Equality Impact Assessment [version 2.9]



Title: Dedicated Schools Grant Budget 2022-23		
☐ Policy ☐ Strategy ☐ Function ☐ Service	⊠ New	
☑ Other [please state] Budget	☐ Already exists / review ☐ Changing	
Directorate: People	Lead Officer name: Alison Hurley	
Service Area: Education and Skills	Lead Officer role: Director	

Step 1: What do we want to do?

The purpose of an Equality Impact Assessment is to assist decision makers in understanding the impact of proposals as part of their duties under the Equality Act 2010. Detailed guidance to support completion can be found here Equality Impact Assessments (EqIA) (sharepoint.com).

This assessment should be started at the beginning of the process by someone with a good knowledge of the proposal and service area, and sufficient influence over the proposal. It is good practice to take a team approach to completing the equality impact assessment. Please contact the <u>Equality and Inclusion Team</u> early for advice and feedback.

1.1 What are the aims and objectives/purpose of this proposal?

Briefly explain the purpose of the proposal and why it is needed. Describe who it is aimed at and the intended aims / outcomes. Where known also summarise the key actions you plan to undertake. Please use <u>plain English</u>, avoiding jargon and acronyms. Equality Impact Assessments are viewed by a wide range of people including decision-makers and the wider public.

Purpose:

To note the in year 2021/22 position for the overall Dedicated Schools Grant and to set the Dedicated Schools Grant for 2022/2023 to create a fair and consistent distribution of funding that is closely aligned to need and is essential to supporting opportunity for all children, irrespective of their background, ability and need.

The Dedicated Schools Grant is the main source of revenue funding for state-funded 5 to 16 schools in England. DSG is paid to local authorities, minus deductions ('recoupment') for academies and subject to certain other adjustments. The Grant comprises of four blocks:

- The Schools Block
- Schools Central Services Block
- The High Needs Block
- The Early Years Block

The Dedicated Schools Grant (DSG) is a ring-fenced grant of which the majority is used to fund individual school budgets in maintained schools, academies and free schools. It also funds early years nursery free entitlement places for two, three and four year olds as well as provision for pupils with high needs including those with Special Educational Needs and or Disabilities (SEND) Education Health and Care Plans (EHCPs) in special schools and specialist provision in and out of Bristol.

Our Goals:

- 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.
- 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 suspensions for children and young people in receipt of SEN Support and those with EHCPs.
- Ensure each young person progresses post-16 to suitable education, training or employment and is fully prepared for adulthood.

1.2 Who will the proposal have the potential to affect?

☐ Bristol City Council workforce	⊠ Service users	☐ The wider community
☐ Commissioned services	☐ City partners / Stakeholder organisations	
Additional comments:		

1.3 Will the proposal have an equality impact?

Could the proposal affect access levels of representation or participation in a service, or does it have the potential to change e.g. quality of life: health, education, or standard of living etc.?

If 'No' explain why you are sure there will be no equality impact, then skip steps 2-4 and request review by Equality and Inclusion Team.

If 'Yes' complete the rest of this assessment, or if you plan to complete the assessment at a later stage please state this clearly here and request review by the Equality and Inclusion Team.

⊠ Yes	□ No	[please select]

Step 2: What information do we have?

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

Please use this section to demonstrate an understanding of who could be affected by the proposal. Include general population data where appropriate, and information about people who will be affected with particular reference to protected and other relevant characteristics: https://www.bristol.gov.uk/people-communities/measuring-equalities-success.

Use one row for each evidence source and say which characteristic(s) it relates to. You can include a mix of qualitative and quantitative data e.g. from national or local research, available data or previous consultations and engagement activities.

Outline whether there is any over or under representation of equality groups within relevant services - don't forget to benchmark to the local population where appropriate. Links to available data and reports are here <u>Data, statistics</u> and intelligence (sharepoint.com). See also: <u>Bristol Open Data (Quality of Life, Census etc.)</u>; <u>Joint Strategic Needs Assessment (JSNA)</u>; <u>Ward Statistical Profiles.</u>

For workforce / management of change proposals you will need to look at the diversity of the affected teams using available evidence such as HR Analytics: Power BI Reports (sharepoint.com) which shows the diversity profile of council teams and service areas. Identify any over or under-representation compared with Bristol economically active citizens for different characteristics. Additional sources of useful workforce evidence include the Employee Staff Survey Report and Stress Risk Assessment Form

Data / Evidence Source	Summary of what this tells us
[Include a reference where known]	
Joint Strategic Needs Assessment	The Joint Strategic Needs Assessment reports on the
https://www.bristol.gov.uk/en_US/policies-plans-	health and wellbeing needs of the people of Bristol. It
strategies/joint-strategic-needs-assessment	brings together detailed information on local health
	and wellbeing needs and looks ahead at emerging
	challenges and projected future needs. The JSNA is
	used to provide a comprehensive picture of the health
	and wellbeing needs of Bristol (now and in the future);
	inform decisions about how we design, commission
	and deliver services, and also about how the urban
	environment is planned and managed; improve and
	protect health and wellbeing outcomes across the city
	while reducing health inequalities; and provide
	partner organisations with information on the
	changing health and wellbeing needs of Bristol, at a
	local level, to support better service delivery.
SEN2	This is an annual statutory return which provides data
Education, health and care plans, Reporting Year 2021	on children and young people with an education,
– Explore education statistics – GOV.UK (explore-	health and care (EHC) plan maintained by the local
education-statistics.service.gov.uk)	authority.
Local Area education performance (Early Years, School	National statistics published by the DfE on attainment
Age mainstream and specialist provision)	outcomes for local authorities for early years
Early years foundation stage profile results: 2018 to	foundation stage and at the end of Key stage 2 and
2019 - GOV.UK (www.gov.uk)	Key stage 4. Includes a breakdown by characteristics
Statistics: key stage 2 - GOV.UK (www.gov.uk)	including SEN provision.
Statistics: GCSEs (key stage 4) - GOV.UK (www.gov.uk)	
Attendance and absence data	DfE Statistics on overall authorised and unauthorised
Statistics: pupil absence - GOV.UK (www.gov.uk)	pupil absences by school type, including persistent
	absentees and pupil characteristics
Population of Bristol	Updated annually. The report brings together statistics
https://www.bristol.gov.uk/statistics-census-	on the current estimated population of Bristol, recent
information/the-population-of-bristol	trends in population, future projections and looks at
	the key characteristics of the people living in Bristol.

Additional comments:

Summary points

- There are just over 11,750 pupils in Bristol schools with Special Educational Needs (SEN), which is 16.9% of all pupils.
- Approximately 4.1% of Bristol's child population have a "limiting long-term illness or disability", higher than the national average of 3.8%.
- 20.4% pupils have English as an additional language

Numbers of children and young people with SEN in Bristol schools

As at January 2021, there were 69,412 children on roll in Bristol schools.

- 11,758 (16.9%) pupils with special educational needs (SEN)
- 9,541 (13.7%) are receiving SEN support
- 2,217 (3.2%) have an Education, Health and Care Plan (EHCP)
- 582 pupils with an EHCP are female (26.9%) and 1,580 are male (73.1%).

4,736 pupils with SEN support are at a primary school (12.9% of all primary pupils) and 3,378 are at secondary schools (incl. All-throughs) in Bristol (14.4% of secondary pupils).

- 1,126 pupils with an EHCP are attending a special school (99% of all pupils in special schools), 460 are at secondary school, (incl. All-throughs) which is 2% of all pupils in secondary school and 534 are at primary schools (1.5% of all pupils at primary). 13 pupils with an EHCP are attending nursery and 31 a pupil referral unit.
- The proportion of children with an EHCP in primary schools has increased in the last year to be

greater than the proportion in secondary schools.

• The most prevalent primary needs by SEN in Bristol are: Social, Emotional and Mental Health; Speech, Language and Communication Needs; Specific Learning Difficulty; Moderate Learning Difficulty; Autistic Spectrum Disorder.

2.2 Do you currently monitor relevant activity by the following protected characteristics?

⊠ Age	□ Disability	☐ Gender Reassignment
☐ Marriage and Civil Partnership	□ Pregnancy/Maternity	⊠ Race
☐ Religion or Belief	⊠ Sex	☐ Sexual Orientation

2.3 Are there any gaps in the evidence base?

Where there are gaps in the evidence, or you don't have enough information about some equality groups, include an equality action to find out in section 4.2 below. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later. If you are unable to fill in the gaps, then state this clearly with a justification.

For workforce related proposals all relevant characteristics may not be included in HR diversity reporting (e.g. pregnancy/maternity). For smaller teams diversity data may be redacted. A high proportion of not known/not disclosed may require an action to address under-reporting.

There are gaps in performance and attendance data due to the impact of Covid on school continuity and exams. Bristol City Council commissioned a SEND data independent review¹ in 2019 with a number of recommendations to improve data collection which have/are being implemented.

2.4 How have you involved communities and groups that could be affected?

You will nearly always need to involve and consult with internal and external stakeholders during your assessment. The extent of the engagement will depend on the nature of the proposal or change. This should usually include individuals and groups representing different relevant protected characteristics. Please include details of any completed engagement and consultation and how representative this had been of Bristol's diverse communities. See https://www.bristol.gov.uk/people-communities/equalities-groups.

Include the main findings of any engagement and consultation in Section 2.1 above.

If you are managing a workforce change process or restructure please refer to <u>Managing change or restructure</u> (<u>sharepoint.com</u>) for advice on consulting with employees etc. Relevant stakeholders for engagement about workforce changes may include e.g. staff-led groups and trades unions as well as affected staff.

We consulted all schools in October 2021 on the proposals to transfer funding between blocks, on the principles of the funding formula for mainstream schools and the arrangements for some central budgets for maintained mainstream schools.

We are consulting with all Early Years settings in relation to the funding in this area. It is proposed to continue all existing rate arrangements and supplements as agreed in previous years into the financial year 2022/2023 with one exception; Bristol City Council will increase the hourly base rate for Eligible 2 Year Olds by £0.21 (increasing the rate from £5.56 to £5.77 from April 2022) after receiving an £0.21 increase from the Department for Education (i.e. BCC are passing through the full increased rate from the DfE) to allocate for 2022/23.

Where it is in the local authority remit we will explore opportunities to target funding to those groups which the evidence demonstrates face barriers to their educational achievement. We believe that all pupils will benefit from a fairer distribution of funding. Where decisions may have a disproportionate impact on some children and young people because of the protected characteristics, appropriate engagement and consultation will ensure the views of service users, and groups that represent them are taken into account and help build a consensus around the case if any for change and that our statutory duties are complied with.

All responses to the DSG Budget Consultation have been analysed and summarised in relevant Schools Forum reports that are published on the Bristol City Council website.

2.5 How will engagement with stakeholders continue?

Explain how you will continue to engage with stakeholders throughout the course of planning and delivery. Please describe where more engagement and consultation is required and set out how you intend to undertake it. Include any targeted work to seek the views of under-represented groups. If you do not intend to undertake it, please set out your justification. You can ask the Equality and Inclusion Team for help in targeting particular groups.

Schools Forum will continue to engage in the budget developments through the main meetings and finance subgroup.

Two Task and Finish Groups have been established to support the development and implementation of the DSG Management Plan. the Groups are focused on the Early Years Block and the High Needs Block.

We will be consulting the public on the arrangements for High Needs in Bristol, as part of the developing DSG Management Plan

Step 3: Who might the proposal impact?

Analysis of impacts must be rigorous. Please demonstrate your analysis of any impacts of the proposal in this section, referring to evidence you have gathered above and the characteristics protected by the Equality Act 2010. Also include details of existing issues for particular groups that you are aware of and are seeking to address or mitigate through this proposal. See detailed guidance documents for advice on identifying potential impacts etc. Equality Impact Assessments (EqIA) (sharepoint.com)

3.1 Does the proposal have any potentially adverse impacts on people based on their protected or other relevant characteristics?

Consider sub-categories (different kinds of disability, ethnic background etc.) and how people with combined characteristics (e.g. young women) might have particular needs or experience particular kinds of disadvantage.

Where mitigations indicate a follow-on action, include this in the 'Action Plan' Section 4.2 below.

GENERAL COMMENTS (highlight any potential issues that might impact all or many groups)

Through the Local Authority's statutory role and duties, consideration is given to any adverse impact on children and young people, based on their protected characteristics. These duties include:

- Determination of the budgets for distribution to schools and early years settings, and allocation of the High Needs Block – all in the context of the National Funding Formula for each block.
- Commissioning of school places, personal education packages, alternative learning provision and post 16 education for children and young people we are responsible for.
- Responsibility for ensuring there are sufficient education places and the right types of education settings in our area.
- Arranging 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.
- Ensuring the Local Authority, schools and other partners are focused on safeguarding and promoting the welfare of children and young people with SEND up to age 25.
- Promoting and driving high standards in education across all types of educational provision.
- Establishing financial provision for children and young people with EHCPs
- Ensuring compliance with statutory duties associated with SEND legislation, safeguarding and Looked After Children/ Care Leavers.

PROTECTED CHARACTERISTICS			
Age: Young People	Does your analysis indicate a disproportionate impact? Yes $oxtimes$ No $oxtimes$		
Potential impacts:	The proposals for budget allocations for Early Years settings (Maintained Nursery		
	Schools, nursery classes in infant / primary schools, Private, Voluntary and Independent		
	settings) are a continuation of the 2021/22 rate arrangements and supplements (and are		
	to be put to School Forum for agreement in January 2022) into the financial year		
	2022/2023 with one exception; Bristol City Council intends to increase the hourly base		
	rate for Eligible 2 Year Olds by £0.21 (increasing the rate from £5.56 to £5.77 from April		
	2022) after receiving an £0.21 increase from the Department for Education (i.e. BCC are		
	passing through the full increased rate from the DfE). The scope for change to address		
	inflationary pressures or to refocus the formula on supporting protected groups is limited		
	because of the freezing of early years funding rates in the Early Years National Funding		
	Formula. Settings have had to adapt to the introduction of the Early Years National		
	Funding Formula, with funding levels for 3 and 4 year olds having reduced from £6.36 in		
	2016/17 to £5.69 in 2019/20 and has remained unchanged since and into 2022/23. For 2		
	year olds, the rate is increasing from £5.56 to £5.77. The extension of the early years		
	funded provision from 15 hours to 30 hours per week is a difficulty for some settings		
	which had been able to sell extra hours to their parents at rates that are higher than the		
	rates they receive through the EYNFF. Settings have known that this would be the		
	trajectory, but had hoped that some inflationary pressures would be built into the		
	national funding rates. This will mean difficult choices for settings to operate within the available funding and presents challenges to many settings in achieving a balanced		
	budget. Currently this is demonstrated with 11 maintained nursery schools in deficit.		
Mitigations:	See comments above		
Age: Older People	Does your analysis indicate a disproportionate impact? Yes □ No ☒		
Potential impacts:	bees your analysis maleace a disproportionate impact. Yes — No —		
Mitigations:			
Disability	Does your analysis indicate a disproportionate impact? Yes ⊠ No □		
Potential impacts:	The High Needs budget is being set on the basis of existing policies and existing rates to		
·	settings, with forecast levels of demand. Any changes to policies or rates will emerge		
	from the work of the High Needs Improvement Programme (in development), which will		
	take account of impacts through stakeholder engagement, consultation and equality		
	impact assessments. The budget proposals, as they stand, represent no change on		
	existing practice or funding rates, but the programme will seek to understand and		
	address areas where outcomes for children and young people are not good.		
Mitigations:	See comments above		
Sex	Does your analysis indicate a disproportionate impact? Yes \square No \boxtimes		
Potential impacts:			
Mitigations:	There is limited scope to address systemic inequality in this budget setting		
	however all known existing disparities should be acknowledged and considered as		
	part of ongoing service design and commissioning		
Sexual orientation	Does your analysis indicate a disproportionate impact? Yes \square No \boxtimes		
Potential impacts:			
Mitigations:			
Pregnancy / Maternity	Does your analysis indicate a disproportionate impact? Yes ☐ No ☒		
Potential impacts:			
Mitigations:			
Gender reassignment			
	Does your analysis indicate a disproportionate impact? Yes ☐ No ☒		
Potential impacts:	Does your analysis indicate a disproportionate impact? Yes □ No ☒		
Mitigations:			
Mitigations:	Does your analysis indicate a disproportionate impact? Yes ⊠ No □		
Mitigations:	Does your analysis indicate a disproportionate impact? Yes ⊠ No □ • The population of Bristol has become increasingly diverse and some local		
Mitigations:	Does your analysis indicate a disproportionate impact? Yes ⊠ No □ • The population of Bristol has become increasingly diverse and some local communities have changed significantly. There are now at least 45		
Mitigations:	Does your analysis indicate a disproportionate impact? Yes ⊠ No □ • The population of Bristol has become increasingly diverse and some local		

	 Whilst we do not think that the overall budget setting should have a disproportionate impact on Race we are aware of existing disparities for Black, Asian and minority ethnic pupils. The 2017 Runnymede Report "Bristol - a city divided?" found ethnic minorities in Bristol experience greater disadvantage than in England and Wales as a whole in education and this is particularly so for Black African people. Black African young people are persistently disadvantaged in education compared to their White peers and addressing educational inequalities requires attention to the unrepresentativeness of the curriculum, lack of diversity in teaching staff and school leadership and poor engagement with parents. Although Bristol has low rates of permanent exclusion it has one of the highest rates for fixed term exclusions of any local authority in England, and a disproportionately high percentage of school pupils from Black, Asian and minority ethnic backgrounds have had one or more fixed term exclusion, compared to other English core cities and nationally. Nationally Gypsy and Roma, and Traveller of Irish Heritage pupils have the highest school exclusion rates (both permanent and temporary) however Mixed White and Black Caribbean, and Black Caribbean pupils also have high exclusion rates, and both are nearly three times as likely to be permanently excluded as White British pupils. There is an urgent need to recruit more Black Asian and ethnic minority teachers and teaching staff in Bristol. A 2018 BBC report' found that of the 1,300 teachers in Bristol, only 26 were Black, equating to less than two per cent. Local stakeholder engagement suggests schools may indirectly discriminate against Black, Asian and minority ethnic pupils due to lack of cultural competence. Rules about appearance may penalise pupils who dress differently or have different hairstyles. Conduct rules may not take into account the diversity of culture around language and ways of demonstrating inter-generational respect.
Mitigations:	There is limited scope to address systemic inequality in this budget setting however all known existing disparities should be acknowledged and considered as part of ongoing service design and commissioning
Religion or Belief	Does your analysis indicate a disproportionate impact? Yes \square No \boxtimes
Potential impacts:	
Mitigations:	
Marriage &	Does your analysis indicate a disproportionate impact? Yes ☐ No ☒
civil partnership	, , , , , , , , , , , , , , , , , , , ,
Potential impacts:	
Mitigations:	
OTHER RELEVANT CHARA	CTERISTICS
Socio-Economic	Does your analysis indicate a disproportionate impact? Yes $oxtimes$ No $oxtimes$
JUSTO EUGHOHIIC	2003 your arranges marcace a disproportionate impact: 163 22 140 -

(deprivation)		
Potential impacts:	 27.9% of pupils are classed as disadvantaged in Bristol 26.3% pupils receive Free School Meals Overall 70.7% of Early Years learners achieve a good level of development in Bristol. However there are big disparities by area with e.g. 53.9% in Hartcliffe and Withywood, and 91.3% in Cotham Hartcliffe and Withywood has the highest rate of school pupils with SEN in Bristol (234.5 per 1,000) and Cotham has the lowest (95.6 per 1,000) 	
Mitigations:	In setting this Budget we are acutely aware of existing disparities for pupils living in areas of deprivation and low income households. Whilst there is limited scope to address systemic issues in this budget setting we have considered socio-economic inequality as far as possible and will continue to do so as part of ongoing service design and commissioning	
Carers	Does your analysis indicate a disproportionate impact? Yes $oxtimes$ No $oxtimes$	
Potential impacts:	As above any negative impact on Early Years settings may restrict the range of provision available which would have a disproportionate impact on carers	
Mitigations:	As above	
Other groups [Please add additional rows below to detail the impact for other relevant groups as appropriate e.g.		
Asylums and Refugees; Looked after Children / Care Leavers; Homelessness]		
Potential impacts:		
Mitigations:		

3.2 Does the proposal create any benefits for people based on their protected or other relevant characteristics?

Outline any potential benefits of the proposal and how they can be maximised. Identify how the proposal will support our <u>Public Sector Equality Duty</u> to:

- ✓ Eliminate unlawful discrimination for a protected group
- ✓ Advance equality of opportunity between people who share a protected characteristic and those who don't
- ✓ Foster good relations between people who share a protected characteristic and those who don't

In the Schools Block, all mainstream schools' per pupil funding is being increased by at least 0.5% above the 2021/2022 level, with the funding available beyond this amount being distributed increased values for deprivation, English as an Additional Language (EAL) and low prior attainment.

The transfer of £1.5m from Schools Block to High Needs Block has been agreed in principle, after consultation with all schools and a formal decision by Schools Forum. This provides more funding for pupils with protected characteristics in the High Needs Block. Decision to be formalised in January's Schools Forum meeting.

Step 4: Impact

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

What are the main conclusions of this assessment? Use this section to provide an overview of your findings. This summary can be included in decision pathway reports etc.

If you have identified any significant negative impacts which cannot be mitigated, provide a justification showing how the proposal is proportionate, necessary, and appropriate despite this.

Summary of significant negative impacts and how they can be mitigated or justified:

No significant negative impact identified from the overall budget setting. However a necessary change to the hourly base rate for Eligible 2 Year Olds in line with DfE increases may exacerbate the existing pressures for Early Years Settings.

Summary of positive impacts / opportunities to promote the Public Sector Equality Duty:

The EQIA has helped shaped the whole approach to setting the DSG for 2022/23, particularly for the High Needs budget. The approach is different to that adopted in recent years. We now have a longer, more considered approach to the High Needs budget, focussed on outcomes for children and young people.

4.2 Action Plan

Use this section to set out any actions you have identified to improve data, mitigate issues, or maximise opportunities etc. If an action is to meet the needs of a particular protected group please specify this.

Improvement / action required	Responsible Officer	Timescale
We have thoroughly reconsidered the equalities impacts and consultation duties associated with service planning and budget setting.	Angel Lai	Completed
We will update this equality impact assessment with any potential impacts identified through analysis of local and national data set, and emerging issues.	Alison Hurley	Ongoing
Additional EQiA, specifically related to the DSG Management Plan is currently in development and will be provided, alongside the plan, to Schools Forum in March 2022.	Alison Hurley	Ongoing

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

How will you know if you have been successful? Once the activity has been implemented this equality impact assessment should be periodically reviewed to make sure your changes have been effective your approach is still appropriate.

Ongoing review through the statutory function of Schools Forum, which meets bi-monthly. This is a key stakeholder forum for the Local Authority.

Step 5: Review

The Equality and Inclusion Team need at least five working days to comment and feedback on your EqIA. EqIAs should only be marked as reviewed when they provide sufficient information for decision-makers on the equalities impact of the proposal. Please seek feedback and review from the <u>Equality and Inclusion Team</u> before requesting sign off from your Director¹.

Equality and Inclusion Team Review:	Director Sign-Off:
Reviewed by Equality and Inclusion Team	Alison Hurley
Date: 4 January 2022	Date: 4.1.2022

¹ Review by the Equality and Inclusion Team confirms there is sufficient analysis for decision makers to consider the likely equality impacts at this stage. This is not an endorsement or approval of the proposal.