

### EQUALITY SCREENING TOOL

This screening tool has been developed to assist you to make an initial assessment on the priority you may give to a proposal about, or review of a service, function, or policy in your area. It acts to indicate the likely impact this proposal could have on groups of people. Multiple proposals, or alternate options, can be run individually through this tool. It should be completed by someone who has knowledge of both the issue and the employees who will be carrying out the work. **[If you feel that there is likely to be a high impact then you can go straight to Stage 2 Document (Ensuring Legal Compliance)]**  
**LEVEL OF IMPACT** Is an indication of the likely impact your proposal could have upon communities &/or employees.  
**GREEN = low; YELLOW = medium rising to - AMBER = high medium; RED = High;**  
**RISK** This is an indication of the chance of not being able to mount a successful defence if challenged.  
**GREEN = low; YELLOW = medium; AMBER = high medium; RED = High;**  
**NB There is always a risk of challenge. A lack of evidence leads to a high score.**

<b>Directorate:</b>
Children & Adults
<b>Lead Officer:</b>
John Edwards
<b>Officers responsible for Assessment:</b>
Warwick Firmin

<b>Service:</b>
Learning
<b>Service Area:</b>
Schools Funding
<b>Date of Review:</b>
November 2012

**Impact Scores (max = 100)**  
**30 and below** - your proposal is likely to have little if any impact.  
**31 - 40** An EIA could be considered  
**41 - 54** your proposal is likely to have a wide impact. An EIA is advised  
**55 and above** An EIA is STRONGLY advised

**RISK (see above)**  
 Irrespective of the impact score; **IF risk background is GREEN less than 30%** then there is **likely to be sufficient evidence** demonstrate that **DUE REGARD** has been taken.

LEVEL OF IMPACT	RISK (%)
<b>95</b>	<b>39</b>

QUESTION No.	WHAT IS YOUR PROPOSAL?	type y or n	Comments (please explain your answer)
1	To withdraw a service, activity or presence	y	reduced funding to schools could result in cessation of services
2	To reduce a a service, activity or presence	y	reduced funding to schools could result in reduction of services
3	To introduce or increase a charge for Service	y	reduced funding at centre could result in increased charge to schools for service. Some services to be charged eg for academies
4	To change to a commissioned service	y	
5	To introduce, review or change a policy or procedure	y	
6	To introduce a new service or activity	y	
7	Is this about improving access to, or delivery of a service.	y	
8	Will you require supporting evidence on this issue	y	
<b>WHO WILL IT AFFECT?</b>			
9	Does this affect Employees? If YES please list	y	all staff in community and controlled schools
10	Does this affect a <u>Single Ward or Locality ONLY</u>	n	all Wards in Kirklees
11	Does this affect most of Kirklees or its Residents	y	most families with children of school age
12	Does this issue concern ANY Protected Characteristic Group.	y	deprivation, minority ethnic groups, disabled children
13	Can you foresee a negative impact on any Protected Characteristic Group(s)? If YES please state what these could be.	y	reduced provision for some / all protected groups
14	If IMPACT at this stage is less than 15 answer Y to this question		<b>IF YOU CAN ANSWER YES HERE THEN DO NOT ANSWER ANY FURTHER QUESTIONS</b>
<b>TAKING DUE REGARD</b>			
<i>Where consultation was needed:</i>			
15	Have you got any general intelligence (research, consultation, etc.)? If YES please list any related documents.	y	Consultation documents through Schools Forum
16	Have you got any specific intelligence (research, consultation, etc.)? If YES please list any related documents.	y	Detailed minutes of Schools Forum
17	Have you taken specialist advice? (Legal, E&D Team, etc). If YES please state.	n	
18	Have You considered your Public Sector Equality Duty? Please provide a rationale		
19	Can the Public access a "Decision Report"? If YES state where and how it can be accessed.	y	report will be available as appendix to Cabinet report
20	Can you mitigate any negative effect? Please state how	y	Initial phasing of changes through Minimum Funding Guarantee will mitigate effects in year 1 and enable planning to mitigate longer term impact
21	Do you have any supporting evidence? If YES please list the documents		
22	Have you published your information? If YES state where.	y	As appendix to Cabinet report

**ONLY IF** your proposal is likely to have **little or no impact** upon groups and you are confident that you have evidence to support your proposal and this document. (RISK less than 30% [GREEN])

- 1) Save this scoresheet;
- 2) Complete and save a 'Front Sheet';
- 3) Make sure you have gathered any supporting evidence documents and they are listed above
- 4) SEND Electronic copies of this tool and a front sheet to [equalityanddiversity@kirklees.gov.uk](mailto:equalityanddiversity@kirklees.gov.uk)

**IF** your proposal is likely to have **medium or above impact** upon groups **AND** you are not confident that you have evidence to support your proposal and this document. (RISK greater than 30% [yellow, amber, red])

- 1) Save this scoresheet;
- 2) Proceed to Stage 2 document (Ensuring Legal Compliance)

**EQUALITY IMPACT ASSESSMENT STAGE 2 – ENSURING LEGAL COMPLIANCE**

<b>In what way does your current service delivery help to</b>	<b>How might your proposal affect your capacity to</b>	<b>How will you mitigate any adverse effects?</b>
<p><b>End unlawful discrimination?</b>                      Schools offer universal provision for families with children 4-16 years. Due regard is paid to ending unlawful discrimination by ensuring that the needs of protected equality groups are met in a way that is appropriate to their race, gender, disability etc. Schools offer universal provision for families with children 4-16 years. Due regard is paid to ending unlawful discrimination by ensuring that the needs of protected equality groups are met in a way that is appropriate to their race, gender, disability etc.</p>	<p><b>End unlawful discrimination?</b>                      The proposal to reform school funding should not adversely affect our capacity to end unlawful discrimination.</p>	<p>N/A</p>
<p><b>Promote equality of opportunity?</b>                      The universal offer of services is accessible to all families with children 4-16 years, and due regard is paid to ensuring that particular protected equality groups have equal</p> <ul style="list-style-type: none"> <li>• access to provision</li> <li>• participation in learning</li> <li>• opportunity to achievement</li> </ul>	<p><b>Promote equality of opportunity?</b>                      The provision of additional measures to narrow attainment gaps for underattaining groups of young people by supporting access, participation and achievement may be negatively affected</p>	<p>The operation of the MFG will limit the initial level of changes in affected provision. Strategic use of resources to boost access, participation and achievement will be evaluated and best practice shared                      The operation of the current values and weightings of the new formula factors will be evaluated                      The formula factors will be further considered in the light of further consultation.</p>
<p><b>Foster good relations between people?</b>                      Currently a universal offer which facilitates integration of all protected characteristics.</p>	<p><b>Foster good relations between people?</b>                      Capacity to foster good relations will not be adversely affected</p>	<p>N/A</p>

EIA Reference Number and/or Title: \_\_\_\_ *School Funding Reform 2013*

## BACKGROUND INFORMATION

### INTRODUCTION TO EQUALITY IMPACT ASSESSMENTS

Demonstrating how and why we make decisions and how those decisions and activities affect our communities is important. Equality Impact Assessments look specifically at the implications for the following equality groups recognised under the Equality Act 2010:

Age, Disability, Gender reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and belief, Sex, Sexual Orientation

Equality Impact Assessments show how we have considered our legal responsibilities and taken due regard of our public sector equality duties under the Equalities Act 2010. Section 149 of the Equalities Act 2010 created the public sector equality duty and states:

A public authority must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, and victimisation.
- Advance equality of opportunity between persons who share a relevant 'protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The process of equality impact assessments in Kirklees works in 3 stages:

- Stage 1 assesses the level of impact a proposal is likely to have on service users.
- Stage 2 looks at our legal compliance under the Equality Act 2010.
- Stage 3 is an analysis of the proposal and the potential positive or negative impacts on specific groups of individuals (as evidenced through consultation), and what mitigating measures can be taken to address negative impacts.

The detailed analysis of the proposals in the following Stage 3 Equality Impact Assessment shows a range of impacts upon the protected groups to be neutral, positive, or nil. The mitigating impact of the minimum funding guarantee in relation to each of the protected characteristics, limits both negative and positive impacts for at least the next two financial years. The full impact of the potential long term changes has yet to be assessed and this should be part of the ongoing evaluation of the Kirklees funding formula, in the context of any national evaluation and possible modification of the funding parameters for 2014-15 onwards.

## SCHOOL FUNDING REFORM 2013

The DfE is establishing a new local funding formula for 2013-14 that has a limited range of nationally set factors that can be locally adjusted to target resources towards priority needs.

Officers have developed a new formula through successive modelling of a range of variations within the allowable formula factors. The developing formula has been tested through the Schools Forum with Head Teachers

The likely long term impact on individual schools varies from very significant gains` (up to approx £500,000) to major losses (up to approx £500,000) BUT the immediate impact in 2013-14 is cushioned by the “minimum funding guarantee” of a maximum loss of 1.5% in per pupil funding as well as increases in pupil premium allocations.

A new approach to funding special needs is also being established from 2013-14. The new school budgets will be designed to meet the first additional £6000 of the special needs of all pupils in the school. Additional “top up” funding will only be available for small numbers of “high needs” pupils. Special schools will be funded for places with similar “top-ups” for high needs pupils

The new funding methodology delegates most services and some additional funding to schools and so Governing Bodies will have more responsibilities.

The existing Kirklees school funding formula has developed through detailed consultation with schools through the Schools Forum and the predecessor Funding Consultative Group. The formula has a wide range of funding factors and eligibility criteria that have allowed precise targeting of resources to particular areas of need in specific schools. The formula also includes former Standards Fund grants to schools that have been added over the years as a means of resourcing and delivering ministerial priorities. Whilst the annual consultation on the funding formula has attempted a measure of evaluation of the overall balance and appropriateness of the funding factors and targeted grants, there has not been a systematic review and evaluation of the formula funding factors and their current operation in terms of school budget setting and addressing learning needs. The potential for needs to change over time has not been fully addressed and also the time limited “start-up” nature of some grants has not been fully profiled in budget allocations which have become “ossified” by the operation of the minimum funding guarantee. This has brought relative stability to school funding by continuing the “funding plus” approach of the DfE (ie funding at last year’s level plus inflation), but it does not give a clear, transparent and fair allocation process that can be seen to be grounded in some core funding principles that link resourcing to equality of access, participation and outcome for children and young people. This means that the starting point for change does not have a reliable baseline for evaluating the true impact of the changes to the funding formula. Some changes that would have removed previous variations in funding and moved towards more equitable allocation methodology were put on place for the 2012-13 funding allocation and these made significant changes in allocation (mainly those derived from the former standards funding). The full impact of these changes was mitigated by the MFG. This means that the changes for 2013-14 include a proportion of changes that have already been set in train. This makes an assessment of the impact of the new funding formula more complex.

The DfE has carried out an Equality Impact Assessment regarding the allowable funding formula factors. It presents detailed evidence from pupil performance data to support the choice of funding factors and the dataset for eligibility that accompanies it. The impact assessment concludes that the use of the prescribed funding factors would “make an adverse impact unlikely” ... and has the “potential to reduce barriers and inequalities that currently exist”.

The values and weightings given to the formula factors are a matter for local determination to reflect the needs of Kirklees children and young people. It is therefore the equalities impact of the Kirklees values and weightings that needs to be assessed.

### Research and Evidence:

- DfE Funding Reform : Equality Impact Assessment
- Kirklees Schools Forum Briefing minutes and briefing papers

## WHO IS LIKELY TO BE AFFECTED BY THE PROPOSALS AND HOW

Equality Group	Direct or Secondary	Positive, negative or neutral effect	Please explain
Age	Direct	Negative, positive and neutral effects	<p><b>Negative impact</b> on staff by age and experience. (1) The current central retention of threshold and performance pay funding has meant that staff recruitment decisions could focus on experience and skills rather than actual cost. Mandatory delegation of the funding to schools could mean that true staff costs could be a recruitment consideration with negative consequences for more experienced (and more expensive) staff. (2) The previous “teacher cost adjustment” for primary schools has meant that schools have paid average teacher salary costs across the LA, rather than true cost. This is not an allowable formula factor in future and this could have a negative impact on teacher recruitment.</p> <p>The simplification of Age Weighted Pupil Units of funding is likely to alter the balance of resourcing between different year groups.</p> <p><b>Positive Impact</b> on funding for some KS2 pupils which is likely to increase having a positive impact in stand alone Junior Schools</p> <p><b>Negative Impact</b> on the relative funding for some KS1 pupils which may be reduced having a negative impact on stand alone Infant schools</p> <p><b>Negative Impact</b> on some schools with Nursery provision. The schools budget will not contain funding allocations for premises costs incurred by nursery provision</p> <p><b>Neutral impact</b> on the overall balance of funding between primary and secondary schools. The principle has been established to maintain the ratio of primary per pupil funding to secondary per pupil funding.</p>
Disability	Secondary	Negative	<p>The first £6,000 additional resources for SEN pupils will be allocated through a notional school SEN budget supported by AWPU, deprivation and low prior attainment funding factors</p> <p><b>Negative Impact</b> on schools with SEN pupils with dyslexia or physical impairment as they are less likely to attract funding through the low prior attainment factor.</p>
Marriage & civil partnership	None	None	N/A
Pregnancy & maternity	None	None	N/A
Race	Direct	Negative and positive	<p><b>Potential negative impact</b> Changes to EMA funding which limit allocation to pupils with EAL for the first 3 years in the UK school system, significantly reduce resources available to enable interventions to support the achievement of minority ethnic groups</p> <p><b>Potential positive impact</b> in schools where thresholds to funding have previously applied</p>

<b>Religion and belief</b>	None	None	N/A
<b>Sex</b>	None	None	N/A
<b>Sexual Orientation</b>	None	None	N/A
<b>Other Groups (eg socio-economic, travellers etc.)</b>	Direct	Positive and Negative	<p><b>Potential positive impact</b> in schools with socioeconomically disadvantaged young people not previously receiving former standards funds.</p> <p><b>Potential negative impact</b> in schools with high proportions of socioeconomically disadvantaged young people are likely to receive reduced funding, partly as a result of the discontinuation of former standards funds, which could reduce interventions to support the achievement of disadvantaged young people</p>
<b>Geographical Impact and/or community cohesion</b>	Direct	Negative	Small primary schools which may be located in more rural areas may receive reduced funding.

## CONSULTATION, ENGAGEMENT & PARTNERSHIP

### How do you plan to consult? With Who? Why?

Discussion of the underlying principles at Kirklees Schools Forum and the Kirklees Learning Board commenced in June 2012. Consultation with Kirklees schools through the Schools Forum started on 7 September 2012 and is continuing. During this time, several iterations of detailed school level information have been circulated to schools via headteacher phase groups. Briefing notes have also been circulated to elected members and governors. A school leaders briefing session has been held for heads and chairs of governors. A further series of briefing / workshops is scheduled for early December.

### Where is the evidence of consultation that you have undertaken?

Evidence of the consultation can be found in the Minutes of the Kirklees Schools Forum Briefing meetings.

## WHAT NEXT

### What has happened as a result of the consultation?

Agreement has been reached by phase regarding which funding factors should be used in the Kirklees formula.

The values and weightings of each of the funding factors has been modelled through several iterations and amended following feedback from headteacher phase groups.

A version of the funding formula has been submitted for comment to the EFA.

The final version will be considered by the Cabinet of Kirklees Council and full Council in January, before submission to EFA.

### What action will you now be taking? Detail any mitigation actions where necessary?

- Allocation of final school budgets for 2013-14 will take place in February 2013.
- Assessment of the impact of the budget allocations for 2013-14 will take place in the Spring – Summer term 2013
- Feedback and review of the funding formula by EFA will take place in Spring 2013
- Review of formula funding factors, values and weightings for 2014-15 will start in Summer term 2013
- Review of effective use of “additional” funding at school level and establish evidence base for needs related funding
- Review operation of new approach to SEN funding and budgeting

#### Mitigation Actions:

- The MFG will mitigate the impact of change for the next 2 financial years. Longer term MFG levels are as yet unknown

### How will any outcomes be monitored, reviewed, evaluated and promoted where necessary?

By the Schools Forum and the Learning Board

### Any additional information

Additional information to support this equality impact assessment can be found in:

- Minutes of the Kirklees Schools Forum Briefing meetings.
- DfE Funding Reform : Equality Impact Assessment

## UPDATE/REVIEW SHEET