

EIA Title: Phase 1 Special School Funding Review – New Banding System Proposal

Question	Answer
Did you use the EIA Screening Tool?	No
1. Explaining the matter being assessed Question	Answer
What policy, function or service change are you assessing?	<p>The Distribution of High Needs Top Up Funding for Surrey Maintained and Academy Special Schools.</p> <p>A review of the way Surrey County Council funds maintained, and academy special schools has been under way since January 2020. This time has allowed for an extensive review and a collaborative approach in designing a new equitable and fair system.</p> <p>The proposal for a new banding structure and system has been co-produced by a Core Working Group of Special School Headteachers and Surrey County Council Officers.</p> <p>High Needs Funding to the special schools is paid through the High Needs Block in the form of Place Funding, Top Up Funding and IPSB (Individual Pupil Support Budget). IPSB is used where the current banding structure does not allow flexibility to fund pupils' specific needs. The current banding system is designed so that special schools are banded as per the special educational need they support. Some schools have access to only one band, whereas others have access to multiple. The current banding system has 4 bands and the gaps between the bands are not equal, which also means that schools rely on IPSB funding instead of correct banding.</p> <p>The proposal is to move to a new system consisting of 7 bands and the principle that funding follows a child based on their holistic needs, rather than basic funding depending on the school, place funding and top up funding, and additional needs being funded through IPSB outside the banding system.</p> <p>The proposal does not involve any change in the number and nature of specialist places being made available in Surrey.</p>

Equality Impact Assessment

<p>Why does this EIA need to be completed?</p>	<p>Currently, the lack of flexibility for funding for special schools and the current banding descriptors defining bands do not represent an accurate profile of need of our learners. Many of the pupils in special schools are in protected groups and thus will be affected, but negative impact has been minimised through careful mitigation of risk as detailed below.</p>
<p>Who is affected by the proposals outlined above?</p>	<p>Children and young people with Education Health and Care Plans moving into 22 of Surrey Special Schools through key stage transfer or moving between key stages within the school. Age in Scope: Eligible 2-year-olds – 19-year-olds.</p> <p>In line with DfE guidance for maintained and academy special schools, Surrey County Council is not proposing to reduce the average funding to special schools per learner. Surrey County Council will be supporting schools through a Minimum Funding Guarantee, meaning no school will see a reduction in average funding due to the proposal (although some will see a reduction in real terms funding) and therefore will not be impacted negatively.</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 which help them succeed in life</p>
<p>Are there any specific geographies in Surrey where this will make an impact?</p> <p>(Delete the ones that don't apply)</p>	<p>County-wide</p>

Equality Impact Assessment

<p>Briefly list what evidence you have gathered on the impact of your proposals</p>	<p>Surrey County Council and the Working Group have circulated the proposal to all special school headteachers of those schools in scope and held individual meetings to discuss impact on their schools and the sectors from within they work.</p> <p>Surrey County Council has gathered feedback from schools and have captured this within the impact assessment.</p> <p>Surrey County Council has presented the proposals for discussion at Special School Phase Councils and Schools Forum.</p>
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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
<p>What information (data) do you have on affected service users/residents with this characteristic?</p>	<p>The proposal affects children and young people between the ages of 2(where applicable)-19 only. The funding can only be spent on this age group in the special school sector.</p> <p>Implementation of proposal: The implementation of the proposal affects those children and young people entering into a special school for the first time i.e. at key stage transfer, or children already attending a special school but changing key stage year groups stated below</p> <p>NCY2 – NCY3 NCY6 – NCY 7 NCY11 – NCY12</p> <p>It does not affect those in other year groups within a special school unless they are in receipt of additional IPSB funding. Children and young people in receipt of additional IPSB funding already in a special school will have their funding moved over to a secure band, and it will no longer be reviewed termly, so that funding is secured for longer.</p> <p>Impact on schools has been assessed and through the DfE guidance, schools are protected through a minimum funding guarantee as mentioned above and therefore no child or young person would have any funding removed as a result of the banding review.</p>
<p>Impacts (Delete as applicable)</p>	<p>Positive</p>

Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner
Average funding per learner	Data collected on potential impact on schools and sectors.	KST process and close liaison with schools/ Minimum funding guarantee.	September 2022 and each September thereafter until all children are on the proposed banding system	<i>Commissioning & Finance</i>
Funding consistency for schools by redistribution of IPSB into new bands available for schools to access with no termly end dates.	Finance proposal agreed by working group.	Working with schools to look at needs holistically and assign to correct funding level.	September 2022 and each September thereafter until all children are on the proposed banding system	Commissioning

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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	There are no other changes proposed or being proposed which affects the funding for children accessing special schools

Question	Answer
Any negative impacts that cannot be mitigated? Please identify impact and explain why	None

Equality Impact Assessment

Disability

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	<p>We have data on the incidence of different types of SEND within the Special Schools</p> <p>We are not proposing to make changes to support already being provided for children and young people with EHCPs accessing the special schools.</p> <p>In the proposal, funding follows the learner rather than schools being banded and therefore children with additional needs and disabilities have easier access to additional funding if needed.</p> <p>Minimum Funding Guarantee means the average funding per learner is not being reduced for any category of learners and therefore, there will be no financial negative impact for schools supporting disabilities.</p>
Impacts (Delete as applicable)	Positive

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Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner
Ability to consider 7 bands of funding for a child dependant on level of need and/or disability	New descriptor of needs, redistribution of additional funding and the financial impact work for schools and sectors.	Working with schools to look at needs holistically and assign to correct funding level using the new descriptor of needs matrix as a guide.	September 2022 and each September thereafter until all children are on the proposed banding system	Commissioning

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

Question	Answer
Any negative impacts that cannot be mitigated? Please identify impact and explain why	None

Gender Reassignment

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	This protected group will not be affected. Any child or young person aged 2(where eligible)-19 with an EHCP that will be impacted in the proposal, will not be affected because of any gender reassignment. A majority of the surrey special schools are coeducational and where we do have same sex schools, any gender reassignment needs are looked at an individual case level by the professionals supporting them.
Impacts (Delete as applicable)	None

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Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner

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

Equality Impact Assessment

Question	Answer
Any negative impacts that cannot be mitigated? Please identify impact and explain why	None

Pregnancy and maternity

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	This protected group will not be affected. Any child or young person aged 4-19 that will be impacted in the proposal, will not be affected because of pregnancy or maternity, neither will it impact schools ability to allow staff to be pregnant or go on maternity leave. Any child or young person within the scope of the proposal who become pregnant would have their needs looked at an individual level by the professionals supporting them.
Impacts (Delete as applicable)	None

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Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner

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

Question	Answer
Any negative impacts that cannot be mitigated? Please identify impact and explain why	None

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 hold census data on nationality and ethnic groups within our schools. Additional funding for schools for children and young people with English as an Additional Language remains the same as under the current banding system and therefore has no impact to this protected group.
Impacts (Delete as applicable)	None

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Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner

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

Equality Impact Assessment

Question	Answer
Any negative impacts that cannot be mitigated? Please identify impact and explain why	None

Religion or belief including lack of belief

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	Individual schools will hold data around religious backgrounds within their schools and make arrangements to support these where possible. The LA does not hold this information. The proposal does not impact this protected group.
Impacts (Delete as applicable)	None

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Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner

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

Question	Answer
Any negative impacts that cannot be mitigated? Please identify impact and explain why	None

Sex

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	We hold census data and schools hold data on the mix of sex within their schools. The schools funding proposal does not impact this protected group as neither the current system nor the proposal recognise a difference in funding based on sex.
Impacts (Delete as applicable)	None

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Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner

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

Equality Impact Assessment

Question	Answer
Any negative impacts that cannot be mitigated? Please identify impact and explain why	None

Sexual Orientation

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	There is no data available for this. Children and young people aged 2-19 with EHCPs are within scope of the proposal and it does not impact this protected group as neither the current system nor the proposal recognise a difference in funding based on sex or sexual orientation.
Impacts (Delete as applicable)	None

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Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner

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

Question	Answer
Any negative impacts that cannot be mitigated? Please identify impact and explain why	None

Marriage / civil partnerships

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	Children and young people aged 2-19 with EHCPs are within scope of the proposal and it unlikely to impact this protected group.
Impacts (Delete as applicable)	None

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Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner

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

Equality Impact Assessment

Question	Answer
Any negative impacts that cannot be mitigated? Please identify impact and explain why	None

Carers protected by association

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	In the event that a child's SEN was affected by their caring responsibilities, their support would be looked at on an individual basis and doesn't impact any core funding for schools and therefore the proposal does not impact them.
Impacts (Delete as applicable)	None

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Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner

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

Question	Answer
Any negative impacts that cannot be mitigated? Please identify impact and explain why	None

Socio-economic

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	We are not proposing any changes to the distribution of deprivation funding to pupils in special schools as part of this process. Funding for free school meals and additional funding for looked after children remains unchanged.
Impacts (Delete as applicable)	None

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Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner

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

Equality Impact Assessment

Question	Answer
Any negative impacts that cannot be mitigated? Please identify impact and explain why	None

3. Staff

Age

Question	Answer
What information (data) do you have on affected service users/residents with this characteristic?	N/A
Impacts (Delete as applicable)	Positive / Negative / Both

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Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?	When will this be implemented by?	Owner
What impacts have you identified?	What are you basing this on?	Actions to mitigate or enhance impacts	Due date	Who is responsible for this?

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	If so, please detail your awareness of whether this will exacerbate impacts for those with protected characteristics and the mitigating actions that will be taken to limit the cumulative impacts of these changes.

Equality Impact Assessment

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

You will need to copy and paste these boxes for each of the protected characteristics likely to be impacted

4. Amendments to the proposals

CHANGE	REASON FOR CHANGE
What changes have you made as a result of this EIA?	Why have these changes been made?
None as the impact was assessed throughout the drafting and embedded into proposal.	N/A

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	X
Outcome Two	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?	
Outcome Three	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: <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. 	
Outcome Four	Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination (For guidance on what is unlawful discrimination, refer to the <u>Equality and Human Rights Commission's guidance and Codes of Practice on the Equality Act concerning employment, goods and services and equal pay</u>).	

Equality Impact Assessment

Question	Answer
Confirmation and explanation of recommended outcome	Outcome One The proposed changes make it easier for special schools to access funding for children with an EHCP against the current system where schools are banded rather than needs of a child. The amount of funding allocated to the proposal has not been reduced.

6a. Version control

Version Number	Purpose/Change	Author	Date
1	Draft	Jodi Emery	27/10/2021
2	Draft	Jodi Emery	02/11/2021

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	Jodi Emery
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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

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

Tel: 03456 009 009

Textphone (via Text Relay): 18001 03456 009 009

SMS: 07860 053 465

Email: contactcentre@surreycc.gov.uk