

## Equality Impact Assessment

### Overview:

<b>Assessment Name:</b>	Review of the Home to School Transport (HTST) Policy		
<b>Department:</b>	Children's Services	<b>Date Created:</b>	12/05/2011
<b>Lead Author:</b>	Martin Goff	<b>Lead ID:</b>	edsceomg
<b>Additional Authors (if applicable):</b>	Anwen Foy		
<b>Aims and Objectives:</b>	The aim of this Equality Impact Assessment is to set out the potential impacts of proposed changes to the policy on service users. The EIA will be updated after a decision has been made.		
<b>Main Activities:</b>	The HTST Service is a major statutory undertaking of the County Council. The authority must facilitate the attendance of children at schools and ensure no parent can have a defence to a prosecution for non-attendance simply because the LA has not made suitable arrangements for transport to and from school. The Service is suitable if it enables an eligible child to reach school without such stress, strain or difficulty that they would be prevented from benefiting from the education provided. The Policy provides the basis for supplying the service and allows parents to understand the basis for awarding, or refusing, entitlement.		
<b>Who's intended to benefit:</b>	Those children entitled, under the statutory duty, to receive a Home to School Transport Service from the County Council.		

### Summary of Report:

<b>Summary of Main Findings:</b>	The summary will be prepared following the Executive Lead Member's decision on Monday 6 June 2011 and will then be published on the County Council's website, Hantsweb.
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### Age:

<b>What do you know about the breakdown of people who use your services compared to the community profile:</b>	Hampshire County Council's maintained schools provide education for some 165 000 children and young people. The HTST service is provided to approximately 15 000 children and young people. Those that access the service are entitled either as part of HCC meeting its statutory duty to provide HTST (approximately 13 700)
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	<p>or as part of discretionary entitlement as required by HCC's current policy (approximately 1 300). The service is provided to approximately 2 500 primary age children, 9 200 secondary age children, almost a 1000 students attending a Further Education provider and a further 2 500 children with Special Educational Needs. Information regarding the ethnicity and/or faith of these children is not collected.</p> <p>Families in rural areas normally receive Home to School because their home to school distance is over the statutory distance or the route is considered unsafe.</p>
<b>Will some people be able to use or benefit from the service:</b>	<p>The authority has consulted upon the removal of the discretionary elements of the policy. If they are removed certain groups within the existing users will have a restricted access to the service and in some cases will receive no support. The particular equality groups of service users that are potentially affected by the proposed changes are considered below.</p>
<b>How could the initiative improve equality of access:</b>	<p>The proposed changes if implemented may result in a reduction in the County Council's commitment to providing a HTST service. The statutory duty must be met but the review reconsiders, in the context of the County Council's current budget pressures, the inclusion of discretionary entitlement in the policy.</p>

### Disabled People:

<b>What do you know about the breakdown of people who use your services compared to the community profile:</b>	<p>There are approximately 2 500 children with Special Educational Needs that are provided with an HTST service. There are a further 600 young people attending an FE provider (but not a school sixth form) with an assessment that confirms their Learning Disability or Difficulty and requires that transport is provided. The individual needs of the many children transported will be from the spectrum of special needs; some children will have more than one need. The needs will include Aspergers Syndrome, Behaviour, Emotional and Social Difficulties, Hearing Impairment, Learning Difficulties, Language Impairment, Physical Disabilities, Speech, Language and Communication Needs, Severe Learning Difficulties, Specific Learning Difficulties and Visual Impairment.</p>
<b>Will some people be able to use or benefit from the service:</b>	<p>Many SEN/LDD children receive a statutory transport entitlement.</p> <p>One change being considered is to introduce a charge to families of SEN/LDD children when they begin their Post-16 education, i.e. cease to be of statutory school age. In the event that the student's parents are in receipt</p>

	<p>of qualifying benefits it is proposed that the charge is waived. (Qualifying benefits are Income Support or income based job seekers allowance or maximum level of working tax credit).</p> <p>The service is intended to remain available to all although in some cases, if changes are introduced, parents of children of sixth form age will be expected to make a contribution towards the cost of their transport.</p>
<b>How could the initiative improve equality of access:</b>	The proposal takes account of those families that are low income. There is also recourse to exceptional consideration for families that are not entitled within the policy.

### Faith:

<b>What do you know about the breakdown of people who use your services compared to the community profile:</b>	<p>Currently transport to denominational schools is provided for approximately 800 children, the schools themselves may be in Hampshire but in some cases are in neighbouring local authorities. There are qualification criteria that apply.</p> <p>Hampshire has two catholic secondary schools and 14 catholic primary schools; most children using HCC transport attend catholic, rather than CofE schools (only 20 children out of 800).</p> <p>There are no other denominational secondary schools in Hampshire although a small number of entitled children attend a CofE secondary school in West Sussex.</p>
<b>Will some people be able to use or benefit from the service:</b>	In the event that this discretionary entitlement is removed it will be almost entirely Hampshire catholic families that will find their access to the service that has been removed. Another option within the consultation is to continue the service but increase the contribution required of families (with the contribution waived for low income families).
<b>How could the initiative improve equality of access:</b>	Families in which the children qualify for Free School Meals have an enhanced statutory transport entitlement. There is also recourse to exceptional consideration for families that are not entitled within the policy.

### Gender:

<b>What do you know about the breakdown of people who use your services</b>	The gender breakdown across the whole service is 55.3% male; 44.7% female. This is not in line with the proportions in the whole school population but is most likely explained by the higher incidence of boys with
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<b>compared to the community profile:</b>	SEN and in education Inclusion Service.
<b>Will some people be able to use or benefit from the service:</b>	The service is open to all young people in terms of gender. The gender of a child may be important when deciding the actual service received, e.g. some children may only be transported by a female driver. This information is recorded and acted upon as appropriate.
<b>How could the initiative improve equality of access:</b>	Gender plays no part in deciding access to the service whether provided as part of the statutory duty or as part of the existing discretionary elements. The proposed changes, if implemented, will not disproportionately affect children of either gender.

**Race:**

<b>What do you know about the breakdown of people who use your services compared to the community profile:</b>	Race of children receiving the Service is not routinely recorded unless their Race contributes to the particular service that is required.  Information regarding faith is included below.  Children from the traveller community do receive transport, usually arising from a statutory distance or safety consideration, although the number of children is not accurately recorded. As that entitlement is statutory no changes are proposed. There is a smaller proportion of Traveller children attending denominational schools than non-denominational schools (e.g no Gypsy Roma or White Irish Travellers at the two catholic secondary schools compared with 0.2% in the wider school population). Therefore they would not be disproportionately affected by the proposed changes to transport to denominational schools.
<b>Will some people be able to use or benefit from the service:</b>	Hampshire's catholic schools have proportionally more than average BME students; consequently children from those communities may be adversely affected by changes in denominational transport. (15.9% in the two secondary catholic schools compared with 8.7% in the wider school population)
<b>How could the initiative improve equality of access:</b>	Race plays no part in deciding access to the service whether provided as part of the statutory duty or as part of the existing discretionary elements.

**Gay, Lesbian, Bisexual:**

<b>What do you know about the breakdown of people who use your services compared to the community profile:</b>	None.
<b>Will some people be able to use or benefit from the service:</b>	The service is open to all young people in terms of sexual orientation.
<b>How could the initiative improve equality of access:</b>	Sexuality plays no part in deciding access to the service whether provided as part of the statutory duty or as part of the existing discretionary elements. The proposed changes will not have a disproportional impact on these groups.

### Socio Economic Factors:

<b>What do you know about the breakdown of people who use your services compared to the community profile:</b>	<p>The data for HCC's school population shows the proportion of pupils in the primary phase that are entitled to FSM is 10.93% in 94 000, in the secondary phase the equivalent figure is 8.23% in 68 000. For Special Schools the proportion is 24.29% in 2 400.</p> <p>There is an enhanced statutory entitlement to HTST for non-SEN children from low income families (defined as being in receipt of FSM) that allows for them, in certain circumstances, to be taken to one of three schools rather than just one school as usually applies. However the main statutory provisions apply for distance and safety entitlement. Also the transport policy waives charges for low income families as appropriate.</p>
<b>Will some people be able to use or benefit from the service:</b>	<p>The consultation considers changes to the policy of providing a HTST service for low income students (defined as being the student's parents is in receipt of Income Support or income based job seekers allowance or the maximum level of working tax credit) attending a Further Education provider. The consultation considers removing this discretionary entitlement or introducing a charge to parents of 40% of the cost. Therefore some students that would otherwise have qualified for a free service will be adversely affected, a snapshot of current entitlement shows that there are 368 students currently receiving this support.</p> <p>Central Government has removed the Education Maintenance Allowance which was intended to be paid to this equivalent group. Nominally one third of that weekly allowance (£10 out of £30) could be used in</p>

	meeting transport costs. Government have made a commitment to increase the discretionary Learners' Support Fund budget that is paid directly to colleges to address some of the needs of young people that have, to date, been met via the Education Maintenance Allowance. It is anticipated that award of monies to students from this fund can be made to meet travel costs.
<b>How could the initiative improve equality of access:</b>	There is recourse to exceptional consideration for families that are not entitled within the policy. The County Council could choose to prioritise discretionary funds for children/families in the low socio-economic bracket.

### **Rural Isolation:**

<b>What do you know about the breakdown of people who use your services compared to the community profile:</b>	The HTST service collects information about home location and does not identify any other characteristic that might allow for a particular service user to be identified as living in Rural Isolation.
<b>Will some people be able to use or benefit from the service:</b>	Children in isolated rural areas will normally qualify for HTST either on distance grounds or on the basis of safety of route, both reasons providing a statutory entitlement which will remain even if the policy is changed. For low income families living in rural isolation the above considerations for post-16 students may apply although numbers of affected families is not known.
<b>How could the initiative improve equality of access:</b>	The County Council could choose to prioritise applications for consideration under exception to policy from children/families in the low socio-economic bracket. This would aid children in rural areas.

### **Other groups affected:**

<b>Are there other groups affected not already mentioned:</b>	There is an established process for handling applications that do not qualify for entitlement under policy. This 'exception to policy' approach may take account of the particular needs of applicants.
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### **Conclusions of Potential Impact:**

<b>Possible Impact:</b>	The consultation has considered the removal of all discretionary elements of HCC's existing HTST policy. Also there are two changes proposed to the existing policy. Any decision to remove any of the discretionary
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	elements or introduce a charge for post 16 SEN/LDD students or only transport to the nearest catchment school when appropriate will take entitlement away from some children and so there will be an adverse impact which will affect children in our interest groups.
<b>If any groups are disadvantaged is this likely to be unlawful:</b>	No.
<b>Group Affected:</b>	If the changes are decided then the possible impacted groups are;  Low income post 16 students, particularly students in rural areas of the county  Catholic families and a smaller number of CofE families.  Families with children with SEN/LDD
<b>Evidence:</b>	The possible changes will directly impact these groups. Providing evidence of the particular impact is complicated. In most cases there will be options that may mitigate against the withdrawal or changing of the service. In particular the possibility for any application to be considered as an exception to policy (having first been refused by the policy) and Central Government's provision for certain students through the discretionary Learners' Support Fund.

**Further Actions to be taken:**

<b>Action:</b>	Following the Executive Lead Members decision and any changes to the Policy review the new policy and the access to the Service for children and young people from the particular equality groups of service users
<b>Responsibility:</b>	Martin Goff
<b>Timescale:</b>	For the academic year 2012/13 (as changes to the policy are first effective in September 2012). Therefore summer 2013.
<b>Expected Outcomes:</b>	

**Review Summary:**

<b>Review Update:</b>			
<b>Review Date:</b>		<b>Date sent to Web Editor:</b>	

