



COUNCIL

10 JANUARY 2024

SUPPLEMENTARY PAPERS

TO: ALL MEMBERS OF THE COUNCIL

The following papers have been added to the agenda for the above meeting.

These were not available for publication with the rest of the agenda.

Susan Halliwell
Chief Executive

- | | Page No |
|---|----------------|
| 7. BRACKNELL FOREST COUNCIL'S PARTICIPATION IN THE DEPARTMENT FOR EDUCATION'S SAFETY VALVE INTERVENTION PROGRAMME | 3 - 10 |
| To recommend a final proposal to be submitted on 12 January to the Department for Education for the Council's inclusion in its Safety Valve Intervention Programme and to seek approval for related investment in local school provision for children with Special Educational Needs and Disabilities (SEND). | |

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Initial Equalities Screening Record Form

Date of Screening: 27/11/23	Directorate: People	Section: SEND						
1. Activity to be assessed	The council's proposed Safety Valve programme of activities. The Safety Valve programme will support our vision for children and young people with special educational needs and disabilities (SEND) in Bracknell Forest. Our vision is they achieve their full potential in their early years, at school and in college and lead happy and fulfilled lives. The programme will have a focus on inclusion and ensuring that children young people can access suitable provision within their local schools within their local communities. The programme seeks to ensure that provision and services are cost effective and value for money, with fair and equitable access for all children and young people with their differing needs, also ensuring sufficiency when taking into account predicted future rising levels of needs.							
2. What is the activity?	Programme with several workstreams and projects							
3. Is it a new or existing activity?	New							
4. Officer responsible for the screening	Duane Chappell, Head of SEND and Specialist Support Services							
5. Who are the members of the screening team?	Duane Chappell, Harjit Hunjan, Kellie Williams, Chris Kiernan							
6. What is the purpose of the activity?	The programme of activity will form the basis of a Safety Valve agreement with the DfE, should our submission be approved by the Secretary of State. The DfE's Safety Valve programme aims to support local authorities to address the significant overspend within the High Needs Block of the Dedicated Schools Grant to ensure that spending is managed in line with budget. Our Safety Valve programme has been approached as a continuation of our improvement journey and integral to the implementation of our SEND strategy. The programme consists of four workstreams: early intervention and demand management; right provision, right time; value for money services and effective pathways and transition.							
7. Who is the activity designed to benefit/target?	Children and young people with special educational needs and disabilities, aged 0-25 years old, who draw funding from the High Needs Block. We also recognise that parents, carers and other family members may be impacted by the changes to provision and services.							
Protected Characteristics	Please tick yes or no	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Is there an impact?</th> <th style="width: 70%;">What evidence do you have to support this?</th> </tr> </thead> <tbody> <tr> <td> What kind of equality impact may there be? Is the impact positive or adverse or is there a potential for both? If the impact is neutral, please give a reason. </td> <td> E.g., equality monitoring data, consultation results, customer satisfaction information etc. Please add a narrative to justify your claims around impacts and describe the analysis and interpretation of evidence to support your conclusion as this will inform members decision making, include consultation results/satisfaction information/equality monitoring data </td> </tr> <tr> <td> The impact is positive with some potential negative impacts. Positive: </td> <td> There are currently 1437 CYP in Bracknell Forest with an EHCP. The educational attainment gap between pupils with SEND needs and all other pupils is wider in Bracknell </td> </tr> </tbody> </table>	Is there an impact?	What evidence do you have to support this?	What kind of equality impact may there be? Is the impact positive or adverse or is there a potential for both? If the impact is neutral, please give a reason.	E.g., equality monitoring data, consultation results, customer satisfaction information etc. Please add a narrative to justify your claims around impacts and describe the analysis and interpretation of evidence to support your conclusion as this will inform members decision making, include consultation results/satisfaction information/equality monitoring data	The impact is positive with some potential negative impacts. Positive:	There are currently 1437 CYP in Bracknell Forest with an EHCP. The educational attainment gap between pupils with SEND needs and all other pupils is wider in Bracknell
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8. Disability Equality – this can include physical, mental health, learning or sensory disabilities and includes conditions such as dementia as well as hearing or sight impairment.	Y							

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	<p>Improved outcomes for children and young people from having their SEND needs met by early intervention.</p> <p>The money that we secure from the Safety Valve programme will mean that children's needs are identified earlier, and they are supported at an earlier stage, potentially avoiding a crisis.</p> <p>Less funding will be spent on out of borough placements through the development of specialist provision in borough, meaning that CYP with SEND will be able to access education within their local communities,</p> <p>Children and young people will feel more integrated and included within their local communities, with increased social opportunities and local friendship groups.</p> <p>Local provision will mean that children and young people will be able to access a quality education without having to travel long distances every day.</p> <p>The programme will focus on inclusion and ensuring that services operate on a needs-led basis rather than being diagnosis- or EHCP-led. This will mean that more children and young people will have their needs met earlier, at SEN support, via the 'assess, plan, do, review process' within education settings (referred to in the Safety Valve programme as the graduated approach), leading to earlier access to services where required.</p> <p>Potential negative impact:</p> <p>To ensure value for money within the High Needs Block, models of service delivery will change, and this might have a negative impact on CYP and their families in terms of the services they have been used to accessing. This could be due to disruption to family routines and the potential impact on mental health from needing to adjust to a change.</p>	<p>Forest than in other comparable LA areas, and England as a whole. Better quality, local provision for pupils with high levels of need will provide schools with the facilities and resources they need to improve these pupils' progress and outcomes.</p> <p>The Safety Valve programme aims to bring spend in line with budget, whilst ensuring good outcomes for children and young people with SEND. In order to achieve this, there will need to be changes to models of service delivery.</p>
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9. Racial equality		N	<p>It is not anticipated that the Safety Valve programme will have either a positive or negative impact in terms of racial equality. This is because ethnicity data for school aged children from the January 2023 school census data is broadly aligned to the ethnicity of children and young people with an EHCP, so no one group will be adversely affected.</p>	<p>School Census data (January 2023) compared to EHCP data (November 2023):</p> <p>White (all white backgrounds) – Census 80.7% and EHCP 80%</p> <p>Black (all black backgrounds) – Census 3.1% and EHCP 3%</p> <p>Asian (all Asian backgrounds) – Census 7.1% and EHCP 5.6%</p> <p>Mixed (white and black backgrounds) – Census 2.4% and EHCP 2.3%</p> <p>Mixed (white and Asian backgrounds) – Census 2.2% and EHCP 1.3%</p> <p>Mixed (other) – Census 2.3% and EHCP 2.2%</p>
10. Gender equality		Y	<p>A much higher percentage of males than females have an EHCP. The sustainability of the High Needs Block and the use of funding available from the Safety Valve programme should therefore benefit males, who are much more likely to need an EHCP.</p> <p>Whilst the support offered through the additional HNB funding will not be targeted specifically at males, they will benefit positively because more males than females have an EHCP.</p>	<p>71% of EHCPs in Bracknell Forest are for boys.</p> <p>Autism is the main priority need within Bracknell Forest, which is reflection of the national picture, and funding within the HNB will be used to fund interventions and provision for CYP with autism.</p> <p>Of the 655 CYP with an EHCP with autism as the primary need, 75% are male and 25% are female. This is also reflective of the national picture; evidence shows that autism is nearly four times as common among boys than girls.</p> <p>Autistic characteristics in women and girls may differ from those of other autistic people. They might seem to have fewer social difficulties than autistic men and boys, but this could be because they are more likely to 'mask' their autistic traits (though the stress of doing so can result in anxiety and overwhelm). At school, autistic girls</p>

			<p>may be more likely to be part of a friendship group and this could be a reason that teachers do not notice their differences. They may also be missed if their academic achievement masks difficulties they are facing in other areas. (National Autistic Society). In delivering the Safety Valve programme, this will be considered, and relevant support and information included as appropriate, e.g., in developing our specialist resource provisions (and associated specialist support), in training sessions, information, advice and guidance and signposting.</p>
11. Sexual orientation equality		<p>We do not collect data on sexual orientation within either the school census or the EHCP dataset. Therefore, it is not possible to quantify whether there will be an impact on CYP in relation to their sexual orientation.</p>	<p>Contemporary research on the intersection of autism, sexuality, and gender identity asserts that autistic individuals are more likely to identify as LGBTQIA+ than the neurotypical population. Similarly, the prevalence of autism is higher among transgender people than cisgender individuals. Autistic individuals who identify as LGBTQIA+ face increased discrimination in access to care, cultural stigmas, and violence. Such experiences can drive poor mental and suicidality which are already high among autistic and LGBTQIA+ communities. <i>(From the Autism Research Institute)</i></p> <p>Sexual orientation issues may be masked by social, emotional and mental health difficulties making early intervention and support more difficult to deliver effectively.</p>
12. Gender re-assignment		<p>We do not collect data on gender reassignment within either the school census or the EHCP dataset. Therefore, it is not possible to quantify whether there will be an impact on CYP in relation to their gender reassignment.</p>	<p>There is some evidence to show a link between gender dysphoria and autism, and that autistic people may be more likely than other people to have gender dysphoria. However, there is little evidence about the reason(s) why, and some recent research suggests the link between autism and gender dysphoria is not so clear. More research is needed. More research is also required to develop and test assessment tools, support and treatment for autistic people experiencing gender dysphoria. <i>(From the National Autistic Society)</i></p> <p>Gender identity issues may be masked by social, emotional and mental health difficulties making early intervention and support more difficult to deliver effectively.</p>

13. Age equality	Y	<p>The proposed Safety Valve programme seeks to increase the number of specialist provision places primarily at secondary school age (although the primary SRPs will also be reviewed). CYP at secondary age are currently disproportionately impacted by the lack of specialist provision in the borough, and therefore the programme will support activity that will positively impact those CYP.</p> <p>Improved transition and post-16 pathways will support young people as they move into adulthood.</p> <p>Early intervention and support will be implemented to give early access to children, young people and their families via the 'assess, plan, do, review process' within education settings (referred to in the Safety Valve programme as the graduated approach). This should prevent delays in the EHCP assessment process where children are "not known to services".</p>	<p>There are already sufficient specialist resource provisions hosted by Bracknell Forest primary schools, however the level of provision at secondary school age is currently limited. There are proposals within the Safety Valve programme to increase specialist provision, specifically focused on meeting the needs of CYP aged 11-16 years old who are currently negatively impacted by the lack of in borough provision.</p>
14. Religion and belief equality		<p>We do not collect data on religion and belief within either the school census or the EHCP dataset. Therefore, it is not possible to quantify whether there will be an impact on CYP in relation to their religion or belief.</p>	<p>There is no anticipated impact to this characteristic.</p>
15. Pregnancy and maternity equality		<p>It is not envisaged that there will be an impact on pregnancy and maternity equality.</p>	<p>There is no anticipated impact to this characteristic.</p>
16. Marriage and civil partnership equality		<p>It is not envisaged that there will be an impact on marriage and civil partnership equality.</p>	<p>There is no anticipated impact to this characteristic.</p>
17. Please give details of any other potential impacts on any other group (e.g., those on lower incomes/carers/ex-offenders, armed forces communities) and on promoting good community relations.	<p>We receive regular feedback from parents and carers that access to specialist provision is challenging and that seeking to secure appropriate support and provision for their CYP can be stressful. A successful Safety Valve deal will unlock the potential for significant investment in developing local provision. As our Safety Valve plans have been developed, we have engaged with the Bracknell Forest Parent Carer Forum (PCF). We also held a workshop session with members of the PCF</p>		

	<p>to review all areas of spend from the High Needs Block. The PCF feedback from this session was used to inform the development of the Safety Valve plan, ensuring that areas identified as valuable by the PCF were not affected by the draft proposals.</p> <p>A block transfer (transfer of funds from the Schools Block to the High Needs Block) will add further pressures to the schools' budgets and will result in schools having to identify savings elsewhere in their budget. This could negatively impact on CYP without SEND, but it is considered that the benefit of achieving a sustainable high needs budget to support CYP with SEND outweighs the risk of a negative impact. To mitigate the risk, the agreed block transfer proposals ensure that no school will fall below the minimum per pupil funding, meaning that six schools will make no contribution to the block transfer.</p> <p>In making this assessment we have given due consideration to our commitment to the Armed Forces Covenant duty. For CYP from armed forces families, they will be able to access in year transfers to local provision as this is increased as part of the Safety Valve programme.</p>		
<p>18. If an adverse/negative impact has been identified can it be justified on grounds of promoting equality of opportunity for one group or for any other reason?</p>	<p>Whilst we have identified the potential for some adverse impacts, we believe that these are at a level where we can seek to mitigate them.</p>		
<p>19. If there is any difference in the impact of the activity when considered for each of the equality groups listed in 8 – 14 above; how significant is the difference in terms of its nature and the number of people likely to be affected?</p>	<p>The main impact will be for CYP with SEND in the borough (see section on disability equality above).</p> <p>There will be a significant positive impact for CYP with SEND as a result of the new specialist provision in the borough. This will allow CYP to have access to a quality education, leading to good educational attainment, whilst reducing the amount of time they spend travelling to out of borough placements and supporting them to develop relationships within their local community. The programme will also ensure that access to the right provision will be available across both primary and secondary phases.</p>		
<p>20. Could the impact constitute unlawful discrimination in relation to any of the Equality Duties?</p>		<p>N</p>	<p>N/A</p>
<p>21. What further information or data is required to better understand the impact? Where and how can that information be obtained?</p>	<p>If our Safety Valve proposals are agreed, we will continue to hold coproduction and engagement sessions with key stakeholders (school leaders, parents and carers and health colleagues) to support the development and delivery of our programme. This activity will enable us to better understand the impact of the programme.</p> <p>As part of the development of our individual project plans within the programme, we will consult, engage and coproduce with key stakeholders, including schools, parents and carers, children and young people and health colleagues. As part of this work, consideration will be given to the potential equalities impacts of each project, once the high-level programme plan is developed into more detailed implementation plans, which will allow us to better understand any further potential impact. These equalities screening records will also consider how the equalities impacts will be monitored for each project.</p>		

<p>22. On the basis of sections 7 – 17 above is a full impact assessment required?</p>		N	<p>Please explain your decision. If you are not proceeding to a full equality impact assessment, make sure you have the evidence to justify this decision should you be challenged.</p> <p>At this stage we do not consider that a full impact assessment is required. This is for the following reasons:</p> <ul style="list-style-type: none"> • This initial equalities screening record has been done on the basis of a high-level programme plan included within our Safety Valve submission. There are as yet no definite plans about new models of delivery and/or which services may be affected, and the council has not yet entered into a Safety Valve agreement with the DfE. • As work is done to further develop the programme, and put in place the workstreams and projects required, equalities screenings will be done for individual projects and more detailed information will be available to support the assessment. Key stakeholders will be involved in the individual initial equalities screening records, such as parent and carer representatives and school leaders, to ensure full consideration is given to potential impacts. • We have held engagement sessions with head teachers, chairs of governors and the PCF during the development of the programme and have used the feedback from these sessions to inform this high-level screening. • Where there are any significant changes to services or provision as part of the Safety Valve work, we will carry out formal consultation with the appropriate stakeholders.
<p>23. If a full impact assessment is not required; what actions will you take to reduce or remove any potential differential/adverse impact, to further promote equality of opportunity through this activity or to obtain further information or data? Please complete the action plan in full, adding more rows as needed.</p>			
<p>Action</p>	<p>Timescale</p>	<p>Person Responsible</p>	<p>Milestone/Success Criteria</p>
<p>Complete initial equalities screening records for individual projects as part of the implementation planning. These will be coproduced with key stakeholders and will determine whether a full impact assessment is required for any area of the programme</p>	<p>Ongoing</p>	<p>Assistant Directors: Education and Learning and Strategic Projects</p>	<p>Appropriate equalities screening process and records in place for all projects as required</p>
<p>Regular engagement and consultation with headteachers, chairs of governors</p>	<p>Ongoing</p>	<p>Executive Director People and Assistant Director Education and Learning</p>	<p>Development of Safety Valve plans with school leaders</p>
<p>Regular engagement and consultation with parent and carer representatives</p>	<p>Ongoing</p>	<p>Executive Director People and Assistant Director Education and Learning</p>	<p>Development of Safety Valve plans with parent and carer representatives</p>

Establish effective governance arrangements for the Safety Valve programme, including identification of appropriate KPIs to manage impact	Ongoing	Executive Directors: Resources and People	KPIs identified Governance and monitoring arrangements in place
Develop communication plan for the implementation of the Safety Valve programme that specifically address concerns and/or potential negative impacts identified within this screening record.	Ongoing	Assistant Director Education and Learning and Deputy Head of Communications and Marketing	Comms plan developed and shared with key stakeholders
24. Which service, business or work plan will these actions be included in?	SEND		
25. Please list the current actions undertaken to advance equality or examples of good practice identified as part of the screening?	Improvements in data quality to ensure we can effectively monitor the impact on groups with protected characteristics.		
26. Assistant Director/Director signature.	Signature: D. Chappell		Date: 22/12/23