

**Please Note: this is a draft impact assessment on a budget proposal. Final impact assessments will be published with final budget papers for the full council meetings taking place in February 2013**

## **Budget Proposals 2013/14: Major Decision: Business Unit: Children's Services: School Commissioning – Home to School Transport**

### **Combined Impact Assessment: Full assessment (Part 2)**

The council and its partners are facing a significant challenge in the savings it needs to make over the next couple of years. This Full Impact Assessment has been developed as a tool to enable business units to fully consider the impact of proposed major decisions on the community. As a council we need to ensure that we are able to deliver the savings that we need to make from the 1<sup>st</sup> April and be able to justify our decisions through any legal challenge.

This full assessment, combined with the initial review, will evidence that you have fully considered the impact of your proposed changes and carried out appropriate consultation on those changes with the key stakeholders. The Combined Impact Assessment will allow Councillors to make informed decisions as part of the decision-making process regarding the council's budget.

**Name:** Tricia Harwood

**Position:** Admissions, Transport and Development Officer

**Business Unit:** School Commissioning

**Department:** Admissions

**Date Commenced:** 23.11.12

**Date:** January 2013 (v5)

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### Summary from Overall Proposal (Updated as required)

Proposals – Outline	Savings 2013/14		Implementation Cost Include brief outline + year incurred	Delivery In place 01/04/13 If earlier or later state date	Risks / impact of proposals <ul style="list-style-type: none"> <li>• Potential risks</li> <li>• Impact on community</li> <li>• Knock on impact to other agencies</li> </ul>	Type of decision*		
	Income £ 000's	Budget reduction £ 000's				Internal	Minor	Major
Home to School Transport – change of policy to entitlement to free/subsidised transport		Up to £66,000	TBC	1/9/13	<ul style="list-style-type: none"> <li>• Cost of transporting children to chosen schools passed to parents in some circumstances.</li> </ul>			X

### Section 1: Purpose of the proposal/strategy/decision

No	Question	Details
1.	Clearly set out the purpose of the proposal	<p>To remove discretionary transport assistance for home to school / college transport with effect from 1<sup>st</sup> September 2013. Children's Services will continue to provide the statutory services in relation to home to school / college transport.</p> <p>All local authorities have a statutory duty to make arrangements for the provision of transport as they consider necessary to facilitate school attendance. This includes:</p> <ul style="list-style-type: none"> <li>• Providing transport assistance to pupils of statutory school age travelling to and from school if they live further than the statutory walking distance from their nearest school (this is two miles for pupils aged 7 and under and three miles for pupils aged 8 and over).</li> <li>• Secondary pupils from low income families are entitled to free transport to any of the three nearest suitable schools that are more than two and less than six miles away, and to a denominational school up to 15 miles away.</li> <li>• Normally assistance is in the form of a free bus pass.</li> </ul> <p>Local Authorities have a duty to have regard to parental wishes for a faith/denominational school. They also have a duty to raise the participation in Post 16 education and training.</p>

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No	Question	Details
		<p>Currently Torbay Council provides additional non-statutory (discretionary) assistance in a range of circumstances, as follows:</p> <ol style="list-style-type: none"> <li data-bbox="577 304 2168 507">i. A financial contribution to the cost of a bus pass for pupils attending St Cuthbert Mayne on grounds of faith, where they live further than 3 miles away and do not qualify for statutory assistance. In 2012-13 the cost of a bus pass to the council is £515 and we charge parental contributions at £490 so the net cost to the council per paying pupil is £25. There is an additional subsidy of £245 per second child and £490 per third and subsequent child in a single family. The total annual cost to the council of this support to 62 pupils is approximately £4,000. The cost of purchasing an annual bus pass from Stagecoach by a parent is £575.</li> <li data-bbox="577 512 2168 643">ii. A financial contribution to the cost of a bus pass for pupils attending a selective school who live more than three miles away, are not entitled to statutory transport assistance and live within the designated transport area for the school. The net cost and subsidy are as in (i) above. The total annual cost of this support to 42 pupils is approximately £2,520.</li> <li data-bbox="577 647 2168 715">iii. The provision of a free bus pass to pupils from low income families to any secondary school between 2 and 6 miles away, even if it is not one of the three nearest suitable schools. This costs the council around £15,000 a year.</li> <li data-bbox="577 719 2168 818">iv. A financial contribution to the cost of a bus pass for 144 post-16 students studying in school sixth forms, where they live further than three miles away. The council makes a net contribution of £25 per student, or £415 per student for low income families. The annual cost to the council is approximately £22,320.</li> <li data-bbox="577 823 2168 858">v. A block contribution to South Devon College for assistance with transport of £70,000 per year.</li> </ol>
2.	<p><b>Who is intended to benefit / who will be affected?</b></p>	<p>Families who currently have access to free or subsidised transport on a discretionary basis.</p> <p>There may also be an adverse impact on denominational (i.e. Church of England / Roman Catholic) schools and selective schools (i.e. Grammar schools) in Torbay and on South Devon College.</p> <p>The key stakeholders in relation to this proposal are:</p> <ul style="list-style-type: none"> <li data-bbox="607 1114 763 1142">● Schools</li> <li data-bbox="607 1150 763 1179">● Families</li> <li data-bbox="607 1187 994 1216">● Children / parents / carers</li> </ul>
3.	<p><b>What is the intended outcome?</b></p>	<p>To review the policy and criteria in relation to discretionary transport assistance for home to school transport.</p>

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## Section 2: Equalities, Consultation and Engagement

Torbay Council has a moral obligation as well as a duty under the Equality Act 2010 to eliminate discrimination, promote good relations and advance equality of opportunity between people who share a protected characteristic and people who do not.

The **Equalities, Consultation and Engagement** section ensures that, as a council, we take into account the Public Sector Equality Duty at an early stage and provide evidence to ensure that we fully consider the impact of our decisions/proposals on the Torbay community.

### Evidence, Consultation and Engagement

No	Question	Details
4.	<b>Have you considered the available evidence?</b>	<p>Pupils living more than 2 miles from school (aged 7 and under) or 3 miles (aged 8 and over) are legally entitled to free transport and are provided with a bus pass.</p> <ul style="list-style-type: none"> <li>• The number of pupils currently eligible for discretionary transport on religion / faith grounds and paying a contribution towards the cost of transport is 62.</li> <li>• The number of pupils currently eligible for discretionary transport to a selective school and paying a contribution towards the cost of transport is 42.</li> <li>• Parents currently pay £490; the full cost of an annual Stagecoach bus pass is currently £575.</li> <li>• At the moment, parents with a second child receiving this discretionary transport get a 50% discount in their contribution and third children within a family travel free. This discounted travel affects very few pupils.</li> </ul> <p>The greatest impact will be on post-16 students, some of whom will need to finance their own travel pass at a higher cost than they are currently paying.</p> <ul style="list-style-type: none"> <li>• 48 students attending school sixth forms from low income families currently receive a substantial transport subsidy, paying £100 towards the cost of an annual bus pass.</li> <li>• Approximately 90 students purchase discretionary passes at a cost of £490 per year.</li> <li>• 1026 students on low income attending South Devon College receive free passes funded entirely by the College so these students will not be affected by this proposal.</li> <li>• A further 356 students attending South Devon College receive a discretionary transport subsidy provided in part by Torbay Council and partly by the College. They pay an annual contribution that varies according to the number of days they attend.</li> </ul>

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No	Question	Details
		<p>Bursaries are now available for post-16 students in care, leaving care or in receipt of some income support. Discretionary bursaries are available for other students to help with costs such as transport. These are distributed directly by post-16 institutions.</p> <p>From September 2013, all secondary schools across Torbay will offer post-16 provision. Students will therefore have the option of studying locally.</p> <p>A number of other Local Authorities across the country are removing discretionary transport subsidies..</p>
5.	<b>How have you consulted on the proposal?</b>	<p>This proposal is being considered the Overview and Scrutiny Priorities and Resources Panel on the 15<sup>th</sup> January 2013. The panel have invited members of the public and stakeholder organisations to attend and make representations if they wish to do so.</p> <p>Council is being asked in principle to approve this policy, however once the consultation has taken place then it will need to be considered finally by Full Council</p>
6.	<b>Outline the key findings</b>	<p>To be completed following the consultation activity and the meeting of the Priorities and Resources Panel in January 2013.</p>
7.	<b>What amendments may be required as a result of the consultation?</b>	<p><i>Has feedback from the consultation and engagement process identified any changes required to the proposal? Have you had to alter your decision and look at alternative options?</i></p> <p>To be completed following the consultation activity and the meeting of the Priorities and Resources Panel in January 2013.</p> <p>Bursaries are available for post-16 students who meet qualifying criteria. These are administered directly by schools / colleges.</p>

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### Positive and Negative Equality Impacts

No	Question	Details		
8.	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact	Neutral Impact
	All groups in society generally	To mitigate against the negative impacts on families of increased costs, there will be an appeals process where parents will be able to request discretionary support in exceptional circumstances and cases of genuine hardship. This process is open to all families.	Policy only applies to children / young people attending school or further education.	
	Older or younger people	1026 students on low income attending South Devon College receive free passes funded entirely by the College so these students will not be affected by this proposal.	Children / young people are the ones who travel from home to school and will therefore be affected by cuts in discretionary funding. This proposal will affect approximately 1000 children / young people.	
	People with caring responsibilities	<p>Young people who are post-16 carers are eligible for bursaries. Those children / young people who are carers and under the age of 16 are entitled to the same transport provision as all other young people.</p> <p>To mitigate against the negative impacts on families of increased costs, there will be an appeals process where parents will be able to request</p>	Parents / carers of children / young people who are currently eligible for discretionary transport assistance may be required to pay the full cost of the bus pass which is £575.	

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		discretionary support in exceptional circumstances and cases of genuine hardship. This process is open to all families.	
People with a disability			The proposed changes to discretionary transport will not affect entitlement to transport on the basis of inability to walk to school/use public transport to travel to school.
Women or men			The policy will affect all children / young people eligible for discretionary transport assistance, not just one gender.
People who are black or from a minority ethnic background (BME)			The policy will affect all children / young people eligible for discretionary transport assistance and will not have a differential impact on those from a BME background.
Religion or belief (including lack of belief)		To mitigate against the negative impacts on families of increased costs, there will be an appeals process where parents will be able to request discretionary support in exceptional circumstances and cases of genuine hardship. This process is open to all families.	There will be a negative impact on the families of approximately 60 pupils who attend a faith school and who do not qualify for low income support. These families may be expected to pay the full cost of the bus pass which is £575. They currently make a contribution of £490.
People who are lesbian, gay			The policy will affect all children / young

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	or bisexual		people eligible for discretionary transport assistance and will not have differential impact on those who are lesbian, gay or bisexual.
	People who are transgendered		The policy will affect all children / young people eligible for discretionary transport assistance and will not have differential impact on those who are transgendered.
	People who are in a marriage or civil partnership		Policy only applies to children / young people attending school or further education.
	Women who are pregnant / on maternity leave		Policy only applies to children / young people attending school or further education.
9.	<p><b>Is there scope for your proposal to eliminate discrimination, promote equality of opportunity and/or foster good relations?</b></p>	<p>Assistance with transport to and from school is provided for anyone living more than the statutory distance from their nearest school. There is an additional legal entitlement to support for pupils of statutory school age from low-income families to give them access to a wider choice of learning institutions. Transport is also provided for young people with disabilities who are unable to walk to school or use public transport on medical grounds.</p> <p>To mitigate against the negative impacts on families of increased costs, there will be an appeals process where parents will be able to request discretionary support in exceptional circumstances and cases of genuine hardship. This process is open to all families.</p>	

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### Section 3: Steps required to manage the potential impacts identified

No	Action	Details
10.	Summarise any positive impacts and how they will be realised most effectively?	<p>Children's Services will continue to provide the statutory services in relation to home to school / college transport.</p> <p>Children / young people on low incomes attending South Devon College will continue to receive free passes.</p> <p>Young people who are post-16 carers are eligible for bursaries – bursaries are administered directly by post-16 institutions and young people are advised to talk to their school / college for assistance. Those children / young people who are carers and under the age of 16 are entitled to the same transport provision as all other young people.</p>
11.	Summarise any negative impacts and how these will be managed?	<p>The negative impact will be an additional cost for transport to school or college for a range of pupils and students and their parents. Statutory assistance will continue to be given to those who are entitled to it. The council will work with post-16 institutions where possible to encourage and support access to education and training for all young people up to the age of 18.</p> <p>To mitigate against the negative impacts on families of increased costs, there will be an appeals process where parents will be able to request discretionary support in exceptional circumstances and cases of genuine hardship. This process is open to all families.</p>

### Section 4: Course of Action

No	Action	Details
12.	<p>State a course of action</p> <p>[please refer to action plan on page 9]</p>	<p><i>Clearly identify an option and justify reasons for this decision. The following four outcomes are possible from an assessment (and more than one may apply to a single proposal). Please select from the 4 outcomes below and justify reasons for your decision - If '3' please provide full justification :</i></p> <p><b>To be completed when consultation has been completed.</b></p> <p><b>Where: -</b></p> <p><b>Outcome 1: No major change required - EIA has not identified any potential for adverse impact in relation to equalities and</b></p>

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*all opportunities to promote equality have been taken.*

**Outcome 2: Adjustments to remove barriers** – *Action to remove the barriers identified in relation to equalities have been taken or actions identified to better promote equality.*

**Outcome 3: Continue with proposal** - *Despite having identified some potential for adverse impact / missed opportunities in relation to equalities or to promote equality. Full justification required, especially in relation to equalities, in line with the duty to have 'due regard'.*

**Outcome 4: Stop and rethink** – *EIA has identified actual or potential unlawful discrimination in relation to equalities or adverse impact has been identified.*

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## Section 5: Monitoring and Action Plan

No	Action	Details
13.	Outline plans to monitor the actual impact of your proposals	The number of appeals for discretionary assistance will be monitored.

*Please use the action plan below to summarise all of the key actions, responsible officers and timescales as a result of this impact assessment*

### Action plan

Please detail below any actions you need to take: -

No.	Action	Reason for action / contingency	Resources	Responsibility	Deadline date
1	Notify the schools / colleges and parents of changes to the policy.	To ensure key stakeholders are consulted and notified of the proposal.		Tony Hele/Tricia Harwood	TBC
2	Revise appeals paperwork to enable parents to request discretionary transport assistance in exceptional circumstances; train councillors in new policy	To ensure that the council is fulfilling its duty to have regard to parental preference for faith schools and to raise the participation age in education and training		Tony Hele/ Tricia Harwood	July 2013
3	Monitor the number of appeals made and allowed for discretionary transport assistance	To assess the impact of the change in policy		Tony Hele/ Tricia Harwood	Ongoing, termly