

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

Home to School Transport Policy

**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 Policy
<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>	
<b>EqIA Review team – List of members</b>	
<b>Date of this assessment</b>	19 June 2017
<b>Signature of completing officer (to be signed after the EqIA has been completed)</b>	
<b>Are any of the outcomes from this assessment likely to result in complaints from existing services users and/ or members of the public? If yes please flag this with your Head of Service and the Customer Relations Team as soon as possible.</b>	YES / NO
<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>	

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



*Working for  
Warwickshire*

## 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																	
	Gender		Race		Disability		Sexual Orientation		Religion/Belief		Age		Gender Reassignment		Pregnancy/ Maternity		Marriage/ Civil Partnership (only for staff)	
State the Function/Policy /Service/Strategy being assessed:	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Home to School Transport Policy		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>																		YES/ NO
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> The proposals around the qualifying criteria for free transport, under 16 and post 19, will have a direct impact on parents who care for children with Special Educational Needs																		YES/ NO

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

<u>Stage 1 – Scoping and Defining</u>	
(1) What are the aims and objectives of Plan/Strategy/Service/Policy?	<p>Local Authorities have a legal duty to provide free transport to school to children considered ‘eligible’ under the Education Act 1996 (as amended). Children are considered ‘eligible’ if they fall under one of a number of broad categories. These include:</p> <ul style="list-style-type: none"><li>• children attending the nearest qualifying school to home where the distance from home to school is over the relevant statutory walking distance;</li><li>• children unable to walk to school in safety due to the nature of the route;</li><li>• children unable to walk to school by reason of their SEN, disability, or mobility problem (including temporary medical conditions).</li></ul> <p>A child’s ‘nearest qualifying school’ is the school closest to the child’s main home address with spaces available at the time of application for school transport and which provides an education which is suitable for the child’s age, ability and aptitude.</p> <p>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 direct travel payment (or other suitable combination). Direct travel payments can only be made with parental consent.</p> <p>Warwickshire meets and exceeds all of the statutory requirements regarding eligible children and none of the proposals will interfere with statutory rights to home-to-school transport.</p> <p>For pupils with Special Educational Needs (SEN), all pupils attending the nearest special school are offered free transport. In addition, pupils attending a specialist nursery also receive free transport.</p> <p>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</p>

children to travel on Council subsidised services after all eligible children have been accommodated. A parental contribution is required.

For students aged 16-19 local authorities are required to publish an annual transport policy statement which details the transport arrangements and financial assistance with transport that the local authority considers it necessary to ensure access to education or training for learners of sixth form age. This duty also applies to learners aged 16-25 with SEN / LDD.

Local authorities also have a duty to provide free transport where necessary to:

- Those aged 19 or over who are receiving further education or higher education (the latter in establishments maintained by the LA);
- Those aged 19 or over but under 25 with Education Health and Care Plans (or Learning Difficulty Assessments), receiving education at institutions outside the further or higher education sector but only for boarding provision where the LA has secured the provision of education and training at the institution.

Warwickshire's current policy provides transport to school and college for learners aged 16-19 and 16-25 with SEN / LDD in line with the above requirements. The majority of students or their parent(s) make a contribution toward the cost of the transport they receive.

Due to the financial pressures faced by the local authority and in light of fundamental changes to the authority's role, a review of existing transport policies has been carried out and a number of changes to the current policy are proposed. These include changes to provision for pupils with SEN but will still allow the authority to continue to meet its statutory responsibilities, achieve significant savings, and to deliver a flexible service for the provision of transport that meets need, supports personalisation and maximises independence. Therefore whilst the proposals would, if implemented, have an impact on some children and young people with disabilities, it is considered by the authority that the proposals amount to a proportionate means of achieving a legitimate aim.

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

## **1) Transport to Special Schools**

All students attending their nearest qualifying special school receive free transport regardless of the distance from home or their assessed need.

Warwickshire's policy is a local decision. Most of the authority's statistical or geographical neighbouring Local Authorities already assess students attending special schools in the same way as other students. However, they also have to give consideration to the needs of the individual student.

The Council proposes to introduce the statutory walking distance for those pupils attending a special school. Those who live over the distance will qualify for free transport assistance to their nearest qualifying school, those who live less than the statutory walking distance would still qualify if their needs were such that they would not be able to make the journey, accompanied as necessary, without transport assistance. Pupils who fall under this category would be subject to a full assessment to determine their eligibility.

### How many students would be affected?

This proposal would apply to all new applicants from September 2019 onwards. Whilst it is difficult to say exactly how many pupils will be affected, all applicants will be assessed using the new criteria.

Phased in over a period of years, the proposals would potentially reduce the number of students entitled to free transport and ultimately enable a revision of the transport network.

### Other key issues for consideration

It is acknowledged that some students will not be able to travel to school independently. An assessment of a student's needs would be made before any decision was taken to discontinue or not to provide transport. However, developing independence is regarded as a specific objective as a student moves through secondary school. As part of a student's development of independence, Independent Travel Training may assist to enable a child / young person to make their own way to and from school

## **2) Transport to the Nearest School**

Currently, pupils attending their 'priority school' receive free transport to school provided

they are resident in Warwickshire and are travelling over the statutory walking distance, even if it is not the school which is physically closest)

The Council proposes that students only receive free transport to their nearest suitable school with places available at the time of the application for a school place. This may not be the priority school but will be the one physically closest to the student's home address (this will be calculated using the shortest available route on Google maps, motorised routes are used for journeys over 3 miles and walking routes for journeys less than 3 miles).

Who is likely to be affected?

This would affect all students starting a new school, or moving house/school, in or after September 2019, who attend a school which they live in the priority area for and which is more than statutory walking distance from their home, but which is not the school closest to the pupil's home address calculated using the shortest available route on Google Maps.

Other key issues for consideration

It is acknowledged that not all students will be able to attend their nearest school due to it either not being able to provide a suitable education for them, or through lack of space at the time of application. In these instances, transport will be available to the next nearest suitable school with spaces available.

**3) Medical Transport – Post 16**

Currently, the Council offers free transport to school/college on medical grounds for students aged 4-19 subject to certain criteria. All other post 16 students must pay for transport to sixth form/college.

The Council proposes that students aged 16-19 with a medical condition no longer be entitled to free transport to sixth form/college. This is because there is no statutory requirement for local authorities to provide transport for post 16 students. Students would still be able to access transport assistance through the 16-19 transport scheme, and would also be able to access the 19-25 transport scheme should the student have an EHCP or a learning difficulty or disability.

How many students would be affected?

The number of students accessing transport due to medical conditions varies from term to term, year to year. At the moment, the authority only has three students in receipt of transport under this scheme. It is likely that most of those who currently receive transport under this part of the policy would still receive transport assistance if they have long-term conditions under special educational needs and/or disability provisions of the policy.

Other key issues for consideration

It is proposed that this change would be introduced to all applicants from September 2018.

**4) Removal of Passenger Assistants**

Passenger assistants are currently provided on all vehicles travelling to primary schools. The Council proposes that not all services carry a passenger assistant. The majority of other local authorities operate their primary transport without assistants as they are not considered to be necessary for safeguarding or for health & safety reasons. An assessment of each service would be carried out before making a decision and would take into consideration the pick- up and drop off points and the make-up of passengers (i.e. whether primary and secondary students are travelling together).

How many students would be affected?

There are currently 1034 pupils of primary-school age accessing school transport (excluding Children Looked After and those with Special Educational Needs), but it is not considered that passenger assistants would be removed from services on which any children would be likely to require their support. The Council anticipate savings of approximately £300,000 per annum should this proposal be implemented.

Other key issues for consideration

This change would only be applicable for mainstream primary vehicles and would not impact upon any service carrying pupils with a statement of special educational needs or Education, Health and Care Plan.

**5) Introduction of free transport to 19-25 year olds with an EHCP / learning difficulties or disabilities**

Currently, all students aged 16-25 must pay for transport assistance to sixth form/college. In line with recent legislation, the Council proposes that 19-25 year olds would be eligible for free transport if they meet specific criteria and prove that it is necessary for the Council to provide transport assistance in order for them to access education.

How many students would be affected?

There are currently 338 students aged 16-25 receiving transport assistance of which approximately 165 are aged 19-25.

Other key issues for consideration

If students aged 19-25 are deemed not to be eligible for free transport, there would be no option to pay for any form of travel assistance.

## **6) Introduction of Independent Travel Training**

Warwickshire County Council does not currently offer any form of independent travel training to students as a form of travel support.

The Council is proposing to introduce independent travel training to students with a statement or EHCP of secondary school age. This would be offered to students who have been assessed as suitable by the child or young person's school or training provider. The training would be aimed at giving children and young people the skills necessary to make the journey from home to school independently, either by bus, train or by walking. The skills learnt can be transferred to be used for any journey, for both social and educational reasons. Once trained, students would travel to school by the most suitable method. This may mean that transport would still be funded by the Council, but it could be in a different form.

How many students would be affected?

It is anticipated that there are around 800 students who could be considered for travel training. Not all of these students will be suitable, each learner will be assessed on an individual basis.

Other key issues for consideration

The benefits for young people are likely to be extensive. The training will afford them with

	<p>transferable life skills which will help them beyond travelling to and from school/college. Schools in other local authority areas have reported improved quality of work and confidence in the young people who have been travel trained.</p> <p>The benefit for the local authority is the reduction in specialist vehicle passengers and therefore a reduction in the amount spent on these vehicles. There could also be a reduced dependence on other agencies, such as Adult Social Care, now and in the future.</p> <p><b>7) The Creation of ‘One Policy’</b></p> <p>There is currently a mainstream and post 16 transport policy with a separate, unpublished policy for SEN students.</p> <p>The Council will be amalgamating the SEN &amp; mainstream transport policies as part of the annual review of the policy in August 2017. This will mean that one policy exists for all children aged 3-25 so that there is only one document parents/carers need to refer to.</p> <p><b>8) The reassessment of all unsafe walking routes</b></p> <p>All routes which are currently deemed to be unsafe to walk will be reassessed using the Road Safety GB guidelines.</p> <p>Where a route is reclassified as safe it is proposed that any students currently travelling will continue to receive free transport until the end of their time at school, provided there is no change in circumstances (such as a house move). All new applicants from September 2019 would be assessed using the new reclassification.</p>
(2) How does it fit with Warwickshire County Council’s wider objectives?	Within the authority’s current financial position, particularly the impact on Education and Learning, it is necessary to review all of the support the Council offers with transport. The authority is committed to ensuring that any changes made to services are undertaken in a way that is cost effective and prioritises need. This requires the Council 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>(3) What are the expected outcomes?</p>	<p>Should the proposals be implemented, it is anticipated that there will be a reduction in costs by reducing the number of pupils receiving free transport, while ensuring all statutory functions will continue to be delivered and improving the skills of children and young people who are in a position to access Independent Travel Training. The Council will aim to ensure that no-one entitled to transport assistance would be unable to access education as a result of these proposals.</p> <p>There would also be a reduction in the cost of providing transport for Primary-aged pupils by removing the passenger assistant, where safe to do so. The local authority would continue to work to ensure the safety of pupils travelling on WCC services.</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 be in a position to meet its statutory duties in relation to free transport in relation to relevant children and young people, including those with disabilities. They are also designed to ensure that, despite reduced resources, all students up to the age of 25 (for those with disabilities) who are entitled to receive free transport can continue to access their place of learning.</p>
<p><b><u>Stage 2 - Information Gathering</u></b></p>	
<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 SEND Code of Practice: 0-25 Years. We have also looked carefully at the policies in other local authorities and have considered relevant guidance from the Department for Education.</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>The policy has been co-produced as part of a work stream involving parent representatives. Formal consultation is to be carried out from September 2017 should approval be given. Parents, young people schools, Members, and any other interested stakeholders and parties will be able to comment. Consideration would then be given to the consultation responses before the authority considers whether the proposals should be amended and then what, if any, proposals should be implemented.</p>

(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  None identified – subject to public consultation	DISABILITY  Students with disabilities potentially affected by:  <b>Proposal 1 – Addition of statutory walking distance criteria</b>  Those who live less than the statutory walking distance who do not have a need, i.e. a disability that requires them to receive transport, will be responsible for their own travel to/from school. Therefore, this proposal will have an impact upon those with a disability as we are aligning our policy on walking distance for pupils with SEN / disabilities to meet that which applies to non-SEN / disabled pupils. However the proposal will only impact upon those who do not have mobility issues that prevent them from being able to walk to school and therefore it is considered that the proposal amounts to a proportionate means of achieving the legitimate aim of reducing overall expenditure on Home to school transport to ensure that the authority is still in a position to meet its statutory obligations. This could put additional pressures on families due the need to organise and fund transport or to accompany the child as necessary.	GENDER  None identified – subject to public consultation

	RACE	DISABILITY  Students with disabilities potentially affected by:  <b>Proposal 5 – Change of policy for 19-25 year olds</b>  This will have an impact upon those with a disability because the proposal will restrict the number eligible to receive post 19 transport support. The Council will however ensure support will still be available where necessary to support the young person's journey to college and consider this proposal is a proportionate means of achieving a legitimate aim.  These are subject to a public consultation.	GENDER
<p>(1) From your data and consultations is there any adverse or negative impact identified for any particular group which could amount to discrimination?</p> <p>If yes, identify the groups and how they are affected.</p>			

	MARRIAGE/CIVIL PARTNERSHIP  None identified – subject to public consultation	AGE  <b>Proposal 1 – Addition of statutory walking distance criteria</b>  <b>Proposal 5 – Change of policy for 19-25 year olds</b>  Proposal 1 will impact on those of compulsory school age, and Proposal 5 will impact on those aged 19 to 25. This is due to different legislation applying to different age groups for the purposes of home-to-education transport.	GENDER REASSIGNMENT  None identified – subject to public consultation
	RELIGION/BELIEF  None identified – subject to public consultation	PREGNANCY MATERNITY  None identified – subject to public consultation	SEXUAL ORIENTATION  None identified – subject to public consultation
(2) If there is an adverse impact, can this be justified?	Despite the proposals 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.		

<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>Those who require transport assistance because of genuine mobility reasons will still receive this. In any case where support with transport is refused parents will have a right to appeal the decision with each case assessed on an individual basis.</p> <p>Full assessments of each service will be carried out before taking the decision to remove a passenger assistant. Parents and schools will also be given the right to comment during the assessment process.</p> <p>Independent Travel Training will, where practical, give children / young people the skills necessary to travel to and from their place of education on their own.</p> <p>The Council will be seeking feedback on potential impacts during the consultation process, therefore further mitigations may also be possible.</p>
<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, and students whose needs are such that they could not access education without transport provision will continue to receive this.</p>
<p>(5) How does the plan/strategy/service/policy promote good relations between groups? If not what can be done?</p>	<p>Should the proposals be approved, the authority will work closely with schools, colleges, parents, students and all other relevant parties. While it is acknowledged that some of the changes will not be popular, they are necessary in order to ensure that the authority can still sustainably provide transport to those entitled to receive it, 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>Discussion would take place with school/family should any students face significant financial difficulties as a result of introducing such policy changes. However, a 50% discount is already available to families who receive certain benefits.</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, however this will be subject to public consultation.</p>

(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, however this will be subject to public consultation.
(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?	This is not currently considered likely.
(10) Will the plan/strategy/service/policy reduce health inequalities? If so, how, what is the evidence?	This is not currently considered likely.

<b><u>Stage 4 – Action Planning, Review &amp; Monitoring</u></b>	EqIA Action Plan				
	Action	Lead Officer	Date for completion	Resource requirements	Comments
If No Further Action is required then go to – Review & Monitoring	To revise the document following consideration by Corporate Board / O&S.				
(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.	To undertake a full review following public consultation				

(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.

- Monitor number of young people with EHC plans taking up Independent Travel Training by age and disability (contract provider)
- Monitor number of risk assessments carried out by age and disability (Risk assessor)
- Monitor number of complaints regarding school transport by age and disability (using Contact Us data)

Please annotate your policy with the following statement:

**'An Equality Impact Assessment/ Analysis on this policy was undertaken on 19 June 2017 and will be reviewed on an ongoing basis until the Council's revised transport policy is finalised and then on an annual basis'.**