

Warwickshire County Council Equality Impact Assessment (EIA) Form

The purpose of an EIA is to ensure WCC is as inclusive as possible, both as a service deliverer and as an employer. It also demonstrates our compliance with Public Sector Equality Duty (PSED).

This document is a planning tool, designed to help you improve programmes of work by considering the implications for different groups of people. A guidance document is available [here](#).

Please note that, once approved, this document will be made public, unless you have indicated that it contains sensitive information. Please ensure that the form is clear and easy to understand. If you would like any support or advice on completing this document, please contact the Equality, Diversity and Inclusion (EDI) team on 01926 412370 or equalities@warwickshire.gov.uk

Service / policy / strategy / practice / plan being assessed	Home to School Transport Policy – proposed change to the definition of a pupil's qualifying school
Business Unit / Service Area	Education Services/Communities
Is this a new or existing service / policy / strategy / practice / plan? If an existing service / policy / strategy / practice / plan please state date of last assessment	Existing Policy Last review January 2018
EIA Review team – list of members	Education Capital, Sufficiency and Transport Lead Commissioner
Do any other Business Units / Service Areas need to be included?	
Does this EIA contain personal and / or sensitive information?	No

Are any of the outcomes from this assessment likely to result in complaints from existing services users, members of the public and / or employees?	No
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1. Please explain the background to your proposed activity and the reasons for it.

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:

- 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, disability, or mobility problem (including temporary medical conditions).

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.

Warwickshire meets the statutory requirements regarding eligible children and the proposal will not interfere with statutory rights to home-to-school transport.

The following change is proposed to the Home to School Transport Policy:

Definition of Nearest Qualifying School: Currently, pupils attending just their nearest school receive free transport to school provided they are resident in Warwickshire and are travelling over the statutory walking distance.

The Council proposes that students receive free transport to either their closest qualifying school with places available, or their priority area school.

A number of changes were endorsed by Cabinet in January 2018 including a revision of the definition of 'the nearest qualifying school'. From 1st September 2019 the definition of "nearest qualifying school" was altered to include only the school closest to the pupil's home by the shortest route with a pupil place available, in line with statutory requirements. However, it may not be the school in whose priority area the pupil resides (their 'catchment school') if there is another school closer to home by the nearest available walking route. Previous criteria encompassed the priority school or the nearest school with places available.

Following a review of this change in the definition of nearest qualifying school, it is proposed to change the definition to reintroduce the priority area school. A number of factors contributed to the decision to review and propose a change to the definition of a pupil's qualifying school:

- The revision to the definition in January 2018 was part of addressing non-statutory duties, wide priority areas and the removal in some instances of priority areas altogether. Following the review, the County Council recognise that the number of schools removing priority areas remains small and that within the wide, largely rural, priority areas the revision created a divide in transport assistance eligibility within certain localities and villages where the nearest school can differ by marginal distances.
- The unalignment from priority areas has created confusion and can prove complex to understand for parents when making a school place application with one priority area school and multiple nearer schools.

2. Please outline your proposed activity including a summary of the main actions.

WCC are proposing the following change to the Home to School Transport Policy:

Definition of a pupil's qualifying school: Currently, pupils attending just their nearest school receive free transport to school provided they are resident in Warwickshire and are travelling over the statutory walking distance. The Council proposes that students receive free transport to either their closest qualifying school with places available, or their priority area school.

3. Who is this going to impact and how? (customers, service users, public and staff)

It is good practice to seek the views of your stakeholders and for these to influence your proposed activity. Please list anything you have already found out. If you still need to talk to stakeholders, include this as an 'action' at the end of your EIA. **Note that in some cases, there is a duty to consult, see [more](#).**

This would affect all students starting a new school, or moving house/school, on or after the publication of the new policy, who live more than statutory walking distance from their home.

Public consultation on the proposed change was carried out between 8th June 2020 and 17th July 2020. Consultation asked respondents to provide further comments in relation to the proposed change to the definition of a pupil's qualifying school and any specific impacts that should be considered. Equality monitoring questions were also asked.

The proposed change would widen transport assistance eligibility in some areas of the county where the closest qualifying school is not the priority area school. Therefore, groups with protected characteristics are not considered to be disproportionately impacted by this proposed change.

4. Please analyse the potential impact of your proposed activity against the protected characteristics.

N.B Think about what actions you might take to mitigate / remove the negative impacts and maximize on the positive ones. This will form part of your action plan at question 7.

	What information do you have? What information do you still need to get?	Positive impacts	Negative impacts
Age	Proposed change relates to those of compulsory school age to which the eligibility criteria currently applies	Likely to increase the number of pupils of compulsory school age eligible for free transport assistance	None identified
Disability Consider <ul style="list-style-type: none"> Physical disabilities Sensory impairments Neurodiverse conditions (e.g. dyslexia) Mental health conditions (e.g. depression) Medical conditions (e.g. diabetes) 	A number of respondents commented that this would increase choice for some SEND children	Potential to increase the number of SEND pupils eligible for free transport assistance if number of qualifying schools increase. Decisions on what school a child can be transported to is already based on an assessment of suitability and that will not change under this proposal.	None identified
Gender Reassignment	None identified	None identified	None identified
Marriage and Civil Partnership	None identified	None identified	None identified
Pregnancy and Maternity	None identified	None identified	None identified
Race	None identified	None identified	None identified

Religion or Belief	A number of respondents commented that the change did not extend to faith schools.	None identified	Transport to faith schools will only be provided if it is the closest qualifying school to the child's home, taking into account all relevant schools. This criteria was in place prior to the January 2018 policy change.
Sex	None identified	None identified	None identified
Sexual Orientation	None identified	None identified	None identified

5. What could the impact of your proposed activity be on other vulnerable groups e.g. deprivation, looked after children, carers?

Proposed change likely to increase the number of pupils of compulsory school age eligible for free transport assistance, which will also benefit those pupils from low income families. Low-income families will also continue to benefit from extended rights eligibility criteria.

6. How does / could your proposed activity fulfil the three aims of PSED, giving due regard to:

- the elimination of discrimination, harassment and victimisation
- creating equality of opportunity between those who share a protected characteristic and those who do not
- fostering good relationships between those who share a protected characteristic and those who do not

The proposed change would widen transport assistance eligibility in some areas of the county where closest qualifying school is not the priority area school. This will particularly benefit those where the priority area school is the preferred school of choice.

7. Actions – what do you need to do next?

Consider:

- Who else do you need to talk to? Do you need to engage or consult?
- How you will ensure your activity is clearly communicated
- Whether you could mitigate any negative impacts for protected groups
- Whether you could do more to fulfil the aims of PSED
- Anything else you can think of!

Action	Timescale	Name of person responsible
Recommendation to Cabinet	10 th September 2020	Education Capital, Sufficiency and Transport Lead Commissioner
Publication of revised policy (subject to Cabinet approval)	September/October 2020	Education Capital, Sufficiency and Transport Lead Commissioner

8. Sign off.

Name of person/s completing EIA	Emma Basden-Smith
Name and signature of Assistant Director	Ian Budd
Date	26 th August 2020
Date of next review and name of person/s responsible	12 months – September 2021