



Equality and Safety Impact Assessment

The **public sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with section 17 of the Crime and Disorder Act and will enable the council to better understand the potential impact of the budget proposals and consider mitigating action.

Name or Brief Description of Proposal	Draft Home to School Transport and Post-16 Travel Arrangements Policy
Brief Service Profile (including number of customers)	<p>The Education Act 1996 places a statutory duty on local authorities relating to the arrangement of suitable transport assistance for children of compulsory school age. The Education Act 1996 requires that transport assistance is provided to children who meet the following criteria:</p> <ul style="list-style-type: none"> • Children in Year R to 8 years old who live at least 2 miles from their catchment school • Children aged 8 years old to 16 years old who live at least 3 miles from their catchment school • Children over the age of 8 who live between 2 and 6 miles from their catchment school and meet the means testing criteria • Children with a Special Educational Needs and/or disability/EHCP • Children who attend an educational setting based on religious preference, providing they meet the distance criteria • Children who live under the statutory walking distance but whose walking route to school is deemed unsafe. <p>There is no legal requirement to provide transport assistance to Early Years children or Post-16 students.</p>

	<p>However, since May 2014, local authorities have had to adhere to the statutory guidance on Post-16 Transport, as well as taking into account the Equalities Act 2010 when it provides information for post-16 students on how to access transport assistance. This includes:</p> <ul style="list-style-type: none"> • Transport arrangements or financial assistance necessary to facilitate young people’s access to further education and training • Young people having the choice of different education and training providers, as well as the course that they wish to study • The length of journey from their home to their educational or training provision • Attention to families who are on low incomes and require support in order to access education and training • Specific consideration of young people who have Special Educational needs and/or Disabilities. <p>Currently, Southampton City Council supports 800 children and young people with transport assistance. This includes 627 children and young people with an EHCP, which is expected to rise in line with increasing numbers of children with EHCPs. The average cost per child and young person is £4,450.</p>
<p>Summary of Impact and Issues</p>	<p>The draft Home to School Transport and Post-16 Travel Arrangements Policy 2019/20 updates the previous policy, and provides a clearer document that will enable service users to better understand Southampton City Council’s travel assistance offer and any assistance that they may be entitled to. In addition there are a number proposed changes to specific policy provisions:</p> <p>Early years (The Cedar School, Rosewood Free School and Early Learning Group)</p> <p>It is proposed to align the policy with statutory guidance so that children attending nurseries or other Early Years settings will not receive transport assistance if they are under the statutory school age.</p> <p>The new policy proposal will remove the automatic entitlement to transport assistance to all children attending Rosewood and Cedar Special Schools, and the Early Learning Group, from the ages of 2 if the placement is agreed by the local authority. Children of statutory age attending Rosewood and Cedar Special Schools are likely to have travel needs associated with their Special Educational Needs and/or Disability and therefore will receive travel assistance under the SEND</p>

eligibility criteria. Children under statutory school age will be able to apply for travel assistance under the exceptional circumstances criteria where SEND needs will be taken into account.

For a small number of families, this policy change could result in the withdrawal of transport where they currently receive it. High level assessments suggest this will affect very few families, and children who need transport because of their Special Educational Need and/or Disability will be assessed for transport assistance. However, children who live within walking distance to their education placement without a physical impairment could lose transport assistance.

Post 16:

Previously, transport assistance was provided to young people with SEND to the nearest college or school with a sixth form offering an appropriate course. The amendment to the new policy will no longer offer free transport assistance for post-16 students. Instead, transport assistance will be available to eligible students aged between the ages of 16 and 18, but will be subject to a flat rate contributory charge:

- £600 per annum, payable in 3 termly instalments of £200
- £495 per annum, payable in 3 termly instalments of £165 for young people whose families meet the low income criteria set out in the policy.

Southampton City Council is also committing to resourcing two additional independent travel trainers. Students from Year 9 plus will be identified for the suitability of this scheme which will enable young people to develop the skills to travel independently.

The impact of this policy change will mean that 110 young people who currently receive free transport provision will no longer do so. Instead, families will have to pay a contribution towards the cost of the transport provision. This could have a negative impact upon families who could not afford the cost of transport, and could have a negative effect on the attendance level of young people at college/sixth form. However, low income families may be assisted with transport assistance if they meet the exceptional circumstances criteria, which should assist the poorest families.

Independent travel training:

	<p>Independent travel training is referred to in the current policy, but it is not highlighted as a preferred option to be considered for all children and young people where appropriate.</p> <p>The proposed policy 2019/20 explicitly references the expectation of engagement with independent travel training from year 9 plus for children and young people who are assessed through EHC Annual Review processes to achieve this skill, leading to positive outcomes. This will require additional resources to be put in place to support independent travel training, but will mean that more young people can travel independently aged 16+.</p>
Potential Positive Impacts	<p>The proposals seek to clarify in a more understandable format who is entitled to local authority funded transport assistance as set out in the statutory guidance.</p> <p>There is increasing demand on the service, with 3.4% of statutory school aged children in Southampton with an EHC Plan, against a backdrop of 2.9% nationally.</p> <p>Additionally, the rate of statutory school aged children with an EHC Plan is rising at a rate of 4.8% annually, increasing the overall cost of delivering the service.</p> <p>These proposals will ensure that Southampton City Council is able to effectively provide transport assistance for the most vulnerable children and young people in the city, both now and in the future.</p>
Responsible Service Manager	Tammy Marks - Service Manager: Special Educational Needs and Disabilities
Date	16/08/2018

Approved by Senior Manager	Felicity Ridgway
Signature	
Date	20/08/2018

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
<p>Age</p>	<p>The service users of Home to School Transport are between the ages of 2 and 18. Transport assistance will be provided in line with local authorities' statutory duty.</p> <p>The main impact will be on children and young people outside of the statutory school age. These are children under the age of 5 (early years), and young people between the age of 16 and 19.</p> <p>For children of statutory school age, the policy will remain the same as previous, with clarification in line with the legislation that the distance criteria is based on age and not school year.</p> <p><u>Early Years:</u> Children under statutory school age attending Early Years provision will no longer be considered eligible for travel assistance, except in exceptional circumstances.</p> <p>The policy no longer provides for automatic entitlement to travel assistance for children attending Rosewood or Cedar Schools or Early Learning Group under statutory school age.</p> <p>This may affect up to 23 children currently receiving travel assistance to an Early Years setting.</p> <p><u>Post-16</u></p>	<p>Children attending Early Years provision may be eligible for help under the 'Exceptional Circumstances Criteria'.</p> <p>Children attending Rosewood or Cedar Schools, are likely to have travel needs associated with SEND, they will therefore continue receive transport assistance on the basis of exceptional need.</p>

	<p>The provision of free transport assistance for post-16 students up to the age of 19 will no longer be offered under the new policy.</p> <p>Transport assistance will still be available to eligible students aged between the ages of 16 and 19, but will be subject to a flat rate contributory charge:</p> <ul style="list-style-type: none"> • £600 per annum, payable in 3 termly instalments of £200. • £495 per annum payable in 3 termly instalments of £165 for students whose families meet the low income criteria set out in the policy. <p>This will impact up to 110 young people currently receiving free travel assistance.</p>	<p>Families of young people aged between 16 and 19 who are unable to meet the cost of travel assistance, or who experience other hardship or exceptional circumstances, may qualify for additional assistance up to the total cost of travel assistance.</p>
<p>Disability</p>	<p>The new policy aims to provide greater clarity on eligibility for children and young people with SEND.</p> <p>Where a child lives within walking distance of the nearest qualifying school (or designated school if it is not the nearest) but the route to school relies on parent/carer with a disability accompanying that child for it to be considered safe, and the parent/carer's disability prevents them from doing so, the child will be eligible for transport free of charge. This will be determined on a case by case basis, with medical evidence of the parent's disability being confirmed.</p> <p><u>Early Years:</u> The new policy proposal will remove the automatic</p>	<p>N/A – positive impact</p> <p>N/A – no change to policy or provision</p> <p>All children of statutory school age attending</p>

	<p>entitlement to transport assistance to all children attending Rosewood and Cedar Special Schools, and children attending the Early Learning Group, from between the age of 2 and statutory school age.</p> <p>Up to 23 families could be affected in the first year. It is impossible to predict the future numbers as this will depend on the needs of the children and young people admitted, as well as their distance from school, age and the circumstances of the family.</p>	<p>Rosewood or Cedar Schools will have their needs assessed for the provision of home to school travel assistance as part of their ECHP.</p> <p>Children, including those outside statutory school age, who do not have an EHCP may be eligible for travel assistance under Exceptional Circumstances Criteria. Where the application is in relation to a disability an assessment will be undertaken to understand the individual's travel support needs.</p>
Gender Reassignment	No identified impacts	N/A
Marriage and Civil Partnership	No identified impacts	N/A
Pregnancy and Maternity	Where pregnancy or maternity impacts a parent or carer's ability to support their child's transport to and from school, they may be eligible for travel assistance under the Exceptional Circumstances Criteria.	N/A
Race	No identified impacts	N/A
Religion or Belief	Children will be eligible for free transport under 'extended rights' where the pupil is entitled to free schools meals the school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (aged 11-16).	N/A – no change to policy or provision
Sex	As of August 2018 there are more male children and young people eligible for travel assistance under the SEND entitlement provisions with 4	Although a greater number of male children and young people may be affected based on currently usage, the proposed changes do

	<p>males with an EHCP, for every 1 female with an EHCP.</p> <p>Therefore, it is anticipated that more male children and young people will be affected by the proposed policy changes than females.</p>	<p>not offer different provisions based on sex or gender, and the proportions of individuals impacted will depend on current need.</p>
Sexual Orientation	No identified impacts	N/A
Community Safety	No identified impacts	N/A
Poverty	<p>The introduction of an annual charge for transport assistance for young people aged 16 to 19 may have negative financial impacts for families in this group.</p> <p>This will affect up to 110 young persons in the first year of the new policy being implemented.</p>	<p>Families of young people aged between 16 and 19 who are unable to meet the cost of travel assistance, or who experience other hardship or exceptional circumstances, may qualify for additional assistance up to the total cost of travel assistance.</p>
Health & Wellbeing	No identified impacts	N/A
Other Significant Impacts	No identified impacts	N/A