

## Service and Community Impact Assessment (SCIA)

### Front Sheet:

**Directorate and Service Area:**

Children, Education & Families

**What is being assessed (eg name of policy, procedure, project, service or proposed service change):**

Home to School Transport Policy

**Responsible owner / senior officer:**

Deputy Director –Education and Early Intervention

**Date of assessment:**

This was initiated as a working document on 28 May 2013 and was last updated on 27 January 2014. The SCIA will be updated as the policy is developed and implemented

**Summary of judgement:**

Current Home to School Transport Policy needs to be reviewed in the light of the Council's decision to focus on statutory responsibilities in the face of significant budget pressures. The Council is also keen to ensure that that the Home to School Transport Policy is equitable and sustainable.

A number of options were consulted on, to consider a range of alternative proposals, and the responses will inform which proposals are recommended to Cabinet in January 2014.

The reduction of free travel will primarily impact upon communities living in rural areas, although they will also continue to be the main beneficiaries of free home to school transport, there being relatively few children in urban areas who are entitled to this. It is also possible that changes in provision will mean some transport service providers may experience a loss of income which will be mitigated by working closely with providers to ensure continuity of provision and by seeking alternative providers where necessary.

## Detail of Assessment:

### Purpose of assessment:

The purpose of the assessment is to assess the impact of proposed changes to the Home to School Transport Policy for 2014 onwards.

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:

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

**Context / Background:**

The current policy provides for free travel to the designated (catchment) school if it is over statutory walking distance as well as to the nearest school. For most children the designated (catchment) school is the nearest school and therefore some children receive favourable treatment. This more favourable treatment is not related to low family income or section 149 of the Equalities Act 2010 (“the 2010 Act”).

**Proposals:**

The council is facing significant financial pressures. We have worked hard since 2010 to protect front line services and remain committed to making savings as fairly as possible while protecting services for those in greatest need. However, the amount of savings required in the next 5 years will require widespread and fundamental organisational change. In order to make the savings needed we will focus on our statutory responsibilities. The Council is also keen to ensure that that the Home to School Transport Policy is equitable.

1. The ending of free travel to the designated (catchment) school if the distance from home to school is over 3 miles if aged 8 or over, or 2 miles if less than aged 8 and of school age if it is not the nearest school. [Option A1]
2. An alternative to introducing a 'nearest available school only' option would be to define transport areas based upon the nearest school but adjusted to avoid splitting certain villages. [Option A2]

The impacts of Options A1 & A2 are assessed together as, with the exception of a limited number of villages, they are identical in their impact.

3. The ending of free transport to catchment schools could either apply to all children starting primary or secondary schools for the first time in September 2015 and then be extended to all other children (i.e. some of those currently in receipt of free transport) in September 2017 [OptionB1] or phased in over 5years (secondary) or 7 years (primary) [Option B2].

Option B1 would not affect any current entitlements to free transport whereas Option B2 would affect some current entitlements.

4. To increase the charges for concessionary travel and post 16 travel in 2014/15 to £290.40 (£96.80 per two terms of the 6 term year) for those who live under 3 miles from the school attended and £541.20 per annum (£180.40 per two terms of the 6 term year) for those who live over 3 miles from the school attended. [Option C1]

5. From 2015 onwards, to increase the concessionary fare by either 8% [Option C2] per annum or 5% [Option C3] per annum to eliminate public subsidy in 3 or 5 years respectively.

Options C1,2 & 3 are assessed together as their impacts only differ quantitatively rather than qualitatively.

6. To remove references to collaborative learning transport from the Home to School Travel policy. This type of transport was provided because of an initiative of the previous Government and collaborative learning partnerships have now been discontinued. [Option D]

### **Evidence / Intelligence:**

An extensive consultation exercise has been undertaken to ascertain the views of 'stakeholders' including the identification of potential impacts. The consultation closed on the 14 January 2014.

To ensure that the consultation had a high profile a range of media have been used to publicise it: Newspaper advertisements; posters for display in public buildings; direct e-mailings to parish & district councils; direct e-mailings to all publicly funded schools along with sample letters for circulation to parents; letters to all current users of Home to School Transport; press releases to all local media; and the Council's website. In addition nine public meetings are being held in the schools where Options A1 & A2 are assessed to have the greatest potential impact.

The proposal to increase the concessionary fares by 10% for 2014 and to raise them by 5% or 8% per annum in 2015 and in succeeding years is intended to reduce and then eliminate the subsidy offered to parents whose children use the Concessionary Travel Scheme.

Providing free travel to the nearest school to a child's home address that is over the statutory walking distance is a legal requirement. However, providing free travel to the designated (catchment) school when it is not the nearest school is discretionary. Current policy is also inequitable since as a result some children are entitled to free travel to a school that is not the nearest school as well as free travel to the nearest school, while other families are denied free travel to any other school than the nearest school. About 3,000 children benefit from this discretionary arrangement and incur additional costs for the Council.

Ceasing to provide more generous entitlements than the statutory minimum could lead to savings of between £1 and £2 million for the Council.

**Alternatives considered / rejected:**

The decision to review the discretionary elements within the policy was made in the light of the Council’s decision to focus on statutory responsibilities in the face of significant budget pressures. The Council is also keen to ensure that that the Home to School Transport Policy is equitable.

The options consulted on, considered a number of alternatives, and the responses will inform which, if any, are recommended to Cabinet in January 2014:

Options C1, C2 & C3 are concerned with the way in which the Council will determine increases to concessionary fares. The current arrangements do not give security as to what future increases will be and they are not considered to be fit for purpose.

Regarding Options A1 & A2, the catchment areas of academies and other own admission authority schools cannot be constrained by the Council and simply continuing with the current arrangements would involve a significant financial risk. This is because these admission authorities could in the future extend their catchment areas and the wording of the current policy would not allow the Council to do anything other than provide free travel to more young people whose parents then sought places for them in the schools concerned.

Removing references to Collaborative Learning Transport without consultation would have been inappropriate. Continuing to refer to a type of provision that is no longer required would have been confusing to families. Therefore Option D is to remove references to Collaborative Learning Transport from the Home to School Transport Policy.

**Impact Assessment:**

**Impact on Individuals and Communities:**

As of October 2013, 11,210 children travel on Council funded home to school transport. The ratio of secondary aged pupils to primary aged is approximately 4:1. Of these, 1,350 occupy a 'concessionary seat' so 9,860 children currently receive free transport. Approximately 3,000 children are transported to other than their nearest school. The overwhelming majority of children in receipt of free transport live in rural areas as most children living within the more urban areas are within the 'statutory walking distance' of their nearest and/or catchment area school and there are safe walking routes; therefore there is very limited entitlement to free transport.

<b>Risks</b>	<b>Mitigations</b>
The reduction of free travel will primarily impact upon communities living in rural areas, although they will also continue to be the main beneficiaries of free	During the transitional period of 5 years there will be opportunities for paying for concessionary travel on routes transporting children who are entitled to

<p>home to school transport, there being relatively few children in urban areas who are entitled to this.</p> <p>Children currently attending rural schools may attend more urban schools instead if transport is only provided to their nearest school, as in some cases the nearest school may not be the same one as the catchment area.</p>	<p>free travel under the current policy.</p> <p>Children from low income families will continue to benefit from the “extended rights to free transport” which provides free transport to any of the <i>three</i> nearest available schools between 2 and 6 miles from home.</p> <p>Although there may be an adverse impact on the schools, for those rural children who attend an urban school instead, there may be an educational benefit. National data show that pupils who live in rural areas but attend urban schools have higher attainment than rural-rural, urban-rural or urban-urban combinations.</p>
<p><b>Race</b></p> <p>Ethnic minority groups make up a lower percentage of the pupil population in rural areas. Therefore a lower proportion of these groups are currently entitled to free home to school transport and a lower proportion will be affected by a 'nearest school only' policy.</p>	<p>No specific mitigation required as there is no discrimination in the application of the policy.</p>

**Impact on Staff:**

Risks	Mitigations
<p>There will be a need for greater manual input prior to making decisions on free travel.</p>	<p>Staffing will need to be increased to ensure the work can be carried out quickly.</p>
<p><b>Age</b>  <b>Disability</b>  <b>Gender reassignment</b>  <b>Pregnancy</b>  <b>Religion</b>  <b>Sex</b>  <b>Sexual orientation</b>  <b>Marital status</b></p> <p>None of the Home to School Transport policy changes have a differential impact upon any groups with any of these</p>	<p>2052 primary age, 8204 secondary age and 954 post-16 students use home to school transport. The proportions of primary &amp; secondary age pupils, affected by any of the options, are likely to be the same. Post-16 pupils will, unless from low income families, will all be affected by changes to concessionary fares as they are not entitled to free home to school transport. None of these protected characteristics are relevant when assessing eligibility to free Home to</p>

protected characteristics.	<p>School Transport.</p> <p>The proposed changes do not affect the 'extended rights to free transport' conferred upon children from low income families.</p>
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**Impact on other Council services:**

<b>Risks</b>	<b>Mitigations</b>
There will be a need for greater manual input prior to making decisions on free travel. This is due to the current admissions software not automatically determining, at the point of processing applications, which is the nearest 'available' school; the software only determines the geographically nearest school.	Staffing will need to be increased to ensure the work can be carried out quickly and fairly. Approval for an additional 1.0 FTE for two years will be sought; this will ensure no detrimental impact upon other admissions work or other service areas. The proposed savings outweigh the additional cost of 1.0FTE

**Impact on providers:**

<b>Risks</b>	<b>Mitigations</b>
Some transport service providers may experience a loss of business.	The Council will work with schools & parents to procure transport to replace that previously funded by the Council where there is an appetite for this.
Some rural schools may see a reduction in the numbers of parents choosing to send their children there.	<p>Schools are at liberty to use their delegated budgets provide free or subsidised transport for their pupils. A number of schools already arrange transport to allow out of catchment communities to access them.</p> <p>Cohorts of pupils transferring to secondary schools will start to increase in 3 - 4 years' time. There is not sufficient surplus capacity in 'nearest schools' to accommodate so many additional children as to lead to the closure of any 'catchment' schools.</p>
Some secondary schools serving rural areas will be adversely affected by children attending more urban schools instead.	Schools may choose to use their own budgets to fund transport which, if it encouraged parents not to switch to nearer urban schools would reduce their loss of funding

**Action plan:**

<b>Action</b>	<b>By When</b>	<b>Person responsible</b>
Review	5 June 2013	Frances Craven
Review	6 July 2013	Frances Craven
Review	September 2014	Frances Craven
Review	October 2013	Roy Leach
Review	December 2013	Roy Leach
Review	January 2014	Roy Leach

**Monitoring and review:**

**Person responsible for assessment: Frances Craven**

<b>Version</b>	<b>Date</b>	<b>Notes</b>
v.1	28 May 2013	Initial document to support consultation
v.2	July 2013	Interim review
v.3	15 July 2013	Review after the extension of the consultation
v.4	October 2013	Revised consultation for November - December 2013
v.5	September 2014	Review if the policy is agreed by Cabinet
v.6	12 November 2013	Updated to reflect consultation process which is underway
v.7	January 2014	Updated to reflect the consultation responses