



## Equality Impact Assessment

### What is an Equality Impact Assessment (EIA) and why does the County Council do them?

The [Public Sector Equality Duty](#) (PSED) is an obligation within the [Equality Act 2010](#) ("the Act"), which asks public authorities, like Hampshire County Council, to give 'due regard' to equality considerations, in particular to:

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

This includes assessing the impact of policies and practices on individuals and communities with a protected characteristic, as defined in the Act and some other specific groups. The County Council uses EIAs to ensure it has paid 'due regard' to equalities considerations when there are changes to a service or policy, a new project or certain decisions.

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Title:	Post 16 Transport Policy Statement 2024
Related EIAs:	EIA Number: 483

EIA for Savings Programme:	No
Service affected	The Post 16 Transport service.
Description of the service/policy/project/project phase	<p>The provision of transport to an education setting for young people who are older than school age is not a statutory requirement. Hampshire County Council have exercised discretion beyond the statutory requirement to offer transport assistance to young people between 16 and 18 years old who have an Education Health Care Plans (EHCP) or disability. The current expenditure on school transport is just over £50 million per annum for the 2022/23 financial year, of which £3.7 million was spent on Post-16 transport assistance in 2022/23 and estimated to increase to £5.4 million for 2023/24. The County Council currently fund most of the cost of Post 16 transport arrangement from revenue budgets, with parental contributions funding the remaining proportion. Whilst the County Council will continue to fund the most of this cost, absorbing the increased cost of the transport arrangements would impact and reduce the limited resources available for other essential services for vulnerable children. For 76.7% of Post 16 eligible students in 2022/2023, the parental contribution was waived due to low income, in receipt of benefits, free school meals or exceptional circumstances. Parental contributions will continue to be waived under such circumstances. The County Council works to limit the spend on school transport wherever possible, whilst ensuring statutory requirements continue to be met. There are robust procurement processes in place where the School Transport Service regularly review contracts to optimise and obtain best value. Hampshire County Council also continue to work with central government to maximise funding for vulnerable young people, and to ensure the challenges in respect of the increasing spend on local authority funded school transport is recognised nationally. The Policy Statement details when and how the Council will support attendance in Post 16 education where travel/transport is perceived as a barrier. It allows parents/carers and users to understand how young people aged over 16 with an EHCP or a disability aged over 16 and in education may be eligible for a local authority funded transport service. In the previous Policy Statement for 2023, an increase was made to cover the increased external (supplier) costs of providing transport to Post 16 learners. The 2024 Policy Statement introduces increases in line with the Consumer Price Index (CPI) to the parent contribution. This EIA supports a report to the Executive Member which recommends changes to the Post-16 Transport Policy Statement, with the statement due to be published by 31 May 2024 as per statutory requirements.</p>
New/changed service/policy/project	<p>The following changes have been recommended: 1) An annual increase in parental contributions in line with the Consumer Price Index The County Council would implement an increase in the parental contributions to Post-16 transport arrangements in line with inflation (Consumer Price Index (CPI)) from September 2024, with inflation-linked increases applied in subsequent years. The current Policy outlines the level of contribution for Post-16 transport but does not currently allow for yearly adjustments. An inflationary increase would be applied to the contribution starting in September 2024 and for subsequent academic years in line with the CPI rate for March each year. This increase aims</p>

to partially offset rising costs currently covered by the County Council. Parents would continue to contribute towards transportation costs, with the County Council funding the remaining amount as in previous years. To illustrate, the annual parental contribution for a journey of between 5 and 7.5 miles was £1,084.72 for the 2023/24 school year. If these contributions were to be uplifted by the CPI rate at the time of consultation (6.7% based on the 12 months to August 2023), this contribution would increase to £1,157.40 for the 2024/25 financial year. For 76.7% of Post 16 eligible students in 2022/2023, the parental contribution was waived due to low income, in receipt of benefits, free school meals or exceptional circumstances. Parental contributions will continue to be waived under such circumstances in 2024/25. 2) Update to the wording of the Independent Travel Training section The County Council would update the language, wording and level of detail regarding Independent Travel Training within Section 7 of the Post-16 Transport Policy Statement, to bring it in line with the proposed changes in the School Transport Policy. A comparison table showing the current and proposed wording can be viewed on the Post-16 2024/25 Consultation page:

<https://www.hants.gov.uk/aboutthecouncil/haveyoursay/consultations/Post-16-Transport-Policy-for-2024-25> 3) Explanation of Appeal and Complaints Process

The County Council would update the Policy to improve the explanation of the Appeal and Complaints processes, bringing it in line with improvements to the wording in the proposed School Transport Policy which have been drafted based on the latest DfE statutory guidance. 4) Minor amendments to wording for clarity. The County Council would make minor amendments to the wording within the Policy for better clarity. These include: - To add: '2. General Transport Available – The following link provides the information supplied by colleagues and sixth form establishments.' - Update to 'Other transport support' section and remove the link to 'Brain in Hand' as this is not relevant to the Policy - Any other minor changes to wording to improve clarity

## Engagement

A consultation was undertaken on proposed changes to the Post-16 Transport Policy, and was live from 30 October - 6 December, Respondents were asked to what extent they agreed or disagreed with the proposed changes, and the impacts they foresaw should the changes be implemented.

A detailed comms plan was developed and delivered to ensure wide awareness of the consultation. Five virtual drop-in sessions with the Head of School Transport and the Eligibility and Policy Manager were set up and promoted.

78 participants responded to the consultation, which included and one unstructured response.

The response to whether parental contributions should be increased by in inflation was 16.7% in agreement, 52.6% strongly disagreed and 20.5% disagreed.

Response themes included focus on affordability, preventing education, no stated impact, lack of suitable local settings, more/clearer communications and general comments about policy.

This led to a review and update of the impacts and mitigations that would be in place in response to the public consultation.

## Equalities considerations - Impact Assessment

### Age

Impact on public	Negative - Medium
Impact on staff	Negative - Medium
Rationale	<p>The established policy and legislation, from 2021 affects learners at specific ages differently, particularly those aged 16 on 1st September 2024 and those aged 17 on that date, although only until their 18th birthday. Therefore, the impact on age identified here is in respect to the legislative requirements and the subsequent considerations made by Hampshire County Council (HCC) when deciding on the support necessary in relation to travel and transport to facilitate a young person's attendance at their place of education. As a young person becomes a Post 16 learner, HCC considers transport support is only necessary if it is essential to enable them to attend their programme of study. If the young person is able to access other forms of travel, support/funding, and has the available means to access their education setting, then they would be expected to use these in the first instance. In the public consultation, respondents cited Age as the fourth most frequent impact. Tied in with the feedback about the need for more/clearer communications for Post-16 there was also a theme of respondents not being aware of statutory transport ending at 16 years and that discretionary transport was subject to application and a parental contribution.</p>
Mitigation	<p>Where transport is necessary to facilitate attendance, the Council will provide transport assistance. Each young person will be considered on a case by case basis to ensure provision reflects actual need with the contribution waived for learners from families in receipt of income based benefits or who are on a low income. The 2024 communications plan will build on that of 2023 by including more articles explaining when statutory transport entitlement ends and the principles of the Post-16 discretionary transport.</p>

### Disability

Impact on public	Negative - High
Impact on staff	Neutral
Rationale	<p>The vast majority of young people over the age of 16 in education will attend placements which are accessible from their home address. However, where a young person or a family member (with responsibility for the young person) has Special Educational Need and Disability (SEND), a health issue/concern, or disability this may make accessing an education placement difficult or impossible without HCC providing support with travel/transport arrangements. The proposed policy change concerns provision for this cohort of learners (and their families) and recognises the potential impacts on this protected characteristic.</p> <p>HCC ensure support is available if it is considered necessary in order for the young person to attend their education placement / training. Where possible and where appropriate, HCC will support young people to use public transport and make their own journeys independently, and will expect parents to provide transport assistance. In the public consultation, Disability was the most frequent impact named by respondents. Respondent comments included that transport for SEN students should be free at 16+.</p>
Mitigation	<p>Hampshire County Council recognises that families may need a transport service to ensure that 16+ special needs or disabled students can access a place that is suitable for their needs and so do offer a transport service, under discretionary powers. The transport arrangements require a parental contribution. This can be paid in instalments on a termly or monthly basis if required. The Post 16 2024 Policy will continue to allow for parental contribution charges to be waived when parents/ carers are on a low income, in receipt of certain benefits or if the student is in receipt of free school meals. Families with exceptional circumstances can also apply for a discretionary waiver or reduction in parental contributions.</p>

## Gender Reassignment

Impact on public	Neutral
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Impact on staff	Neutral
Rationale	The transport service is provided based on geography, safety of route and on some occasions, the special educational needs of the eligible child. There is no identified impact based on gender reassignment and therefore has been assessed as neutral.
Mitigation	

## Pregnancy and Maternity

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The transport service is provided based on geography, safety of route and on some occasions, the special needs of the eligible child. There is no identified impact on pregnancy and maternity and therefore has been assessed as neutral.
Mitigation	

## Race

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The transport service is provided based on geography, safety of route and on some occasions, the special needs of the eligible child. There is no identified impact based on race and therefore has been assessed as neutral.

Mitigation	

## Religion or Belief

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The transport service is provided based on geography, safety of route and on some occasions, the special needs of the eligible child. There is no identified impact based on religion or belief and therefore has been assessed as neutral.
Mitigation	

## Sex

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The transport service is provided based on geography, safety of route and on some occasions, the special needs of the eligible child. There is no identified impact based on sex and therefore has been assessed as neutral.
Mitigation	

## Sexual Orientation

Impact on public	Neutral
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Impact on staff	Neutral
Rationale	The transport service is provided based on geography, safety of route and on some occasions, the special needs of the eligible child. There is no identified impact based on sexual orientation and therefore has been assessed as neutral.
Mitigation	

## Marriage and Civil Partnership

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The transport service is provided based on geography, safety of route and on some occasions, the special needs of the eligible child. There is no identified impact based on marriage and civil partnership and therefore has been assessed as neutral.
Mitigation	

## Poverty

Impact on public	Negative - Low
Impact on staff	Neutral
Rationale	The transport service is provided based on geography, safety of route and on some occasions, the special needs of the eligible child. In the public consultation, affordability was named as the most frequent reason for respondents explaining their reasons for views on the proposed contribution increase and policy wording updates. Poverty was the second



	most common impact named by respondents in the consultation.
Mitigation	<p>This has been considered by the County Council, and the contribution rate would continue to be waived for families in receipt of certain benefits. Families with exceptional circumstances would also be able to apply for a discretionary waiver or reduction in parental contributions.</p> <p>For context, during 2022/23, the parental contribution was waived for 76.7% of Post-16 eligible students.</p>

## Rurality

Impact on public	Negative - Medium
Impact on staff	Neutral
Rationale	<p>Families living in rural areas often face a longer journey in terms of distance and journey times to access Post 16 provision. Public transport may be a more restricted offer. The longer journey and restricted public transport may limit families' capacity to support their child's travel. As journeys from rural areas will tend to be longer, the cost of providing transport for young people from rural areas are greater on average. Therefore the charges are grouped into four bands based on distance. Due to the longer distances, rural families will be more likely to be in a higher band with a higher charge. Responses to the public consultation cited lack of local suitable settings as the fourth most frequent reason for answering consultation questions as they had. Rurality was recorded in the consultation responses as the fourth most affected group of respondents.</p>
Mitigation	<p>Where transport is necessary to facilitate attendance, the Council will provide transport assistance. Each young person will be considered on a case-by-case basis, including the proposed journey and any limitations on infrastructure, to ensure provision reflects actual need. The Post 16 Policy will continue to allow for parental contribution charges to be waived when parents/ carers are on a low income, in receipt of certain benefits or if the student is in receipt of free school meals. Families with exceptional circumstances can also apply for a discretionary waiver or reduction</p>

in parental contributions.

Geographical Impact:All Hampshire

## Equality Statement

### Additional information:

The updates to wording (including Independent Travel Training, Appeal and Complaints process and other minor wording changes) will improve the clarity of the policy and will not change how the service is delivered. Any impacts relate to the proposed increase in parental contributions.

This EIA principally focuses on assessing the impacts of the proposed change on the public with no proposed changes to staff working terms and conditions, therefore the impact on staff has been assessed as neutral throughout.

### Overview Statement:

A summary assessment to show that due regard to the Public Sector Equality Duty has been paid, which is undertaken when a full EIA is not needed:

EIA reference number: 00509

Date of production of EIA for publication: 21/12/2023