

Service and Community Impact Assessment (SCIA)

Front Sheet:

Directorate and Service Area:

Children Education and Families
Education, Sufficiency and Access and Special Educational Needs and Disabilities

What is being assessed (e.g. name of policy, procedure, project, service or proposed service change):

Home to School Transport Policy

Responsible owner / senior officer:

Neil Darlington, Admissions and Transport Services Manager

Date of assessment:

26 February 2018, updated 11 May 2018, 5 June 2018 and 6 June 2018

Summary of judgement:

The Council needs to reduce non-statutory expenditure given the pressure on public finances.

The main proposals include ending free travel for most Post 16 SEND students, ending Post 16 subsidised transport to Henley College, clearly specifying when free travel will be provided to alternative education providers and continuing for a further year the current time limited free travel arrangements for those students who are resident at RAF Benson. In addition, the proposals include specifying charges for the "Spare Seat" scheme for the years 2018/19 to 2022/23.

The free travel arrangements for young people of statutory school age who are resident at RAF Benson and attend Icknield Community College are essentially cost-neutral and are a response to a school places issue in the Wallingford area. Icknield Community College is the nearest school that is likely to be able to offer places to those living at RAF Benson and is over 3 miles from the base.

The proposed charges for the "Spare Seat" scheme for 2020/21, 2021/22 and 2022/23 have been determined by adding 2% for inflation in each successive year. These proposed increases for 2020/21 to 2022/23 are intended to maintain the real cost of the charges and reflect the Government's 2% target inflation rate for the Bank

of England. The charges for 2018/19 and 2019/20 are those originally set by Oxfordshire County Council's Cabinet in February 2014.

Detail of Assessment:

Purpose of assessment:

The assessment has been prepared because of proposed changes to the Home to School Travel and Transport Policy.

You should also include the following statement to clearly set out the reasons and context for undertaking the assessment:

Section 149 of the Equalities Act 2010 (“the 2010 Act”) imposes a duty on the Council to give due regard to three needs in exercising its functions. This proposal is such a function. The three needs are:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic, and those who do not.

Complying with section 149 may involve treating some people more favourably than others, but only to the extent that that does not amount to conduct which is otherwise unlawful under the new Act.

The need to advance equality of opportunity involves having due regard to the need to:

- remove or minimise disadvantages which are connected to a relevant protected characteristic and which are suffered by persons who share that characteristic,
- take steps to meet the needs of persons who share a relevant protected characteristic and which are different from the needs other people, and
- encourage those who share a relevant characteristic to take part in public life or in any other activity in which participation by such people is disproportionately low.
- take steps to meet the needs of disabled people which are different from the needs of people who are not disabled and include steps to take account of a person’s disabilities.

The need to foster good relations between different groups involves having due regard to the need to tackle prejudice and promote understanding.

These protected characteristics are:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality

- religion or belief – this includes lack of belief
- sex
- sexual orientation
- marriage and civil partnership

Social Value

Under the Public Services (Social Value Act) 2012 the Council also has an obligation to consider how the procurement of services contracts with a life value of more than £173,934¹ might improve the economic, social, and environmental well-being of the area affected by the proposed contract, and how it might act to secure this improvement. However, it is best practice to consider social value for all types of contracts, service delivery decisions and new/updated policies. In this context, 'policy' is a general term that could include a strategy, project or contract.

Context / Background:

Oxfordshire County Council's current Home to School Travel and Transport Policy provides a greater level of financial support than the law requires for Post 16 students who have special educational needs and disabilities as well as for Post 16 mainstream students who attend Henley College. Unfortunately, given the continuing pressure on public finances, the Council now needs to critically consider whether it should continue to maintain spending on this non-statutory assistance for these groups of Post16 students.

Approximately £8.6 million is spent on SEND transport for under 16s each year, with a further £1.1m spent annually on transport for Post 16 SEND students and those attending Meadowbrook College. Expenditure has increased by £2.5m since 2013/14, in contrast to a reduction of £2.7m in the cost of home to school transport to mainstream schools.

In 2013/14, 2014/15, 2015/16, 2016/17, and 2017/18 expenditure on mainstream transport was respectively £9,427,972, £8,276,710, £7,795,705, £7,441,114, and £6,715,532 (estimated). However, the expenditure on non-mainstream transport in these years was respectively £6,153,168, £ 7,199,546, £8,587,017, £9,302,245, and £9,890,296.

Total expenditure on Home to School transport in 2013/14 was £15,581,140, in 2014/15 it was £15,476,256, in 2015/16 it was £16,382,722, in 2016/17 it was £16,743,359, and in 2017/18 it is expected to be £16,605,828 (estimated figure).

The overall savings from the proposed changes to policy and practice are expected to be £1,101,000 in 2020/21.

¹¹ [EC Procurement Threshold for Services](#)

Proposals:

The County Council's current Home to School Travel and Transport Policy is more generous than the law requires for Post 16 students who have Special Educational Needs and Disabilities and for Post16 mainstream students who attend Henley College and live in the areas served by Icknield Community College, Langtree School, Chiltern Edge School and Gillotts School. Unfortunately, given the continuing pressure on public finances, the Council now needs to critically consider whether it should continue to maintain spending on this non-statutory assistance for these groups of Post16 students.

There is also a need for clarity regarding when free travel will be made available to attend a provider of alternative education.

The proposal to continue to provide free travel from RAF Benson to Icknield Community College is cost-neutral.

Proposal 1. Ending automatic free travel for Post 16 students who have special educational needs and disabilities and whose nearest suitable placement is over 3 miles from their home

There is no legal requirement to automatically provide free travel to Post 16 SEND students but there is still a need to assist those who otherwise would not be able to access education or training provision and to assist the most vulnerable or socially excluded.

Under the existing policy free travel is automatically provided to those Post 16 SEND students who attend the nearest suitable placement and it is proposed to end this approach for new Post 16 SEND students from the beginning of September 2019.

The proposed change would place these students at no disadvantage to mainstream Post 16 students. In addition, Post 16 SEND students would continue to receive assistance with travel if they or their parents can demonstrate that they are attending the nearest suitable placement at which their special needs can be met and that without assistance from the Council they would not be able to attend that placement. In practice, problems in accessing placements are likely to be significantly greater for SEND students than for mainstream Post 16 students, for example a student may need to attend a special school but cannot walk the relevant distance, there is no suitable public transport and the student's parent has no private vehicle. Therefore, it is recognised that some Post 16 SEND students will continue to need travel assistance from the Council but the assessment will be fair, equitable and evidence based. This is intended to replace the current universal approach of providing free travel to Post 16 SEND students based on the distance from home to school/college or, if less than 3 miles away, there is no safe walking route, irrespective of any other mitigating factors such as family income.

There is no proposal to change the current arrangements for Post 16 SEND students who are placed in residential special schools. These students will continue to receive free travel to their placements, irrespective of whether the proposals regarding other Post 16 students are adopted. All these students have high level special educational needs that require a residential placement.

Post 16 SEND students in receipt of travel support who are in receipt of travel support prior to September 2019 (the proposed date for introducing the new policy) would not be affected for the duration of their course. However, new Post 16 students who have special educational needs or disabilities would, potentially, be affected from September 2019.

There will be appeal arrangements in place for Post 16 SEND students to ensure that decisions can be challenged by families.

Post 16 SEND students may be eligible for bursary funding from the institution attended and will be encouraged to apply to that institution for bursary assistance.

Proposal 2: Ending subsidised travel to Henley College from September 2018

Currently Post 16 students who are resident in the area served by Icknield Community College, Langtree School, Chiltern Edge School and Gillotts School receive a subsidy towards the cost of travel to Henley College. There is no direct subsidy to any other group of mainstream Post 16 students attending a college in Oxfordshire.

There is no statutory requirement to provide subsidised travel to Post 16 students and to ensure the policy is equitable the subsidy for travel to Henley College needs to be ended or a similar subsidy should be provided to Post16 students who attend other colleges and schools in Oxfordshire. The current arrangements are not equitable.

Therefore, given the financial difficulties faced by the Council, it is proposed to end the travel subsidy provided to students attending Henley College. This would affect students from September 2018.

Some Post 16 students may be eligible for bursary funding from Henley College.

There will be appeal arrangements in place for this age group and the Council will continue to assist Post 16 students if it can be shown that they would otherwise be unable to access education or training.

Proposal 3: Clearly specifying when free travel will be provided to alternative education providers

If the Council applies the criteria on statutory entitlement to free travel only to those on the roll of an alternative provider and not on the roll of a school this may affect the use of places paid for by the Council since travel for many students would then be

the responsibility of the school or parent rather than the Council. This would make it very difficult for schools to use the provision unless they are close to the alternative provider (the main provider of alternative education is Meadowbrook College which has a main base in Oxford). Therefore, the Council proposes to provide free travel to places it has funded at alternative education providers, subject to the distance from home to alternative education provider being over the relevant statutory walking distance or if the distance is less than the statutory walking distance whether the route is safe to walk, accompanied as necessary by a responsible adult.

The statutory walking distance is 3 miles for those aged 8 to 16 and 2 miles for those aged 5 to 8. This goes beyond simple statutory entitlement to free travel since most students attend only part of the week and remain on the roll of their school.

Currently the main provider of alternative education in Oxfordshire is Meadowbrook College. Up until October 2017 Meadowbrook College determined whether its students were eligible for free travel, and it also decided the type of transport that would be made available, for example whether a taxi should be provided. Oxfordshire County Council remained responsible for funding and organising the transport. Free travel was provided on the distance based statutory entitlement.

The budget for transport to alternative education providers was regularly exceeded and some transport was provided outside of the Home to School Transport Policy.

From October 2017 the Transport Eligibility Team (part of the Admissions Team) has been responsible for determining whether students should receive free travel to alternative education providers.

In 2017/18 expenditure on home to school transport to Meadowbrook College fell by over £100,000. This is directly attributable to the changes made in determining free travel to Meadowbrook College. These changes involved a more consistent application of the current policy.

Proposal 4: Setting charges for the “Spare Seat” Scheme (formerly known as the Concessionary Travel Scheme)

The proposed charges for the “Spare Seat” scheme for 2020/21, 2021/22 and 2022/23 have been determined by adding 2% for inflation in each successive year. The proposed increases for 2020/21 to 2022/23 are intended to maintain the “real” cost of the charges by reflecting the Government’s 2% target inflation rate for the Bank of England. The charges for 2018/19 and 2019/20 are those originally set by Oxfordshire County Council’s Cabinet in February 2014.

The charge will continue to be waived for students from low income families.

Ceasing to increase charges on an annual basis would represent a subsidy to a minority of families based on geography rather than income. This would be an unfair and inequitable approach.

Proposal 5: Free travel from RAF Benson to Icknield Community College

The free travel arrangements for young people of statutory school age who are resident at RAF Benson and attend Icknield Community College are cost-neutral and are a response to a school places issue in the Wallingford area.

The nearest secondary school to RAF Benson is Wallingford School but RAF Benson is not within the catchment area and children from this location are highly unlikely to be offered places. Icknield Community College is the nearest school that is likely to be able to offer places to those living at RAF Benson and it is over 3 miles from the base. In addition, Icknield Community College is a popular school and if it is not named on an application a child is unlikely to be offered a place. Given the lack of spare capacity at Wallingford School this means that a child may have to be transported to the nearest available school and in 2018 this would have been Didcot for a boy and Oxford for a girl.

This situation is unique in Oxfordshire.

Proposal 6: To adopt the Home to School Travel and Transport Policy documents for those aged 5 to 16 (the group defined by Central Government as covered by the statutory guidance on Home to School Travel and Transport) and Post 16 students

There is no proposal to change the reasons for providing free travel for those aged 5 to 16 but the policy has been rewritten to ensure clarity.

The Home to School Travel and Transport Policy document for Post 16 students has been rewritten to reflect the proposals consulted upon between 26 February and 30 April 2018.

Any issues regarding the proposals are addressed separately in the SCIA and the Cabinet report.

Proposal 7: Setting a cash limited sum for disabled children and young people for travel to after school activities

Home to school travel is intended for travel at the beginning of the school day from a child's home address to the school they attend and for that child's return to home at the end of the school day. It is not intended as a means of accessing child care arrangements or after school activities. Nevertheless, in response to comments expressed during the consultation on proposed changes to the policy on home to school transport the Council is considering setting a cash limited budget to assist disabled children and young people access after school clubs.

This arrangement will not be part of the Home to School Transport Policy.

Evidence / Intelligence:

A public consultation was undertaken between 27 February and 30 April. This will inform the eventual Cabinet decision.

The affected groups are:

1. Post 16 students in the area covered by Icknield Community College, Langtree School, Chiltern Edge School and Gillotts School.
2. Post 16 SEND students
3. Students attending a provider of alternative education to attend a course that is not funded/commissioned by OCC
4. Students travelling in spare seats in transport provided by OCC for those who are eligible for free travel. Students travelling in spare seats are fare payers.
5. Students in Years 7 to 11 travelling from RAF Benson to Icknield Community College
6. Disabled children and young people who need assistance to access after school activities

Alternatives considered / rejected:

The alternative to the proposed policy changes regarding SEN transport would be to follow the policy and practice of previous years. There would be no reduction in expenditure.

The alternative to setting fare increases in advance would be to rely on the Council making an annual decision on fare increases. This would mean that families would not have long term information on the likely cost of using home to school transport routes. Ceasing to increase charges on an annual basis would simply represent a subsidy to a minority of families based on geography rather than income and would be an inequitable approach.

The alternative to the proposed policy changes regarding transport to alternative education providers would either be to provide the statutory minimum, which would increase the cost of attendance to schools or parents, or return to the previous practice of relying on Meadowbrook College (the main provider of alternative education) to determine eligibility, an approach which resulted in an overspend of approximately £200,000 in 2016/17.

Impact Assessment:

Identify any potential impacts of the policy or proposed service change on the population as a whole, or on particular groups. It might be helpful to think about the largest impacts or the key parts of the policy or proposed service change first, identifying any risks and actions, before thinking in more detail about particular groups, staff, other Council services, providers etc.

It is worth remembering that 'impact' can mean many things, and can be positive as well as negative. It could for example relate to access to services, the health and wellbeing of individuals or communities, the sustainability of supplier business models, or the training needs of staff.

We assess the impact of decisions on any relevant community, but with particular emphasis on:

- *Groups that share the nine protected characteristics*
 - *age*
 - *disability*
 - *gender reassignment*
 - *pregnancy and maternity*
 - *race – this includes ethnic or national origins, colour or nationality*
 - *religion or belief – this includes lack of belief*
 - *sex*
 - *sexual orientation*
 - *marriage and civil partnership*
- *Rural communities*
- *Areas of deprivation*

We also assess the impact on:

- *Staff*
- *Other council services*
- *Other providers of council services*
- *Any other element which is relevant to the policy or proposed service change*
- *How it might improve the economic, social, and environmental of the area affected by the contract if the Public Services (Social Value) Act 2012 applies*

For every community or group that you identify a potential impact you should discuss this in detail, using evidence (from data, consultation etc.) where possible to support your judgements. You should then highlight specific risks and any mitigating actions you will take to either lessen the impact, or to address any gaps in understanding you have identified.

If you have not identified an impact on particular groups, staff, other Council services, providers etc. you should indicate this to demonstrate you have considered it.

Impact on Individuals and Communities:

Community / Group being assessed (as per list above – e.g. age, rural communities – do an assessment for each one on the list)

Summarise the specific requirements and/or potential impact on this community / group, and then highlight the most significant risks and mitigating action that has been or will be taken.

Risks	Mitigations
<p>Post16 students attending in the area covered by Icknield Community College, Langtree School, Chiltern Edge School and Gillotts School.</p> <p>The consultation contained a proposal to end subsidised travel to Henley College</p>	<ul style="list-style-type: none"> • Students will be able to apply for bursary funding at Henley College. • Those unable to access Post 16 education because of the cost of transport will be still be able to apply for assistance from the council. • There will be an appeals/complaints system
<p>Post 16 SEN students will be affected by proposed changes to Post 16 travel</p>	<ul style="list-style-type: none"> • Students will be able to apply for bursary funding. • Those unable to access Post 16 education because of the cost of transport will be still be able to apply for assistance from the council. • There will be an appeals/complaints system
<p>Students attending alternative education providers such as Meadowbrook College will not receive free travel if they do not meet the distance or walking route requirements</p>	<ul style="list-style-type: none"> • There will be an appeals/complaints system
<p>There will be annual increases in the cost of purchasing a spare seat in transport provided by OCC for those who are eligible for free travel.</p>	<ul style="list-style-type: none"> • Fare increases are intended to reflect rising inflation and avoid further subsidising this group.
<p>Students in Years 7 to 11 travelling from RAF Benson to Icknield Community College</p>	<ul style="list-style-type: none"> • The proposed arrangements address concerns expressed by the RAF and local schools and whether they are agreed or not the children at RAF Benson will continue to receive free travel if they are unable to gain a place at Wallingford School (the nearest school to their homes).
<p>Disabled children and young people traveling to after school activities</p>	<ul style="list-style-type: none"> • The proposed cash limited budget for this activity is intended to address concerns expressed by families and schools regarding access to after school activities. • There is no legal requirement to provide assistance of this kind and there is no basis for any transport appeal. Therefore if Cabinet decide not to proceed the effect

	cannot be mitigated.
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Impact on Staff:

Summarise the specific requirements and/or potential impact on staff, and then highlight the most significant risks and mitigating action that has been or will be taken.

Risks	Mitigations
Increased workload within the Admissions Team	Additional temporary staffing is in place

Impact on other Council services:

Summarise the specific requirements and/or potential impact on other council services, and then highlight the most significant risks and mitigating action that has been or will be taken.

Risks	Mitigations
Implementation of the new policy and practice will involve an increased workload for the Supported Transport Service	3 additional staff have been appointed to implement changes in practice.

Impact on providers:

Summarise the specific requirements and/or potential impact on providers of council services, and then highlight the most significant risks and mitigating action that has been or will be taken.

Risks	Mitigations
There may be a reduction in the take up of places on courses that are provided by Meadowbrook College (or any other provider of alternative education) but which are not funded by OCC	It is open to schools to fund the travel to Meadowbrook College.
Selection of courses for Post 16 SEND students	There is an appeals system in place.

Social Value

If the Public Services (Social Value) Act 2012 applies to this proposal, please summarise here how you have considered how the contract might improve the economic, social, and environmental well-being of the relevant area.

How might the proposal improve the economic well-being of the relevant area?

How might the proposal improve the environmental well-being of the relevant area?

Action plan:

Summarise the actions that will be taken as a result of the assessment, including when they will be completed and who will be responsible. It is important that the officer leading on the assessment follows up to make sure the actions are completed, and updates the assessment as appropriate. Any significant risks identified should also be added to the appropriate service or directorate risk register, to ensure they are appropriately managed and reviewed.

Action	By When	Person responsible
Public consultation	27 February 2018 to 30 April	Neil Darlington
Cabinet report	19 June 2018	Neil Darlington

Monitoring and review:

Try to be as specific as possible about when the assessment will be reviewed and updated, linking to key dates (for example when consultation outcomes will be available, before a Cabinet decision, at a key milestone in implementation)

Person responsible for assessment:

Version	Date	Notes (e.g. Initial draft, amended following consultation)
1	26 February 2018	Initial draft
2	11 May 2018	Review following the end of the consultation
3	5 June 2018	Review prior to the Informal Cabinet meeting due on 5 June 2018

4	6 June 2018	Review prior to the Cabinet meeting due on 19 June 2018
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