

## **Decision Proposed to be taken by the Portfolio Holder for Education and Learning on or after 16 September 2016**

### **Home to School Transport Policy changes. 2017/18 onwards**

#### **Recommendation:**

That the Portfolio Holder approves the proposal to consult on home to school transport changes for the 2017/18 academic year as set out in appendix 1.

#### **1.0 Key Issues**

- 1.1 The Local Authority (LA) was previously responsible for setting all priority areas for all maintained Community and Voluntary Controlled Schools. Academies, Foundation and Aided Schools are now responsible for consulting and setting their own priority areas. Academies, Foundation and Aided schools have generally followed the Local Authority's existing priority areas, however with new schools being built and Free Schools being opened within existing schools priority areas as new developments progress, there is a need to review our transport policy which is affected by such decisions.
- 1.2 A number of 'guiding principles' have traditionally been used to set the pattern of priority areas and effort is previously been made to adhere to as many of the following as possible:
  1. primary schools serve the immediate local area around their building;
  2. secondary schools all have bespoke priority areas normally within a reasonable walking distance from the school, unless a rural school;
  3. shared priority areas are normally within walking distance of one school;
  4. priority areas follow existing transport routes where possible ;
- 1.3 A number of new Academies and Free Schools are due to open in the next couple of years across various areas in Warwickshire, two Free Schools have already opened in Rugby. The secondary Free School has already set its priority area as the whole of Rugby town. This could impact upon our current transport policy by increasing costs if families choose to attend this school rather than schools that are closer to their home address.
- 1.4 The option put forward for consideration clarifies, in line with other Local Authorities, that transport will not be automatically available for pupils who are not attending their nearest school. This is the only change in policy.

- 1.5 During the consultation period further discussions will be carried out with neighbouring authorities to align our policy as much as possible. The consultation responses will be summarised fully and presented to Cabinet in December 2016 with an implementation date of 28<sup>th</sup> February 2017 if Cabinet approve the recommendations.
- September 2016 consultation begins for 6 weeks
  - December 2016 recommendations to Cabinet of the outcome following consultation
  - February 2016 implementation new policy for new applications
- 1.7 It is recommended that the proposed revised transport policy be approved for consultation, as set out in appendix 1, for the 2017/18 academic year.

**Background papers:**

None

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Appendix 1 – Draft changes Transport Policy 16-17  
Appendix 2 - EQIA

This report was circulated to the following members prior to publication:

Elected Member(s):

Cllr Les Caborn  
Cllr Colin Hayfield  
Cllr Dave Parsons  
Cllr Julie Jackson  
Cllr Clive Rickhards  
Cllr Chris Williams

**Proposed changes to**  
**Home to School**  
**Transport Policy (Including transport**  
**for students aged 16-19, 16-25, and**  
**arrangements for those students not**  
**entitled to free transport).**

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## **COMMUNITIES GROUP**

### **HOME TO SCHOOL / COLLEGE TRANSPORT POLICY**

#### **CONTENTS**

- 1 **INTRODUCTION.**
- 2 **DEFINITIONS.**
  - 2.1 Qualifying School.
  - 2.2 Nearest Qualifying School.
  - 2.3 Walking Distance.
  - 2.4 Motorised Route.
  - 2.5 Low-income families.
- 3 **ELIGIBLE CHILDREN.**
  - 3.1 Background.
  - 3.2 Children living outside Walking Distance.
  - 3.3 Students from low-income families.
  - 3.4 Children unable to walk to school by reason of their special educational needs, disability, or mobility problems (including temporary medical conditions).
  - 3.5 Children unable to walk in safety to school because of the nature of the route.
  - 3.6 Disabled parents.
  - 3.7 Denominational Transport.
  - 3.8 Selective Schools.
- 4 **GENERAL PRINCIPLES APPLYING TO TRANSPORT PROVISION UNDER THIS POLICY.**
  - 4.1 Eligibility.
  - 4.2 Exam Year Moves.
  - 4.3 Students in Temporary Accommodation.
  - 4.4 Divorced / Separated Parents.
  - 4.5 Withdrawal of Transport.
  - 4.6 Behaviour.
- 5 **PROVISION OF TRANSPORT.**
  - 5.1 Transport Arrangements.
  - 5.2 Travel Allowances.
- 6 **HOW TO APPLY.**
  - 6.1 The Application Process.
  - 6.2 Replacement Passes.
  - 6.3 Temporary Passes.

- 7 **APPEALS.**
  - 7.1 Introduction.
  - 7.2 How to Appeal.
  
- 8 **TRAVEL ARRANGEMENTS FOR NON-ELIGIBLE CHILDREN.**
  - 8.1 Introduction.
  - 8.2 Vacant Seats.
  - 8.3 How to Apply.
  
- 9 **MEDICAL AND RESPITE TRANSPORT.**
  - 9.1 Medical Transport.
  - 9.2 Respite Transport.
  
- 10 **TRANSPORT ASSISTANCE FOR STUDENTS AGED 16-19.**
  - 10.1 Introduction.
  - 10.2 Eligibility.
  - 10.3 Costs.
  - 10.4 Transport Arrangements.
  - 10.5 How to Apply.
  - 10.6 Refunds.
  - 10.7 Replacement Passes.
  - 10.8 16-19 Vacant Seats.
  - 10.9 How to Apply.
  
- 11 **TRANSPORT FOR STUDENTS AGED 16-25 WITH LEARNING DIFFICULTIES AND / OR DISABILITIES OR SPECIAL EDUCATIONAL NEEDS.**
  - 11.1 Eligibility.
  - 11.2 Costs.
  - 11.3 How to Apply.
  
- 12 **CONTACT DETAILS.**
  - 12.1 Education Transport.
  - 12.2 Transport Operations.
  - 12.3 Assessment Statementing and Review Service.
  - 12.4 School Admissions.

## **Appendix A**

Process for the Assessment of Walking Routes

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## 1 INTRODUCTION.

- 1.1 Local Authorities have an obligation to provide free home to school transport as set out in the Education Act 1996 (as amended). The policy adopted by Warwickshire County Council has been approved by its Elected Members, complies with, and exceeds the legislative minimum.
- 1.2 This document summarises the key aspects of Warwickshire's home to school transport policy.
- 1.3 This document was originally approved by elected Members in 2008. Changes made to the support Warwickshire provides with transport were approved by Elected Members in 2011 and 2016. These have been incorporated into this document.

## 2 DEFINITIONS.

- 2.1 A **qualifying school** falls within one of the categories set out below:
  - (a) a community, controlled, foundation or voluntary aided school
  - (b) a community or foundation special school
  - (c) a non-maintained special school
  - (d) a pupil referral unit
  - (e) a maintained nursery school
  - (f) a CTC, CCTA, **Free School** or Academy
  - (g) an independent school if named in a child's Statement of Special Educational Needs
- 2.2 The **nearest qualifying school** is a qualifying school that provides education appropriate to the age, ability, and aptitude of the child, and taking into account any special educational needs that child may have.

It will normally be the school in whose priority area the student resides, or another alternative school if that school is closer to the home address by the nearest available walking route.

- 2.3 **Walking Distance** is:
  - (a) two miles for children under eight.
  - (b) two miles for children aged 8-16 from a low-income family.
  - (c) three miles for other children aged eight and over.

The measurement of the Walking Distance is not necessarily the shortest distance by road. It is measured by the shortest route along which a child, accompanied as necessary, may walk in reasonable safety. As such, the route measured may include footpaths, bridleways, and other pathways, as well as recognised roads.

Walking Distance will be measured from the home boundary gate to the nearest school gate. This may not be the route the walked, and may not be the gate normally utilised to access the school.

- 2.4 **Motorised Routes** are those passable by using a suitable motorised vehicle. Paths and roads not passable by motorised transport will not therefore be considered. Measurements will be made by the Authority's Education Transport Office using Google Maps or other appropriate measurement system used by the Authority at that time.
- 2.5 **Low-income families;** students shall be considered to be from a low-income family if they are entitled to free school meals, or if their parents are in receipt of their maximum level of Working Tax Credit. Proof will be required.

For students granted free transport on the grounds of entitlement to free school meals, or their parent's receipt of the maximum level of Working Tax Credit, eligibility will need to be confirmed during each academic year.

Where students are granted free school meals on a temporary basis, or if parents are unable to prove they are in receipt of their maximum level of Working Tax Credit, the students shall not be considered to be from a low-income family for transport purposes.

Should evidence then be produced which confirms that the student is from a low-income family, and is therefore eligible for assistance as outlined in this policy, a travel allowance will be paid (see 5.2), backdated to the time of the original application for transport. Education Transport / Transport Operations will then make appropriate travel arrangements.

### 3 **ELIGIBLE CHILDREN.**

#### 3.1 **Background.**

Under Section 508B Education Act 1996, the Authority must provide certain categories of children with free home school transport. The following groups of children are currently considered eligible for free transport.

Unless eligible under another section of this policy, students should be attending the nearest qualifying school to qualify for free transport. (See 2.2)

#### 3.2 **Children living outside Walking Distance.**

Free Home to School Transport will normally be provided to students attending their nearest qualifying school, where the distance from home to school by the shortest available walking route exceeds:

- (i) Two miles for children under the age of 8 years
- (ii) Three miles for children aged 8 –16

### 3.3 **Students from low-income families:**

Where a student is considered to be from a low-income family free Home to School Transport will normally be provided:

- (a) To children aged 8-11, attending the nearest qualifying school, if more than two miles from their home by the shortest available walking route.
- (b) To children aged 11-16, attending one of their three nearest qualifying schools, provided it is more than two miles (by the shortest available walking route), but not more than six miles (by motorised route) from their home.
- (c) To children aged 11-16, attending the nearest qualifying school which accords with the parents' religion or belief, provided it is more than two miles (by the shortest available walking route), but not more than fifteen miles (by motorised route) from their home.

Where a parent requests transport on grounds of religion or belief, the Authority will require written evidence to support that application. It is the applicant's responsibility to provide this information. This may include written confirmation from third parties supporting the religion or belief claimed. Once evidence has been provided a number of eligibility processes will commence. Providing such evidence is no guarantee of Free Transport

### 3.4 **Children unable to walk to school by reason of their special educational needs, disability, or mobility problems (including temporary medical conditions).**

A student will be eligible for free home to school transport, if they attend their nearest qualifying school, but cannot reasonably be expected to walk to that school because of their special educational needs, disability or mobility problems, and the Authority has not made suitable arrangements for them to become a registered student at a 'qualifying school' nearer to their home.

Evidence of any conditions or difficulties will be required from relevant professional agencies.

If the student has a Statement of Special Educational Needs, the Special Educational Needs, Disability Assessment and Review (SENDAR) team will determine transport arrangements. However, not all pupils with a Statement of Education Needs will automatically be eligible for Free Transport. If the child is able to attend their nearest qualifying school and this is within the guidance assessed as a reasonable walking route, and parents/ carers wish to attend a different school, which is either a Special school or other main stream school, Free Transport will not be provided. For more information, please contact SENDAR. Contact details can be found in Section 12.



### **3.5 Children unable to walk in safety to school because of the nature of the route.**

Where children live within the statutory walking distance of the nearest qualifying school, and the student attends that school, the local authority may, in certain circumstances, be under a duty to make travel arrangements.

These include where the nature of the route is such that a child cannot reasonably be expected to walk accompanied as necessary in reasonable safety.

Where parents believe a route is unsafe they can request that its safety is assessed. Warwickshire has a detailed process for carrying out such assessments. This process is based around Road Safety GB Guidelines. Full details can be found at Appendix A.

### **3.6 Disabled parents.**

The Authority will take account of any disability which the child's parent / carer may have and which may affect their ability to accompany the child along a walking route to school.

Parents / carers will be responsible for providing supporting evidence and it may be necessary to seek guidance from relevant professional agencies. Once evidence has been provided a number of eligibility processes will commence. Providing such evidence is no guarantee of Free Transport

### **3.7 Denominational Transport.**

From September 2012 new applicants will only receive free transport if they are attending the nearest qualifying school to their home address, or if they qualify for free transport as a low-income family (see Section 3.3). The distance from home to school will also need to exceed the relevant walking distance, or the child will need to fall under one of the other 'eligible' categories. For children receiving free transport on denominational grounds in July 2012, this will continue until they leave their current school, or transfer into the school's sixth form (subject to there being no change in their circumstances such as a house move).

### **3.8 Selective Schools.**

Until September 2016 for students resident in East or South Warwickshire the nearest qualifying school may also be a grammar (selective) school.

Parents should consult the Admissions Service to find out if they are resident in the Eastern or Southern areas of Warwickshire and whether the policy change affects them. Contact details can be found in Section 12.

From September 2016 new applicants will only receive free transport to a selective school if it is the nearest qualifying school to their home address or if they qualify for free transport as a low-income family (see Section 3.3). The distance from home to school will also need to exceed the relevant walking distance, or the child will need to fall under one of the other 'eligible' categories. For children receiving free transport to a selective school during the 2015/16 academic year, this will continue until they leave their current school, or transfer into the school's sixth form (subject to there being no change in their circumstances such as a house move).

For the purposes of this policy 'Selective School' includes Warwickshire's five selective schools plus students securing a place in the selective stream of Ashlawn School via the 11+.

#### **4 GENERAL PRINCIPLES APPLYING TO TRANSPORT PROVISION UNDER THIS POLICY.**

##### **4.1 Eligibility.**

The Education Transport section will establish eligibility for free transport. This will take place on application once places at schools have been allocated, and accepted by the parents.

Warwickshire County Council only provides free home to school transport to Warwickshire residents. However, non-Warwickshire residents may apply for transport assistance under the Council's Vacant Seats Scheme. (See Section 8).

By law, a child is not entitled to free transport until he / she reaches statutory school age (the term after their fifth birthday). Since Warwickshire's policy is to admit students from the start of the academic year in which they become five, transport provision will normally be made from the time of their admission.

Parents have the opportunity to express a preference for the child to attend any school. However, when children do not attend the nearest qualifying school, there is no requirement to provide transport, unless eligible under another relevant section of this policy.

If parents have been unable to secure a place for their child at the nearest qualifying school, free transport will normally be provided to the next nearest qualifying school.

However, where a child initially attends the nearest qualifying school, and then transfers to another school, free transport will cease. If a place becomes available at the nearest qualifying school **before a child has started at the allocated school, Free Transport will not be provided** to the allocated school.

The route used for determining eligibility for free transport will be that which is the nearest available to a child, accompanied as necessary, to walk along with reasonable safety to school. (See 2.3 / 3.5)

#### **4.2 Exam Year Moves.**

From October 2015 Warwickshire County Council no longer makes any special provision with transport for students who move address in either Year 10 or Year 11.

Any students currently in receipt of Exam Year Move Transport provided under the Council's previous transport policy will continue to receive such support until the end of Year 11 or until there is a change in circumstance, such as a house move. At this point a fresh application would need to be reassessed against the statutory eligibility criteria.

#### **4.3 Students in Temporary Accommodation.**

From October 2015 Warwickshire County Council no longer makes any special provision with transport for students who are forced to move address due to reasons beyond their control.

Any parent whose child is refused free transport has the right to appeal such a decision. See Section 7.0.

Any students currently in receipt of Emergency Address Change Transport provided under the Council's previous transport policy will continue to receive such support until the end of the period for which transport was originally granted.

#### **4.4 Divorced / Separated Parents**

Where parents are divorced or separated, and the student spends time living with each parent, at different addresses, eligibility for free transport will depend on the nearest school with places available at the time of application for the parent's addresses, and the amount of time spent at each address.

If the student spends time living with both parents during term-time, transport **will only be provided** from the address where the pupil meets the eligibility criteria.

#### **4.5 Withdrawal of Transport.**

The Authority reserves the right to withdraw free transport if a child ceases to be eligible, or if it is discovered that transport has been granted in error. One term's notice will be given. Where it is established

that parents have fraudulently applied for transport the Local Authority reserves the right to withdraw free transport immediately and to recoup the costs of transport provided to date.

#### **4.6 Behaviour.**

Warwickshire County Council expects all students to behave in a considerate way when travelling on transport either provided, or arranged by the County Council.

Further details on the standard of behaviour expected can be found on the application form for transport assistance. Parents / Carers, and students of secondary school age will be required to accept the relevant Terms and Conditions of Travel.

The Authority reserves the right to withdraw a student's entitlement to free home school transport without notice if a child misbehaves whilst on transport provided under this policy.

For serious breaches of the Terms and Conditions of Travel, the Authority reserves the right to permanently withdraw transport. Parents will then be responsible for transporting children to school, and a travel allowance may be paid. (See 5.2).

#### **4.7 Parent's Responsibilities**

Parents are responsible for ensuring their child reaches the pick-up point and that they board the vehicle safely. They should also ensure that their child is aware of the need to fasten their safety belt (where provided) and to not move around the vehicle during the journey.

Parents should also ensure that a responsible adult is there to meet their child at the drop-off point at the end of the school day, or that the child is able to make their way home by other means.

If a child's parents are not at home when the child is brought home / to a drop-off point, any additional costs, e.g. waiting time, extra mileage, will be met by the parents. In such circumstances, it may be necessary to take the child to the local police station, and / or seek guidance from social services. In the case of repeat incidents, the local Authority reserves the right to withdraw / amend the transport provision. A travel allowance may be offered in lieu of free transport (See 5.2).

### **5 PROVISION OF TRANSPORT.**

#### **5.1 Transport Arrangements.**

Transport arrangements will be made by the Transport Operations department within the Council's Communities Group to ensure the most effective and efficient use of resources.

Free transport will be provided for one return journey per day between home and school provided that the student is considered eligible for free transport.

Costs incurred by parents will not be reimbursed unless an application has been rejected in error.

Transport provided may include dedicated school services, public buses, travel allowances, taxis, or an appropriate combination.

On occasions, it may be necessary to transfer students to an alternative service. While as much notice as possible will be given, the safety of passengers may necessitate changes at short-notice.

Students may be expected to make their own way to a pick up point which is within one mile of the home address.

As a general rule, no students should be on a vehicle for longer than 75 minutes one way, if aged 11 or over, or 45 minutes if under the age of 11.

Passenger Assistants will normally be provided on vehicles transporting children to primary schools. Where it is necessary for a passenger assistant to be provided for a particular contract, the operator will ensure the presence of an assistant who is familiar with the operation of any equipment e.g. safety belts and harnesses, and will ensure its proper use.

The Council's policy is that all vehicles transporting children to primary school should be fitted with seatbelts.

Provided that the additional cost is not excessive, when letting contracts to transport students to secondary school, preference will be given to tenders that will provide transport fitted with seat belts.

Transport will not be provided for students attending extracurricular activities, work experience placements, or for other activities requiring other journeys, which would incur additional costs.

If parents make any changes to transport arrangements, e.g. by contacting an operator directly, no additional costs will be met, unless by prior agreement with Education Transport.

## **5.2 Travel Allowances.**

Where transport does not currently operate, in the first instance, parents may be given the opportunity to convey the child themselves and to receive a travel allowance.

Travel allowances will be calculated based on two return journeys from home to school per day. The amount paid per mile is reviewed annually. Parents will be informed of the current rate at the time of application.

Should a more cost effective method of transport become available, such as a route being deemed a safe walking route, the Local Authority reserves the right to withdraw the travel allowance.

## **6 HOW TO APPLY.**

### **6.1 The Application Process.**

Parents / Carers should complete the 'Application for Transport Assistance for Pupils of Statutory School Age (Up to 16 years)' form.

Parents / Carers must sign the form, and if applying for transport to a secondary school, students must also sign the form.

If the form is not fully completed, it will not be possible to process the application, and the form will be returned.

If the application is based on the grounds of religion or belief, or to a school which is not the nearest qualifying establishment, parents should supply as much information as possible.

Further information may be requested by the Education Transport Department if considered necessary to correctly assess the application.

All applications will be processed as quickly as possible. However, no travel costs incurred whilst waiting for a decision on Home to School Transport will be reimbursed.

Completed Application Forms should be sent to the Education Transport Department. Contact Details can be found in Section 12.

### **6.2 Replacement Passes.**

If a pass has been lost, stolen, damaged or confiscated, it needs to be replaced. Students who attempt to board a service without a valid bus pass may not be able to travel, or may be required to pay a daily fare.

Any costs incurred whilst waiting for a replacement pass are non-refundable.

A new pass will be issued upon payment of the appropriate

administration fee. Passes are issued as quickly as possible, after payment has been received.

Payment, along with a Replacement Pass Application Form, should be sent to the Education Transport Office at the address shown in Section 12.

For replacement commercial passes, parents will normally need to apply to the operator directly. A higher administration fee will normally be charged.

### **6.3 Temporary Passes.**

When a student loses a pass during the school day, some schools operate a temporary pass scheme. These passes allow the student to travel home from school, and from home to school the following day. Along with the temporary pass, students will be issued with a replacement pass form. This needs to be returned to the school the following day along with the appropriate payment. The school will then issue students with a further temporary pass, valid for a fixed period, and will send the replacement pass form to the Education Transport section. A new pass will then be issued.

Not all schools operate a temporary pass scheme and students / parents should contact schools directly for further details.

## **7 APPEALS.**

### **7.1 Introduction.**

A parent who applies for free home to school transport under this policy, and who is refused any such assistance, has the right of appeal. The Strategic Director for the Communities Group or officers nominated by him/her have via the appeals process the power to authorise the provision of free or assisted transport and / or waive any charges in whole or in part in exceptional circumstances.

### **7.2 How to Appeal.**

In the first instance, the parent should submit their appeal in writing to the Education Transport Manager. Parents should include as much supporting information as possible. Consideration will be given to the views of the parents / carer, the student, and those of Headteachers and other professionals / agencies as appropriate. Parents will then be notified of the decision including the information considered and the rationale behind the decision.

If the initial appeal is unsuccessful, parents have the right to make a final appeal to the Lead Officer for Pupil and Student Services who will along

with the relevant Service Manager and / or Portfolio Holder consider the original decision. Parents will then be notified of the decision including the information considered and the rationale behind the decision.

If an appeal for transport is successful, and a decision is taken to provide transport as an exception to the home to school transport policy, the decision will only apply to the student in question. Transport applications for siblings, or any existing transport arrangements for siblings will be assessed in line with the relevant sections of this policy.

If an appeal for transport is unsuccessful parents have the right to complain to the Local Government Ombudsman if they consider there was a failure to comply with the procedural rules or if there are any other irregularities in the way the appeal was handled.

## **8 TRAVEL ARRANGEMENTS FOR NON-ELIGIBLE CHILDREN**

### **8.1 Introduction.**

The Authority has discretion to make travel arrangements for students who do not meet the criteria for free transport outlined above.

Where such arrangements are made, it may include the re-imbursment, in whole or in part, of a person's reasonable travelling expenses. Charges may also be levied as a condition of accessing the arrangements.

### **8.2 Vacant Seats.**

For those students not entitled to free home to school transport Warwickshire County Council operates a Vacant Seats Scheme.

If, after entitled students have been accommodated, spare places still exist on contracted vehicles, these may be offered to students not eligible for free Home to School Transport.

Vehicles will not be re-routed to accommodate students under the Vacant Seats scheme, nor will extra/larger vehicles be provided to increase the availability of Vacant Seats.

Vacant Seats will be allocated to students based on the categories below. The categories are listed in order of priority (highest first):

1) Those students living in an area previously covered by the Contributory Transport Scheme, or students who have purchased a Vacant Seat in the previous academic year.

2) Warwickshire residents who have not previously travelled under the Vacant Seats Scheme.



3) Non-Warwickshire residents who have not previously travelled under the Vacant Seats Scheme.

Vacant Seats will be allocated subject to the following conditions:

1) Should the place be required for an entitled traveller, the service be withdrawn, or the route altered, the pass will be withdrawn. One terms notice will be given, except for students travelling by taxi, where a minimum of one weeks notice will be given.

2) Where a pass is withdrawn after payment has been made, a refund will be made based on the number of days travelled.

3) Vacant Seat passes are not available on public transport services.

4) Vacant Seats for students can only be allocated once all entitled travellers have been accommodated. Parents should therefore make alternative arrangements until they have received confirmation that a Vacant Seat is available.

5) The distance from home to school will be calculated based on the shortest available walking distance.

6) A parental contribution is required for the Vacant Seats Scheme. If the contribution is not received, students will not be able to travel.

7) Vacant seats are not available to students over the age of 16.

8) Passes can only be used at the start and end of a school day at normal school hours. Timetables are normally supplied with bus passes.

### **8.3 How to Apply.**

Parents / Carers should complete the 'Application for a Vacant Seat' form, and return it to the Education Transport Office. Address details can be found in Section 12, and on the application form.

Full details of the terms and conditions of the Vacant Seats Scheme are included on the application form, including details of the cost for the current academic year.

Warwickshire's Cabinet agreed in October 2015 that the charges associated with the Vacant Seats scheme will increase each year based on the Council's annual income inflation rate.

As Vacant Seats can only be issued once all entitled travellers have been accommodated, it is often not possible to issue a Vacant Seat until October. Parents will be therefore responsible for arranging interim transport to and from school and for any costs incurred. These will not be reimbursed.

## **9 MEDICAL AND RESPITE TRANSPORT.**

### **9.1 Medical Transport.**

Where a student has either short or long-term medical needs, which prevent them from walking to school, transport assistance may be available. Parents should apply using the 'Transport Assistance for Pupils on Medical Grounds' form.

For an application to be successful, it is expected that students will normally be attending the nearest qualifying school.

Eligibility will be assessed using the information provided on the application form. Parents / carers will be responsible for providing supporting evidence and it may be necessary to seek guidance from relevant professional agencies.

Students over Statutory School Age attending an appropriate full-time course may also qualify for assistance due to short or long term medical conditions. For further details, please contact the Education Transport Office. Contact details can be found in Section 12.

### **9.2 Respite Transport.**

Warwickshire County Council also provides assistance to some students accessing Respite Care. Applications should be made using the 'Application for Transport Assistance for Students Accessing Respite Care' form. For further details of the assistance available, please contact the Education Transport Office. Contact details can be found in Section 12.

## **10 TRANSPORT ASSISTANCE FOR STUDENTS AGED 16-19.**

### **10.1 Introduction.**

There is no requirement for Local Authorities to provide free transport to students beyond Year 11. However, Warwickshire County Council provides transport assistance to certain students aged 16-19, subject to the eligibility criteria below.

### **10.2 Eligibility.**

For the 2016/17 academic year, support with transport is available to students who meet the following criteria.

- (a) Are aged under 19 on 31<sup>st</sup> August before the course starts;
- (b) Are attending a Local Authority maintained school, foundation school, academy, free school or maintained college;

- (c) Are studying a full time course (at least 450 guided learning hours per year).

Students should apply for transport assistance during the summer term prior to the commencement of their course. Students will receive full reimbursement of payments made should their plans change prior to starting their course. Students applying after the end of July may not receive a travel pass before the start of term.

If a student wishes to attend a Further Education institution outside Warwickshire they should make an initial application to determine whether any Warwickshire County Council transport is available.

### 10.3 Costs

Warwickshire's Cabinet agreed in October 2015 that the charges associated with the Vacant Seats scheme will increase each year based on the Council's annual income inflation rate.

For the 2016/17 academic year, costs for post 16 transport are set out below.

A payment of £750 per year is required. Payment can be made by one payment of £750, or termly payments of £280 (Autumn and Spring) and £190 Summer.

**Students or families in receipt of one of the qualifying benefits listed below are considered to be from a low income family and qualify for a reduced charge of;**

Annual Charge - £375

Termly Charge - £140 Autumn Term, £140 Spring Term and £95 Summer Term

**The qualifying benefits are as follows:**

- Income Support
- Income-based Job Seekers Allowance
- The Guarantee Element of State Pension Credit
- The Maximum Level of Working Tax Credit
- Employment and Support Allowance
- *(Contribution-Based JSA and ESA only qualifies if receiving equal amount or lower of Income-Related JSA/ESA)*
- Child Tax Credit (below the relevant threshold of £16,190 as of May 2015)
- Support under Part VI of the Immigration and Asylum Act 1999

Payment can be made by cheque, postal order or credit/debit card. As of September 2011 payment by Standing Order is available for annual pass purchases.

Travel allowances are only offered to Warwickshire residents when there is no suitable Warwickshire County Council or commercial transport available between home and school/college. If this is the case you will receive a letter advising you of this. The distance from home to your nearest pick up point/bus stop must exceed 2 miles (by the shortest walking route). Students must also be attending the nearest school sixth form/college offering the chosen course(s).

Parents / students may use their own vehicle or public transport to get to school/college. Applicants entitled to a travel allowance will be sent three claims forms (one for each term) to claim back £110 per year (or £220 if in receipt of a qualifying benefit). Students who receive a Travel Allowance can also apply to travel on a Warwickshire County Council service (normal terms and conditions then apply).

#### **10.4 Transport Arrangements**

Students will normally be provided with a bus pass. This is valid for one return journey per day, at the times shown on the timetable included with the pass.

Rail Passes can only be issued in certain areas, please contact the Education Transport Office for further details. (See Section 12).

#### **10.5 How to Apply.**

Parents / Carers should complete the relevant application form, and return it to the Education Transport Office. Address details can be found in Section 12, and on the application form.

Full details of the terms and conditions of Transport Assistance for Students Aged 16-19 are included on the application form, including details of the parental contribution for the current academic year.

#### **10.6 Refunds.**

Where a parental contribution is received and a student either leaves their course or no longer requires transport assistance, a refund may be issued once the pass has been returned. Any refund will be made on a pro-rata basis. No refunds will be available if the pass is not returned.

#### **10.7 Replacement Passes**

If a pass is lost or stolen a charge will be made for a replacement. Any costs incurred whilst waiting for a replacement pass will not be reimbursed. (See 6.2)

## **11 Transport for students aged 16-25 with Learning Difficulties And / Or Disabilities or Special Educational Needs.**

### **11.1 Eligibility**

For the 2016/17 academic year, support with transport is available to students who meet the following criteria.

- Is resident in Warwickshire on 1st September at the beginning of the course.
- Is aged over 16 and under 25 years on 31st August 2016.
- Is attending a full-time course (450 guided learning hours per year)
- Is not attending a school sixth form.
- Has a journey from home to school or college which is more than three miles measured by the shortest available walking route to the place of study, or having regard to the student's special needs, s/he would be unable to get to the establishment unless transport was provided.
- Agrees to pay a flat rate charge as a contribution towards the cost of transport.

Please note the following:

From September 2010, students who start a course while under the age of 25 will only receive assistance up until the end of the academic year in which their 25<sup>th</sup> birthday falls. Students continuing on the same course who are over the age of 25 will continue to receive support.

Warwickshire County Council encourages young people to travel independently. Travel Allowances are available when no existing council funded transport is operating. For more information, please contact us using the details found in Section 12 of this document.

Transport is procured for the start/end of the school day although reasonable adjustments will be made to provide transport which accommodates student's individual timetables. However, when considered necessary and reasonable, students may be required to wait at college at the beginning or end of the day.

Warwickshire County Council will seek advice from relevant professionals if there is any dispute over the nature of transport requested / required.

### **11.2 Costs**

For the 2016/17 academic year costs for 16-25 transport are set out below.

Annual Charge - £750

Termly Charges - £280 Autumn Term, £280 Spring Term and £190 Summer Term

**Students or families in receipt of one of the qualifying benefits listed below are considered to be from a low income family and qualify for a reduced charge of;**

Annual Charge - £375

Termly Charge - £140 Autumn Term, £140 Spring Term and £95 Summer Term

**The qualifying benefits are as follows;**

- Income Support
- Income-based Job Seekers Allowance
- The Guarantee Element of State Pension Credit
- The Maximum Level of Working Tax Credit
- Employment and Support Allowance
- (*Contribution-Based JSA and ESA only qualifies if receiving equal amount or lower of Income-Related JSA/ESA*)
- Child Tax Credit (below the relevant threshold of £16,190 as of May 2015)
- Support under Part VI of the Immigration and Asylum Act 1999

Payment can be made by cheque, postal order or credit/debit card. As of September 2011 payment by Standing Order is available for payment of the annual charge.

### **11.3 How to Apply**

Parents / Carers should complete the relevant application form, and return it to the Education Transport Office Address details can be found in Section 12, and on the application form.

## **12 CONTACT DETAILS**

12.1 Education Transport (For all questions about eligibility, policy refunds, replacement passes and the application process).

*Post:* Education Transport  
Communities Group  
Saltisford Office Park  
Ansell Way  
Warwick, CV34 4UL

*Telephone:* 01926 412 929 (Option 1, Option 1)  
(Mon – Thu 8.30 – 5.00, Fri 8.30 – 4.30).

*Email:* [educationtransport@warwickshire.gov.uk](mailto:educationtransport@warwickshire.gov.uk)

12.2 Transport Operations (For all questions about routes, timetables and any service queries).

*Post:* Transport Operations  
Communities Group  
PO Box 43  
Shire Hall  
Warwick, CV34 4SX

*Telephone:* 01926 412929 (Option 1, Option 2)  
(Mon – Thu 8.30 – 5.30, Fri 8.30 – 5.00).

*Email:* [busservices@warwickshire.gov.uk](mailto:busservices@warwickshire.gov.uk)

12.3 SENDAR (For questions about transport for children with Statements of Special Educational Needs or EHC Plans attending schools).

*Post:* SENDAR  
Communities Group  
Saltisford Office Park  
Ansell Way  
Warwick, CV34 4UL

*Telephone:* 01926 742160  
(Mon – Thu 9.00 – 5.00, Fri 9.00 – 4.30).

12.4 School Admissions (For all questions about admission to primary school, secondary school and questions on priority areas).

*Post:* School Admissions  
Communities Group  
Saltisford Office Park  
Ansell Way  
Warwick, CV34 4UL

*Telephone:* 01926 742037 or 01926 742047  
(Mon – Thu 9.00 – 5.00, Fri 9.00 – 4.30).

*Email:* [admissions@warwickshire.gov.uk](mailto:admissions@warwickshire.gov.uk)

## **EQUALITY IMPACT ASSESSMENT/ ANALYSIS (EqIA)**

Home to School Transport / Post 16 Transport

**This EqIA is a working document and therefore subject to continual review, amendment and refinement.**



**Equality Impact Assessment/ Analysis (EqIA)**

<b>Group</b>	Communities
<b>Business Units/Service Area</b>	Education and Learning
<b>Plan/ Strategy/ Policy/ Service being assessed</b>	Home to School Transport / Post 16 Transport (Mainstream)
<b>Is this is a new or existing policy/service?</b>	It is an existing policy / service which is subject to review.
<b>If existing policy/service please state date of last assessment</b>	October 2015
<b>EqIA Review team – List of members</b>	Sarah Mills
<b>Date of this assessment</b>	Revised on 28 July 2016 following the rewording of the document.
<b>Signature of completing officer (to be signed after the EqIA has been completed)</b>	Sarah Mills
<b>Are any of the outcomes from this assessment likely to result in complaints from existing services users and/ or members of the public?</b> If yes please flag this with your Head of Service and the Customer Relations Team as soon as possible.	<b><u>YES</u> / NO</b>
<b>Name and signature of Head of Service (to be signed after the EqIA has been completed)</b>	Nigel Minns
<b>Signature of GLT Equalities Champion (to be signed after the EqIA is completed and signed by the completing officer)</b>	Jane Carter

A copy of this form including relevant data and information to be forwarded to the Group Equalities Champion and the Corporate Equalities & Diversity Team

## Form A1

### INITIAL SCREENING FOR STRATEGIES/POLICIES/FUNCTIONS FOR EQUALITIES RELEVANCE TO ELIMINATE DISCRIMINATION, PROMOTE EQUALITY AND FOSTER GOOD RELATIONS



High relevance/priority



Medium relevance/priority



Low or no relevance/ priority

**Note:**

1. Tick coloured boxes appropriately, and depending on degree of relevance to each of the equality strands
2. Summaries of the legislation/guidance should be used to assist this screening process

Business Unit/Services:	Relevance/Risk to Equalities																											
State the Function/Policy /Service/Strategy being assessed:	Gender			Race			Disability			Sexual Orientation			Religion/Belief			Age			Gender Reassignment			Pregnancy/ Maternity			Marriage/ Civil Partnership (only for staff)			
	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Home to School / Post 16 Transport			x			x	X					x			x	X					x			x				
Are your proposals likely to impact on social inequalities e.g. child poverty for example or our most geographically disadvantaged communities? <b>If yes please explain how.</b>																									<b>YES/ NO</b>			
The rewording is likely to impact pupils who live on the outskirts of a priority area who would normally have expected to gain free transport but are able to be allocated a school within walking distance to their home. This may impact upon siblings.																												
Are your proposals likely to impact on a <b>carer</b> who looks after older people or people with disabilities? <b>If yes please explain how.</b>																									<b>YES/ NO</b>			

The proposals around respite transport will have a direct impact on parents who care for children with Special Educational Needs

**Form A2 – Details of Plan/ Strategy/ Service/ Policy**

**Stage 1 – Scoping and Defining**

(1) What are the aims and objectives of Plan/Strategy/Service/Policy?

Local Authorities have a legal duty to provide free transport to school to children considered 'eligible' under the Education Act 1986 (as amended). Children are considered 'eligible' if they fall under one of a number of broad categories. These include:

- children attending the nearest qualifying school to home where the distance from home to school is over the relevant statutory walking distance;
- children unable to walk to school in safety due to the nature of the route;
- children unable to walk to school by reason of their SEN, EHCP disability, or mobility problem (including temporary medical conditions).

In discharging their duty to provide free transport to school for eligible children, arrangements can include a seat on a bus, taxi, or the payment of a travel allowance (or other suitable combination).

Warwickshire already meets and exceeds all of the statutory requirements regarding eligible children.

Section 508C of the Education Act 1986 (as amended) also provides local authorities with discretionary powers to make travel arrangements for those children not considered eligible. In Warwickshire, a Vacant Seats Scheme operates which allows non-eligible children to travel on Council subsidised services after all eligible children have been accommodated. A parental contribution is required.

The rewording of the document will take out the obligation to offer free Transport to priority area schools if a nearer school is able to be allocated.

Due to the financial pressures faced by the local authority and in light of fundamental changes to our role, a review of existing transport policies has been carried out and a number of changes to the current policy have been agreed. These will allow us to continue to meet our statutory responsibilities, achieve significant savings, and to deliver a flexible service for the provision of transport that meets need, supports personalisation and maximises independence.

The changes proposed are set out below. This document will be reviewed regularly as and when proposals are amended.

This EIA has now been updated

**Please note that the section on Direct Payments can now be found in the second part of the Equality Impact Assessment.**

### **1) Walking Routes to School versus Priority area school**

#### How many students would be affected?

This is impossible to say as all of the schools with priority areas in question would need to be reassessed and the outcomes / impacts would not be known until the application process year on year where parents highlight a preference area are also assessed. It is not thought to be a high volume of pupils.

#### Key issues for consideration

Following the recommendations these will be put to Cabinet in January 2017:

- 1) That with immediate effect the revised wording and therefore assessing the safety of walking routes to alternative schools is used and that the same process is used to assess all new applications for transport. Existing pupils retain free transport unless a significant change such as house move.

Appendix 2 – 1 of 2

<p>(2) How does it fit with Warwickshire County Council's wider objectives?</p>	<p>Within the current environment of reducing resources it is necessary to review all of the support we offer with transport. We are committed though to ensuring that any changes made to services are undertaken in a way that is cost effective and prioritises need. This requires us to examine existing policies and working practice to help us to deliver a flexible service for the provision of transport that meets need, supports personalisation and maximises independence</p> <p>By ensuring young people aged 16 and over are able to continue to access education it also fits in with the objectives of Learning and Achievement to:</p> <ul style="list-style-type: none"> <li>• Ensure every child and young person has access to a place in high quality early years settings, or schools, or learning providers, and providing learning opportunities for adults;</li> <li>• Ensure [access to] provision for children and young people with special educational needs, and vulnerable groups; and to</li> <li>• Support young people in the transition to adulthood and employment, especially the most vulnerable.</li> </ul>
<p>(3) What are the expected outcomes?</p>	<p>There will be a reduction in costs (or increases in income) while all statutory functions will continue to be delivered. We will aim to ensure thought that non-eligible students, including those over the age of 16, will continue to be able to access their place of learning. We will do this by working with schools, colleges and commercial transport operators.</p>
<p>(4) Which of the groups with protected characteristics is this intended to benefit? (see form A1 for list of protected groups)</p>	<p>The changes proposed are designed to ensure that the local authority continues to meet its statutory duties in relation to free transport. They are also designed to ensure that despite reduced resources, all students up to the age of 19 (and to 25 including those with disabilities) can continue to access their place of learning. The Council's Vacant Seats Scheme will allow students to continue to access schools on faith grounds and there are proposals to support children and young people from low-income families.</p>
<p><b><u>Stage 2 - Information Gathering</u></b></p>	

## Appendix 2 – 1 of 2

<p>(1) What type and range of evidence or information have you used to help you make a judgement about the plan/ strategy/ service/ policy?</p>	<p>All relevant legislation has been considered including the Education Act (1986) as amended, the Education and Inspections Act 2006, and the Equalities Act. We have also looked carefully at the policies in other local authorities and have considered relevant guidance from the Department for Education and what was the Learning and Skills Council.</p> <p>Data held by Warwickshire County Council has also been used to assess the impacts on particular groups and where applicable, the level of savings which will be realised.</p>
<p>(2) Have you consulted on the plan/ strategy/ service/policy and if so with whom?</p>	<p>Corporate Board have previously considered the proposals. Formal consultation has not yet been carried out but once the proposals have been finalised they will be subject to a formal consultation exercise. This will follow O&amp;S and Cabinet approval. Parents, schools, elected members, and any other interested parties would be able to comment. As the proposals represent a significant change to the Council's home to school transport policy Cabinet would be asked to approve the changes and a revised policy.</p> <p>A consultation exercise into the previous changes was undertaken.</p> <p>The consultation ran from 23 June to 17 September 2015. A sixteen page document explaining the background to the consultation and the options being consulted on was published, and a two page summary document was also available. A questionnaire relating to each of the proposals was issued as part of the consultation. All of these documents are reproduced as Appendix B, C and D at the end of this report.</p> <p>The consultation was published and communicated as follows:</p> <ul style="list-style-type: none"><li>• A copy of the two page summary was sent with a covering letter to all parents whose child (or children) were currently in receipt of one or more of the types of transport included in the consultation. A total of 8607 letters were sent (5407 from Education Transport plus 3200 from the Special Educational Needs, Disability and Review (SENdaR) team). Correspondence sent by Education Transport to parents during the consultation period also made reference to the consultation.</li><li>• A copy of the two page summary and a covering letter was sent to Warwickshire schools, colleges, neighbouring authorities, Centro (as the</li></ul>

Passenger Transport Authority for the West Midlands) and the two Diocesan authorities with schools located in the County.

- Details of the consultation were sent to all Warwickshire County Councillors and MPs.
- All documents relating to the consultation were available on the Ask Warwickshire website along with an electronic version of the questionnaire. Paper copies of the questionnaire were available upon request. Details of the consultation were also available on the Home to School Transport sections of the Warwickshire County Council website.
- A dedicated email address was available for respondents to submit comments and an address was provided for written submissions.
- Staff within the Education Transport and Special Educational Needs, Disability and Review sections were available to answer questions relating to the proposals and consultation.
- Reference to the consultation was included in the 'Applying for a School Place' booklet issued by the School Admissions Service. Over 14500 of these booklets were distributed to parents between May and September. The School Admissions Service also included details of the consultation on its Twitter feed and made reference to it in the footer of letters sent to parents during the consultation period.
- Drop-in sessions were held at two of Warwickshire's grammar schools. Ten drop-in sessions were also held across Warwickshire's seven special schools with an additional evening session held at the CHESS Centre in Nuneaton. These sessions were an opportunity for parents to meet with officers and to ask questions about the proposals.
- C1000 comments were submitted in response to the consultation.



Appendix 2 – 1 of 2

(3) Which of the groups with protected characteristics have you consulted with?	See above.		
<b><u>Stage 3 – Analysis of impact</u></b>			
(1) From your data and consultations is there any adverse or negative impact identified for any particular group which could amount to discrimination?  If yes, identify the groups and how they are affected.	RACE	DISABILITY  Students with disabilities potentially affected by:  Change of wording as may siblings be affected	GENDER
	MARRIAGE/CIVIL PARTNERSHIP	AGE	GENDER REASSIGNMENT
	RELIGION/BELIEF  Students attending a school on the grounds of religion or belief could be affected	PREGNANCY MATERNITY	SEXUAL ORIENTATION

Appendix 2 – 1 of 2

<p>(2) If there is an adverse impact, can this be justified?</p>	<p>Despite the changes being considered the local authority will continue to meet all of its statutory duties. However, due to the level of savings required the Council's current policy must be reviewed. Wherever there will be adverse impacts then steps will be taken to alleviate the impact and to ensure that support is prioritised based on need. These are included in the recommendations put to Warwickshire's Cabinet.</p>
<p>(3)What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)</p>	<p>It is accepted that a single policy cannot cater for every single circumstance. In any case where support with transport is refused parents have the right to appeal the decision with each case assessed on an individual basis. This is detailed in the Recommendation to Cabinet:</p> <ol style="list-style-type: none"><li>1) That the Strategic Director for People or officers nominated by him have via the appeals process the power to authorise the provision of free or assisted transport and / or waive any charges in whole or in part in exceptional circumstances.</li></ol> <p>Other steps taken are as follows:</p> <p>Disability</p> <p>Review of Medical Transport for students aged 16-19 – Support available under the normal 16-19 / 16-25 transport polices. Potential low-income discount. Transitional arrangements to be considered. Support from 16-19 Bursary Fund available to the students facing the greatest financial difficulties.</p> <p><b>As set out in the recommendations above those currently in receipt of this transport will continue to receive support. A low-income discount will be available where support is requested under the 16-19 / 16-25 schemes. Other support available as set out above but higher rate charged under 16-19 and 16-25 polices from September 2016.</b></p> <p><b>By reviewing walking routes and applications against nearest school and making capital investments some students will be able to walk or travel to school when this was not previously possible. There are undoubtedly health benefits associated to such an approach and this fits in with Warwickshire's policy of encouraging sustainable modes of travel.</b></p>

Appendix 2 – 1 of 2

<p>(4) How does the plan/strategy/service/policy contribute to promotion of equality? If not what can be done?</p>	<p>All legislative requirements will continue to be met. Where there is no entitlement to free transport students will in many cases be able to access transport via the Vacant Seats Scheme. Discounts to low-income families and easy payment methods will help to ensure that those with the greatest need are still able to access our services. Whenever support with transport is refused parents will have the opportunity to appeal the decision. Support from 16-19 Bursary Fund available to students aged 16-19 facing the greatest financial difficulties.</p>
<p>(5) How does the plan/strategy/service/policy promote good relations between groups? If not what can be done?</p>	<p>In introducing the changes we will work closely with schools, colleges, parents students and all other relevant parties. While it is acknowledged that the changes will not be popular, they are necessary, and we will do everything possible to ensure that those affected are kept informed and are involved in the process. Wherever possible we will work with partners in order to try and ensure a smooth transition and to build / continue strong relationships.</p>
<p>(6) Are there any obvious barriers to accessing the service? If yes how can they be overcome?</p>	<p>Removal of entitlement to free transport – opportunity to travel under the Vacant Seats / Post 16 Schemes.</p> <p>Cost of transport if student is not ‘eligible’ – potential discount to low-income families and opportunity to spread payments.</p> <p>Student not ‘eligible for free transport or parent unable / unwilling to make parental contribution – appeals process and local authority discretion to provide free transport.</p> <p>Recommendations include the above.</p>
<p>(7) What are the likely positive and negative consequences for health and wellbeing as a result of this plan/strategy/service/policy?</p>	<p>While some students may no longer be entitled to free transport it is not envisaged that there will be any negative impact on health and wellbeing. Independent travel to school and college may, however, have positive benefits for individuals.</p>

Appendix 2 – 1 of 2

(8) What actions are going to be taken to reduce or eliminate negative or adverse impact on population health? (This should form part of your action plan under Stage 4.)	It is not anticipated that the proposed changes will have a negative or adverse impact on population health.
(9) Will the plan/strategy/service/policy increase the number of people needing to access health services? If so, what steps can be put in place to mitigate this?	No.
(10) Will the plan/strategy/service/policy reduce health inequalities? If so, how, what is the evidence?	No.
<b><u>Stage 4 – Action Planning, Review &amp; Monitoring</u></b>	

If No Further Action is required then go to –  
Review & Monitoring

(1) Action Planning – Specify any changes or improvements which can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.

**EqlA Action Plan**

<b>Action</b>	<b>Lead Officer</b>	<b>Date for completion</b>	<b>Resource requirements</b>	<b>Comments</b>
To review / revise the document following consideration by Corporate Board / O&S.	Sarah Mills	8th September 2016		Completed
To review / revise the document following consultation exercise	Sarah Mills	January 2017		

(2) Review and Monitoring  
State how and when you will monitor policy and Action Plan

The policy will be regularly reviewed as the proposals move through the democratic services / consultation process.

Please annotate your policy with the following statement:

**‘An Equality Impact Assessment/ Analysis on this policy was undertaken on 05 May 2015 and will be reviewed on an ongoing basis until the Council’s revised transport policy is finalised and then on an annual basis.**