



Bristol City Council Equality Impact Assessment Form

(Please refer to the Equality Impact Assessment guidance when completing this form)

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| Name of proposal | High Needs Budget 18/19 |
| Directorate and Service Area | ACE Directorate |
| Name of Lead Officer | Sue Rogers |

Step 1: What is the proposal?

Please explain your proposal in Plain English, avoiding acronyms and jargon. This section should explain how the proposal will impact service users, staff and/or the wider community.

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| 1.1 What is the proposal? |
| <p>To re-set the 2018/2019 High Needs budget to £53.905m, following the successful judicial review challenge to the High Needs budget for 2018/19, set on 20th February 2018 and to ensure that none of the savings that were included in the papers to full Council in February 2018 have resulted in policy changes.</p> <p>The High Needs Block primarily funds pupils with high needs such as pupils with Special Educational Needs and Disabilities (SEND) who may have Education Health and Care Plans (EHCP), or pupils in Alternative Provision (AP) such as Pupil Referral Units or Hospital Schools.</p> <p>The High Needs Block Budget also funds the following:</p> <ul style="list-style-type: none"> • Special School Places for children and young people with EHCPs • SEN Top Up for children and young people on SEN Support whose needs are beyond those that can be reasonably met through Bristol and Out of Local Authority mainstream settings’ notional SEN budgets (£6k per pupil) • SEN Top Up for children and young people whose needs are beyond core offers in special schools and specialist resource bases, General Further Education settings, Pupil Referral Unit placements and Independent Non Maintained and Independent Specialist provision • SEN equipment and therapeutic support for children and young people with EHCPs |

- SEND and High Needs Services staffing – Bristol Autism Team, Sensory Support Service, the HOPE virtual School for Looked After Children, Safeguarding in Education Team, Alternative Provision Team, Educational Psychology Core Services and the SEND/ High Needs Business Unit.
- Support for schools in financial difficulty
- Trading with Schools

The local authority has a statutory responsibility, under the Children and Families Act 2014, to keep its special educational provision under review, to ensure sufficiency in placements to meet the needs of children and young people with Special Education Needs/Disabilities (SEND), working with parents/carers, young people and providers.

Our Goals are:

- To provide a stable platform to facilitate effective service that is responsive to the increasing numbers of children and young people with SEND and high needs in Bristol, along with the right workforce model that ensures their needs are appropriately supported.
- Improve outcomes for Bristol's children and young people with SEND as well as those identified with high needs including educational aspirations, engagement and progress in learning, in line with those who do not have SEND or high needs.
- Make sure all children and young people attend the right education setting that can meet their needs, where they receive a full time/ appropriate education offer that ensures they are safeguarded and their welfare is promoted.
- Reduce persistent absence and increase attendance for children and young people in receipt of SEN Support and those with EHCPs.
- Reduce / eliminate the need for permanent exclusions and reduce multiple fixed term exclusions for children and young people in receipt of SEN Support and those with EHCPs.
- Enable all children and young people to achieve their potential through having access to the right resources and provision needed to meet their needs and the right support for their education settings.
- Ensure each young person progresses post-16 to suitable education, training or employment and is fully prepared for adulthood.

The Local Authority's role:

- We commission school places, personal education packages, alternative learning provision and post 16 education for children and young people we

are responsible for.

- We are responsible for ensuring there are sufficient education places and the right types of education settings in our area.
- We have a duty to arrange education for permanently excluded pupils, children and young people with EHCPs and Children in Care and others who, because of illness or other reasons, are unable to attend mainstream settings.
- We must make sure schools and other partners are focused on safeguarding and promoting the welfare of children and young people with SEND up to age 25.
- We are responsible for promoting and driving high standards in education across all types of educational provision.
- We have to make financial provision for children and young people with EHCPs
- We have to ensure compliance with statutory duties associated with SEND legislation, safeguarding and Looked After Children/ Care Leavers.

Step 2: What information do we have?

Decisions must be evidence-based, and involve people with protected characteristics that could be affected. Please use this section to demonstrate understanding of who could be affected by the proposal.

2.1 What data or evidence is there which tells us who is, or could be affected?

- National data in relation to SEND
- Local data in relation to:
 - There are 54,000 pupils funded through the Schools Block
 - Children and young people with EHCPs: 2,211
 - Children and young people in receipt of SEN Support: 7,606
 - Children and young people who qualify for Top Up: 3,374
 - Children and young people in specialist Education settings: 894
 - Children and young people with EHCPs who attend Independent provision: 91
 - Children and young people who are Looked After by the Local Authority: 206
 - Children and young people who were previously looked after by the Local Authority: 128
 - Statutory Children and young people who are supported by specialist and inclusion services: 2,772+

- Children and young people who attend hospital education: 300

Other diversity and equality information about children and young people in Bristol:

- **Disability** 4.1% of children in Bristol are disabled or have a long term illness or condition
- **Age** The overall population of Bristol is 449,300. 18.6% of this population are age 0-15 and 16.7% are age 16-24
- **Race** 28% of children in Bristol are BAME (Black, Asian and Minority Ethnicity) compared to 18% for the city overall.
 - Minority ethnic pupils¹ in state funded Bristol schools: primary 37.7%; secondary; 34.5%; special schools 35.9%.
 - Special educational needs are most prevalent in travellers of Irish heritage and Gypsy/Roma pupils with 30.8% and 26.9% respectively. Travellers of Irish heritage and Black Caribbean pupils had the highest percentage of pupils with statements of SEN or EHC plans (4.4% and 4.0% respectively). Indian pupils had the lowest percentage of pupils with statements of SEN or EHC plans at 1.8%, compared with 2.8% of all pupils nationally.
- **Sex**
 - Overall in Bristol there is an equal male / female distribution with slightly more (50.3%) males under age 25.
 - Special educational needs are more prevalent in boys than girls. In total 18.6% of boy have a special educational need compared to 9.7% of girls. This splits in to 14.6% of boys on SEN support and 4% with a statement of SEN or an EHC plan compared to 8.1% of girls on SEN Support and 1.6% with a statement of SEN or an EHC plan.
- **Religion and Belief** We do not have accurate information about the religion of children and young people in Bristol. According to the census, the largest faith group in Bristol are Christians. People with no religious belief make up the second largest group. Other main religious groups in the city are Muslims (5.1%), Hindu (0.6%), Sikh (0.5%), Buddhist (0.6%) and Jewish (0.2%).
- **Child Poverty** 23% of children under 16 are in low income families
 - Eligible for free school meals in state funded Bristol schools: primary 17.5%; secondary 18.5%; special schools 48.6%
 - Data from Bristol JSNA² highlights the inequalities in opportunity for young people in some of the most deprived areas of Bristol.

¹ Includes all pupils classified as belonging to an ethnic group other than White British.

There is an educational attainment gap for “disadvantaged children” and rates for young people going on to higher education are particularly low in South Bristol. Across Bristol numbers of children with special educational needs (SEN) are higher in more deprived areas, and rates of school leavers who are NEET (not in education, employment or training) vary significantly by Ward.

- Of families with a disabled family member 19% live in relative income poverty compared to 15% of individuals in families with no disabled member. This suggests that there are more families with a disabled member living in poverty.
- **NEET** 5.8% of 16-18 year olds are not in Education, Employment or Training
- **Language**
 - First language other than English in state funded Bristol schools: primary 22.3%; secondary 17.5%; special schools 16%
 - Pupils whose first language is known to be English are more likely to have special educational needs than those whose first language is known to be other than English. In 2017, 11.7% of pupils whose first language is known or believed to be English were on SEN support which is a reduction from 12.4% in 2016.

(school data from <https://www.gov.uk/government/statistics/schools-pupils-and-their-characteristics-january-2018>)

2.2 Who is missing? Are there any gaps in the data?

We do not have accurate data for children and young people about sexual orientation, gender reassignment, or pregnancy and maternity.

2.3 How have we involved, or will we involve, communities and groups that could be affected?

The changes now proposed to the high needs budget result in an increase in the funding available for 2018/19 over the budget originally set on 20th February 2018 with £2.7m in addition to that available via the government funding formula to provide greater ability to meet increased demand for SEND provision. Savings measures which formed the basis of the High Needs Budget set on 20th February (which was quashed in the recent judicial claim) will be withdrawn or unwound.

In determining the transfer between the funding blocks and general fund consultation took place with Schools Forum, Secretary of State, Cabinet

² <https://www.bristol.gov.uk/policies-plans-strategies/jsna-data-profile>

members and Inclusive Education Group. Whilst the proposed revision of High Needs Budget allocation results in an increase to the funds available the demand and funding pressures on the High needs budget for 2018/19 will continue and it will still be necessary to ensure that funding is allocated and used as effectively as possible. This will involve engagement with children and families. The proposed high needs budget for 2018/19 is also higher than the outturn high needs spend for 2017/18 of £53.087m.

There are no funding reductions proposed to the high needs budget and as such no specific consultation has been carried out on the detail.

Step 3: Who might the proposal impact?

Analysis of impacts on people with protected characteristics must be rigorous. Please demonstrate your analysis of any impacts in this section, referring to all of the equalities groups as defined in the Equality Act 2010.

3.1 Does the proposal have any potentially adverse impacts on people with protected characteristics?

Any shift in funding from one block to another within the DSG will have impacts on children and young people, including those with protected characteristics, in both the donor and recipient blocks (ie Schools Block and High Needs Block).

Children and young people with special educational needs are the main beneficiaries of High Needs Block funding. We know that there is an under-representation of girls and some ethnicities in this cohort, compared to the overall population of children and young people in Bristol (see above). Moving funding to HNB from other blocks may indirectly have a negative impact on these groups, which has to be balanced with the clear benefits of increased funding for those with high needs.

3.2 Can these impacts be mitigated or justified? If so, how?

What we are doing now is the mitigation - by ensuring that no policy changes have arisen as a consequence of the original, now quashed, decision on the original High Needs Budget in February 2018.

3.3 Does the proposal create any benefits for people with protected characteristics?

There will be an increase in funding to education settings where appropriate over the original high needs budget for 2018/19. The increase is beneficial to children and young people including those with protected characteristics – and is likely to be of particular benefit to those with SEND.

3.4 Can they be maximised? If so, how?

This will be considered through the course of the year and articulated when appropriate.

Step 4: So what?

The Equality Impact Assessment must be able to influence the proposal and decision. This section asks how your understanding of impacts on people with protected characteristics has influenced your proposal, and how the findings of your Equality Impact Assessment can be measured going forward.

4.1 How has the equality impact assessment informed or changed the proposal?

Additional responsibilities in relation to Public Sector Equalities Duties for children and young people with SEND, and their families – the duty to make reasonable adjustments.

We have thoroughly reconsidered the equalities impacts and consultation duties associated with service planning and budget setting.

4.2 What actions have been identified going forward?

The DSG budget setting will be part of the overall 2019/20 Council budget consultation in the autumn of 2018.

4.3 How will the impact of your proposal and actions be measured moving forward?

Neutral impact as no savings will be made.

Service Director Sign-Off:



Date: 19-09-2018

Equalities Officer Sign Off:



Duncan Fleming

Date: 24/9/2018