets on a per pupil basis and the sum deducted was greater than required. The proposal is to return the surplus to maintained primary schools pro rata to the original contributions and hence on a per pupil basis. If future de-delegated primary contingency funding is to be secured it is important that schools realise that any surpluses are returned to the schools from which it was taken and it makes sense to base the refund as closely as possible to the original deduction method. The overall process of contingency deduction and refund thus has no equalities impact.

This proposal is consistent with practice in previous years

Proposal D6 Funding for the school led universal offer

This is a proposal to deduct funding from individual schools on a per pupil basis, to fund new services to schools. The proposed deduction basis treats all pupils alike and thus does not disadvantage any priority group. As the services have yet to be designed, it is too early to know whether they will differentially benefit priority groups.

General notes (applicable to all of these screenings)**The changes concern the allocation of funding to schools, and in part the distribution of funding between high needs pupils and others.**

Many of the protected characteristics are either not directly relevant to school pupils (eg age, marital/civil partnership status) or the data is not held (eg gender reassignment, pregnancy/maternity, religion/belief) While the distribution of funding could have an impact on staff (in that some schools may employ more while others may employ fewer) decisions as to the employment of individual staff are taken by individual schools and it is up to them to ensure that appropriate regard is had to equalities considerations when making decisions on staffing.

When distributing funding through the delegated funding formula, only factors permitted by the DfE may be used (race/ethnicity are not permitted factors, although EAL is).

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