

<b>EIA Title</b>				
<b>Did you use the EIA Screening Tool?</b> (Please tick or specify)	Yes (Please attach upon submission)	X	No	

## 1. Explaining the matter being assessed

<b>What policy, function or service change are you assessing?</b>	<p>Schools funding formula 2020/21 Impact of transferring £3.3m from schools block to high needs block (to fund service for children with special educational needs),                  A transfer of £3.3m from schools to high needs SEND is proposed in order to reduce the projected cumulative overspend on special educational needs and disabilities (SEND) This means that the increase in funding distributed to schools in 2020/21 would be an estimated £26m, compared to an increase of £29m if no transfer was made to high needs/SEND We are looking at the impact of the £3m transfer and at how the impact of not receiving the £3m works at school level.                  The decision is for one year only and will be reviewed as a matter of course prior to 2021/22.</p>			
<b>Why does this EIA need to be completed?</b>	<p>The distribution of funding between schools is based on a formula and related criteria The amount distributed and the way in which it is distributed could have impact on priority groups The service is statutory and there are statutory constraints on the way in which schools funding is distributed. Possible impact on disability/race/deprivation</p>			
<b>Who is affected by the proposals outlined above?</b>	<p>School staff and pupils. Possibly parents. For the purposes of this EIA there are two categories of staff and pupils, those funded by the high needs block and those funded by the schools block.</p>			
<b>How does your service proposal support the outcomes in <a href="#">the Community Vision for Surrey 2030?</a></b>	<p>Everyone benefits from education, skills and employment opportunities that help them succeed in life</p>			
<b>Are there any specific geographies in Surrey where this will make an impact?</b> (Please tick or specify)	County Wide	X	Runnymede	
	Elmbridge		Spelthorne	
	Epsom and Ewell		Surrey Heath	
	Guildford		Tandridge	
	Mole Valley		Waverley	
	Reigate and Banstead		Woking	
	Not Applicable			
	County Divisions (please specify if appropriate):			

**Briefly list what evidence you have gathered on the impact of your proposals?**

We have looked at funding guidance and regulations from the department for education (DFE) and at the data which we have on schools. We have also consulted with all Surrey state maintained schools and with the Schools Forum, which is a statutory consultative body largely made up of representatives of schools. Schools Forum rejected the proposal to transfer funding the High Needs Block for a range of reasons that are set out in the minutes of the meeting date 14 November 2019 and the consultation response analysis. The equalities impact of the proposal need to be seen in the context of Department for Education expectations that funding of schools moves in a measured way towards the DfE's national funding formula, and that overspends against the Dedicated Schools Grant are recovered from the Dedicated Schools Grant over a period acceptable to the DfE. The possibility of the Council funding the SEND deficit has been discounted for two main reasons. Firstly, the Council has already budgeted for a contribution to an offsetting reserve to match the cumulative HNB deficit. There is no room in the budget for any further support to SEND. The intention is that SEND spend will reduce to grant levels over three years, so the budgeted contribution to the reserve can then be used for other purposes. Secondly, the direction from the DfE has indicated that the intention is for councils not to use General Fund resources to fund DSG deficits. All schools will receive a minimum increase of at least 1.84% per pupil (subject to certain technical exceptions) So the issue is how additional funding is allocated, rather than whether existing funding is reduced (although it could fairly be argued that a 1.84% increase is still a real terms reduction).

## 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.*

## DISABILITY

**What information (data) do you have on affected service users/residents with this characteristic?**

We don't 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 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. Our modelling shows that the proportion of primary schools with high incidence of SEN or of "high need" pupils, facing losses under the proposals is marginally less than the corresponding proportion of primary schools as a whole. The situation in secondary schools is less clear cut. Note that a "loss" is relative. It is actually a smaller increase than if the proposal was not implemented.

Impacts (Please tick or specify)	Positive	No	Negative	No	Both	
	Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner	

**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**

There is a possible cumulative impact of changes to Additional SEN funding

**Any negative impacts that cannot be mitigated? Please identify impact and explain why**

*No negative targeted impacts have been identified*

***You will need to repeat the box below (copy and paste) for each of the protected characteristics likely to be impacted.***

## RACE

**What information (data) do you have on affected service users/residents with this characteristic?**

We don't 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 losses (or large losses) under the proposals is marginally less than the corresponding proportion of primary and secondary schools as a whole Note that a "loss" is relative It is actually a smaller increase than if the proposal was not implemented.

Impacts (Please tick or specify)	Positive	No	Negative	No	Both	
	Impacts identified		Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner

**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**

There is a possible cumulative impact of changes to Additional SEN funding

**Any negative impacts that cannot be mitigated? Please identify impact and explain why**

*No negative targeted impacts have been identified*

## DEPRIVATION

**What information (data) do you have on affected service users/residents with this characteristic?**

We have looked at data from the school census on eligibility for free school meals as a proxy for deprivation. Again ultimately it is for individual schools to decide how to spend their funding Our modelling shows that the proportion of primary and secondary schools with high incidence of deprivation facing losses (or large losses) under the proposals is marginally less than the corresponding proportion of primary and secondary schools as a whole Note that a “loss” is relative It is actually a smaller increase than if the proposal was not implemented.

Impacts (Please tick or specify)	Positive	No	Negative	No	Both	
<b>Impacts identified</b>	<b>Supporting evidence</b>		<b>How will you maximise positive/minimise negative impacts?</b>		<b>When will this be implemented by?</b>	<b>Owner</b>

**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**

There is a possible cumulative impact of changes to Additional SEN funding

**Any negative impacts that cannot be mitigated? Please identify impact and explain why**

*No targeted impacts have been identified*

## 3. Staff

### AGE

#### What information do you have on the affected staff with this characteristic?

We do not have detailed information on the number of staff falling into individual equality priority groups. 165 of Surrey's 356 "mainstream" primary and secondary schools are now academies, for which we have no staffing data. Schools are responsible for avoiding discrimination against priority groups when making staffing decisions. Individual schools may well employ fewer staff than if the £3.3m was not transferred, which may mean reduced progression opportunities for some and redundancy for others.

Impacts	Positive		Negative	Possible	Both	
<b>Impacts identified</b>		<b>Supporting evidence</b>	<b>How will you maximise positive/minimise negative impacts?</b>	<b>When will this be implemented by?</b>	<b>Owner</b>	
<i>Reduced opportunities/possible redundancies, but cannot be linked specifically to priority groups</i>		<i>School level data not held</i>	<i>This would need to be managed at individual school level</i>	<i>Ongoing</i>	<i>Issue for individual headteachers</i>	

**What other changes is the council planning that may affect the same groups of staff?  
Are there any dependencies decisions makers need to be aware of**

*None known*

**Any negative impacts that cannot be mitigated? Please identify impact and explain why**

*Identifies negative impacts that can't be mitigated, together with evidence.*

***You will need to repeat the box below (copy and paste) for each of the protected characteristics likely to be impacted***



## 4. Amendments to the proposals

CHANGE	REASON FOR CHANGE
<i>What changes have you made as a result of this EIA?</i>	<i>Why have these changes been made?</i>
None as yet	

## 5. Recommendation

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

Outcome Number	Description	Tick
<b>Outcome One</b>	<b>No major change to the policy/service/function required.</b> This EIA has not identified any potential for discrimination or negative impact, and all opportunities to promote equality have been undertaken	Y
<b>Outcome Two</b>	<b>Adjust the policy/service/function</b> to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?	
<b>Outcome Three</b>	<b>Continue the policy/service/function</b> 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: <ul style="list-style-type: none"> <li>• Sufficient plans to stop or minimise the negative impact</li> <li>• Mitigating actions for any remaining negative impacts plans to monitor the actual impact.</li> </ul>	
<b>Outcome Four</b>	<b>Stop and rethink</b> the policy when the EIA shows actual or potential unlawful discrimination (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, available <a href="#">here</a> ).	
<i>Please use the box on the right to explain the rationale for your recommendation</i>	It is not possible to ascertain what impact this proposal may have because schools control their own budgets and will make individual decisions as to how the budget that is allocated to it will be spent. It is possible that schools will be able to redistribute resources so that there is no discernible impact at all.	

## 6a. Version Control

Version Number	Purpose/Change	Author	Date
0.1	Original draft	David Green	21 Nov 2019 8am

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

	Name	Date approved
<b>Approved by*</b>	<i>Head of Service: Liz Mills</i>	27/11/19
	<i>Executive Director: Dave Hill</i>	27/11/19
	<i>Cabinet Member</i>	
	<i>Directorate Equality Group</i>	

<b>EIA Author</b>	David Green
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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	

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

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## ANNEX Key school data considered

The table below shows the percentage of primary and secondary schools, and of those with above average and high incidence of proxy equality groups for which we have school level data, which lose funding under the proposal to transfer £3m of funding to the high needs SEND block. Remember that a loss is relative to no transfer being made; in effect it means that schools are seeing £3m less nominal growth in funding than they would otherwise see.

The version below assumes that the minimum per pupil funding level (MPPL) is delivered in full

	Primary sector	Secondary			
	%Lose	Lose>1% of budget	Lose>2% of budget	Lose>3% of budget	Lose
all schools	69.80%	16.78%	8.72%	4.36%	62.50%
above average non British	67.79%	20.13%	9.40%	6.04%	60.71%
above upper quartile non British	70.67%	20.00%	9.33%	5.33%	28.57%
top 10% non British	78.95%	21.05%	7.89%	0.00%	28.57%
Above average non white	66.44%	16.11%	8.05%	4.70%	57.14%
Above upper quartile non white	66.67%	14.67%	8.00%	5.33%	50.00%
Top10% for non white	71.05%	13.16%	5.26%	2.63%	28.57%
Above average for EHCPs	67.79%	16.78%	9.40%	4.03%	71.43%
Above upper quartile for EHCPs	62.67%	17.33%	12.00%	5.33%	71.43%
Top10% for EHCPs	55.26%	15.79%	10.53%	5.26%	57.14%
Above average for %SEN	65.10%	14.77%	9.40%	4.70%	75.00%
Above upper quartile for %SEN	57.33%	17.33%	12.00%	5.33%	85.71%
Top10% for %SEN	39.47%	10.53%	7.89%	2.63%	71.43%
Above average for % on free school meals (FSM)	65.10%	10.07%	6.04%	3.36%	82.14%
Above upper quartile for %FSM	44.00%	4.00%	2.67%	2.67%	64.29%
Top 10% for %FSM	23.68%	0.00%	0.00%	0.00%	71.43%

### \*Education health care plans

Free school meals has been used as a proxy for social and economic deprivation

Our modelling shows that the proportion of primary schools with high incidence of SEN or of “high need” pupils, facing losses under the proposals is marginally less than the corresponding proportion of primary schools as a whole. The situation in secondary schools is less clear cut. Note that a “loss” is relative, it is actually a smaller increase than if the proposal was not implemented.

The version below assumes that the minimum per pupil funding level (MPPL) is reduced by 0.5% Again a “loss” is a loss in relative terms

	Primary				Secondary
	Lose	Lose>1% of budget	Lose>2% of budget	Lose>3% of budget	Lose
all schools	81.88%	18.79%	8.72%	4.70%	89.29%
above average non British	76.51%	22.82%	8.72%	6.71%	89.29%
above upper quartile non British	78.67%	22.67%	8.00%	6.67%	78.57%
top 10% non British	84.21%	26.32%	5.26%	2.63%	57.14%
Above average non white	76.51%	18.12%	7.38%	5.37%	89.29%
Above upper quartile non white	74.67%	18.67%	8.00%	6.67%	78.57%
Top10% for non white	73.68%	18.42%	5.26%	5.26%	57.14%
Above average for EHCPs	79.19%	18.79%	8.72%	4.03%	85.71%
Above upper quartile for EHCPs	70.67%	21.33%	10.67%	5.33%	85.71%
Top10% for EHCPs	63.16%	18.42%	10.53%	5.26%	71.43%
Above average for %SEN	71.81%	15.44%	8.72%	4.70%	82.14%
Above upper quartile for %SEN	56.00%	17.33%	12.00%	5.33%	85.71%
Top10% for %SEN	39.47%	10.53%	7.89%	2.63%	71.43%
Above average for %FSM	67.11%	10.74%	5.37%	3.36%	82.14%
Above upper quartile for %FSM	42.67%	4.00%	2.67%	2.67%	64.29%
Top10% for %FSM	21.05%	0.00%	0.00%	0.00%	71.43%

Conclude that there is no consistent evidence that the proposed transfer of £3m to high needs funding will adversely affect schools with high incidence of specific priority groups in the scenario where minimum per pupil level (MPPL) is reduced.