



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.

<p>Name or Brief Description of Proposal</p>	<p>Home to School Transport and Post-16 Travel Arrangements Policy</p>
<p>Brief Service Profile (including number of customers)</p>	<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/Education Health and Care Plan (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</p>

	<p>assistance to Early Years children or Post-16 students. 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><u>An update to the statutory guidance was published by the Department for Education in January 2019, which stated that whilst local authorities “may ask learners and their parents for a contribution to transport costs”, it is “good practice not to charge a contribution for transport for a young person assessed under the sixth form age duty if it likely that they will be eligible for free transport under the adult transport duty”.</u></p> <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 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>Changes to the policy for early years (under the age of 5), and Rosewood/Cedar School pupils</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</p>

under the statutory school age.

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, introducing a needs led system, with home to school travel assistance determined on an individual child's needs.

Following consideration of the representations made in the consultation, the policy has been amended to explicitly state that all children with an EHCP under the age of 5 will be assessed for entitlement for travel assistance.

All children of statutory age attending Rosewood and Cedar Special Schools currently have an EHCP and the majority are likely to have travel needs associated with their specific type of Special Educational Needs and/or Disability e.g. a physical disability that prevents them from being able to walk to school, and therefore will receive travel assistance.

A small number of children and young people attending Cedar School have a similar needs profile of those attending Springwell Special School and Great Oaks Special School e.g. autism and/or learning disabilities, without a physical disability preventing them from being able walking to school. Therefore assessment for this group will need to consider for those who do not qualify under other criteria e.g. distance, whether their specific SEND prevents them from being able to walk to school. It is estimated that this will effect less than 5 pupils in the first year of implementation.

If, in future, the profile of intake for Rosewood or Cedar Special School were to change significantly, there would be a potential impact of those children not being entitled to travel assistance. However, the proposed policy is needs led system, rather than an automatic entitlement linked to the school. This means that the entitlement is linked to the child's needs rather than the placement, futureproofing the policy against future changes to provision intakes, as well as ensuring that the policy is fair and equal in its treatment of all children.

Changes to the policy for young people aged 16 – 19

	<p>Transport assistance is provided to young people with SEND to the nearest college or school with a sixth form offering an appropriate course. Consultation was undertaken on a proposal to introduce a contributory charge for travel assistance for eligible students aged between the ages of 16 and 18.</p> <p>Following consideration of the representations made in the consultation, this proposal is not being taken forward.</p> <p>Southampton City Council is 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.</p> <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+. This will have an impact that more young people aged 16+ will be expected to travel independently, but training will only be put in place where assessed as appropriate and independent travel will only be expected where considered safe and suitable. This will lead to improved outcomes for young people, linked to increased independence.</p>
<p>Potential Positive Impacts</p>	<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>

	The proposal to increase independent travel training will help to 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.
Responsible Service Manager	Tammy Marks, Service Manager: Special Educational Needs and Disabilities
Date	27 February 2019

Approved by Senior Manager	Hilary Brooks, Service Director: Children and Families
Signature	
Date	27 February 2019

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	<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 may have an impact for a small number of pupils attending Cedar School. Clarification has been given in the policy in line with the legislation that the distance</p>	<p>All children currently attending Rosewood School will qualify for travel assistance on the grounds of their specific disability. The majority of those attending Cedar School will qualify for travel assistance on the grounds of their specific disability. A small number (less than 5) will need to be assessed for entitlement to travel assistance.</p> <p>Families of young people aged between 16 and 19 who are unable to meet the cost of travel</p>

	<p>criteria is based on age and not school year.</p> <p><u>Early Years:</u> 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><u>Statutory School age:</u> The policy removes automatic entitlement for those attending Rosewood and Cedar School and introduces a needs led system, irrespective of the school that a child attends.</p> <p><u>Post-16</u> An increased focus on independent travel training will mean that more young people will be expected to participate in training and travel independently post 16.</p>	<p>assistance, or who experience other hardship or exceptional circumstances, may qualify for additional assistance up to the total cost of travel assistance.</p> <p>Training will only be put in place where assessed as appropriate and independent travel will only be expected where considered safe and suitable.</p>
Disability	<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</p>	<p>N/A – positive impact</p> <p>N/A – no change to policy or provision</p>

	<p>evidence of the parent's disability being confirmed.</p> <p>The new policy proposal will remove the automatic entitlement to transport assistance to all children attending Rosewood and Cedar Special Schools, and children attending the Early Learning Group.</p>	<p>All children currently attending Rosewood or Cedar Schools, are likely to have travel needs associated with SEND, they will therefore continue receive transport assistance in line with their assessed need.</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	<p>As of August 2018 there are more male children and young people eligible for travel assistance under the SEND entitlement provisions with 4 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>	Although a greater number of male children and young people may be affected based on currently usage, the proposed changes do not offer different provisions based on sex or gender, and the proportions of individuals impacted will depend on current need.
Sexual Orientation	No identified impacts	N/A

Community Safety	No identified impacts	N/A
Poverty	No identified impacts	N/A
Health & Wellbeing	No identified impacts	N/A
Other Significant Impacts	No identified impacts	N/A