

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

(Form updated May 2015)

### *High Needs Block Budget 2026-27*

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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 پوچھیے۔

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.

<b>Name of Directorate and Service Area</b>	North Yorkshire Council: Central Services
<b>Lead Officer and contact details</b>	Howard Emmett - Assistant Director, Resources (CYPS)
<b>Names and roles of other people involved in carrying out the EIA</b>	Amanda Newbold, Assistant Director – Inclusion Sally Dunn – Head of Schools, High Needs and Early Years Finance Leanne Stables – Head of Finance (CYPS)

<p><b>How will you pay due regard? e.g. working group, individual officer</b></p>	<p>This work has been overseen by the High Needs Funding Officer Group. Monitoring takes place via the Children and Young People's Leadership Team.</p> <p>The High Needs Funding Subgroup of the Schools Forum and the Schools Forum itself have advisory roles.</p> <p>Changes in budget are informed by anticipated demand pressures and known changes and DfE High Needs funding policy.</p> <p>The decision on the allocation of the High Needs Block Budget has been delegated to the Corporate Director – Children and Young People's Service in consultation with the Corporate Director, Resources and Executive Members for Finance and Schools.</p>
<p><b>When did the due regard process start?</b></p>	<p>Work on the High Needs Budget 2026-27 has been ongoing since Summer 2025 but has been informed by high needs funding policy over a number of years</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 the School Standards & Framework Act 1998 and School Early Years Finance England Regulations 2020 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 High Needs Budget informed by the wider budget setting by County Council members on 13<sup>th</sup> February 2026 where the decision to set the High Needs Budget was delegated to the Corporate Director - Children & Young Peoples Service in conjunction with the Corporate Director, Resources and Executive Members for Finance and Schools.

**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 remained insufficient to meet the increase in the number of children and young people assessed as requiring Education, Health and Care Plans 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. At this stage, the full detail on the operation of the recently

announced High Needs Stability Grant is still to be provided by the DfE along with the level of funding support to be provided to North Yorkshire Council.

Following continued unprecedented increases in the number of financially supported Education, Health and Care Plans (EHCPs), financial pressure on SEND and High Needs has continued to increase in 2025-26 with a projected accumulated deficit of c.£27.4m as at 31 March 2026. In 2026-27, the financial pressure is expected to continue. Following regulation changes in early 2020, the local authority is effectively prohibited from using core council funding towards costs which should be properly funded from Dedicated Schools Grant. However, the local authority has made provision within the LA budget to mirror any High Needs deficit as part of prudent budget setting arrangements. This provision will continue to be held in place until clarity has been provided on how the full high needs deficit will be funded. The High Needs Block Budget reflects the SEND Strategic Plan which aims to improve the service offer for children & young people with SEND.

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

The local authority sought a 0.5% Block Transfer from the Schools Block to the High Needs Block for 2025-26. This was supported by a majority of schools who responded to the local authority's consultation on high needs and by Schools Forum. The 0.5% Block Transfer was approved by the Council's Executive on 6 January 2026. Element 3 top-up funding values will increase by 2% for the 2026-27 financial year compared to 2025-26 values. The planned roll-out of further Targeted Mainstream Provision (TMP) will deliver local specialist provision and may avoid some higher cost placements as a result. The local authority will also continue with the SEN Inclusion Fund (SENI) within the Early Years Block which will mitigate the overall cost applied to the High Needs Block.

A number of reviews or further developments consistent with the Strategic Plan for SEND may commence during the year and this may deliver additional 'stretch' mitigations (i.e. delivering on statutory responsibilities in a more cost-effective way.). Where that is the case, any savings proposal will be accompanied by an individual Equalities Impact Assessment where appropriate and changes reflected in future year budgets.

### **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 previous 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 proposals;
- Responses to public consultation through our website, through public meetings

**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 results in planned spending of c.£95.6m which is c.£14.1m in excess of available funding. An equivalent local authority budget provision has been established to mirror this deficit (approved by Full Council on 13<sup>th</sup> February 2026). This provision will continue to be held in place until clarity has been provided on the operation of the DfE High Needs Stability Grant and on how the full high needs deficit will be funded.

The Council expects to receive £79.0m million in High Needs Block cash funding, with an addition of a further £2.4m from the 0.5% Block Transfer, to deliver provision for children and young people with SEND and to fulfil our statutory duty under the Children and Families Act 2014.

<b>Section 6. How will this proposal affect people with protected characteristics?</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
Age	✓	✓		<p>Things will improve as follows:</p> <ul style="list-style-type: none"> <li>• 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 result in a reduction in the numbers of pupils being excluded.</li> <li>• Lower numbers of permanent exclusion and negative impact of such in terms of attainment and life chances</li> <li>• The development of targeted mainstream provision will increase provision for secondary pupils with SEMH and capacity of schools to support children with SEMH</li> <li>• Local approaches and funding will allow for tailored approaches to meet needs for the secondary age group.</li> </ul> <p>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.</p> <p>Age is not a factor in determining needs in the banded approach to top-up funding. The statutory obligations only apply to children aged 0-25. However, age is not a factor in this budget as all children aged 0-25 with SEND will be able to access the funding equally according to assessed need.</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-ride any other considerations, policies or resources.
Disability	✓	✓		<p>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 their outcomes.</p> <p>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.</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-ride any other considerations, policies or resources.</p>
Sex (Gender)	✓	✓		<p>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 that are excluded.</p> <p>It is anticipated there would be no identifiable impact on gender as a result of setting the High Needs Budget.</p> <p>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 overrides any other considerations, policies or resources.</p>
Race	✓			It is anticipated there would be no identifiable impact on specific ethnic groups as a result of setting the High Needs Budget.
Gender reassignment	✓			It is anticipated there would be no identifiable impact in relation to gender reassignment as a result of setting the High Needs Budget.
Sexual orientation	✓			It is anticipated there would be no identifiable impact in relation to sexual orientation as a result of setting the High Needs Budget.
Religion or belief	✓			It is anticipated there would be no identifiable impact on specific religious groups or beliefs as a result of setting the High Needs Budget.

Pregnancy or maternity	✓			It is anticipated there would be no identifiable impact as a result of setting the High Needs Budget.
Marriage or civil partnership	✓			It is anticipated there would be no identifiable impact as a result of setting the High Needs Budget.

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?	✓	✓		There may be a beneficial impact on those living in rural areas as a greater range of Targeted Mainstream Provision is developed.  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.
...have a low income?	✓	✓		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.  It is anticipated there would be no identifiable impact as a result of setting the High Needs Budget

<p><b>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.</b></p> <p>It is anticipated the proposed budget will impact more on the following:</p> <p><b><i>Young people with special educational needs and disabilities.</i></b> These groups are more likely to find change challenging if changes are made to current services, they will need support to make the transition. 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.</p>
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<p><b>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)</b></p>	<b>Tick option chosen</b>
<p><b>1. No adverse impact - no major change needed to the proposal.</b> There is no potential for discrimination or adverse impact identified.</p>	✓
<p><b>2. Adverse impact - adjust the proposal</b> - 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.</p>	
<p><b>3. Adverse impact - continue the proposal</b> - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or</p>	

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)	
<b>4. Actual or potential unlawful discrimination - stop and remove the proposal</b> – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
<b>Explanation of why option has been chosen.</b> (Include any advice given by Legal Services.)	
<p>The Council must set a budget for High Needs within the funding envelope available including the Council's resources approved as part of the Budget/ Medium Term Financial Strategy (MTFS) on 13 February 2026. The High Needs Budget proposal enables funding to meet projected demand, alongside provision against any deficit approved as part of the Council's Budget/ MTFS on 13 February 2026. There is a projected in-year shortfall of up to £14.1m 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 as appropriate.</p>	

<p><b>Section 10. If the proposal is to be implemented, how will you find out how it is really affecting people?</b> (How will you monitor and review the changes?)</p> <p>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 provide a strategic vision across North Yorkshire.</p> <p>We will review performance across North Yorkshire Special Schools through regular discussions with Headteachers, Inclusion and Finance staff from special schools.</p> <p>Whilst this proposal incorporates decisions made by the Council on 13 February 2026 and the Executive on 6 January 2026, 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, and the budget provision made available through the Council. Therefore, the budget performance and system-wide performance will be reviewed by the Executive through the Quarterly performance monitoring regime.</p>
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<p><b>Section 11. Action plan.</b> 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.</p>				
Action	Lead	By when	Progress	Monitoring arrangements
1. Review of implementation / impact	Howard Emmett/ Amanda Newbold	March 2027		Quarterly Performance and Finance Monitoring Arrangements  CYPS SEND Programme Board
2. Consideration of further mitigating actions	Howard Emmett/Amanda Newbold	September 2026		Schools Forum

				CYPS SEND Programme Board
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**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.

At this stage of the EIA there is no evidence to suggest that the 2026-27 High Needs Budget proposals will significantly disadvantage one or more protected characteristics

**Section 13. Sign off section.**

This full EIA was completed by:

**Name:** Sally Dunn  
**Job title:** Head of Finance – Schools, Early Years & High Needs  
**Directorate:** Resources Directorate  
**Signature:** Sally Dunn

**Completion date:** 05/03/2026

**Authorised by relevant Assistant Director (signature):** Howard Emmett

**Date:** 09/03/2026