

NOTICE
OF
MEETING
SCHOOLS FORUM

will meet on

THURSDAY, 26TH MAY, 2022

At 2.00 pm

In the

GREY ROOM - YORK HOUSE, AND ON [RBWM YOUTUBE](#)

TO: MEMBERS OF THE SCHOOLS FORUM

SCHOOL REPRESENTATIVES: MAGGIE CALLAGHAN, ISABEL COOKE, SARAH COTTLE, JOHN FLETCHER, ANDREW MORRISON, JOOLZ SCARLETT, MARTIN TINSLEY (CHAIRMAN), CHRIS TOMES (VICE-CHAIRMAN) AND MIKE WALLACE.

Karen Shepherd – Head of Governance - Issued: 18th May 2022

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Oran Norris-Browne** Oran.Norris-Browne@RBWM.gov.uk

Recording of Meetings – In line with the council's commitment to transparency the Part I (public) section of the virtual meeting will be streamed live and recorded via Zoom. By participating in the meeting by audio and/or video, you are giving consent to being recorded and acknowledge that the recording will be in the public domain. If you have any questions regarding the council's policy, please speak to Democratic Services or Legal representative at the meeting.

AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u> To receive apologies for absence.	-
2.	<u>DECLARATIONS OF INTEREST</u> To receive any Declarations of Interest.	3 - 4
3.	<u>MINUTES OF THE PREVIOUS MEETING</u> To confirm the minutes from the previous meeting.	5 - 8
4.	<u>BUDGET OUTTURN & SCHOOL BALANCES 2021/22</u> Forum to consider the report.	9 - 26
5.	<u>DEDICATED SCHOOLS GRANT DEFICIT MANAGEMENT PLAN 2022/27</u> Forum to consider the report.	27 - 46
6.	<u>EARLY YEARS FUNDING CONSULTATION RESULTS 2022-23</u> Forum to consider the report.	47 - 60

MEMBERS' GUIDE TO DECLARING INTERESTS AT MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a Disclosable Pecuniary Interest (DPI) or Other Registerable Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

Any Member with concerns about the nature of their interest should consult the Monitoring Officer in advance of the meeting.

Non-participation in case of Disclosable Pecuniary Interest (DPI)

Where a matter arises at a meeting which directly relates to one of your DPIs (summary below, further details set out in Table 1 of the Members' Code of Conduct) you must disclose the interest, **not participate in any discussion or vote on the matter and must not remain in the room** unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted by the Monitoring Officer in limited circumstances, to enable you to participate and vote on a matter in which you have a DPI.

Where you have a DPI on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

DPIs (relating to the Member or their partner) include:

- *Any employment, office, trade, profession or vocation carried on for profit or gain.*
- *Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses*
- *Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.*
- *Any beneficial interest in land within the area of the council.*
- *Any licence to occupy land in the area of the council for a month or longer.*
- *Any tenancy where the landlord is the council, and the tenant is a body in which the relevant person has a beneficial interest in the securities of.*
- *Any beneficial interest in securities of a body where:*
 - a) *that body has a place of business or land in the area of the council, and*
 - b) *either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.*

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

Disclosure of Other Registerable Interests

Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (summary below and as set out in Table 2 of the Members Code of Conduct), you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

Other Registerable Interests (relating to the Member or their partner):

You have an interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority*
- b) any body*
 - (i) exercising functions of a public nature*
 - (ii) directed to charitable purposes or*

one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Disclosure of Non- Registerable Interests

Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a DPI) or a financial interest or well-being of a relative or close associate, you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer) you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a body included in those you need to disclose under DPIs as set out in Table 1 of the Members' code of Conduct

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter **affects** your financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer, you do not have to disclose the nature of the interest.

Other declarations

Members may wish to declare at the beginning of the meeting any other information they feel should be in the public domain in relation to an item on the agenda; such Member statements will be included in the minutes for transparency.

Agenda Item 3

SCHOOLS FORUM

THURSDAY, 20 JANUARY 2022

PRESENT: Martin Tinsley (Chairman), Chris Tomes (Vice-Chairman), Isabel Cooke, Michael Wallace, Andrew Morrison and Joolz Scarlett,

Also in attendance: Councillor Maureen Hunt

Officers: David Cook, Clive Haines, James Norris, Kevin McDaniel, Sarah Ward and Tracey Anne Nevitt

APOLOGIES

Apologies for absence were received by John Fletcher and Maggie Callaghan.

Andrew Morrison reported he would be late.

DECLARATIONS OF INTEREST

There were no dclarations of interest received.

MINUTES

Resolved unanimously: that the minutes of the meeting held on 16th December 2021 were approved as a true record.

SCHOOL IMPROVEMENT MONITORING & BROKERING GRANT SUPPLEMENTARY CONSULTATION AND DE-DELEGATION 2022/23

The Forum considered a verbal report regarding school improvement monitoring and brokering grant.

The Head of Finance Achieving for Children informed that at their last meeting the Forum discussed the proposed reduction in funding. This reduced the grant by 50% for 2022/23 and 100% the following year. It had been confirmed that this reduction would be implemented.

Consultation was undertaken with maintained schools, 50% responding, asking three questions:

- Do you support the current service model and the proposal to de-delegate. 10% supported this.
- Do you support the current service and use of our reserve from previous years. 85% of schools supported this.
- Would you support a change in service and not funding from de-delegation. 5% supported this.

Given the results of the consultation it was proposed that we should fund the 2022/23 provision by using existing balances held by de delegation from existing years.

Chris Tomes said that 85% of schools had agreed with the proposal and asked this was funds that maintained schools had paid into and was informed that this was money from the last three years that maintained schools had paid into, £70k would be used and the rest reconciled back to the schools. Given the results of the survey Chris Tomes agreed with the proposal.

Mike Wallace said that 50% response was better than before but still not enough, however 85% of respondents did support the proposal. He supported the proposal and also recommended that a working group be established to look at the options when 100% of funding was removed.

Resolved unanimously: that funding for 2022/23 provision should come from existing balances held and that a working group be established during 2022 to look at future options.

BUDGET MONITORING AND FORECAST 2021/22

The Forum considered the report regarding the latest Budget Monitoring and Forecast for 2021/22.

The Head of Finance Achieving for Children informed the Forum that the report considered the projected financial position for 2021/22 along with a summary of associated Risks and Opportunities; the projected reserve deficit balance as at 31 March 2022 and an understanding of the financial pressures faced in respect of the Dedicated Schools Grant. A new report template was being used so it was accessibility compliant but the content remained the same.

The Forum were informed that table 2 set out the summarised financial position for 2021/22. With regards to the High Needs Block this showed a favourable movement of £260,000 compared to the previously reported position. This related to a reduction in the volume of pupils within the Further Education provision and AFC colleagues reducing the projected costs.

Overall there still remained a £936k in year deficit, combining this with the £1.8 million brought forward deficit this resulted in a £2.7 million pressure which results in a 2% deficit position overall.

The Forum were informed that paragraph 2.7 of the report showed two assumption associated with future risks around the Schools Block and High Needs Block. With regards to High Needs an estimated provision of £450k for future provision for the year had been set, although it was not expected to be exceeded.

The Chairman asked if we knew the number of children with education and health care plans would be coming forward and the Director for Children's Services reported that we received about 12 to 15 requests each week, with about 50 currently active in the process so the amount built into the forecast was a reasonable assumption.#

(Andrew Morrison joined the meeting)

It was noted that a Deficit Management Plan was being produced and would be presented at the April meeting.

Resolved unanimously: that Schools Forum notes the report and:

- i) the cumulative projected reserve deficit balance as at 31 March 2022**
- ii) the Deficit Management Plan would be reported in April 2022.**

DEDICATED SCHOOLS GRANT BUDGET ALLOCATION 2022/23

The Forum considered the report regarding an update on the indicative settlement for 2022/23 budget.

The Head of Finance Achieving for Children informed that table 2 set out the DSG December settlement for 2022/23 for each block compared with the provisional allocations received in summer 2021. The Early Years block funding was due to be updated in July 2022 to reflect the January Census.

- The Schools Block saw a decrease of £221k based on pupil lead numbers.
- Schools Block National Non Domestic Rates, allocation would be to sliced and used to pay rates.
- High Needs Block, an increase of £102k and the Supplementary Grant new allocation of £911,000 includes funding in respect of new burdens on the High Needs Block including the new Health and Social Care Levy estimated by the ESFA as 1% pressure on authorities' High Needs budgets.
- Early Years Block provisional allocation for 2022/23 was only provided as part of the December settlement and not included in the summer notification; the £10 million allocation included in table 2 reflects the ESFA funding increase for 2022/23 of 3.4%. It was anticipated that in accordance with regulations, 95% of the increase would be built into the Early Years funding formula with the remaining 5% retained for Central Early Years services. After consultation the results would be brought back to the Forum.

The Forum were also informed that there was the Supplementary Grant new indicative allocation of £2 million that provided support for the costs of the Health and Social Care Levy and wider pressures. The level allocations of the schools' supplementary grant for the 2022/23 would be published in spring 2022. This funding would be allocated through the schools' supplementary grant 2022/23.

The Forum were informed that section 3 of the report showed the budget build process with the final budget due to go to Council in February 2022.

Resolved unanimously: that the Schools Forum noted the report.

The meeting, which began at 2.00 pm, finished at 2.30 pm

CHAIRMAN.....

DATE.....

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Report Title:	Budget Outturn and School Balances 2021/22
Contains Confidential or Exempt Information	No – Part I
Cabinet Member:	Councillor Stuart Carroll - Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health, Mental Health & Transformation
Meeting and Date:	Schools Forum 26 May 2022
Responsible Officer(s):	Kevin McDaniel - Executive Director of Children's Services James Norris - Head of Finance Achieving for Children (RBWM)
Wards affected:	All

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REPORT SUMMARY

The purpose of this report is to provide the Schools Forum with the financial position for 2021/22 along with a summary of associated material variances; the reserve deficit balance, maintained schools balances and delegated balances as at 31 March 2022. Details are set out in sections 2 to 4.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Schools Forum notes the report :

including the reported variance, deficit balance carried forward, maintained schools balances and de-delegated balances as at 31 March 2022.

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
Schools Forum to note the contents of the report and impact on the projected reserve deficit balance as at 31 March 2022. This is the recommended option.	Continued monitoring and timely reporting of material variances throughout 2022/23 reported to appropriate stakeholders including Schools Forums and RBWM Cabinet. This would enable up to date and accurate reporting of the projected reserve deficit as at 31 March 2023.
Do nothing. This is not recommended.	The failure to use relevant financial information to understand the position of the Dedicated Schools Grant reserve.

- 2.1 The total DSG allocation for 2021/22 including in year budget changes from the DfE was £135,190,000.
- 2.2 The Schools Budget 2021/22 of £99,611,000 consists of delegated budgets for maintained schools £36,916,000 and academy schools £62,695,000. Delegated budgets are treated as spent as soon as they are delegated, and more information on maintained school balances is given in section 7 of this report.
- 2.3 The remaining £35,579,000 of the DSG covers Central School Services, Early Years and High Needs.
- 2.4 The dedicated schools grant budget ended the financial year 2021/22 with a net overspend of £257,000 representing 0.2% of the total DSG allocation for 2021/22.
- 2.5 The final material variances are as follows:
- Schools Block underspend of (£0.537m), relating to the release of the total uncommitted balance of the pupil growth fund from a total allocation of £0.679m.
 - Central School Services Block underspend of (£0.328m), relating to the receipt of one-off Nursery rental income (£0.130m), reduced management overheads (£0.080m), an underspend within the Non-Independent Special School Places (£0.051m) and staffing vacancies (£0.049m).
 - Early Years Block underspend of (£0.426m) relating to the final budget allocation received from the ESFA in November 2021 for 2020/21 (£0.266m). The final allocation was 3% more than anticipated. Early Years spring term final calculation (£0.160m) based on DfE data provided March 2022.
 - High Needs Block overspend of £1.547m mainly relating to the provision of Independent Special or Non-Maintained Special Schools and other associated direct support. In comparison to the prior year the average unit cost and volume for 2021/22 has increased by 1% and 9% respectively.
- 2.6 Table 2 sets out the summarised financial position for 2021/22

Table 2 Summarised Financial Position 2021/22

Block Budget	S251 Budget Notification	Less Academy Recoupment & Direct Funding	Net Budget Notification	In-Year Budget Changes	Current Budget	Final Outturn Variance	Final Outturn Forecast
	£000	£000	£000	£000	£000	£000	£000
<u>Expenditure</u>							
Schools	99,611	(62,695)	36,916	0	36,916	(537)	36,379
Central School Services	1,097	0	1,097	0	1,097	(328)	769
Early Years	9,025	0	9,025	959	9,984	(426)	9,558
High Needs	24,180	(2,753)	21,426	318	21,744	1,547	23,291
TOTAL EXPENDITURE	133,912	(65,448)	68,464	1,277	69,742	257	69,997
<u>Funding</u>							
Dedicated Schools Grant	(133,912)	65,448	(68,464)	(1,277)	(69,742)	0	(69,742)
TOTAL FUNDING	(133,912)	65,448	(68,464)	(1,277)	(69,742)	0	(69,742)
				(135,190)			
NET EXPENDITURE	0	0	0	0	0	257	257
Summary						£000	
Total in year (surplus) / deficit						257	
Balance brought forward DSG general reserve (surplus) / deficit						1,925	
Add back unused earmarked reserves 31 March 2021 (surplus) / deficit						(134)	
Net Projected (surplus) /deficit						2,048	

3. KEY IMPLICATIONS

- 3.1 A significant indicator of the effectiveness of the budget setting and monitoring process can be partly measured by the materiality of movements between the monitoring periods of the central schools budget.
- 3.2 In respect of the central schools budget of £35,579,000 the movement between the variance previously reported to Schools Forum 20 January 2022 of £1,470,000 and the final outturn of £794,000 is £676,000, representing a favourable movement of 1.9%. The overall DSG in-year deficit is a net £257,000 reflecting the unchanged schools block underspend of £537,000.

- 3.3 The thresholds for measuring the effectiveness have been set in table 3. Therefore, the measure has been met.

Table 3: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Schools Forum to note the contents of the report and impact on the projected reserve deficit balance as at 31 March 2022	Greater than 3% movement in reported variance of central schools budget as at 31 March 2022	Less than 3% movement in reported variance of central schools budget as at 31 March 2022	Less than 2% movement in reported variance of central schools budget as at 31 March 2022	Less than 1% movement in reported variance of central schools budget as at 31 March 2022	26 May 2022

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 The projected net in-year overspend of £257,000 is an adverse movement on the dedicated schools grant general reserve which as of 31 March 2021 was a net deficit of £1,925,000. Incorporating the release of the unused earmarked reserve of £134,000 the revised projected deficit as of 31 March 2022 is £2,048,000.
- 4.2 The projected cumulative deficit for RBWM is 1.5% of the total budget allocation 2021/22.
- 4.3 This is a national challenge, with many authorities reporting a projected carried forward deficit by 31 March 2022. Those with the most significant balances are entering into a “safety valve” agreement with the DfE where the authority undertakes to reach a positive in-year balance on its Dedicated Schools Grant. The authority undertakes to control and reduce the cumulative deficit in line with the financial plan as submitted and funding assumptions as agreed with the DfE. RBWM is not considered to be a “safety valve” local authority.
- 4.4 Local authorities are required to carry forward overspends to their schools budget either in the immediately following year or the year after. ESFA guidance states that DSG deficits should not be covered from the general fund or other grants but that over time they should be recovered from DSG income.

5. DEFICIT MANAGEMENT PLANS

- 5.1 In accordance with the DfE conditions of grant, AfC working with RBWM must agree a Deficit Management Plan to address the cumulative deficit position with a recovery period of three to five years.
- 5.2 There is no specific timescale for implementing the Deficit Management Plan, however, initial steps are already underway and having an impact.
- 5.3 The Deficit Management Plan must be signed off by the Director of Children's Services and the Executive Director of Resources (section 151 officer). The Deficit Management Plan must be taken to Schools Forum meetings and discussed by members.
- 5.4 The Deficit Management Plan has been included within the Schools Forum reports in May 2022.
- 5.5 In conjunction with the Deficit Management Plan, RBWM is participating with the DfE Delivering Better Value (DBV) in SEND support programme. The programme will provide dedicated support and funding to help local authorities with substantial, deficit issues to reform their high needs systems. In addition, the aim of the programme is to establish more sustainable structure so authorities are better placed to respond to the forthcoming SEND Review reforms. The DBV programme is expected to commence in the summer of 2022 and operate for 30/36 months.

6. DE-DELEGATION BALANCES

- 6.1 De-delegation is the mechanism by which maintained schools pool some of their delegated budget in order to benefit from specific services that could be provided centrally in a more efficient, targeted way and at less risk to individual schools. The total fund carried forward to 2022/23 is £547,000 reflecting an in-year net contribution of £79,000.
- 6.1 It was agreed, at Schools Forum 16 December 2021, to contribute £72,000 of the de-delegation balance to support the planned DfE School Improvement Monitoring & Brokering Grant (the Grant) reduction for 2022/23. This investment by Schools would enable the current level of support to continue for 2022/23.
- 6.2 In addition, it is planned a 10% contingency of £47,000 will be retained. Therefore, the net balance of £427,000 will be reimbursed to schools in the summer term 2022.

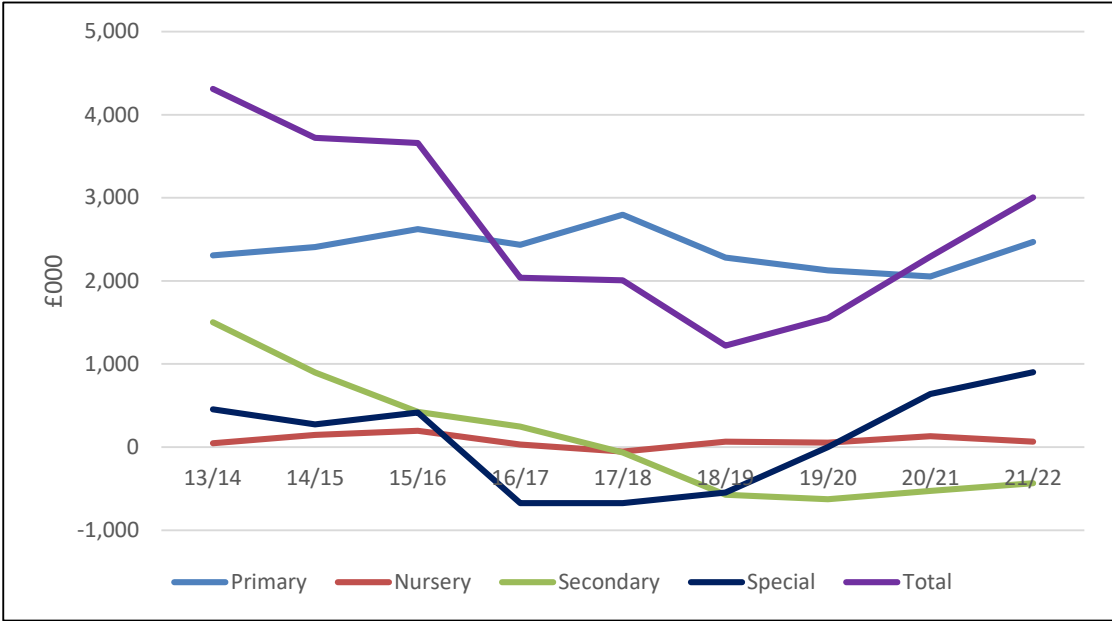
7. MAINTAINED SCHOOL BALANCES

- 7.1 This section analyses maintained school balances at the end of 2021/22 reflecting on recent trends.
- 7.2 Local Authorities do not hold information on academy school balances and the Department for Education does not publish comparable information for academies on its website, therefore, academies are excluded from the analysis.

7.3 As at 31 March 2022, the overall school balances totalled £3,003,000 equivalent to 7.5% of the delegated schools budget directly funded by the Department for Education, a net favourable movement of £710,000 (31%) on the balances compared with the previous year. The average balances over the last 9 years have been £2,650,000. The total per sector are set out in table 4.

7.4 Diagram 1 sets out the school balances by sector since 2013/14.

Diagram 1 Total school balances by sector 2013/14 to 2021/22



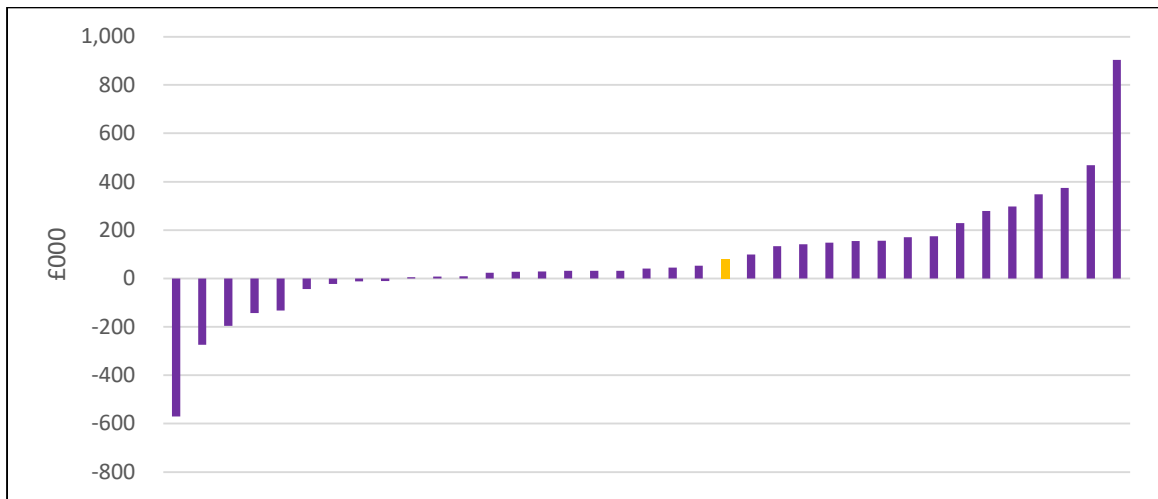
Surplus

7.5 Schools are funded each year mainly on the number of pupils on roll and are expected to use their resources on those pupils, reserving a small allowance for future planning, projects and operational risks. The Department for Education discourages schools from building up excessive uncommitted balances, notionally defined as 5% of budget share for secondary schools, and 8% for other schools.

7.6 At the end of 2021/22, 28 out of 38 maintained schools had surplus balances. The 2021/22 surplus balances total £4,418,000 an average of £164,000 per school.

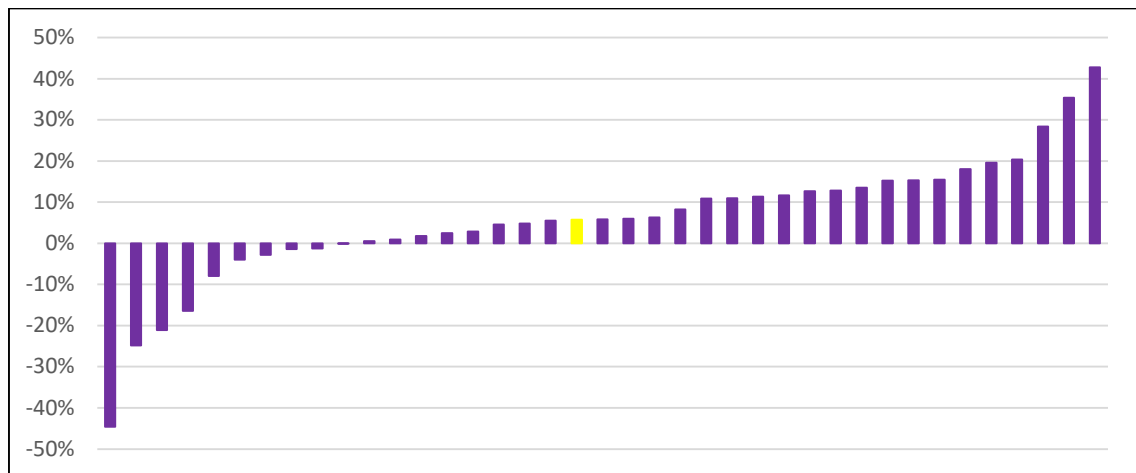
7.7 The full range of school balances is demonstrated in diagram 2; with the average balance highlighted yellow.

Diagram 2 School Balances 31 March 2022



7.8 The full range of school balances as a percentage of the school budget is demonstrated in diagram 3; with the average balance highlighted yellow.

Diagram 3 Percentage School Balances 31 March 2022



Deficit balances

7.9 As of 31 March 2022, there were nine primary schools and one secondary school in a deficit position. The 2021/22 deficits total £1,489,000, an average of £157,000 per school.

Movement in School Balances per Sector

7.10 Primary, secondary and special sectors have seen a favourable movement in balances whilst the nursery sector have seen an adverse movement since 2020/21. The overall movement in net school balances as reflected on the RBWM reserve accounts are shown in table 4.

Table 4 Movement in School Balances

Sector	As at 31/03/21 Surplus / (deficit)	As at 31/03/22 Surplus / (deficit)	Total Movement Surplus / (deficit)
	£000	£000	£000
Nursery	130	66	(64)
Primary	2,055	2,470	415
Secondary	(530)	(436)	94
Special	638	904	266
Total	2,293	3,003	710

7.11 In respect of the Special School sector there has been a materially favourable movement between the end of year balances. The movement has been delivered following the culmination of a number of targeted themes undertaken by the school over recent years including an increase in the number of out of borough pupils within the school resulting in increased income; changes in the pupil needs matrix leading to an increased RBWM funding and increased cost controls including changes in the staffing structure.

7.12 Previously, like many other local authorities, RBWM has not operated a balance control mechanism to redistribute excessive balances. The local authority requests details of committed and uncommitted spend for inclusion in the annual Consistent Financial Reporting (CFR) return submitted to the Education and Skills Funding Agency (ESFA).

7.13 Due to financial pressures Achieving for Children will review these commitments and will consider whether it is appropriate for any excessive balances to be held at a school level. This option will be considered in-conjunction with the Deficit Management Plan and would involve detailed analysis of school commitments to justify retaining excessive balances.

8. LEGAL IMPLICATIONS

8.1 There are no legal implications directly arising from this report.

9. RISK MANAGEMENT

9.1 There are no potential risks directly arising from this report, however, the requirement from the DfE is RBWM/AfC will agree a Deficit Management Plan to address the cumulative deficit position in the short to medium term.

10. POTENTIAL IMPACTS

10.1 Equalities. Equality Impact Assessments are published on the [council's website](#). The Equality Act 2010 places a statutory duty on the council to ensure that when considering any new or reviewed strategy, policy, plan, project, service or procedure the impacts on particular groups, including those

within the workforce and customer/public groups, have been considered. It has been assessed that there are no Equality Impact risks arising from this report. Link to Equality Impact Assessments. <https://www.rbwm.gov.uk/home/council-and-democracy/equalities-and-diversity/equality-impact-assessments>

10.2 Climate change/sustainability. There are no climate change/ sustainability risks arising from this report.

10.3 Data Protection/GDPR. There are no data protection/ GDPR risks arising from this report.

11. CONSULTATION

11.1 There is no requirement for stakeholder consultation arising from this report.

12. TIMETABLE FOR IMPLEMENTATION

12.1 There is no timetable for implementation of any actions arising from this report.

13. APPENDICES

13.1 This report is supported by one appendix:

- Appendix A – Equality Impact Assessment

14. BACKGROUND DOCUMENTS

14.1 This report is supported by one background document:

- Schools revenue funding 2021/22 Operational guide
<https://www.gov.uk/government/publications/pre-16-schools-funding-local-authority-guidance-for-2021-to-2022>

15. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory: Statutory Officers (or deputies)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	11-05-22	17-05-22
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	11-05-22	16-05-22
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	11-05-22	
Elaine Browne	Head of Law (Deputy Monitoring Officer)	11-05-22	
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	11-05-22	12-05-22
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	11-05-22	12-05-22
Andrew Durrant	Executive Director of Place	11-05-22	
Kevin McDaniel	Executive Director of Children's Services	11-05-22	16-05-22
Hilary Hall	Executive Director of Adults, Health and Housing	11-05-22	17-05-22
<i>Heads of Service (where relevant)</i>			
Nikki Craig	Head of HR, Corporate Projects and IT	11-05-22	12-05-22
Louisa Dean	Head of Communications	11-05-22	

Confirmation relevant Cabinet Member(s) consulted	Councillor Stuart Carroll; Cabinet Member for Adult Social Care, Children's Services, Health, Mental Health, & Transformation	Yes
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REPORT HISTORY

Decision type:	Urgency item?	To follow item?
For information	No	No

Report Author: James Norris, Head of Finance AFC (RBWM), 07824478100

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT: Budget Outturn and School Balances 2021/22

ESSENTIAL INFORMATION										
Item being assessed <i>(Please tick):</i>	Strategy		Policy		Plan		Project		Service/Procedure	✓
Responsible Officer:	James Norris			Service:	Finance					
				Directorate:	Children's Services					
STAGE 1: EqIA SCREENING (MANDATORY)					STAGE 2: FULL ASSESSMENT (IF APPLICABLE)					
Date created:	11-05-22				Date created:					
Approved by Head of Service / Overseeing group/body / Project Sponsor:	<i>"I am satisfied that an equality impact has been undertaken adequately."</i>									
	Signed:	Kevin McDaniel								
	Date:	11-05-22								

GUIDANCE NOTES

What is an EqlA and why do we need to do it?

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with 'protected characteristics' and those without them.
- Fostering good relations between those with 'protected characteristics' and those without them.

EqlAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups.

What are the “protected characteristics” under the law?

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

What's the process for conducting an EqlA?

The process for conducting an EqlA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

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Openness and transparency

RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

Enforcement

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

STAGE 1: SCREENING (MANDATORY)

1.1 What is the overall aim of your proposed *strategy/policy/project etc* and what are its key objectives?

The overall aim of the report is to provide the Schools Forum with the financial position for 2021/22 along with a summary of associated material variances; the reserve deficit balance, maintained schools balances and delegated balances as at 31 March 2022.

1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics?

*Consider each of the protected characteristics in turn and identify whether your proposal is **Relevant** or **Not Relevant** to that characteristic. If **Relevant**, please assess the level of impact as either **High / Medium / Low** and whether the impact is **Positive** (i.e. contributes to promoting equality or improving relations within an equality group) or **Negative** (i.e. could disadvantage them). Please **document your evidence** for each assessment you make, **including** a justification of why you may have identified the proposal as “Not Relevant”.*

Protected characteristic	Relevance	Level	Positive / Negative	Evidence
Age	Yes	Low	Positive	This report does impact on pupils within this protected characteristic; however, as school funding is on a formula basis impact has already been considered within previous reports and decision making processes
Disability	Yes	Low	Negative	There will be a Deficit Management Plan developed which may impact on the current range of services provided for pupils within this characteristic. The impact will be continually reviewed and reassessed.
Gender reassignment	No			There is nothing in the report which is considered to impact on this protected characteristic.
Marriage and civil partnership	No			There is nothing in the report which is considered to impact on this protected characteristic.
Pregnancy and maternity	No			There is nothing in the report which is considered to impact on this protected characteristic.
Race	No			There is nothing in the report which is considered to impact on this protected characteristic.

Religion or belief	No			There is nothing in the report which is considered to impact on this protected characteristic.
Sex	No			There is nothing in the report which is considered to impact on this protected characteristic.
Sexual orientation	No			There is nothing in the report which is considered to impact on this protected characteristic.

OUTCOMES, ACTION & PUBLIC REPORTING

Screening Assessment Outcome	Yes / No / Not at this Stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	No	Continued monitoring and reporting of the Dedicated Schools Grant budgets including development of Deficit Management Plan.	James Norris	Termly reporting to Schools Forum.
Does the strategy, policy, plan etc require amendment to have a positive impact?	No	None		

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered "No" or "Not at this Stage" to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

All completed EqIA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

STAGE 2: FULL ASSESSMENT

2.1 SCOPE & DEFINE

2.1.1 Who are the main beneficiaries of the proposed strategy / policy / plan / project / service / procedure? *List the groups who the work is targeting/aimed at.*

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2.1.2 Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? *List those groups who the work is targeting/aimed at.*

2.2 INFORMATION GATHERING/EVIDENCE

2.2.1 What secondary data have you used in this assessment? *Common sources of secondary data include: censuses, organisational records.*

2.2.2 What primary data have you used to inform this assessment? *Common sources of primary data include: consultation through interviews, focus groups, questionnaires.*

Equality Duty Statement	Protected Characteristic	Advancing the Equality Duty		Negative impact		Explanation & Mitigations Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic
		Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	
Eliminate discrimination, harassment, victimisation 24	Age					
	Disability					
	Gender reassignment					
	Marriage and civil partnership					
	Pregnancy and maternity					
	Race					
	Religion or belief					
	Sex					
Advance equality of opportunity	Sexual orientation					
	Age					
	Disability					
	Gender reassignment					

	Marriage and civil partnership					
	Pregnancy and maternity					
	Race					
	Religion or belief					
	Sex					
	Sexual orientation					
25	Foster good relations					
	Age					
	Disability					
	Gender reassignment					
	Marriage and civil partnership					
	Pregnancy and maternity					
	Race					
	Religion or belief					
	Sex					
Sexual orientation						

2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts?
These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.

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Report Title:	Dedicated Schools Grant Deficit Management Plan 2022/27
Contains Confidential or Exempt Information	No – Part I
Cabinet Member:	Councillor Stuart Carroll - Deputy Chairman of Cabinet, Adult Social Care, Children’s Services, Health, Mental Health & Transformation
Meeting and Date:	Schools Forum 26 May 2022
Responsible Officer(s):	Kevin McDaniel - Executive Director of Children’s Services James Norris - Head of Finance Achieving for Children (RBWM)
Wards affected:	All



REPORT SUMMARY

The purpose of this report is to provide the Schools Forum with an update on the Dedicated Schools Grant Deficit Management Plan 2022/27.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Schools Forum notes the report:

- i) **identifying any further options that could be considered within the Deficit Management Plan 2022/27**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
Schools Forum to note the contents of the report and identifies any further options that could be considered within the Deficit Management Plan This is the recommended option.	The DSG conditions of grant 2022/23 requires that any local authority with an overall deficit on its DSG account at the end of the 2021/22 financial year, must be able to present a plan to DfE for managing their future DSG spend.
Do nothing. This is not recommended.	This is not an option.

3. BACKGROUND

- 3.1 The DSG is a ring-fenced specific grant, provided outside the local government finance settlement. It must be used in support of the schools budget for the

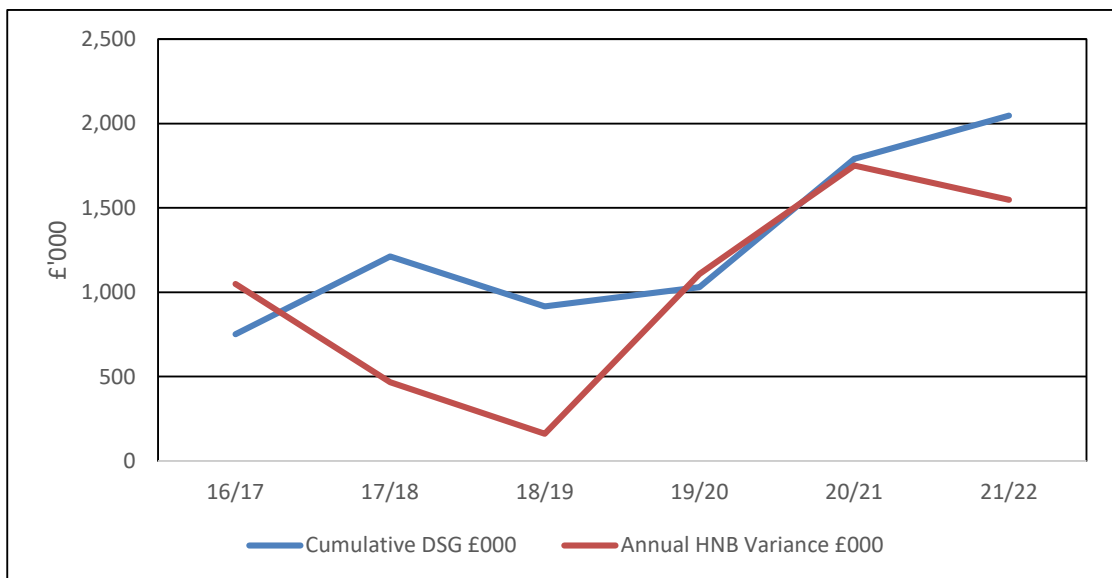
purposes defined in regulation 6 and schedule 2 of the School and Early Years Finance (England) Regulations 2022.

3.2 The 2021/22 net in-year overspend of £257,000 is an adverse movement on the dedicated schools grant general reserve. The revised deficit as of 31 March 2022 is £2,048,000 representing a cumulative deficit of 1.5% for RBWM against the total budget allocation 2021/22.

3.3 Since 2016/17 the Dedicated Schools Grant deficit has increased from £752,000 to £2,048,000 by 31 March 2022. This increase has been as a direct result of pressures within the High Needs Block which over the same period has seen an average annual overspend in of £1,014,000, which has been mitigated by underspends within other blocks.

3.4 The cumulative DSG deficit and annual High Needs Block variance is set out in chart 1. Other block underspends have been excluded from the chart.

Chart 1: Dedicated Schools Grant Deficit and annual High Needs Block variance since 2016/17



3.5 The expectation of the DfE is that local authorities should plan to recover their deficit in a 3-year period although a 5-year plan may be considered. The local authority is proposing action to mitigate the deficit by 2026/27.

3.6 Table 2 sets out the projected Dedicated Schools Grant and future expenditure projections based on recent trend data excluding any deficit management plan savings.

Table 2 High level projected grant and expenditure projections excluding any deficit management plan savings

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
	£m	£m	£m	£m	£m	£m
	ACTUAL	FORECAST	FORECAST	FORECAST	FORECAST	FORECAST
Brought Forward Deficit	1.791	2.048	2.833	4.235	6.454	9.571
High Needs Block Variance	1.547	1.415	1.683	2.498	3.398	4.388
Other Blocks Variance	(1.290)	(0.630)	(0.280)	(0.280)	(0.280)	(0.280)
Net in-year deficit	0.257	0.785	1.403	2.218	3.118	4.108
Deficit Carried Forward	2.048	2.833	4.235	6.454	9.571	13.679
Cumulative Deficit 31st March 2021/22						2.048
Cumulative Deficit 2022/23 to 2026/27						11.631

3.7 The following assumptions have been factored into the high-level projection:

- In accordance with DfE advice the annual grant has been estimated to increase by 5.0% for 2023/24 and 3% thereafter
- Based on the trend since 2017 Education Health Care Plans estimated to increase annually by 4.7%
- Based on recent trends to 2021/22 inflation increases estimated to increase annually by 2.4%

If no management action is taken, modelling the above assumptions the cumulative high level projected deficit by 31 March 2027 is £13,679,000. Additionally, increased cost of living, that the UK has experienced since late 2021 and other adverse changes in demand on services will potentially lead to further pressures and result in the requirement to periodically review the key modelled cost drivers.

3.8 The management of future DSG spend requires both a short-term reduction in expenditure to recover the accumulated deficit and a sustainable reduction in future commitments to remain within the annual budget allocation.

4. PROPOSED DEFICIT MANAGEMENT PLAN ACTIONS

4.1 In conjunction with the Deficit Management Plan, RBWM is participating with the DfE Delivering Better Value (DBV) in SEND support programme. The programme will provide dedicated support and funding to help local authorities with substantial, deficit issues to reform their high needs systems. In addition, the aim of the programme is to establish more sustainable structure so authorities are better placed to respond to the forthcoming SEND Review reforms.

4.2 The DBV support programme recognises that, over recent years, rising demand and other pressures have contributed to many local authorities accruing deficits on their DSG and that the Pandemic has exacerbated these issues. These issues need to be addressed against the background of significant increases in high needs funding nationally in the last two years, the cross government SEND review and a targeted support for those local authorities with the biggest challenge. The support programme's aim is to support local authorities to improve the experience and outcomes for children and young people with SEND and secure the sustainability of local SEND services. The DBV is a 3-year transformation programme which will run as follows:

- **Pre-engagement strategy meeting March 2022:** RBWM met with DfE to discuss the programme, the nature of support the DfE would be providing and how Windsor and Maidenhead will best work with the Department to drive and achieve the objectives of the programme.
- **Phase 1 – 6 months:** The Department will provide project management and change management capacity, alongside SEND financial and practice advisers, to support RBWM in engaging with its key stakeholders and conducting a comprehensive diagnostic process to identify the underlying cost drivers of its high needs system and potential reforms to manage/mitigate these cost drivers more effectively.
- **Phase 2 – 30 months:** The DfE will work with RBWM to determine which identified reforms to fund and will provide grants directly to RBWM to enable you implement and embed these reforms, with ongoing support and challenge by DfE officials.
- The Secretary of State and DfE Ministers will be updated quarterly on the progress of these reforms for the 55 local authorities involved.

4.3 It is essential that in conjunction with the DBV support programme RBWM work to restrict, and where possible erode, the projected deficit over the coming financial years. Therefore, there have been four key themes identified to be implemented that will lead to a reduction in costs. The four themes are set out below with a full year indicative range of savings shown in brackets:

- Supporting partnership working (£570,000 to £100,000)
- Expanding the range and quality of local provision (£270,000 to £100,000)
- Assessment, planning and review (£130,000 to £20,000)
- Effective commissioning (£130,000 to £10,000)

4.4 For illustrative purposes the average savings has been modelled in table 3. For 2022/23 only a part year effect has been reflected. It has been modelled that savings will be fully delivered in 2023/24.

Table 3 High level projected savings – average delivery

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
	£m	£m	£m	£m	£m	£m
	ACTUAL	FORECAST	FORECAST	FORECAST	FORECAST	FORECAST
Supporting partnership working	0.00	0.17	0.50	0.84	1.17	1.51
Expanding the range and quality of local provision	0.00	0.09	0.28	0.47	0.66	0.84
Expanding the range and quality of local provision	0.00	0.04	0.11	0.19	0.26	0.33
Effective commissioning	0.00	0.03	0.10	0.17	0.24	0.30
Projected Savings	0.00	0.33	1.00	1.66	2.33	2.99
Cumulative Savings	0.00	0.33	1.33	2.99	5.32	8.31

4.5 The projected cumulative savings 31 March 2027 total £8,310,000. This would result in a net deficit of £5,369,000 and not deliver a balanced budget position by 31 March 2027. This demonstrates the requirement to proactively manage and implement the Deficit Management Plan recognising the financial impact of any savings themes that under achieve or deliver savings behind profile.

4.6 For illustrative purposes the upper threshold of savings has been modelled in table 4. Savings have been reflected as being only part delivered in 2022/23 with a full year effect in future years.

Table 4 High level projected savings – upper threshold delivery

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
	£m	£m	£m	£m	£m	£m
	ACTUAL	FORECAST	FORECAST	FORECAST	FORECAST	FORECAST
Supporting partnership working	0.00	0.28	0.85	1.42	1.99	2.56
Expanding the range and quality of local provision	0.00	0.14	0.41	0.68	0.95	1.22
Expanding the range and quality of local provision	0.00	0.07	0.20	0.33	0.46	0.59
Effective commissioning	0.00	0.06	0.19	0.32	0.45	0.57
Projected Savings	0.00	0.55	1.65	2.75	3.85	4.95
Cumulative Savings	0.00	0.55	2.20	4.95	8.80	13.74

4.7 The savings set out in table 4 reflect cashable savings that will deliver planned and sustainable reduction to the base budget expenditure, cumulative savings 31 March 2027 total £13,740,000. This would result in a net surplus of £61,000.

- 4.8 The Deficit Management Plan will be updated and presented at Schools Forum meetings and any high needs subgroups regularly and at least on a termly basis.
- 4.9 It should be recognised that should there be a significant increase in demand, change in legislation or other adverse factors the successful delivery of the Deficit Management Plan would inevitably be deferred. It is widely recognised across local authorities that the current High Needs Block funding mechanism does not meet the demand.
- 4.10 The DfE plans make changes to the High Needs Block funding, and recently launched a green paper for consultation – SEND review: Right Support, Right Place, Right Time. The DfE is seeking to address a number of high-level issues focused on delivering better outcomes and experiences for all children and young people with SEND. Proposals include making the system more transparent, accountable and effective through better working between education, health and social care. The green paper is looking to cap the growth of the high needs budget to deliver financial sustainability. The two main levers it proposes for achieving this are national standards and nationally set tariffs across the system, and more effective early intervention.
- 4.11 The following is the link to the Green Paper with consultation closing 1st July 2022.

<https://www.gov.uk/government/consultations/send-review-right-support-right-place-right-time>

5. KEY IMPLICATIONS

- 5.1 A significant indicator of the effectiveness of the Deficit Management Plan can be measured by the materiality of the savings delivered against the modelled annual savings set out in table 4.
- 5.2 The thresholds for measuring the effectiveness have been set in table 5.

Table 5: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Schools Forum to agree the contents of Deficit Management Plan	Greater than 5% underachievement at key milestones (31 March)	Less than 5% underachievement at key milestones (31 March)	Overachievement of 5% at key milestones (31 March)	Overachievement of 10% at key milestones (31 March)	31 March (each year)

6. DEFICIT MANAGEMENT PLAN SUBMISSION TO DfE

- 6.1 In accordance with the DfE conditions of grant, AfC working with RBWM must agree a Deficit Management Plan to address the cumulative deficit position.

- 6.2 The Deficit Management Plan should be discussed with Schools Forum and be signed off by the Director of Children's Services and the Executive Director of Resources (section 151 officer) before the plans are submitted.

7. LEGAL IMPLICATIONS

- 7.1 There are no legal implications directly arising from this report.

8. RISK MANAGEMENT

- 8.1 There are no potential risks directly arising from this report, however, the requirement from the DfE is RBWM/AfC will agree a Deficit Management Plan to address the cumulative deficit position in the short to medium term.

9. POTENTIAL IMPACTS

- 9.1 Equalities. Equality Impact Assessments are published on the [council's website](#). The Equality Act 2010 places a statutory duty on the council to ensure that when considering any new or reviewed strategy, policy, plan, project, service or procedure the impacts on particular groups, including those within the workforce and customer/public groups, have been considered. It has been assessed that there are no Equality Impact risks arising from this report. Link to Equality Impact Assessments. <https://www.rbwm.gov.uk/home/council-and-democracy/equalities-and-diversity/equality-impact-assessments>
- 9.2 Climate change/sustainability. There are no climate change/ sustainability risks arising from this report.
- 9.3 Data Protection/GDPR. There are no data protection/ GDPR risks arising from this report.

10. CONSULTATION

- 10.1 Consultation has been undertaken with Schools Forum representatives who agreed with the key Deficit Management Plan themes reported in 4.3.

11. TIMETABLE FOR IMPLEMENTATION

- 11.1 The Deficit Management Plan delivery has commenced with changes in a number of practices already implemented, ownership of key themes allocated to senior AFC managers and processes to monitor the financial impact established.

12. APPENDICES

- 12.1 This report is supported by one appendix:

- Appendix A – Equality Impact Assessment

13.BACKGROUND DOCUMENTS

13.1 This report is supported by one background document:

13.2 Dedicated schools grant (DSG) deficit management plan
<https://www.gov.uk/government/publications/dedicated-schools-grant-dsg-deficit-management-plan>

14.CONULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory: Statutory Officers (or deputies)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	16-05-22	17-05-22
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	16-05-22	17-05-22
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	16-05-22	
Elaine Browne	Head of Law (Deputy Monitoring Officer)	16-05-22	
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	16-05-22	16-05-22
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	16-05-22	16-05-22
Andrew Durrant	Executive Director of Place	16-05-22	
Kevin McDaniel	Executive Director of Children's Services	16-05-22	17-05-22
Hilary Hall	Executive Director of Adults, Health and Housing	16-05-22	17-05-22
<i>Heads of Service (where relevant)</i>			
Nikki Craig	Head of HR, Corporate Projects and IT	16-05-22	16-05-22
Louisa Dean	Head of Communications	16-05-22	

Confirmation relevant Cabinet Member(s) consulted	Councillor Stuart Carroll; Cabinet Member for Adult Social Care, Children's Services, Health, Mental Health, & Transformation	Yes
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REPORT HISTORY

Decision type:	Urgency item?	To follow item?
For information	No	No
Report Author: James Norris, Head of Finance AFC (RBWM), 07824478100		

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : Dedicated Schools Grant Deficit Management Plan 2022/27

Essential information

Items to be assessed: (please mark 'x')

Strategy		Plan		Project		Service procedure	X
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Responsible officer	James Norris	Service area	Finance	Directorate	Achieving for Children
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Stage 1: EqIA Screening (mandatory)	Date created: 13/05/2022	Stage 2 : Full assessment (if applicable)	Date created :N/A
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Approved by Head of Service / Overseeing group/body / Project Sponsor:

"I am satisfied that an equality impact has been undertaken adequately."

Signed by (print): Kevin McDaniel

Dated: 13/05/22

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA : Dedicated Schools Grant Deficit Management Plan 2022/27

Guidance notes

What is an EqlA and why do we need to do it?

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with 'protected characteristics' and those without them.
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EqlAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups. All completed EqlA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

What are the "protected characteristics" under the law?

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

What's the process for conducting an EqlA?

The process for conducting an EqlA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

Openness and transparency

RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

Enforcement

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : Dedicated Schools Grant Deficit Management Plan 2022/27

Stage 1 : Screening (Mandatory)

1.1 What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?

The overall aim of the report is to provide the Schools Forum with the recommendations of the Deficit Management Plan working party to address the budget deficit position.

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1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as “Not Relevant”.

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA : Dedicated Schools Grant Deficit Management Plan 2022/27

Protected characteristics	Relevance	Level	Positive/negative	Evidence
Age	Yes	Low	Positive	This report does impact on pupils within this protected characteristic; however, as school funding is on a formula basis impact has already been considered within previous reports and decision making processes
Disability	Yes	Low	Negative	This report does impact on pupils within this protected characteristic; however, the impact of the Deficit Management Plan will be continually reviewed and reassessed.
Gender re-assignment	No			There is nothing in the report which is considered to impact on this protected characteristic.
Marriage/civil partnership	No			There is nothing in the report which is considered to impact on this protected characteristic.
Pregnancy and maternity	No			There is nothing in the report which is considered to impact on this protected characteristic.
Race	No			There is nothing in the report which is considered to impact on this protected characteristic.
Religion and belief	No			There is nothing in the report which is considered to impact on this protected characteristic.
Sex	No			There is nothing in the report which is considered to impact on this protected characteristic.
Sexual orientation	No			There is nothing in the report which is considered to impact on this protected characteristic.

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA : Dedicated Schools Grant Deficit Management Plan 2022/27

Outcome, action and public reporting

Screening Assessment Outcome	Yes / No / Not at this stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	No	Continued monitoring and reporting of the Dedicated Schools Grant budgets including development of Deficit Management Plan.	James Norris	Termly reporting to Schools Forum.
Does the strategy, policy, plan etc require amendment to have a positive impact?	No	None		

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered “No” or “Not at this Stage” to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : Dedicated Schools Grant Deficit Management Plan 2022/27

Stage 2 : Full assessment

2.1 : Scope and define

2.1.1 Who are the main beneficiaries of the proposed strategy / policy / plan / project / service / procedure? List the groups who the work is targeting/aimed at.

2.1.2 Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? List those groups who the work is targeting/aimed at.

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : Dedicated Schools Grant Deficit Management Plan 2022/27

2.2 : Information gathering/evidence

2.2.1 What secondary data have you used in this assessment? *Common sources of secondary data include: censuses, organisational records.*

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2.2.2 What primary data have you used to inform this assessment? *Common sources of primary data include: consultation through interviews, focus groups, questionnaires.*

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ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA : Dedicated Schools Grant Deficit Management Plan 2022/27

Eliminate discrimination, harassment, victimisation

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA : Dedicated Schools Grant Deficit Management Plan 2022/27

Advance equality of opportunity

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA : Dedicated Schools Grant Deficit Management Plan 2022/27

Foster good relations

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

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2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts? If so please summarise any updates.

These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : Dedicated Schools Grant Deficit Management Plan 2022/27

Report Title:	Early Years Funding Consultation Results 2022/23
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Schools Forum
Meeting and Date:	26 May 2022
Responsible Officer(s):	Clive Haines – School Leadership Development Manager
Wards affected:	All



REPORT SUMMARY

In November 2021 the government announced increases in 2022/23 grant funding for Early Years settings in respect of 2022/23.

Further to Schools Forum 20 January 2022, a consultation was undertaken between 21 January to 11 February 2022. This report provides a summary of the consultation results (Appendix B: Consultation email sent to all early year providers within RBWM).

As the formula had to be submitted by the end of March, the decision to proceed with the proposal was taken, based on the feedback. This report therefore is just for information.

DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Schools Forum notes the report and:

- i) agrees with findings from the consultation to increase the 2, 3 and 4 year-old funding rates**

1. Options

1.1 There were 35 responses, 100% were in agreement to increase the 3 & 4 year old hourly rate by 20p and 94% were in agreement for the 2 year old hourly rate to increase by 16p.

1.2 The consultation also had a comments field for provider feedback and table 1 contains the main comments collected during the consultation period. The comments received were considered but did not materially impact on the formula, therefore, did not alter the recommendations, however, a more in depth consultation and review will be undertaken for 2023/24.

1.3 The comments did not require any changes to the recommendations, allowing officers to submit the proposed formula on time.

Table 1: Main comments of feedback

1	Whilst the increase is welcome it doesn't cover the costs of the providers, this alongside a drop in Number on Roll (NOR) is a problem for the settings
2	The supplements seem to be outdated; can the funding be added to the base rate?
3	Funding for 2 year olds should be more in line with that of 3 & 4 year olds
4	Consideration for additional support required for Communication and Language, as speech and language skills have been lower than expected, due to younger pupils having spent early years of life with social interactions limited, due to Covid restrictions.

2. KEY IMPLICATIONS

2.1 Effective from April 2022 funding rates will be increased as set out in this report.

3. FINANCIAL DETAILS / VALUE FOR MONEY

3.1 The increased funding rates will be funded from the increased DfE allocation for the Early Years Block 2022/23.

4. LEGAL IMPLICATIONS

4.1 There are no legal implications for this report.

5. RISK MANAGEMENT

5.1 There are no risk management concerns for this report.

6. POTENTIAL IMPACTS

- 6.1 Equalities. Equality Impact Assessments are published on the [council's website](#). The Equality Act 2010 places a statutory duty on the council to ensure that when considering any new or reviewed strategy, policy, plan, project, service or procedure the impacts on particular groups, including those within the workforce and customer/public groups, have been considered. It has been assessed that there are no Equality Impact risks arising from this report. Link to Equality Impact Assessments. <https://www.rbwm.gov.uk/home/council-and-democracy/equalities-and-diversity/equality-impact-assessments>
- 6.2 Climate change/sustainability. There are no climate change/ sustainability risks arising from this report.
- 6.3 Data Protection/GDPR. There are no data protection/ GDPR risks arising from this report.

7. APPENDICES

7.1 This report is supported by two appendices:

- Appendix A - EQIA
- Appendix B - Consultation email sent to providers

8. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory:</i>		<i>Statutory Officers (or deputies)</i>	
Adele Taylor	Executive Director of Resources/S151 Officer	11-05-22	17-05-22
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	11-05-22	13-05-22
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	11-05-22	
Elaine Browne	Head of Law (Deputy Monitoring Officer)	11-05-22	
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	11-05-22	11-05-22
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	11-05-22	12-05-22
Andrew Durrant	Executive Director of Place	11-05-22	
Kevin McDaniel	Executive Director of Children's Services	11-05-22	16-05-22
Hilary Hall	Executive Director of Adults, Health and Housing	11-05-22	17-05-22
<i>Heads of Service (where relevant)</i>			
Nikki Craig	Head of HR, Corporate Projects and IT	11-05-22	12-05-22
Louisa Dean	Head of Communications	11-05-22	

Confirmation relevant Cabinet Member(s) consulted	Councillor Stuart Carroll; Cabinet Member for Adult Social Care, Children's Services, Health, Mental Health, & Transformation	Yes
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REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Schools Forum decision	No	No

Appendix B: Consultation email sent to providers

Introduction

The purpose of this consultation exercise is to seek the views of all early year's providers (schools, private, voluntary and independent providers) on the funding formula changes the borough and the Schools Forum should consider for 2022-23. The consultation will be open from 21 January 2022 to 11 February 2022. Please submit comments by the survey by the 11 February 2022 at the latest. The results will be reported to the next Schools Forum meeting.

The final formula will be submitted to the EFSA by the 31 March 2022.

In November 2021 the government announced increases in 2022/23 grant funding for Early years. Please see below an extract from the government notification and the RBWM consultation on the proposed changes to the hourly rates for Early Years National Funding, the Early years pupil Premium and the disability access fund DAF allocations from April 2022.

Early years entitlements funding rates for 2022/23

Extract from the government announcement:

'In 2022 to 2023 we'll increase the hourly funding rates for all local authorities by 21 pence an hour for the 2-year-old entitlement and, for most areas, 17 pence an hour for the 3 and 4-year-old entitlements. We are also increasing the minimum funding floor, meaning no council can receive less than £4.61 per hour for the 3 and 4-year-old entitlements.

We're also increasing the early years pupil premium by 7 pence to 60 pence per hour, equivalent to up to £342 per eligible child per year, to support better outcomes for disadvantaged 3 and 4-year-olds.

Funding for the disability access fund, to help providers make reasonable adjustments within their provision to support eligible 3 and 4-year-old children with a disability, will also increase by £185 to £800 per eligible child per year.'

Government funding announcement: [Link](#)

Consultation

RBWM consult annually with Schools and Early providers on proposed changes to the provider funding. Following on from the government announcement on Early years funding changes are to be made to the new hourly rates from 1st April 2022.

The new base rates proposals, the hourly supplements, Nursery Maintained School Supplement (NMSS) and the SEN Inclusion fund budget in total will exceed the '95% pass through' required of each local authority. The published S251 Budget statements details each local authorities' early years funding allocation proposals and the budgeted 'pass through' percentage.

RBWM propose to increase the base rate funding for both Early Years National Funding formula for 3- and 4-years old and two year old hourly rate as reflected in the table 1. In order to meet the early years central costs and the 95% pass through, 1p of the increase has been retained. EYNFF supplements are to remain at the current hourly rate. Providers will be entitled to claim the new 2022-23 annual sums for both EYPP and Disability Access eligible children.

Please note that the NMSS is allocated in full to the authorities three maintained nursery settings.

Link to operation guidance and the required 95% passthrough see page 9:

[Here](#)

For the financial year 2022/23 RBWM proposed new hourly and annual funding rates are listed in the table below:

RBWM	Provider Base rate 2021/22	Proposed Increase in provider element	Provider base rate 2022/23
	£	£	£
2 year old funding – Hourly rate	5.86	0.20	6.06
3 and 4 year old EYNFF funding – Hourly base rate	4.44	0.16	4.60
Early Years Premium - Hourly	0.53	0.07	0.60
Disability Access Funding – Annual rate	615.00	185.00	800.00

Note: rates above exclude the supplements for Deprivation and quality Supplements for EYNFF:

Per Hour	Deprivation	Qualification
	£	£
High	0.32	0.27
Medium	0.18	0.18
Low	0.09	0.09

Please click on the link below to submit your response by Friday 12pm on Friday 11th February 2022

<https://forms.gle/NVmFyHD7cwYPQ6ac7>

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT: Early Years Funding Consultation Results 2022/23

ESSENTIAL INFORMATION										
Item being assessed (Please tick):	Strategy		Policy		Plan		Project		Service/Procedure	✓
Responsible Officer:	Clive Haines				Service:	Education				
					Directorate:	Children's Services				
STAGE 1: EqIA SCREENING (MANDATORY)					STAGE 2: FULL ASSESSMENT (IF APPLICABLE)					
Date created:	11-05-22				Date created:					
Approved by Head of Service / Overseeing group/body / Project Sponsor:	<i>"I am satisfied that an equality impact has been undertaken adequately."</i>									
	Signed:	Kevin McDaniel								
	Date:	11-05-22								

GUIDANCE NOTES

What is an EqlA and why do we need to do it?

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with 'protected characteristics' and those without them.
- Fostering good relations between those with 'protected characteristics' and those without them.

EqlAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups.

What are the “protected characteristics” under the law?

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

What's the process for conducting an EqlA?

The process for conducting an EqlA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

Openness and transparency

RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

Enforcement

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

STAGE 1: SCREENING (MANDATORY)

1.1 What is the overall aim of your proposed *strategy/policy/project etc* and what are its key objectives?

The overall aim of the report is to provide a summary of the consultation results in respect of the proposed increase in Early Years Funding rates for 2022/23.

1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics?

*Consider each of the protected characteristics in turn and identify whether your proposal is **Relevant** or **Not Relevant** to that characteristic. If **Relevant**, please assess the level of impact as either **High / Medium / Low** and whether the impact is **Positive** (i.e. contributes to promoting equality or improving relations within an equality group) or **Negative** (i.e. could disadvantage them). Please **document your evidence** for each assessment you make, **including** a justification of why you may have identified the proposal as “Not Relevant”.*

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Protected characteristic	Relevance	Level	Positive / Negative	Evidence
Age	Yes	Low	Positive	This report does impact on pupils within this protected characteristic; however, as Early Years funding is on a formula basis impact has already been considered within previous reports and decision making processes
Disability	Yes	Low	Positive	This report does impact on pupils within this protected characteristic; however, as Early Years funding is on a formula basis impact has already been considered within previous reports and decision making processes
Gender reassignment	No			There is nothing in the report which is considered to impact on this protected characteristic.
Marriage and civil partnership	No			There is nothing in the report which is considered to impact on this protected characteristic.

Pregnancy and maternity	No			There is nothing in the report which is considered to impact on this protected characteristic.
Race	No			There is nothing in the report which is considered to impact on this protected characteristic.
Religion or belief	No			There is nothing in the report which is considered to impact on this protected characteristic.
Sex	No			There is nothing in the report which is considered to impact on this protected characteristic.
Sexual orientation	No			There is nothing in the report which is considered to impact on this protected characteristic.

OUTCOMES, ACTION & PUBLIC REPORTING

55 Screening Assessment Outcome	Yes / No / Not at this Stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	No	None		
Does the strategy, policy, plan etc require amendment to have a positive impact?	No	None		

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered "No" or "Not at this Stage" to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

All completed EqIA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

STAGE 2: FULL ASSESSMENT

2.1 SCOPE & DEFINE

2.1.1 Who are the main beneficiaries of the proposed strategy / policy / plan / project / service / procedure? *List the groups who the work is targeting/aimed at.*

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2.1.2 Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? *List those groups who the work is targeting/aimed at.*

2.2 INFORMATION GATHERING/EVIDENCE

2.2.1 What secondary data have you used in this assessment? *Common sources of secondary data include: censuses, organisational records.*

2.2.2 What primary data have you used to inform this assessment? *Common sources of primary data include: consultation through interviews, focus groups, questionnaires.*

Equality Duty Statement	Protected Characteristic	Advancing the Equality Duty		Negative impact		Explanation & Mitigations Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic
		Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	
Eliminate discrimination, harassment, victimisation	Age					
	Disability					
	Gender reassignment					
	Marriage and civil partnership					
	Pregnancy and maternity					
	Race					
	Religion or belief					
	Sexual orientation					

Advance equality of opportunity	Age					
	Disability					
	Gender reassignment					
	Marriage and civil partnership					
	Pregnancy and maternity					
	Race					
	Religion or belief					
	Sex					
	Sexual orientation					
58 Foster good relations	Age					
	Disability					
	Gender reassignment					
	Marriage and civil partnership					
	Pregnancy and maternity					
	Race					
	Religion or belief					
	Sex					
	Sexual orientation					

2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts?
These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.

2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts?

These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.

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