



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.

EIA author	Position & Department	Contact
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Title:	Proposed changes to the School Transport Policy (January 2024)
Related EIAs:	EIA Number: 470

EIA for Savings Programme:	No
Service affected	The School Transport Service
Description of the service/policy/project/project phase	<p>Hampshire County Council (the Council) has a statutory duty to provide free of charge School Transport for eligible children (eligibility as set out in the Council's School Transport Policy). The School Transport Service currently arranges daily transport to school for approximately 13,500 children and young people. Of these, 9,600 attended mainstream schools and 3,750 attended schools and colleges that provide for their Special Educational Needs and Disabilities (SEND) or other needs. A rise in complexity of transport needs, along with pressures affecting the external market, have meant that it is becoming more challenging for operators to provide transport that adequately meets the passengers' needs. The County Council needs to consider approaches that would allow them to be better able to respond to these pressures and provide adequate, safe, and efficient transport to children.</p>
New/changed service/policy/project	<p>Approval is being sought to introduce changes to the School Transport Policy as a result of a recent consultation. The proposed changes would enable the County Council to be better able to provide flexible transport arrangements for children that respond to their changing needs, demand and external market pressures. The proposed changes would also bring the School Transport Policy in line with the updated Department for Education statutory guidance on Travel to School for Children of Compulsory School Age. Feedback has been gathered on the following proposed changes:</p> <ul style="list-style-type: none"> • Proposal One: For Personal Transport Budgets (PTB) to be available to families where a child's needs or circumstances mean that suitable transport is difficult to find, or not available at all, in the local operator market. • Proposal Two: The development and delivery of an Independent Travel Training service for children with SEND as they prepare for adulthood. • Proposal Three: The regular review of the provision of Passenger Assistants. • Proposal Four: Where parents are required to make a financial contribution to discretionary school transport arrangements, to increase this contribution in line with inflation (Consumer Price Index (CPI)) from September 2024, with inflation-linked increases also being applied in future years. • Proposal Five: The rewording and updating of the Policy to ensure it reflects the latest Department for Education statutory guidance (Travel to School for children of compulsory

school age, issued June 2023), is relevant to the Service and is easy to understand. The impact of the changes on young people with different protected characteristics has also been captured as part of this consultation.

Engagement

A consultation was undertaken on proposed changes to the School Transport Policy, and was live from 30 October - 6 December, where respondents were asked to what extent they agreed or disagreed with the five 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. An email was sent to all parents/carers of children and young people who use the School Transport service, and five virtual drop-in sessions with members of the School Transport team were set up and promoted.

262 participants responded to the consultation and the results are summarised as follows:

- 62% of consultation respondents agreed or strongly agreed with Proposal 1 (Personal Transport Budgets)
- 50% agreed or strongly agreed with Proposal 2 (Independent Travel Training)
- 66% agreed or strongly agreed with Proposal 3 (Regular review of Passenger Assistants)
- 39% agreed or strongly agreed with Proposal 4 (Increase parental contributions for discretionary arrangements in line with CPI)
- Open text comments in response to Proposal 5 (Improved clarity and alignment to Department for Education guidance) were generally positive about improving the clarity of the Policy on the proviso that their existing arrangements were not reduced. Other topics raised included comments around the 'Parental Preference' section of the Policy (which provides a clearer explanation of what happens when a parent selects a school that is not named as the nearest appropriate school on an EHCP), the importance of School Transport for children with SEN, and concerns relating to the lack of SEN provision locally.

90% of individuals had children or young people under the age of 19 living in their household (including themselves). Of these, 65% responded that the children or young people received School or Post-16 transport provided by The Council, and 59% stated that they included children or young people with Special Educational Needs and/or Disabilities.

Respondents were asked to comment with perceived impacts of the proposals, including on different groups and protected characteristics. These are detailed in the final consultation report appended to the 19 January Decision Day report, and included against each group within this equality impact assessment. Respondents identified the following groups as being impacted:

Disability (47%), Rurality (32%), Age (28%), Poverty (25%), Environmental impact (15%). A small number of respondents selected other groups, with 1% or 2% selecting marriage/civil partnership, pregnancy/maternity, race, religion/belief, sex, and sexual orientation.

This EIA principally focusses on considering the potential impact of the proposed changes on the Public rather than

Staff as there are no proposed changes to staff terms and conditions. Therefore, the impact has been assessed as neutral for Staff throughout.

Equalities considerations - Impact Assessment

Age

Impact on public	Neutral
Impact on staff	Neutral
Rationale	<p>As the school transport service is provided for eligible children and young people of school age (eligibility as set out in the Council's School Transport Policy), it is recognised that they and their families/carers would be affected by the proposed change in regard to age as a protected characteristic. Of the consultation respondents who answered a question regarding impacts on protected groups, 28% (40) stated that comments were related to 'Age'.</p> <p>Proposal one – Positive - Personal Transport Budgets (PTB). This service would be something that gives more flexibility to children and families although it is anticipated that it will only be an option for some families.</p> <p>Proposal two – Positive – Independent Travel Training (ITT) would be a service offered to students as they prepare for approaching adulthood and would only be suitable for a small number of students. For the students that it is suitable for and who choose to take part in the training, ITT would be a strengths-based service that, for some, would result in greater independence. The Council would work closely with families and school to implement ITT.</p> <p>Proposal three – Negative low - The review of the allocation of Passenger Assistants (PA) would see that some students who no longer require a PA would have their PA phased out and students whose needs have changed and require one, would be identified for allocation of a PA in a more timely way.</p> <p>Proposal four – Negative low – The increase in contribution rates for children receiving discretionary transport arrangements will affect children and young people of school age and their families. The number of families affected is approximately 100 of the approximate 13,500 students receiving school transport arranged by the council.</p>

	Proposal five – Positive – Changes to the school transport policy is anticipated to be positive as the changes would ensure it is up to date, relevant to the service and easy to understand. Where new sections have been added, these seek to explain existing procedures more fully.
Mitigation	

Disability

Impact on public	Neutral
Impact on staff	Neutral
Rationale	<p>47% (67) of consultation respondents who identified impacts on protected groups stated that their comments were related to 'Disability'.</p> <p>Proposal one – Positive – PTBs will affect Children & Young people with disabilities and their families. The change will mean that children, young people and their families with disabilities who are suitable for a PTB will have more flexible options for their transport arrangements.</p> <p>Proposal two – Positive – ITT would affect Children and Young people with disabilities and their families. Most people offered ITT would have SEND. For the students that it is suitable for and who choose to take part in the training, ITT would be a strengths-based service that, for some, would result in greater independence. The Council would work closely with families and school to implement ITT. Consultation responses were generally positive, on the proviso that ITT would be optional and not enforced.</p> <p>Proposal three – Negative low – The review of PAs would affect children and young people and their families with disabilities as PAs are mostly used to support students with SEND. The proposal would see that some students who no longer require a PA would have their PA phased out and students whose needs have changed and require one, would be identified for allocation of a PA in a timelier way.</p> <p>Proposal four – Neutral - The increase in contribution rates for students in receipt of discretionary travel arrangements would have no identified impact based on disability and therefore the impact has been assessed as neutral. Respondents to the recent consultation noted that SEN children receiving discretionary travel may need to travel further than mainstream children, so could be in the higher distance brackets for parental contributions. However, the proportion of children with SEN receiving discretionary transport arrangements is low, and the contribution rate will continue to be waived for those on a low income or certain benefits, or in exceptional circumstances.</p>

	<p>Proposal Five - Neutral - Based on the proposed changes to the Policy, there is no identified impact based on disability and therefore the impact has been assessed as neutral. It should be noted, however, that respondents to the recent consultation were clear that any changes to the travel arrangements their children with SEND receive could have a negative impact on their child's access to education.</p> <p>Whilst the Policy does not affect existing SEND provision, respondents to the consultation highlighted that improved provision would reduce travel time and lower costs. Some respondents challenged the Council's approach to naming suitable schools on EHCPs, and the associated 'Parental Preference' process (where parents can select a school that is not the nearest appropriate school, but would need to pay towards travel costs). This process provides parents with additional options, and the update within the Policy was included to highlight that this is available.</p>
Mitigation	

Gender Reassignment

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There is no identified impact based on gender reassignment and therefore the impact has been assessed as neutral.
Mitigation	

Pregnancy and Maternity

Impact on public	Neutral

Impact on staff	Neutral
Rationale	There is no identified impact based on pregnancy and maternity and therefore the impact has been assessed as neutral.
Mitigation	

Race

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There is no identified impact based on race and therefore the impact has been assessed as neutral.
Mitigation	

Religion or Belief

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There is no identified impact based on religion or belief and therefore the impact has been assessed as neutral.
Mitigation	

Sex

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There is no identified impact based on sex and therefore the impact has been assessed as neutral.
Mitigation	

Sexual Orientation

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There is no identified impact based on sexual orientation and therefore the impact has been assessed as neutral.
Mitigation	

Marriage and Civil Partnership

Impact on public	Neutral
Impact on staff	Neutral
Rationale	

	There is no identified impact based on marriage and civil partnership and therefore the impact has been assessed as neutral.
Mitigation	

Poverty

Impact on public	Negative - Low
Impact on staff	Neutral
Rationale	<p>Of the consultation respondents who answered a question regarding impacts on protected groups, 25% (20) stated that impacts were related to 'Poverty'.</p> <p>Proposal One (Personal Transport Budgets) has no identified impact based on poverty and therefore the impact has been assessed as neutral. Within the consultation, some respondents were concerned that Personal Transport Budgets would be enforced on parents and that they would not be cost effective. PTBs would be optional, and any parents offered the option of a PTB would not need to consider them if they felt they did not cover costs.</p> <p>Proposals two, three and five also have no identified impact based on poverty and therefore the impact has been assessed as neutral.</p> <p>Proposal four – Negative low – The increase in contribution rate would have a greater effect on families on a lower income. Responses from the consultation on this proposal referred to the cost of living crisis and that increases would be too expensive.</p>
Mitigation	<p>This has been considered by the 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. As this increase would impact discretionary arrangements only, statutory travel would continue to be provided without a parental contribution.</p>

Rurality

Impact on public	Negative - Medium
Impact on staff	Neutral
Rationale	<p>Of the consultation respondents who answered a question regarding impacts on protected groups, 20% (16) stated that impacts were related to 'Rurality'.</p> <p>Proposals one, three and five have no identified impact based on rurality and therefore the impact has been assessed as neutral.</p> <p>Proposal four – Negative Medium – Families living in rural areas often face a longer journey to their nearest suitable school, and public transport may be a more restricted offer. However, this longer distance means that they are more likely to qualify for statutory transport assistance. As journeys from rural areas will tend to be longer, the cost of providing discretionary transport for children from rural areas are greater on average. Therefore, due to the longer distances, rural families with discretionary arrangements will be more likely to be in a higher distance band, with a higher contribution, which was also raised by respondents to the consultation. These charges will be waived for families on low incomes or in exceptional circumstances. Respondents also commented that if their children were ineligible for transport, the parents didn't want their child to walk over a certain distance, and they could not afford the increase in contributions, this would impact family life as there is less likely to be alternative public transport provision locally and parents would potentially need to take their children to school.</p> <p>Proposal two has no identified impact based on rurality and therefore the impact has been assessed as neutral. However, it was noted that consultation respondents feel there will be less opportunity for children with SEN in rural locations to benefit from Independent Travel Training due to reduced local transport options and longer travel distances.</p>
Mitigation	<p>Where transport is necessary to facilitate attendance, the Council will provide transport assistance. Each child 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 School Transport 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 child is in receipt of free school meals. Families with exceptional circumstances can also apply for a discretionary waiver or reduction in parental contributions.</p>

Geographical Impact:All Hampshire

Equality Statement

Additional information:

This EIA accompanies an Executive Lead Member for Children's Services decision report on the 19 January 2024.

This EIA principally focusses on considering the potential impact of the recommended changes on the Public rather than Staff as there are no proposed changes to staff terms and conditions. Therefore, the impact has been assessed as neutral for Staff 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: 00505

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