

Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated May 2015)

High Needs Block Budget 2019-20

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যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	North Yorkshire County Council: Central Services
Lead Officer and contact details	Howard Emmett - Assistant Director – Strategic Services
Names and roles of other people involved in carrying out the EIA	Jane Le Sage, Assistant Director – Inclusion Howard Emmett – Assistant Director – Strategic Resources Niki Joyce – Head of SEN Chris Reynolds – Placements Officer Qingzi Bu – Senior Accountant
How will you pay due regard? e.g. working group, individual officer	This work has been overseen by the High Needs Funding Officer Group. Monitoring

	<p>takes place via the Children and Young People's Leadership Team. The High Needs Funding Subgroup of the Schools Forum and the Schools Forum itself have advisory roles.</p> <p>Changes in each of the significant savings proposals underwent either the formal public consultation process or technical consultation with special schools in the County and has had its own EIA, which were separately monitored and reviewed.</p> <p>The decision on the allocation of the Schools Budget (which includes the High Needs Block Budget) has been delegated to the Corporate Director – Children and Young People's Service in consultation with the Corporate Director, Strategic Resources and Executive Members for CYPS and Finance on 20th February 2019.</p>
<p>When did the due regard process start?</p>	<p>Work on the different savings proposals started at different times, with the earliest in Spring 2018.</p>

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

Under the Children and Families Act 2014, the Council has a statutory responsibility to support the assessed needs of the children & young people with special education needs & disabilities (SEND). Under School Standards & Framework Act 1998 and School Early Years Finance England Regulations 2018 the Council has statutory duties to set the non-schools education budget (including the High Needs Budget). This EIA considers the cumulative impact of changes in the individual savings proposals as approved by the Executive on 15 January 2019 and the budget setting by County Council members on 20th February 2019 where the decision to set the High Needs Budget was delegated to the Corporate Director Children & Young Peoples Service.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

High Needs Funding provided by central government to local authorities has decreased in real terms in recent years. However, there has been significant increases in demand as a result of changes in the Council's statutory duty introduced through the Children and Families Act 2014. This means the Council is now facing difficult decisions on how to ensure sufficient funding is allocated to meet the needs of every child and young person with special educational needs and disabilities (SEND), while at the same time setting a balanced budget.

Following an unprecedented increase in the number of financially supported Education, Health and Care Plans (EHCPs), financial pressure on SEND and High Needs has continued to increase in 2018-19 with a projected underlying overspend of £5.7m. In 2019-20, the financial pressure is expected to continue. The proposed High Needs Block Budget incorporates additional core Council funding, the anticipated increase in demand, the reduction of costs as a result of the efficiencies and savings proposals and other changes that form integral part of the SEND Strategic Plan which aim to improve the service offer for children & young people with SEND. The detailed rationale of each of the individual savings proposals can be found within their own separate EIAs.

Section 3. What will change? What will be different for customers and/or staff?

There will be additional funding from the council to match forecasted need. This will be offset by a planned 1.0% transfer of £3.3m from Schools Block to High Needs Block. 0.5% of the transfer is included in financial planning assumptions. However, 0.5% was only confirmed by DfE on 28th February. This funding will be used to repay the shortfall in funding incurred in 2018-19. There are also some planned changes and efficiencies:

- 1) changes to the Element 3 (top up) allocation system (no budget reduction planned)
- 2) changes to provision for excluded pupils
- 3) changes to post-16 education

1) Element 3 allocation from Can-do to Banded model

With regard to customers (children and young people with SEND) we do not anticipate any reduction in provision, but we anticipate that provision will be better monitored and that outcomes will be more clearly identified and tracked in terms of the benefits from that provision.

With regard to customers (schools and settings) who may wish to apply for Element 3 funding as part of an EHC Assessment request, there will be a new process by which they request this funding. This will include the need for schools and settings to evidence what provision has already been made, to what extent this has and has not met needs, and therefore what additional provision is required to effectively meet each child/young/person's needs.

For all schools and settings there will be a consistent funding mechanism for both place and top up funding that will be applied.

The proposed review and reshaping of High Needs Budget allocation and processes will ensure funding is allocated and used as effectively as possible. Proposed changes will ensure SEND education provision is delivered within the available budget. The impact on a child/young person would be mitigated as the Authority will continue to make provision for all assessed needs.

With regard to young people and schools it is anticipated that any impact arising from changes to current provision will be mitigated by achieving better outcomes for individual children/young people with SEND and by having a better range of educational provision. The introduction of targeted mainstream provision across the county will increase provision for pupils with SEMH (social, emotional and mental health) needs, and it is anticipated that this will provide support earlier for the pupils, reduce exclusions and support pupils to be maintained in mainstream provision.

2) Changing the way provision for secondary aged pupils who are permanently excluded or at risk of permanent exclusion is commissioned and funded

With regard to young people and schools it is anticipated that any impact arising from changes to current provision will be mitigated by achieving better outcomes for individual young people with SEND and by having a better range of educational provision. The introduction of targeted mainstream provision across the county will increase provision for pupils with SEMH needs, and it is anticipated that this will provide support earlier for the pupils, reduce exclusions and support pupils to be maintained in mainstream provision.

The proposed revised governance arrangements for SEND provision will support local

approaches, for example towards alternative provision, meaning more decisions can be taken in individual localities. The provision of financial resource to local leaders will assist schools in developing or commissioning a broader range of provision to meet young people's needs. This will enable a greater focus upon earlier intervention strategies than currently exists. Proposals will also enable localities to identify training needs and provide peer support and challenge to better meet the needs of young people. More local approaches to governance would enable greater participation from all stakeholders involved and greater accountability.

The review and reshaping of High Needs Budget allocation for PRS/AP (Pupil Referral Service/ Alternative Provision) will ensure funding is allocated and used as effectively as possible and SEND education provision is delivered within the available budget. There will be an impact on budgets for individual PRS/AP which will be mitigated by:

- Developing a more flexible range of AP offer
- The introduction of targeted mainstream provision
- Clarity of commissioning of places and expectations
- Funding allocated to local areas to assist in earlier support and intervention
- Introduction of locality based multi-disciplinary teams providing outreach support including therapeutic interventions

The impact on a child/young person would also be mitigated as the Authority will continue to make provision for all assessed needs and meet its statutory duty in relation to permanently excluded pupils.

3) Implementation of guidance 600 hours of education for post 16 students

There will be no change in provision for young people with EHCPs who attend a 6th form within a school.

The change will be that the school will no longer receive 25 hours funding for the 16 hours of tuition per week that the young person receives, the school will receive the 16 hours of element 3 funding required.

There will not necessarily be a change in the provision for young people post 19, but there will be clearly identified Care provision and clearly identified next steps in terms of post education and adulthood. This is in line with both the Children and Families Act 2014 and the Care Act 2014.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

This assessment is based on a process of consultation and equality impact assessment built into the Council's overall High Needs Block budget development process. This has included:

- Equality impact assessments (EIAs) for specific budget proposals where a potential equality impact has been identified;
- On-going discussions between colleagues, the High Needs Funding subgroup of North Yorkshire Schools Forum, and special school headteachers meetings;
- Additional consideration of cumulative equality and wider community impact of the proposals;
- Responses to public consultation through our website, through public meetings
- Special Schools have been consulted on the application of transitional funding protection.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

The proposed High Needs Block Budget has a significant increased cost to the Council with a gross increase to the council's budget of £7.6 million. This is offset by the additional £1.2 million DSG (Dedicated Schools Grant) and £1.6 million (0.5%) Schools Block transfer.

The Council receives around £45m million in High Needs Block Funding to deliver provision for children and young people with SEND and to fulfil our statutory duty under the Children and Families Act 2014.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age	✓	✓	✓	<p>Customer: Things will improve as follows:</p> <ul style="list-style-type: none"> • A revised continuum of special education provision and a wider AP offer for North Yorkshire for secondary aged pupils will in the longer term mean a strengthened offer with improved early identification and intervention. This should reduce the numbers of pupils being excluded. • Lower numbers of permanent exclusion and negative impact of such in terms of attainment and life chances • The development of targeted mainstream provision will increase provision for secondary pupils with SEMH and capacity of schools to support children with SEMH • Local approaches and funding will allow for tailored approaches to meet needs for the secondary age group. <p>There may, however be negative impact in the shorter term during implementation as follows:</p> <ul style="list-style-type: none"> • The impact on the budgets of the PRS/AP will require changes to organisation of provision and potential changes for secondary aged pupils. This will be mitigated by transitional support for the provisions as the changed model is implemented, and by work undertaken with the independent research organisation to develop new provision models within the new budget model. • There may be an impact on secondary schools as provision models are changed and as other aspects of the Strategic Plan are introduced. This will be mitigated by clear communication and the work with ISOS outlined above. • There will be further mitigation in that for young people with an EHCP the LA have a statutory duty to make the provision contained in that plan and

				<p>for those young people who are permanently excluded it is statutory duty upon the LA to provide education.</p> <ul style="list-style-type: none"> This will be kept under review, and any adverse impact will be considered as the proposals develop in order to minimise any adverse impact. <p>The amended recommendation will mean that the new model for AP in localities is not implemented until September 2020. This will provide more time to work with secondary and PRS/AP head teachers to finalise the future model and funding arrangements in localities. This will also mean that all changes to the PRS are introduced together and the necessary transitional arrangements can be made .</p> <p>Young people aged 19 and over with an EHCP in education will have a more effective transition into adult services with a clearly articulated plan for how that transition will happen and Care provision built into their 5 day provision</p> <p>Age is not a factor in determining needs either in the current can-do or in the proposed new RAS. The statutory obligations only apply to children aged 0-25. However, age is not a factor in this proposed change as all children aged 0-25 with SEND will be able to access the funding equally according to assessed need.</p> <p>A further mitigation for age, disability and gender is that for those with an EHCP, the LA have a statutory duty to meet the needs contained within the plan and this over-rides any other considerations, policies or resources</p>
Disability		✓	✓	<p>Customer:</p> <p>Things will improve as follows:</p> <ul style="list-style-type: none"> For children and young people with a disability and special educational needs there will be a strengthened offer of special education provision which will increase the number of children and young people educated in North Yorkshire and improve outcomes. For children and young people who may have a medical need and as a result are considered to have a disability, but not a special educational need the introduction of the

			<p>virtual school will improve provision and monitoring. This will be supported by a clearer referral process and a strengthened home tuition model. In the short term 'in reach' provision will continue to be commissioned from the PRS/AP</p> <ul style="list-style-type: none"> • Requests for assessment will be accompanied by clear evidence of need, interventions and provision making it more clear what provision is required to meet needs. This will ensure that the young person receives exactly the provision they require • Once an EHCP is issued, it will be easier to ensure that a child is receiving the provision identified to meet needs as the school / setting will need to identify that they are delivering the provision specified at each annual review. <p>There may, however be some negative impact during transition between models. This will be managed by the named officer in the LA with engagement from parents/carers, children and young people and the PRS.</p> <ul style="list-style-type: none"> • There will be further mitigation in that for young people with an EHCP the LA have a statutory duty to make the provision contained in that plan and for those young people who are permanently excluded it is statutory duty upon the LA to provide education. • This will be kept under review, and any adverse impact will be considered as the proposals develop in order to minimise any adverse impact. • Some schools / settings have submitted CAN-DOs that have resulted in higher funding allocation than required by the needs. There may then be reductions in the amount generated by a more robust system. This should not impact on the young people as the LA has a statutory duty to make provision for assessed needs, but may impact on the school's budget. Once the new bandings have been allocated, we will look at the impact on each individual school budget and will look to mitigate any negative impact through transition funding. <p>Update following consultation</p> <p>The change to the timescale for the proposal will mean that there is more time to embed some of the wider developments in provision to support children with SEND including embedding the new model for enhanced mainstream schools, building capacity in the specialist sector and the delivery of the Opportunities Area project in the East.</p> <p>The changed timescale will also mean that we will introduce all changes to AP and the revised model to support children with medical needs at the same time, which will help transitional arrangements</p>
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Sex (Gender)	✓	✓		<p>Customer: Things will improve as follows:</p> <ul style="list-style-type: none"> • A revised continuum of special education provision and a wider AP offer for North Yorkshire for secondary aged pupils of both genders will in the longer term mean a strengthened offer with improved early identification and intervention. This should reduce the numbers of pupils being excluded. <p>We have heard some very clear messages from young people as to why they succeed in the current PRS model. We will ensure their feedback informs the locality based models for AP</p> <p>It is anticipated there would be no identifiable impact on gender as a result of the project. The SEND population of young people with EHCPs is higher among boys however as the LA have a statutory duty to meet the needs contained within the plan, this over-rides any other considerations, policies or resources</p> <p>Staff: No impact is anticipated.</p>

	✓			We will not be able to identify the exact implications for staff until the new models for AP have been fully developed. Implications will be addressed in accordance with employment legislation and guidance as required.
Race	✓			<p>Customer & Staff: It is anticipated there would be no identifiable impact on specific ethnic groups as a result of the project. This will be monitored and reviewed as the proposals are developed and, if the decision is taken to proceed with the proposals, implemented.</p> <p>As the new models for AP in localities are finalised the local authority will ensure that any new providers are fully trained in equality and safeguarding. The AP strategy for the LA will clearly state expectations of a high quality AP service that supports young people to achieve</p>
Gender reassignment	✓			<p>Customer & Staff It is anticipated there would be no identifiable impact in relation to gender reassignment as a result of the project. This will be monitored and reviewed as the proposals are developed and, if the decision is taken to proceed with the proposals, implemented.</p> <p>As the new models for AP in localities are finalised the local authority will ensure that any new providers are fully trained in equality and safeguarding. The AP strategy for the LA will clearly state expectations of a high quality AP service that supports young people to achieve Strengthening of monitoring processes for individual young people will also ensure young people accessing AP are monitored closely in terms of attendance, attainment and that their views are heard.</p>
Sexual orientation	✓			<p>Customer & Staff It is anticipated there would be no identifiable impact in relation to sexual orientation as a result of the project. This will be monitored and reviewed as the proposals are developed and, if the decision is taken to proceed with the proposals, implemented.</p> <p>As the new models for AP in localities are finalised the local authority will ensure that any new providers are fully trained in equality and safeguarding. The AP strategy for the LA will clearly state expectations of a high quality AP service that supports young people to achieve Strengthening of monitoring processes for individual young people will also ensure young people accessing AP are monitored closely in terms of attendance, attainment and that their views are heard.</p>
Religion or belief	✓			<p>Customer & Staff It is anticipated there would be no identifiable impact on specific religious groups or beliefs as a result of the project. This will be</p>

				<p>monitored and reviewed as the proposals are developed and, if the decision is taken to proceed with the proposals, implemented.</p> <p>As the new models for AP in localities are finalised the local authority will ensure that any new providers are fully trained in equality and safeguarding. The AP strategy for the LA will clearly state expectations of a high quality AP service that supports young people to achieve</p> <p>Strengthening of monitoring processes for individual young people will also ensure young people accessing AP are monitored closely in terms of attendance, attainment and that their views are heard.</p>
Pregnancy or maternity	✓			<p>Customer & Staff</p> <p>It is anticipated there would be no identifiable impact as a result of the project. This will be monitored and reviewed as the proposals are developed and, if the decision is taken to proceed with the proposals, implemented.</p> <p>As the new models for AP in localities are finalised the local authority will ensure that any new providers are fully trained in equality and safeguarding. The AP strategy for the LA will clearly state expectations of a high quality AP service that supports young people to achieve</p> <p>Strengthening of monitoring processes for individual young people will also ensure young people accessing AP are monitored closely in terms of attendance, attainment and that their views are heard.</p>
Marriage or civil partnership	✓			<p>Customer & Staff</p> <p>It is anticipated there would be no identifiable impact as a result of the project. This will be monitored and reviewed as the proposals are developed and, if the decision is taken to proceed with the proposals, implemented.</p>

Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
..live in a rural area?		✓	✓	<p>Customer:</p> <p>There may be a beneficial impact on those living in rural areas as a greater range of AP is developed.</p> <p>There may be a negative impact due to the transport costs which can sometimes be limiting in terms of access to AP. Schools are responsible for paying for transport to AP which may become problematic as schools budgets are under pressure. This will be mitigated by ensuring options are fully explored as new models of AP are being shaped in localities.</p>

	✓			<p>It is anticipated this will increase the range of options and the understanding of what is available in rural areas with a clear package into adulthood within the local rural community</p> <p>Staff: It is anticipated there would be no identifiable impact as a result of the project. We will not be able to identify the exact implications for staff until the new models for AP have been fully developed. Implications will be addressed in accordance with employment legislation and guidance as required.</p>
...have a low income?	✓	✓		<p>Customer: The proposals should have no or even a positive impact on low income families. Children in AP will be overseen by a central officer who will monitor participation and progress and can intervene if any difficulties arise and are impacting on outcomes.</p> <p>It is anticipated there would be no identifiable impact as a result of the project. During the consultation there was a comment that social deprivation should be a factor in the resource allocation. Resource is allocated on a child basis according to their needs. If their needs are greater due to the impact of social deprivation then they would be in a higher band with a greater allocation.</p> <p>Staff: No identified impact.</p>

Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.

It is anticipated proposed changes to the current provision will impact more on the following:

Secondary aged pupils with additional needs especially boys. Boys make up the larger numbers accessing PRS/AP provision at present.

These groups are more likely to find change challenging and will need support to make the transition. This will be mitigated by transitional funding, careful planning for any changes, work with ISOS on new models, phased transition to the new models, ongoing engagement with schools, young people and parents/carers and careful review during and following implementation of changes. The overall development of the continuum of need will also provide mitigation. In addition for young people with an EHCP the LA have a statutory duty to make the provision contained in that plan and for those young people who are permanently excluded it is statutory duty upon the LA to provide education.

The extension of the timescale will provide more time to agree the final AP model and to plan for the transition of individual children. Nominated officers in the local authority will be responsible for working with schools, PRS, young people and their families to ensure the transition is well planned and young people are supported.

Young People with EHC Plans may also benefit from the wider implications of changes to the Enhanced mainstream school model and the increase in capacity within the specialist sector.

Young people with special educational needs and disabilities.

These groups are more likely to find change challenging if changes are made to current services they will need support to make the transition. We will ensure that if any child or young person receives less funding as a result of the proposed changes that there is a transition plan to ensure required provision to meet needs is maintained. We will ensure that any child in an existing programme of study with existing education arrangements maintains that package and we commit to working with Adult Social Care colleagues on the transition arrangements beyond the current package of education so that they can realise the benefits of this proposal without any changes to their existing package. For new programmes of study from September 19 we would ensure that young people and their families / carers are fully aware and are supported to understand what their five day package (if required) will be and how Education and Care will work together and with them throughout the duration of the education programme and to transition into adult services post education.

Further work will be undertaken, once proposals have been through the decision making process. For each child, there is a statutory process of annual reviews which ensures that their needs are reviewed annually and the provision is reviewed to ensure it meets their special educational needs. We will continue to monitor the implementation through feedback, training and support at SENCO networks and in individual meetings between SENCOs, school and setting staff and the SEN Team.

Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	✓
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
<p>Explanation of why option has been chosen. (Include any advice given by Legal Services.)</p> <p>The Council must set a budget for High Needs within the funding envelope available including the councils resources approved as part of the Budget/ Medium Term Financial Strategy (MTFS) on 20 February 2019. The High Needs Budget proposal enables funding to meet projected demand, alongside planned efficiency and savings approved by Executive on 15 January 2019 and subsequently approved as part of the Council's Budget/ MTFS on 20 February 2019. There is a projected shortfall of £400k and the proposals acknowledge that this represents a savings gap which will require further work to identify remedial budget action. Equalities impact and consultation will be developed alongside any further proposals.</p>	

Section 10. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

In addition to the regular monitoring and reporting of finances to the Schools Forum, the Strategic SEND Plan sets out a comprehensive countywide North Yorkshire Inclusion Partnership model which will provides a strategic vision across North Yorkshire.

We will review performance across North Yorkshire Special Schools through regular discussions with Headteachers and Finance staff from special schools. The implementation of the new banded system model and impact of PRS transformation proposals will be reviewed as part of the normal performance monitoring arrangements as explained in the individual EIA related to each proposal agreed by the Executive on 15 January 2019.

Whilst this proposal incorporates decisions made by the Executive on 15 January 2019, the proposal is principally about setting the totality of the budget available for High Needs/ SEN. The proposal has been developed with due regard to the funding made available through the High Needs Block of the DSG, the additional funding made available through the Council and the proposed savings/ efficiencies agreed by Executive in January 2019. Therefore, the budget performance and system-wide performance will be reviewed by the Executive through the Quarterly performance monitoring regime.

Section 11. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements
1. Review of implementation / impact	Howard Emmett/ Jane Le Sage	March 2020		Quarterly Performance and Finance Monitoring Arrangements

Section 12. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

Within the consultation in relation to services for children and young people with SEND, potential adverse impacts have been identified.

- In respect of 1) Element 3 allocation from Can-do to Banded model:

This potential impact will be mitigated by the statutory duties that the Council has to make provision to meet the special educational needs. The Council has a statutory duty to carry out Annual Reviews for individual child/young person with an Educational Health and Care Plan (EHCP) to ensure that provision is still sufficient to meet need. The Council will continue to meet its statutory duties to meet the needs of the child/young person regardless of which band has been identified.

In addition to the statutory duties, the Council intend to mitigate the concerns regarding potential impact of the change we propose by developing an implementation plan for roll out of the Banding methodology from April 2019. To pick up on the concerns raised in terms of financial impact and training – the implementation plan needs to be robust in terms of the financial modelling and the roll-out and this will be scrutinised through the Spring Special Educational Needs Co-ordinator networks, Special Headteachers meeting and Schools Forum.

- In respect of 2) Changing the way provision for secondary aged pupils who are permanently excluded or at risk of permanent exclusion is commissioned and funded:

The drive to reduce exclusion and promote a wider range of Alternative Provision that can be used flexibly will have a positive impact on young people. It will mean

that schools can maintain young people on their roll and ensure the young people remain part of the school community, even if the young people are not physically in school five days per week. The positive impact of this will allow young people to retain relationships with teachers and peers in school and participate in events in school.

The impact of permanent exclusion on young people can be negative in terms of academic achievement and life chances into adulthood. Higher proportions of young people who have been permanently excluded rely on long term support from public services, have increased vulnerability and an enhanced risk of becoming involved with the criminal justice system.

The main implication of the changes to Alternative Provision (AP) models relate to transitional arrangements but also ensuring that young people receive the high levels of support and guidance required to ensure they participate fully. This will be mitigated by transitional funding, careful planning for any changes, work with ISOS on new models, phased transition to the new models, ongoing engagement with schools, young people and parents/carers and careful review during and following implementation of changes. The overall development of the continuum of need will also provide mitigation.

In addition for young people with an EHCP the Council has a statutory duty to make the provision contained in that plan and for those young people who are permanently excluded there is a statutory duty on the Council to provide education. In the future positive impact has been identified in relation to the continuum of need which will be developed as part of the Strategic Plan in relation to the protected characteristics of age, disability and sex.

Following the consultation the Council has taken action to amend the original proposal to ensure that there is further time to develop the new models for AP in localities. The Council has also proposed to commit 50% of the discretionary funding to the Pupil Referral Service (PRS)/AP provision until September 2020 to ensure establishments remain financially stable. (PRS also have reserves that can offset reductions to the discretionary funding). The Council remains of the view that there is a need to provide a more flexible range of AP that will support schools to personalise the learning for young people on their roll who are struggling with a traditional curriculum. The Council has heard that young people want us to ensure any new models provide high levels of support, a curriculum range and the options of smaller groups as these are important for success. If approval is given for this proposal the Council will work closely with secondary and PRS heads to finalise the plans for localities by the end of the Summer 2019 with implementation actions taken from September 2019 for delivery in September 2020.

- In respect of 3) Implementation of guidance 600 hours of education for post 16 students:

The Council will continue to meet its statutory duties to meet the needs of the young person regardless of whether a decision is taken to fund Special Educational Provision post 16 at the national guidance level.

From September 2019, where a young person has a five day package, this will be funded 2/5 by Adult Social Care and 3/5 by Education. The caveat is that the Council ultimately accepts responsibility for the EHCP as per the Children and Families Act 2014 and the Code of Practice and would ensure that identified needs and provision over five days were supported by appropriate funding regardless of the source of the funding. Implementation work will continue with Health and Adult Services over coming months to ensure the Council is compliant both with the Children and Families Act 2014 and the Care Act 2014, putting into place well planned and co-ordinated packages and transitions for this group of young people.

Section 13. Sign off section

This full EIA was completed by:

Name: Qingzi Bu
Job title: Senior Accountant
Directorate: Central Services
Signature:

Completion date:

Authorised by relevant Assistant Director (signature): Howard Emmett

Date: