

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 proposals and consider mitigating action.

|   |   |
|---|---|
| <b>Name or Brief Description of Proposal</b>  | School Travel Service and Post-16 Travel Service Policy 2024-25 |
| <b>Brief Service Profile (including number of customers)</b>  |   |
| <p>Under the 1996 Education Act, Southampton City Council has a statutory duty to provide free of charge travel arrangements to facilitate the attendance at school of eligible children within the Council’s administrative boundary. The Education Act 1996 requires that transport support is provided to children of compulsory school age who attend their nearest suitable school and:</p> <ul style="list-style-type: none"> <li>• live more than the statutory walking distance from that school, or</li> <li>• could not reasonably be expected to walk to that school because of their special educational needs, disability or mobility problem, even if they were accompanied by their parent, or</li> <li>• would not be able to walk to that school in reasonable safety, even if they were accompanied by their parent, or</li> <li>• meet the ‘extended rights’ criteria for children from low-income households.</li> </ul> <p>The policy also includes a statement specifying the arrangements for the provision of travel or other support to facilitate the attendance of all persons of sixth form age and adult learners (over the age of 19 and under the age of 25) receiving education or training (including those with and Education, Health and Care plan). There is no legal requirement to provide travel assistance to Early Years children, post-16 students or adult learners. However, local authorities must adhere to the statutory guidance on post-16 transport and the</p> |   |

Equalities Act 2010 when developing school travel policy and publishing school travel policy statements for Early Years children, post-16 and adult learners.

This policy sets out Southampton City Council's approach to the operation of the School Travel Service in Southampton. It sets out the Council's statutory requirements along with local policy, including the criteria for eligibility, the type of travel support the council may provide and how to appeal a decision. The legal responsibility for ensuring a child's attendance at school rests with the child's parent or carer. Parents and carers are generally expected to provide travel arrangements for their child to travel to and from school.

This policy applies to children and young people whose permanent home address is within the administrative boundaries of Southampton City Council. Children and young people studying in, but not resident in, Southampton should refer to the relevant transport policies issued by the local authority in their resident area.

There are currently approximately 300 mainstream children utilising the School Travel Service and 1,250 SEND children.

#### **Summary of Impact and Issues**

The School Travel Service and Post-16 Travel Service Policy 2024-25 updates the previous policy and provides a clearer document that will enable service users to better understand the Council's travel service offer and any support that they may be entitled to.

To achieve this, the following changes are proposed:

- Wording amended to ensure terminology is consistent and more accurately reflects the service offer. This is in line with the service's rebrand from 'Home to School Travel' to 'School Travel Service'.
- Addition of a clear hierarchy of travel support options.
- Additional information on the appeals process.
- Requirement for parents who wish to apply for travel support to list their nearest suitable school on their school application form.

#### **Potential Positive Impacts**

The policy has been drafted to be fair and transparent. The wording of the policy has been reviewed to clarify the travel service offer and ensure terminology used in the policy is consistent and in line with the way the service operates. This means the policy is now an accurate reflection of the service offer.

Additional detail has been added to the appeals process, to make it clear what the appellant can expect when making an appeal.

A clear 'hierarchy' of travel assistance options has been set out to clearly indicate to parents/carers the order in which different forms of travel support will be considered, to increase transparency about the operation of the School Travel Service.

|                                    |   |
|------------------------------------|---|
| <b>Responsible Service Manager</b> | Marianne Alford, Transport Services Manager                         |
| <b>Date</b>                        | 19/09/2023  |
| <b>Approved by Senior Manager</b>  | Annamarie Hooper, Service Manager – Service Delivery and Compliance |
| <b>Date</b>                        | 25/09/2023  |

### Potential Impact

| <b>Impact Assessment</b> | <b>Details of Impact</b>  | <b>Possible Solutions &amp; Mitigating Actions</b> |
|--------------------------|---|--|
| <b>Age</b>               | This School Travel Service policy impacts children of compulsory school age, post-16 students and adult learners (up to age 25 where they are continuing on a course started before their 19th birthday). Travel support will be provided in line with statutory duties.  | N/A – no change to policy or provision             |
| <b>Disability</b>        | Southampton City Council will provide travel support for all children of compulsory school age who cannot be expected to walk to school or travel independently by reason of their Special Educational Need and/or Disability (SEND), to the nearest most appropriate school based on their needs, in line with the council's statutory duties.<br><br>Travel support for post-16 students and adult learners (up to age 25 where they are continuing on a course started before their 19th birthday) with Special Educational Needs and/or Disabilities will be provided based on assessed need. Students and/or their parents/carers will not be required to contribute towards | N/A – no change to policy or provision             |

| Impact Assessment                     | Details of Impact   | Possible Solutions & Mitigating Actions |
|---------------------------------------|---|---|
|                                       | <p>the cost of this service.</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 school travel free of charge. This will be determined on a case-by-case basis, with medical evidence of the parent's disability requiring confirmation.</p> |   |
| <b>Gender Reassignment</b>            | No identified impact.   | N/A                                     |
| <b>Care experienced</b>               | No identified impact.   | N/A                                     |
| <b>Marriage and Civil Partnership</b> | No identified impact.   | N/A                                     |
| <b>Pregnancy and Maternity</b>        | Where pregnancy or maternity impacts a parent/carer's ability to support their child's travel to and from school, they may be eligible for travel assistance under the Exceptional Circumstances Criteria.  | N/A – no change to policy or provision  |
| <b>Race</b>                           | No identified impact.   | N/A                                     |
| <b>Religion or Belief</b>             | Children will be eligible for free school travel under 'extended rights' where the pupil is entitled to free school 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  |

| <b>Impact Assessment</b>         | <b>Details of Impact</b> | <b>Possible Solutions &amp; Mitigating Actions</b> |
|----------------------------------|--------------------------|--|
| <b>Sex</b>                       | No identified impact.    | N/A  |
| <b>Sexual Orientation</b>        | No identified impact.    | N/A  |
| <b>Community Safety</b>          | No identified impact.    | N/A  |
| <b>Poverty</b>                   | No identified impact.    | N/A  |
| <b>Health &amp; Wellbeing</b>    | No identified impact.    | N/A  |
| <b>Other Significant Impacts</b> | No identified impacts.   | N/A  |

DRAFT