



## Equality Impact Assessment

This form is intended to guide and prompt you about the questions and evidence that you need to think about. As indicated in the guidance, Assessments should take into consideration each of the so-called “protected characteristics” listed in the Equality Act 2010. As such, each of these – race, age, gender etc – are listed in the below questions (Q9 – Q17).

Don't be put off by the apparent length of this form. Many of the questions will not require a specific response, other than “no impact” – to help you complete the form, please refer to the advice note which will answer most queries.

<b>Service Area:</b> <b>Education Services</b>	<b>Head of Service:</b> <b>James Harris</b>	<b>Person responsible for the assessment:</b> <b>Deborah Weston,</b> <b>Education Business</b> <b>Manager</b>	<b>Date of Assessment:</b> <b>11<sup>th</sup> February 2013</b>	
<b>Name of the function to be assessed:</b> <b>Home to School Transport – Return to statutory limits for secondary-age pupils</b>			<b>Is this a new or existing function</b>	Existing

<p><b>1. Briefly describe the aims of the function</b></p>	<p>The policy on free Home to School Transport is held by the Chief Education Officer but is administered by the Head of Streetscene. In September 2009, the Council implemented the policy change to home to school transport that reduced the qualifying criteria for free school transport for 11 to 16 year olds from the statutory distance criteria of 3 miles to 2 miles.</p> <p>This policy change increased the number of pupils entitled to free school transport by approximately 650, at a cost of £318,500 per academic year, based on existing season ticket costs.</p> <p>On 14<sup>th</sup> February 2013, the Cabinet Member for Education and Young People took the decision to consult stakeholders on reversing this policy back to the statutory limits stipulated by the Welsh Government under the Learner Travel (Wales) Measure 2008.</p>
<p><b>2. Name any associated policy, function etc.</b></p>	<p>Home to School Transport Policy  Learner Travel (Wales) Measure Guidance 2009  School Admissions Policy  Welsh Government Statutory Code of Admissions  Discretionary policies in relation to post-16 transport provision</p>
<p><b>3. Who are the main stakeholders in relation to the function</b></p>	<p>Pupils currently in year 5 and below in primary and junior schools, and their parents  Headteachers and Governing Bodies  Elected Members  Chief Education Officer  Heads of Streetscene, Finance and Law &amp; Standards  Assistant Head of Education (Planning)  Passenger Transport Unit  City Contact Centre / Information Station staff</p>
<p><b>4. Who performs the service?</b></p>	<p>The policy on free Home to School Transport is held by the Chief Education Officer (Client) but is administered by the Head of Streetscene. (Contractor)</p>

**5. What outcomes are wanted from this function?**

The Learner Travel (Wales) Measure 2008 states that:

- changes can only occur for an existing transport policy / arrangements at the beginning of an academic year;
- changes that reduce discretionary provision to free home to school transport should only apply to those pupils moving from one phase (or Key Stage) of education to another, and;
- the Council could be judged to be acting unreasonably if entitlement to free home to school transport was withdrawn during a pupil's education at a particular school and parents had not been aware of this possibility at the time when their admission application was accepted.

If the policy change was agreed therefore, there would be a phased implementation process commencing with those pupils being admitted to Year 7 in September 2014. This would deliver graduated savings between 2014/15 and 2018/19, before the current additional costs of £318,500 were recouped each year thereafter.

**6. What factors/forces could contribute/detract from the outcomes?**

Consultation:

The project was initially dependent on the Cabinet Member for Education and Young People agreeing to move to a full consultation on this policy change. This decision was taken and became effective on 14<sup>th</sup> February 2013. The formal consultation with stakeholders will be carried out between Monday 18<sup>th</sup> April 2013 and Friday 26<sup>th</sup> April 2013.

Once this date has elapsed, the Cabinet Member for Education and Young People will receive a further report noting the findings of the consultation process before any final decision on implementation of the proposed change is made.

Implementation:

There is a risk of legal challenge if the Welsh Government guidance on implementation is ignored, or if the Council is considered to have acted unreasonably in departing from that implementation guidance. Whilst not unlawful to depart from it, there needs to be a good reason for doing so. There is evidence of a legal challenge by way of judicial review against an English LA where entitlement to free transport was withdrawn without regard for implementation phasing. As a result, the LA received legal advice and changes their policy so the change was implemented in phases instead. A phased approach to these changes is therefore deemed to be a safer option, although brings with it the cost implications outlined previously in this document.

The proposed change may also result in an additional administrative burden on the Integrated Transport Unit in respect of the processing of home to school transport applications and the measurement of any new potential walking routes. Since implementation is not likely until September 2014 however, there would be a period of approximately one year in which much of this work could be carried out.

**7. Is full information and analysis of users of the service available?**

Please include future information gathering and analysis in your Equalities Action Plan

This is difficult to quantify since the pupils who will be affected by this change are all still in primary school and therefore their parents have yet to make a choice regarding their secondary school education. Indeed, any application would need to go through the admissions process, and at this stage there is no way of predicting the outcome, particularly when considering alongside this the plans to remove the secondary school catchment guarantee from the same date. This change may inform parental decision on where they want their child to go to school.

Notwithstanding this, the policy change to move from 3 miles to 2 miles in 2009, increased the number of pupils entitled to free home to school transport assistance by approximately 650. It would be reasonable therefore to consider that a similar total number would no longer qualify for this benefit if a change back to 3 miles was approved. The change is most likely to affect pupils attending Bassaleg, Duffryn High and St Joseph's Roman Catholic High Schools, since these have the highest proportion of pupils currently accessing free home to school transport under the current 2-mile specifications. Limited transport is currently provided to Newport's other five secondary schools.

The current pupil population across Newport in the Reception to Year 5 groups is as follows:

- Reception – 1938 (951 female / 987 male)
- Year 1 - 1792 (885 female / 907 male)
- Year 2 - 1654 (840 female / 814 male)
- Year 3 - 1718 (863 female / 855 male)
- Year 4 - 1667 (792 female / 875 male)
- Year 5 - 1672 (820 female / 852 male)

<p><b>8. What consultation has taken place?</b></p> <p>Please include future consultation in your Equalities Action Plan</p>	<p>Formal consultation will commence in March 2013. Whilst the Learner Travel (Wales) Measure outlines the need for consultation to take place, it does not specify the arrangements. It is intended therefore that consultation will be carried out between 18<sup>th</sup> March and 26<sup>th</sup> April, ie., a period of 6 weeks, to include 2 weeks of school closure. Following the end of this period, a further report including details of all comments and points raised will be taken to the Cabinet Member for Education and Young People, thus enabling a final decision to be taken. The outcome of this decision will subsequently be communicated to all key stakeholders.</p> <p>Details of the new policy arrangements will be included in the Parents Information Handbook relating to the 2014/15 academic year, when it is printed in August 2013. This booklet will then be made available to parents by 1<sup>st</sup> October 2013. The new policy will be implemented for any applications relating to the 2014/15 academic year.</p> <p>The first cohort of pupils therefore likely to be impacted by this change will be those due to enter Year 7 in September 2014. Those pupils are currently in Year 5 of Newport's Primary and Junior schools. It is believed therefore that these pupils and their parents will be key in any consultation process. A specific letter advising them of the changes proposed via the consultation will be issued to each Year 5 pupil in February 2013, outlining the details of the proposed change.</p> <p>Consultation letters will also be issued to all relevant secondary Headteachers and their Chair of Governors, and the School Councils of all Primary and Junior schools.</p>
<p><b>9. Are there concerns that the function <u>could</u> have a differential impact due to age?</b></p>	<p>Since phased implementation of the new policy is recommended, starting with those pupils entering Year 7 in September 2014 and each year thereafter, for the first five years some secondary age pupils (ie., those in years 7-10 in September 2013) will continue to be considered against the more lenient two-mile criteria.</p>

<p><b>What existing evidence (either presumed or otherwise) do you have for this?</b></p>	<p>The Learner Travel (Wales) Measure considers that a Council could be judged to be acting unreasonably if entitlement to free home to school transport was to be withdrawn during a pupil's education at a particular school, and parents had not been aware of this possibility at the time when their application for admission was accepted. There is a risk of legal challenge if this guidance is ignored, or if the Council is considered to have acted unreasonably in departing from it.</p> <p>It is considered safer therefore to adopt a phased implementation approach which in the first year will only apply to those pupils entering Year 7. Complete implementation of the policy would not be realised until September 2018, and savings will accrue incrementally year on year until this date.</p>
<p><b>10. Are there concerns that the function <u>could</u> have a differential impact due to disability(including learning disabilities, mental health issues, mobility or sensory impairments)?</b></p>	<p>None anticipated since SEN pupils are out of scope</p>
<p><b>What existing evidence (either presumed or otherwise) do you have for this?</b></p>	<p>n/a</p>
<p><b>11. Are there concerns that the function <u>could</u> have a differential impact due to gender reassignment?</b></p>	<p>No impact</p>
<p><b>What existing evidence (either presumed or otherwise) do you have for this?</b></p>	<p>n/a</p>
<p><b>12. Are there concerns that the function <u>could</u> have a differential impact due to marriage and civil partnership?</b></p>	<p>No impact</p>
<p><b>What existing evidence (either presumed or otherwise) do you have for this?</b></p>	<p>n/a</p>

<b>13. Are there concerns that the function <u>could</u> have a differential impact on people due to race?</b>	Unable to quantify at this stage as we don't know for definite which children are likely to be affected. This will need to be monitored.
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	n/a
<b>14. Are there concerns that the function <u>could</u> have a differential impact on people due to religion or belief (or absence of either)?</b>	Unable to quantify at this stage as we don't know for definite which children are likely to be affected. This will need to be monitored.
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	n/a
<b>15. Are there concerns that the function <u>could</u> have a differential impact on people due to sex (gender)?</b>	None anticipated
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	n/a
<b>16. Are there concerns that the function <u>could</u> have a differential impact on people due to sexual orientation?</b>	None anticipated
<b>What existing evidence (either presumed or otherwise) do you have for this?</b>	n/a
<b>17. Are there concerns that the function <u>could</u> have a differential impact on people due to Welsh language?</b>	None anticipated due to current location of Welsh Medium secondary school. Any discussions with regard to future provision may impact on this.

<p><b>What existing evidence (either presumed or otherwise) do you have for this?</b></p>	<p>n/a</p>
<p><b>18 .How will the function be monitored?</b> Please include answer in your Action Plan</p>	<ul style="list-style-type: none"> <li>a) Timescales</li> <li>b) Annual report to track pupil numbers</li> <li>c) Cabinet Member approval to move to a period of consultation;</li> <li>d) Consultation letters to be issued;</li> <li>e) Following the end of the consultation process, responses to be analysed and included in a decision-making report to the Cabinet Member for Education and Young People;</li> <li>f) Cabinet Member decision to be communicated to stakeholders;</li> <li>g) Policy arrangements to be outlined within the Parents Information Handbook which will be made available by 1<sup>st</sup> October 2013;</li> <li>h) Policy implemented in respect of those pupils entering Year 7 in September 2014;</li> <li>i) Gradual implementation until September 2018, at which time the amended policy will apply to all pupils of secondary school age.</li> </ul>
<p><b>19. How will the impact of the function be evaluated?</b>  Please include answer in your Action Plan</p>	<p>Savings of approximately £43,500 in 2014/15, with additional savings each financial year thereafter, up to £318,500 in 2019/2020. Savings and pupil tracking Pupil demographic / applications for admission</p>

<b>Equality Action Plan</b>			
<b>Key Actions</b>	<b>Milestones (with dates)</b>	<b>Any associated Performance targets</b>	<b>Lead Officer(s)</b>
Actions to eliminate discrimination and promote equality on the grounds of :-			
Age			
Disability			
Gender reassignment			
Marriage and civil partnership			
Race			
Religion or belief (or absence of) Maintain personnel information on the HR/Payroll system			

Sex /gender			
Sexual Orientation			
Welsh language			
How will you get full information on service users			
What consultation will take place?			
How will the policy be monitored, evaluated and reported?			
How will the impact of the policy be evaluated?			
Does the EIA need be repeated in 6 months/ a year ?			

Signed (lead officer) \_\_\_\_\_

Signed (Head of Service) \_\_\_\_\_