

Oc BB Appendix 3 – Equalities Impact Assessment - New Banded Model for the allocation of EHCP top up funding to Schools and Providers included within the National Place-Plus System

1. Proposal Being Assessed

The Authority has developed an amended banded approach to the delegation of High Needs Block DSG funding, to schools and providers in Bradford included within the national Place-Plus System, for the 'top up' element associated with Education Health and Care Plans (EHCPs). This proposal affects the way additional top up funding is allocated to schools and providers to support them in their responsibilities to meet the needs of children and young people that have EHCPs.

2. Description of the proposal under assessment and what change it would result in if implemented.

Top-up funding (also known as Element 3 or 'Plus' funding) is the funding required by an institution, over and above place funding, to enable a child or young person with high needs to participate in education and learning.

As with many authorities, Bradford currently allocates top up from the High Needs Block, to schools and providers that are included within the national 'Place-Plus' framework, using a 'banded' or 'range' system. This model is used to assign EHCPs into categories of need for funding purposes. Each range has an applicable level of funding and a school or provider is allocated a set value of top up funding according to the range of the EHCP as determined by the SEND Panel.

A band system is more responsive to the funding of schools and providers for the needs of an individual child or young person than a blanket lump sum style approach but is not quite as sensitive as an approach where the cost of the needs of a child or young person is calculated on an exact basis. Blanket, band, and individually-costed systems all have pros and cons. The main positive features of band models, and of our proposed new model, are that these help promote consistency and transparency, reduce complication, support the quick assessment and release of funds, whilst also enabling the SEND Panel to find a 'close fit' for funding a school or provider for the needs of a child or young person with an EHCPs. The Council's expectation continues to be that this framework will enable a close fit to be found for the funding of the vast majority of EHCPs. It is accepted that there will be a small number of children or young people that will sit outside this banded framework, most of whom will be placed in specialist independent provisions.

The details of the changes proposed, and the transition to the new model, are given in Appendix 2 of this report.

The impact of the proposed changes on the funding of schools and providers for all children and young people with EHCPs, including those with protected characteristics, is assessed to be entirely positive both immediately at the point of change at 1 April 2020 as well as going forward:

- The new banded model retains the positive features of our existing ranges approach and will continue to be applied equitably across all schools and providers. However, it removes the reference to primary need, which results in a more flexible, responsive and accurate system. Our development work with the District Achievement Partnership has evidenced clearly how our EHCP funding system is improved through this single change.

- Each EHCP will be funded at the band value that provides the closest fit for meeting the cost of the needs of the child or young person. In the new model, the closest fit may also be found by combining ('stacking') more than one band value. This new facility to combine values means that the SEND Panel can use the model in a more flexible way than currently to find a very close fit.
- The bottom 'threshold' for the 1st step of Band 3 (3 Low) is 16 hours of support a week, which is the same as the current model. The new model does not change the threshold at which EHCP funding can initiate nor does it change the points of access to an EHCP. It purely changes the options that are available to the SEND Panel to use to ensure that a school or provider is appropriately and accurately funded.
- The values proposed to be allocated by the new model in 2020/21 are significantly increased, funded by High Needs Block headroom without any negative implication for any other DSG budget. The minimum value of increase in 2020/21 is 8.2%.
- The way that we propose to move to the new Banded Model at April 2020 means that all existing EHCPs will see uplift and no existing EHCPs will reduce in value as a result of model change. The full novation of all EHCPs at 1 April 2020 will avoid disproportionately disadvantaging any sector or type of EHCP that would result from a staggered implementation.

3. Will this proposal advance equality of opportunity for people who share a protected characteristic and/or foster good relations between people who share a protected characteristic and those that do not? If yes, please explain further.

This is a proposal that improves the way schools and providers in Bradford are funded for children and young people with SEND with EHCPs. Although it cannot be evidenced at this stage that this change will directly advance equality of opportunity for children and young people that share a protected characteristic, it is expected that it would support this.

4. Will this proposal have a positive impact and help to eliminate discrimination and harassment against, or the victimisation of people who share a protected characteristic? If yes, please explain further.

This is outside the scope of this proposal - this is a proposal that improves the way schools and providers in Bradford are funded for children and young people with SEND with EHCPs.

5. Will this proposal potentially have a negative or disproportionate impact on people who share a protected characteristic? If yes, please explain further.

No, the impact of the proposed changes, on the funding of schools and providers for all children and young people with EHCPs, and those with protected characteristics, is assessed to be entirely positive.

6. Please indicate the level of negative impact on each of the protected characteristics?

(Please indicate high (H), medium (M), low (L), no effect (N) for each)

Protected Characteristics:	Impact (H, M, L, N)
Age	N
Disability	N
Gender reassignment	N
Race	N
Religion/Belief	N
Pregnancy and maternity	N
Sexual Orientation	N
Sex	N
Marriage and civil partnership	N
Additional Consideration:	
Low income/low wage	N

7. How could the disproportionate negative impacts be mitigated or eliminated?

The impact of the proposed changes, on the funding of schools and providers for all children and young people with EHCPs, and those with protected characteristics, is assessed to be entirely positive.

8. Please consider which other services would need to know about your proposal and the impacts you have identified. Identify below which services you have consulted, and any consequent additional equality impacts that have been identified.

The proposed new banded model has been developed in combination with Local Authority Finance and SEND officers and the District Achievement Partnership. Consultation has taken place with the Schools Forum and directly with key SENCO and Headteacher groups. Wider consultation has also taken place through the publication of the consultation document on Bradford Schools Online. No additional equality impact assessments have been identified to be needed.

9. What evidence do you hold to back up this assessment?

We have worked closely with the District Achievement Partnership, using evidence and examples from special schools on the positive impact of the greater flexibility provided by the proposed model (the removal of the primary need marker as well as the ability to combine values). We have modelled the financial impact of the new model on existing EHCPs and have tested the model against an assumed notional cost base. No further evidence has been identified to be needed.

10. Results from any previous consultations prior to the proposal development.

We have developed this model with support from the District Achievement Partnership over the last 18 months. This work has involved looking at different models and options and then refining a preferred approach. We signalled development work as part of last year's Schools Budget setting and discussed this with the Schools Forum. Formal consultation on the final proposed model has

taken place between December 2019 and February 2020. Details of this consultation and an analysis of responses are included in Appendix 2 of this report. The proposed model was presented to the Schools Forum on 8 January and the Forum gave its full formal support.