



## Appendix 3: Equality Impact Assessment

### EQIA Submission Draft Working Template Information required for the EQIA Submissions App

#### EQIA Submission Draft Working Template

If required, this template is for use prior to completing your EQIA Submission in the EQIA App. You can use it to understand what information is needed beforehand to complete an EQIA submission online, and also as a way to collaborate with others who may be involved with the EQIA. Note: You can upload this into the App when complete if it contains more detailed information than the App asks for and you wish to retain this detail.

#### Section A

##### 1. Name of Activity (EQIA Title):

The Special Educational Needs (SEN) Funding System

##### 2. Directorate

Children Young People and Education (CYPE)

##### 3. Responsible Service/Division

Education and SEN

#### Accountability and Responsibility

##### 4. Officer completing EQIA

Note: This should be the name of the officer who will be submitting the EQIA onto the App.

Rachel Baker – Inclusion Project Manager, CYPE

##### 5. Head of Service

Note: This should be the Head of Service who will be approving your submitted EQIA.

Siobhan Price – Assistant Director School Inclusion, CYPE

##### 6. Director of Service

Note: This should be the name of your responsible director.

Christine McInnes – Director of Education and SEN, CYPE

#### The type of Activity you are undertaking

##### 7. What type of activity are you undertaking?

**Service Change** – *operational changes in the way we deliver the service to people. Answer Yes/No*

Yes

**Service Redesign** – *restructure, new operating model, or changes to ways of working. Answer Yes/No*

Yes/No

Yes

**Project/Programme** – *includes limited delivery of change activity, including partnership projects, external funding projects and capital projects. Answer Yes/No*

Yes

**Commissioning/Procurement** – *means commissioning activity which requires commercial judgement. Answer Yes/No*

No

**Strategy /Policy** – includes review, refresh or creating a new document. Answer Yes/No

Yes

**Other** – Please add details of any other activity type here.

None

**8. Aims and Objectives and Equality Recommendations** – Note: You will be asked to give a brief description of the aims and objectives of your activity in this section of the App, along with the Equality recommendations. You may use this section to also add any context you feel may be required.

Two Ofsted and Care Quality Commission Local Area Special Educational Needs and Disabilities (SEND) Inspections in 2019 and 2022 identified significant weaknesses, with minimal progress noted during the revisit in 2022. These weaknesses were found to adversely affect parent and carer confidence in the Local Authority's capabilities leading to frustration, distrust and dissatisfaction with the support provided by Kent. Concurrently, there has been a substantial increase in spend of the High Needs Block (HNB) over the past five years, resulting in a projected cumulative deficit of £660 million by the financial year 2027/2028 if not addressed. In response to the outcome of the Ofsted Local Area SEND Inspection 2019 (and 2022 re-visit), and the need to address identified weaknesses in SEND provision, Kent County Council (KCC) has planned a whole system transformation for SEND.

In March 2023 KCC signed a 'Safety Valve' Agreement with the Department for Education (DfE) to reach a positive in-year balance on its Dedicated Schools Grant (DSG) by the end of 2027-28 and in each subsequent year. Actions set out within this agreement include (but are not limited to):

- building capacity in mainstream schools to support children and young people (cyp) with SEND, thus increasing the proportion of cyp successfully supported in mainstream education and reducing dependence of specialist provision,
- ensure there is sufficient and consistent capacity across the county to support children with severe and complex needs in their local area where possible,
- reviewing the specialist continuum to ensure only the most severe and complex needs are supported in special schools,
- develop a school/area-led approach to commissioning SEN support services (Locality Based Resources), to better respond to the needs of cyp with SEND.

KCC continues to work to make mainstream schools more inclusive, and better able to meet the needs of children with SEND as part of the locality model now known as Communities of schools. The proposed changes and development of a school-to-school support model will also assist in this objective by fostering shared expertise, resources, and inclusive practices. This proposed collaboration aims to enable mainstream schools to better support diverse learning needs. It is proposed special schools contribute their specialised knowledge and strategies, which mainstream can then adapt to benefit their cohort of students creating a more inclusive environment across Kent.

KCC are looking to adopt and implement a sustainable, single funding model for SEN High Needs Funding (HNF), for mainstream schools, Specialist Resource Provisions (SRPs) and special schools that will replace the current funding processes.

The proposed SEN funding model in conjunction with the wider locality model is expected to build the robust governance and monitoring processes required to implement the necessary new approaches outlined in the agreement through the use of one overarching funding model across

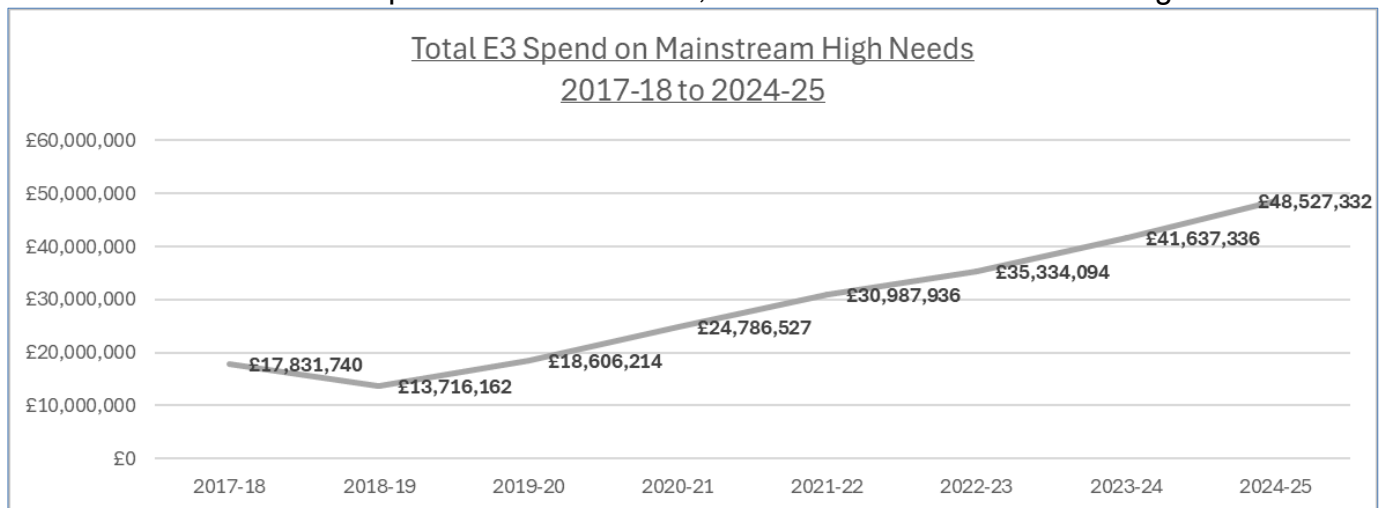
mainstream, SRP and special schools. The model will allow the Council greater control over the total contributions to schools to support children on SEN Support and children with an Education, Health, and Care Plan (EHCP) by setting standard tariff rates for contributions for individual children, and to set the budgets available for the Communities of schools.

In 2023-24 £371.3m from the DSG was spent on SEN non statutory services and school/education placements. The 2023-24 HNB from the DSG was £316.9m (with an additional £12m from primary and secondary school budgets). Meaning in 2023-24 there was a £42.3m shortfall between spend and budget allocation.

Based on information from the school census (state-funded schools), school level annual school census (independent schools) and general hospital school census on pupils with special educational needs (SEN) from 2023/24 Academic Year, the SEN population is depicted below.

% pupils	England		Kent	
	SEN Support	EHCP	SEN Support	EHCP
Independent school	16.7	5.7	22.3	8.7
Non-maintained special school	1.3	98.5	0.0	100.0
State-funded AP school	58.1	24.2	83.3	16.7
State-funded nursery	17.2	2.3	16.3	0.0
State-funded primary	14.1	3.0	13.0	2.8
State-funded secondary	12.9	2.7	11.1	2.6
State-funded special school	0.7	99.2	1.3	98.7
<b>Total</b>	<b>13.6</b>	<b>4.8</b>	<b>12.6</b>	<b>5.4</b>

Mainstream high needs funding has risen for the last 6 years and based on evidence of rising numbers of EHCPs and requests for assessment, would continue to do so if changes are not made.



KCC engaged with stakeholders on developing the plans for a new financial model and has undertaken a consultation with all Kent schools on the principles of the proposed new funding model for HNF, the formula for calculating mainstream Communities of schools' budget and a transition process.

The purpose of this Equality Impact Assessment is to help KCC assess the potential impact on persons with different protected characteristics. In undertaking this assessment, KCC has had

regard to the need to: (i) eliminate discrimination; (ii) advance the equality of opportunity; and (iii) foster good relations between persons who share a relevant protected characteristic and those who do not, in the exercise of our public functions.

KCC has considered the proposed changes alongside each of the three equality needs as outlined below.

**The need to eliminate discrimination:**

All children and young people will continue to have their special educational needs met, and KCC will continue to comply with Part 3 of the Children and Families Act 2014. No child will be treated less favourably because of their disability or SEN, or for a reason related to their disability or SEN.

By the proposals, KCC will have greater control over the total contributions made to schools to support children on SEN Support, and children with an EHCP, by setting the budgets available for the Communities of schools and setting specific tariff rates for contributions for individual children.

If the changes proposed would place some children at a particular disadvantage compared to others, KCC considers:

- (i) Proposals are proportionate – KCC ensured the proposals align with its duties under the Education Act 1996 (to secure that efficient primary education and secondary education are available to meet the needs of the population in its area), the SEND Code of Practice 2015 (Local Authorities should be transparent about how they will make decisions about high needs funding and education placements), and the Children and Families Act 2014 (to keep under review the educational provision for children and young people with special educational needs or disability and consider the extent to which its provision is sufficient to meet the educational needs of its population and ‘to support the child and his or her parent, or the young person, in order to facilitate the development of the child or young person and to help him or her achieve the best possible educational and other outcomes’)
- (ii) There are no less intrusive measures – to continue with current practice will lead to ever increasing financial deficit.

KCC must take reasonable steps to avoid disadvantage. Work has been underway for several years preceding these funding proposals, including reviews into special schools, SRPs and mainstream provision to strengthen SEND inclusion systemically in Kent. The aim is to create the structures and processes that work together for the children, young people, and their families in Kent, with a funding mechanism that aligns with, and supports the whole system.

**The need to advance equality of opportunity:**

The proposals will promote equality of opportunity by strategically drawing together the current disparate funding systems into one system that serves the whole SEN community for their Element 3 top-up funding.

The protected characteristics impacted are Age, Disability, Race, Religion and Sex, with this EqIA also addressing impacts on Parents and Carers.

**Age** – The changes proposed relate to the age group 5- to -16-year-old age group which is the majority of the pupil population, as KCC are focussing where change will have the most impact. The latest data, shown below, is from the school census (state-funded schools), school level annual school census (independent schools) and general hospital school census on pupils with special educational needs (SEN) from 2023/24 Academic Year.

% pupils	England		Kent	
	SEN Support	EHCP	SEN Support	EHCP
Age 5-16	91.1	91.2	92.5	91.5
Other ages	8.9	8.8	7.5	8.5

The 5- to 16-year-old age group will be subject to the proposals and as such the way they are funded for their Element 3 top-up funding will be different. This does not automatically mean they are negatively impacted. KCC has due regard to the scale of pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND.

By focussing on 5- to 16-year-olds does not automatically mean all other ages will be negatively impacted. These age groups are served by alternative funding systems that currently function sufficiently, and they will be reviewed and subject to equality assessments under alternative processes.

**Disability** – (Data taken from House of Commons Library Research Briefing, UK Disability statistics: Prevalence and life experiences October 2024 shows) An estimated 16.1 million people in the UK had a disability in 2022/23. This represents 24% of the total population. The prevalence of disability rises with age: around 11% of children were disabled, compared with 23% of working age adults and 45% of adults over State Pension age. Not all children and young people with SEN have a learning disability. The changes proposed will impact pupils who have a disability, no child will be treated less favourably because of their disability, or for reason related to their disability. All children and young people will continue to have their special educational needs met, and KCC will continue to comply with Part 3 of the Children and Families Act 2014.

**Race** – Pupils in Kent with an EHCP are predominantly White British and so KCC would expect this to be the ethnic group most impacted. KCC has due regard to the scale of pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND. KCC does not believe the change will be detrimental to White British pupils, or particularly disadvantage pupils from any other group. All children and young people will continue to have their special educational needs met, and KCC will continue to comply with Part 3 of the Children and Families Act 2014.

% pupils	England	Kent
	EHCP	EHCP
Asian/Asian British	8.3	1.8
Black/African/Caribbean/Black British	5.7	2.0
Mixed/Multiple ethnic groups	6.1	4.2
Other ethnic group	1.6	0.6
Unknown	9.4	19.9
White	68.9	71.5

The latest data for children and young people who have an EHCP is shown above, this is presented for the 2023 calendar year based on data collected in the national SEN2 data collection.

**Religion** – (Data is currently unavailable for this characteristic nationally and in Kent). All children and young people, irrespective of their religion, will continue to have their special educational needs met, and KCC will continue to comply with Part 3 of the Children and Families Act 2014

**Sex** – Pupils in Kent with SEN Support and an EHCP are approximately 2/3 male and 1/3 female (following the national pattern) and therefore KCC anticipates boys will be most impacted by the proposed changes. The way all pupils are funded for their Element 3 top-up funding will be different KCC has due regard to the scale of male pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND. All children and young people will continue to have their special educational needs met, and KCC will continue to comply with Part 3 of the Children and Families Act 2014.

The latest data, shown below, is from the school census (state-funded schools), school level annual school census (independent schools) and general hospital school census on pupils with special educational needs (SEN) from 2023/24 Academic Year.

% pupils	England		Kent	
	SEN Support	EHCP	SEN Support	EHCP
Male	62.0	72.0	61.3	71.7
Female	38.0	28.0	38.7	28.3

**Parent and Carers** - (Data is currently unavailable for this characteristic nationally and in Kent), however, we know that there are the following statistics regarding number of pupils with SEN, for which there will be a responsible adult/s (data based on information from the school census (state-funded schools), school level annual school census (independent schools) and general hospital school census on pupils with special educational needs (SEN) from 2023/24 Academic Year).

number of pupils	England		Kent	
	SEN Support	EHCP	SEN Support	EHCP
Total	1,238,851	434,354	34,112	14,579

Weaknesses from the Ofsted and Care Quality Commission (CQC) Local Area SEND Inspections in 2019 and (re-visit in) 2022 were found to adversely affect parent and carer confidence in the Local Authority's capabilities leading to frustration, distrust and dissatisfaction with the support provided by Kent. The changes proposed will impact Parents and Carers, KCC will ensure all children and young people will continue to have their special educational needs met, and KCC will continue to comply with Part 3 of the Children and Families Act 2014.

### **The need to foster good relations:**

The proposals will:

- foster good relations between SEN children and those who are disabled, and those who do not have SEN and are not disabled as more SEN and disabled children will be educated in mainstream schools (if suitable SEN provision can be suitably provided there).
- support the intention to keep more children in maintained schools if suitable SEN provision can be provided. This advances objectives (ii) and (iii) as it avoids disparate or different services being provided for children with protected characteristics and those without. It also promotes the integration of children with different characteristics.
- foster better relations between the LA and schools due to greater transparency of information, and strengthened governance and financial monitoring processes
- foster good relations between groups of schools as they work together in Communities to make best use of resources



KCC acknowledges that there may be a fear that the proposed changes would not advance equality of opportunity if there were concerns that children's needs would not be met in their school. As part of our ongoing work, KCC is working with mainstream, special schools, and SRPs to develop a shared understanding of a Continuum of needs of children and young people with special educational needs and the expectations of provision for them. These efforts are focused on strengthening local provision and ensuring that mainstream schools work in partnership to meet a wide range of needs. The equality impacts of any proposed changes will continue to be considered and kept under review while a final decision is taken.

## Section B – Evidence

*Note: For questions 9, 10 & 11 at least one of these must be a 'Yes'. You can continue working on the EQIA in the App, but you will not be able to submit it for approval without this information.*

### 9. Do you have data related to the protected groups of the people impacted by this activity?

*Answer: Yes/No*

Yes some data can be accessed via the links below

[Data catalogue - GOV.UK - EHCPs 2024](#) This publication provides data on children and young people with an education, health, and care plan in England and, historically, for those with a statement of SEN. The publication is based on data collected in the SEN2 data collection. From the reporting year 2023.

[Data catalogue - GOV.UK - SEN 23/24](#) This publication combines information from the school census (state-funded schools), school level annual school census (independent schools) and general hospital school census on pupils with SEN.

### 10. Is it possible to get the data in a timely and cost-effective way? *Answer: Yes/No*

Yes

### 11. Is there national evidence/data that you can use? *Answer: Yes/No*

Yes

[Data catalogue - GOV.UK - EHCPs 2024](#) This publication provides data on children and young people with an education, health, and care plan in England and, historically, for those with a statement of SEN. The publication is based on data collected in the SEN2 data collection. From the reporting year 2023.

[Data catalogue - GOV.UK - SEN 23/24](#) This publication combines information from the school census (state-funded schools), school level annual school census (independent schools) and general hospital school census on pupils with SEN.

[DfE and Kent Safety Valve Agreement](#): This publication outlines the agreement between Department for Education and Kent County Council and covers the financial years from 2022-23 to 2027-28.

[SEND Ofsted and CQC inspection information](#): This page details Ofsted and the Care Quality Commission (CQC) joint inspection of KCC to judge the effectiveness of local areas in implementing the disability and special educational needs reforms as set out in the Children's and Families Act 2014.

### 12. Have you consulted with Stakeholders? *Answer: Yes/No*

*Stakeholders are those who have a stake or interest in your project which could be residents,*

service users, staff, members, statutory and other organisations, VCSE partners etc.

Yes

**13. Who have you involved, consulted, and engaged with?**

*Please give details in the box provided. This may be details of those you have already involved, consulted, and engaged with or who you intend to do so with in the future. If the answer to question 12 is 'No', please explain why.*

KCC has engaged with stakeholders to support in creating the proposals, including school leaders, KCC staff, School Funding Forum, and the HNF sub-group. A list of school leaders and KCC Officers engaging with the development of the proposals is available as an appendix on the consultation document which can be found on Kelsi.

**14. Has there been a previous equality analysis (EQIA) in the last 3 years? Answer: Yes/No**

Yes. (This work sits within the remit of the Countywide Approach to Inclusive Education (CATIE) Strategy, which has an EqIA. There was an EqIA undertaken for the proposed Locality Model consultation, which was revised for implementation following key decision in August 2024. An EqIA was also undertaken for the Special School Review. All aforementioned projects impact, and are impacted by, this proposal)

**15. Do you have evidence/data that can help you understand the potential impact of your activity? Answer: Yes/No**

Yes We have historic Element 3 top-up funding data, numbers of pupils at SEN Support and EHCP, and we will have data relating to pupils mapped to the Continuum of Need and Provision when the work progresses further.

**Uploading Evidence/Data/related information into the App**

*Note: At this point, you will be asked to upload the evidence/ data and related information that you feel should sit alongside the EQIA that can help understand the potential impact of your activity. Please ensure that you have this information to upload as the Equality analysis cannot be sent for approval without this.*

Data included within the consultation documents linked on Kelsi ([SEN School Funding Consultation - KELS!](#))

**Section C – Impact**

**16. Who may be impacted by the activity? Select all that apply.**

Service users/clients - Answer: Yes/No

Yes Schools who request Element 3 top-up funding and the children and young people they support with top-up funding.

Residents/Communities/Citizens - Answer: Yes/No

No

Staff/Volunteers - Answer: Yes/No

Yes Staff in schools who requested funding via KCC previously will use a different process and access funding via Communities of Schools. KCC staff who processed the requests for funding will have different functions to perform as a result of the new funding system.

**17. Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing? Answer: Yes/No**



Yes

### 18. Please give details of Positive Impacts

Implementing one Element 3 top-up funding model for all schools will:

- Update existing funding processes that no longer adequately respond to requirements supporting the fostering of good relations
- Simplify the funding process, eliminating discrimination and advancing equality of opportunity
- Provide equity, consistency, clarity, and transparency, advancing equality of opportunity
- Improve access to and timely delivery of the funding, eliminating discrimination
- Embed improved governance, control, and monitoring processes, advancing equality of opportunity
- Provide flexible local resource, in the form of financial and practical support, eliminating discrimination
- Reduce bureaucracy, fostering of good relations
- Provide sustainability for the future eliminating discrimination, fostering good relations, and advancing equality of opportunity

### Negative Impacts and Mitigating Actions

The questions in this section help to think through positive and negative impacts for people affected by your activity. Please use the Evidence you have referred to in Section B and explain the data as part of your answer.

### 19. Negative Impacts and Mitigating actions for Age

**a) Are there negative impacts for Age?** Answer: Yes/No

(If yes, please also complete sections b, c, and d).

Yes

### b) Details of Negative Impacts for Age

These proposals do not make changes to the Special Educational Needs Inclusion Fund (SENIF) for Early Years (0 to 4 years), or to Post-16 funding (16 years and upwards). The changes impact the 5- to 16-year-old age group. The system for how schools access funding for this age group will change. Moving from schools making individual pupil funding applications to KCC Officers, to a system with collaborative peer-to-peer agreement on allocation of a budget allotted to Communities of schools. As the approval processes for this allocation of funding will change, the funding for some individual or groups of pupils may subsequently change. This does not automatically mean they are negatively impacted. KCC has due regard to the scale of pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND.

By focussing on 5- to 16-year-olds does not automatically mean all other ages will be negatively impacted. These age groups are served by alternative funding systems that currently function sufficiently, and they will be reviewed and subject to equality assessments under alternative processes.

### c) Mitigating Actions for Age

Early years and post-16 funding (for those pupils not attending a sixth form in state funded schools') will continue to be delivered in the same way, as existing processes for allocating resource to both age groups function adequately. KCC want to take a measured approach and assess the impact of changes to the funding for the 5–16-year-old age group before looking to adopt the system for all age ranges. The rationale for focusing on a funding Model for 5-16-year-olds first, rather than all age

groups at once, was to change the system where it will have the most direct positive impact for children, young people, families, KCC, and its partners. The remaining age groups will be reviewed and subject to equality assessments under alternative processes.

Governance surrounding financial moderation processes in the proposed system are being strengthened with Area Moderation Boards set up to assess impact of funding and outcomes for children.

Schools will have access to Community budgets, which will give more options for shared ventures and collaborative use of resources.

KCC are creating stronger internal networks within Professional Resource Groups for schools to utilise in more accessible ways, with less reliance on diagnoses before support can be accessed. During the transition period measures will be in place to protect some level of funding currently in place, for example any child with an EHCP in receipt of funding over £6k would have protection and receive their current level of funding during the transition period.

A tariff system will be introduced for EHCP pupils with additional and/or more complex needs.

#### **d) Responsible Officer for Mitigating Actions – Age**

Siobhan Price – Assistant Director School Inclusion, CYPE

### **20. Negative Impacts and Mitigating actions for Disability**

**a) Are there negative impacts for Disability? Answer: Yes/No**  
*(If yes, please also complete sections b, c, and d).*

No Yes

#### **b) Details of Negative Impacts for Disability**

Not all children and young people with SEN have a learning disability but in practice many disabled children have SEN and many children with SEN will be considered disabled under the Equality Act. Therefore, pupils in the 5- to 16-year-old age group who have a disability will be impacted by the changes.

The system for how schools access funding for the 5- to 16-year-olds in this group will change. Moving from schools making individual pupil funding applications to KCC Officers, to a system with collaborative peer-to-peer agreement on allocation of a budget allotted to Communities of schools. As the approval processes for this allocation of funding will change, the funding for some individual or groups of pupils may subsequently change. This does not automatically mean they are negatively impacted. KCC has due regard to the scale of pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND.

#### **c) Mitigating Actions for Disability**

The changes proposed will impact pupils in the 5- to 16-year-old age group who have a disability, no child will be treated less favourably because of their disability, or for reason related to their disability. All children and young people will continue to have their special educational needs met, and KCC will continue to comply with Part 3 of the Children and Families Act 2014.

Governance surrounding financial moderation processes in the proposed system are being strengthened with Area Moderation Boards set up to assess impact of funding and outcomes for children.

Schools will have access to Community budgets, which will give more options for shared ventures and collaborative use of resources.

KCC are creating stronger internal networks within Professional Resource Groups for schools to utilise in more accessible ways, with less reliance on diagnoses before support can be accessed. During the transition period measures will be in place to protect some level of funding currently in place, for example any child with an EHCP in receipt of funding over £6k would have protection and receive their current level of funding during the transition period. A tariff system will be introduced for EHCP pupils with additional and/or more complex needs.

**d) Responsible Officer for Mitigating Actions – Disability**

Siobhan Price – Assistant Director School Inclusion, CYPE

**21. Negative Impacts and Mitigating actions for Sex**

**a) Are there negative impacts for Sex? Answer: Yes/No**  
*(If yes, please also complete sections b, c, and d).*

Yes

**b) Details of Negative Impacts for Sex**

The system for how schools access funding for the 5- to 16-year-olds in this group will change. Moving from schools making individual pupil funding applications to KCC Officers, to a system with collaborative peer-to-peer agreement on allocation of a budget allotted to Communities of schools. As the approval processes for this allocation of funding will change, the funding for some individual or groups of pupils may subsequently change. This does not automatically mean they are negatively impacted. KCC has due regard to the scale of pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND.

**c) Mitigating Actions for Sex**

Pupils in Kent with SEN Support and an EHCP are approximately 2/3 male and 1/3 female (following the national pattern) and therefore KCC anticipates boys will be most impacted by the proposed changes. The way all pupils are funded for their Element 3 top-up funding will be different, KCC has due regard to the scale of pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND. All children and young people will continue to have their special educational needs met, and KCC will continue to comply with Part 3 of the Children and Families Act 2014.

Governance surrounding financial moderation processes in the proposed system are being strengthened with Area Moderation Boards set up to assess impact of funding and outcomes for children.

Schools will have access to Community budgets, which will give more options for shared ventures and collaborative use of resources.

KCC are creating stronger internal networks within Professional Resource Groups for schools to utilise in more accessible ways, with less reliance on diagnoses before support can be accessed. During the transition period measures will be in place to protect some level of funding currently in place, for example any child with an EHCP in receipt of funding over £6k would have protection and receive their current level of funding during the transition period.

A tariff system will be introduced for EHCP pupils with additional and/or more complex needs.

**d) Responsible Officer for Mitigating Actions – Sex**

Siobhan Price – Assistant Director School Inclusion, CYPE

## 22. Negative Impacts and Mitigating actions for Gender identity/transgender

**a) Are there negative impacts for Gender identity/transgender? Answer: Yes/No**  
(If yes, please also complete sections b, c, and d).

Yes

### **b) Details of Negative Impacts for Gender identity/transgender**

The system for how schools access funding for the 5- to 16-year-olds in this group will change. Moving from schools making individual pupil funding applications to KCC Officers, to a system with collaborative peer-to-peer agreement on allocation of a budget allotted to Communities of schools. As the approval processes for this allocation of funding will change, the funding for some individual or groups of pupils may subsequently change. This does not automatically mean they are negatively impacted. KCC has due regard to the scale of pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND.

### **c) Mitigating actions for Gender identity/transgender**

The way all pupils are funded for their Element 3 top-up funding will be different, KCC has due regard to the scale of pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND. All children and young people will continue to have their special educational needs met, and KCC will continue to comply with Part 3 of the Children and Families Act 2014.

Governance surrounding financial moderation processes in the proposed system are being strengthened with Area Moderation Boards set up to assess impact of funding and outcomes for children.

Schools will have access to Community budgets, which will give more options for shared ventures and collaborative use of resources.

KCC are creating stronger internal networks within Professional Resource Groups for schools to utilise in more accessible ways, with less reliance on diagnoses before support can be accessed.

During the transition period measures will be in place to protect some level of funding currently in place, for example any child with an EHCP in receipt of funding over £6k would have protection and receive their current level of funding during the transition period.

A tariff system will be introduced for EHCP pupils with additional and/or more complex needs.

### **d) Responsible Officer for Mitigating Actions - Gender identity/transgender**

Siobhan Price – Assistant Director School Inclusion, CYPE

## 23. Negative Impacts and Mitigating actions for Race

**a) Are there negative impacts for Race? Answer: Yes/No**  
(If yes, please also complete sections b, c, and d).

Yes

### **b) Details of Negative Impacts for Race**

The system for how schools access funding for the 5- to 16-year-olds in this group will change. Moving from schools making individual pupil funding applications to KCC Officers, to a system with collaborative peer-to-peer agreement on allocation of a budget allotted to Communities of schools. As the approval processes for this allocation of funding will change, the funding for some individual or groups of pupils may subsequently change. This does not automatically mean they are negatively impacted. KCC has due regard to the scale of pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all

children and young people with SEND.

### **c) Mitigating Actions for Race**

Pupils in Kent with an EHCP are predominantly White British and so KCC would expect this to be the ethnic group most impacted. KCC has due regard to the scale of pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND. KCC does not believe the change will be detrimental to White British pupils, or particularly disadvantage pupils from any other group. All children and young people will continue to have their special educational needs met, and KCC will continue to comply with Part 3 of the Children and Families Act 2014.

Governance surrounding financial moderation processes in the proposed system are being strengthened with Area Moderation Boards set up to assess impact of funding and outcomes for children.

Schools will have access to Community budgets, which will give more options for shared ventures and collaborative use of resources.

KCC are creating stronger internal networks within Professional Resource Groups for schools to utilise in more accessible ways, with less reliance on diagnoses before support can be accessed.

During the transition period measures will be in place to protect some level of funding currently in place, for example any child with an EHCP in receipt of funding over £6k would have protection and receive their current level of funding during the transition period.

A tariff system will be introduced for EHCP pupils with additional and/or more complex needs.

### **d) Responsible Officer for Mitigating Actions – Race**

Siobhan Price – Assistant Director School Inclusion, CYPE

## **24. Negative Impacts and Mitigating actions for Religion and belief**

### **a) Are there negative impacts for Religion and Belief? Answer: Yes/No**

*(If yes, please also complete sections b, c, and d).*

Yes

### **b) Details of Negative Impacts for Religion and belief**

The system for how schools access funding for the 5- to 16-year-olds in this group will change. Moving from schools making individual pupil funding applications to KCC Officers, to a system with collaborative peer-to-peer agreement on allocation of a budget allotted to Communities of schools. As the approval processes for this allocation of funding will change, the funding for some individual or groups of pupils may subsequently change. This does not automatically mean they are negatively impacted. KCC has due regard to the scale of pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND.

### **c) Mitigating Actions for Religion and belief**

The way all pupils are funded for their Element 3 top-up funding will be different, KCC has due regard to the scale of pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND. All children and young people will continue to have their special educational needs met, and KCC will continue to comply with Part 3 of the Children and Families Act 2014.

Governance surrounding financial moderation processes in the proposed system are being strengthened with Area Moderation Boards set up to assess impact of funding and outcomes for



children.

Schools will have access to Community budgets, which will give more options for shared ventures and collaborative use of resources.

KCC are creating stronger internal networks within Professional Resource Groups for schools to utilise in more accessible ways, with less reliance on diagnoses before support can be accessed.

During the transition period measures will be in place to protect some level of funding currently in place, for example any child with an EHCP in receipt of funding over £6k would have protection and receive their current level of funding during the transition period.

A tariff system will be introduced for EHCP pupils with additional and/or more complex needs.

#### **d) Responsible Officer for Mitigating Actions - Religion and belief**

Siobhan Price – Assistant Director School Inclusion, CYPE

### **25. Negative Impacts and Mitigating actions for Sexual Orientation**

#### **a) Are there negative impacts for sexual orientation. Answer:**

*Yes/No (If yes, please also complete sections b, c, and d).*

Yes

#### **b) Details of Negative Impacts for Sexual Orientation**

The system for how schools access funding for the 5- to 16-year-olds in this group will change. Moving from schools making individual pupil funding applications to KCC Officers, to a system with collaborative peer-to-peer agreement on allocation of a budget allotted to Communities of schools. As the approval processes for this allocation of funding will change, the funding for some individual or groups of pupils may subsequently change. This does not automatically mean they are negatively impacted. KCC has due regard to the scale of pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND.

#### **c) Mitigating Actions for Sexual Orientation**

The way all pupils are funded for their Element 3 top-up funding will be different, KCC has due regard to the scale of pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND. All children and young people will continue to have their special educational needs met, and KCC will continue to comply with Part 3 of the Children and Families Act 2014.

Governance surrounding financial moderation processes in the proposed system are being strengthened with Area Moderation Boards set up to assess impact of funding and outcomes for children.

Schools will have access to Community budgets, which will give more options for shared ventures and collaborative use of resources.

KCC are creating stronger internal networks within Professional Resource Groups for schools to utilise in more accessible ways, with less reliance on diagnoses before support can be accessed.

During the transition period measures will be in place to protect some level of funding currently in place, for example any child with an EHCP in receipt of funding over £6k would have protection and receive their current level of funding during the transition period.

A tariff system will be introduced for EHCP pupils with additional and/or more complex needs.

#### **d) Responsible Officer for Mitigating Actions - Sexual Orientation**

Siobhan Price – Assistant Director School Inclusion, CYPE



**26. Negative Impacts and Mitigating actions for Pregnancy and Maternity**

**a) Are there negative impacts for Pregnancy and Maternity? Answer: Yes/No**  
*(If yes, please also complete sections b, c, and d).*

No

**b) Details of Negative Impacts for Pregnancy and Maternity****c) Mitigating Actions for Pregnancy and Maternity****d) Responsible Officer for Mitigating Actions - Pregnancy and Maternity****27. Negative Impacts and Mitigating actions for marriage and civil partnerships**

**a) Are there negative impacts for Marriage and Civil Partnerships? Answer: Yes/No**  
*(If yes, please also complete sections b, c, and d).*

No

**b) Details of Negative Impacts for Marriage and Civil Partnerships****c) Mitigating Actions for Marriage and Civil Partnerships****d) Responsible Officer for Mitigating Actions - Marriage and Civil Partnerships****28. Negative Impacts and Mitigating actions for Carer's responsibilities**

**a) Are there negative impacts for Carer's responsibilities? Answer: Yes/No**  
*(If yes, please also complete sections b, c, and d).*

Yes

**b) Details of Negative Impacts for Carer's Responsibilities**

The system for how schools access funding for the 5- to 16-year-olds impacting this group will change. Moving from schools making individual pupil funding applications to KCC Officers, to a system with collaborative peer-to-peer agreement on allocation of a budget allotted to Communities of schools. As the approval processes for this allocation of funding will change, the funding for some individual or groups of pupils may subsequently change. This does not automatically mean they or their parents/carers are negatively impacted. KCC has due regard to the scale of pupils and their parents/carers impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND.

**c) Mitigating Actions for Carer's responsibilities**

The way all pupils are funded for their Element 3 top-up funding will be different, KCC has due regard to the scale of pupils impacted and will take reasonable steps to ensure they are not disadvantaged by the change and there will be appropriate provision for all children and young people with SEND. All children and young people will continue to have their special educational needs met, and KCC will continue to comply with Part 3 of the Children and Families Act 2014.

Governance surrounding financial moderation processes in the proposed system are being strengthened with Area Moderation Boards set up to assess impact of funding and outcomes for children.

Schools will have access to Community budgets, which will give more options for shared ventures and collaborative use of resources.

KCC are creating stronger internal networks within Professional Resource Groups for schools to utilise in more accessible ways, with less reliance on diagnoses before support can be accessed.

During the transition period measures will be in place to protect some level of funding currently in place, for example any child with an EHCP in receipt of funding over £6k would have protection and receive their current level of funding during the transition period.

A tariff system will be introduced for EHCP pupils with additional and/or more complex needs.

**d) Responsible Officer for Mitigating Actions - Carer's Responsibilities**

Siobhan Price – Assistant Director School Inclusion, CYPE