

# Children, Families & Schools Committee

Date: **6 November 2023**

Time: **4.00pm**

Venue: **Council Chamber, Hove Town Hall, Norton Road, Hove, BN3 3BQ**

Members: **Councillors:** , Helliwell (Joint Chair), Taylor (Joint Chair), Hamilton (Deputy Chair), Shanks (Opposition Spokesperson), Allen, Daniel, Goddard, Mistry, Goldsmith and Hogan

**Invitee:**

Contact: **Francis Mitchell**  
Support Services Officer  
01273 294183  
francis.mitchell@brighton-hove.gov.uk

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Date of Publication - Sunday, 29 October 2023

# AGENDA

Part One

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## 26 PROCEDURAL BUSINESS

- (a) **Declarations of Substitutes:** Where councillors are unable to attend a meeting, a substitute Member from the same political group may attend, speak and vote in their place for that meeting.
- (b) **Declarations of Interest:**
  - (a) Disclosable pecuniary interests;
  - (b) Any other interests required to be registered under the local code;
  - (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

- (c) **Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*Note: Any item appearing in Part Two of the agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the press and public. A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls and on-line in the Constitution at part 7.1.*

## 27 MINUTES

7 - 18

To consider the minutes of the meeting held on 11 September 2023.

## 28 CHAIR'S COMMUNICATIONS

## 29 CALL OVER

- (a) Items 33 – 39 will be read out at the meeting and Members invited to reserve the items for consideration.

- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

### **30 PUBLIC INVOLVEMENT**

To consider the following matters raised by members of the public:

- (a) **Petitions:** To receive any petitions presented by members of the public;
- (b) **Written Questions:** To receive any questions submitted by the due date of 12 noon on 31 October 2023;
- (c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on 31 October 2023.

### **31 ITEMS REFERRED FROM COUNCIL**

To consider items referred from the last meeting of Full Council held on 19 October 2023.

### **32 MEMBER INVOLVEMENT**

**19 - 20**

To consider the following matters raised by Members:

- (d) **Petitions:** To receive any petitions;
- (e) **Written Questions:** To consider any written questions;
- (f) **Letters:** To consider any letters;
- (g) **Notices of Motion:** to consider any Notices of Motion referred from Full Council or submitted directly to the Committee.

### **33 HOME TO SCHOOL TRANSPORT POST 16 POLICY STATEMENT 2024-25**

**21 - 104**

Report of the Executive Director Families, Children and Learning.

*Contact Officer: Richard Barker*

*Tel: 01273 290732*

*Ward Affected: All Wards*

### **34 SEND SHORT BREAKS AND SCHOOL HOLIDAY ACTIVITIES**

**105 - 154**

Report of the Executive Director Families, Children and Learning.

*Contact Officer: Georgina Clarke-Green,*

*Michelle Hunt*

*Ward Affected: All Wards*

### **35 BRIGHT START OPTIONS PROPOSAL**

**155 - 166**

Report of the Executive Director Families, Children and Learning.

Contact Officer: *Joanne Templeman*  
Ward Affected: *West Hill & North Laine*

**36 PROPOSALS FOR CONSULTATION ON SCHOOL ORGANISATION**

Contact Officer: *Richard Barker* Tel: *01273 290732*  
Ward Affected: *All Wards*

**37 SCHOOL ADMISSION ARRANGEMENTS 2025-26 167 - 232**

Contact Officer: *Richard Barker* Tel: *01273 290732*  
Ward Affected: *All Wards*

**38 UASC JUDGEMENT**

Contact Officer: *Deb Austin* Tel: *01273 291407*  
Ward Affected: *All Wards*

**39 ITEMS REFERRED FOR FULL COUNCIL**

To consider items to be submitted to the 14 December 2023 Council meeting for information.



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### **Further information**

For further details and general enquiries about this meeting contact Francis Mitchell, (01273 294183, email [francis.mitchell@brighton-hove.gov.uk](mailto:francis.mitchell@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

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**BRIGHTON & HOVE CITY COUNCIL**  
**CHILDREN, FAMILIES & SCHOOLS COMMITTEE**

**4.00pm 11 SEPTEMBER 2023**

**COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE, BN3 3BQ**

**MINUTES**

**Present:**

Councillors: Helliwell (Joint Chair), Taylor (Joint Chair), Hamilton (Deputy Chair), Shanks (Opposition Spokesperson), Alexander, Allen, Daniel, Goddard, Goldsmith and Hogan

Co-opted Members: Lesley Hurst (Diocesan Director of Education), Adam Muirhead (Community Works Rep), Simon Parr (Catholic Diocese) and Becky Robinson (PaCC)

Standing invitees: Molly Brailsford and Matilda Whisker (Youth Council Representatives)

**PART ONE**

**14 Procedural Business**

**(a) Declarations of Substitutes**

14.1 Cllr Alexander substituted for Cllr Mistry.

**b) Declarations of Interest**

14.2 There were none.

**(c) Exclusion of Press and Public**

14.3 There were no Part Two Items and so the press and public were not excluded from the meeting.

**15 Minutes**

15.1 **RESOLVED:** That the minutes of the meeting held on 12 June 2023 were agreed as a correct record.

**16 Chair's Communications**

16.1 The chair delivered the following communications:

*This is my first chair's comms and I wanted to start by congratulating the amazing children we have in our excellent primary and secondary schools. Their hard work and*

*dedication has meant they achieved better than UK average A level results, while GCSE results are significantly above the pre-pandemic results of 2019. These excellent results are despite the very difficult challenges young people – and their parents – have faced over the past four years. I'd like us to give a round of applause to each and every one of our students and wish them the best of luck on the next stage of their lives.*

*I'd also like to thank our schools and all the teaching and non-teaching staff for their commitment and dedication to fulfilling the potential of our city's young people. Sadly though, we also have to acknowledge there are still significant disadvantages for certain sections of our varied and diverse communities. Following on from full council, we're bringing today a paper to include being a care leaver as a protected characteristic which will support the council's duties as a Corporate Parent.*

*Poverty is also a significant factor in the inequality of educational outcomes and as a report in The Guardian shows more than half of children who grew up in the most deprived households hold qualifications of only up to GCSE level or below. On the other hand, almost half of those from the richest households have graduated from university. As a council we're committed to working with schools to try to find ways to bridge that gap.*

*I would like to thank officers for working so hard with us over the summer to seek new ways that we can support schools which we will bring to the committee in later sessions. In Brighton the birth rate is falling which means there are fewer children starting school this September than last and this will be true in subsequent years. Every empty place puts pressure on school budgets as the Government again asks schools to do more with less money. We acknowledge that falling numbers are putting pressure on schools and their budgets and we will seek to support schools wherever possible. Councillor Taylor and myself are looking forward to visiting many schools and seeing the excellent work they're doing and the different ways they're supporting their students in these tricky fiscal times.*

*It's also appropriate that I thank the emergency services and school staff for their rapid response to a fire at Carden School during the holidays which ensured that only one classroom was damaged and so the school was able to open as normal last week.*

*As I'm sure you're aware, we recently took the Home Office to court in a bid to stop the Government from routinely placing unaccompanied asylum-seeking children in hotel. The High Court declared it is indeed unlawful. It was a huge victory for this council. Despite the judgement, the Home Office refuses to rule out using the city's hotels again, instead saying they will only use it as a last resort. We are therefore being forced to continue live litigation, with the case in in the High Court this Friday 15 September, and will look to bring a paper to committee in November.*

## **17 Call Over**

- 17.1 All items were reserved for discussion.

## **18 Public Involvement**

### **(a) Petitions**

18.1 There were no petitions.

**(b) Written Questions**

18.2 Jenny Smith presented Gary Vallier's question, which can be found on page 13 of the agenda, to the Committee.

The chair provided the following response:

*The council already encourages all schools to share their curricula and resources with parents and carers. Whilst it may not always be possible to publish all resources due to commercial reasons, schools are encouraged to provide information through parents and carers meetings where materials can be examined and discussed. This ensures that parents and carers are able to view all curriculum materials, as per the DfE request.*

Jenny Smith asked the following supplementary question:

*The Secretary of State's letter went on to state, 'this includes cases where an external agency advises schools that their materials cannot be shared due to restrictions and commercial law or a schools contract with the provider prohibits sharing material beyond the classroom.' I'm sure you agree that its reasonable for parents to view materials in relation to sensitive topics. Do you agree that when an activist group enters a school, purporting to have qualified expertise, and proceeds to instruct children in beliefs about gender presented as though they were facts, potentially serving to influence adolescent girls, some autistic, to socially transition and ponder medical inventions. Parents are rightly concerned and must therefore be given full access to the nature of this instruction and all associated materials.*

The chair provided the following response:

*As I've previously stated, we encourage schools to share their curricula and resources with parents and schools may not be able to publish it, but through parents and carers meetings, all materials can be shared and examined and discussed.*

18.3 Lesley Hammond presented their question, which can be found on page 5 of addendum 1, to the Committee.

The chair provided the following response:

*The Trans Toolkit provides advice for schools in developing policies and approaches to support children and young people who have a different understanding of their gender to those around them. It recognises that every child and young person's view, experience, needs and journey will be different and therefore is not steering toward a single outcome. It is clear in the underlying principles that there is no desire to steer but to allow all children and young people to be able to explore their own and others understanding of gender identity without discrimination or prejudice, with signposting to the help they need to make the right decisions for them. The Toolkit provides comprehensive information to help school leaders make the best decisions in creating safe learning environments to reduce and prevent potential harm. The Toolkit signposts*

*schools to the statutory guidance on safeguarding. It provides clear guidance on how trained staff can safely support trans and gender exploring children and young people on a case-by-case basis, and whenever possible, in discussion with their parents and carers.*

Lesley Hammond asked the following supplementary question:

*When councillors have previously been asked by the public, if parental complaints about social transitioning in schools exist, we've been denied answers, told no and the leaders claimed that these are baseless smears. However, a member of the parliamentary Education Select Committee is now on record referring to Brighton parents who have raised complaints about schools social transitioning their children and also introducing their children to trans affirming GPs. These parents have escalated their concerns to Ofsted, so they must be recorded in the Brighton system. The Education Select Committee has seen these complaints, so either the officers and elected members don't know they exist and have no grip on the situation, or they're hiding them, so can you tell me which it is?*

The chair referred the question to the Committee Lawyer who provided the following response:

*The Council needs to be extremely careful in circumstances like this, not to reveal personal information which would go towards revealing the identity of a young person or family, who are entitled to their privacy. This is not information that should be generally available to members of the public. The other thing I need to be clear about is that schools are responsible for their own complaints to schools, this is not necessarily information the local authority has and so I think that's as far as we can go today without being more specific about what is needed as it relates to the Council, as opposed to every school that comes within the city.*

- 18.4 Simone Birch presented their question, which can be found on page 6 of addendum 1, to the Committee.

The chair provided the following response:

*The Council held weekly meetings with the contractor up to Director level at Cosmur once the project started on site. Despite the concerns we raised we were assured by the contractor that the deadline for Phase 1 work would be achieved. Unfortunately, the design team were only told on 13 August 2023 that this would not be the case.*

*As soon as the contractor confirmed that they would not be able to meet the deadline we have worked with the school and the Council's SEN team to move quickly to identify and prepare an alternative premises for the pupils, which parents and carers have now had the opportunity to visit.*

*This is an unusual situation and our experience is that building projects are, on the whole, delivered on time. Therefore, we didn't anticipate this delay or the impact of external market forces. However, we have learnt from this experience and will apply this learning to future projects.*

*We recognise how difficult this must be for the families concerned and I want to reassure you that the SEN Team has worked closely with the school who have liaised with the parents and carers to ensure that all of the children are receiving education, and that we are doing everything possible to limit the impact of the changes on the young people themselves.*

*It has been agreed that a weekly report on building progress will be shared with parents who have children on roll at the Hive, shared by the school.*

Simone Birch asked the following supplementary question:

*What was it that was being discussed at these weekly meetings that the Council was so taken by surprise in the middle of August that the site was nowhere near ready?*

The chair provided the following response:

*So, we were given those assurances in these meetings that it would be delivered on time and unfortunately as soon as we found out that it wasn't able to be delivered on time, we did everything we could to put in some mitigating factors and parents will now have a weekly update on how the building work is progressing.*

### **(c) Deputations**

- 18.5 Aideen Smith-Watson presented their deputation, which can be found on page 6 of addendum 1, to the Committee.

The chair provided the following response:

*Thank you for raising your concerns directly to the Committee. Whilst the Council is rightly proud of the outcome of the SEND inspection and the culture of inclusivity in the city, the accurate and timely assessments of children and young people's needs and the strength of co-production in the city, we also recognise the need to work quickly on developing the alternative provision offer to pupils, ensuring it meets their special educational needs and to cut down the wait for a specialist school place, when this is required.*

*Fundamentally we must ensure that we protect our children and young people. Therefore, first and foremost, if a family is concerned that the educational provision places their child at risk then I would ask that they make contact with officers directly so that the offer made can be re-assessed. Families should contact their usual link but otherwise send a message directly to the Front Door for Families details for which are available online or phone 01273 290 400 or email [FrontDoorforFamilies@brighton-hove.gov.uk](mailto:FrontDoorforFamilies@brighton-hove.gov.uk).*

*We are clear that helping to improve the offer of Alternative Provision will require schools, families and the council all working together to ensure that what is available meets the needs of pupils and supports their education and longer-term aspirations. We have started the discussion with schools and are rightly proud that there is a clear recognition of the need for all of the city's pupils to have a sense of belonging. Our work*

*in developing an inclusion charter has had the engagement of PaCC but this work needs to be extended and involve more parents.*

*Because we are working in an environment of limited budgets, conflicting priorities and the impact of the pandemic, amongst other things, we need to ensure that what we do is right for the longer term, is cost effective and takes account of the provision we have available at this time. Homewood College remains under an Academy Order but the DfE have not been able to deliver a new solution. We have additional places for children and young people this year in The Hive but this has been delayed to issues associated with the construction company that you heard about earlier. The Council are having to look outside the city for maintained special provision but across the region local authorities are at capacity.*

*The Council recognises that whenever a child's provision no longer meets their needs a personalised package of support should be put in place until the correct provision can be identified especially for those pupils who have Education Health and Care Plans. And whilst not ideal, in reality, there are lengthy timescales involved in securing new places for more specialist provision. In the meantime, the Council seeks to work proactively with the pupil's current setting to ensure continuity of education for the pupil including additional funding where appropriate.*

*As a Council we are facing unprecedented budget pressures and we need to ensure that we take a measured approach to using our budget effectively. We are committed to providing the resource to develop and enhance Alternative Provision in the city but we must also ensure that the council lives within its means. We are in the process of beginning the recruitment process to support the commissioning of Alternative Provision but it will take time to get the right person in post.*

*The Council agrees that we must all come together as a community to address the issues around suitable educational support for all vulnerable children. The Council is taking action to do this and I will ask officers to make direct contact with you so that you can discuss the progress being made and the steps you consider are needed going forward.*

**RESOLVED:** That the Committee agreed to note the deputation.

## **19 Items referred from Council**

19.1 There were no items referred from Council.

## **20 Member Involvement**

### **(d) Petitions**

20.1 There were no petitions.

### **(e) Written Questions**

20.2 Cllr Shanks presented her question, which can be found on page 15 of the agenda, to the Committee.



The chair provided the following response:

*Thank you, Cllr Shanks, for your question. I'd like to take this opportunity to wish all those children and their families starting school for the first time our best wishes, knowing they are attending schools that deliver a high-quality education across our city.*

*There are currently a total of 369 unfilled places in reception intake for September 2023, which is 14% of the total places available. Numbers can and do fluctuate and so we use the school census in early October as the formal number of take up of places. This data informs our forecast of pupil projections in future years and will be available to the Committee when admission arrangements for September 2025 are determined by this Committee in January 2024.*

*The data in the October census also informs school's funding allocations for the next financial year 2024/25. The DFE has established School Resource Management Advisers to support schools and local authorities to help schools operate as efficiently as possible. It is a free service, funded by the Education and Skills Funding Agency. We will be working with the School Resource Management Advisers going forward to support efficiency across primary schooling in the city.*

*The council has already set its admission arrangements for September 2024 and parents can start applying for school places from now. We will continue to liaise with schools on the number of primary places available next September to avoid excessive amounts of unfilled places. For example, a variation to a schools' published admissions number might be made so that they take in a reduced maximum number of children.*

*At Committee today, we have a report on the proposals to bring Hertford Infant and Junior school together from September 2024. This demonstrates our commitment to working with the city's schools to ensure efficiency across primary schooling. In November, the Committee will receive details of the proposed consultation on our admission arrangements for September 2025. Both myself and Cllr Taylor have been meeting Headteachers and Chairs of Governors to discuss what proposals need to be put forward and to hear what their initial views are and to consider any alternative options. Some of these may be possible to bring forward for September 2024 and we will receive more details at November's Committee meeting.*

Cllr Shanks asked the following supplementary question:

*Yes, I recognise the issue. I suppose in terms of, you know, the numbers of families in the city and numbers of children going down, which is to do with lots of other factors, I wonder if closure of schools is one of the options you will be considering?*

The chair provided the following response:

*As I say, Cllr Taylor and I are visiting many heads and many Chairs of Governors and we will be talking to them about arrangements that we may have going forward and we will bring these arrangements in November's Committee meeting.*

- 20.3 Cllr Goldsmith presented her question, which can be found on page 15 of the agenda, to the Committee.

The chair provided the following response:

*Yeah so, I think I covered quite a lot of that earlier on in the meeting but the council are working closely with the contractor on this project since the contract was awarded. Unfortunately, we were only told on 13 August 2023 that Phase 1 works were not going to be completed in time for a September start and that had been despite regular assurances from the contractor up to that time that the deadline would be achieved. As soon as the contractor confirmed that this was the case, we have worked with the school to identify and prepare alternative premises for the pupils. We have also been working with Directors of the contractor to obtain a programme for completion of the works that all parties can have confidence in.*

*The project is in three phases, the delay is in phase 1 and has been as a result of extended lead in times for windows and doors, which is currently an industry wide issue. The contractor is currently reporting a delay to the delivery of steelwork for the new build element into early 2024, with phase 3 being complete by the end of March 2024.*

*The contractor has undertaken to put together a programme to completion which we are due to share in September and we will continue to work closely with the contractor to ensure that they meet the revised programme. We will insist that company Directors attend the progress meetings, held at least monthly, and that they flag up any delays to us as soon as they become aware of them. We will continue to monitor progress on site in our role as Employers Agent and it has been agreed that a weekly report on building progress will be shared with parents who have children on roll at the Hive.*

Cllr Goldsmith asked the following supplementary question:

*Could that report also be shared with councillors possibly as I think I might be helpful for us to look at it as well. I also wanted to ask, because Cosmur did declare bankruptcy, or at least self-insolvency in May this year, and I was just wondering how quickly the council were aware of that and if the council did anything to mitigate the impact of that and whether other options at the time were considered?*

The chair provided the following written response following the Committee:

*I am happy that we share the monthly progress reports with councillors for the project.*

*The Council became aware of Cosmur's financial difficulty at the end of April 2023 through a non-attendance on site by a sub-contractor. We immediately undertook an investigation and sought support and advice from our colleagues throughout the council and our partners to support next steps. Cosmur informed us they were taking the route of a company voluntary agreement (CVA) in order to continue trading as they had suffered delayed financial harm from the current market instability (COVID, war in Ukraine and Brexit).*

*Historically there had been 2 roughly equal parts to their business; the major refurbishment element and a new build element. The issue for their business was*

*around the new build element and that the issue with this side of the business had started to impact on the major refurbishment element (the part that the Hive Project was procured through). To mitigate the impact of the one on the other, they had been working with a restructuring specialist to close down the new build element of the business to protect the major refurbishment side. Entering in to a CVA was the best route to consolidate the position. They had been working with their creditors for some time prior to the Council being aware and agreement to the CVA was reached on 11 May 2023.*

*We considered this information in respect of The Hive project and how best to continue. The only option, other than continuing with Cosmur, would have been to terminate the arrangement with Cosmur and seek an alternative contractor. This would have meant a delay to delivering the project of at least a year while we re-tendered the project. It could also have resulted in a significant increase in costs because of the current high rate of inflation. Finally, there was a possibility that Cosmur could take legal action against the council for terminating the agreement since they had not technically become insolvent.*

*In light of these facts, we decided that the best course of action was to continue the project with Cosmur.*

- 20.4 Cllr Goldsmith presented her question, which can be found on page 15 of the agenda, to the Committee.

The chair provided the following response:

*We are aware that it is becoming increasingly challenging for families of children and young people with disabilities to identify and access a suitable club for their child to attend in the school holiday periods. It would be difficult to undertake an audit of holiday provision at this time as our main provider, Extratime, will be winding up their organisation from the end of October 2023, therefore we will be in a period of transition.*

*To ensure that we have a new holiday offer in place by Easter next year, we are working with parents/carers through a short breaks working group and engaging with specialist providers from across Sussex. To identify any potential gaps in our future commissioning of short breaks, PaCC have agreed to co-produce a survey to go out to parents/carers by the end of September so that we have all of the necessary information ready to start the commissioning process for the new offer in November this year.*

#### **(f) Letters**

- 20.5 There were no letters.

#### **(g) Notices of Motion**

- 20.6 There were no notices of motion.

### **21 Protected Characteristics for Care Experienced Young People**

- 21.1 The Assistant Director – Safeguarding & Care introduced the report which gave a view to the Council adopting a policy so that Care Experience was treated as if it were a Protected Characteristic.
- 21.2 Cllr Daniel queried how the impact of the policy would be measured and the role of the Corporate Parenting Board in reviewing the impact.
- 21.3 Mr Muirhead sought reassurances on if care-experienced children included those adopted from care.
- 21.4 Cllr Taylor requested further information on the wider work that was being undertaken to support care experienced children and young people, such as employment and apprenticeships.
- 21.5 Cllr Shanks raised questions about housing issues for care experienced children and families, the support available to them and the lack of inclusion of considerations for care experienced children in the equality impact assessment for disability provision.
- 21.6 Cllr Daniel queried how genuine collaboration would be undertaken with the voluntary and charity sector and Police and Crime Commissioner, given the increased likelihood of criminalisation for care experienced young people.
- 21.7 The chair requested that a report was brought back in 12 months to update the Committee on the progress of the work.
- 21.8 **RESOLVED:** That the Committee agreed –
- i. That Care Experience is adopted as a protected characteristic by Brighton and Hove City Council.
  - ii. That all Equalities Impact Assessments and Committee reports will consider the implications for children in care and those with care experience, to support the Council's duties as a Corporate Parent.

## **22 Proposal for the future delivery of After School Clubs for children and young people with a disability**

- 22.1 The Assistant Director – Health SEN & Disabilities, Executive Head of Hill Park School and Consultant for SEND-based services introduced the report which outlined the proposal for the running of after school clubs for children and young people with a disability in the city through the two special schools Hill Park and Downs View.
- 22.2 Cllr Shanks raised questions regarding the financial implications, if other provision options were explored and if costs for school transport were covered.
- 22.3 Mr Muirhead raised questions on Extratime's role in providing youth work provision and the role of the broader community of stakeholders, ensuring SEND children and young people in the city could access youth work, Extratime's commissioning issues and what assurances could be given to community and voluntary sector organisations that this wouldn't reoccur.

- 22.4 Cllr Goddard praised the proposed model and raised points about the lessons learned from the process and how the provision would help to support an increased number of children and young people with disabilities for the same cost.
- 22.5 Ms Robinson raised points about the closure of Extratime and the support they had provided to families within the city, children and young people with SEND who attend mainstream schools and holding discussions on afterschool clubs at the Hive.
- 22.6 Cllr Hamilton queried if Extratime were running the after-school clubs until October, if there would be a holiday scheme in the October half-term and who would be providing that.
- 22.7 Cllr Goldsmith queried how the reduction in days the provision was offered would be monitored and requested details of the staffing ratio, admissions policy and eligibility.
- 22.8 **RESOLVED:** That the Committee –
- i. Agreed to the proposal of re-commissioning the after school clubs through the two special schools Hill Park and Downs View schools. This would be a new model of delivery and commissioned through a service level agreement (SLA) as both schools are maintained through the local authority. The SLA would be for an initial term of three years with the option to extend for a further period of up to two years, subject to good performance.

## 23 Strategic Risk 15 Annual Progress Update

- 23.1 The Service Manager - Directorate Policy & Business Support introduced the report which provided an update on progress on the actions that the Council was taking to mitigate the risk around 'Keeping Children Safe from Harm and Abuse' (Strategic Risk 15).
- 23.2 Cllr Shanks queried what the main reasons were for the risk being reduced.
- 23.3 Cllr Goldsmith raised a question about independent assurances.
- 23.4 **RESOLVED:** That the Committee –
- i. Noted Appendix 1, which detailed the strategic risk and current mitigating controls and actions being taken.
  - ii. Noted Appendix 2, which provided a guide to the risk management process and guidance for Members to input in the process.
  - iii. Agreed to make any recommendations for further action(s) to the risk owner, the Executive Director, Families, Children & Learning.

## 24 Proposals for the future of Hertford Infant and Hertford Junior Schools

- 24.1 The Head of School Organisation introduced the report which provided an update on the outcome of the recent public consultation in relation to Hertford Infant School and

Hertford Junior School becoming a single school and sought approval to proceed to the next stage of the statutory process, which was the publication of Statutory Notices.

- 24.2 Cllr Taylor raised questions on the impact of falling pupil numbers on funding and the education offer, both in the context of Hertford Schools and more broadly.
- 24.3 Cllr Goddard sought reassurances on the data around falling birth rates in the city and some perspective on the effects for the school eco-system.
- 24.4 Cllr Goldsmith raised questions on the questionnaire and low response rate and why no equality impact assessment was undertaken.
- 24.5 Cllr Shanks raised points about people moving out of Brighton & Hove due to the cost of living.
- 24.6 Cllr Taylor raised points about building affordable housing and the effects of how expensive Brighton is.
- 24.7 **RESOLVED:** That the Committee –
- i. Noted the responses to the consultation undertaken regarding the proposal to create a one form entry Hertford primary school on one site and for this to be implemented by relocating Hertford Infant School to the junior school site and extending the age range to pupils aged 4-11 years.
  - ii. Agreed to the publication of the required Statutory Notices to progress this proposal.
  - iii. Noted that following the statutory notice period the matter is referred back to the meeting of the Children, Families & Schools Committee on 6 November 2023 for a final decision.

## 25 Items referred for Full Council

- 25.1 No items were referred to the next meeting of Council.

The meeting concluded at 5.45pm

# Brighton & Hove City Council

## Children, Families & Schools Committee

## Agenda Item 32(b)

**Subject: Member Involvement – Written Questions**

**Date of meeting: 6 November 2023**

### WRITTEN QUESTIONS

The question will be answered without discussion. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion. The person to whom a question, or supplementary question, has been put may decline to answer it.

The following written questions have been received from Members:

1. Cllr Sue Shanks – Youth provision

How will the local authority be responding to the new statutory guidance on youth provision?





# Brighton & Hove City Council

## Children, Families & Schools Committee

## Agenda Item 33

**Subject:** Home to School Transport Post 16 Policy Statement 2024-25

**Date of meeting:** 6 November 2023

**Report of:** Executive Director of Families, Children and Learning

**Contact Officer:** Richard Barker, Head of School Organisation  
[richard.barker@brighton-hove.gov.uk](mailto:richard.barker@brighton-hove.gov.uk)

**Ward(s) affected:** All

### For general release

#### 1. Purpose of the report and policy context

1.1 The purpose of this report is to share the proposed Post 16 Transport Policy Statement for students in education or training for 2024-25.

#### 2. Recommendations

2.1 That Committee approves the Home to School Transport Post 16 Policy Statement 2024-2025, for the academic year starting in September 2024, introducing a proportionate financial contribution of the same value as a CitySAVER ticket (at the time of writing, approximately 5% of actual transport costs) towards taxis and minibuses for pupils of sixth form age with special educational needs and disabilities. No contribution will be requested where families experience low income or in circumstances where the young person travels with a specialist professional (e.g. nurse or medically trained support staff) and/or large/essential medical equipment.

2.2 That Committee approves the provision of home to school transport for young people of sixth form age and adult learners at the beginning and end of the establishment's day, unless there are exceptional circumstances which prevent the young person/adult from remaining on site.

#### 3. Context and background information

3.1 According to [National Guidance on Post 16 transport and travel support to education and training](#) there is no legal requirement for LA's to provide free or subsidised travel support to young people of 'sixth form age' (16-19), including those with special educational needs and or disabilities.

3.2 The LA also has a statutory duty in respect of 'adult learners' (aged 19 to 25 with an ECHP). Any transport arrangements provided under this duty must be free of charge if they are considered 'necessary' to facilitate 'education

and training'<sup>1</sup>. The overall intention of the adult transport duty is to ensure that *'those with the most severe disabilities with no other means of transportation can undertake further education and training after their 19th birthday to help them move towards more independent living.'*

- 3.3 While the statutory guidance says it is good practice not to charge a contribution for transport costs if it is likely that a sixth form age young person will be eligible for free transport under the adult transport duty, there is no legal obligation on Local Authorities to provide free, or subsidised, travel to any learner of sixth form age and Brighton & Hove remains one of the last councils to offer free hired taxi or minibus travel over and above what is required by law.
- 3.4 The service chose to consult on the Post 16 Transport Policy Statement 2024-2025 in advance to allow plenty of time for parents and young people with SEND to have a full understanding of what support would be available to them when they apply for education options at the end of the 2023-24 academic year, ready for September 2024.
- 3.5 A financial contribution will not be requested for those families who receive a personal travel budget.

#### 4. **Analysis and consideration of alternative options**

- 4.1 Brighton & Hove is well served by an extensive public transport network. However, walking, cycling and accessing public transport is not always a practical option for young people with special educational needs and/or disabilities. This is understood and recognised by the council in its provision of taxis and minibuses to pupils of sixth form age and adult learners to and from their education provision.
- 4.2 The range of public transport discounts available to young people and students of sixth form age and adult learners (including those with SEND) and other travel assistance options are described in Appendix A.
- 4.3 Councils do not receive any additional funding from central government for travel assistance towards pupils of sixth form age. However, the Government does provide colleges and sixth forms with access to their own 16 to 19 Bursary Fund to support access to sixth form education, including transport costs.
- 4.4 At the time of writing, 117 16–19-year-olds receive free taxi or minibus travel. This number fluctuates throughout the year. The average cost of hired transport for one pupil of sixth form age with SEND is £10,234 per academic year. The costs are significant for this age group due to several factors:

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<sup>1</sup> Education or training refers to learning or training at a school, further education institution, a council maintained or assisted institution providing higher or further education, an establishment funded directly by the Education Skills Funding Agency, learning providers delivering accredited programmes of learning which lead to positive outcomes and are funded by the council, for example, colleges, charities and private learning providers

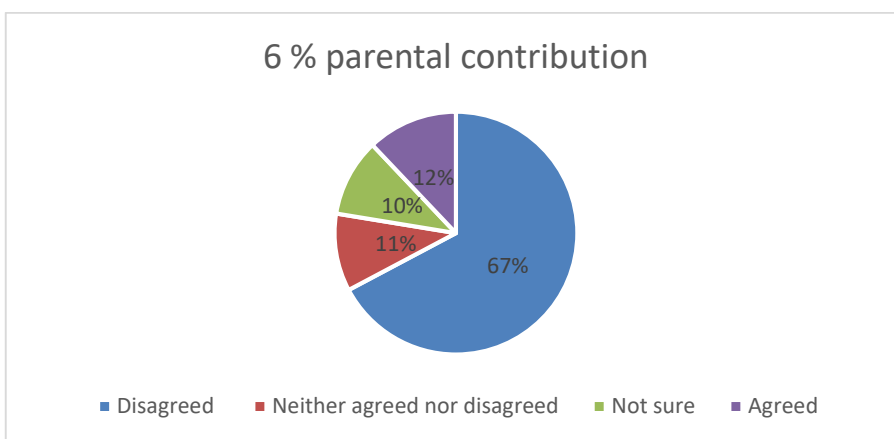
- Hired transport for this age group is provided for free by the council outside of any statutory duty to provide subsidised or free transport.
  - Transport is organised around each young person's timetable, reducing the possibility for shared transportation, or resulting in multiple journeys throughout the week.
  - Transport is provided door to door rather than from centralised pick up and drop off locations.
  - Post 16 students can be travelling to specialised education settings outside of the city to ensure the most suitable education to meet their needs.
- 4.5 Both East Sussex County Council and West Sussex County Council Home to School Transport policies include a parental contribution towards travel costs for this age group. Neither local authority guarantees a door-to-door service and hired transport is generally offered at the start and end of college published timetables not tailored to individual students' timetables.
- 4.6 At the time of writing 79% of unitary authorities request a parental carer contribution towards travel costs for pupils of sixth form age, ranging from £50 to £1000+ per academic year. Please note these figures have increased since this survey was undertaken. See Appendix B.
- 4.7 Appendix C shows the findings of a survey of LA Post 16 Travel Assistance. 19 (61%) out of the 31 LAs who responded stated they request a parental contribution for travel assistance, some other respondents stated that they were exploring introducing a contribution. Contributions ranged from £315 to £927 per academic year per student. Please note these figures have increased since the survey was undertaken. Some LAs do not provide any hired transport (taxis/minibuses) for students of sixth form age, opting to provide Personal Travel Budgets for parents, carers or students to organise their own travel.

## 5. **Community engagement and consultation**

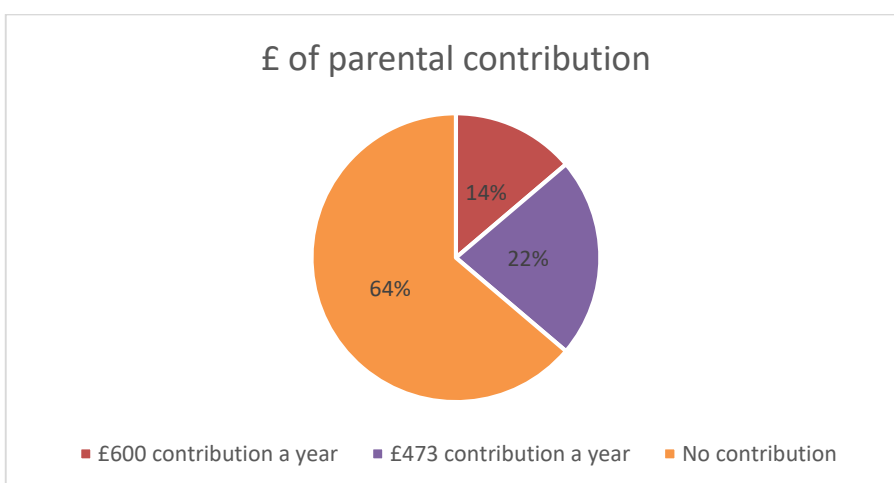
- 5.1 See Appendix D for the Parent and Carers Council's report on this paper and their feedback on the proposals. Please note that at the time of the consultation the CitySAVER annual student ticket was £473.
- 5.2 A public consultation ran from 3 March to 20 April 2023 to understand the impacts of proposals. Appendix E is a summary of feedback. 58 respondents completed the survey. At the time of writing the service currently supports over 600 pupils from aged 5-25, 117 pupils are aged 16-19 and at this time a further 60 pupils will be turning 16 next academic year, but additional pupils will join the service as the year goes by.
- 5.3 The proposed changes do not affect any other transport provision for which the Council has a statutory duty to provide and which would continue unchanged.
- 5.4 In the consultation feedback there are a number of comments regarding transport to and from respite/different addresses. This was not part of the

consultation and there are no changes proposed to existing arrangements which are compliant with the statutory transport duty.

- 5.5 Some respondents believed the council were proposing to remove all taxis and minibuses for sixth form aged pupils and expect them to use public transport to their educational settings. This was not and is not proposed.
- 5.6 Regarding the proposal to introduce a 6% parental carer contribution towards the cost of taxis and minibuses from September 2024, 67% of respondents disagreed. Some respondents were concerned about the impact of the proposed contribution on their own or others financial stability and were concerned that requesting an annual contribution would prevent a sixth form child attending college.



- 5.7 In terms of the amount of the contribution, 22% supported the equivalent of a citySAVER annual student fare contribution, which is the same amount a parent carer would pay for a student aged 19 years old to take a bus to school/college. Please note a child citySAVER annual fare is £410 for those aged under 19 years.



- 5.8 There were concerns about the proposal to cease taxi and minibus travel around individual sixth form learners' timetables. In response to the consultation feedback, no blanket policy will be applied and it is proposed that taxi and minibus support will generally be provided at the start and end

of the college day, unless there is a need which would necessitate an alternative arrangement, e.g. transport in the middle of the day.

## **6. Conclusion**

- 6.1 The draft 2024-25 Policy Statement proposes changes to ensure that available resources are targeted towards those non-statutory aged sixth form learners with the highest need and entitlement, whilst also ensuring statutory duties towards the statutory age groups continue to be met.
- 6.2 It is recommended that BHCC adopt the approach taken by 79% of unitary authorities and in the rest of Sussex, to introduce a partial contribution towards travel costs for 16–19-year-olds with ECHPs from September 2024. The size of the contribution is recommended to align with that used in the rest of the County and is the same amount parents/carers would pay for an annual fare for a 19 year old student to attend education provision in the city. The proposed amount is a circa 5% contribution towards actual costs. At the time of writing this would represent a value of £2.88 per academic day, and it is at least 20 times cheaper than what the council pays for the average contracted taxi journey. The proposed contribution is intended to ensure that parents, carers and students can continue to have access to heavily subsidised transport support for post 16 learners when public transport is not appropriate due to the learner's needs.
- 6.3 Statutory guidance states that local authorities are expected to target any support on those young people and their families who need it most, particularly those with a low income. Therefore, it is recommended that no charge should be applied where families are experiencing low income. Low-income groups are defined in the Education and Inspections Act (2006) as those whose families are in receipt of the maximum level of Working Tax Credit (WTC).
- 6.4 In addition, it is proposed that no contribution should be requested in circumstances where the young person travels with specialist professional support (e.g. a nurse) and/or large/essential medical equipment, for example a gastropump or ventilator.
- 6.5 There will be no contribution towards travel for adult learners who are assessed as eligible for free travel under the adult transport duty, where there are no other means of transportation available.
- 6.6 A financial contribution will not be requested for those families who receive a personal travel budget.
- 6.7 It is also recommended that students may be expected to arrive earlier or leave later from school or college to enable sharing with other student in the morning, lunchtime and end of the college day, where it is safe to do so. We recognise that careful consideration is needed at an individual level and blanket policies will not be applied.

## **7. Financial implications**

- 7.1 The budget for taxi and minibus contracts for 5-16 year olds in 2023/24 is £3.463m. Across all of the age groups it is currently anticipated that there will be an overspend in 2023/24 of £0.518m, primarily as a result of increasing costs per pupil.
- 7.2 The 2023/24 budget for 16-18 transport is £0.918m. The report recommends the proposal to introduce a financial contribution towards the cost of travel of £547.00 (the same as a city SAVER ticket price) for the financial year 2024/25. There would be no contribution where families experience low income or in exceptional circumstances. It is not possible to accurately calculate the likely revenue in 2024/25 as the number and composition of the young people is not yet known. However, it is estimated that the income generated will be between £0.030m and £0.050m.
- 7.3 The 2023/24 budget for 19-25 transport is £0.324m. The proposals outlined in this report for 19–25-year-olds are fully funded within the existing budget.

Name of finance officer consulted: David Ellis Date consulted: 03.10.2023

## 8. Legal implications

- 8.1 The Education Act 1996 sets out the statutory duties and provisions relating to the transport of both young people aged 16-19 and adult learners, including those with Education Health and Care Plans.
- 8.2 For students of sixth form age, section 509AA of the 1996 Act requires a local authority to prepare, for each academic year, a transport policy statement that specifies the arrangements for the provision of transport or otherwise that the authority considers it necessary to make for “facilitating the attendance of persons of sixth form age receiving education or training at relevant institutions”.
- 8.3 The DfE has published statutory guidance in ‘Post-16 transport and travel support to education and training’ (January 2019). The Guidance states that: “In assessing what transport arrangements or financial support may be required, the local authority has flexibility over the decisions it makes but must have regard to the following:
- a. The needs of those for whom it would not be reasonably practicable to access education or training provision if no arrangements were made;
  - b. The need to ensure that young people have reasonable opportunities to choose between different establishments at which education and training is provided;
  - c. The distance from the learner’s home to establishments of education and training;
  - d. The journey time to access different establishments;
  - e. The cost of transport to the establishments in question;
  - f. Alternative means of facilitating attendance at establishments;
  - g. Preferences based on religion
  - h. Non-transport solutions to facilitate learner access”

- 8.4 Individual Local Authorities must decide whether and how to apply this discretion as they are considered best placed to determine local needs and circumstances. It is recognised that Local Authorities will need to balance the demands for a broad range of discretionary travel against their budget priorities. While the DfE offers guidance, the final decision on any discretionary travel arrangements must rest with the individual Local Authority who should engage with parents and clearly communicate what support they can expect from the Local Authority.
- 8.5 Local Authorities also have a duty to make such transport arrangements as are necessary for students aged 19 to 25, including those with EHCPs in residential education or attending further education colleges and must publish an annual policy statement (sections 508F and 508G of the Education Act 1996)
- 8.6 The authority must consult stakeholders in developing the policy statement.

Name of lawyer consulted: Serena Kynaston Date consulted: 09.05.2023

## **9. Equalities implications - Post 16 Transport Policy Statement**

- 9.1 An Equality Impact Assessment for the 2024–25 Post 16 Transport Policy Statement has been carried out and can be read at Appendix F.
- 9.2 The proposed Post 16 Transport Policy Statement identifies some positive impacts:
- ensures provision of support for all sixth form pupils and offers a range of options to allow continued access to education or training.
  - support can be targeted to those with the highest need.
- 9.3 The potential negative impacts for the following protected characteristics:
- Age – Pupils of sixth form age would no longer be provided with transport tailored to their individual timetables.
  - Disability – the proposed policy change could have a negative financial impact on pupils who have previously been given discretionary free school transport.
  - There are concerns that the introduction of a parental contribution towards travel costs for sixth form age pupils could lead to a drop in students progressing to post 16 education.
  - Those families not on low income, but still experiencing financial difficulties may be impacted the most.
  - Paying a financial contribution via a direct debit is another administrative burden on families with children with SEND.
  - This could compromise working parents if they don't want to divulge their personal caring responsibilities to their employer for fear of job insecurity.
  - Potentially adds additional carer responsibilities if parent carers need to pick up their sixth form aged child from college outside of the planned morning, lunch or afternoon taxi/minibus provision.

- Some pupils may not be able to manage remaining in college for a full day if transport is only provided at the start and end of the college day.

9.4 The following mitigations would be put in place to help lessen the impact of these proposed changes:

- we are consulting with families a year before changes could come into effect, to ensure the proposals can be considered when education decisions are made;
- there would be no financial contribution towards travel costs for low-income families and all decisions will be made on a case-by-case basis;
- we would communicate any changes to parents and learners in good time so that parents and carers are able to plan accordingly;
- the financial contribution for Post 16 pupils with SEND is still over 90% less than the actual cost of taxis and is the same as parents carers pay for bus passes to mainstream settings
- the provision of instalment payments to allow overall costs to be spread throughout the academic year;
- exceptional circumstances based on financial hardship can still be considered via appeal;
- we will work with colleges to ensure pupils of sixth form age are managing with the expectation that they remain on site to allow shared transportation at lunch or at the end of the published day.

## 10. **Sustainability implications - Post 16 Transport Policy Statement**

10.1 The Education Act 2006 (as amended) places a general duty on the Council to promote the use of sustainable travel and transport. The duty applies to children and young people of compulsory school age and sixth-form age who travel to receive education or training in the Council's area.

## **Supporting Documentation**

### Appendices

- A. Existing transport support and discounts to all pupils of sixth form age
- B. Unitary Authority 16-19 contributions and low-income criterion
- C. LA Post 16 Travel Assistance Survey Results
- D. PaCC Response to Home to School Transport Post 16 Policy Statement 2024-25
- E. 2023/24 Consultation Results
- F. Equalities Impact Statement
- G. Brighton & Hove City Council Transport Policy Statement for Students aged 16-25 years, 2024-25



## Appendix A – Existing transport support and discounts to all pupils of sixth form age

### Transport and Travel Support

#### Active travel

Active Travel is the term used to describe walking, cycling, wheeling or using existing public transport to get around the city in a way that is healthy for people and better for the environment. Students who are able to do so, are encouraged to travel to school or college using Active Travel options wherever possible. There's more information and links to a variety of active travel options here - [How we support active and sustainable travel in the city \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk/active-travel)

#### 1. Public transport discounts available to young people and students

Learners aged over 16 may access the following concessionary (discounted) fares, discounts, subsidies, passes or travel cards made available by transport providers.

#### Bus travel

The following schemes are offered by all bus operators in the city:

- up to four children and young people aged 19 or under, can travel for free when accompanied by a fare paying adult or an adult concessionary pass holder. This offer applies at all times, including peak times, excluding night-time routes and journeys.
- all bus operators have introduced a 50p single journey tickets for unaccompanied children or young people under 19. This offer applies to off peak travel times only, excluding night-time routes and journeys.
- special deals are also available to young people who are doing an apprenticeship

To get these lower fares, bus operators accept various forms of ID.

- **Photo ID on buses**

On services run by Brighton & Hove Buses, the BusID allows you to load tickets straight onto the card by an online account, use it to accompany a child mobile-ticket on the app, or to pay a reduced cash fare from the driver direct. BusID can also be used as an ID on any other bus operators, except Stagecoach.

Discounted travel is also available to Brighton & Hove Carers Card holders. To apply you must:

- support a child or adult who could not manage without this help
- not receive payment for supporting this person
- support someone who lives in Brighton & Hove

You can find more information here - [Apply for a carers' card \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk/carer-card)

Read more information about [bus discounts for young people](#) and [bus discounts for students](#).

- **Disabled Persons bus pass**

The Disabled Person's Bus Pass offers free travel on buses at any time of day.

Students of any age with a physical or learning difficulty may be eligible. There is no restriction for Brighton & Hove residents using the Disabled Person's Bus Pass providing the journey starts or finishes in Brighton & Hove.

More information and the application form are available by visiting the link - [How to apply for a disabled person's bus pass \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk/disabled-person-bus-pass)

#### Rail travel

## Discounts for 16- and 17-year-olds

There are several travel discount options available to 16- and 17-year-olds.

- **16-17 Saver**

16- and 17-year-olds with the 16-17 Saver will be eligible for 50% off standard Anytime, Off-Peak, Advance and Season tickets. The 16-17 Saver is available to buy for £30 on the [16-17 Saver website](#).

The 16-17 Saver is valid for one year or up until the holder's 18th birthday, whichever comes first. However, season tickets bought with a 16-17 Saver discount before it expires, can be used for up to 4 months after the expiry date.

- **Unizone student tickets**

If you're studying in or around Brighton or Worthing, the Unizone ticket gives you unlimited travel at a discount. [Read more about Southern Rail's Unizone student tickets](#).

- **Young person's railcard**

Young people aged 16 to 25 can [purchase a young person's railcard](#) that entitles them to one third off travel throughout Britain after 10am on weekdays and off peak. Students may also find the [Traveline](#) website helpful for planning any public transport journeys to and from school and college. [National Rail Enquiries](#) gives details for journey planning for those travelling only by train.

## 3.2 Travel support from schools and colleges

Some further education colleges within Brighton & Hove have their own travel schemes and parents and students are strongly advised to contact their preferred college to find out more.

[Read more information about the colleges available within Brighton & Hove.](#)

- **The 16 to 19 Bursary Fund**

The [16 to 19 Bursary Fund](#) provides financial support to help young people overcome specific barriers to participation so that they can remain in education.

There are two types of bursaries:

1. A vulnerable bursary of up to £1,200 for young people defined in specific groups e.g., those in care, care leavers, those in receipt of Income Support, or Universal Credit in place of Income Support; those in receipt of Employment and Support Allowance and Disability of Personal Independence Payments in their own right (see above link for more information about eligibility).

The eligibility criteria are within the link above.

2. Discretionary bursaries which schools and colleges award to meet individual needs, for example, to help with the cost of transport, meals, books and equipment.

Schools and colleges are responsible for managing both types of bursary. Young people who want to apply for support from the bursary fund should contact their school or college to make an application. This applies equally to apprentices or

those who are currently, or in danger of becoming Not in Education, Employment or Training (NEET).

Read more about subsidised transport for 16 to 19 year old in education.

Adult learners over 19 can also apply to get a discretionary bursary if the learner is over 19 and either:

- continuing on a course started aged 16 to 18 (known as being a '19+ continuer')
- have an Education, Health and Care Plan (EHCP)

All students should first discuss with their school or college student support service whether they may be eligible with transport costs from this fund.

If you are a student on a low income and you have applied, but been refused any bursary funding, you can appeal to the council and ask to be considered for 'exceptional circumstances financial support.' You are unlikely to be successful in your appeal unless you can demonstrate that you are on a low income and that your bursary request has been refused.

- **Hardship Fund**

University settings have funds allocated to them to assist the most disadvantaged learners to access their course. These funds are called Hardship Funds and can be issued in addition to Bursary Funds.

Parents carers / adult learners should make enquiries to Student Services or Learning Support at their university regarding accessing the Hardship Fund.

- **Young parents (Care to Learn)**

If you are a young parent under 20 years old, Care to Learn can help pay for your childcare and related travel costs, up to £160 per child per week, while you are learning.

Care to Learn can help with the cost of:

- childcare, including deposit and registration fees
- a childcare 'taster' session (up to 5 days)
- keeping your childcare place over the summer holidays
- taking your child to the childcare provider

Care to Learn is only available for courses in England that have some public funding. This includes courses that take place in:

- schools
- school sixth forms
- sixth form colleges
- other colleges and learning providers, including Foundation Learning
- your community at Children's Centres

Young parents are also entitled to apply for an Under-19 Bus Only Ticket or for those aged 19 and over can apply for the 19 to 25 card.



## Appendix B: Unitary Authority 16-19 contributions & low-income criteria

Authority	Region	Population	Post 16 2022/3 contribution	Low-income criteria
Cornwall	South West	570,305	£540	No reduction
Buckinghamshire	South East	553,078	Families can either apply for a Personal Transport Budget request transport arranged by the Council for an annual fee of £927	To qualify for the reduced charge, the following would be required: <ul style="list-style-type: none"> <li>evidence of Income Support / Universal Credit</li> <li>evidence that your household income is less than £21,000 gross (i.e. before any deductions)</li> </ul>
County Durham	North East	522,068	Advised contribution is based on 'various factors', but declined to advise of amount and amount not publicly available within policy statement	Parents who receive the maximum level of Working Tax Credit (the reduction to your income must be £0.00) (You will need to attach the full award notice to your application); • Council Tax Reduction (previously known as Council Tax Benefit) (NB this is not single person's discount). • Free School Meals; If a student was eligible for free school meals during 2020/21 academic year, the student will be entitled to FSM until the end of their school career.
Wiltshire	South West	510,333	£596 / £260 on low income	reduced rate travel of £260 per annum for students whose gross household income is less than £20,819 and for all other students the charge will be £596.
Bristol	South West	472,465	£400	Not specified - The Local Authority may exercise its discretion, where they believe it appropriate, to ask students, parents and carers for a contribution towards travel costs.
Bournemouth, Christchurch and Poole	South West	400,196	£525	Families on a low income may not need to pay this if they meet the eligibility criteria for either: <ul style="list-style-type: none"> <li>Pupil Premium</li> <li>Tax Credit at the maximum level</li> </ul>
Cheshire East	North West	398,772	Mileage payment only. Where the offer of a payment	Mileage payment only. Where the offer of a payment under the Education Travel Payment policy is

			under the Education Travel Payment policy is declined by the parent, the Local Authority will arrange suitable travel to the nearest suitable establishment, subject to a financial contribution being paid by parents (£450).	declined by the parent, the Local Authority will arrange suitable travel to the nearest suitable establishment, subject to a financial contribution being paid by parents.
Dorset	South West	379,579	£825	receive one of the following benefits as a family or individual: maximum level of Working Tax Credit income Support income-based Jobseeker's Allowance income-related Employment and Support Allowance support under part VI of the Immigration and Asylum Act 1999 the guaranteed element of Pension Credit Child Tax Credit (provided you are not entitled to Working Tax Credit, and have an annual gross income of no more than £16,190) Working Tax Credit run-on, paid for 4 weeks after you no longer qualify for Working Tax Credit Universal Credit
Leicester	East Midlands	368,571	£660	A qualifying low-income family is one where a student entitled to Free School Meals or whose parents are in receipt of one of the qualifying benefits or their maximum level of Working Tax Credit
East Riding of Yorkshire	Yorkshire and the Humber	342,215	£600	educational needs or a disability who are assessed as requiring more bespoke transport support are required to contribute,  To qualify for reduced contribution, a low-income family or a student living independently on a low income should be in receipt of any of the following: • Income Support. • Income-based Jobseeker's Allowance.

				<ul style="list-style-type: none"> <li>• Income-related Employment and Support Allowance.</li> <li>• Support under Part VI of the Immigration and Asylum Act 1999.</li> <li>• The Guaranteed Element of Pension Credit.</li> <li>• Child Tax Credit (provided the person is not also entitled to Working Tax Credit and has an annual gross income of no more than £17,005).</li> <li>• Universal Credit - household income must be less than £7,400 a year (after tax and not including any benefits you are in receipt of).</li> </ul>
Cheshire West and Chester	North West	357,150	Exploring introducing in 2023	n/a
Nottingham	East Midlands	323,632	A charge for transport will be made on a sliding scale based £250 to £500.	<p>The family will meet the low income criteria if they fall into one or more of the categories below:</p> <ul style="list-style-type: none"> <li>□ The household is in receipt of Child Tax Credit/Working Tax Credit with an annual income of less than £16,190,</li> <li>□ Income Support</li> <li>□ Jobseekers Allowance (Income Based)</li> <li>□ Pension Guarantee Credit equivalent to/less than Jobseekers Allowance (Income Based).</li> <li>□ Income Related Employment and Support Allowance</li> <li>□ Universal Credit with an annual income of less than £7400.</li> </ul> <p>For the purposes of the assessment of household income, this includes all sources of income to the household as a whole and only Disability Living Allowance will be disregarded.</p>
North Northamptonshire	East Midlands		£600	<p>Parents or carers in receipt of one of the following will qualify as low income:</p> <ul style="list-style-type: none"> <li>• Income Support</li> <li>• child entitled to free school meals</li> <li>• Income-Based Jobseeker's Allowance</li> <li>• support under Part VI of the Immigration and Asylum Act 1999</li> <li>• Child Tax Credit, provided they are not entitled to Working Tax Credit and have an annual income as assessed</li> </ul>

				<p>by the Inland Revenue that does not exceed £16,190</p> <ul style="list-style-type: none"> <li>• guaranteed element of State Pension Credit</li> <li>• receipt of the maximum level of Working Tax Credit</li> </ul> <p>For 16 to 18 year olds meeting these criteria, the cost is £300 a year</p>
West Northamptonshire	East Midlands		£600	<p>Parents or carers in receipt of one of the following will qualify as low income:</p> <ul style="list-style-type: none"> <li>• Income Support</li> <li>• child entitled to free school meals</li> <li>• Income-Based Jobseeker's Allowance</li> <li>• support under Part VI of the Immigration and Asylum Act 1999</li> <li>• Child Tax Credit, provided they are not entitled to Working Tax Credit and have an annual income as assessed by the Inland Revenue that does not exceed £16,190</li> <li>• guaranteed element of State Pension Credit</li> <li>• receipt of the maximum level of Working Tax Credit</li> </ul> <p>For 16 to 18 year olds meeting these criteria, the cost is £300 a year</p>
Northumberland	North East	320,567	£50 admin fee	<p>Income Support • income-based Jobseeker's Allowance • income-related Employment and Support Allowance • support under Part VI of the Immigration and Asylum Act 1999 • the guaranteed element of Pension Credit Northumberland County Council Page 4 May 2021 • Child Tax Credit (provided you're not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190) • Working Tax Credit run-on - paid for 4 weeks after you stop qualifying for Working Tax Credit • Universal Credit - if you apply on or after 1 April 2018 your household income must be less than £7,400 a year (after tax and not including any benefits you get) •</p>



				Support under Part VI of the Immigration and Asylum Act 1999.
Shropshire	West Midlands	323,606	£918	income Based Job Seekers Allowance Income Support Free School Meals (as authorised by the Authority, not the school that your child is attending.) Child Tax Credit with annual income, as assessed by HM Revenue & Customs, of less than £16,190 on 1st September 2021 or subsequently on the date of application. Income related Employment and Support Allowance Universal credit (provided you have an annual net earned income of no more than £7,400, as assessed by earnings from up to three of your most recent assessment periods) The guaranteed element of pension credit
Central Bedfordshire	East	294,252	£801	Income Support (IS) • Letter confirming receipt of benefit Income Based Jobseekers Allowance (IBJSA) • Letter confirming receipt of benefit Support under part VI of the Immigration and Asylum Act 1999 (from the National Asylum Support Service) Letter of confirmation from the National Asylum Support Service (NASS) Guaranteed element of State Pension Credit Pension Credit M1000 Award Notice Child Tax Credit, provided a parent /carer is not entitled to Working Tax Credit and has an annual income (as assessed by HM Revenue and Customs) that does not exceed £16,190 • TC602 Tax Award Credit Notice – issued by HM Revenue and Customs • Letter from the local Revenues and Customs Office confirming tax credit details Employment Support Allowance • Letter confirming receipt of benefit.

South Gloucestershire	South West	290,424	£648	No charge will be made in the case of students/families entitled to the maximum level of Working Tax Credit (this is the free school meal entitlement level) but proof of entitlement will be required.
Medway	South East	279,773	All post 16 transport will incur a flat rate contribution towards the cost of any alternative transport arrangements. This contribution will be equivalent to the cost of an annual point bus pass. (around £600)	Not specified
Milton Keynes	South East	287,060	no charge	n/a
Plymouth	South West	264,695	£541.00	The cost will be reduced by 10% to £486.90 if paid in one instalment at the time of application or prior to the start of the academic year.
Hull	Yorkshire and the Humber	267,014	£370.00	No reduction for low income
Derby	East Midlands	261,364	currently consulting on introducing a charge	n/a
Stoke-on-Trent	West Midlands	258,366	£543 - £688	Low income is where the student or their parent is in receipt of a benefit that leads to the receipt of free school meals - these are Income Support, Income Based Job Seekers Allowance, Income Related Employment and Support Allowance, Child Tax Credit but not Working Tax Credit and the household income is not more than £16,190, the Guarantee Element of State Pension Credit, support 19 under part VI of the Immigration and Asylum Act 1999 or Universal Credit with an annual net earned household income of no more than £7,400, or

				receives the maximum level of Working Tax Credit
Southampton	South East	248,922	no charge	n/a
Swindon	South West	233,407	£495	Not specified
Portsmouth	South East	208,003	£600	the learner or their parent is in receipt of maximum level of working tax credit or in receipt of one of the qualifying benefits for entitlement to free school meals. The guaranteed element of State Pension Credit Child Tax Credit only, provided your annual household income (as assessed by HM Revenue & Customs) does not exceed £16,190. Maximum Working Tax Credit Universal Credit (providing your household income does not exceed £7,400 per year excluding benefits
Luton	East	225,262	no charge	n/a
North Somerset	South West	216,726	£676	Not specified
Warrington	North West	210,974	£460	the learner or their parent is in receipt of maximum level of working tax credit or in receipt of one of the qualifying benefits for entitlement to free school meals.
York	Yorkshire and the Humber	202,821	£500	Not specified
Peterborough	East	215,671	£600	Maximum level of Working Tax Credit (i.e. no reductions due to income) ☐ Income support ☐ Income based Job Seekers Allowance ☐ Income-related Employment and Support Allowance ☐ Support under Part VI of the immigration and asylum Act 1999 ☐ The guaranteed element of State Pension Credit – a natural progression of Income support once the claimant attains 60 years or over since the introduction of the equalisation of pension ages and deferred state pension ages. ☐ Child Tax Credit

				(provided you are not also entitled to working Tax Credit and have an annual gross income of less than £16,190) Working Tax Credit Run – on – paid for 4 weeks after you stop qualifying for Working Tax Credit) Universal Credit – with an annual net earnings threshold of £7,400 or less
Stockton-on-Tees	North East	196,595	£300	No reduction for low income
Herefordshire	West Midlands	187,034	£875	No reduction for low income
Bath and North East Somerset	South West	193,409	£480	No reduction for low income
Southend-on-Sea	East	180,686	£610	A low income family for transport purposes is one who would fulfil the eligibility criteria for Free School Meals or is in receipt of a qualifying benefit which are the same as B&Hs
Telford and Wrekin	West Midlands	185,541	£600	Families in receipt of Income Support. Families in receipt of Income Based Jobseekers Allowance (IB JSA). Families who receive Child Tax Credit and have an annual income below the relevant threshold. Families who receive Employment and Support Allowance (Income related). Families who receive The Guarantee Element of State Pension Credit. Families who receive support under Part VI of the Immigration and Asylum Act 1999. Families in receipt of the maximum level of Working Tax Credit. Families in receipt of benefits that supersede those listed above
North Lincolnshire	Yorkshire and the Humber	169,680	£90	Not specified
Thurrock	East	176,001	In most cases, there will be a charge for travel assistance. Requests a (unspecified) contribution towards the cost, or the full cost to the council.	Not specified

Bedford	East	185,225	£445	<p>Students are entitled to a discount of the costs of transport if their parent(s)/carer(s) are in receipt of Income Support, Income Based Jobseekers Allowance, Support from the National Asylum Support Service, Guaranteed Element of State Pension Credit or Child Tax Credit (provided that you are not entitled to Working Tax Credit and annual income does not exceed £16,190), or the maximum rate of Working Tax Credit.</p> <p>The transport fee is offered at a fixed rate and no further reductions are available for part time travel or where transport is provided after the start of term</p>
Wokingham	South East	177,503	£745	students eligible for Free School Meals providing their journey is beyond the statutory three miles safe walking distance
Reading	South East	174,224	no charge	n/a
North East Lincolnshire	Yorkshire and the Humber	156,966	£90	No reduction for low income
West Berkshire	South East	161,448	£840	If your school/college is unable to assist and you are entitled to free school meals or maximum levels of Working Tax Credit and are struggling to meet the contribution for the council's Post-16 SEN scheme, you can apply for financial assistance through the council
Windsor and Maidenhead	South East	153,496	£702	<p>Income Support;</p> <ul style="list-style-type: none"> <li>• Income-based Jobseeker's Allowance;</li> <li>• Income-related Employment and Support Allowance;</li> <li>• Child Tax Credit – provided you are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190;</li> <li>• Universal Credit - with an annual earned income of £7,400 or less (after tax and not including any benefits you get);</li> <li>• The guaranteed element of Pension Credit;</li> <li>• Support under Part VI of the Immigration and Asylum Act 1999.</li> </ul>

				- please note: we need to see entire letters showing eligibility for Working Tax Credit, not just single pages, if proof of low income is not attached to the application it will delay the assessment,
Blackburn with Darwen	North West	154,738	no publicly available transport statement	n/a
Slough	South East	158,500	£1,000	<p>Income Support</p> <ul style="list-style-type: none"> <li>• Income-based Jobseeker's Allowance</li> <li>• Income-related Employment and Support Allowance</li> <li>• Support under Part VI of the Immigration and Asylum Act 1999</li> <li>• The Guarantee element of State Pension Credit</li> <li>• Universal Credit (provided you have an annual net earned income of no more than £7,400, as assessed by earnings from up to three of your most recent assessment periods)</li> <li>• Child Tax Credit, provided they are not entitled to Working Tax Credit and have an annual income of £16,190 or less</li> <li>• Working Tax Credit 'run-on' - the payment someone may receive for a further four weeks after they stop qualifying for Working Tax Credit</li> </ul>
Isle of Wight	South East	140,459	no charge	n/a
Middlesbrough	North East	143,926	no charge	n/a
Blackpool	North West	141,036	no charge	n/a
Redcar and Cleveland	North East	136,531	no charge	n/a
Torbay	South West	139,324	£682	<p>Students from families on low income can apply to their school or college for bursary funding to assist with their travel costs. For many students this is discretionary and schools/colleges will assist in different ways.</p> <p>Where a student is on low income and has applied for and been refused bursary assistance, if there are exceptional circumstances they may appeal to the local authority for support.</p>

				You are unlikely to succeed in an appeal for financial assistance/reduced contribution unless you have applied for and been refused a bursary from the school and can provide evidence that you are on low income.
Halton	North West	128,478	£370	Not specified
Bracknell Forest	South East	124,607	£735	they have parents/legal guardian (or who are themselves) in receipt of one of the following benefits: <ul style="list-style-type: none"> <li>• Universal Credit (as appropriate)</li> <li>• Free School meals for their child, or family is entitled to maximum working tax credit (for learners aged 16-19)</li> </ul>
Darlington	North East	107,799	no charge	n/a
Hartlepool	North East	92,338	no charge	n/a
Rutland	East Midlands	41,049	£578	The Council may consider exempting learners from paying the contribution if the learner's parent or guardian is in receipt of: <ul style="list-style-type: none"> <li>• Income Support,</li> <li>• Income Based Job Seekers Allowance,</li> <li>• Child Tax Credit (where annual household income is less than £16,190 and applicant meets criteria for eligibility for free school meals).</li> </ul> Exemptions will be considered on an individual basis upon submission of supporting documentation





# LA travel assistance survey

1. Which Local Authority do you represent?			
Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	31
1	London Borough of Ealing		
2	Dorset		
3	Bradford		
4	Gloucestershire		
5	Doncaster		
6	Devon County Council		
7	Cumbria County Council		
8	Calderdale Council		
9	Bath and North East Somerset		
10	Gateshead		
11	Calderdale		
12	East Sussex		
13	Darlington		
14	Bracknell Forest Council		
15	Blackburn with Darwen Borough Council		
16	Portsmouth City Council		
17	Saffordshire		
18	Cheshire East		
19	West Berkshire Council		
20	Buckinghamshire Council		
21	NSC		
22	Gateshead		
23	Nottinghamshire County Council		
24	Cornwall Council		
25	East Sussex County Council		
26	Gloucestershire		
27	Bedford Borough Council		
28	Isle of Wight		
29	Cheshire West and Chester		
30	WSCC		
31	Darlington		
		answered	31
		skipped	0

## 2. Are you an unitary authority?

Answer Choices		Response Percent	Response Total
1	Yes	58.06%	18
2	No	41.94%	13
		answered	31
		skipped	0

## 3. Do you charge a parental contribution for travel assistance to children and young people with SEND, aged 16 to their 19th birthday?

Answer Choices		Response Percent	Response Total
1	Yes	61.29%	19
2	No	32.26%	10
3	Exploring introducing a fee in 2023	6.45%	2
		answered	31
		skipped	0




If yes, how much do you charge? (21)

1	825
2	370
3	£600.00 per year looking to increase to £800.00 from Academic year 23/24
4	£315 per year (10 x £31.50)
5	£480 per year
6	£650
7	£315
8	£684
9	£730
10	£600.00
11	£543 low income £688 non both mainstream and send
12	£450
13	£840
14	£927 5 days per week, £742 4 days per week, £556 3 days per week, £371 2 days per week, £185 1 day per week
15	724
16	£650
17	540 (per academic year)

### 3. Do you charge a parental contribution for travel assistance to children and young people with SEND, aged 16 to their 19th birthday?

18	£684/year
19	£445
20	This has come up for discussion but wouldn't say we're exploring introduction of a fee in 2023, yet.
21	770

### 4. Do you charge a parental contribution for travel assistance to children and young people in families that experience low income, aged 16 to their 19th birthday?

Answer Choices		Response Percent	Response Total
1	Yes		53.33% 16
2	No		43.33% 13
3	Exploring introducing a fee in 2023		3.33% 1
		answered	30
		skipped	1

If yes, how much do you charge? (17)

1	412.5
2	370
3	Contribution is normally halved if they are unable to receive assistance from the school /college bursary fund
4	£315 (10 x £31.50)
5	£480 per year
6	£315 (claim 16-19 or discretionary bursary)
7	£342
8	£365
9	If this is for SEND the answer is NO. If it's for mainstream school services then they pay the full journey cost.
10	£495.00
11	see above
12	£450
13	£840
14	If evidence supplied of low income - £618 5 days per week, £494 4 days per week, £371 3 days per week, £247 2 days per week, £124 1 day per week
15	540 (per academic year)
16	£342/year
17	£214





## PaCC Response to Home to School Transport Post 16 Policy Statement 2024-25

### Purpose

This report is designed to be read in conjunction with the Brighton & Hove Council HTST Statement submitted to Children Families & Skills Committee, 6<sup>th</sup> November 2023, following the public consultation earlier this year.

This report sets out why **PaCC is opposed to the introduction of a parental charging contribution from any students using the Post16 HTST Service.**

### Comment

We note that the Proposal recognises the exceptional financial stress faced by low-income families and would make a charging exemption for them. This is in keeping with the Government Post-16 Transport Guidance for Local Authorities: *“Local authorities are expected to target any support on those young people – and their families – who need it most, particularly those with a low income.”*

[https://assets.publishing.service.gov.uk/media/5c48534c40f0b616fba5cb6a/Post16\\_transport\\_guidance.pdf](https://assets.publishing.service.gov.uk/media/5c48534c40f0b616fba5cb6a/Post16_transport_guidance.pdf)

The Guidance also states: *The planning of transport provision at a local level should take the following into account: young people are now required to stay in education or training until their 18th birthday (5). Local authorities are responsible for promoting the effective participation in education and training of young people who are subject to the duty to participate*

PaCC regard the introduction of any charging during this ongoing cost of living crisis as an unreasonable barrier to the *effective participation* of young people (and their parent carers) who would be affected by this charging.

It would not align with the City Values. Brighton & Hove is a city that aspires to be the vanguard of Equalities nationally, having just launched an Accessible City Strategy in August 2023. Bringing in a charge for post-16 Transport would be a retrograde step that disadvantages young people who rely on the transport, by placing an additional financial burden on their parent carers, especially as the

spending demands placed on parent carer family income are known to far exceed 'average family' cost of living expenses.

The Guidance does state *Local authorities may ask learners and their parents for a contribution to transport costs and in exercising their discretion they should:* • *ensure that any contribution is affordable for learners and their parents*

Importantly, however, the Guidance was amended in 2019 with the addition of additional wording to redress the 'flaw' in the original guidance that did not make a reasonable adjustment for the specific circumstances of learners with SEND – that these students are not able to travel independently or use public transport, like their non-disabled peers – and should not be financially penalised because of their impaired ability to travel independently:

***Specific consideration of learners with special educational needs and disabilities***

*Local authorities should be aware of the adult transport duty in carrying out their responsibilities for this group, and it is would be (sic) good practice not to charge a contribution for transport for a young person assessed under the sixth form age duty if it likely that they will be eligible for free transport under the adult transport duty.*

From a Best Practice Equalities position, PaCC cannot support a charge imposed on Learners at 16-18 (ie purely age based) when their SEND needs have been recognised throughout their 5-15 years and then again as adult learners from 19 plus.

**The Financial Landscape for Families with Young People with SEND**

A working family income may look the same 'on paper', but SEND Families face considerably higher living costs. A great many working parent carers are 'barely managing'. They are faced with even greater pressures within the universal cost-of-living crisis, when compared to other working families for two reasons:

**1. Being a parent carer severely impacts working and earning.**

Even in a household with two working parent carers, earning is precarious. Parent carers tell PaCC they struggle to increase working hours, as unlike 'typical 16/17 year olds', most of their young people can't be left alone at home, nor can they walk or cycle independently, or jump on a bus if their parent gets them a bus pass, due to their high support needs and vulnerability. It is this same level of need that makes young people eligible for the Service, that also severely limits and often prevents their parent carers from being able to pursue careers or work beyond a few daytime hours when their young person is safely in college. The parent carer must be at home until the young person is collected am, and then be back at home to receive their young person by as early as 3.30pm as well as being at home for inset days, in addition to days off for essential

medical appointments. The paucity of short breaks, PAs or suitable/accessible holiday activities mean that household earnings in disabled households are further impacted as parent carers juggle duties throughout the school holidays (coproduction work is underway on this urgent issue). Many of these young people can't go and 'hang out' at someone's house. Parent carers take extensive unpaid leave once holiday allowance has been used up (if they have a supportive employer).

**2. Living costs more. Significantly more. £975 more.**

As noted in Scope's 'Disability Price Tag Report' *"Disability benefit payments, like Personal Independence Payment (PIP), are designed to help offset these costs (food, equipment, insurance, replacement items, supplies, clothing, higher utilities, assessments and therapies etc.). However, even after taking PIP into account, the average disabled household (including at least one disabled adult or child) faces extra costs of £975 per month."* <https://www.scope.org.uk/campaigns/extra-costs/disability-price-tag-2023/>

If families who face such disproportionately higher costs of (disability) living are asked to find another £400+ per year (and it could increase), this could become the tipping point. In contrast, bus travel initiatives introduced by the Government recognise the financial pressures of the current cost of living crisis and strive to make transport affordable for all, and locally there is a growing movement seeking free public transport for Under 19's in the city. No family with disabled young people should be asked to shoulder an additional financial burden for essential education travel because of their child or young person's disability.

The Equalities Perspective

The EIA (Appendix F, Section 8) 'Other Groups Relevant to this Proposal' could have included 'parent carers' and this would have been an opportunity to register the disproportionate impact on earning, and the disproportionate demand on making earnings cover essential outgoings, that is experienced by parent carers raising disabled young people. A parental charge could be regarded as a disproportionately unfair 'toll' for Parent Carers solely as a direct result of their young person's SEND – since they have no Active Travel option that is achievable for them, due to their disabilities. Faced with no alternative, parent carers unable to transport their young people face an enforced additional charge of £410 for their young person to be able to continue in education.

Family & Learner Impact Assessment:

- Families who are 'barely managing' will face even more tough choices – being unable to afford or replace broken essential household items or

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 • Tel: 01273 234 862 • email: [admin@paccbrighton.org.uk](mailto:admin@paccbrighton.org.uk) • [www.paccbrighton.org.uk](http://www.paccbrighton.org.uk)

being unable to meet their rising household costs (rent, heat, light, food) or not being able to fund much needed private assessments or therapies (families often resort to borrowing money for this, rather than languishing on waiting lists for months/years)

- Risk of falling into arrears (the straw that breaks the camel's back)
- Workplace stability jeopardised if parent carers try to force fit a difficult home to college route into their own journey to work, because they can't afford to pay the charge. If the job breaks down, the young person may then be eligible for transport without charge – but additionally, the associated overall costs to the Council of supporting that household would increase (increased Council Tax deductions).
- It could limit choice of that young person's setting and lead to poorer outcomes. A family might resort to a less aspirational or suitable setting for the young person's specific needs or transition to adulthood plan, just so the parent can manage to take their young person to college. The Government **encourages and expects young people to exercise choice in their post 16 education/training** and places a duty on Local Authorities to ensure there is a wide and inclusive Post 16 local offer, including outside their home local authority boundaries (29b in the Post 16 Transport and Travel Support to Education & Training Guidance). There is an acknowledged lack of Post 16 options in our city, which is tasked as a Key Priority of the SEND Strategy 2021-2026 (TPF22). This is the main factor that contributes to young people needing to travel further away – which in turn increases the need for post 16 Transport provision. (and is one of the **key contributors** to the cost of running the Service. Thus, it feels particularly unfair to place a (contribution of) that back onto families as a displacement.
- It adds a further burden of stress on parent carers who already struggling with extraordinarily admin-heavy lives.

## Additional Comments on the Policy

### Flexible Transport Arrangements for College Timetables

HTST arrangements are intended to support the needs of the learner. Some post 16 colleges don't offer a full end to end day. 'Full time' in college terms may be as little as 12 hours per week. Travel arrangements must be carefully scrutinised as they are now, liaising with post 16 colleges to ensure that if vulnerable students arrive before their first class, or stay on beyond their last class due to the shared travel arrangements, their time in college is safe, meaningful and productive. Young people with SEND may not be able to self-resource and study if they arrive too early or hang around. There are some young people on HTST who have been out of education for various reasons, and the transition into college can be

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especially delicate. Rather than a blanket arrival/pick up time policy being applied, we would encourage the HTST to continue to liaise with colleges and ensure that there is a mutual agreement around the transport timings that considers the needs of individual students. Colleges should be expected to provide a full and enriching day, but discretion where necessary, would also ensure that BHCC is fulfilling the 2016 Guidance relating to Young People in Education, Employment or Training, which relates to the Education and Skills Act 2008 (ESA 2008) in relation to sections 10, 12 and 68 of that Act. Section 40. Duty on Local Authorities to Promote Participation: *“local authorities should, in accordance with their duty under the Education Act 1996, ensure that young people are not prevented from participating because of the cost or availability of transport to their education or training*

<https://assets.publishing.service.gov.uk/media/5a75835540f0b6360e474b1d/Participation-of-young-people-in-education-employment-or-training.pdf>

### Not in Education, Employment or Training (NEET)

The Guidance also recommends that specific arrangements for young people at risk of NEET is included in the Transport Policy, as per the model template at the end of the Guidance. PaCC considers this to be an important inclusion and to progress this, further discussion with colleagues in social care is recommended, especially with recent concerns brought to the Committee about young people in the city with SEND at risk of Child Criminal Exploitation (CCE) and the national CCE incidences of young people groomed via public transport (Rotherham).

### Apprenticeships & Training

*“Arrangements to support learners undertaking apprenticeships and traineeships should also be set out in the transport policy statement. These may include the costs of travelling to or from the place of learning or work placement.”* (22. of the Transport and Travel Support Statutory Guidance)

The wording implies that ‘some arrangements’ should be made and published within the Policy. The BHCC Home to School (College) Proposal states that *students doing apprenticeships should apply to their employer or training provider to have reasonable travel expenses met* which implies that there are ‘no arrangements’ being provided by BHCC.

Might this approach leave the Policy/BHCC open to legal challenge under the Participation Guidance? For instance, if a provider is unwilling to fund necessary travel and the student is unable to otherwise participate – this might be regarded as a failure of duty of the Council to support the young person’s participation (under the Participation Guidance). The provision of transport assistance from BHCC might enable a small provider to take on an apprentice, or offer training, whereas funding transport as an additional cost, could be a deterrent. Transport policy must not apply blanket rulings that favour one type of setting over another or treat any student less favourably because of the type of Post 16

education or training that they are choosing (especially if there is a possibility that those students may be less academic and pursuing a skills route as their best or only option to avoid being NEET). The HTST Post 16 should look 'right' when viewed through the Accessible City Strategy lens for this age group. PaCC would welcome further legal advice and reflection on this part of the Policy.

### Bursaries

<https://www.gov.uk/government/publications/16-to-19-bursary-fund-guide-2023-to-2024-academic-year/16-to-19-bursary-fund-guide-2023-to-2024-academic-year#:~:text=5.-,Eligibility%20criteria%3A%20discretionary%20bursaries,to%20pay%20for%20to%20participate.>

The current and proposed 24/25 Post 16 Policy also expects applicants to have applied for a 16-19 Bursary from their College, and to provide evidence of being turned down before being able to apply for Post 16 Transport. There are 3 issues with this:

- **Timing**  
The bursary application process sometimes doesn't start or get completed until the student has started the Autumn Term and is managed by colleges. This prevents the parent carer from being able to apply for Transport in a timely way.
- **Eligibility (Vulnerable & Discretionary Bursaries)**
  - Vulnerable (up to £1200) - most students aren't eligible as they aren't claiming the required ESA with their PIP (they remain on their parents UC claim which is better financially for the parent carers.)
  - Discretionary – the criteria are set individually by colleges, and can be applied for by anyone, so these bursaries are typically used to fund bus passes for students from low-income backgrounds and pay for additional study related costs such as equipment or trips or even college meals for students facing hardship.
- **Value (Discretionary only)**  
The amount available isn't specified, can vary from one setting to another, and is a 'drop in the ocean' compared to the actual costs of transport for an eligible young person with SEND who needs a seat on Transport.

PaCC recommend that the Policy is reworded to make the Bursaries section more transparent and realistic. It only really applies to young people who are capable of independent travel within the city (by bike, moped, bus or train). It must not be a delay or deterrant that adds further stress at the already highly anxious time of transition to college, nor make the process more challenging and time-consuming to administer for the HTST Officers at the peak time of the HTST calendar. Delays in confirming eligibility have a significant knock-on effect and can undermine efficient, cost-effective procurement.

### A Perceived Pressure on Parent Carers to Make Themselves Available to Transport Young People

The Statutory Guidance makes it clear that the Duty for Post 16 Transport lies solely with Local Authorities. There is no mention of expecting parent carers or extended family to provide the transport for eligible young people, or to evidence why they are not able/willing to transport them. This is another example of a disproportionate impact on parent carers, one that is not put on parents of other 'Sixth Form/College Age' students, who are by this age, fully independent. For Post 16 learners, taking transport with a 3<sup>rd</sup> party is their version of 'independence'. Parent carers already perform many hours of care/support, often far more than the 35 hours per week Carers Allowance entry threshold. If they are asked to transport their young person this could 10 or more hours of additional care responsibility onto them, just at a time when some parent carers are trying to get back into work, to future proof their family finances. Other parent carers who are unable to work due to the toll of their existing carer responsibilities, should not be expected to carry more. It could ultimately result in much higher Council cost for respite or residential college due to parent carer burnout.

### Personal Independence Payment (PIP) Mobility Component or Motability Vehicle Lease should not be a deciding factor (nor should the DLA Mobility Component in the 5-15 Policy)

Post 16 (and Post 19 learners) statutory guidance does not state that a student in receipt of PIP should fund their own transport to education. The reality of the Mobility component is that it is most often wholly absorbed by the monthly lease payment for a vehicle and deducted at source. PIP does not even cover fuel costs. PIP is not a means tested benefit. According to Motability: *Unless the Local Authority or Council in question are the legal Appointee for the disabled person, they are not in charge of the agreement, and therefore cannot specify how the vehicle can be used.*

The Local Ombudsman's 2017 Report "All on Board" Navigating School Transport Issues: Focus Report Learning Lessons from Complaints sets out Getting it Right recommendations to avoid findings of fault and includes the following advice: *do not have policies that automatically preclude those families who receive the higher rate of the mobility component of Disability Living Allowance. The Department for Education has said in Parliament that being in receipt of this allowance does not necessarily confer eligibility for free school transport but neither does it preclude it if the child is an eligible child.*

<https://cdn.ps.emap.com/wp-content/uploads/sites/2/2017/03/All-on-Board.pdf>

## Financial Implications

The draft Paper seen by PaCC HTST Rep at the time of writing this report states the cost of a City Saver as being **£547** per annum and recommends this as the Parent Contribution. However, this is the price of a *Student* City Saver, whereas post 16 students would qualify for the *Young Person* (Under 19) City Saver with a Bus ID card, which is listed on the website as being **£410**. PaCC has requested that the figure is revised, and it may have been amended in the final Report.

The generated income potential appears to have been calculated based on between 55 – 92 students being ‘chargeable’ (above the low-income threshold for free transport). A recalculation using the £410, rather than £547, results in a 33% reduction in subsequent income generated – to be more realistically in the region of £0.022m to £0.033m. With a further deduction for additional administrative costs and officer time, the income generated becomes smaller still. But it still represents a significant burden on the parent carers to find the extra money.

## To Summarise

PaCC recognises that the demand on the Post 16 service will continue to increase. PaCC holds that it is unfair to treat a 16/17 year old with SEND disadvantageously, by charging their parent carer/s. Their need for transport is still the same, because their disability is still there and they have less choice of college & location. Parent carers with young people with SEND are hit even harder by their living and exceptional expenses on top of a cost of living crisis and find it harder to live and earn in the same way as other families who don’t have the additional caring and financial strains.

The financial landscape has changed since the original cost benefit analysis of a fully procured HTST service was carried out. PaCC recommends looking for other ways to manage services costs. A revised in-house fleet mapping exercise might reduce the current costs of some of the expensive out of city runs or the large wheelchair accessible vehicle runs. The bidding process lacks competition, if not all operators hold these larger vehicles on fleet. Creating more Post 16 quality provision within the City could also reduce the number of students having to travel long journeys to access a suitable further education.

PaCC remains committed to co-producing a Post 16 service that meets the needs of students consistently well, that does not place additional financial burden on their parent carers.

Date: 16<sup>th</sup> October 2023

Parent Carers’ Council (PaCC), Community Base, 113 Queens Road, Brighton BN1 3XG  
 • Tel: 01273 234 862 • email: [admin@paccbrighton.org.uk](mailto:admin@paccbrighton.org.uk) • [www.paccbrighton.org.uk](http://www.paccbrighton.org.uk)

## Post 16 Consultations Feedback

The consultations were promoted on a number of occasions throughout 6 week consultation period to:

- Existing parents and carers currently using home to school transport across all ages
- Known potential future users of the service
- Heads and SENCOs of schools and and Post 16 settings the service currently transports to and from
- The SEND Partnership Board
- The Adult LD Partnership Board
- Through PaCC social media channels

The survey link was recirculated following comments within the survey that the draft policy was hard to locate. This was added to the front page which could be open at the same time as the consultation questions. The consultation took the format of a save and return survey.

### Responses

- 58 responses
- 39 parent carers
- 14 pupils
- 2 learning settings (Northbrooke and Brighton MET)
- 2 responding on behalf of a parent carer (T21 and Amaze)
- 1 unknown

### Of which

- 35 respondents currently use HTST for a young person over 16 years of age
- 11 respondents currently use HTST for a young person under 16 years of age
- 3 are looking to use home to school transport
- 9 said N/A

## 2023-2024 post 16 Transport Policy Statement

Please note **no significant changes** were proposed for the **2023-2024** Policy Statement.

### 1. Do you think the Transport Policy Statement is clear?

- 40 say very or fairly clear – 69%
- 10 say not very clear
- 1 said not at all clear

### Very or fairly clear comments included

- Good information
- Straightforward
- Set out in clear sections with good explanations. A lot of information has to be included so it will never be perfectly clear for all readers, but it is in plain English and avoids jargon.

### Not very clear comments included

- The statements in the bullet pointed section are not so easy to understand for a person with dyslexia or difficulties understanding complex sentences.
- No one has ever spoken to me about transport - everything I have had to find out by asking lots of questions, and usually other parents are more helpful.
- The council will misrepresent any text to avoid assisting families with transport despite a clear need. Any text should be assessed legally. We have lost all confidence that the council will act in good faith
- I think it needs to be formatted a bit more clearly as there's a lot of new information and it's quite a big policy.
- Long and concerning for our young people
- There is a lot to read
- Evidence of LD from medical practitioner could incur cost. What does registration with LA mean in terms of providing evidence of LD? Is it sufficient to be known to social care? This needs to be made clearer in the guidance
- The Policy should have good links to all the other documents that show how the transport service runs, especially how the service is kept safe, as this is important information for families. It feels like there's not enough clarity around Independent Travel Training and who can get it, what it is and how it affects eligibility. It also sounds like a family's young person might be pushed into travelling independently, just at the time when they're dealing with loads of transition. The school won't be involved once the student is leaving (especially if it's a mainstream when they're too keen to wash their hands of our kids) and the new college won't yet know the student and what their abilities/triggers/risks are. I worry this is a gap that families could be pushed through, and if their school doesn't offer any support for independent travel training during their final year, then where will that training come from?
- I think the Low Income section( 2024-25 policy) needs to make it clearer that this is relating to students without EHCP's who are applying for HTST on the basis of Low Income/distance. And maybe there can be some kind of diagram/critical path visual or 'distance map' link that helps people to understand if they meet the criteria around distance (which is measured differently by council versus using a 'real journey').

**2. Is the new information about active travel initiatives useful? (*mindful that the transport policy is not just for post 16 pupils with SEND*)**

- 35 very or fairly useful – 60%
- 13 not useful
- 10 don't know

Not useful comments included

- Not so useful because it's not clear
- Don't know what it is
- Does not apply in our circumstances
- Most of it is common sense
- it is just a way of taking more away from disabled children, young people
- Because you will change the process and it will discriminate
- Not relevant. You are shifting your role to signposting so this is a slippery slope

'Don't know' comments included

- I feel you are asking us to comment on something that has not been published yet
- What are these/ where are these
- Not sure

**3. Is the information about the Disabled Person's bus pass useful?**

- 34 very or fairly useful- 59%
- 11 not useful
- 9 don't know

Not useful comments included

- I'm not disabled
- Does not apply in our circumstances
- It is way too categorical. My young person simply cannot use the bus.
- Not needed on a policy document.

'Don't know' comments included

- Not seen any information about this. It is not applicable in my son's case.

**4. Is the additional information about the 16 to 19 Bursary Fund (also available to adult learners over 19) a helpful addition?**

- 32 very or fairly useful –55%
- 8 not useful
- 1 not answered

- 17 Don't know

Not useful comments included

- Does not apply in our circumstances
- never been told about it before
- Someone still would need to travel with my daughter

'Don't know' comments included

- Never heard of it, and this is after asking and emailing the SEN team about funding.
- I got 'access denied' when I tried the links
- Don't use a bursary
- Not clear what for what would be used and how much

## **5. Is the new information about the Hardship Fund helpful?**

- 28 very or fairly useful – 48%
- 10 not useful
- 16 don't know
- 4 not answered

Not useful comments included

- I don't see mention of the Hardship Fund.
- Does not apply in our circumstances
- you have to earn under a certain amount, but even working parents are suffering with the cost-of-living crisis
- It's not about hardship my daughter has disabilities and she can't travel alone its unsafe
- Most people that are in the cost-of-living crisis which aren't just low-income earners will not be able to afford to contribute, where does that leave their children?
- It is not clear who is eligible or how to receive it

'Don't know' comments included

- Again, asked (SEND) about this but no information given in response.
- What is included in the Hardship fund? I couldn't find this term.
- Don't use that
- The information regarding who would be eligible to get hardship fund is not clear.



**6. Are the factors taken into consideration by the Home to School Transport Eligibility Panel when assessing applications for travel assistance for students of sixth form age clear?**

- 33 very or fairly clear – 57%
- 15 not clear
- 5 don't know
- 5 not answered

Not clear comments included

- I cannot see that information.
- Mixed with other information
- Don't know what they are? It just says certain circumstances? Where are these listed, in simple straight forward language and words of less than 3 syllables? I don't have time as a 24/7 carer to read and interpret policy let alone try and find the right document you are referring to
- It's not clear, someone with disabilities can't travel alone and needs support
- Needs to be in bullet points
- What constitutes complex health needs?

'Don't know' comments included

- I don't know what information is taken into consideration.
- it is just another way of taking services away from young people

**7. Is the new information on eligibility for travel assistance for adult learners (over 19 years of age) and the factors that will be taken into consideration by the Home to School Transport Eligibility Panel when assessing applications clear?**

- 28 very or fairly clear – 48%
- 14 not clear
- 15 don't know
- 1 not answered

Not clear comments

- What is the difference between this question and the previous one? It may be clear to you, not sure it will be clear to people filling out this form.
- I cannot see that information.
- It's not clear how someone can get support with disabilities.
- It needs to be made much clearer that Post 19 Provision for eligible students is provided without charge, as there have been mix ups in the past. It also needs to be made much clearer how this Policy works for Post 19 Learners who are in adult education/ life skills settings not managed by the Council as historically there's been lots of confusion and charging from Social Care for some students but not others.

- This needs to be much clearer with a bolder and bigger separate heading and bullet points
- It should be statutory for ECHP and what that details, most of our young adults will need it up to 25
- Not clear about "funding from learning provider" or what is involved if the young person receives the Mobility Component of PIP

‘Don’t know’ comments included

- Don’t need that yet
- Not clear
- The idea of a travel buddy is positive but how will this translate to practice when there is a shortage of PA's generally. Will the costs of a travel buddy be covered? Who will realistically be available twice a day at the beginning and end of the college day to accompany young adults with LD? Practical barriers are likely. Also concerned that there is a presumption of family support with college transport. This is not something that is expected or required of a typically developing 19 year old - there are potentially additional pressures on SEND families arising from this - both practically and financially and impacts to working parents who are trying to sustain employment.

**8. Does it help to have listed out what evidence is required in addition to applications for travel assistance?**

- 39 very or fairly helpful – 67%
- 8 not helpful
- 11 don’t know

Not helpful comments included

- I cant see information
- Don’t know what that means
- No it’s not clear and as a local authority you are washing your hands of young adults with disabilities
- I don’t understand why evidence has to be submitted again, when my child, who is in receipt of transport, has needs that haven't changed.
- To be honest in the Post 19 space unless you have recently arrived to live in Brighton HST really ought to have a good idea already whether you need Transport and whether someone has an EHCP Plan for example

‘don’t know’ comments included

- Yes for numbers 1 and 2. I am cautious about number 3 which states: where the parent or carer is stated as being the primary carer or advocate for the adult learner, further evidence may be required regarding the support with transport (if any) they are able to provide and when. In the case of adult learners, if the council agrees transport is necessary it will be provided free of charge. My reservations about this again is the presumption of SEND families to support transport for their adult learner for the same reasons listed in Q7:

that this is not an expectation made of typically developing young adults; and there are additional financial and practical impacts to families. There are also equality impacts to working SEND families who may be prevailed upon to transport their adult learner.

#### 9. Do you have any concerns about the service limitations section?

***Noting there are no additional proposed service limitations in the 2023-24 policy.***

- 34 very or fairly concerned – 59%
- 12 not concerned
- 11 don't know
- 1 not answered

#### 10. How do you think the Transport Policy Statement could be improved?

- Impact of 2030 on our severely disabled CYP. From reading this, getting away from taxis why aren't we looking at using adapted Big Lemon buses that run on sustainable fuels?
- How about telling us clearly where it actually is before asking us to comment
- Stop having late buses and being packed.
- to include all students
- Make it clearer
- It's very clear
- Make it easy to find on the website
- There are a couple of typos so it needs a quick proofread. Can see the work that has gone into making it clear and expanding information about eligibility.
- Good to have a section about VPAs.
- Not potentially take away vital services that disabled young adults rely upon
- I think that it is yet another way to discriminate against disabled people, how about taking money away from the MP's who run this country, and see how they cope, it is absolutely ridiculous, the government is running its country into the ground.
- I am old enough to see that you will push this discriminatory nonsense through targeting the most vulnerable people in society. A disaster will happen. You will say it couldn't be expected and the unfortunate parents will pick up the pieces. Panel almost always WITHOUT ever meeting the young person or family make decisions which affect the whole family and it is almost always based on wishful thinking. Just because you messed up before now you try and claw money back. I am seething. But I guess no one will take any notice and you will plough on until you have to reverse your decision. I will draw your attention to closing cedar centre, patcham house etc. What a surprise they are needed after all. Every single time the disabled get a raw

deal and they are least able to fight. Services for young adults and disabled older people are pathetic.

- The service is working as it is. Why change it? Parents of SEND children are already exhausted and on the brink of collapse. This is just one more added stressor. The local SEND schools have done nothing to prepare students with SEND for any form of independent travel. Most SEND schools do not even take SEND children out into the community. These children will be going from the frying pan into the fire. It seems to me that there was no consideration of the potential impact of this change on children or their families. Are the SEND schools going to work towards preparing young people for independent travel? Are they going to, at the very least, take children out on the bus as a class? Will there be road-safety training awareness. What role is the LA going to play in ensuring young people are even able to travel safely? Parents with blue badges can pull right up to the school doors -- so can taxis -- but public buses cannot. This plan is not even feasible and should be scrapped. This is another potentially disastrous scheme, not unlike the scheme introduced in 2019, which had to be scrapped, with the taxpayers footing the bill for the council's shoddy decision making. This new policy needs to be aborted, as it is another recipe for disaster, with vulnerable, disabled young people, once again, having to pay the price.
- I'm concerned about the impact on families where there is a co-parenting 50-50 split of time. Often the 'other parent' is the working parent and if there is no transport available it can impact on their ability to hold down their job - which will create financial instability for the whole family. It would be terrible if families were influenced by the Policy to such an extent that the child saw less of their 'other/working' parent because there is no HTS available. When a child goes to their 'other' parent it can be so that the main parent can work/have respite. If there's a way to make some kind of concession offer, e.g. a pick up point that's already on the run route, maybe that might be helpful to families in this situation?
- I think it might be helpful to have some examples of when transport is/isn't offered, based on some of the trickier scenarios.
- I feel worried that we might be offered a PTB if we chose a college that meets our child's needs but it's further away, as a cost-saving measure. But the idea of then having to organise a reliable and safe transport feels like a really big pressure. If we were offered transport by choosing a less suitable in city college but had to take the PTB if we chose the 'better' college that fully meets need, then our son would miss out, based on the Council's financial decision. This seems really wrong given how little choice SEND college students have compared to non-disabled students.
- The ruling around only picking up from main address is challenging for 50:50 care, especially as we do transport to some respite settings. I still feel we need to be clearer on this whole murky area and ensure fairness, particularly as overnight respite is being reduced. If there is any chance of youngsters being able to go to respite with PA's or even family members then arrangements for the youngster to get to/from college shouldn't be an

additional barrier to respite arrangements. Perhaps this could be addressed more creatively such as being funded as part of a YP's Respite arrangements or a discretionary additional payment like a partial PTB to support the Carer/PA to get the YP to/from college if they can't link in to the existing home to college run that the YP is on. Otherwise the risk is that youngsters who have 'formal' arrangements such as Barnardos, or Tudor House/Drove Road are being treated preferentially. The Policy needs some work in terms of its setting out to make it easier on the eye, especially for people with literacy difficulties.

- Need to take into consideration how Children/YP allocated Respite will be dealt with. For Parent/Carers to have to pick up and deliver young people to/from respite services (given that respite is available in very limited cases with BHCC) may be impossible in many circumstances and would negate the benefits of respite. It would be giving with one hand and taking away with the other
- Although not relevant to our situation it will negatively impact co-parenting/ separated parents where only one address can be used for transport. Similarly, our cohort of young adult learners are likely to have short breaks and will need drop off and pick up from short break providers.
- There really ought to be something detailing how Young people receiving respite services supplied by Brighton and Hove will be catered for. It looks as if this facility is being removed if Transport can only take place from a single address (home) ever. It would reduce the value of "respite" which is exactly what it is supposed to be. This needs to be taken into consideration within the Policy.

## **2024- 2025 post 16 Transport Policy Statement**

### **1. To what extent do you agree or disagree with the removal of wholly free hired transport (taxi's and minibuses) for learners of sixth form age with an EHCP?**

- 39 disagree 67%
- 6 neither agree nor disagree
- 6 not sure
- 7 tend to agree (of which 3 are pupils and 3 are parents carers and 1 is not answered)

### **2. Which option is your preference**

- No contribution - 37 respondents – 64%
- Option A – £600 contribution a year (less than 10% contribution towards actual costs) – 8 respondents (of which 1 is a learning provider, 3 pupils, and 4 parents carers)

- Option B - £473 contribution a year (circa 6% contribution towards actual costs)- 13 respondents (of which 1 is a learning provider, 8 parent carers, 2 are pupils, 1 not answered, 1 is a parent carer group)

### 3. To what extent do you agree or disagree with the removal of additional drop off and collection times for Post 16 learners?

- 33 disagree - 57%
- 7 agree (of which 2 are pupils, 1 is not answered, 4 are parent carers)
- 7 don't know
- 11 neither agree or disagree
- Both learning providers strongly disagreed.

Comments included:

- Further Education has a much more variable timetable and it will disadvantage vulnerable students to adopt this policy.
- This will only work if a safe environment can be provided for students to be whilst they are waiting for transport. If a student requires a 1-1 for education or medical needs, and is on a part time time table, if that timetable finishes at 2 for example, and they are not picked up until 4, how will they be kept safe during that time?
- For some students college is a stressful environment, sensory wise or socially. They are often much more able and happier studying at home.
- colleges usually operate differently from secondary schools and many students who go to college don't always start college at the start of the college day and finish at the end of the they and this proposal would affect many students negatively if they can not get the transport during the day. some people who don't need a medical professional need to use the transport service such as people with physical and sensory disabilities and learning difficulties and not including them for the transport during the day would also affect them negatively.
- I'm really worried that colleges will start to find excuses not to take a youngster like mine if they know they have to provide all day supervision as they're already at crisis point with staffing and resource issues. It's easy to say "Well that's not our problem as it's outside of our Government Guidance and statutory duties" but it could be really bad news for the students. There's a danger that they will be unstimulated at best and unsafe at worst and I know my son won't cope with a long college day like that. There's a real risk that this will have a bad knock on effect on his challenging behaviour, as well as reducing him to a hot mess by the time the weekend comes round. Burnout is real and he needs structure. College seems to be so different from what I've heard. If he's sitting around and it's in the wrong noisy environment, it's going to go badly wrong, and not only will he suffer and not learn, it will be more challenging at home dealing with the fallout.
- This is a tricky one. On the one hand, by only providing front and end transport it could 'force the hand' of the colleges to actually provide a full

day/week of education and life skills. But on the other hand, our community has long experienced closures and reduced access to college and further learning due to 'shortages' when college staff aren't available due to resource issues or sickness. It's always our YP that are the first to lose out as their staff get redeployed for the 'many'. So there is a very valid concern about what a fuller timetable would actually look like for young people who are on alternative learning and lifeskill pathways and whether they would receive the level of supervision consistently to ensure they are motivated, learning and not exposed to safeguarding issues. It's really important that there is feedback from colleges with respect to this proposal. Whilst HTST might say "not our issue" and yes, from 'your perspective' it isn't, there is a real worry that colleges might say "not our issue" either, once they've provided the 'bare minimum' 15 hours. We all know that there is a severe lack of PA staff who might be needed to ensure that the hours spent between classes are meaningful.

- Not all students complete a full educational day, this isn't their fault and they shouldn't be penalised for it
- this would discriminate young adult learners who are not in full time, 5 day week placements. Those students who do 16 hours a week will be left to their own devices - there are concerns about their vulnerability and also lack of educational/enrichment input when they will be left to their own devices on college campus. Many young adult learners are not able to do self-directed learning and there are also safety concerns that have not been addressed in this proposal.
- It would surprise me if the colleges were able to provide extra support to cover any time needed before pick up. I only agree with this if the colleges are able to do this, and also if allowances are made for students, who would find this very difficult for whatever reason.
- YP with SEND have a strong need for routine and reliability. They struggle with waiting and transitions. If they have to 'kill time' waiting for their transport this will cause huge distress and related behaviours. The pressure on parents to fill this gap is unfair - especially those without transport or working.
- EHCP are supposed to support outcomes, if the student will no longer have flexibility of drop off and collection there is a risk of unsupervised time at the college or other institution. How will time spent waiting for collection be managed, supervised, assessed for risk etc?
- This would be extremely stressful for young people with autism and social anxiety. If they are in college for 2 full days and 1 half day, it would cause a lot of anxiety for these students who find travel and social scenarios extremely difficult. This is likely to exacerbate their fears and could cause them to withdraw from education.
- Most courses for post 16 do not have a regular school day timetable and full time courses are often only 3 days a week. Colleges will need to ensure that there is adequate provision. Many young people really struggle with attendance due to their SEND - especially those with SEMH needs. It is vital that transport help support these students with attendance and the carefully

organised transition arrangements to help these young people. Such a proposal would really harm this particular cohort.

- We can see the potential value for money reasons for this as it makes it more possible for shared travel options. It also gives parent carers a more predictable timetable and more time without caring responsibilities. On the other hand we worry about what this will mean in practice for some students with SEND. Will colleges commit to offering support, safe spaces and positive activities for the full day? Is there a risk of some students becoming exhausted, getting into risky situations, dropping out or being excluded if they can't cope? Will there be the possibility of discretionary arrangements in exceptional cases? There are issues about the availability of suitable provision locally for many students with SEND. They are so much more likely than other students to go to a college or sixth form that is far from their home. They are not in a position to pop home part way through the day and may not have the skills to study and socialise independently during gaps in their timetable.

#### **Comments made about paying an annual contribution (maximum £600 a year) towards taxi and minibus costs provided by the council**

- you do not understand that parents work, they cannot always drop their child off at respite etc, you are living in another world
- How can anyone agree with these provisions? What moral compass do you follow? I am not sure you possess one at all.
- This policy is, at best, ill-conceived not taking into consideration the drastic impact it will have on the most vulnerable members of our society who cannot speak out and advocate for themselves. At worst it is shameful and worthy of scorn.
- This is outrageous, I can't afford this payment and my daughter can't get a bus
- My family cannot afford to pay £600 a month! We are in a recession, and food prices are at an all-time high. Most families are struggling to make ends meet as it is, without adding an outrageous £600 travel fee to the bill. Is the council aware of how much more expensive it is to raise a disabled child? It is well documented, so perhaps some more research is needed. This appears to be a case of extremely gross negligence on the council's part. The scheme is unfair and unfairly impacts upon the lives of the disabled. Any change is going to be difficult to negotiate, especially for disabled children with autism. The difficulties those with autism face with travel are immense, as most do not have sensory systems that can enable them to cope with a range of environmental stimuli, which includes loud noise, noxious smells, close proximity (touch), etc. Many of the autistic children with complex autism and SLD will never be able to use public transport and if they are able, the use of the transport must be used during off-peak hours, when there are fewer people on the bus and seating is assured, preferably in the disabled seats, though these are never a given. Even with the seats, there is all of the



external stimuli and all of the potential triggers, making the situation ripe for a potential meltdown, resulting in serious injury. The policy needs to be scrapped altogether, as it is completely untenable. Thank you.

- as always taking money away from the group that need it most
- The duty of this government who we pay is to serve the people as best it can, especially its most at risk and disabled who cannot advocate for themselves like my son. I will do just that and after initiating even higher taxes on the citizenry we the carers of the most disabled in our community are being asked to pay for home to school transport is unconscionable. Our families are at the most financial risk in raising our children with special needs. Many have no financial, physical, or moral support from extended families and many are single parent households. Many families need to provide round the clock attention to our SEN sons and daughters and after a tax hike we are being asked to pay for appropriate transport for our children for safe passage to school? This is horrific--this should be taken care of as a baseline for students to get to school safely and appropriately. This is truly amoral. No other way to describe
- Just offer free transport for all disabled young learners who require.
- Free Transport for all Post 16's with EHCP'S
- Whilst appreciating that there are limited funds for LAs. Families with SEND students are financially impacted far more than non send families. Brighton and Hove is becoming a less inclusive city as it is and policies such as these add another layer to the evidenced increased financial burden for families, and reduced opportunities and poorer outcomes for young people. Please consider fairness within this context, and look to find the money from a fund that affects all not a minority group.
- At £50pcm I would not use the transport option. As parent carers we already support our children that have SEND at specialist schools with money for activities. This is taking its toll on us. The criteria is onerous and would force us as a family into poverty so we will be missing meals, cutting all energy to afford it.
- 16+ education in B&H is appalling so families are forced to look elsewhere for the most basic educational provision. You are now trying to pull transport support which will prevent access. You should be ashamed of yourselves. It is criminal how you as a council are harming children and families.
- Stop cutting up vital services at the expense of others under the pretense of a consultation and then present it as if we the people are in some agreement with your poor decision making.
- i think that it is yet another way to discriminate against disabled people, how about taking money away from the MP's who run this country, and see how they cope, it is absolutely ridiculous, the government is running is country into the ground.
- Not potentially take away vital services that disabled young adults rely upon
- My daughter has learning disabilities and would not be able to get to sixth form without support and a taxi
- My son cannot travel independently

- There are no viable alternatives for my child, who is extremely complex and nonverbal.
- Stop taking away from those who need support the most, even if it is means tested
- What about the families that don't fall into low income but are so tight for money each month something like this will break them?
- If my son qualifies for a free disabled bus pass but can't travel independently to take advantage of this why would I need to pay for htst
- Re the charging - It's not parent's responsibility to 'chip in' on the costs of transporting college students who can't travel independently, when the Council should instead be ensuring that the Budget can support the children throughout their whole education when they have SEND. The odds are so stacked against our kids, this feels like yet another hurdle to have to leap. I'm really worried that this will force us into choosing a setting that's just not right for our child, purely based on the Council wanting to charge. The Law says that councils must actively support choice for 16/17 year olds. This is doing the opposite and reducing the limited choices we already have. The idea that 'not Low Income' families are financially stable has long gone out of the window, but especially since COVID and the worsening Cost of Living Crisis. This is NOT the time to introduce a contribution. The fact that it's just a small proportion of the total average cost is irrelevant. £600 or even £473 is simply money we don't have as a family - this would force us to fall back on credit or family loan - which is humiliating. If our child wasn't disabled he could go to a college in the city and he could walk or cycle. But we don't have that 'luxury' of 'Active Travel'. So either we have to pay or I have to take on even more caring responsibility which stops me ever being able to improve my work prospects as I would at best be able to work 11-2 - just 4 hours every day, and term time only. And those jobs just don't pay the bills, even if they're available. There is also some guidance, I'm sure, that says that if you would get the travel free at 19, then the Local Authority should also provide it free for the 16-18 years as a 'best practice'. So what do we want from our Council? We need best practice not more penalising charges when it already costs so much more to raise our child, and the DLA/PIP doesn't cover that gap or make up for the lost earnings across the whole summer, when our child can't go to holiday club for more than 2 sessions across 6 weeks. So while this is a Policy in isolation, you really need to look at the big picture for the families that these proposed changes would affect. I think these are really retrograde steps and not in keeping with our city values that promote achievement and inclusion for all.
- IF charging was to be introduced, we feel it would need to be AFTER an improvement in the in city Post 16 and Post 19 provision. If it's introduced before that happens (if it ever does) then there is a real likelihood that the HTST will negatively affect Parents and Young People's choice of Post 16 provision as they'll be too nervous to choose the right setting if it's outside of the city, for fear that they won't receive transport and cant manage to transport themselves. There is also the question of what's appropriate for our young people's growing independence. For some young people with Down

Syndrome it would feel a retrograde step in their Transition to Adulthood to suddenly default to Parent taking them to college when other neurotypical teenagers travel independently. For some of our young people, traveling on HTST IS independence and they need that additional safety net for a few more years. Being asked to organise transport ourselves with a PTB is not for the faint hearted, and families have concerns that they won't be able to find a suitable taxi driver who they feel they can fully trust if they're organising it themselves. And for some parent carers, the 'college years' are the time when they begin to feel like they can reskill themselves or get back to some part time work that may be manageable on a small scale. But if faced with additional carer hours out of their day, this could prevent them being able to work/get back to work. If a family has 2 students with SEND then the potential charging starts to feel very expensive for them. Families don't receive 'extra Carer's Allowance'. What would they do if their young people were in different settings and they couldn't afford to contribute to both HTST provisions? We know there are very few families who aren't being severely affected by the rising costs of living, and this is disproportionately affecting SEND families above and beyond. This feels like a terrible time to be introducing charging. T21 Brighton & Hove would like to see this issue resolved by in depth discussions around Budget and Forecasting and to see the Council uphold 'best practice' set out in government guidance to Local Authorities and keep Post 16 transport free of charge, which is the best way to promote healthier and better outcomes for young people and for the family unit.

- I am concerned about charging. There are many families who's income is just short of the threshold for WFTC or UC, but still have a low income. Charging must look at other issues families face in the city such as the high cost of housing and the current state of the economy (energy and food prices in particular). There is going to be a disadvantaged group here struggling to pay transport contributions.

At Amaze we are very conscious of the financial challenges facing families these days. Although free transport is allowed for families on very low incomes, the reality of the additional costs for households with a disabled member and the very high housing costs in the city mean that there are many more families not on low income benefits who are only just about managing to keep out of debt. DLA or PIP previously used for extras is now routinely used to prop up the most basic household costs. Any extra cost at a time when all bills are rising is a concern. Will they routinely be able to get bursaries to cover the £600 or £473? As a general point we think it is important to remember that students with SEND may have to attend 16-18 settings that are not close to home because there is not a suitable course or provision to meet their needs. This is very often not a question of choice. Their journeys may be longer and more complicated in addition to them having needs that affect their ability to travel. Parents caring for young people with SEND are having to give levels of support to their teenager that other parents would not expect to give at that age. They have been doing this for years by the time

their child reaches college age. Adding to their practical and financial burdens at this time is very negative.

#### **4. We welcome your views on our equality analysis and if you think there is anything we should consider relating to equality and diversity**

- You expect families to help with those that have disabilities but actually its the law that children have to go to school until they are 18 and therefore its not a choice for parents its the law. Therefore you must provide transport and assistance for those families with disabilities that need it. The equalities act protects age discrimination and those pupils between 16-18 although not covered by the act, the law states that they have to be educated and therefore you must provide support to get children to school if they are unable to.,I would not use HTST if this was enforced.
- As a single parent, I am the sole provider and carer for my young person. I have had to go freelance as I believe many in my position do to be flexible enough to accommodate all the medical appointments. My income varies as a result - sometimes it is zero. I know will not be able to either afford the time or money to take my son to his educational establishment. It took so long to find somewhere that met his needs and interests and my major concern is that this could be taken away from him if the policy changes. If he is not in education, I will not be in work at all.
- Further education provides disadvantaged young people the opportunity better education and social mobility. By restricting the provision of transport you will undermine this chance to many vulnerable young people. Courses in Further Education have variable timetables that do not adhere to the school hours. Some courses, such as Theatre have hours that change when preparing for a performance. There are so many social and educational opportunities in being part of this, but your proposals could make it impossible for students to participate. In my experience, giving full transport options to these learners has allowed them to develop into confident adults who are able to enter the work force, but your proposals do not take into consideration how vulnerable many of these young people are.
- This will significantly impact the ability of parents/carers to continue working.
- I have no clue what it is talking about
- Don't effectively remove this vital service for disabled young adults. Save your money elsewhere.
- Lack of the equalities act has been taken into account and is unfair
- absolutely stupid policy and discrimination at its finest

**5. Please add any other relevant comments that you may wish to make on the proposed Post 16 policy statements.**

- The individuals who drafted this amoral set of "proposals" need real sensitivity training. This line of questions is completely free of even the most basic ethical concerns.
- I think it's wrong that government don't provide for 16+ transport for free. Lets change the bill.
- Absolute disgrace. You're enforcing a massively impactful decision on one of the most disadvantaged groups in the whole of the city. There are other places you can save money as a council. How about getting rid of inept staff? How about getting rid of all the inept and useless and dangerous managers, just leaving the good ones? That would save you a flippin fortune.
- I hope it will be appreciated that some students are just not able to use public transport, and that these students - especially those with physical disabilities - already have a very limited number of education choices as a result. Reducing transport provision for these students will effectively be denying them access to further education.
- It saddens me that yet again, parent carers are made to fight to get their children with additional needs, the education that they're entitled to without having to make constant compromises and sacrifices. I dislike the idea that all of a sudden when our children turn 16 they should be able to get on public transport just like any other child. There is a pressure put on parents to put their children into unsafe situations because they feel guilty or worried that they won't get the support they need. Our children are vulnerable.
- Having 2 SEND children covering these ages, these new T&Cs and what is proposed is worrying indeed. And with benefits decreasing, services decreasing and more being taken away, all I see is this community being asked to pay and do more. Not fair. Not equitable. Discriminatory.
- I am concerned that we have students with EHCPs who will not be able to access College without transport. They are unable to travel independently and parents do not have the time/money to accompany or pay to bring them. This would mean that our most vulnerable students will not be able to attend College.
- People in education deserve a discount for buses.
- How about some clear information that you've communicated in a way that you've thought about your target audience? What difference will the answers collated actually make, or is it yet more stuff that will get swallowed up in the ether, that we've put time and energy into completing but is pointless because nothing changes anyway?
- The role of home to school transport is about much more than getting a young person from A to B. It provides an opportunity for a window of independence in a safe and secure environment and a vital transition from one setting to another, which can make all the difference to that young person's day and experience. The sense of well-being it gives to the young person and their family is so important, irrespective of distance or ability to fulfil it themselves.

- Yes, I have plenty to say, services including social care are not fit for purpose, you are discriminating as always against the majority of young people who need to use these services
- This is outrageous, my daughter has disabilities and cannot walk down the street on her own, let alone get on 2 buses and walk into college without support. It's your legal duty to provide support.
- It's of huge concern for the future of our young people, this coming year is good then what? have that hanging over families is super stressful
- Stop making parents jump through hoops all the time. It's not fair. Stop with the hidden clauses and adding to our burdens.
- I'm really concerned about the proposed changes for September 2024 because if the transport service is discontinued, I don't know how I would get to college. I'm blind and although I get orientation training to be able to navigate around independently in the future, I'm currently not able to get to college independently and I'm not sure when I will be able to do this. Having a transport to college helped me a lot because it makes me more independent as I can go to college without needing an additional person and support. The road to college is not also safe for me as there are lots of crossings which would make the journey dangerous for me and there is not a direct transport to my college as well, so if I can't get a transport to college I would not be able to go to college independently and I would need an additional person to take me to college. My mum also works in the day and she wouldn't be able to take me to college. I'm not also sure if we can afford the extra contribution to transport. I'm also concerned about having a transport at the beginning and end of the day because pupil's timetables at college is very different from secondary school and I don't always start at the beginning of the day or finish at the end of the college day, so not being able to have a transport during the day would also affect me negatively as I would need to find a different alternative to travel to college.
- It isn't fair. It reduces our choice of the best setting for our children, undermines all the work with transport and transition to date, will make life more difficult for the learner, their carers, their teachers. Surely it will disrupt lessons etc if students are turning up at adhoc times due to transport issues. At least with taxi services the arrival times are mostly consistent for all students.
- If you hadn't wasted so much money in the last few years "improving" the service this would probably be unnecessary. You know what I'm talking about. Parent/Carers confidence in the Council to help support and protect the most vulnerable is I should think at an all time low in any case and this will only make things worse.

## Equality Impact Assessment Template 2023/24 – Service-Users

1. Service Area <sup>i</sup>	Home to School Transport (HTST)	2. Proposal No. <sup>ii</sup>
3. Head of Service <sup>iii</sup>	Mia Bryden	
4. Budget Proposal <sup>iv</sup>	<p><b>What is the proposal? Use the savings proposal wording and more detail if needed</b></p> <p>According to <a href="#">National Guidance on Post 16 transport and travel support to education and training</a> there is no legal requirement on councils to provide free or subsidised travel support to young people of sixth form age, including those with special educational needs and or disabilities.</p> <p>The council does currently provide free travel to students of sixth form age when the family is on a low income and in some cases where the young person has SEND.</p> <p>The council receives no government funding for sixth form age pupil travel, as there is no requirement for councils to subsidize transport for this age group. Transport for this age group is directly funded by the council.</p> <p>This discretionary arrangement incurs a budget pressure on the HTST budget, outside of the HTST budget envelope and statutory obligations. The pressure is £7,938 per sixth form child for one academic year.</p> <p>The proposal is to discontinue the provision of wholly free travel for 16-19 (19<sup>th</sup> birthday) year olds with SEND to educational settings. The proposal is to provide significantly subsidised travel, with a contribution from parents/carers of circa 6% of the cost of their young persons travel to and from their educational setting in an academic year.</p> <p>The statutory guidance on Post-16 transport and travel support to education and training states that it is good practice to not implement a contribution. However it also says '<i>local authorities</i></p>	

*may ask learners and their parents for a contribution to transport costs*'. There is no statutory duty to provide free travel for children with SEND between these ages.

BHCC have publicly consulted on the following options:

**Proposal A:**

In the academic year 2024-25 a proposed contribution of £600 per year, (reduced if a student starts during the college year). The size of the contribution has been set to align with the rest of the County, and also with other unitary authorities. In comparison, the average cost of specialist transport for a pupil with SEND is £7, 938 per year. The council still covers over 90% of actual travel costs.

The contribution payment will increase each year in line with inflation. Inflation is a rise in prices for goods and services.

Students from families with a low income will not be required to make a financial contribution. Low-income groups are defined in the Education and Inspections Act (2006) as those whose families are in receipt of the maximum level of Working Tax Credit (WTC).

**Or Proposal B:**

The contribution is set at the same level as a Student City Saver which is the typical cost for a student traveling to their education in the city.

At the time of the consultation this was £473.

The contribution payment will increase in line with Brighton & Hove Bus Company prices.



	<p>There is no financial contribution for low-income families. Low-income groups are defined in the Education and Inspections Act (2006) as those whose families are in receipt of the maximum level of Working Tax Credit (WTC).</p> <p>It is also proposed that students will usually only be transported at published school or college start and finish times and that they may be expected to arrive earlier or leave later from school or college to enable sharing with other students, where it is safe to do so. This approach will allow BHCC to continue to offer a door-to-door service rather than introduce centralised pick-up and drop-off points seen in operation in other councils. We recognise that careful consideration is needed at an individual level and blanket policies must not be applied.</p> <p>Brighton &amp; Hove remains one of few councils to offer a discretionary sixth form travel policy, over and above what is required by law.</p>
<p><b>5. Summary of impacts<sup>v</sup></b></p>	<p><b>Highlight the most significant disproportionate impacts on groups</b></p> <p>The proposed Post 16 Transport Policy Statement identifies some positive impacts:</p> <ul style="list-style-type: none"> <li>• ensures provision of support for all sixth form pupils and offers a range of options to allow continued access to education or training.</li> <li>• changes would make sure that support can be targeted to those with the highest need .</li> </ul> <p>The potential negative impacts for the following protected characteristics:</p> <ul style="list-style-type: none"> <li>• Age – Pupils of sixth form age would no longer be provided with transport tailored to their individual timetables.</li> </ul>

- Disability – the proposed policy change could have a negative financial impact on pupils who have previously been given discretionary free school transport.
- There are concerns that the introduction of a parental contribution towards travel costs for sixth form age pupils could lead to a drop in student enrolment/attendance.
- Those families not on low income, but still experiencing financial difficulties may be impacted the most.
- Paying a financial contribution via a direct debit is another administrative burden on families with children with SEND.
- This could compromise working parents if they don't want to divulge their personal caring responsibilities to their employer for fear of job insecurity.
- Potentially adds additional carer responsibilities if parent carers are required to pick up their sixth form aged child from college outside of the taxi/minibus lunch or afternoon collections.
- Some pupils may not be able to manage remaining in college for a full day if transport is only provided at the start and end of the college day.

The following mitigations would be put in place to help lessen the impact of these proposed changes:

- we are consulting with families a year before changes could come into effect, to ensure the proposals can be considered when education decisions are made;
- there would be no financial contribution towards travel costs for low-income families and all decisions are made on a case-by-case basis;
- we would communicate any changes to parents and learners in good time so that parents and carers are able to plan accordingly;
- the financial contribution for Post 16 pupils with SEND is still approx. 90% less than the actual cost of hired transport for sixth form aged pupils;
- the provision of instalment payments to allow overall costs to be spread throughout the academic year;
- exceptional circumstances based on financial hardship can still be considered via appeal;

	<ul style="list-style-type: none"> <li>we will work with colleges to ensure pupils of sixth form age are managing with the expectation that they remain on site for the duration of the day.</li> </ul>
<p><b>6. Assess level of impact<sup>vi</sup></b></p>	<p>2</p> <p>At the time of writing, the service provides free travel to over 600 pupils aged between 5 and 25.112 pupils of sixth form age receive free home to school transport. Of the current cohort on home to school transport, 60 pupils will turn sixteen in 2024. New pupils join the service any time throughout the year.</p>
<p><b>7. Key actions to reduce negative impacts<sup>vii</sup></b></p>	<p><b>What actions are planned to reduce/avoid negative impacts and increase positive impacts?</b></p> <p>There are already a range of public transport discounts available to young people and students in this age group. These can be read here</p> <div data-bbox="555 938 618 1002" data-label="Image"> </div> <p>Existing transport support and discou</p> <p>Instead of free travel for this age group it is proposed that the council will provide transport through a parent/carer contribution (the price of a citySAVER bus ticket) towards hired travel (taxi and minibus) costs.</p> <div data-bbox="490 1342 2069 1485" data-label="Text" style="border: 1px solid black; padding: 10px; text-align: center;"> <p><b>Analysis behind the proposal</b></p> </div>

	<p>Arrangements in the rest of the county</p>	<p>In East Sussex the charge for the 2023/24 school year was £684/year, and if the family is on low income the contribution is halved.</p> <p>In West Sussex the charge for the 2023/24 school year was £770. There is no charge for families on low income.</p> <p>Neither local authority guarantees a door-to-door service and hired transport is generally offered at the start and end of college published timetables.</p>
	<p>Arrangements in other unitary authorities</p>	<p>One unitary authority did not have a publicly accessible policy statement, but of the remaining 56 unitary authorities, 44 (79%) of unitary authorities, operate a contribution to travel costs for this age group, ranging from £50 to £1000 per academic term.</p>
	<p>Arrangements in other LAs</p>	<p>19 (61%) out of the 31 LAs who responded to a survey on post 16 arrangements advised they request a parental contribution for travel assistance to 16–19-year-olds with ECHPs. A further two LAs are exploring introducing this next financial year. Contributions range from £315 to £927 per academic year. 53% (16) of LAs provide a reduction for families experiencing low income, this ranges from £214 to £840 per academic year. Some LAs</p>

		do not provide any hired transport (taxis/minibuses) for students of sixth form age and adult learners, opting to provide Personal Travel Budgets for parents carers or students to organize their own travel.
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**8. Identify disproportionate impacts<sup>viii</sup>**

<b>Different Groups to be included in assessment</b>	<b>Possible disproportionate impact on group/s? YES/NO</b>	<b>Describe potential impact</b> (positive effects and negative impacts or potential barriers)	<b>Action/s</b> (including details of a full EIA to be completed if required/relevant) <u>Note:</u> Actions should directly relate to the potential impacts identified.
<b>Age</b> (people of all ages)	YES	<p>Whilst the LA does not have a statutory duty to provide free travel to this age group, we do have a responsibility to specify the arrangements for the provision of transport, or otherwise that the LA considers ‘necessary’, to make to facilitate the attendance of persons of sixth form age (with EHCPs) receiving education or training.</p> <p>See section 7 for details on these arrangements.</p> <p>Access to education and training for 16–19-year-olds with EHCPs could be reduced if parents who aren’t on a statutory-defined low income, but</p>	<p>Policy still provides access to education and training for young people who cannot, due to their SEND needs access a discounted travel option.</p> <p>The arrangements sent out in section 7 will continue.</p> <p>Applicants will be supported to apply for the 16-19 bursary fund and Hardship Fund through the Post 16 Policy Statement.</p> <p>The proposed contribution would not apply to families experiencing low income as defined by Education and Inspections Act (2006). There would</p>

		are 'just managing' are unable to contribute towards travel costs.	still be the opportunity to appeal an eligibility decision.
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<p><b>. Disability</b> (a physical or mental impairment which has a substantial and long-term adverse effect on ability to carry out normal day-to-day activities)</p>	<p>YES 16-19 year olds with special education needs and or disabilities</p>	<p>The overall intention of the sixth form age transport duty is to ensure that:</p> <ul style="list-style-type: none"> <li>• SEND learners of sixth form age (with an EHCP) are able to access the education and training of their choice; and</li> <li>• if support for access is requested, this will be assessed and provided where necessary.</li> </ul> <p>Access to education and training for 16–19-year-olds with EHCPs could be reduced if parents who aren't on a statutory-defined low income, but are 'just managing' are unable to contribute towards travel costs.</p>	<p>Policy still provides access to education and training for young people who cannot, due to their SEND needs access a discounted travel option.</p> <p>The arrangements sent out in section 7 will continue.</p> <p>The proposed contribution would not apply to families experiencing low income as defined by Education and Inspections Act (2006). There would still be the opportunity to appeal an eligibility decision.</p>
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<b>Different Groups to be included in assessment</b>	<b>Possible disproportionate impact on group/s? YES/NO</b>	<b>Describe potential impact</b> (positive effects and negative impacts or potential barriers)	<b>Action/s</b> (including details of a full EIA to be completed if required/relevant) <u>Note:</u> Actions should directly relate to the potential impacts identified.
<b>Ethnicity/Race</b> (ethnic or national origins, colour or nationality, including refugees & migrants; and Gypsies & Travellers)	<b>NO</b>		This data is not currently collected for CYP using home to school transport to attend college.  Entitlement is based on statutory guidance, SEND need and income status..
<b>Gender</b> (men and women, girls and boys)	<b>NO</b>		This data is not currently collected for CYP using home to school transport to attend college.  Entitlement is based on statutory guidance, SEND need and income status.
<b>Gender reassignment</b> (a person who proposes to, starts or has completed a process to change gender.)	<b>NO</b>		This data is not currently collected for CYP using home to school transport to attend college.  Entitlement is based on statutory guidance, SEND need and income status.
<b>Religion or Belief</b> (any religion or philosophical belief with a clear structure and belief)	<b>NO</b>		This data is not currently collected for CYP using home to school transport to attend college.



<b>Different Groups to be included in assessment</b>	<b>Possible disproportionate impact on group/s? YES/NO</b>	<b>Describe potential impact</b> (positive effects and negative impacts or potential barriers)	<b>Action/s</b> (including details of a full EIA to be completed if required/relevant) <u>Note:</u> Actions should directly relate to the potential impacts identified.
system, or lack of religion or belief.)			Entitlement is based on statutory guidance, SEND need and income status.
<b>Sexual Orientation</b> (bisexual, gay, heterosexual and lesbian people)	<b>No</b>		This data is not currently collected for CYP using home to school transport to attend college.  Entitlement is based on statutory guidance, SEND need and income status.
<b>Child Poverty</b> (Children and young people in families living on less than 60% of national median income before housing costs. In B&H around 22% of all children.)	<b>No</b>		The LA will continue to provide free travel assistance to young people with an ECHP where families are in receipt of: <ul style="list-style-type: none"> <li>• income Support or</li> <li>• job Seekers' Allowance (Income Based) or</li> <li>• employment and Support Allowance (Income Related) or</li> <li>• child Tax Credit, but not Working Tax Credit, with an annual Inland Revenue assessed income below £16,190 (subject to review) or</li> </ul>

Different Groups to be included in assessment	Possible disproportionate impact on group/s? YES/NO	Describe potential impact (positive effects and negative impacts or potential barriers)	Action/s (including details of a full EIA to be completed if required/relevant) <u>Note:</u> Actions should directly relate to the potential impacts identified.
			<ul style="list-style-type: none"> <li>• guarantee element of State Pension Credit or</li> <li>• working Tax credit run on or</li> <li>• support from the National Asylum Support Service under Part 6 of the Immigration and Asylum Act 1999</li> <li>• universal Credit with an annual net earned income of no more than £7,400</li> </ul> <p>N.B. The definition of a family on a low income may be changed following the government's review of the benefit system or future guidance.</p>
<p><b>Other groups relevant to this proposal</b> (Specific and relevant to the service, including but not only: carers, people experiencing domestic or sexual violence, looked after children, homeless people...)</p>	<p><b>NO</b></p>		

<p><b>9. Full EIA?<sup>ix</sup></b></p>	<p>The HTST application form co-produced between HTST and PaCC in 2020 does not capture all protected characteristics. This is because entitlement is based on statutory guidance, SEND need and income status, therefore further investigation is limited due to range of available data.</p>
<p><b>10. Monitoring and Evaluation</b></p>	<p><b>How will you monitor the impact of this proposal and the success of your mitigating actions on these groups over the coming year (or more)?</b></p> <p>Continue to monitor the demand for subsidised travel for this age group, reviewing complaints and appeals regarding eligibility criteria.</p>
<p><b>11. Cumulative impacts<sup>x</sup></b> (proposed changes elsewhere which might worsen impacts identified above)</p>	<p><b>Might related proposals from other service areas (or other changes) worsen or mitigate impacts from your proposal?</b> Please explain these impacts.</p> <p>The government's <a href="#">16 to 19 Bursary Fund</a> helps to mitigate impacts from the proposal as 16–19-year-olds qualify for financial support from education providers via the vulnerable bursary or the discretionary bursary. All applicants for home to school travel are signposting to the 16-19 bursary fund and advised how to make an application through the Post 16 Policy Statement.</p> <p>The government's <a href="#">Hardship Fund</a> for higher education is also accessible through student services departments in local universities and colleges and helps to mitigate impacts from the proposal.</p> <p>There are also a range of concessionary tickets for young people 16 – 25 from local public transport providers and these are set out in the policy statement alongside further financial support from local colleges.</p> <p>The Disabled Person's Bus Pass offers free travel on buses at any time of day. Students of any age with a physical or learning difficulty may be eligible. There is no restriction for Brighton &amp;</p>

	<p>Hove residents using the Disabled Person's Bus Pass as long as the journey starts or finishes in Brighton &amp; Hove.</p>
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Taxis and minibuses would be provided to all eligible sixth form age, but with a contribution towards their costs. No contribution would be required where the family are experiencing low income and in exceptional circumstances where the young person requires extensive and complex care requiring travel with specialist professional support and/or large/essential medical equipment.

## Post 16 Transport Policy Statement 2024-2025

**Changes to existing policy are in red text.**

### *First page*

#### **Introduction**

This transport policy statement is for:

- students aged 16 to 19 in further education
- continuing students aged 19 and over
- young adult learners aged 19 and over in further education with an EHCP (Education and Health Care Plan)

#### **Academic Year 2024 -2025**

##### **Under 19 years of age**

According to National Guidance on Post 16 transport and travel support to education and training there is no legal requirement for council's to provide free or subsidised travel support to young people of sixth form age. But councils do have a duty to prepare and publish an annual transport policy statement which explains what transport and travel arrangements there are locally for pupils of sixth form age to get to further education.

'Sixth form age' refers to those young people who are over 16 years of age but under 19 or continuing learners who started their programme of learning before their 19th birthday (years 12,13,14).

##### **Over 19 years of age with an Education Health and Care Plan**

The council also has a duty to encourage, enable and assist young people with the most severe disabilities with an Education Health and Care Plan (EHCP), with no other means of transportation, to participate in education and training, up to the age of 25.

The adult duty applies only to young people who are attending a course which they started after their 19th birthday. If the council provide transport for adult learners under this duty, it must be free.

This policy statement you are reading uses the term 'Post 16' to include both learners of sixth form age and those with learning difficulties / disabilities from 19 up to the age of 25.

Education or training refers to:

- learning or training at a school
- a further education institution
- a council maintained or assisted institution providing higher or further education
- an establishment funded directly by the Education Skills Funding Agency

- learning providers delivering accredited programmes of learning which lead to positive outcomes and are funded by the council, for example, colleges, charities and private learning providers.

### ***Second page***

## **Aims and objectives**

This policy statement seeks to ensure that students from Brighton & Hove are able to continue in further education and are able to access information to help them to do so. This includes knowing what transport options are available and where to get help for support with transport costs.

The council aims to have a clear policy that families understand, to enable learners to make informed choices about where to study post 16, and to signpost them to other available support as appropriate.

### ***Third page***

## **Active travel**

Active Travel is the term used to describe walking, cycling, wheeling or using existing public transport to get around the city in a way that is healthy for people and better for the environment. Students who are able to do so, are encouraged to travel to school or college using Active Travel options wherever possible.

There's more information and links to a variety of active travel options here - [How we support active and sustainable travel in the city \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk/active-travel)

### ***Fourth page***

## **Public transport discounts available to young people and students**

Learners aged over 16 may access the following concessionary (discounted) fares, discounts, subsidies, passes or travel cards made available by transport providers.

## **Bus travel**

The following schemes are offered by all bus operators in the city:

- up to four children and young people aged 19 or under, can travel for free when accompanied by a fare paying adult or an adult concessionary pass holder. This offer applies at all times, including peak times, excluding night-time routes and journeys.
- all bus operators have introduced a 50p single journey tickets for unaccompanied children or young people under 19. This offer applies to off peak travel times only, excluding night-time routes and journeys.

- special deals are also available to young people who are doing an apprenticeship

To get these lower fares, bus operators accept various forms of ID.

- **Photo ID on buses**

On services run by Brighton & Hove Buses, the BusID allows you to load tickets straight onto the card by an online account, use it to accompany a child mobile-ticket on the app, or to pay a reduced cash fare from the driver direct. BusID can also be used as an ID on any other bus operators, except Stagecoach.

Discounted travel is also available to Brighton & Hove Carers Card holders. To apply you must:

- support a child or adult who could not manage without this help
- not receive payment for supporting this person
- support someone who lives in Brighton & Hove

You can find more information here - [Apply for a carers' card \(brighton-hove.gov.uk\)](http://brighton-hove.gov.uk)

Read more information about [bus discounts for young people](#) and [bus discounts for students](#).

## **Disabled Persons bus pass**

The Disabled Person's Bus Pass offers free travel on buses at any time of day. Students of any age with a physical or learning difficulty may be eligible.

There is no restriction for Brighton & Hove residents using the Disabled Person's Bus Pass providing the journey starts or finishes in Brighton & Hove.

More information and the application form are available by visiting the link - [How to apply for a disabled person's bus pass \(brighton-hove.gov.uk\)](http://brighton-hove.gov.uk)

## **Rail travel**

### **Rail travel Discounts for 16- and 17-year-olds**

There are several travel discount options available to 16- and 17-year-olds.

#### **16-17 Saver**

16- and 17-year-olds with the 16-17 Saver will be eligible for 50% off standard Anytime, Off-Peak, Advance and Season tickets. The 16-17 Saver is available to buy for £30 on the [16-17 Saver website](#).

The 16-17 Saver is valid for one year or up until the holder's 18th birthday, whichever comes first. However, season tickets bought with a 16-17 Saver discount before it expires, can be used for up to 4 months after the expiry date.

#### **Unizone student tickets**

If you're studying in or around Brighton or Worthing, the Unizone ticket gives you unlimited travel at a discount. [Read more about Southern Rail's Unizone student tickets.](#)

### **Young person's railcard**

Young people aged 16 to 25 can [purchase a young person's railcard](#) that entitles them to one third off travel throughout Britain after 10am on weekdays and off peak.

Students may also find the [Traveline](#) website helpful for planning any public transport journeys to and from school and college. [National Rail Enquiries](#) gives details for journey planning for those travelling only by train.

### ***Fifth page***

## **Travel support from schools and colleges**

Most further education colleges within Brighton & Hove have their own travel schemes and parents and students are strongly advised to contact their preferred college to find out more.

[Read more information about the colleges available within Brighton & Hove.](#)

### ***Sixth page***

## **The 16 to 19 Bursary Fund**

Schools and colleges have funds allocated to them to assist the most disadvantaged learners to access their courses.

The [16 to 19 Bursary Fund](#) provides financial support to help young people overcome specific barriers to participation so that they can remain in education.

There are two types of bursaries:

1. A vulnerable bursary of up to £1,200 for young people defined in specific groups e.g., those in care, care leavers, those in receipt of Income Support, or Universal Credit in place of Income Support; those in receipt of Employment and Support Allowance and Disability of Personal Independence Payments in their own right (see above link for more information about eligibility).

The eligibility criteria are within the link above.

2. Discretionary bursaries which schools and colleges award to meet individual needs, for example, to help with the cost of transport, meals, books and equipment.

Schools and colleges are responsible for managing both types of bursary. Speak to your school or college about making an application.



Apprentices and those who are currently, or in danger of becoming Not in Education, Employment or Training (NEET) are also able to get bursary support.

Read more about subsidised transport for 16 to 19 year old in education.

Adult learners over 19 can also apply to get a discretionary bursary if the learner is over 19 and either:

- continuing on a course started aged 16 to 18 (known as being a '19+ continuer')
- have an Education, Health and Care Plan (EHCP)

All students should first discuss with their school or college student support service whether they may be eligible with transport costs from this fund.

If you are a student on a low income and you have applied, but been refused any bursary funding, you can appeal to the council and ask to be considered for 'exceptional circumstances financial support.' You are unlikely to be successful in your appeal unless you can demonstrate that you are on a low income and that your bursary request has been refused.

### ***Seventh page***

## **Hardship Fund**

University settings have funds allocated to them to assist the most disadvantaged learners to access their courses. These funds are called Hardship Funds and can be issued in addition to Bursary Funds.

Generally, student hardship funds are offered to students from low-income backgrounds, or those facing other types of adversity, like bereavement, illness or disabilities.

Parents carers / adult learners should make enquiries to their university's Student Services or Learning Support for information about how to access the Hardship Fund.

Read more at [Extra money to pay for university: University and college hardship funds - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/extra-money-to-pay-for-university)

### ***Eighth page***

## **Young parents (Care to Learn)**

If you are a young parent under 20 years old, Care to Learn can help pay for your childcare and related travel costs, up to £160 per child per week, while you are learning.

Care to Learn can help with the cost of:

- childcare, including deposit and registration fees
- a childcare 'taster' session (up to 5 days)
- keeping your childcare place over the summer holidays
- taking your child to the childcare provider

Care to Learn is only available for courses in England that have some public funding. This includes courses that take place in:

- schools
- school sixth forms
- sixth form colleges
- other colleges and learning providers, including Foundation Learning
- your community at Children's Centres

Young parents are also entitled to apply for an Under-19 Bus Only Ticket or for those aged 19 and over can apply for the 19 to 25 card.

### ***Ninth page***

## **Travel support from the council**

### **Council support for young people without special educational needs or disabilities**

Choosing where to study at Post 16 is an individual choice, but we advise that consideration is given to the home to college journey when making a decision. Please remember that the council is only able to provide the assistance that is set out in this Policy and we are unable to influence existing public transport bus/train services to fit with individual timetables.

### **Council support for learners with special educational needs or a disability**

The Council recognises that some disabled students may not be able to travel to college/further education independently and may need assistance. In the first instance, we will explore whether immediate or extended family members are able to support you with the journey.

### ***Tenth page***

## **Eligibility for Travel Assistance – students of sixth form age**

Journey length, rurality and the nature of the route are factors for families to consider and these issues do not, in themselves, give an entitlement to transport assistance.

All students should discuss with their setting's student support service whether they may be eligible with transport costs from the 16 to 19 Bursary Fund before applying for travel support from the council.

### **Basic criteria**

We welcome applications for travel assistance to young people who meet the following basic criteria, and can demonstrate that they;

- live in Brighton & Hove;
- where they have SEND, usually they will have a current Education, Health and Care Plan ("EHCP");
- will be attending the equivalent of a full-time educational course\* which allows for appropriate progression;
- have a placement which is the nearest suitable college to their home address, unless agreed otherwise by the council, for example a setting named in the student's EHCP;
- are unable to travel to the placement independently;

*\*a full-time educational course is a course that runs for more than 15 hours a week.*

### **Assessment criteria**

The [Eligibility Panel](#) will use the following assessment criteria to consider the application:

1. the age, capabilities, vulnerabilities and needs of the student (using information provided by the student, family, education & health professionals and documents where appropriate);
2. the nature of the journey in terms of accessibility, safety, active travel and public transport options, complexity and how long it might reasonably take (statutory guidance sets a 75-minute guidance for young people from secondary school upwards); whether the journey could reasonably be made on foot or public transport if the student were accompanied;
3. whether a Travel Companion/Buddy could enable the student to travel semi-independently and as 'actively and sustainably' as possible (but without additional duress);
4. whether immediate family or family network members are consistently available to support the student with their journey and if they have a suitable vehicle available;
5. the student's needs relating to travel for example, whether the student has complex needs, and/or requires a second person on transport; if independent travel is a realistic goal, and whether this has been actively encouraged by the family;
6. the financial circumstances of the family and potential impact of a declined application;

7. other relevant factors, for example, the health of the parent/carer and the potential impact on them to provide transport or accompany the student.

### ***Eleventh page***

## **Evidence to Support an Application for Travel Assistance from the Council for *sixth form aged pupils***

In applying for travel assistance, you are giving the council permission to consult with colleagues in SEND and to use current documents e.g. the EHCP to help the Panel understand the individual needs and circumstances of the young person.

We may also, within reason, ask parent carers for written evidence to support any reasons given for not being available to assist the young person with their transport needs. This might be (but is not limited to) a letter from an employer or a medical professional, for example.

### ***Twelfth page***

## **Parental contribution towards travel assistance - *sixth form aged pupils***

Where travel assistance is agreed for a student of sixth form age (16-19 years old), a contribution towards the cost of travel is usually required. The contribution is reviewed annually.

Students from families with a low income will not be required to make a financial contribution – see (link to) Low-income criteria.

The contribution is set at the same level as a Student City Saver which is the typical cost for a student traveling to their education in the city.

In the academic year 2024-25 this is £ADDED TO ALIGN WITH STUDENT CITYSAVER PRICE per year. This is the equivalent of a student citySAVER ticket. The contribution payment will increase in line with Brighton & Hove Bus Company prices.

Further free transport provided by taxi or minibus would only be considered in exceptional circumstances. For example, where young people require extensive and complex care, and must travel in a vehicle with specialist professional support and/or large/essential medical equipment.

There is no parental financial contribution towards travel assistance for post 19 adult learners with ECHPs applying for a course or different course after their 19th birthday.

## ***Thirteenth page***

### **Low income - *sixth form aged pupils***

For sixth form age students, without ECHPs, with low income applying for travel assistance they or their families must be receiving one of the following benefits or tax credits:

- Free school meals
- Income Support
- Income Based Job Seekers Allowance
- Income related Employment and Support Allowance
- Child Tax Credit (provided you're not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190)
- Working Tax Credit run-on – paid for four weeks after you stop qualifying for Working Tax Credit
- Universal Credit (provided you have an annual net earned income of no more than £7,400, as assessed by earnings from up to three of your most recent assessment periods)
- eligible students will be reimbursed by calculating the cheapest available fare for the journey and paying those expected costs which exceed the first £10.80 per week. As a Saver ticket bought with a Bus ID Card allows travel across the city for less than £10.80 per week, this means that, in normal circumstances, help is not offered to students attending colleges within Brighton & Hove

N.B. The definition of a family on a low income may be changed following the government's review of the benefit system or future guidance.

#### **Determining whether you are receiving maximum Working Tax Credit**

When tax credits are first awarded, or following a change in household circumstances, HM Revenue and Customs issue a 'tax credits award notice' detailing the breakdown and amount of the award.

Part two of the award notice gives details of 'How we work out your tax credits' including details of the full WTC elements. This is the maximum amount a customer can receive in WTC in any year.

It then lists 'any reduction due to your income' and shows the net amount payable. It is therefore readily apparent from the award notice whether a person is receiving maximum WTC or a reduced sum due to income. Where there is a reduction due to your income in this section then you would not qualify for travel assistance.

The figure for any reduction due to your income must be £0.00 to be in receipt of the maximum level of Working Tax Credit.

If you present a review notification (TC603R), this should show a maximum income of £6,420 to evidence you are in receipt of the maximum level of Working Tax Credit.

The Council's Welfare Rights Team can help with questions and problems on a range of social security benefit and tax credit issues. If you need advice on your right to claim benefits you can:

- phone 01273 291 116 on Monday Tuesday Wednesday, 10am to 1pm
- email [welfarerights@brighton-hove.gov.uk](mailto:welfarerights@brighton-hove.gov.uk)

#### ***Fourteenth page***

### **Payment methods - *sixth form aged pupils***

An invoice will be sent, and payment will usually be made either annually or termly, but can be made differently, e.g in monthly instalments, if preferred. Payment will usually be made via Direct Debit except where another payment method has been agreed.

Transport will not usually be arranged until the first payment is made. Transport may be ceased if payments are not made on schedule - if this occurs the council will always first contact the parent/carer to try and avoid this action.

If you qualify under low-income criteria and your circumstances change part way through the year you must let us know.

#### ***Fifteenth page***

### **Refunds - *sixth form aged pupils***

If a student has paid the Post-16 contribution and no longer requires transport assistance then a refund would be offered if the amount contributed is over and above the cost spent on the transport to date. Any remaining contribution would be refunded. Refunds are not usually given where a student does not use transport during the summer term.

Reimbursements for travel costs incurred before application cannot be made. Please contact [Post16Transport@brighton-hove.gov.uk](mailto:Post16Transport@brighton-hove.gov.uk) in the first instance.

#### ***Sixteenth page***

### **Eligibility for Travel Assistance – adult learners (19+ on a new course/programme)**

Transport arrangements for adult learners is set out in 509F and 508G of Education Act 1996 (legislation.gov.uk).

If a young person applies for a course or different course after their 19th birthday the criteria set out for the 16-19 students applies ([link back](#))

### **Assessment criteria**

The Panel will use the following assessment criteria to consider the application:

1. the age, capabilities, vulnerabilities and needs of the student (using information provided by the student, family, education & health professionals and documents where appropriate)
2. the nature of the journey in terms of accessibility, safety, active travel and public transport options, complexity and how long it might reasonably take (the guidance sets a 75 minute guidance for young people from secondary school upwards); whether the journey on foot or public transport could be reasonably made if the student is accompanied
3. whether a Travel Companion/Buddy could enable the student to travel semi-independently and as 'actively and sustainably' as possible (but without additional duress)
4. whether immediate family or family network members are consistently available to support the student with their journey and if they have a suitable vehicle available
5. The student's needs relating to travel for example, whether the student has complex needs, and/or requires a second person on transport; if independent travel is a realistic goal, and whether this has been actively encouraged by the family.
6. What funding is available for transport from the learning provider (there is an expectation the learner has actively applied); what other funds the learner can access, whether the adult learner is receiving PIP with the mobility component as a means securing independent travel (The 'mobility component' is for the extra help you need getting around. This can include moving, planning a journey or following a route.)
7. advice from the college, for example, whether independent travel training is taking part as part of the programme;
8. what arrangements have been considered or tried and why they are not suitable;
9. other circumstances relevant to each case.

### ***Seventeenth page***

## **Evidence to Support an Application for Travel Assistance from the Council for *adult learners***

The following evidence may be required in addition to an application for travel assistance:

1. recent evidence from a relevant health and/or educational professional regarding the SEND of the adult learner and how this impacts on the need for travel assistance, their ability to walk or travel on public transport, accompanied or otherwise;
2. a copy of the adult learner's care and support plan (if applicable);
3. where the parent/carer is stated as being the primary carer/advocate for the adult learner, further evidence may be required regarding the support with transport (if any) they are able to provide and when. In the case of adult learners, if the council agrees transport is necessary it will be provided free of charge.

### ***Eighteenth page***

## **Type of help given**

Young people assessed as needing some help with their transport will be risk-assessed for their immediate needs and the most cost-effective suitable mode of travel support will be arranged.

For students who can access public transport, a journey time of up to 75 minutes each way is considered reasonable according to national guidance for best practice.

Where a young person with SEND is assessed as eligible for some help with their transport, the type of travel assistance provided will be the most cost-effective available to the council at the time, appropriate to the student's needs.

This may be one of the following:

- A Personal Travel Budget (PTB) ( option of a Personal Travel Budget (PTB) )
- A travel pass. E.g bus or train travel cards
- A mileage payment, currently at 52p per mile, four journeys a day
- A place on a contracted vehicle

Please note that taxis will usually only be provided to sixth form and adult learners if necessity is proven, e.g. for students with severe disabilities and/or health needs which require travel with specialist staff (e.g a nurse or support staff) or with medical equipment.



Following successful application and individual assessment, we will write to you and set out which option(s) we are able to offer and what you should do if you wish to take up the travel assistance that has been allocated.

### ***Nineteenth page***

## **Vehicle Passenger Assistants (VPAs)**

The role of a VPA will be to provide general supervision and ensure a safe and comfortable journey.

VPAs are not normally supplied on transport provided for Post 16 students except in cases where they are, in the council's view, necessary to meet a student's individual needs or the combined needs of a group of students.

VPAs will only be provided to meet more complex individual needs, such as medical or health requirements, where there is supporting evidence confirming that such support is necessary to ensure a student's safe journey to and from their learning/training establishment. We will use Pupil Travel Information Forms as well as other supporting information to ensure we have a full understanding of the needs and vulnerabilities and where the council assesses one is required, a VPA will be provided.

### ***Twentieth page***

## **Service limitations – when transport isn't provided**

The council does not provide travel assistance to work experience placements, medical appointments or other off-site visits. Responsibility for this remains with the parents or carers, or school or college as appropriate.

Transport assistance is only ever provided to one address. If there is a 50/50 split of residence under a court order, the household receiving any child benefit, or student's own benefit, would be considered the main address.

Students doing apprenticeships should apply to their employer or learning provider to have reasonable travel expenses met.

Students wishing to undertake a new course at the same or similar level to a level of qualification already achieved may not necessarily be successful in their application for travel support.

The council do not normally offer assistance to students taking part-time courses. However, students who feel they may have an exceptional case may put this in writing and return an application form for special consideration.

Assistance is not given for attendance at private schools or colleges, unless named in the EHCP.

Transport will not generally make adjustments for individual timetables, preferences or before/after college activities, unless there is an evidenced need that supports an individual specific adjustment or transport in the middle of the day. You are encouraged to discuss any concerns or questions about the college timetable and transport arrangements, with your college.

Any transport arrangements required by students outside of the sixth form provision should be discussed with the provider.

Students looked after by the local authority must use same eligibility criteria as other children and students. However, arrangements should be made and funded by the carer, as funding for this is provided in the allowances paid by the council's fostering teams (agencies and in house) to carers.

If a student chooses to change career direction or course this may affect their eligibility for travel assistance.

Following successful application and individual assessment, we will write to you and set out which option(s) we are able to offer and what you should do if you wish to take up the travel assistance that has been allocated.

## ***Page 21***

### **Review of eligibility**

Travel assistance is agreed on an annual basis.

In every case, travel assistance will be reviewed following a house move, change in placement or course, or a change in the student's needs (condition, medication or equipment) or any other change in circumstances which may be relevant.

Following an incident on school or college transport, it may be necessary to stop provision until a further risk assessment has been carried out to make sure that the student can be transported safely. If this occurs, parents or carers will be responsible for transport and costs until the situation has been resolved.

Eligibility for transport support is determined by the Home to School Transport Eligibility Panel. [Learn how Home to School Transport process applications.](#)

Travel assistance will not be withdrawn during an academic year, except where a programme of independent travel training has been completed successfully or a student's circumstances have changed significantly.

## ***Page 22***

### **Applying for transport support**

Once a place at college/education provision has been secured, please apply for travel assistance.

We have set a deadline of 31 May so that we can get the transport ready for a September start. Unfortunately, we are not always able to guarantee that travel assistance will be in place for the start of the academic year if applications are received after this date.

If you are transferring into a college during the academic year you can also apply, and we aim to assess and provide a decision on mid-year applications within 7 working days during term time, and 14 working days outside of term time, and to have arrangements in place within 5 working days of the decision.

To apply use our online form - [Apply for help with home to school transport](#)

If you need help to understand this Policy or further support to apply for travel assistance, please do contact us. The transport team can be contacted by:

- telephone on 01273 293 501
- or send an email to: [Post16Transport@brighton-hove.gov.uk](mailto:Post16Transport@brighton-hove.gov.uk)

You may also wish to talk to Amaze SENDIASS: [For families with disabled children and young people in Sussex - Amaze \(amazesussex.org.uk\)](#)

- Telephone 01273 772289
- Email: [sendiass@amazesussex.org.uk](mailto:sendiass@amazesussex.org.uk)

Their advice line is open Monday to Friday 9.30am to 5pm. You can leave a message at any time, and someone will get back to you.

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## **Right of review or appeal**

If you have been refused assistance with travel you can ask us to review the decision. Any request for review should be made in writing or by email to the Post 16 Transport Team within 20 working days of the council's decision.

Within 20 working days of receipt of the applicant's request a senior officer within the council will review the decision under a Stage 1 Appeal.

If you are unhappy with the outcome of the review, you have 20 working days in which to appeal further to an independent panel of officers, under a Stage 2 Appeal. The panel will be made up of three officers of the council who had no involvement in the Stage 1 decision to decline help with transport.

The appeal panel will review the appeal within 40 days of receipt of the request. The panel does have the power to reach a different decision in individual cases.

You also have the right to make a complaint to the Local Government Ombudsman (LGO) if you consider that there was a failure to comply with the procedural rules or if you consider there to have been any other irregularities in the way the appeal has been handled.

The internal review/appeal process must be completed before making a referral to the LGO.

[Learn more about our appeals process.](#)

**Page 24**

## **Complaints**

If you are unhappy with any aspect of the transport service, you should talk to the Home to School Transport team on 01273 293 501 or send an email to: [Post16Transport@brighton-hove.gov.uk](mailto:Post16Transport@brighton-hove.gov.uk)

You can read more about how to make a complaint here - [How to make a complaint \(brighton-hove.gov.uk\)](#)

If a complaint about a transport provider is upheld, appropriate disciplinary action will be taken by the transport provider or in extreme cases the contract with a transport company may be terminated.

**Page 25**

## **Consultation**

Each year we will consult with young people of sixth form age and their parents as well as other stakeholders on the Post 16 Transport Policy statement before it is finalised.

Please note that the policy could be changed in the future and the current support available does not amount to a legitimate expectation that it will continue to be offered.

# Brighton & Hove City Council

## Children, Families & Schools Committee

## Agenda Item 34

**Subject:** Proposal for the future delivery of short breaks and holiday activities for parents/carers of children and young people with a disability

**Date of meeting:** 6 November 2023

**Report of:** Executive Director for Families, Children & Learning

**Contact Officer:** Name: Georgina Clarke-Green  
Tel: 01273 292257  
Email: Georgina.ClarkeGreen@brighton-hove.gov.uk

**Ward(s) affected:** All

### For general release

#### 1. Purpose of the report and policy context

1.1 The purpose of this report is to provide information for members about Brighton & Hove City Council's (the "Council") duty under to provide short breaks for parents/carers of disabled children and young people under the Breaks for Carers and Disabled Children Regulations 2011.

1.2 This report includes details of how the duty referred to above in 1.1 will be met in the City of Brighton & Hove (the "City") and proposes a newly refreshed offer for children and young people who have a disability aged 4 (and who have started school) to 25 years.

1.3 The Council's Special Educational Needs and Disability (SEND) Short Break and Holiday Activities Programme (the "Programme") is being produced through a co-production agreement and will inform commissioning intentions for the new arrangements, which will ensure that the Programme is in place for Easter 2024.

1.4 This Programme supports the Council's [SEND Strategy \(2021 – 2026\)](#) and the six co-produced key priorities. The priorities that are accountable for delivery on this Programme are: [Priority 1: Inclusion \(Inclusion 5\)](#) and [Priority 3: SEND Pathways \(Pathways 10\)](#).

#### 2. Recommendations

2.1 That the Committee instructs the Executive Director for Families, Children & Learning to take all necessary steps to award grants to multiple providers for up to a maximum annual award of £130,000 per annum for an initial term of one (1) year with an option to extend for a further period or periods of up to two (2) years (as two 1 year extensions) subject to good performance for the

provision of short breaks and school holiday activities for parents/carers of children and young people with a disability.

### **3. Context and background information**

- 3.1 Following on from the announcement that The Charity Extratime which ran clubs, holiday schemes and family events and activities for children and young people with and without disability aged 4-25 years announced a winding up of its services for October 2023 – the original contract entered into between the Council and Extratime comprised after school clubs, a holiday scheme, and a youth scheme. The after-school clubs' provision has already been presented to Committee on 11<sup>th</sup> September 2023 (Item 22), and the proposal approved. This report therefore focuses on addressing the gaps in short breaks for the school holiday activity provision and putting in place plans for a co-produced programme which would start in Easter 2024.
- 3.2 There was also a need to review our short breaks offer to expand it so that it offers a wider range of short breaks for a broader range of children and young people, providing increased support to those families with children and young people who are neurodivergent and/or have social, emotional, and mental health needs.
- 3.3 With the aim of producing a more comprehensive offer across numerous providers, which increases the range of good quality holiday provision resulting in more choice for parents/carers and their children the following approach was deployed by officers:
- 3.3.1 On 13<sup>th</sup> July 2023, the Council organised a provider engagement event at the King Alfred Leisure Centre, Hove with the purpose of bringing a variety of activity and short break providers together to invite them to host a table with information about their organisation and discuss what services they may be able to offer, as well as giving them the opportunity to speak to both Council leads and the parent/carer community directly. The event was attended, by 12 potential providers and representatives from the parent/carer community and the feedback was that it was a useful opportunity for people to come together and further explore respite options.
- 3.3.2 Officers then undertook the next stage in the process which was to send out an expression of interest survey. A key part of this was to see whether there was enough interest that covered different age groups, as well as the range of activities requested by parents and carers such as:
- play schemes
  - sport and multi-sport clubs, including football, martial arts, boxing, kayaking, tennis, cricket, boccia, gymnastics, climbing, etc.
  - art and performance arts, including art and craft clubs, drama, music, dance, lego
  - youth specific clubs, including young people up to the age of 25
  - sensory play and therapeutic sessions, including music therapy
  - swimming, including supported sessions or drop in quiet sessions

- sessions for young women, LGBTQIA+, BAME, Black and Brown unity groups etc
- outdoor activities, including forest school and gardening projects.

This also provided an indication of capacity within the sector and associated costs.

3.3.3 Working in collaboration and awarding funding to a range of providers would allow the Programme to support more families, SEND needs, age ranges, and diversify activity across the city.

3.3.4 Providers were encouraged to consider offering an activity programme under three main categories of need:

**1. Universal Services**

Everyday community services or activities which can be accessed by everyone, but with a focus on widening this offer to include children and young people with SEND.

**2. Targeted Services**

Specific short break activities for children and young people who cannot access universal services without requiring additional support. Cohorts for this group would include:

- an award of middle or higher rate disability living allowance (DLA)
- a personal care plan payment (under 16) or personal independence payment (16+)
- an Education, Health, and Care Plan (EHCP)
- attendance at a Special School or Special Facility Placement

**3. Specialist Services**

Designed to meet the needs of individual children and young people and their carers, following a social care assessment. Specialist short breaks are highly specialised or bespoke services for children and young people who have:

- Severe and enduring cognitive delay and learning disability
- Low functional abilities
- Physical disabilities

3.3.5 The results of this Expression of Interest Survey are attached at [Appendix A](#)

3.3.6 Alongside this, offers analysed the dataset for those families registered on the Compass Card across five categories of need:

- Communication and Interaction (including Autistic Spectrum Condition (ASC), Speech, Language and Communication Needs (SLCN))
- Cognition and Learning (including Dyscalculia, Dysgraphia, Dyslexia, Dyspraxia, Down Syndrome, Moderate Learning Difficulties (MLD), Severe Learning Difficulties (SLD), Profound and Multiple Learning Difficulties (PMLD))
- Social, Emotional and Mental Health Difficulties (including ADHD)

- Physical and/or Sensory Needs (including Hearing and Visual Impairment, Sensory Processing Difficulties)
- Complex Medical Needs.

3.3.7 The results of the dataset are attached at [Appendix B](#).

3.4 These two pieces of work ensured that there was a direct correlation between the identified SEND needs and the providers wishing to deliver holiday activities. It also gives a clear picture of where resources need to be directed to deliver within the finances available.

3.5 The following options to deliver were considered:

**Option 1 - The Short Break and Holiday Activity provision could be spot purchased each holiday provision on an as and when required basis.**

- This option would be expensive, and not offer value for money as each activity would be purchased individually for each school holiday period meaning throughout the year the price for the activity may increase.
- It would involve continuous quality assurance of any available providers before accepting them onto the Programme, which would be a time intensive process and may result in providers not having the necessary minimum operating standards to demonstrate that they are able to deliver accessible and inclusive provision for children with SEND.
- It would not provide stability for our families or our providers. Our providers would not be able to forward plan which would mean that they could not invest in their business model.
- Our families would not know what activities were available until a few weeks before the school holiday periods, potentially causing anxiety and stress and adding to the pressures these families face around these times.
- From the Council's perspective, this option does not support its Corporate Plan (2023 – 2027) to provide a better future for our children and young people and be a responsive Council with well-run services.

**Option 2 – Award grants to multiple providers.**

- This option provides better control, visibility, and assurance of providers, enabling a wide suite of high-quality holiday activities to be made available to children, young people, and families.
- This approach allows for improved, equitable access to support our families.
- This approach affords the Council the opportunity to encourage engagement between the provider and families of children and young people who attend their setting, building positive and trusting relationships between both parties and a cycle of robust evaluation which we can use to inform future commissioning.
- A robust programme will be in place for the whole of the financial year which will include a rich and varied programme of play and leisure



activities to improve the cognitive, physical, social, and emotional well-being of children and young people.

- Officers will be able to ensure that there is a comprehensive initial assessment process in place, documentation reviews are scheduled to certify that policies and risk assessments are current and quality assurance visits are organised to provide reassurance on provider delivery.
- Officers propose that the initial grant length will be 1 year with an option to extend for a further period or periods of up to 2 years (as two 1-year extensions subject to good performance).

### **Option 3 – Offer a reduced Short Break and Holiday Activity programme.**

- Due to budget pressures in recent years, some Local Authorities have had to reduce their short break and holiday activity offerings, leading to less provision for some families. This option has been discounted because of the adverse impact that this would have on our children, young people, and their families.

- 3.6 Officers intend to use Eequ which is a functional booking platform which enables providers to list and manage bookings including communicating with bookers and recording attendance sessions. Parents/carers will only need to enter the details of their child/young person once, and then view all short break options and manage bookings in one place. The Council is currently using Eequ for the free Holiday Activities and Food (HAF) programme which is available to families who receive benefit-related free school meals, many of whom have SEND and Education and Health Care Plans (EHCPs). Feedback received on the system from parents/carers and providers has been very positive.
- 3.7 By working closely with the HAF team, much of the grant process and programme standards align, which ensures consistency for providers. Shared use of Eequ also means families who are eligible for HAF and Short Breaks have a more consistent and improved user experience.
- 3.8 This model also provides good value for money with a unit cost that is comparable to similar provisions in other authorities.

The full commissioning timetable is set out below:

<b>Activity</b>	<b>Timeline</b>
Agreement for the proposed option is sought at Children, Families and Schools Committee	6 <sup>th</sup> November 2023
Finalise application documents	16 <sup>th</sup> November 2023
Eequ Booking Portal is set up	16 <sup>th</sup> November 2023
Provider grant process launches, and Provider Information Pack (setting out programme expectations) and application forms are sent out	21 <sup>st</sup> November 2023
Deadline for receipt of applications	8 <sup>th</sup> January 2024

Mobilisation Period begins:	
Quality Assurance of Providers begins (including review of compliance documentation)	1 <sup>st</sup> December - 8 <sup>th</sup> January 2024
Ongoing programme oversight by key stakeholders – key meeting points are booked in January, February and March	January 2024 – March 2024
Grant panel meet to review applications and agree funding decisions.	22 <sup>nd</sup> January 2024
Providers are informed of grant funding decisions	31 <sup>st</sup> January 2024
Eegu provide support to Providers to upload their Easter 2024 programme listing for the Short Breaks and Holiday Activities	1 <sup>st</sup> February 2024 – 18 <sup>th</sup> February 2024
Booking system for SEND Short Break and Holiday Activities Programme is launched to families	19 <sup>th</sup> February 2024
Workshops with parents/carers, Social Workers and Schools are in place to support use of new Eegu system	19 <sup>th</sup> February 2024 – 8 <sup>th</sup> March 2024
SEND Short Breaks and Holiday Activities Programme launches – Easter 2024	

#### 4. Community engagement and consultation

- 4.1 The timescales to implement this activities programme are tight, but in the time available we have undertaken consultation with stakeholders. PaCC have also surveyed the parent/carer community with a list of the activities that providers have expressed an interest in providing to determine the appetite for this and address any gaps. ([See Appendix D](#))
- 4.2 Officers have also surveyed activity providers and collated initial expressions of interests and have had good engagement with this (see results in [Appendix A](#))
- 4.3 A working group has also been established to review and shape future provision and the Council are working in co-production with PaCC and other providers to develop this new offer.

#### 5. Conclusion

- 5.1 The proposed Option 2 offers a coordinated approach to improve the local offer so that families can access information about short breaks and holiday activities in their locality, as well as undertaking work with the market to increase Universal Services and the ability to provide for children and young people with disabilities. This will be undertaken through co-production work with PaCC to ensure it meets children and young people and their families needs and will be in place for Easter 2024.

## 6. Financial implications

- 6.1 The corporate budget process for 2024/2025 is underway and will conclude at Budget Council in February 2024.
- 6.2 At this stage, it is anticipated that there will be an initial core budget of £0.130M available.
- 6.3 Families will also be able to use Direct Payments to access the proposed range of new provision over the holiday periods. Currently the annual spend on children's direct payments is approximately £1.04M.

Name of finance officer consulted: Steve Williams    Date consulted: 10/10/23

## 7. Legal implications

- 7.1 The Public Contracts Regulations 2015 and the Council's contract standing orders do not apply to grants but the Council must comply with the standard financial procedures in Part 7.4 of its constitution. As a grant, the detailed service provision cannot be specified, measured or managed in the same way as under a contract and as such the grant recipient is not obliged to deliver the required provision. The Council is therefore at risk of legal challenge on the ground that it is in breach of its statutory duty if the grant recipients fail to deliver the required provision although the risk is considered low where there are multiple providers.
- 7.2 If the grant awarded over an applicable period of up to 3 financial years is under £315,000 then it will be "Minimal Financial Assistance" under the Subsidy Control Act 2022 and therefore will not be subject to the Subsidy Control Act 2022 requirements. If it is above this level then the Council will need to consider the subsidy control principles and decide if it is a subsidy under the Subsidy Control Act 2022. If so, the Council needs to ensure that the financial award made is consistent with those principles.

Name of lawyer consulted: Manjinder Nagra    Date consulted: 12/10/23

## 8. Sustainability implications

- 8.1 An equality impact assessment has been completed at [Appendix C](#).
- 8.2 The consultation that took place for the SEND Strategy (2021 – 2026) sought to gain the views and experiences of a wide range of children and young people with disabilities and complex health needs, and their parents/carers. This included ensuring that it was informed by the needs of children and young people of different ages, genders, ethnic backgrounds and with different disabilities and needs. The feedback was that children and young people with SEND want to have access to a range of opportunities through short breaks in their communities and a commitment in the Strategy to deliver on this. **(Inclusion Pathway Priority 5 and Pathway Priority 10).**
- 8.3 The programme will be designed to be a transparent, fair and equitable

process for all children and young people with disabilities, and their families and the implications for protected groups have been taken into consideration.

## **9. Sustainability implications**

- 9.1 The Council is committed to taking responsibility for its own impact on the environment, and when working with providers we will ensure that there is a commitment to a shared goal to address climate and biodiversity targets by reducing our carbon footprint.
- 9.2 The Corporate Plan (2023 – 2027) prioritises investing in the City, and within this we will ensure that we are promoting an inclusive economy that promotes equality of opportunity and shared prosperity in the City. We will support local charities and businesses to grow talent and create more jobs whilst also celebrating and supporting the ability of our providers to show diversity in their activities offer.

### **Appendices:**

Appendix A: [Analysis of the Provider Expression of Interest Survey](#)

Appendix B: [The Dataset of SEND Needs](#)

Appendix C: [Equality Impact Assessment](#)

Appendix D: [PaCC Survey of parents/carers](#)

# **SEND Short Breaks and School Holiday Activities**

## **Results of Expression of Interest Survey**

**September 2023**



# A variety of Providers have responded to the Survey:

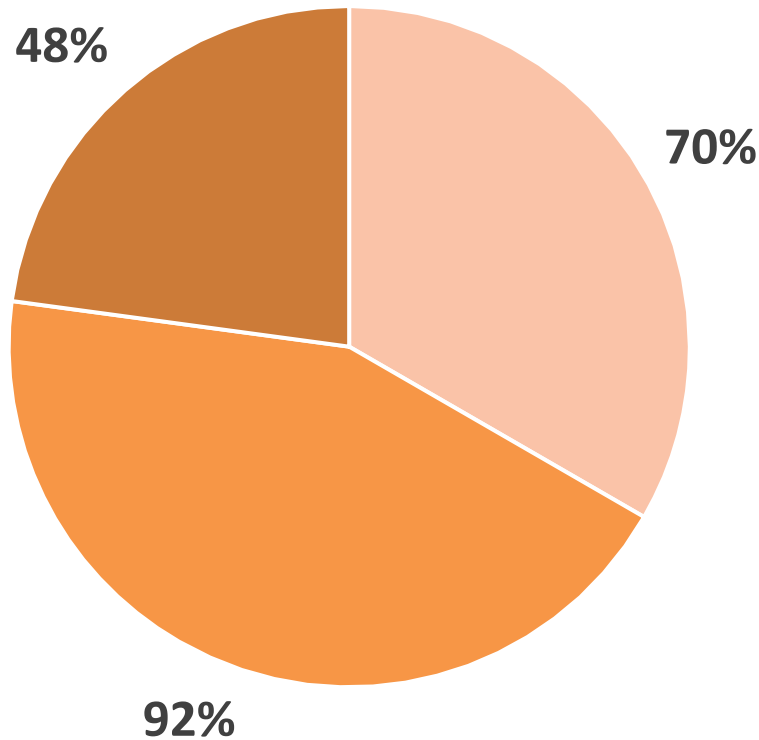
- Active8 For Kids (U + T)
- Amaze (T + S)
- Audio Active (U, T + S)
- Aspens (U + T)
- Barnardos (U, T + S)
- Brighton Ballet School (U + T)
- Brighton Cookery School (U + T)
- Brighton & Hove Albion Foundation (T)
- Brighton Table Tennis Club (T)
- Bstarz (U + T)
- Chestnut Tree House (T + S)
- Defiant Sports (U, T + S)
- Dongnaba (African Drumming) (U, T + S)
- Down Syndrome Development Trust (T + S)
- Grow Wild Outreach (U, T + S)
- Head2Head Theatre (T)
- Kangaroos (T + S)
- Lodge Hill (U, T + S)
- Nutley Edge Activity Break (T)
- Out of Bounds (U + T)
- Parable Dance CIC (U + T)
- Spiral Sussex (U)
- Sport Works (Multi Activity and Wellbeing Programmes) (U + T)
- Summer Adventure Camp (U, T + S)
- Streetfunk Dance CIC (U, T + S)
- Treasure Boxing Club (U + T)
- Valour Youth (T + S)



U = Universal Offer, T = Targeted Offer, S = Specialist Offer

# Type of Short Breaks offer

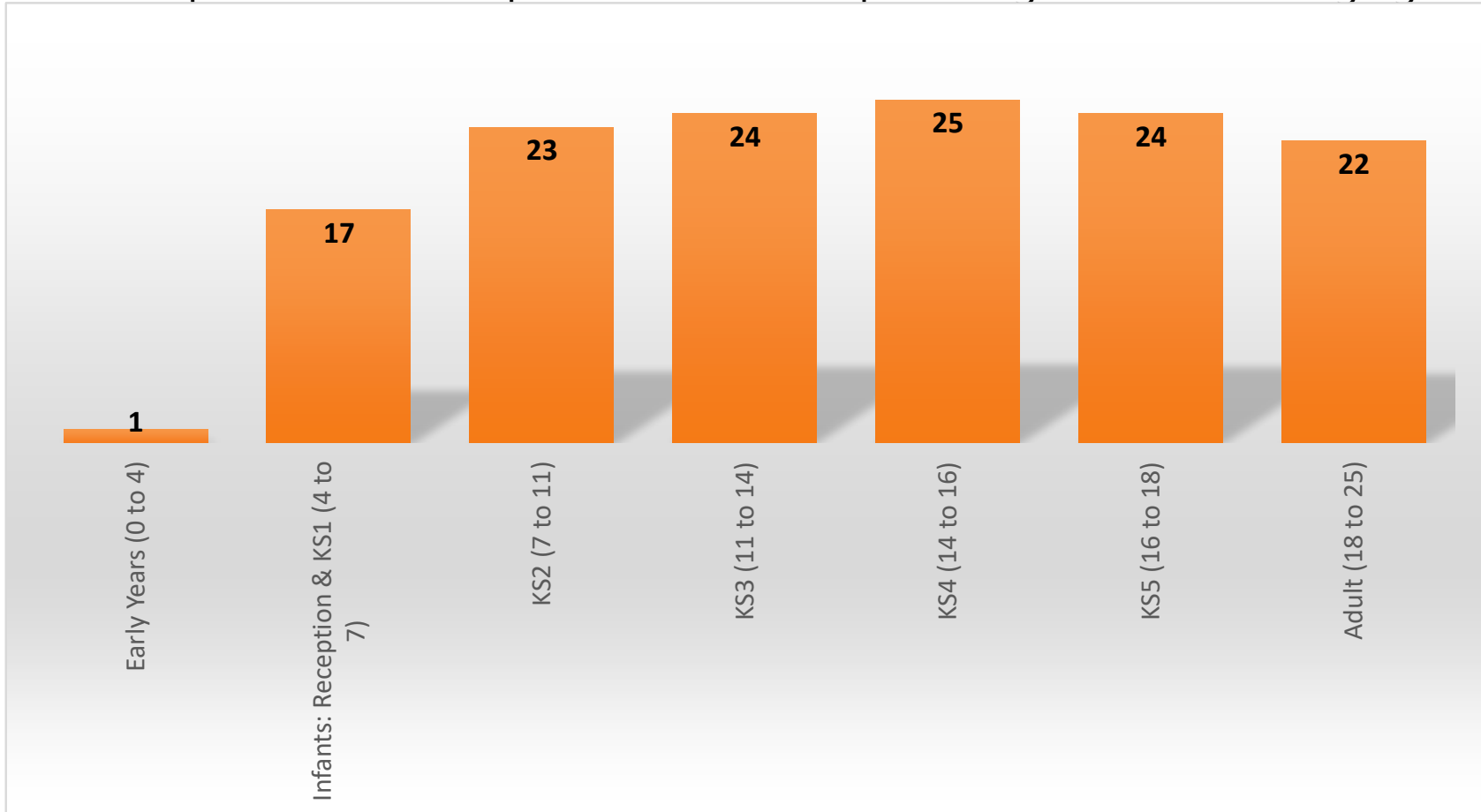
Providers have expressed interest in providing the following types of Short Breaks offer:



<b>Universal Offer</b>	<b>70%</b>	<b>(19 Providers)</b>
<b>Targeted Offer</b>	<b>92%</b>	<b>(25 Providers)</b>
<b>Specialist Offer</b>	<b>48%</b>	<b>(13 Providers)</b>

# Age range

Number of providers who expressed interest in providing for the following age ranges:



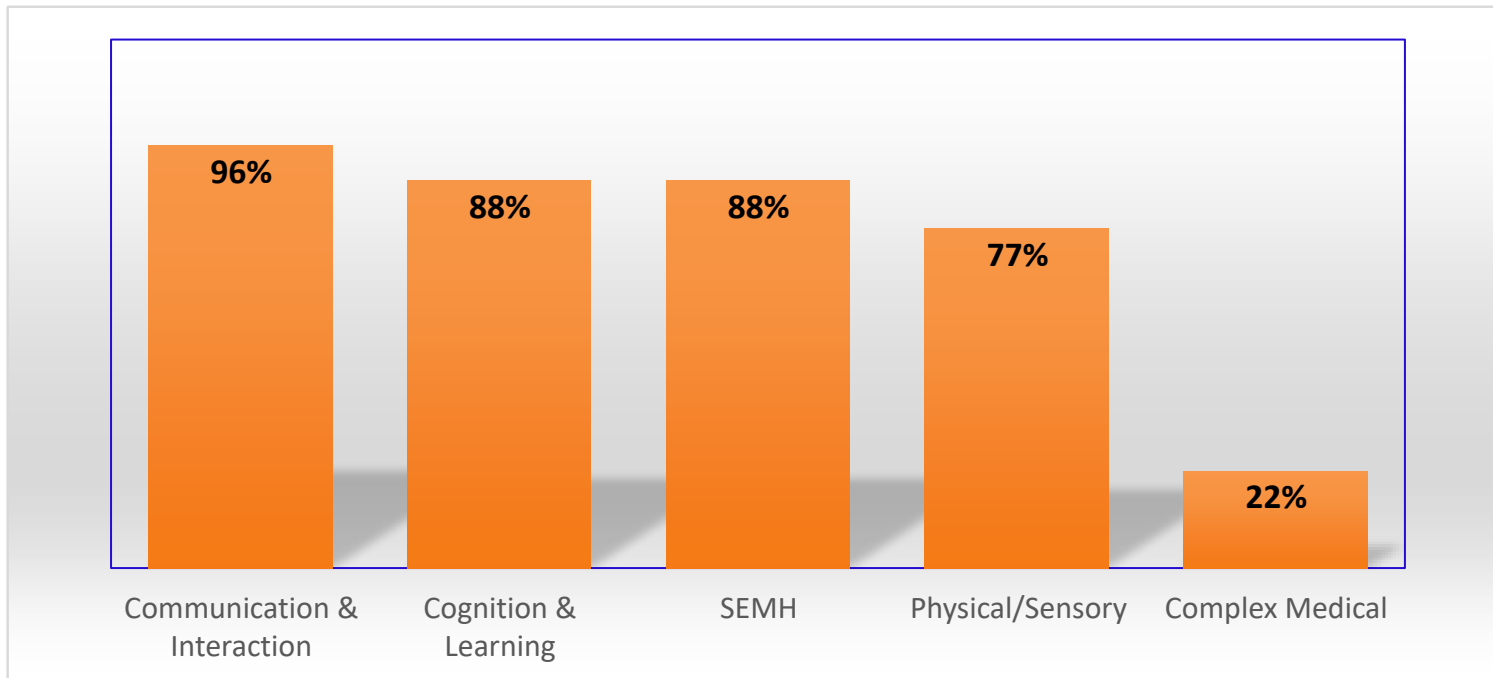
**38% (10 providers) expressed interest in delivering to the whole age range of 4-25 years**





# Type of Short Breaks offer

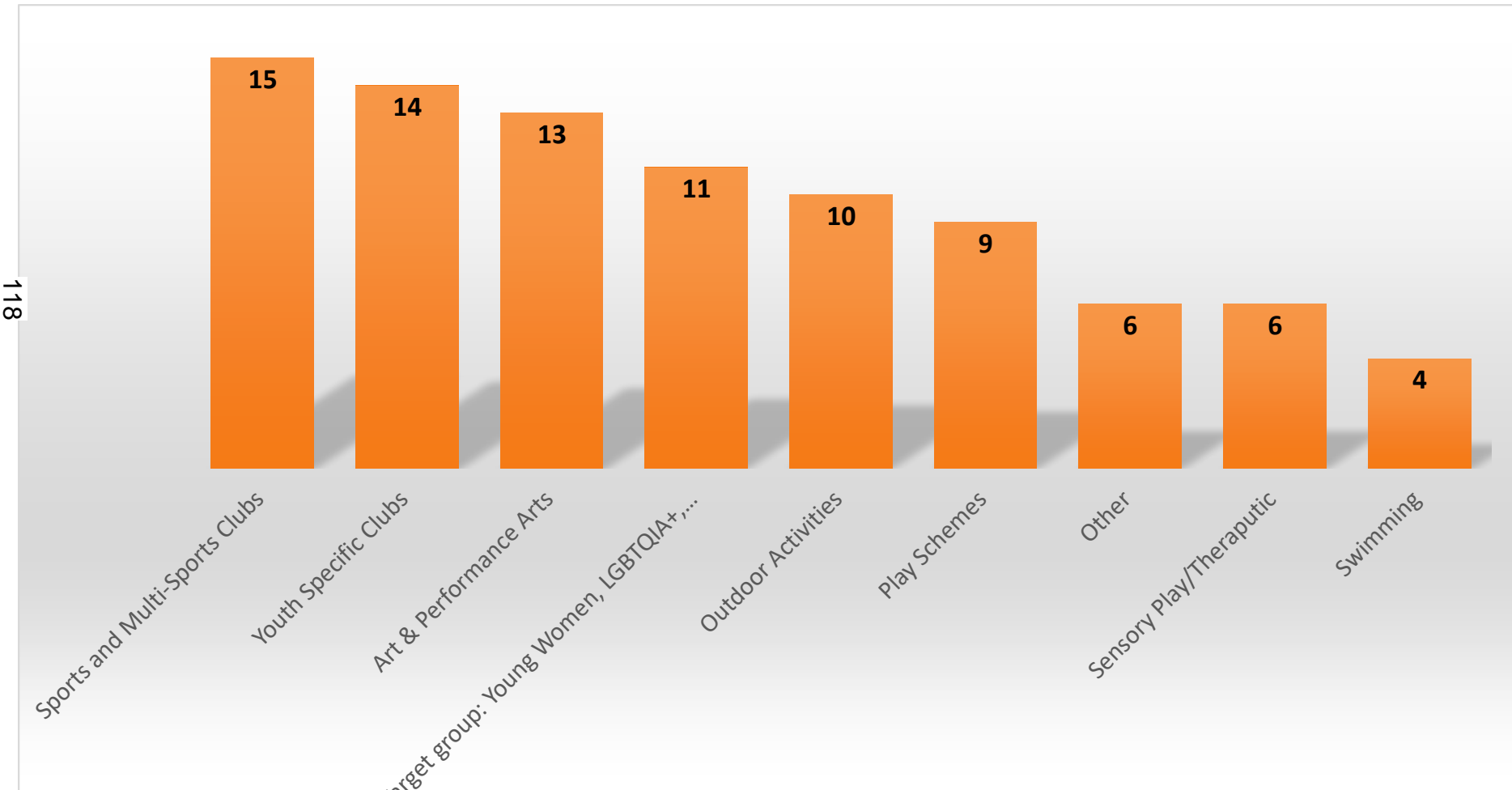
Providers have expressed interest in providing for the following range of need:



<b>Communication &amp; Interaction</b>	<b>96%</b>	<b>(26 Providers)</b>
<b>Cognition &amp; Learning</b>	<b>88%</b>	<b>(24 Providers)</b>
<b>SEMH</b>	<b>88%</b>	<b>(24 Providers)</b>
<b>Physical/Sensory</b>	<b>77%</b>	<b>(21 Providers)</b>
<b>Complex Medical</b>	<b>22%</b>	<b>(6 Providers)</b>

# Range of activity

Number of providers who expressed interest in providing the following range of activity:



# Geographical areas

Providers have expressed interest in delivering in the following geographical areas:

**Locations around  
Brighton & Hove**  
7 providers



**West Brighton**  
3 providers

**East Brighton**  
3 providers

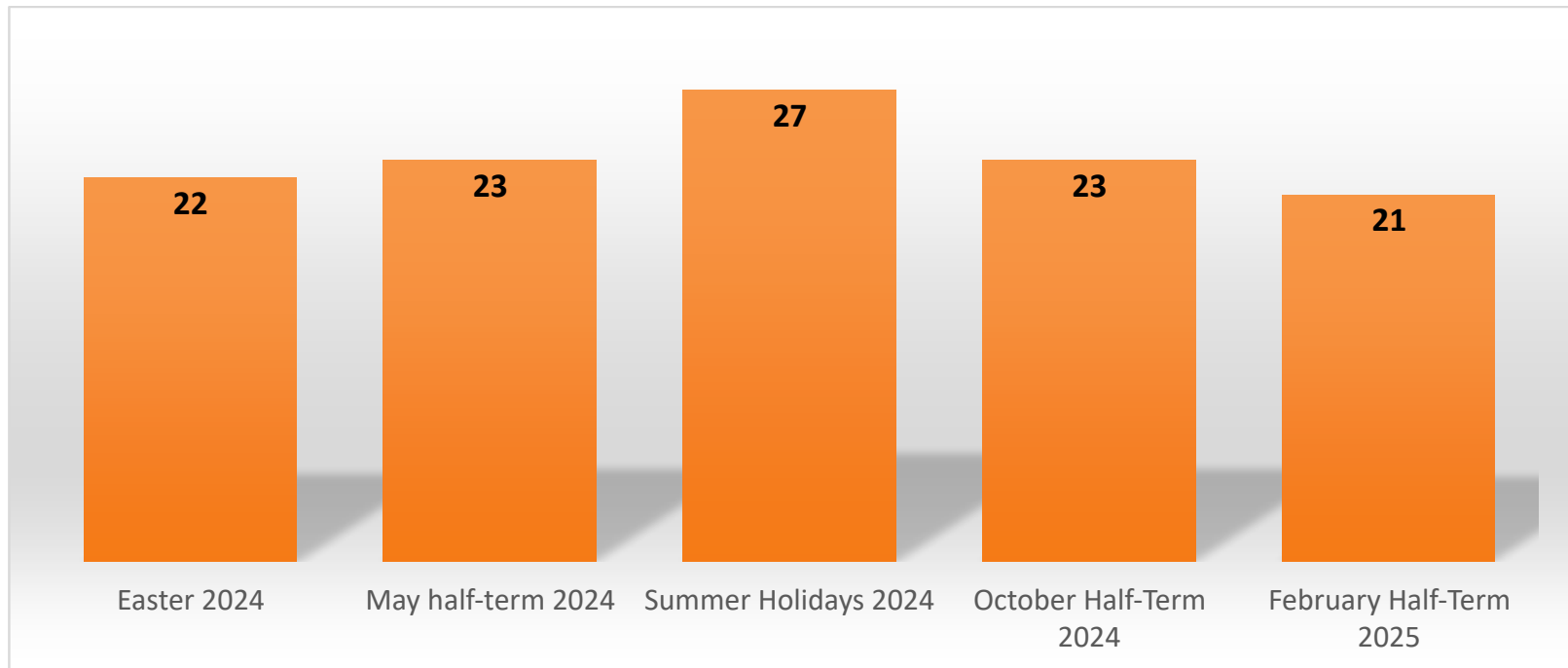
**West Sussex**  
4 providers

**Central Brighton**  
7 providers

**East Sussex**  
3 providers

# Holiday periods

Providers have expressed interest in delivering during the following holiday periods:



Holiday period	Providers	% of providers
Easter 2024	22	81%
May half-term 2024	23	85%
Summer Holidays 2024	27	100%
October Half-Term 2024	23	85%
February Half-Term 2025	21	77%



# Costs

The following approximate costs per hour are dependent on participants needs, duration of sessions, and types of activities undertaken.

	Approximate number of participants per session	Cost per hour	East Sussex County Council cost per hour	West Sussex County Council cost per hour
<b>Universal</b>	20 – 30	*£3.00 - £12.50	*No costings available	No costings available
<b>Targeted</b>	8 – 20	£5.00 - £20.00	£9.73	£7.23 - £21.00
<b>Specialist</b>	4 – 12	£10.00 - £35.00	No costings available	£17.86 - £30.17

\*Some fully funded sessions



# Compass B&H Data - Short Breaks Evaluation

## August 2023

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# About the Data

The dataset analysed for this report is for those registered on Compass B&H who were aged 4 to 18 years at registration and who have registered in the last 3 years. Children and young people (CYP) on the register have been grouped into the following age groups:

- 4 to 7 years
- 8 to 10 years
- 11 to 13 years
- 14 to 18 years

*It should be noted that that some of these 4 year olds will not be in school yet, but have been included as there is the potential that they could be in school if facilities were available.*



# Categories of Need

The following are the 5 categories of need that we are looking to support over the holiday provision. The data within these slides will show which category it falls into by the associated colour code.

- **Communication and Interaction (including Autistic Spectrum Condition (ASC), Speech, Language and Communication Needs (SLCN))**
- **Cognition and Learning (including Dyscalculia, Dysgraphia, Dyslexia, Dyspraxia, Down Syndrome, Moderate Learning Difficulties (MLD), Severe Learning Difficulties (SLD), Profound and Multiple Learning Difficulties (PMLD))**
- **Social, Emotional and Mental Health Difficulties (including ADHD)**
- **Physical and/or Sensory Needs (including Hearing and Visual Impairment, Sensory Processing Difficulties)**
- **Complex Medical Needs**

# Age and Gender

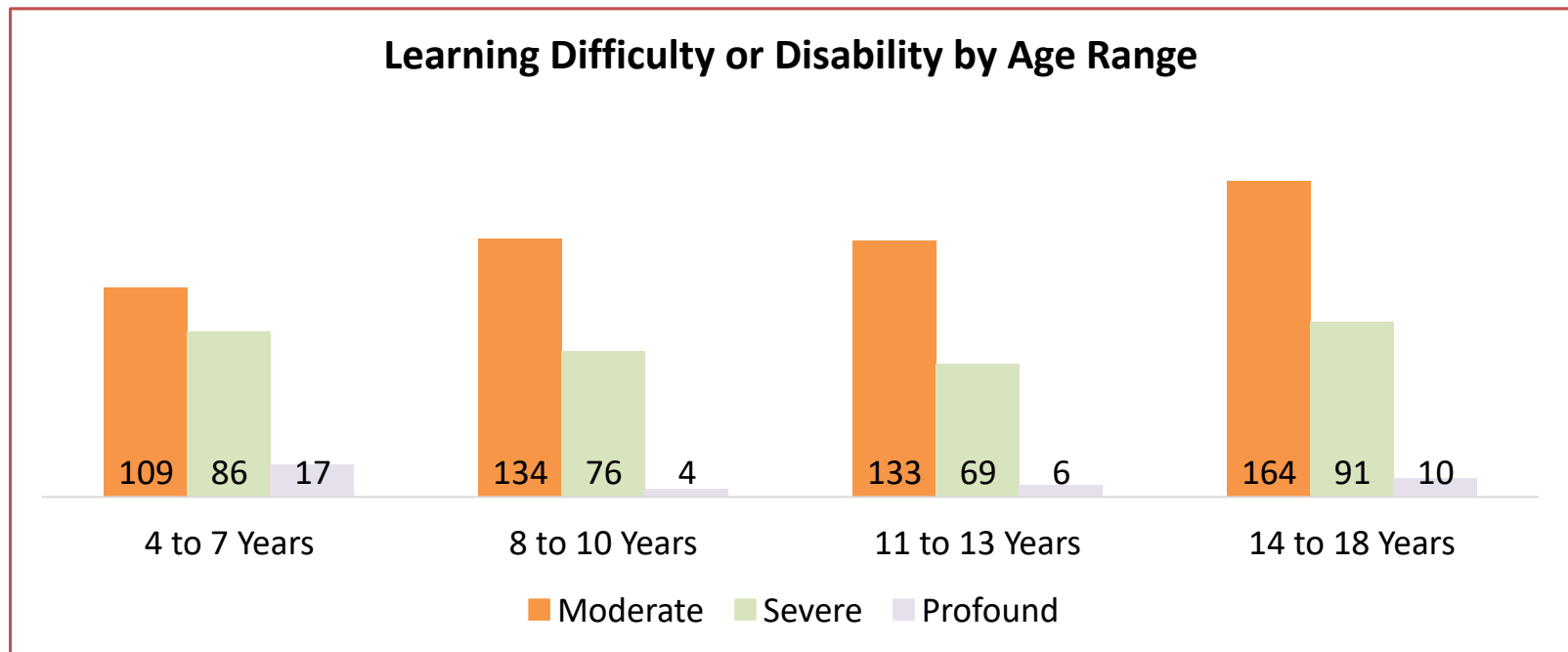
There are **1959** CYP in this dataset. 105 children were aged 4 at registration, 58 (55%) were in school. Table 1 and chart 1 show the gender breakdown for each age range.

Gender	4 to 7 Years	8 to 10 Years	11 to 13 Years	14 to 18 Years
Female	124	142	153	216
Male	300	324	319	349
Other	1	2	3	17
Prefer not to say	1	3	1	4
Total	426	471	476	586

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Chart 2 show the number of CYP with a moderate, severe or profound learning difficulty or disability, by age range – this ties in with the universal, targeted and specialist services



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Brighton & Hove  
City Council

# Refer to handouts....

Specific Conditions and Diagnoses



Microsoft Word  
Document

# P and C feedback from various focus groups and surveys carried out during the period of 2022

There are significant shortfalls and areas of inequality for the city's disabled children

1. There is a lack of appropriate child care clubs and activities that are accessible and can meet the needs of disabled children. This creates a significant inequality - non disabled children can access a wide range of activities after school and in the holidays - sports, writing, art, dance, etc etc promoting skills development, improving self esteem and mental health and giving social opportunities, and as such parents are able to work.
2. Direct payments bar is too high to be eligible, and there is a lack of flexibility in their use. Also, the low hourly rate is unacceptable.

# P and C feedback from various focus groups and surveys carried out during the period of 2022

What is needed?

- *'After school and holiday clubs and activities that can be accessed by disabled children that parents pay for as they do with their non disabled children with access to the inclusion funding to meet the cost of covering the 1:1 required if the child needs 1:1. Ideally this child care provision should be in place at the child's school just as most schools in the city offer some form of wrap around care to support working parents. Additionally the types of holiday clubs that operate in the city for non disabled children should be accessible to disabled children to enable siblings to attend together and/or to enable parents to work. This would evidence true inclusion'*
- Feb 2022 online survey carried out by PaCC, detailed that out of 53 responses 59% said they were getting respite/short breaks but 94% needed more or didn't have any.



## Appendix C

### Equality Impact and Outcome Assessment (EIA) Template - 2019

**EIAs make services better for everyone and support value for money by getting services right first time.**

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users<sup>1</sup>. They analyse how all our work as a council might impact differently on different groups<sup>2</sup>. They help us make good decisions and evidence how we have reached these decisions<sup>3</sup>.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age<sup>13</sup>) or use the hyperlinks ('Ctrl' key and left click).

**For further support or advice please contact:**

- **BHCC: Communities, Equality and Third Sector Team on ext 2301**
- **CCG: Engagement and Equalities team (Jane Lodge/Debbie Ludlam)**

#### 1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed<sup>4</sup>.

<b>Title of EIA<sup>5</sup></b>	Proposal for a SEND Short Break and School Holiday Activities Programme	<b>ID No.<sup>6</sup></b>	
<b>Team/Department<sup>7</sup></b>	Health, SEN, and Disability: Families, Children and Learning		

<b>Focus of EIA<sup>8</sup></b>	<p>The Council commissioned Extratime and Barnardos services to provide their short break and school holiday activities programme, however, both of these organisations are winding up their organisations and will cease their provisions by October 2023 and January 2024 respectively. This EIA is part of the supporting documentation for the new model of delivery that is being proposed to the Children, Families and Schools Committee on 6<sup>th</sup> November 2023.</p> <p>A competitive tendering exercise to provide A SEND Short Break and School Holiday Activities Programme will be commissioned, and this will start at Easter 2024. This will provide better control, visibility, and assurance of providers, enabling a wide suite of high quality social and independence skills development opportunities to be made available to children, young people, and families. A competitively tendered programme allows for improved, equitable access to support our families. It also offers opportunities to encourage engagement between the provider and families of children and young people who attend their provision and build positive and trusting relationships between both parties.</p> <p>Implementation of a robust programme in place for the whole of the financial year will support a rich and varied programme of play and leisure activities to improve the cognitive, physical, social, and emotional well-being of children and young people.</p> <p>Offering short break and school holiday provision is a Statutory Duty and offer a fun and enriching activity for children and young people with SEND as well as providing their families with a chance to rest from caring duties, spend time with siblings and have the opportunity to work.</p>
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## 2. Update on previous EIA and outcomes of previous actions<sup>9</sup>

<b>What actions did you plan last time?</b> (List them from the previous EIA)	<b>What improved as a result?</b> What outcomes have these actions achieved?	<b>What <u>further</u> actions do you need to take?</b> (add these to the Action plan below)
N/A – This is the first EIA	N/A	N/A

## 3. Review of information, equality analysis and potential actions



<b>Groups to assess</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
<b>Age<sup>14</sup></b>	The SEND Short Break and School Holiday Activity Programme is for all eligible children and young people aged 4 – 25 years old.	We worked closely with PaCC and Amaze at the implementation of The SEND Strategy (2021-2026) to ensure that the key priorities reflected the needs of the SEND Community. We have looked at dataset information to assess the needs of children and young people and have worked with providers to meet the needs identified and the activities that children, young people and families want to access.	All children and young people who are eligible to access this Short Break and Activity Programme will have access to a range of activities and specialist support to support their needs.	Monitor and evaluate the provisions offered, ensure that the short breaks and activities commissioned meet the identified needs and that families are able to access these in an accessible way.  As the programme is implemented, the experience of and impact on the children and young people and their families is monitored and provider experience is quality assured and reviewed regularly to ensure a high quality service is delivered.
<b>Disability<sup>15</sup></b>	Short Breaks and School Holiday Activities that are provided will be accessible to those children and young people with a disability and those with more complex medical needs will be signposted to those providers that are able to meet these needs	Play and leisure opportunities help to improve the cognitive, physical, social and emotional wellbeing of children and young people. Children and young people with SEND can be very isolated and short breaks and school holiday activities offer an	There will be a positive impact on children and young people's cognitive, physical, social and emotional wellbeing if they have an opportunity to access a fun and enriching short break or school holiday activity. There will also be a positive impact on their	Monitor and evaluate the provisions offered, ensure that the short breaks and activities commissioned meet the identified needs and that families are able to access these in an accessible way.  As the programme is

<b>Groups to assess</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
	and deliver an enriching experience for those attending.	opportunity to learn through social activities.	families as this will offer them a chance to rest from caring duties, spend time with siblings and have the opportunity to work.	implemented, the experience of and impact on the children and young people and their families is monitored and provider experience is quality assured and reviewed regularly to ensure a high quality service is delivered.
<b>Gender reassignment<sup>16</sup></b>	There will not be any disproportionate impacts identified for this group.	The Local Authority works closely with organisations to understand the complex needs of gender diverse young people.	Providers will be asked how they will meet the needs of diverse groups and ensure equality of opportunity for all. If impacts are identified the Local Authority will refer to the Policy and the Trans Toolkit and seek guidance on how this can be adapted to meet the needs of the cohort.	Ensure that the booking system used by parents/carers and children and young people informs the planning of any activities to ensure that adjustments are made to reflect any protected characteristics. If this arises there will be a package of support provided through Brighton & Hove's Trans Toolkit, which will be adapted to meet the individual needs of the child/young person.
<b>Pregnancy and maternity<sup>17</sup></b>	There are no disproportionate impacts identified for this group at	There are no disproportionate impacts identified for this group at	There are no disproportionate impacts identified for this group at	There are no disproportionate impacts identified for this group at

<b>Groups to assess</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</sup>?</b> All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	this time.	this time.	this time.	this time.
<b>Race/ethnicity<sup>18</sup></b> Including migrants, refugees and asylum seekers	<p>All children and young people who are eligible will be able to apply for a place on a short break or school holiday activity.</p> <p>We are aware that the impacts of poverty and the cost-of-living crisis impacts more severely on our diverse and ethnic communities and we will review attendance data to ensure that there is a proportionate representation on activities from those pupils who identify as Black and/or part of the Global Majority.</p>	<p>We will ensure that the booking system used by parents/carers and children and young people captures data to ensure that there is a proportionate representation at activities from those pupils who identify as Black and/or part of the Global Majority.</p> <p>We will encourage Providers to work closely with our communities to ensure that the languages, accessibility and time consideration are included. This is to support the different pressures on families from different ethnic backgrounds.</p>	<p>We need to ensure that the profile of children and young people accessing short breaks and activities reflect the proportion of the population with EHC Plans that identify as being Black and/or part of the Global Majority.</p> <p>There is potential for some of these short breaks and school holiday activities to require an extra contribution to attend and this may be difficult for certain communities to find this from their weekly budgets. This is a particular concern for refugee families who work within extremely tight budgets.</p>	<p>Further work needs to be undertaken into the ethnicity of those children and young people who will be attending short breaks and holiday activity programmes to ensure that there is a proportionate representation and equity of access of those who identify as Black and/or part of the Global Majority.</p> <p>If there is not proportionate representation then an action plan will be implemented to ensure that we are supporting children and young people from these communities to attend.</p> <p>Consideration will be given to those families who are unable to fund</p>

<b>Groups to assess</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</sup>?</b> All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				additional contributions so that their child can access short breaks and activities.
<b>Religion or belief<sup>19</sup></b>	It is likely that there will be a range of religions and belief systems within the cohort that will access short breaks and school holiday activities. We will ensure that Providers are compliant with the Equality Act 2010 which simplifies and strengthens the law around tackling discrimination and inequality.	We will ensure that the booking system used by parents/carers and children and young people captures information around religion/belief systems and use this to undertake any further actions required.	Some religious groups have specific days that may mean that children and young people may not be able to attend short breaks or school holiday activities. Providers will be made aware of this and a range of dates and activities will be provided to help accommodate attendance at other times.  Information will be made available in a clear and accessible way, included translated into key languages for the city's migrant population.	We do not currently have information on those pupils that will be attending the short breaks or school holiday activities. We will ensure that any adjustments are made that require observance of a child or young person's religion or belief system and incorporation of sensitive inclusion into the activities. This includes dietary, spiritual and/or attire.  Information will be made available in a clear and accessible way, included translated into key languages for the city's migrant population.
<b>Sex/Gender<sup>20</sup></b>	Additional burdens due to the cost of living could have disproportionate impacts on women due to	Women are more likely to be working part-time, or on a fixed income, than men.	Additional burdens due to the cost of living could have disproportionate impacts on women due to	Additional burdens due to the cost of living could have disproportionate impacts on women due to

<b>Groups to assess</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</sup>?</b> All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	<p>the nature of their employment types and barriers to employment for those with sole childcare responsibilities.</p> <p>There is a limited set of current data on the financial resilience of this characteristic group.</p> <p>Data that we are aware of is:</p> <p>Total Population: 290,395</p> <p>Female: 145,778 Male: 144,616</p> <p>95% of single parents with an open Housing Benefit claim are women.</p> <p>Northgate Report (15/10/2020) Low Income Family Tracker (LIFT) data available pp23 and 24 shows that single parent households (which are most likely to be women) have a higher incidence of being on a</p>	<p>Women are more likely to be single parents.</p>	<p>the nature of their employment types and barriers to employment for those with sole childcare responsibilities.</p> <p>We need to ensure that the profile of pupils accessing the short break and school holiday activities reflect approximately the proportional gender splits.</p>	<p>the nature of their employment types and barriers to employment for those with sole childcare responsibilities.</p> <p>Consideration will be given to those families who are unable to fund additional contributions so that their child can access short breaks and activities.</p> <p>If there is not proportionate representation, then further work will be undertaken to understand why that might be the case and, if necessary, an action plan will be put into place to support.</p>

<p><b>Groups to assess</b></p>	<p><b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff</p>	<p><b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback</p>	<p><b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)</p>	<p><b>What can you do<sup>13</sup>?</b> All potential actions to:  <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul> </p>
	<p>low financial resilience category than couples with children. Single parents are therefore more likely to be in need of crisis support than couples with children.</p>			
<p><b>Sexual orientation<sup>21</sup></b></p>	<p>Same sex parents/carer couples or LGBTQIA+ single parents are part of the demographic.</p> <p>There is likely to be children and young people attending the clubs who identify as LGBTQIA+ as we have a high demographic in the city.</p>	<p>The Local Authority works closely with organisations to understand the complex needs of those children and young people who identify as LGBTQIA+.</p>	<p>Ensure that materials for short breaks and school holiday activities aimed at parents/carers reflect the diversity in the city.</p>	<p>Ensure that parents/carers and their children and young people are referred to and treated with respect to reflect their family situations.</p> <p>The Local Authority works closely with organisations to understand the complex needs of those children and young people who identify as LGBTQIA+ and will adapt any material to ensure it meets their individual needs.</p>
<p><b>Marriage and civil partnership<sup>22</sup></b></p>	<p>There are no disproportionate impacts identified for this group at this time.</p>	<p>There are no disproportionate impacts identified for this group at this time.</p>	<p>There are no disproportionate impacts identified for this group at this time.</p>	<p>No relevant actions identified at this time.</p>

<b>Groups to assess</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
<b>Community Cohesion<sup>23</sup></b>	Different wards have different levels of financial resilience and diverse demographics	Access to short breaks and school holiday activities are dependent on time, parental responsibilities, and financial means	We want to ensure that all eligible families have fair access to the short break and school holiday activities programme.	Consideration will be given to those families who are unable to fund additional contributions so that their child can access short breaks and activities.
<b>Other relevant groups<sup>24</sup></b>  <b>Children in Care and Care Experienced Young People</b>	<p>That Children in Care and Care Experienced Young People are likely to face discrimination.</p> <p>There are 332 children and young people in care, and 381 children and young people previously in care.</p> <p>41% of 19-21 year old care leavers are not in education, employment or training, compared to 12% of other young people the same age.</p> <p>There are 66% with SEND and 35% have an EHCP, compared to 12% of the general population. 50% of children and young people in care have a diagnosable</p>	Brighton & Hove City Council have adopted Children in Care and Care Experienced Young People as a protected characteristic. As Corporate Parent, there is a collective responsibility and demonstrable commitment to ensure that children and young people with care experience are enabled to have the same opportunities as any other child or young person.	We need to ensure that the profile of children and young people accessing the short break and school holiday activities programme reflect the proportion of the care experienced population, so that this group are not discriminated against and have the opportunity to access positive experiences and activities, in a safe space, which will support peer relationships.	<p>Brighton &amp; Hove City Council have adopted Children in Care and Care Experienced as a protected characteristic and will demonstrate commitment to ensure that this group are not discriminated against within the short break and school holiday activities programme.</p> <p>If there is not proportionate representation, then an action plan will be implemented to ensure that we are supporting children and young people from this cohort to attend.</p>

<b>Groups to assess</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
	mental health condition.			
<b>Cumulative impact<sup>25</sup></b>	To ensure that all diverse communities have access to the short break and school holiday activities programme	No relevant information is available at this time.	No relevant information is available at this time.	Ensure that over time the level of access to the short break and school holiday activities programme is maintained. This will be monitored and if we identify any issues not considered or unidentified affects we will review the EIA and address them directly with co-produced actions with impacted groups.
<b>Assessment of overall impacts and any further recommendations<sup>26</sup></b>				
Overall, a positive impact is expected for any impacted groups of children and young people across communities of identity. Data gaps have been identified and the action plan notes potential mitigating solutions to address these, with appropriate monitoring and evaluation in plan.				



#### 4. List detailed data and/or community feedback that informed your EIA

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
Consultation on the SEND Strategy (2021 – 2016) with PaCC and Amaze and other strategic partners	2020	Race and Ethnicity, Religion and Belief, Sex and Gender, Children in Care and Care Experienced Young People	<p>Although some data was available on Race and Ethnicity, the demographic will have moved on significantly in the last 3 years so more up-to-date data is needed.</p> <p>Once the Eequ system is in place and data on these gaps is available, this will be used to inform the planning of future activities to ensure that adjustments are made to reflect any protected characteristics.</p> <p>If the proposal is agreed, we will have relevant data by Autumn 2024 and any adjustments necessary will be implemented for future short break and school holiday activities programmes scheduled.</p>
January 2023 School Census re: BAME	January 2023	Race and Ethnicity data was only provided	See Above

## 5. Prioritised Action Plan<sup>27</sup>

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				
All (except marital status/pregnancy/maternity), specifically in regard to those children and young people with SEND across impacted age groups (intersectionally) and those children and young people that are in care or are care experienced.	<p>Monitor and evaluate experience of and impact on both children and young people and their families due to this change over the course of the short break and school holiday activities programme.</p> <p>Once the programme is established, consideration will be given to ensure that discriminated groups have fair and equal access to positive experiences and activities and opportunities to support peer relationships.</p>	<p>The level of access is maintained over time, equality of access is ensured, and opportunities to extend the offer are explored.</p> <p>Monitoring ensured, identified issues not considered addressed and unidentified impacts explored and addressed upon future reviews of the EIA and addressed directly through co-produced actions with impacted groups.</p>	<p>EIA review completed within a year, post implementation of the short breaks and school holiday activities programme.</p> <p>Monitoring and evaluation reports, speaking to outcomes, access, impact, and opportunities are produced and progress is communicated appropriately.</p>	Duration of proposal and within 1 year of the programme being in post implementation phase.
All (except marital status/pregnancy/maternity), specifically in regard to those children and young people with SEND across impacted age groups (intersectionally) and those children and young people that are in care or are care	Intersectional data-informed, inclusive, and accessible provision provided with more work carried out to understand and mitigate the impact of marginalisation due to race and ethnicity,	<p>The level of access is maintained over time, equality of access is ensured, and opportunities to extend the offer are explored.</p> <p>Monitoring ensured, identified issues not</p>	<p>Data gathering improved, and intersectional insights developed.</p> <p>Data will inform appropriate practice changes as the programme progresses.</p>	Duration of proposal and within 1 year of the programme being in post implementation phase.

<p>experienced.</p>	<p>religion and belief, sex and gender and those children and young people that are in care or are care experienced.</p> <p>Will develop insights of impacted children and young people and families to implement appropriate solutions and any required adjustments.</p>	<p>considered addressed and unidentified impacts explored and addressed upon future reviews of the EIA and addressed directly through co-produced actions with impacted groups.</p> <p>Appropriate packages of support provided by the Brighton &amp; Hove Trans Toolkit will be adapted to meet the individual needs of any child or young person.</p> <p>Further intersectional data insights work undertaken into ethnicity of those children and young people attending the short breaks and school activities programme will ensure that there is at least proportionate representation and equity of access of those that identify as Black or Global Majority.</p> <p>Appropriate action plan developed and implemented to ensure support provided for disproportionately and under-represented</p>	<p>Expected that outcomes will be successfully met.</p> <p>Culturally sensitive and inclusive provisions in activities and engagement and treatment are successfully delivered and evaluated through feedback from children and young people and their families.</p> <p>Disproportionately impacted and under represented children and young people and families are provided equitable access, information and opportunity to attend these activities.</p> <p>Cost of living burdens and disproportionate impacts due to protected characteristics are considered in provision and access.</p> <p>Inclusive adjustments are identified and provided appropriately, mechanisms to report issues and raise concerns created and</p>	
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		<p>children and young people from communities of identity have equal access, information, and opportunity to attend.</p> <p>Additional burdens due to the cost of living and disproportionate impacts on families with impacted children reviewed, especially for those facing disproportionate barriers to employment for those with sole childcare responsibilities and in LGBTQIA+, disabled, and Black and Global Majority families.</p> <p>Providers, in partnership with the LA, will meet their commitments to ensure that extra support is provided to families who are unable to fund any additional contribution so that their child or young person can attend the club</p> <p>Required inclusive adjustments are made for disabled and LGBTQIA+ children, including observance of</p>	<p>implemented successfully.</p> <p>Information widely distributed and communities of identity are widely engaged with. Demonstrable engagement data and outcomes are reported on.</p>	
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		<p>cultural religious or belief systems, are sensitively and inclusively provided and incorporated into activities. This includes any dietary, spiritual and/or attire requirements.</p> <p>Information about support is accessible to all groups and is widely distributed through all communities of identity through diverse and inclusive community engagement.</p>		
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**EIA sign-off:** (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

**Staff member completing Equality Impact Assessment:**

Michelle Hunt, Programme Manager FCL (Policy & Business Support)

**Date:** 4th October 2023

**Directorate Management Team rep or Head of Service/Commissioning:**

Georgina Clarke-Green, Assistant Director, Health, SEN & Disability

**Date:** 4<sup>th</sup> October 2023

**CCG or BHCC Equality lead:**

**Date:**

## Guidance end-notes

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<sup>1</sup> The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

### <sup>2</sup> Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people in relation to their ‘protected characteristics’ (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups’ vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

**The following are the duties in the Act. You must give ‘due regard’ (pay conscious attention) to the need to:**

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **advance equality of opportunity.** This means the need to:
  - Remove or minimise disadvantages suffered by people due to their protected characteristics
  - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
  - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
  - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
  - Tackle prejudice
  - Promote understanding

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<sup>3</sup> EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected within the context

The greater the impacts, the more thorough and demanding the process required by the Act will be.

<sup>4</sup> **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

**Do you need to complete an EIA? Consider:**

- Is the policy, decision or service likely to be relevant to a specific group or groups (eg: older people)?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

<sup>5</sup> **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

<sup>6</sup> **ID no:** The unique reference for this EIA. If in doubt contact your CCG or BHCC equality lead (see page 1)

<sup>7</sup> **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

<sup>8</sup> **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

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This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

<sup>9</sup> **Previous actions:** If there is no previous EIA or this assessment if of a new service, then simply write 'not applicable'.

<sup>10</sup> **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on specific groups of the policy/decision/service is available?<sup>10</sup>
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the groups identified above in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: <http://www.bhconnected.org.uk/content/needs-assessments> and Community Insight: <http://brighton-hove.communityinsight.org/#> ) and national ones where they are relevant.

<sup>11</sup> **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
  - (a) consult when proposals are still at a formative stage;
  - (b) explain what is proposed and why, to allow intelligent consideration and response;
  - (c) allow enough time for consultation;
  - (d) make sure what people tell you is properly considered in the final decision.



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- Try to consult in ways that ensure all perspectives can be considered.
  - Identify any gaps in who has been consulted and identify ways to address this.

<sup>12</sup> Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
  - Are one or more groups affected differently and/or disadvantaged? How, and to what extent?
  - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
  - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
  - If there is negative differential impact, how can you minimise that while taking into account your overall aims
  - Do the effects amount to unlawful discrimination? If so the plan must be modified.
  - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

<sup>13</sup> Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to improve the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

<sup>14</sup> **Age:** People of all ages

<sup>15</sup> **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

<sup>16</sup> **Gender Reassignment:** A transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected

<sup>17</sup> **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

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<sup>18</sup> **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

<sup>19</sup> **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

<sup>20</sup> **Sex/Gender:** Both men and women are covered under the Act.

<sup>21</sup> **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

<sup>22</sup> **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

<sup>23</sup> **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

<sup>24</sup> **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum etc

<sup>25</sup> **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

<sup>26</sup> **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

<sup>27</sup> **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

## Report for Short Breaks Survey Sept 2023

### Response Counts

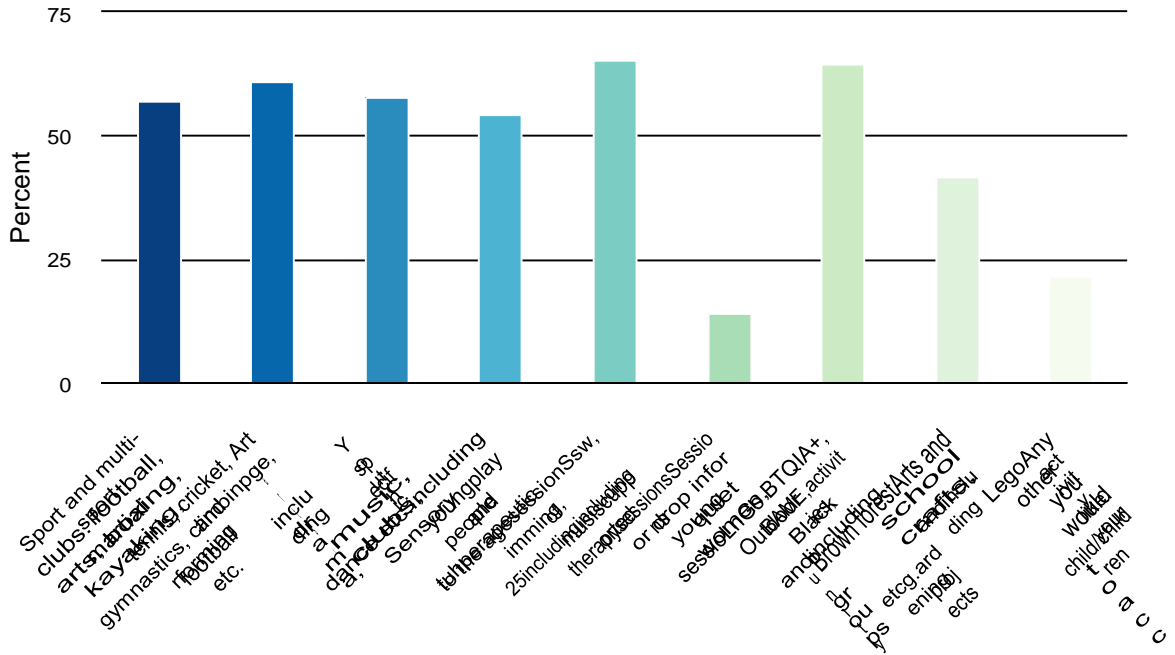


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**Totals: 106**

# 1. Which short breaks/activities would you like your child to access?

Please tick as many boxes as you want:



Value	Percent	Responses
Sport and multi-sport clubs: football, martial arts, boxing, kayaking, tennis, cricket, gymnastics, climbing, football etc.	57.1%	60
Art and performing arts, including drama, music, dance etc.	61.0%	64
Youth specific clubs, including young people up to the age of 25	58.1%	61
Sensory play and therapeutic sessions, including music therapy	54.3%	57
Swimming, including supported sessions or drop in quiet sessions	65.7%	69
Sessions for young women, LGBTQIA+, BAME, Black and Brown unity groups etc.	14.3%	15
Outdoor activities, including forest school and gardening projects	64.8%	68
Arts and crafts, including Lego	41.9%	44
Any other activity you would like your child/children to access:	21.9%	23

**Any other activity you would like your child/children to access: Count**

Cooking	1
Cooking/baking	1
Down syndrome specific sessions with the young people he has known since he was a baby.	1

Gym	1
Horse Riding	1
Horse riding/horse/stable management	1
Paddleboarding - surfing - Horse riding	1
Supported access to discos, bands and nights out. Cookery too.	1
opportunity to work with animals	1
A gaming club	

# Brighton & Hove City Council

## Children, Families & Schools Committee

## Agenda Item 35

**Subject:** Bright Start Nursery Options Proposal

**Date of meeting:** 6 November 2023

**Report of:** Executive Director – Families, Children and Learning

**Contact Officer:** Name: Jo Templeman  
Email: [jo.templeman@brighton-hove.gov.uk](mailto:jo.templeman@brighton-hove.gov.uk)

**Ward(s) affected:** All

**For general release**

### **1. Purpose of the report and policy context**

- 1.1 Bright Start Nursery is located within an unsuitable building for nursery provision with uncertainty regarding the future of the building.
- 1.2 Bright Start Nursery had been proposed for closure during the 2023/24 budget setting process, but funding was secured to sustain the nursery for a further year until 2024/25.
- 1.3 The report will outline the options for Bright Start Nursery to reduce the subsidy it receives from the council including moving its location and to ensure there remains sufficient places for disadvantaged early years children.

### **2. Recommendations**

- 2.1 That the Committee note the circumstances of Bright Start Nursery in terms of its location, availability of places in the surrounding area and the numbers and needs of children attending the setting.
- 2.2 That Committee agrees the preferred option to move the Bright Start Nursery provision to Turner Family Hub as outlined in the paper.

### **3. Context and background information**

- 3.1 Bright Start Nursery is based in the converted Slipper Baths within the Prince Regent Swimming Complex in Brighton. Bright Start Nursery is located in one of the most disadvantaged areas of the city and is rated Good by Ofsted. Bright Start Nursery operates 8:00 am – 6:00 pm Monday to Friday, 51 weeks per year and is currently a 55 place setting.
- 3.2 The council had a projected budget deficit of £14 million for the financial year 2023/24. Families, Children and Learning (FCL), together with other council directorates, had been asked to identify budget proposals to address this budget gap. Bright Start Nursery had been proposed for closure as part

of the 2023/24 budget setting process, but funding was secured to sustain the nursery provision for a further year until 2024/25.

### **3.3 Financial position**

- 3.3.1 Bright Start Nursery receives a General Fund subsidy of £104k per year and in 2022/23 had an additional one-off £68k pressure funding allocated to prevent a budget shortfall. After budget increases due to pay uplifts to staff salaries, the final financial position for 2022/23 was a total council subsidy of £224k, against total net expenditure of £256k, which resulted in an overspend of £32k.
- 3.3.2 Based on the total 2022/23 cost to the council's General Fund, Bright Start Nursery effectively received a £5,970 council subsidy per child based on 43 children on roll as of April 2023.
- 3.3.3 The subsidy for Bright Start Nursery for the 2023/24 financial year is £235k, and this includes a share of the additional pressure funding of £150k that has been allocated in 2023/24 to supplement the existing council subsidy across all council nurseries.
- 3.3.4 The hourly charge per child across all council run nurseries is £6.00 which equates to a half-day charge of £30.00 (£32.65 including meals) and a full-day cost of £60.00 (£65.30 including meals).

### **3.4 Building**

- 3.4.1 Bright Start Nursery is a tenant of the Old Slipper Baths which, as part of the Prince Regent Swimming Complex site, is a building asset managed by the council's Sport and Leisure Service. The Old Slipper Baths building is not well suited for nursery provision due to its long narrow layout, a lack of free access to a limited outside space and a shared entrance area.
- 3.4.2 A condition survey on the Old Slipper Bath building, carried out in 2019, highlighted specific defects and estimated the building required circa. £500k investment going forward. The main purpose of the survey was to establish the condition of the internal and external fabric together with the mechanical and electrical services in order to maintain the building in a good wind and watertight condition over a 15-year forecast. The survey highlighted several areas of work which included brick and stonework; the building's heating system; light fittings; and roofing.
- 3.4.3 A new survey was completed on 22<sup>nd</sup> February 2023 and we are awaiting the final report from Property & Design. It is anticipated that this report will highlight an increase on the 2019 £500k estimate given the increase in building costs over the past 4 years.
- 3.3.4 The current portfolio of leisure buildings (which includes the Old Slipper Baths) requires significant investment to maintain them for the next 15 years, which does not provide best value in the longer term. The focus of the Sports Facilities Investment Plan (see Appendix 1) is to provide sports



facilities which are modern and well located to provide better opportunities for residents to engage in sport and physical activity. The aim is to focus resources on the provision of well designed, more efficient, sustainable buildings, both in financial and energy related terms.

- 3.4.5 The future of the Old Slipper Baths will be linked with the potential future of the Prince Regent Swimming Complex site in terms of the East Hub sports facilities. This will require more detailed feasibility work on the business case along with the cost of delivery and potential future capital returns by sport and leisure. There is no timescale identified for this work to be concluded.
- 3.4.6 The nursery currently shares the building, main entrance and associated fire alarm systems with other tenants. A suitability survey was completed on 4<sup>th</sup> August 2023 with a score of 46% meaning it had poor suitability for the purpose of use.

### **3.5 Sufficiency**

- 3.5.1 The city's Childcare Sufficiency Assessment was presented at the June 2023 CF&S Committee. There has not been a fall in the number of early years childcare places in the city, though these are now concentrated in a smaller number of providers. All areas of the city have access to early years provision, although there is more choice in some areas than others. There has been a significant reduction in the number of Childminders. Parents are generally happy with the quality of provision but find it expensive and would like more flexibility and choice.
- 3.5.2 In the March 2023 Budget, the government announced its plan to extend eligibility for free childcare to children from the age of nine months whose parents are working. This new extended entitlement will be rolled out gradually starting in April 2024 and implemented fully by September 2025. The Early Years Team is currently reviewing childcare sufficiency in the light of this extended entitlement; more early years places will be needed but existing providers' capacity to expand needs to be assessed.
- 3.5.3 There are 50 PVI (Private, Voluntary, Independent) nurseries / pre-schools less than two miles walking distance from Bright Start Nursery with five maintained nursery schools/nursery classes. 38 of the PVI nurseries/pre-schools (76%) offer full day care all year round and 32 taking children from 0 as shown in Appendix 2.
- 3.5.4 While there is a significant amount of alternative provision within two miles of Bright Start Nursery, most of which is open all year-round taking children from birth. Bright Start Nursery has a high percentage of disadvantaged children on roll, last term 28% received Early Years Pupil Premium, 16% were 2 Year Funded, and 31% were SEND children.

### **3.6 Nursery places and children on roll**

- 3.6.1 25 of the 65 children attending Bright Start Nursery will be of school starting age in September 2024 so are not impacted by any proposed changes as outlined in this report.
- 3.6.2 41 children are currently under 3, of which 8 children are currently under 2, with 3 children under 1 and these families would be impacted by the proposals in this paper. The council is committed to supporting these families into the new model or appropriate alternative provision, if any changes were made to Bright Start Nursery.
- 3.6.3 As 52% of children attending Bright Start Nursery have an ethnic background other than White British and 67% have English as an additional language. The Ethnic Minority Achievement Service will use Home School Liaison Officers to support families to explain any changes and where appropriate this support would be provided in their home language.
- 3.6.4 24% of children attending Bright Start Nursery are children with SEND and will be supported with any changes via the Family Hubs team and Brighton and Hove Inclusion Support Service.

### **3.7 Staffing**

- 3.7.1 Bright Start Nursery has 18 staff and a formal staff consultation will be required if any changes are made to Bright Start Nursery. As of October 2023, there are 303 hours of vacancies across all council run nurseries, equating to 8.19 full-time posts with none of these vacancies at Bright Start Nursery.

## **4. Options**

### **4.1 Option 1**

- 4.1.1 Do nothing. This would leave the nursery in unsuitable accommodation with an uncertain future and would require a continued General Fund subsidy of circa £220k (current subsidy plus 2024/25 inflation) including £30k increase in funding from increased entitlement.

### **4.2 Option 2**

- 4.2.1 Move Bright Start Nursery to Tarner Family Hub which is within 500 yards of Bright Start from September 2024, offering 16 places per session for 2- 5 year olds, 47.5 week per year for 8 hours a day. In this model there would be 10 half-day (4 hour) sessions for 16 children each per week, therefore there are 160 session places available per week. Children that use Early Years Free Entitlement (EYFE) funded only sessions (12 hours per week) would get 3 sessions per week, which would allow for 53 spaces per week. Children that use EYFE Extended Funding (24 hours per week) would get 6 sessions per week, which would mean there are a maximum of 22 extended funding spaces per week. Looking at the current cohort, children take up an average of 4 sessions per week, therefore there would be space for 40 children using funded hours per week in this proposed model.

- 4.2.2 The new provision would prioritise disadvantaged groups, ensure spaces for 2 Year Funded Children, EAL children and children with SEND thus meeting the sufficiency need identified above.
- 4.2.3 The new model would reduce the number of available places by 39 per session but would enable a focus on disadvantaged families supporting them to access high quality free childcare that would work as part of the Turner Family Hub. The model would change age range with places available from 2 years old instead of under 2's. Any children under 2 at September 2024 would be supported to find alternative provision via the childcare brokerage officer.
- 4.2.4 There is currently an Early Years registered space at Turner Family Hub which would require minimal change with limited cost however this space could not accommodate the requirements needed to have a space for babies. Moving to this site would bring Bright Start Nursery in line with all other council run nurseries which are based on Family Hubs sites and compliment the Family Hubs service offer.
- 4.2.5 It is estimated that this option would remove the need for the full General Fund Subsidy from September 2024. This would create a part-year effect saving in 2024/25 of approximately £150k, with a further saving of £85k attributable to the 2025/26 financial year. In other words, it is expected that this model would deliver a saving equivalent to the £235k existing General Fund Subsidy, spread over two financial years. This is due to the provision operating as a more efficient model but is also partly linked to the increase in Free Entitlement rates that will be in effect in the 2024/25 financial year (the likely increase in Free Entitlement rates are estimated to have a beneficial impact at Bright Start Nursery of approximately £30k)
- 4.2.6 This option would secure future provision and continue to support the majority of children already accessing funded hours at Bright Start Nursery with the exception of the 3 children who would be under 2 as of September 2024 who would be supported by the childcare brokerage officer to find alternative provision.
- 4.2.7 It is anticipated that staff could be redeployed into the new model and other council run nurseries, limiting the impact on staff by ensuring they continue to have a role within the service.

### **4.3 Option 3**

- 4.3.1 Close Bright Start Nursery. With a summer 2024 closure there would be a potential full year saving of the current subsidy of £235k in 2024/25. The impact on children would be mitigated as far as possible however children would need support to find alternative provision.
- 4.3.2 Staff could be redeployed into other council run nurseries dependent on vacancy levels at the time of being placed at risk of redundancy.

#### **4.4 Option 4**

- 4.4.1 Consider alternative providers to continue to run an early years provision at the Old Slipper Baths.
- 4.4.2 This is not supported in respect of the future options for the site contained within the Strategic Sports Facilities Investment Plan, therefore any continuation will be time limited until such time as the proposals in the investment plan are realised. Also as highlighted the building is not well suited for nursery provision.

#### **4.5 Option 5**

- 4.5.1 Consider moving Bright Start Nursery to another site not within the Tarner Family Hub.
- 4.5.2 The council will be required to invest in a proper search of vacant accommodation across its own property portfolio as well as commercially available spaces. Any private site would require rent and possible refurbishment at a cost to the council, with no capital budget identified for this work. Any expenditure would need the approval of the Strategy, Finance and City Regeneration Committee.
- 4.5.3 A private site may not be able to provide the security of tenure as well as the need for appropriate safeguarding and security measures required for a nursery provision.
- 4.5.4 There are 4 primary school sites within 0.5 miles of Bright Start Nursery, but these are all one form entry primary schools with no potential surplus accommodation if running with 7 classes. The uncertainty of falling pupil numbers means that pupil place planning proposals continue to be developed and none of these sites can be considered at this stage. Should sufficient space be identified there would be a requirement to pay rent and adapt the site to meet the requirements of an early years provision with no capital funding identified for this purpose.

### **5. Analysis and consideration of alternative options**

- 5.1 The building is not well suited for nursery provision and the future of the building is uncertain. Due to the uncertainty of the building options 2 and 3 are the most viable options.
- 5.2 Option 1 would leave the nursery in unsuitable accommodation with an uncertain future and would require a continued General Fund subsidy of circa £220k.
- 5.3 Option 2 would limit impact on both children and staff whilst providing a full saving on the General Fund subsidy. If agreed a transition plan would be put in place to support children into the new model or alternative provision. This option would ensure a continued focus on support for disadvantaged

children and work as part of the Family Hub model in line with the other council run nurseries.

- 5.4 Option 3 would achieve the saving on the General Fund subsidy but could impact on both staff and children. This would reduce sufficiency for disadvantaged children.
- 5.5 Option 4 does not align with the Sports Facilities Investment Plan for the future of the building and the site.
- 5.6 Option 5 would require additional funding for rent and adaptations to the sites that may not be appropriate for early years provision. This would not bring the security of Option 3.
- 5.7 Based on the information outlined in the report Option 2 is the preferred option.

## **6. Community engagement and consultation**

- 6.1 There will be community and parental consultation on the preferred option if agreed by Committee.
- 6.2 Formal staff consultation to be completed once agreed option confirmed.

## **7. Conclusion**

- 7.1 As outlined in the report Bright Start nursery is based within an unsuitable building with an uncertain future and continues to need high general fund subsidy for the provision and options have been considered to address this.
- 7.2 Based on the information outlined in the report Options 2 and 3 would enable budget savings to be achieved against the subsidy provided to Bright Start Nursery but option 3 (closure) would have an impact on children attending the nursery and staff.
- 7.3 Option 2 is the preferred option as this would minimise impact on current children and staff at Bright Start whilst securing future provision for disadvantaged children as outlined in the report.

## **8. Financial implications**

- 8.1 As set out in the conclusion above, Options 2 and 3 would enable budget savings to be achieved against the subsidy provided to Bright Start Nursery. The preferred Option 2 saving (offering a reduced provision at Tarner Family Hub) of £235k in permanent subsidy is estimated based on modelling of anticipated costs and income levels. If the proposal was to be implemented from September 2024 it is estimated there would be a part year saving of £150k in 2024/25, with a further saving of approximately £85k attributable to 2025/26.

- 8.2 Vacancies can be held in other nurseries to accommodate any staff potentially at risk from the proposal to change the provision linked to Bright Start Nursery to Turner Family Hub.

Name of finance officer consulted: Steve Williams Date consulted: 20/10/23

## **9. Legal Implications**

- 9.1 Section 11 of the Childcare Act 2006 places a duty on all local authorities to undertake a Childcare Sufficiency Assessment (CSA) defined as 'sufficient to meet the requirements of parents in the local authority's area who require childcare in order to enable them to: take up, or remain in, work; undertake education or training which could reasonably be expected to assist them in obtaining work'. This report demonstrates that the Council is aware of its duties and the effect that each of the options might have on the number of available places in the city.
- 9.2 Any council-run facility needs to be run to industry standards, including the suitability, safety and upkeep of the building.

Name of lawyer consulted: Serena Kynaston Date consulted: 20/10/2023

## **10. Equalities implications**

- 10.1 The Public Sector Equality Duty requires councils to show that they have consciously thought about the three aims of the PSED as part of the process of decision-making. These are: eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. The PSED does not prohibit a public body from taking a decision that may have a negative impact on a group of people on the basis of their protected characteristics. However, it requires that we have considered this, published our consideration and have explored and actioned mitigating activities. To this end an Equality Impact Assessment on the potential changes to the nursery provision for the preferred option has been completed.

## **Supporting Documentation**

**Appendix 1            Sports Facilities Investment Plan:**

[Sports Facilities Investment Plan 2021-2031.pdf \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk/sites/default/files/2021-03/Sports%20Facilities%20Investment%20Plan%202021-2031.pdf)

**Appendix 2            Early Years Settings within 2 miles of Bright Start Nursery**





**Early Years Settings within a two mile walk of Bright Start nursery (including maintained nursery classes/schools, but excluding nursery units of independent schools)**

<b>Name</b>	<b>Ownership</b>	<b>Type</b>	<b>Opening</b>	<b>Age range</b>	<b>Miles from Bright Start</b>
Amigos Multi-Cultural Pre-school	Voluntary	Sessional	Term time only	2 to 4	1.4
Bear's House Nursery	Private	Full day care	All year round	1 to 4	1.2
Bloomsbury on the Beach	Private	Full day care	All year round	2 to 4	1.1
Bloomsbury Street Day Nursery	Private	Full day care	All year round	0 to 4	1
Blueberry Nursery	Private	Full day care	All year round	1 to 4	0.9
Buntings Nursery	Private	Extended sessional	Extended term time	0 to 4	1.8
Busy Bees Brighton	Private	Full day care	All year round	0 to 4	1.7
Charley Barley's Nursery	Private	Full day care	All year round	0 to 4	1.4
Cherry Tree Nursery	Local authority	Full day care	All year round	0 to 4	1.9
Each Peach Childcare	Private	Full day care	All year round	0 to 4	1.6
Fairlight Primary School Nursery Class	Maintained nursery class	Sessional	Term time only	3 to 4	0.9
Fiveways Play Centre	Voluntary	Full day care	All year round	2 to 8	1.1
Footsteps Day Nursery Hove	Private	Full day care	All year round	0 to 4	1.5
Growing Up Green (Beaconsfield Villas)	Private	Full day care	All year round	0 to 4	1.5
Growing Up Green (Preston Road)	Private	Full day care	All year round	0 to 4	1.7
Happy Days Nursery	Private	Full day care	All year round	0 to 4	0.6
Hillbury House Nursery	Private	Full day care	All year round	0 to 4	1.8
Hilltop Nursery	NHS	Full day care	All year round	0 to 4	1.3
Hollingbury Park Playgroup	Voluntary	Sessional	Term time only	2 to 4	1.8
Hopscotch Nursery Bavant Road	Private	Full day care	All year round	0 to 4	1.7
Hopscotch Nursery Nizells Avenue	Private	Full day care	All year round	0 to 5	1
Hove Village at Hove Library	Private	Full day care	All year round	0 to 4	1.9
Hungry Minds Childcare	Private	Full day care	All year round	0 to 4	1.7
Little Earthworms	Private	Full day care	All year round	0 to 4	1.9
Little Forest Nursery	Private	Full day care	All year round	2 to 4	1.2
Little Shoes Nursery	Private	Full day care	All year round	0 to 4	1.6
Little Stars Childcare	Private	Full day care	All year round	0 to 4	1.2
Orchard Day Nursery	Private	Full day care	All year round	0 to 8	0.6

Orchard Pre-school	Private	Full day care	All year round	3 to 4	0.8
Pepperpot Nursery	Private	Full day care	All year round	0 to 2	0.9
Pepperpot Pre-school	Private	Full day care	All year round	3 to 4	1.1
Puffin Community Nursery	Voluntary	Sessional	Term time only	3 to 4	0.3
Pumpkin Patch (Preston Drove)	Private	Full day care	All year round	0 to 4	1.6
Royal Spa Nursery School	Maintained nursery school	Sessional	Term time only	2 to 4	0.5
Skylarks Nursery	Private	Sessional	Extended term time	2 to 4	1.5
St Joseph's Pre-school Playgroup	Private	Sessional	Term time only	2 to 4	1.5
St Martin's Primary School Nursery Class	Maintained nursery class	Sessional	Term time only	3 to 4	1
St Mary Magdalen Primary School Nursery Class	Maintained nursery class	Sessional	Term time only	3 to 4	0.8
Starlings Nursery	Private	Extended sessional	Extended term time	2 to 4	1.6
Bright Horizons Hove	Private	Full day care	All year round	0 to 4	1.4
Sussex House Nursery	NHS	Full day care	All year round	0 to 4	1.1
Tarnerland Nursery School	Maintained nursery school	Full day care	All year round	0 to 4	0.4
The Nest (Hanover)	Private	Full day care	All year round	0 to 4	0.8
The Nest Nursery School (Seven Dials)	Private	Full day care	All year round	0 to 4	0.6
Toybox Pre-school	Voluntary	Sessional	Term time only	0 to 4	0.3
Wagtails Nursery	Private	Sessional	Term time only	2 to 4	0.5
Wise Owls Nursery School	Private	Full day care	All year round	0 to 4	0.7
WRAP nursery	Private	Full day care	All year round	0 to 5	0.4
Young Friends Kindergarten	Private	Full day care	All year round	0 to 4	1.3
Young Sussex Nursery Brighton	Private	Full day care	All year round	0 to 4	1

# Brighton & Hove City Council

## Children, Families & Schools Committee

## Agenda Item 37

**Subject:** School Admission Arrangements 2025-26

**Date of meeting:** 6 November 2023

**Report of:** Executive Director Families, Children & Learning

**Contact Officer:** Name: Richard Barker  
Tel: 07584217328  
Email: [richard.barker@brighton-hove.gov.uk](mailto:richard.barker@brighton-hove.gov.uk)

**Ward(s) affected:** All

The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that the Council did not wish to publish the report before affected schools had had the opportunity to inform their staff and wider school communities about the proposals. This will happen on the first Monday after the half term break (30 October 2023) following which the report will be published without delay.

### For general release

#### 1. Purpose of the report and policy context

- 1.1 This report details the proposed school admission arrangements for the academic year 2025-26 for the schools in the city where the Council is the admission authority. This report needs to be read in conjunction with the report on Proposed School Closures 2024 being presented at the same Committee meeting.
- 1.2 When changes are proposed to admission arrangements, all admission authorities must consult on these new arrangements. Where the admission arrangements have not changed from the previous year there is no requirement to consult except where admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period.
- 1.3 The Committee will be asked to approve a consultation based on the proposals being suggested. They will then receive a further report in January 2024 seeking the determination of those arrangements for 2025-26.
- 1.4 Local Authorities must also set out schemes for coordinated admissions, including key dates in the admission process and the arrangements for consultation with own admission authority schools in the city and with other local authorities. They also establish the area (the "relevant area") within which the admission consultation should take place.

## **2. Recommendations**

- 2.1 That Committee agree to make no changes to the council's admission arrangements or school catchment areas (other than the changes listed below).
- 2.2 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Brunswick Primary School from 120 to 90.
- 2.3 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Goldstone Primary School from 90 to 60.
- 2.4 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Patcham Infant School from 90 to 60.
- 2.5 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Queen's Park Primary School from 60 to 30.
- 2.6 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Rudyard Kipling Primary School from 60 to 45.
- 2.7 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Saltdean Primary School from 90 to 60.
- 2.8 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Stanford Infant School from 90 to 60.
- 2.9 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of St Luke's Primary School from 90 to 60.
- 2.10 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Woodingdean Primary School from 60 to 45.
- 2.11 That the Committee agree to consult on amending the admission priorities for Brighton & Hove community secondary schools to include a new priority 3 for pupils eligible for Free School Meals (up to the city average percentage).
- 2.12 That the Committee agree to make no changes to the "relevant area".

## **3. Context and background information**

### **Overview – Pupil Numbers**

- 3.1 In the Census 2021 it was revealed that Brighton & Hove's population profile had fewer children & young people aged 0 to 19 (20.5%) compared to the South East (23.1%) and England (23.1%). There was a 22% drop in children aged 0-4 living in the city in the 2021 census compared to the 2011 census.
- 3.2 The Council's own projection of pupil numbers starting Reception in the coming years forecasts that there will be 651 excess places in 2025 and 662

excess places in 2026. Therefore, the city will have over 25% surplus capacity.

- 3.3 The Council divides the city into 8 planning areas and detailed forecasts for each planning area are provided in Appendix 1. It is expected that forecasts will be updated by December 2023 with more recent data from the NHS that will allow forecast pupil numbers until September 2027. This will be available to the Committee prior to the determination of any admission arrangements for September 2025.
- 3.4 The Council has received data from the Department for Education that indicates that the number of children in 2027 could be as low as 1991 and usually it can be expected that only 90% of that figure will require a school place, this would be 1792 children.
- 3.5 The table below shows the forecast for the number of children requiring a school place in September 2023 in the proceeding years. On National Offer Day 2023 the Council allocated 2202 places. The accuracy of these forecasts to the number of places allocated has been between 97%-99% accurate.

	Forecast figure	Accuracy to 2023
2022 forecast	2169	98.5%
2021 forecast	2132	96.8%
2020 forecast	2194	99.6%

- 3.6 Since forecasting the numbers of children requiring school places from September 2018 until September 2023 the yearly updated forecasts have been between 96% and 99% accurate in the time-period from 2015-2023. Whilst this is not a definitive indicator of future accuracy it supports the reliability of methodology used and provides a high level of assurance about the process.
- 3.7 The Council has responsibility to ensure that all children who require a school place in Brighton & Hove have one available. Typically, areas are expected to hold between 5-10% surplus capacity to provide for families moving into an area and an element of parental preference.
- 3.8 Currently, with no change for 2025-26 in place, there will be 2610 primary school places in Reception. The table below shows the estimated number of surplus places when taking account of a maximum of 10% surplus capacity, which has been considered by the DfE as a sound surplus requirement.

	Places	Pupils (est)	Max spaces needed in schools, incl 10%	Surplus places
Sept 2025	2610	1959	2155	455
Sept 2026	2610	1948	2143	467

- 3.9 Should the proposals in this committee paper and the accompanying committee paper, Proposed School Closures 2024, be implemented as proposed the number of school places in Reception would be 2310. The revised table shows the estimated number of surplus places when taking account of a maximum of 10% surplus capacity.

	Places	Pupils (est)	Max spaces needed in schools, incl 10%	Surplus places
Sept 2025	2310	1959	2155	155
Sept 2026	2310	1948	2143	167

- 3.10 If these proposals are implemented then there may be a need for consideration of further reductions in the number of school places, especially if the initial forecast for 2027 continues to indicate a reduction in pupil numbers. This could require further proposals to reduce the PAN of schools or the potential closure of other schools in the city.
- 3.11 In addition, the Council will be seeking to support schools to ensure that they operate in as financially efficient a way as possible. The Council has recently engaged the support of School Resource Management Advisers offered free of charge by the Department for Education. Their work with city schools over the next few months will help inform opinions on what else, if anything, can be done by schools to make the most efficient use of their budget. In addition, the Council is providing schools with additional benchmarking data and may need to secure school deficits against the Council's General Fund should the total amount of deficit exceed the total amount of school balances in future years.

### **Proposals – Primary Phase Schools**

- 3.12 The Council is the admission authority for all community schools and is responsible for setting the Published Admission Number, which determines the maximum number of pupils a school admits into its year of entry (Reception or Year 3 for junior schools). However, the governing board and other interested parties can object to the Office of the [Schools Adjudicator](#) (OSA) if the PAN is lower than they would wish. This is a non-governmental body which rules on objections to admission arrangements of publicly funded schools in England. The OSA must take account of the [School Admissions Code](#) which states that there is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator must have regard when considering any such objection. The OSA is highly likely to uphold any objections to arrangements which result in parental preference being frustrated. As a result, decisions made by the Council can be overturned, and have been in previous years when the Council has sought to reduce PANs of certain schools.
- 3.13 Voluntary Aided schools (church schools) and Academies are their own admission authority and have responsibility to set their own PAN and the council cannot object to the setting of those arrangements where these are

to stay the same or increase. In addition, an admission authority can admit more pupils above its PAN without consulting upon that decision.

- 3.14 As outlined in paragraph 3.8 the council has a surplus of over 450 places in the next few years. This is the equivalent of 15 forms of entry.
- 3.15 To ensure that a reduction in surplus places is achieved, the council could seek to close up to 15 one form entry schools to achieve the necessary reduction in pupil numbers. It is only through the process of closure that the council could realistically expect to be able to secure the reduction in places needed. However, the council has committed to protect schools from closure where possible. The council must also retain a long term view that in future years pupil numbers can reasonably be expected to rise again and it is the responsibility of the council to secure sufficient school places to meet the need. A significant number of school closures would create significant risk to the council of meeting that responsibility.
- 3.16 Therefore, the proposals being put forward for consultation across both reports seeks to use a combination of PAN reduction and school closure to achieve a significant proportion of the total reduction in unfilled school places needed.
- 3.17 These proposals include some schools where the council has previously determined a reduction in PAN but this was subsequently overturned by the Schools Adjudicator following objections raised by the governing boards and other parties. It is hoped that with the realisation of the impact of falling pupils numbers governing boards are prepared to make decisions that support the whole city's need to keep open as many schools as is practicable.
- 3.18 However, it is understood that governing boards are established as the school's legally accountable body, responsible for the individual school to the Local Authority and must operate in the best interests of the school by leading the school strategically, focusing on the three core functions of:
- Ensuring clarity of the vision, ethos and strategic direction.
  - Holding the school leadership to account
  - Overseeing the financial performance of the school
- 3.19 Brighton & Hove City Council's Plan 2023 to 2027 outlines a commitment to support the provision of high quality and inclusive education from early years through to adult learning and to do this in part by delivering specific strategies for children and young people at risk of educational disadvantage. The council must also seek to deliver an efficient education system. This requires action to be taken to reduce the number of unfilled places so that schools are operating from a more secure platform from which to deliver on multi-year programmes for the pupils attending their schools now and in the future such as a full and vibrant curriculum and to be able to provide the right support to be available to pupils and families.

- 3.20 The council is proposing the following changes to primary phase schools in the city:

School	Current PAN	Proposed PAN
Brunswick Primary School	120	90
Goldstone Primary School	90	60
Patcham Infant School	90	60
Queen's Park Primary School	60	30
Rudyard Kipling Primary School and Nursery	60	45
Saltdean Primary School	90	60
Stanford Infant School	90	60
St Luke's Primary School	90	60
Woodingdean Primary School	60	45

Being included in a list of proposed changes is not a reflection of the quality of education delivered or the leadership of those schools.

- 3.21 The reasons why these proposals are being put forward are specific to each school and will be outlined in more detail at consultation events that will be undertaken if the committee agrees to them. In broad terms consideration has been given to the numbers of places in the area where the school is located and the numbers of applications the school has received in relation to schools in its surrounding area. Reversing previous expansion decisions now that pupil numbers are falling. The financial position of the school now and its forecast position in future years. We are seeking to ensure the city retains a broad range of schools of various sizes and types. It is hoped that by implementing these proposals the schools in the city are able to withstand ongoing pressures with budgets, meeting pupil needs and delivering good quality education.

### **Proposals – Secondary Schools**

- 3.22 The Council recognises that in the coming years the issue of unfilled places that the city's primary schools are having to face will affect the secondary schools in the city. It is proposed not to make any changes to the catchment area of secondary schools or their Published Admission Number currently.
- 3.23 The Council will shortly begin engagement with the governing boards, trusts and headteachers of the city's secondary school to consider proposals to address these pressures. The Council does not want to see a secondary school in the city close. Secondary schools are seen to serve specific



communities in the city and the location of the schools would lead to an area being at a disadvantage if one school was to close. However, it is noted that not all catchment areas are treated equally currently and the location of the schools mean some pupils need to undertake long journeys on public transport to attend their catchment school or, in some cases, their preferred school.

- 3.24 The Council is proposing to make a change to the admission priority of its community secondary schools by introducing a new priority category that provides pupils eligible for Free School Meals the opportunity for a place at the school, up to the city average of FSM eligible pupils in the city's secondary schools. This would allow FSM eligible pupils to have a chance of being offered any school of preference depending upon the random allocation tie-break.
- 3.25 Under the School Admissions Code 2021, the Council is required to have priority 1 as outlined in Appendix 2. It is proposed to introduce a new priority 3 for Free School Meal pupils from across the city up to the average percentage of the city's secondary schools. In theory if a school was likely to admit pupils with an overall percentage of FSM of 15% and the city average was 20% it would be possible for more FSM eligible pupils to be offered places at the school. If more FSM eligible pupils wished to be offered a place than the percentage of places available, the council will use random allocation as a tie-breaker to determine who was offered a school place.
- 3.26 The council appreciates that an oversubscribed schools which admits children with FSM from out of catchment area could mean that pupils from within catchment area being refused places. In addition, schools with a high proportion of FSM eligible pupils could see a reduction in the number of these pupils attending because they have been offered places in other schools. However, the Council considers the risk of catchment area pupils not obtaining a place at their catchment area school, if they include this as one of their three preferences, as being low with pupil numbers in secondary schools beginning to drop. The Council wants to promote the opportunity for those pupils eligible for FSM to be given a greater possibility of a place at their preferred school than under the current arrangements.
- 3.27 It is possible that those schools with high numbers of FSM eligible pupils may have a reduced number of pupils attending their schools because under these proposals pupils eligible for FSM will have a greater priority for a place at another school than other children from outside the catchment area who are categorised under priority 6 in the proposed admission priorities.
- 3.28 In the most recent school census (May 2023) the following FSM percentages (Yrs 7-11) were reported. The city average for secondary schools was 25%. The average percentage of FSM pupils seeking a secondary school place in 2025 is forecast to be 28% and there are estimated to be about 60 less pupils requiring a school place compared to 2023.

Kings School	15%
Blatchington Mill School	16%
Cardinal Newman Catholic School	16%
Dorothy Stringer School	18%
Varndean School	19%
Patcham High School	20%
Portslade Aldridge Community Academy	28%
Hove Park School	32%
Longhill High School	36%
Brighton Aldridge Community Academy	46%

3.29 As outlined in appendix 2, the priority list of admission categories are proposed to be:

1. LAC and previously looked after children
2. Exceptional circumstances
3. FSM children (up to the city average)
4. Sibling (within catchment area)
5. Within catchment area
6. Other children

3.30 The Council is not proposing a change to the current eligibility criteria for home to school transport. In relation to distance, these are set out in legislation and state:

- over 8 years of age and lives more than three miles from the appropriate school, which is the closest primary or junior school to the main home address that had an available place or the catchment area secondary school

and for those eligible for free school meals receive free public transport for your child if they are:

- 11 to 16 years old and they go to school that is 2 to 6 miles away (as long as there are not 3 or more suitable schools nearer to the home)

3.31 It is recognised that these arrangements may not facilitate families receiving the transport assistance to make the most of the proposed new priority. However, the Council is committed to working to develop longer term options for admission arrangements that secure the long-term resilience of the city's secondary schools, considers the disparity in choice for families in different parts of the city and the infrastructure, such as transport, that impacts on pupil's ability to attend a preferred school.

### **Consultations**

3.32 Consultation and determination of admission arrangements takes place approximately 18 months in advance of the academic year to which they apply. For the academic year 2025-26, the consultation process must take

place between 1 October 2023 and 31 January 2024 and last for a minimum of 6 weeks.

- 3.33 It is proposed to start the consultation on 7 November 2023 and for it to run for nearly 7 weeks concluding on 22 December 2023.
- 3.34 There will be two consultation events for each school where a PAN reduction is proposed, an in-person meeting and an online meeting. In addition, there will be three online meetings that will focus on the proposal to amend the secondary school priority criteria.
- 3.35 There will be full details of these meetings and a full consultation document available on the Council's website from the 7 November if these recommendations are approved.
- 3.36 Following the consultation exercise the council must determine its admission arrangements by 28 February 2024 to conform to the requirements of the School Admissions Code.
- 3.37 A further report will be presented to the Children, Families & Schools Committee on 8 January 2024 detailing the response to the consultation and making recommendations about the admission arrangements for 2025-26.
- 3.38 The relevant proposed consultation papers for the 2024-25 admission year for the City of Brighton & Hove are attached as appendices to this report.

#### **4. Analysis and consideration of alternative options**

- 4.1 The Council could propose making no changes to primary or secondary school arrangements. The on-going increase in unfilled places in the city's primary schools and the intention to provide more opportunity for FSM eligible pupils are considered to be relevant and urgent measures to propose from September 2025.
- 4.2 The Council has previously sought to make changes to primary school PANs with varying levels of success..
- 4.3 Consideration has been given to the emphasis of the School Admission Code and the previous determinations of the Schools Adjudicator which appear to rule out options involving schools where the impact will be to frustrate parental preference. However due to the on-going impact of falling pupils numbers the council has no option other than to consider once again the reduction in PAN's at schools which have had previous proposed PAN reductions overturned by the School's Adjudicator.
- 4.4 The Council could seek to solely propose the closure of schools as a way of reducing surplus places. However, this approach could risk the ability of the council to ensure sufficient school places in the decades to follow and will mean that communities are left without a school to attend, within a reasonable distance.

## **5. Community engagement and consultation**

- 5.1 Prior to the drafting of this report, the council had requested that Headteachers and Chairs of Governors inform it if a future reduction in PAN or potential school closure was a proposal that they would wish to undertake. Discussions have taken place with all the schools proposed for a PAN reduction and it is hoped the city can work in partnership to address the challenges it faces around falling pupil numbers.
- 5.2 If agreed, it is proposed to start the consultation on the reduction of PAN on Tuesday 7 November 2023 and for it to be concluded on 22 December 2023. A total of 6 weeks and 3 days.
- 5.3 It is proposed that there will be 21 engagement events to cover the 10 proposals in this report.
- 5.4 A consultation response form will be available on the council's consultation portal and interested parties will be able to leave a phone message for someone to call them back and take down their response over the telephone, should they not be able to complete a response form online.
- 5.5 Attention will be given to engaging sections of the community who may not previously have participated with public consultations such as those with protected characteristics and this is considered within the Equality Impact Assessment (Appendix 6).

## **6. Conclusion**

- 6.1 The Council is seeking to reduce the number of surplus places in primary phase schools through a programme of PAN reductions. In addition, the Council is seeking to increase the opportunity for pupils eligible for Free School Meals to attend a school of their preference by introducing a new admission priority 3 for secondary school admissions to LA maintained schools.
- 6.2 It is proposed to consult on making changes to nine schools potentially removing 240 places. This is in response to the council forecasting the number of surplus places to be over 450 places in both September 2025 and September 2026.
- 6.3 It is proposed that the Council seeks to consult on changes to the secondary school admission priorities to introduce a criterion that allows for Free School Meal eligible pupils to be offered places at the school up to the city average. This proposal may have the impact of reducing the opportunity for catchment area pupils to receive a place at the school. It is not proposed to change transport eligibility however the council is committed to a further wide ranging review of secondary school admission arrangements in the future to address the implication of falling pupil numbers.
- 6.4 The Council recognises that these proposals could challenge some schools' abilities to deliver specific strategies for children and young people at risk of

educational disadvantage. However, by taking action to reduce the number of unfilled primary school places it is hoped that schools will be more resilient and able to offer a full, vibrant curriculum and be able to provide the right support to pupils and families.

## **7. Financial implications**

- 7.1 School budgets are determined in accordance with criteria set by the government and school funding regulations dictate that the vast majority (over 90% in 2023/24) of the delegated schools block of funding is allocated through pupil-led factors. This means schools with falling pupil numbers are likely to see reductions in annual budgets. This situation can be particularly challenging where pupil numbers in year groups fall well below the expected number, based on the PAN of a school.
- 7.2 Without planned reduction in PANs it will be challenging for primary schools to plan ahead for staff reductions and set balanced budgets. For the schools where reductions in PANs are proposed there will be direct implications and a need to plan future years' budgets to reflect lower pupil numbers in line with reduced PANs and the consequent impact this will have on budget allocations. However, planned reductions in PANs should mean schools are more likely to be able to balance their budgets if operating with full, or close to full, forms of entry.
- 7.3 The proposal to decrease the PAN across a number of schools is intended to reduce the number of surplus school places to safeguard and benefit the wider provision across the city. By reducing the number of surplus places in the city in the longer term there is an expectation that school occupancy rates will increase meaning that school budgets are more sustainable.

Name of finance officer consulted: Steve Williams      Date consulted:  
20/10/23

## **8. Legal implications**

- 8.1 Section 88C of the School Standards and Framework Act 1998 and the School Admissions (Admissions Arrangements and Co-ordination of Admission Arrangements) Regulations 2012 require admission authorities to determine their admission arrangements annually. Arrangements must be determined 18 months in advance of the academic year to which they apply.
- 8.2 Where changes such as a decrease in the PAN are proposed the admission authority must first publicly consult on those proposed arrangements. The School Admissions Code 2021 states that consultation must be for a minimum of six weeks and must take place between 1 October and 31 January of the school year before those arrangements are to apply. The admission arrangements must be determined by 28 February in the determination year. The arrangements for the admission year 2025/2026 must therefore be determined by 28 February 2024.
- 8.3 Community schools and other interested parties have the right to object to

the Schools Adjudicator if the PAN set for them is lower than they would wish. The School Admissions Code provides that there is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator must have regard when considering such an objection. For this determination year any objections to the arrangements must be referred to the Adjudicator by 15 May 2024.

- 8.4 Admission Authorities may give priority in their oversubscription criteria to children eligible for the pupil premium (paragraph 1.41 of the School Admissions Code 2021). They should clearly define in their arrangements the categories of eligible premium recipients to be prioritised, in this case recipients of Free School Meals.
- 8.5 Once admission arrangements have been determined Admission Authorities may propose variations where they consider such changes to be necessary in view of a major change in circumstances. Such proposals must be referred to the Schools Adjudicator for decision following consultation with the governing board of the affected school(s).

Name of lawyer consulted: Serena Kynaston Date consulted: (17/10/23)

## **9. Equalities implications**

- 9.1 An Equality Impact Assessment has been carried out on the proposals being recommended to the committee. The assessment can be found at Appendix 6 and the results have been incorporated into the content of the report.
- 9.2 It is worth noting that the admission process is 'blind', by virtue of applications being considered in line with the published admission arrangements that do not take account of a person's protected characteristics.
- 9.3 However, the availability of school places across the city could have an impact on certain groups due to their proximity to certain schools and the availability of places should families make a late application.
- 9.4 The consultation process needs to take account of:
- young parents who may be less likely to respond to the consultation
  - issues of accessibility and comprehension of the consultation process the materials made available
  - ensuring that the decision-making process after the consultation is based on the content not just quantity of replies.
- 9.5 When determining admission arrangements, the Council needs to ensure that there are sufficient school places available within a reasonable distance for families who may contain members who have special educational needs, disabilities, speak English as an additional language and of various races/ethnicities. This will ensure that if families apply after the deadline date they will not be significantly disadvantaged and face the prospect of a lengthy journey to school.

- 9.6 It is recognised that to foster strong community cohesion school's intake should seek to reflect the city's diversity.

## **10. Sustainability implications**

- 10.1 Wherever possible the Council aims to reduce the number of journeys to school undertaken by car. A reduction in the availability of school places across the city could risk a rise in the number of journeys undertaken by car.
- 10.2 Schools are expected to have a School Travel Plan to:
- reduce the number of vehicles on the journey to school
  - improve safety on the journey to school
  - encourage more active and sustainable travel choices
- 10.3 Any change in PAN is expected to require the school's travel plan to be re-written to take account of the change.
- 10.4 Many primary schools are clustered in areas which means that a reduction in places will not mean a significant increase in journeys to other schools. The consultation period will be an opportunity to explore what the potential impacts of these proposed changes will be and the report to committee in January can be expected to detail these in more detail alongside recommendations for changes to be implemented.
- 10.5 Changes to PAN, which lead to a reduction in the number of classes the school has and the classrooms being used can lead to areas of a school being more efficiently managed in relation to energy use at a time of uncertain energy costs for schools.

## **11. Other Implications**

- 11.1 The School Admissions Code requires all schools to have oversubscription criteria for each 'relevant age group' and the highest priority must be given, unless otherwise provided in the Code, to looked after children and all previously looked after children, including those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted.
- 11.2 These priorities will ensure that for pupils who are care experienced, they will receive the highest priority for a place in a different school, should the school they currently attend close.

## **Supporting Documentation**

### **1. Appendices**

1. Pupil Forecasts
2. Admission Arrangements and Priorities

3. Published Admission Number
4. Primary coordinated scheme
5. Secondary coordinated scheme
6. Equality Impact Assessment



Date of Birth / school year	School yr in Sept 23	Grand Total all planning areas from 2021 data	pupils likely to want a school place based on 90% of GP reg data	Permanent places in Year R in 2023	Surplus places or shortfall of places	Comparison with 2021 data	
All planning Areas						Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023							
01 September 12 to 31 August 13	6	2,909	2,618				
01 September 13 to 31 August 14	5	2,984	2,686				
01 September 14 to 31 August 15	4	2,823	2,541				
01 September 15 to 31 August 16	3	2,821	2,539				
01 September 16 to 31 August 17	2	2,743	2,469				
01 September 17 to 31 August 18	1	2,564	2,308				
01 September 18 to 31 August 19	R	2,410	2,169	2,700	531	568	-37
01 September 19 to 31 August 20	2024	2,341	2,107	2,700	593	620	-27
01 September 20 to 31 August 21	2025	2,177	1,959	2,700	741	770	-29
01 September 21 to 31 August 22	2026	2,164	1,948	2,700	752		

567  
621  
771

Date of Birth / school year	School year in Sept 2023	Portslade	Central Hove	West Blatchington and North Hangleton	Central City	Patcham	City East	The Deans	City North
All planning Areas									
places in each school year from Sept 2023									
01 September 12 to 31 August 13	6	221	0	0	0	208	0	0	0
01 September 13 to 31 August 14	5	249	0	0	0	158	0	0	0
01 September 14 to 31 August 15	4	247	0	0	0	172	0	0	0
01 September 15 to 31 August 16	3	216	0	0	0	172	0	0	0
01 September 16 to 31 August 17	2	233	0	0	0	152	0	0	0
01 September 17 to 31 August 18	1	221	0	0	0	151	0	0	0
01 September 18 to 31 August 19	R	223	572	88	429	122	401	172	163
01 September 19 to 31 August 20	2024	183	560	79	415	124	414	163	169
01 September 20 to 31 August 21	2025	175	518	54	428	104	395	136	151
01 September 21 to 31 August 22	2026	161	547	72	378	118	365	158	148

2700  
429  
408  
419  
388  
385  
373  
2169  
2107  
1959  
1948

Date of Birth / school year	School year in Sept 2023	BN41 1	BN41 2	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
1 Portslade		St Peters Primary Benfield Primary St Marys Primary	Brackenbury Primary St Nicolas Primary Mile Oak Primary Peter Gladwin Pri	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023		90	180	270				
01 September 12 to 31 August 13	6	69	177	246	221			
01 September 13 to 31 August 14	5	81	196	277	249			
01 September 14 to 31 August 15	4	76	198	274	247			
01 September 15 to 31 August 16	3	65	175	240	216			
01 September 16 to 31 August 17	2	78	181	259	233			
01 September 17 to 31 August 18	1	80	166	246	221			
01 September 18 to 31 August 19	R	67	181	248	223	47	41	6
01 September 19 to 31 August 20	2024	67	136	203	183	87	95	-8
01 September 20 to 31 August 21	2025	57	137	194	175	95	95	0
01 September 21 to 31 August 22	2026	56	123	179	161	109		

Date of Birth / school year	School year in Sept 2023	BN3 1	BN3 2	BN3 3	BN3 4	BN3 5	BN3 6	BN3 7	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
2 Central Hove		Hove Juniors Holland Road Brunswick Primary		West Hove inf @ Connaught St Andrews Primary		West Hove Infant Hove Junior	Cottesmore Primary Bilingual Primary School	Aldington Primay Goldstone Primary				Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023		180		90		120	150	150	690				
01 September 12 to 31 August 13	6	84	43	109	101	144	148	165	794				
01 September 13 to 31 August 14	5	86	52	136	94	165	170	160	863				
01 September 14 to 31 August 15	4	93	32	124	73	145	130	157	754				
01 September 15 to 31 August 16	3	99	49	100	63	155	137	152	755				
01 September 16 to 31 August 17	2	64	39	137	95	127	112	148	722				
01 September 17 to 31 August 18	1	94	39	126	61	149	117	127	713				
01 September 18 to 31 August 19	R	73	39	112	72	126	117	96	635	572	119	118	1
01 September 19 to 31 August 20	2024	80	37	100	74	131	82	118	622	560	130	136	-6
01 September 20 to 31 August 21	2025	74	34	112	48	120	90	97	575	518	173	171	2
01 September 21 to 31 August 22	2026	86	43	136	64	123	74	82	608	547	143		

Date of Birth / school year	School year in Sept 2023	BN3 8	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
3 West Blatchington and North Hangleton		Hangleton Primary West Blatch Prim				Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023		90	90				
01 September 12 to 31 August 13	6	120	120				
01 September 13 to 31 August 14	5	136	136				
01 September 14 to 31 August 15	4	125	125				
01 September 15 to 31 August 16	3	119	119				
01 September 16 to 31 August 17	2	89	89				
01 September 17 to 31 August 18	1	101	101				
01 September 18 to 31 August 19	R	98	98	88	2	5	-3
01 September 19 to 31 August 20	2024	88	88	79	11	14	-3
01 September 20 to 31 August 21	2025	60	60	54	36	43	-7
01 September 21 to 31 August 22	2026	80	80	72	18		

Date of Birth / school year	School year in Sept 2023	BN1 2	BN1 3	BN1 5	BN1 1	BN1 4	BN1 6	BN1 7	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
<b>4 Central City</b>			St Mary Mags Prim St Pauls Primary	Stanford Infant Stanford Junior Westdene Primary	Middle Street Primary	St Bartholomews	Downs Infant Downs Junior Balfour Primary St Bernadettes Pri	Hertford Infant Hertford Junior St Josephs Primary				Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023			60	150	30	30	240	90	600				
01 September 12 to 31 August 13	6	26	61	139	8	39	205	100	578				
01 September 13 to 31 August 14	5	31	63	136	11	51	206	109	607				
01 September 14 to 31 August 15	4	24	61	124	≤5	54	212	95	570				
01 September 15 to 31 August 16	3	21	83	118	11	60	174	98	565				
01 September 16 to 31 August 17	2	31	52	128	12	54	165	90	532				
01 September 17 to 31 August 18	1	21	70	101	12	38	169	86	497				
01 September 18 to 31 August 19	R	23	69	88	14	55	158	70	477	429	171	187	-16
01 September 19 to 31 August 20	2024	29	66	85	14	46	141	80	461	415	185	185	0
01 September 20 to 31 August 21	2025	20	66	104	9	61	139	76	475	428	173	170	3
01 September 21 to 31 August 22	2026	27	72	71	9	37	145	59	420	378	222		

Date of Birth / school year	School year in Sept 2023	BN1 8	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
<b>5 Patcham</b>		Patcham Infant Patcham Junior Carden Primary				Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023		150	150				
01 September 12 to 31 August 13	6	231	231	208	-58		
01 September 13 to 31 August 14	5	176	176	158	-8		
01 September 14 to 31 August 15	4	191	191	172	-22		
01 September 15 to 31 August 16	3	191	191	172	-22		
01 September 16 to 31 August 17	2	169	169	152	-2		
01 September 17 to 31 August 18	1	168	168	151	-1		
01 September 18 to 31 August 19	R	135	135	122	29	30	-2
01 September 19 to 31 August 20	2024	138	138	124	26	23	3
01 September 20 to 31 August 21	2025	115	115	104	47	54	-8
01 September 21 to 31 August 22	2026	131	131	118	32		

Date of Birth / school year	School year in Sept 2023	BN2 0	BN2 1	BN2 2	BN2 3	BN2 5	BN2 9	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Comparison with 2021 data	
<b>6 City East</b>		Queens Park Pri St John the Baptist Primary			Elm Grove Primary Fairlight Primary St Martins Primary	St Marks Primary City Academy Whitehawk	Carlton Hill Primary St Lukes Primary				Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen fallen between 2021 and 2022
places in each school year from Sept 2023		90			150	90	120	450				
01 September 12 to 31 August 13	6	69	63	≤5	80	149	136	497				
01 September 13 to 31 August 14	5	57	52	≤5	70	149	131	459				
01 September 14 to 31 August 15	4	48	40	≤5	85	146	124	443				
01 September 15 to 31 August 16	3	63	57	≤5	93	133	134	480				
01 September 16 to 31 August 17	2	55	56	≤5	104	139	142	496				
01 September 17 to 31 August 18	1	43	41	≤5	83	141	135	443				
01 September 18 to 31 August 19	R	42	52	≤5	100	120	131	445	401	50	61	-12
01 September 19 to 31 August 20	2024	47	62	≤5	87	129	135	460	414	36	36	0
01 September 20 to 31 August 21	2025	47	47	≤5	96	115	134	439	395	55	73	-18
01 September 21 to 31 August 22	2026	41	52	≤5	87	116	110	406	365	85		

Date of Birth / school year	School year in Sept 2023	BN2 6	BN2 7	BN2 8			Comparison with 2021 data		
7 The Deans		Rudyard Kipling Pri Woodingdean Prim	Our Lady of Lourdes Pri St Margarets Pri	Saltdean Primary	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen or fallen between 2021 and 2022
places in each school year from Sept 2023		120	60	90	270				
01 September 12 to 31 August 13	6	114	42	87	243				
01 September 13 to 31 August 14	5	132	22	95	249				
01 September 14 to 31 August 15	4	121	35	93	249				
01 September 15 to 31 August 16	3	115	38	89	242				
01 September 16 to 31 August 17	2	125	35	83	243				
01 September 17 to 31 August 18	1	105	33	70	208				
01 September 18 to 31 August 19	R	97	25	69	191	172	98	104	-6
01 September 19 to 31 August 20	2024	91	24	66	181	163	107	116	-9
01 September 20 to 31 August 21	2025	77	22	52	151	136	134	133	1
01 September 21 to 31 August 22	2026	86	30	60	176	158	112		

Date of Birth / school year	School year in Sept 2023	BN1 9	BN2 4				Comparison with 2021 data		
8 City North		Coldean Primary	Bevendean Primary Coombe Rd Primary Moulsecocomb Prim	TOTALS	pupils likely to want a school place based on 90% of GP reg data	Surplus places or shortfall of places	Surplus places or shortfall of places based on 2021 data	Number of surplus places have risen or fallen between 2021 and 2022	
places in each school year from Sept 2023		60	120	180					
01 September 12 to 31 August 13	6	56	144	200					
01 September 13 to 31 August 14	5	55	162	217					
01 September 14 to 31 August 15	4	56	161	217					
01 September 15 to 31 August 16	3	52	177	229					
01 September 16 to 31 August 17	2	60	173	233					
01 September 17 to 31 August 18	1	56	132	188					
01 September 18 to 31 August 19	R	45	136	181	163	17	21	-4	
01 September 19 to 31 August 20	2024	41	147	188	169	11	16	-5	
01 September 20 to 31 August 21	2025	33	135	168	151	29	32	-3	
01 September 21 to 31 August 22	2026	35	129	164	148	32			

<b>Primary Admissions Numbers 2025/26</b>	<b>Planned Admission No. 2025-26</b>
<b>Name of School</b>	
<b>Aldrington CE Primary</b>	<b>60</b>
<b>Balfour Primary</b>	<b>90</b>
<b>Benfield Primary</b>	<b>30</b>
<b>Bevendean Primary</b>	<b>60</b>
<b>Bilingual Primary</b>	<b>90</b>
<b>Brunswick Primary</b>	<b>90</b>
<b>Brackenbury Primary</b>	<b>30</b>
<b>Carden Primary</b>	<b>60</b>
<b>Carlton Hill Primary</b>	<b>30</b>
<b>City Academy Whitehawk</b>	<b>60</b>
<b>Coldean Primary</b>	<b>60</b>
<b>Coombe Road Primary</b>	<b>30</b>
<b>Cottesmore St Marys Catholic</b>	<b>60</b>
<b>Downs Infant</b>	<b>90</b>
<b>Downs Junior</b>	<b>128</b>
<b>Elm Grove Primary</b>	<b>60</b>
<b>Fairlight Primary</b>	<b>60</b>
<b>Goldstone Primary</b>	<b>60</b>
<b>Hangleton Primary</b>	<b>60</b>
<b>Hertford Infant</b>	<b>30</b>
<b>Hertford Junior *</b>	<b>60</b>
<b>Hove Junior School (Holland Road)</b>	<b>64</b>
<b>Hove Junior School (Portland Road)</b>	<b>128</b>
<b>Middle Street Primary</b>	<b>30</b>
<b>Mile Oak Primary</b>	<b>60</b>
<b>Moulsecoomb Primary</b>	<b>30</b>
<b>Our Lady of Lourdes</b>	<b>30</b>
<b>Patcham Infant</b>	<b>60</b>
<b>Patcham Junior</b>	<b>96</b>
<b>Peter Gladwin Primary</b>	<b>30</b>
<b>Queens Park Primary</b>	<b>30</b>
<b>Rudyard Kipling Primary</b>	<b>45</b>
<b>Saltdean Primary</b>	<b>60</b>
<b>St Andrew's CE Primary</b>	<b>90</b>
<b>St Bartholomew CE Primary **</b>	<b>30</b>
<b>St Bernadette's Catholic Primary</b>	<b>30</b>
<b>St John The Baptist Catholic Primary</b>	<b>30</b>
<b>St Joseph's Catholic Primary</b>	<b>30</b>
<b>St Lukes Primary</b>	<b>60</b>
<b>St Margaret's CE Primary</b>	<b>30</b>
<b>St Mark's CE Primary</b>	<b>30</b>
<b>St Martin's CE Primary</b>	<b>30</b>

<b>St Mary Magdalen Catholic Primary</b>	<b>30</b>
<b>St Mary's Catholic Primary</b>	<b>30</b>
<b>St Nicolas CE Primary</b>	<b>60</b>
<b>St Paul's CE Primary</b>	<b>30</b>
<b>St Peter's Community Primary**</b>	<b>30</b>
<b>Stanford Infant</b>	<b>60</b>
<b>Stanford Junior</b>	<b>96</b>
<b>West Blatchington Primary</b>	<b>30</b>
<b>West Hove Infant (Portland Road)</b>	<b>120</b>
<b>West Hove Infant (Holland Road)</b>	<b>60</b>
<b>Westdene Primary</b>	<b>60</b>
<b>Woodingdean Primary</b>	<b>45</b>
<b>Secondary Admission Numbers 2025-26</b>	
	<b>Planned admission no. 2025-26</b>
<b>Name of school</b>	
<b>Brighton Aldridge Community Academy</b>	<b>180</b>
<b>Blatchington Mill</b>	<b>330</b>
<b>Cardinal Newman Catholic</b>	<b>360</b>
<b>Dorothy Stringer</b>	<b>330</b>
<b>Hove Park</b>	<b>180</b>
<b>King's</b>	<b>165</b>
<b>Longhill High</b>	<b>270</b>
<b>Patcham High</b>	<b>225</b>
<b>Portslade Aldridge Community Academy</b>	<b>220</b>
<b>Varndean</b>	<b>300</b>

\* depending upon decision to become Hertford Primary school in September 2024

\*\* depending upon decision to close these schools in September 2024

# Admission Arrangements for Brighton & Hove Schools 2025/26

## Admission Arrangements for Secondary Schools

The Council uses a catchment area system with random allocation being used as the tie breaker in each admission priority in the event of oversubscription. Cardinal Newman Catholic School, King's School, Brighton Aldridge Community Academy (BACA) and Portslade Aldridge Community Academy (PACA) have their own admission priorities (please visit [www.brighton-hove.gov.uk/schooladmissions](http://www.brighton-hove.gov.uk/schooladmissions) or the schools' websites for details).

If a school is oversubscribed, after the admission of pupils with an Education, Health and Care Plan where the school is named in the Plan, priority for admission will be given to those children who meet the oversubscription criteria set out below.

The oversubscription priorities are applied in the context of an equal preference system as required by the School Admissions Code. They are:

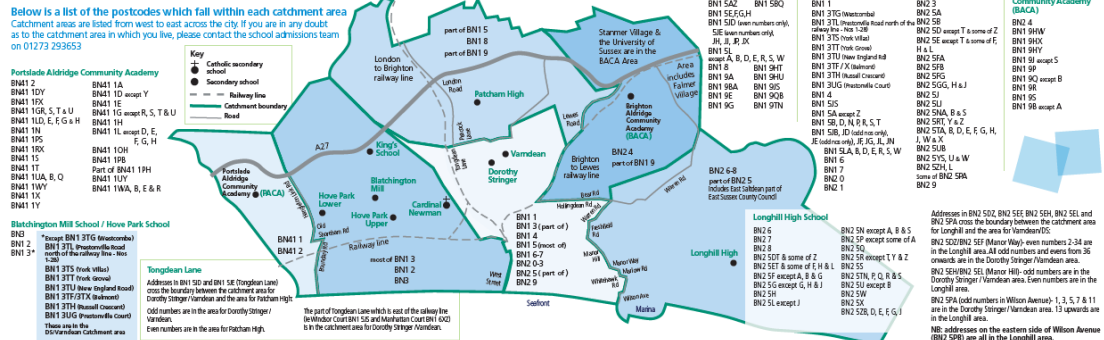
1. Looked after children and all previously looked after children, including those children who appear (to the council) to have been in state care outside of England and ceased to be in state care as a result of being adopted. *(note a)*
2. Compelling medical or other exceptional reasons for attending the school. *(note b)*
3. Children eligible for Free School Meals up to the city average. *(note c)*
4. A sibling link *(note d)* applied for those living within the designated catchment area only.
5. Those pupils living in the designated catchment area for the school(s).
6. Other children.

Within all these priorities, the tie break is random allocation.

The current catchment areas are set out in the below catchment area map. It also includes information about which post codes are in each of the catchment areas.

### Catchment area postcodes

Below is a list of the postcodes which fall within each catchment area. Catchment areas are listed from west to east across the city. If you are in any doubt as to the catchment area in which you live, please contact the school admissions team on 01273 293653



## Admissions Arrangements for Community Infant, Junior and Primary Schools

Parents must make a separate application for any transfer from nursery to primary school and from infant to junior school. If a school is oversubscribed, after the admission of pupils with an Education, Health and Care Plan where the school is named in the Plan, priority for admission will be given to those children who meet the oversubscription criteria set out below.

The oversubscription priorities are applied in the context of an equal preference system as required by the Admissions Code. They are:

1. Looked after children and all previously looked after children, including those children who appear (to the council) to have been in state care outside of England and ceased to be in state care as a result of being adopted. *(note a)*
2. Compelling medical or other exceptional reasons for attending the school. *(note b)*
3. Sibling link. *(note d)*
4. For junior schools only: children attending a linked infant school. *(note e)*
5. Other Children.

Within all these priorities, the tie break is home to school distance which will be measured by the shortest route from the child's home to the nearest of the school's gates. This will be measured by specialist computer software based on Ordnance Survey data. It measures using the road network supplied by Ordnance Survey and some other public rights of way which are paved and lit. Routes across public parks or open spaces will not be accepted. When using roads for measurement purposes the computer measures along the middle of the road. It measures from the address point in the property to the nearest point on the road network and from there to the nearest of the school's gates to the child's home. No other measurement systems will be used for school admissions decisions. Where the home addresses of two or more pupils are an equal distance from the school (e.g. two children living in the same block of flats) and only one place remains available at the school in question, the place will be allocated randomly by computer to one of these pupils.



## **Late applications**

If an application is returned after the closing date without good reason it will be considered after all the on-time preferences have been dealt with and school places allocated to them.

If there is a good reason for the application being late, such as a recent house move to Brighton & Hove, it will be considered as on-time if it is received by 22 January (Secondary) or 8 March (Infant, Primary & Junior) and is accompanied by independent supporting evidence demonstrating why the form is late, e.g. solicitor's letter confirming exchange of contracts or a recently signed tenancy agreement.

Applications submitted after the closing date listing revised preferences will only be considered from mid-June onwards **unless** there has been a house move. This is to ensure that parents and carers who do this do not gain an unfair advantage over others by having the opportunity to list more than three preferences.

**Home Address** - The school admissions team will allocate school places using the address at which a child lives on the closing date for applications 31 October (Secondary) or 15 January (Infant, Primary & Junior) although late changes of address will be considered if proof of address is received by 22 January (Secondary) or 8 March (Infant, Primary & Junior). Only one address can be used for admission purposes even if the pupil spends equal time at two households. If it is unclear what is the pupil's main address this will be taken as the address where the child is registered with a doctor.

**Deferred admission** - Children start school in the school year during which they have their fifth birthday. Children are allowed to start full-time in September or can defer admission or attend part-time until they reach compulsory school age. Children become compulsory school age in the term after their fifth birthday. Children whose fifth birthday falls between 1 September and 31 December may defer or attend part time until January. Children whose fifth birthday falls between 1 January and 31 March can defer admission or attend part time until the start of the summer term. Children whose fifth birthday is between 1 April and 31 August don't become compulsory school age until the following September however they can also defer admission or attend part time until the start of the summer term. Where a place is deferred it will not be given to another child provided the place is taken up by the beginning of the school term following the child's fifth birthday and within the school year that the offer was made.

Parents can request for a 'summer born' child to start school **outside of their normal age group**, and be admitted to reception rather than Year 1 as detailed below.

## **Admission outside a normal age group**

Parents who are applying for their child to have a decelerated entry to school, i.e. to start later than other children in their chronological age group, should initially apply for a school place in accordance with the deadlines that apply for their child's chronological age.

Parents who are applying for their child to have an accelerated entry to school, i.e. to start earlier than other children in their chronological age group, must initially apply for a school place at the same time that other families are applying for that cohort.

Applications should be accompanied with the additional form to request that the child is educated out of year group. Reasons for the request and any evidence to support the case should be included with the form. Evidence could include: information about the child's personal, social, emotional development and academic development; If relevant, medical history and views of a medical professional; whether the child has previously been educated out of year group and whether the child was born prematurely.

The admission authority, will consider each case on its merits taking into account the child's best interests and either agree or refuse the request on that basis. Where the council is the admission authority, the views of the headteacher of each school will be sought before a decision is taken. Parents will be made aware of the outcome of the request for admission out of year group before national offer day and reasons for the decision will be shared with them. Late requests will be considered up until 8 March (Infant, Primary and Junior) or 22 January (Secondary) if there is good reason why the request could not be made by the closing date for applications. Requests made after this date will not be considered until after national offer day.

### **Waiting lists**

The council holds waiting lists for community schools, and Bilingual primary school. Pupils who have not been offered one of these schools as their first preference will have their name added to the waiting list for this school. Parents can request that their child's name is also added to the waiting list for their second and/or third preference school by contacting the school admissions team. Waiting lists are held until 31<sup>st</sup> December at which point pupils' names will be removed from the list. Parents can keep their child's name on the waiting list for the following term by contacting the admissions team in the last week of each term to request this. Pupils are added to waiting lists according to the oversubscription priorities listed above and consequently a pupil's name can move down the list as well as up. Waiting lists for secondary schools are called reallocation pools. Each time the council is able to offer a place, or places at a school with a reallocation pool, the list is re-randomised within each priority and the place(s) allocated to the child(ren) at the top of the list.

Late applicants will also be added to waiting lists as soon as possible after they apply. Late changes of preference (revised applications) will be added to the waiting list for the new preference as soon as possible from mid-June

onwards. The pupil's name will be removed from the waiting list for the previous preferences.

**Notes:**

- a) **Previously looked after children** - Previously looked after children are such children who were adopted (or subject to child arrangements orders or special guardianship orders) immediately following having been looked after and those children who appear (to the council) to have been in state care outside of England and ceased to be in state care as a result of being adopted. A child is regarded as having been in state care outside of England if they were in the care of or were accommodated by a public authority, a religious organisation, or any other provider of care whose sole or main purpose is to benefit society.
- b) **Exceptional Circumstances** - This priority applies to pupils with a specific need that can only be met by one school rather than any other. This could include medical or social reasons that make it essential for the child to attend a particular school. Independent supporting information must be provided from a professional, for example a doctor, consultant, social worker or other professionals working with the family which makes a compelling case as to why the child's needs can only be met at the preferred school and no other. A medical condition or diagnosis in itself will not automatically result in priority being given. Advice may be sought from the consultant community paediatrician or other relevant professionals where necessary to determine whether or not the evidence provided is sufficiently compelling to qualify under this category.
- c) **Sibling link** - For the purposes of the school admissions process, children are siblings if they share the same main address and live as part of the same household. A sibling link will apply if the sibling will be attending the school in September 2025. Where separate junior and infant schools are linked (see linked Infant/Junior school below), the sibling link will apply across both linked schools the sibling may be at either school and may be older or younger. If two children, of whom one is due to start junior school and the other infant school in the same September, the junior school child's allocation will be done first and a sibling link will count for the infant child. A sibling link is only taken into account if children live at the same main address and the sibling has already been allocated a place at the school. Twins or multiple births do not qualify for the sibling link unless one child has already been offered a place. Where a sibling attends a nursery class on the same school site, or a sixth form it will not be counted as a link for admissions purposes.
- d) **Free School Meals** – children will be considered under this priority if they are eligible for free school meals on the closing date for applications or on the date the application is submitted if it is late or outside the main admission round. The city average will be taken as

the average percentage of children eligible for free school meals for the applying cohort (this will be Y6 pupils for the main admissions round) taken from the October school census in the application year. The number of places available at each school under this priority will be calculated by applying the city average to the schools PAN.

- e) **Linked infant/Junior Schools** - Children who are attending or have been offered a place at an infant school in the list below will have priority for places at the linked junior school providing the allocation took place by 8 March in the admission year.

Downs Infant - Downs Junior

Hertford Infant - Hertford Junior

Patcham Infant - Patcham Junior

Stanford Infant - Stanford Junior

West Hove Infant Portland Road – Hove Junior Portland Road

West Hove Infant Holland Road - Hove Junior Holland Road

There is no link between West Hove Infant Holland Road and Hove Junior Portland Road, or between West Hove Infant Portland Road and Hove Junior Holland Road.

## BRIGHTON & HOVE CITY COUNCIL

### **Scheme for co-ordinated admissions to infant, primary and junior schools – Admissions Year 2025/26 (Admissions to Reception or year 3 of Junior School in September 2025)**

#### **Introduction**

The main purpose of the co-ordinated scheme is to ensure that every parent of a child living in Brighton & Hove who has completed a school preference form receives one offer of an infant, primary or junior school place. This will be on a set date following the conclusion of the normal admission round for pupils seeking admission to school. The scheme is designed to foster clear communications on school admissions between the City Council, community schools, Academies (for the purposes of this document Free Schools are included as Academies), and voluntary aided schools which act as their own admission authority, and neighbouring Local Authorities (LAs) and admission authorities. It fulfils the requirements of the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements (England)) Regulations 2012 and more detailed arrangements set out in the School Admissions Code 2021.

The scheme does not affect the rights of voluntary aided schools and Academies to set their own admission priorities and consider applications on the basis of those priorities. It is intended to set out a process and time scale for the exchange of pupil information between the parties to the scheme, resulting in the offer of a single school place. This should represent a preference listed by the parent /carer following the application of the admission priorities by the Local Authority (LA) or by own admission authority schools. Where it is not possible to allocate a place at any of the preferred schools for a child living in Brighton & Hove, a place will be offered at the nearest school to their home address within the city boundaries with a place available. This will not preclude parents from seeking an alternative place elsewhere if they are unhappy with the offer, nor will it prevent them from lodging an appeal with the admission authority for their preferred school.

All residents of Brighton & Hove should apply using the City Council's common application form (online or paper) even if they are seeking a place at a maintained school in the area of another Council.

The time scales set out in the scheme will be broadly in line with the time scales used by neighbouring LAs. **Please be aware that governing bodies for VA schools and Academies will need to meet between 24 February 2025 and 10 March 2025 when the ranking order needs to be returned to the Local Authority.**

#### **Key dates**

- |  |                  |
|--|------------------|
| • Online application facility available    | 1 September 2024 |
| • Closing date for applications            | 15 January 2025  |
| • Preference data exchanged with Voluntary | 24 February 2025 |

- aided schools and other LAs.
- Consider qualifying late applications. 08 March 2025
- Voluntary Aided schools provide Council with provisional ranking order of all applicants. 10 March 2025
- Finalise allocations and exchange offer details with neighbouring LAs Between 24-28 March 2025
- Offer details provided to schools 15 April 2025
- Notification e-mails sent to parents, decisions posted to applicants without an email address 16 April 2025
- Deadline date for acceptance of places 30 April 2025
- Deadline for acceptance of places and appeals to be heard in the main round. 20 May 2025

### **Process and detailed time scale – infant, junior and primary schools**

1. The school admissions guidance published by the City Council will be distributed on request to parents/carers applying for infant or primary school places. A publicity campaign will be launched in September 2024 encouraging parents to apply online. Posters will be sent to schools, other council services, early years settings, the press and other media to remind parents of those pupils requiring a school place to apply.
2. Parents/carers will be invited to list 3 preferences for a school place ranked in order of priority. These may be at a City Community School, an academy, a free School or a voluntary aided school, or any maintained school outside the City of Brighton & Hove. Those residents in the City must use the Brighton & Hove school admission preference form to indicate their preferred schools, either online or by completing a paper form. No other form of application will be valid. The LA allocates places on the basis of equal preferences, and each preference listed will be prioritised on the basis of the published admission priorities for community and own admission authority schools. If it is possible to offer more than one place on the basis of those priorities, the one ranked higher on the application will be offered.
3. Parents and carers are strongly advised to apply online through the facility available on the Brighton & Hove City Council website. This will provide them with a response which confirms their preference listing and acts as proof of application. Alternatively, the paper form should be completed and returned to their local infant/primary school or to the Admissions Team at Hove Town Hall, Hove **by 15 January 2025**.
4. Where, as part of its admission priorities a voluntary aided school requires additional supporting information, such as a Supplementary Information form, or proof of denominational commitment, that form or proof should be completed and returned to the school by the same closing date. This is to ensure that target dates for the exchange of pupil information and the notification date for parents/carers can be met.
5. Parents are encouraged to apply online however, if using an application form rather than the online application parents and carers are strongly

advised to return their application via a preferred school. Parents who post the form should understand that proof of posting is not proof of receipt, and they will not have confirmation in the same way as those applying online or returning the form to a school. All maintained infant and primary schools in the city will return preference forms to the LA as they are received, ideally scanned and sent by email. Schools should maintain a record of the date on which each form was received, and if required will provide proof of receipt to the parent/carer. This ensures that on time applications and late applications are clearly recorded as such. It also provides assurance for parents should the school or the LA subsequently mislay the form.

**6. No later than 24 February 2025**

- ❖ LA will identify the numbers of preferences (first, second and third) received for each school.
- ❖ Voluntary aided schools, free schools and academies will be provided with details of parental preferences where their school is given as a preference. They will apply oversubscription criteria to prioritise all preferences. Where pupils have an Education, Health & Care Plan (naming the school) and must be offered a place this will be indicated. These pupils must be given a place at the school in accordance with the SEN and Admissions Code. This applies to all maintained schools, free schools and Academies.
- ❖ West and East Sussex and other LA's as necessary will be forwarded the details of preferences expressed for their schools by Brighton & Hove parents/carers (first, second and third). Where the pupil has an Education, Health & Care Plan this will be indicated.
- ❖ West and East Sussex will be asked to provide a list of pupils living in those areas who have expressed a preference for a Brighton & Hove school (first, second or subsequent).

**7. No later than 10 March 2025**

- ❖ Voluntary aided schools, free schools and academies will provide the LA with a list showing children in priority order for places at the school. The list will show which oversubscription criterion was applied to each child, and relevant information to apply any necessary tie-break. The school will advise the LA of such additional information as is necessary to inform parents of the reason for its decision when allocation letters and emails are sent on 16 April 2025.
- ❖ Brighton & Hove will apply its admission priorities to all preferences received for community schools, and where the children are resident in other LAs, will inform that LA.
- ❖ Consideration will be given to qualifying late applications received before 8 March 2025.

**8. Between 24 and 28 March 2025**

- ❖ Brighton & Hove will establish whether more than one offer could be made on the basis of the application of its own admission priorities and those of voluntary aided schools, free schools, academies and other

LAs. It will determine in each case which is the highest parental ranking.

- ❖ Final lists of school allocations will be prepared.
- ❖ Emails to parents/carers will be prepared.
- ❖ Discussions will take place with other admission authorities as necessary to resolve any remaining unallocated applications.
- ❖ Neighbouring LAs will be sent final details of children living in their area offered a place at a Brighton & Hove school, and for whom they will need to send allocation letters.

#### **9. 16 April 2025**

Online applicants will receive their decisions by e-mail. Letters will be sent only to parents/carers who do not have an email address. The LA email or letter to parents will contain the following:

- ❖ If they have not been allocated a school of preference, the reason why not.
- ❖ How places at the preferred schools were allocated.
- ❖ Where it is an own admission authority school, the fact that the offer is made on behalf of the governing body of the school.
- ❖ Where it is a school maintained by another LA, the fact that the offer is made on behalf of that LA.
- ❖ The right of appeal to an independent panel, and how to arrange an appeal for a community school or a voluntary aided school.
- ❖ Details about waiting lists for preferences that could not be met.

#### **10. 30 April 2025**

Parents and carers should accept offers of places by this date in order to allow schools and the LA ample planning time for the new intake. This does not affect their right to appeal if the place they are accepting is not their highest preference.

#### **11. 20 May 2025**

Parents should also have exercised their right to appeal by this date if they want to be assured of having their appeal heard in the main round of appeals.

#### **12. Proof of address**

The LA may require parents/carers to provide proof of address if they are applying for a community school place. Own admission authority schools may also request proof of address from their applicants.

### **Appendix A – Changes of address and late applications**

#### **New arrivals in the city**

Parents/carers moving into the City in the course of the admission process who are making an application on the basis of their new address must provide evidence of either a tenancy agreement of six months or more or an exchange of contracts if they are purchasing a property. Applicants should submit their



application by the closing date if possible, especially if their move took place before the closing date, forwarding proof of the move at the earliest opportunity. If they provide an application with the evidence of the move by 8 March 2025 their application will be included in the main admission round.

### **Late applications received before national offer day**

- I. With the exception of families moving into the area and cases as described at VI below, applications received after the closing date will not be considered by the LA until allocations have been made for those received before the closing date. Any received for an own admission authority school will be forwarded to the school. The school will decide whether or not there is a good reason to include these late applications in the main admission round but will only consider them if they are received before **8 March 2025**.
- II. Any applications received for community schools in respect of children in care will be included in the main admission round as valid preference at any time up to **4 April 2025**. Where such applications are received after that date, the LA will, if attendance at that school is seen as a necessity for the welfare of the child, seek to offer places at the school ranked highest on the preference form. If, however, it is acceptable to offer a place at a lower ranked school without going over numbers, the LA will discuss that possibility with the social worker for the child. Applications to voluntary aided schools, free schools and academies received on behalf of children in public care will be considered in line with the published admission policy for each school and the requirements of the School Admission Code.
- III. Applications received after the closing date but before the 8 March 2025 will be sent a letter or email allocating a school place on 16 April 2025 or as soon as possible after that date if the volume of late applications is high.
- IV. Applications received after 8 March 2025 will be sent an allocation letter or email as soon as possible after 30 April 2025.
- V. Parents/carers living in the City who change any preference as a result of a change of address, and who return the new application by **8 March 2025** will have that change considered in the main round of allocations. They will have to provide evidence of their new address and will not have their changed application accepted without that evidence.
- VI. Other late applications where there is a good reason for this will be considered in the main round of allocations if received by **8 March 2025** where independent evidence is given by a third party (usually a professional source such as a doctor or social worker) to support the reason for the delay.

### **Late applications received after national offer day**

- I. Where an application is received after the allocation date, from a parent/carer living in the City, they must use the Brighton & Hove online application or paper form. If the preference(s) is for a community school, the LA will allocate a place if the school remains under subscribed. If the school(s) is fully subscribed, a place will be allocated at the nearest school

to the home address that has a vacancy. Brighton & Hove will seek to make a decision as soon as possible after receiving the form. Where a preference is given for an own admission authority school or a school in a neighbouring LA, the form will be passed to that admission authority for a decision. They will be asked to reach a decision within fourteen days of receiving the application. Brighton & Hove will endeavour to send a decision to the parent /carer either as soon as possible once it has reached a decision or has been informed of a decision by the other admission authority.

- II. If a change of preference is received following the decision letter on **16 April 2025** and the home address has not changed, that changed preference will not be considered until **mid-June 2025**. This allows reasonable time for the consideration of late first applications and the operation of the waiting list where places have been offered and refused.
- III. All applications received after 31 August 2025 will be regarded as outside this admission round and will be considered under the in-year coordinated scheme.

### **Waiting List**

- I. Brighton & Hove will operate a waiting list system for its community schools. (Own admission authority schools make their own waiting list arrangements). The waiting list ranking will be based on the LA admission criteria. Rankings within each priority will be determined by home to school distance. All children will be automatically placed on the waiting list for the community school for which they have expressed a first preference, although parents will be given the option of also asking to go on the waiting list for a different preferred school when places are allocated on **16 April 2025**. Places will start to be offered from the waiting lists after 30 April 2025. Places will be offered to children from the waiting list as soon as a place becomes available at an oversubscribed school and the admission criteria have been applied. The waiting list will operate until the 31 December 2025.
- II. Parents/carers wishing to keep their child's name on the list for longer than the 31 December they must inform the LA. They must renew the waiting list place each term thereafter.

### **School Admission Appeals**

- I. Parents/carers wishing to appeal against the LA's decision not to offer a place at a preferred school should do so by **20 May 2025** if they want to be assured of having their appeal heard in the main appeal round.
- II. The LA will not arrange an appeal or ask a voluntary aided school to arrange an appeal for a school that was not included on the original application. It will only arrange an appeal for a school which was listed as a preference, as it will not have given a decision to the parent/carers for schools not included on the form. If a parent/carers wishes to receive a decision for a school not included in their original application,

and thus acquire a right of appeal, they must complete a further application. However, unless there is a good reason for a change of preference this new form will not be considered until **mid-June 2025**.

- III. Parents/carers will receive 10 school days notice of the date of the appeal hearing and will receive copies of any documentation relating to the appeal 7 days in advance of the hearing.
- IV. Appeals for on-time applications must be heard within 40 school days of the closing date for appeals to be lodged. The volume of appeals to be heard and the availability of the appeal panel members, who are volunteers, will have a direct effect on the timing of the appeal hearings.
- V. Appeals for late applications and school transfers outside the normal admission round will be arranged as soon as practicable after the decision to refuse a preference has been conveyed to the pupil and the parent/carer, and in any case within 30 school days.



## **BRIGHTON & HOVE CITY COUNCIL**

### **Scheme for co-ordinated admissions to secondary schools – Admissions Year 2025/26 (Admissions to year 7 in September 2025)**

#### **Introduction**

The main purpose of the co-ordinated scheme is to ensure that every parent of a child living in Brighton & Hove who has completed a school preference form receives one offer of a secondary school place at the conclusion of the normal admission round for pupils transferring from primary to secondary school. The scheme is designed to foster clear communications on school admissions between the City Council, community schools, Academies (for the purposes of this document Free Schools are included as Academies), Cardinal Newman School, which as a voluntary aided secondary school acts as its own admission authority, and neighbouring Local Authorities (LAs) and admission authorities. It fulfils the requirements of the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements (England)) Regulations 2012 and more detailed arrangements set out in the School Admissions Code 2021.

The scheme does not affect the rights of the different admission authorities mentioned to set their own admission priorities and consider applications on the basis of those priorities. It is intended to set out a process and time scale for the exchange of pupil information between the parties to the scheme, resulting in the offer of a single school place. This should represent a preference listed by the parent/carer that it is possible to meet following the application of the admission priorities by this LA or by other admission authorities. Where it is not possible to allocate a place at any of the preferred schools for a child living in Brighton & Hove, a place will be offered at the nearest school to their home address within the city boundaries with a place available. This will not preclude parents from seeking an alternative place elsewhere if they are unhappy with the offer, nor will it prevent them from lodging an appeal with the admission authority for their preferred school.

All residents of Brighton & Hove should apply using the City Council's common application form (online or paper) even if they are seeking a place at a maintained school in the area of another Council.

The time scales set out in the scheme work towards the prescribed date (1<sup>st</sup> March or the first working day following 1<sup>st</sup> March where it falls at a weekend) on which secondary school place decisions must be notified to parents/carers. It will also be broadly in line with the time scales used by neighbouring LAs.

#### **Key dates**

- Online application facility available 1 September 2024
- Provide information for Junior & Primary schools to notify year 6 parents of the need to apply by 12 September 2024
- Closing date for applications 31 October 2024

- Preference data exchanged with own admission authority schools (Cardinal Newman, King's, BACA & PACA) and neighbouring LAs 2 December 2025
- Own admission authority schools provide LA with provisional ranking order of applicants. 20 December 2025
- Consider qualifying late applications. 22 January 2025
- Finalise allocations and exchange offer details with neighbouring LAs 3 - 7 Feb 2025
- Offer details provided to schools 26 February 2025
- Notification e-mails sent to parents, decisions posted to applicants without an email address 3 March 2025
- Deadline date for acceptance of places 17 March 2025
- Deadline for appeals to be heard in the main round. 28 March 2025

### Process and detailed time scale

1. Information about the application process and how to apply will be distributed to parents via primary and junior schools at the beginning of September 2024.
2. Parents/carers will be invited to list 3 preferences for a school place ranked in order of priority. These may be at a City Community School, an Academy, a Free School or a voluntary aided secondary school, or any maintained school outside the City of Brighton & Hove. All residents in the City must use the Brighton & Hove school admission to indicate their preferred schools, either the paper or online form. No other form of application will be valid. The LA allocates places on the basis of equal preference, and each preference listed will be prioritised in accordance with the published admission priorities for community and own admission authority secondary schools in the City. If it is possible to offer more than one place on the basis of those priorities, the one ranked higher on the application will be offered.
3. Parents and carers are strongly advised to apply online through the facility available on the Brighton & Hove City Council website. This will provide them with a response which confirms their preference listing and acts as proof of application. Alternatively, the paper form should be completed and returned to the child's primary or junior school in the City, or to the Admissions Team at Hove Town Hall **by 31 October 2024**. Applicants for Cardinal Newman and/or King's School will need to return their supporting information directly to the school as well as submitting an online application or paper form to the Council. If supporting information is returned to the Local Authority, the documents will be shared with these schools.
4. Where, as part of its admission priorities a voluntary aided school, free school or academy within the City or beyond requires additional supporting information, such as a Supplementary Information form, or proof of denominational commitment, that form or proof should be completed and returned to the school by the same closing date. This is to ensure that

target dates for the exchange of pupil information between authorities and the notification date for parents/carers can be met.

5. Parents are encouraged to apply online. If using an application form rather than online application parents and carers whose children attend maintained primary schools in the City are strongly advised to return the form via the school. Parents who prefer to post the form should understand that proof of posting is not proof of receipt, and they will not have confirmation of receipt in the same way as those applying online or returning the form to their child's school. All maintained junior and primary schools in the city will return secondary preference forms they receive to the LA as they are received, ideally scanned and sent by email. Schools should maintain a list to record the date on which each form was received, the school preferences, and if required will provide proof of receipt to the parent/carer. This ensures that on time applications and late applications are clearly recorded as such. It also provides assurance for parents should the school or the LA subsequently mislay the form.

#### **No later than 2 December 2024**

- ❖ LA will identify the number of preferences (first, second or third) received for each school.
- ❖ Own admission authority schools will be provided with details of any parental preference where it gives the school as a preference (first, second or third) received by the LA. It will apply its oversubscription criteria to prioritise all preferences. Where pupils have an Education Health & Care Plan naming the school and must be offered a place this will be indicated. (These pupils must be given a place at the school in accordance with the SEN and Admissions Codes of Practice.)
- ❖ West and East Sussex and other LA's as necessary will be forwarded the details of preferences expressed for their schools by Brighton & Hove parents/carers (first, second and third). Where the pupil has an Education, Health & Care Plan this will be indicated.
- ❖ West and East Sussex will be asked to provide a list of pupils living in those areas who have expressed a preference for a Brighton & Hove school (first, second or subsequent).

#### **No later than 20 December 2024**

- ❖ Own admission authority schools will provide the LA with a list showing children in priority order for places at the school. The list will show which admission criterion was applied to each child. The school will advise the LA of such additional information as is necessary to inform parents of the reason for its decision when allocation letters and emails are sent on 3 March 2025.
- ❖ Brighton & Hove will apply its admission priorities to all preferences received for community schools, and where the children are resident in other LAs, will inform that LA.

#### **Between 3 and 7 February 2025**

- ❖ Brighton & Hove will establish whether more than one offer could be made on the basis of the application of its own admission priorities and

those of voluntary aided schools, free schools/Academies and other LAs. It will determine in each case which is the highest parental ranking.

- ❖ Final lists of school allocations will be prepared.
- ❖ Emails and letters to parents/carers will be prepared.
- ❖ Consideration will be given to late applications received before 22 January, as set out in Appendix A below.
- ❖ Neighbouring LAs will be sent final details of children living in their area offered a place at a Brighton & Hove school, and for whom they will need to send allocation letters.

### **3 March 2025**

Online applicants will receive their decisions by e-mail. Letters will be sent only to parents/carers who do not have an email address. The LA email or letter to parents will contain the following:

- ❖ If they have not been allocated a school of preference, the reason why not.
- ❖ How places at all Brighton & Hove schools were allocated.
- ❖ Where it is an own admission authority school, the fact that the offer is made on behalf of the governing body of the school.
- ❖ Where it is a school maintained by another LA, the fact that the offer is made on behalf of that LA.
- ❖ The right of appeal to an independent panel, and how to arrange an appeal for a community school, a voluntary aided school, and in the case of Academies, Free schools, and schools in other LA's who to contact.
- ❖ Details about waiting lists and reallocation pools for preferences that could not be met.

### **17 March 2025**

Parents and carers should accept offers of places by this date in order to allow schools and the LA ample planning time for the new intake. This does not affect their right to appeal if the place they are accepting is not their highest preference.

### **28 March 2025**

Parents should have exercised their right to appeal by this date if they want to be assured of having their appeal heard in the main round of appeals.

### **Proof of address**

The LA may require parents/carers to provide proof of address if they apply for a place at a community school. Own admission authority schools may also request proof of address from their applicants.

### **Appendix A – Changes of address and late applications**



### **New arrivals in the city**

Parents/carers moving into the City in the course of the admission process who are making an application on the basis of their new address must provide evidence of either a tenancy agreement of six months or more or an exchange of contracts if they are purchasing a property. Applicants should return their preference form by the closing date if possible, especially if their move took place before the closing date, forwarding proof of the move at the earliest opportunity. If they provide the form and the evidence of the move by 22 January 2025 their application will be included in the main admissions round.

### **Late applications received before the 22 January 2025.**

- I. With the exception of families moving into the area and cases as described at V below, applications received after the closing date will not be considered by the LA until school allocations have been made for those received by the closing date. Any applications received for own admission authority schools will be forwarded to the school, which will decide whether or not to include the application in the main admission round.
- II. Any preference forms for community schools received in respect of children in care will be included in the main admission round as valid first preferences at any time up to the allocation date on **21 February 2025**. Where such applications are received after that date, the LA will, if attendance at that school is seen as a necessity for the welfare of the child, seek to offer places at the school of first preference, if necessary negotiating with that school to admit beyond the published admission number in order to do so. If, however, it is acceptable to offer a place at a lower ranked school without going over numbers, the LA will discuss that possibility with the social worker for the child. Applications for own admission authority schools and schools in other LA areas for children in care will be considered in line with the admission arrangements for those schools and the requirements of the Admissions Code.
- III. Applications received after the closing date but before the 22 January 2025 will be sent a letter or email allocating a school place on 3 March 2025 or as soon as possible after that date if the volume of late applications is high.
- IV. Parents/carers living in the City who change a preference as a result of a change of address within the city, and who submit the new application and evidence of the address change will have that change considered in the main round of allocations if it is received by **22 January 2025**. They will have to provide evidence of the address change. Those applications received after that date will be considered as late applications.
- V. Other late applications where there is good reason for the delay will be considered in the main round of allocations if received by **22 January 2025** where independent evidence is given by a third party (usually a professional source such a doctor or social worker) to support the reason for the delay.

### **Late applications received after the 22 January 2025.**

- I. Applications received after 22 January 2025 will be sent a letter or email allocating a school place as soon as possible after 17 March 2025.
- II. Where an application is received after 22 January 2025, from a parent/carer living in the City, they must use the Brighton & Hove online application service or paper preference form. If the preference(s) is for a community school, the LA will allocate a place if the school remains under subscribed. If the school(s) is fully subscribed, a place will be allocated at the nearest school to the home address that has a vacancy. Brighton & Hove will seek to make a decision as soon as possible after receiving the application. Where a preference is given for a free school, an Academy, Cardinal Newman School or a school in a neighbouring LA, the form will be passed to that admission authority for a decision. They will be asked to reach a decision within fourteen days of receiving the application. Brighton & Hove will endeavour to send a decision to the parent /carer as soon as possible once it has either reached a decision or been informed of a decision by the other admission authority.
- III. If a change of preference or preference order is received following the decision letter on 3 March 2025 and the home address has not changed (and there has been no other relevant change of circumstances), that changed preference will not be considered until mid-June 2025. This allows reasonable time for the consideration of late first applications and the operation of the reallocation pool where places have been offered and refused.
- IV. All applications received after 31 August 2025 will be regarded as in-year applications and outside this admission round.

### **Re-allocation Pool**

- I. Brighton & Hove will operate a re-allocation pool system for its community schools. The ranking of re-allocation pools will be based on the Brighton & Hove admission criteria. All children will be automatically placed in the re-allocation pool for all un-met first preferences for community schools. Parents/carers will be asked to indicate if they also wish to be placed in the re-allocation pool for a different preferred school when the allocation emails and letters are sent on 3 March 2025. Places will be offered to children from the pool as soon as a place becomes available at an oversubscribed school and the admission priorities have been applied. This LA will notify other LAs as appropriate if it offers a place from the pool at a Brighton & Hove school to a pupil living outside the City. The pool will operate until the 31 December 2025.
- II. Own admission authority schools (BACA, PACA, Cardinal Newman and Kings) and other local authorities will operate their own waiting list/reallocation arrangements. If they are able to place a child resident in Brighton & Hove in one of their schools, they are asked to notify this LA at the earliest opportunity.

- III. Parents/carers wishing to keep their child's name in the reallocation pool beyond the 31 December must inform the LA. They must renew the position on the reallocation pool each term thereafter.

### **School Admission Appeals**

- I. Parents/carers wishing to appeal against the LA's or a voluntary aided school's decision not to offer a place at a preferred school should do so in writing or using the online appeal facility by 28 March 2025 if they want to be assured of having their appeal heard in the main appeal round.
- II. The LA will not arrange an appeal or ask an own admission authority school to arrange an appeal for a school that was not included on the original application. It will only arrange an appeal for a school that was listed as a preference, as it will not have given a decision to the parent/carer for schools not included on the application. If a parent/carer wishes to receive a decision for a school not included in their original preferences, and thus acquire a right of appeal, they must complete a further application. However, unless there is a change of address or other change of circumstances leading to the change of preference this new form will not be considered until mid-June 2025.
- III. Parents/carers will receive 10 school days notice of the date of the appeal hearing and will receive copies of any documentation relating to the appeal 7 days in advance of the hearing.
- IV. Whilst the City Council, other LAs and the Governing Bodies of Academies and voluntary aided schools will make every effort to hear appeals within 40 school days of the deadline for submitting appeals, as suggested in the Appeals Code, they cannot guarantee this time scale. The volume of appeals to be heard and the availability of the appeal panel members, who are volunteers, will have a direct effect on the timing of the appeal hearings.
- V. Appeals for late applications and school transfers outside the normal admission round will be arranged as soon as practicable after the decision to refuse a preference has been conveyed to the parent/carer or if appropriate to the student, and in any case within 30 school days of the appeal being lodged.



## Equality Impact and Outcome Assessment (EIA) Template - 2019

**EIAs make services better for everyone and support value for money by getting services right first time.**

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users<sup>1</sup>. They analyse how all our work as a council might impact differently on different groups<sup>2</sup>. They help us make good decisions and evidence how we have reached these decisions<sup>3</sup>.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age<sup>13</sup>) or use the hyperlinks ('Ctrl' key and left click).

**For further support or advice please contact:**

- **BHCC: Communities, Equality and Third Sector Team on ext 2301**
- **CCG: Engagement and Equalities team (Jane Lodge/Debbie Ludlam)**

### 1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed<sup>4</sup>.

<b>Title of EIA<sup>5</sup></b>	Consultation on Council's Admission Arrangements 2025/26	<b>ID No.<sup>6</sup></b>	
<b>Team/Department<sup>7</sup></b>	Families, Children & Learning – Education & Skills		
<b>Focus of EIA<sup>8</sup></b>	<p>Any proposed changes to the council's admission arrangements which includes reducing a school's Published Admission Number (PAN) is required to be consulted upon for a minimum of 6 weeks between October and 31<sup>st</sup> January approximately 18 months in advance of taking effect. Admission arrangements and each school's PAN for September 2025 will be consulted upon 7 November 2023 to 22 December 2023 with the results of this consultation being presented to the Children, Families &amp; Schools Committee on 8 January 2024.</p> <p>The aim of the consultation process is to seek the views of other admission authorities, adjoining neighbouring local authorities, schools' governing bodies, parents of children between the age of 2 and 18 and any other people who are interested in the admission arrangements.</p>		

Pupil numbers in the city have been falling and are forecast to continue to fall over the next few years. Too many spare school places in the city will result in some schools not getting enough pupils attending. As schools are mostly funded on pupil numbers, if schools don't have enough pupils attending, they may not be able to operate in a financially efficient way. The law prohibits infant school classes larger than 30 pupils and if schools are required to operate small classes, they may not be able to afford to employ the required number of teachers.

The changes proposed in this consultation are the reduction of PAN at Brunswick Primary School, Goldstone Primary School, Patcham Infant School, Queens Park Primary School, Rudyard Kipling Primary School, Saltdean Primary School, Stanford Infant School, St Lukes Primary School and Woodingdean Primary School.

The council's aim with these proposals is to continue reducing the number of surplus places in the city and the associated risk of a school or schools being forced into financial difficulty. This both risks schools incurring a deficit budget, which has implications for the council's own budget and will impair the quality of education that they can provide.

This Equalities Impact Assessment is looking at the consultation process to ensure that it is conducted fairly and has engaged with the public appropriately.

### 3. Review of information, equality analysis and potential actions

Groups to assess	What do you know <sup>9</sup> ? Summary of data about your service-users and/or staff	What do people tell you <sup>10</sup> ? Summary of service-user and/or staff feedback	What does this mean <sup>11</sup> ? Impacts identified from data and feedback (actual and potential)	What can you do <sup>12</sup> ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age <sup>13</sup>	<p>Parents of children between the age of 2-18 need to be consulted.</p> <p>Changes will affect parents of children born between 1/09/2020 and 31/08/2021 who are due to start school in September 2025.</p> <p>There are projected to be 2177 children in this age bracket, and it is estimated 1959 will require a mainstream school place.</p> <p>When applying for a first school place between 95% and 98% did so online each year from 2021.</p>	<p>The consultation in 2021 received 451 responses through the consultation portal. 79% of responders provided their age with the youngest being 20 and the oldest over 79.</p> <p>Out of the responses in 2021 where age was provided 3% were under 30. 30% were aged between 30-39; 39% aged between 40-49; 5% were aged between 50-59 and 2% were 60 or older.</p> <p>The consultation in 2020 received 802 responses in total however only 15% of responders provided their age with the youngest being 18 and the oldest over 70.</p> <p>Out of the responses in 2020 where age was</p>	<p>When considering the responders who provided an age, there was a decrease in the percentage of younger parents responding to the consultation in 2021 compared to previous years.</p> <p>Respondents aged between 30 and 49 accounted for about 60% of the responses.</p> <p>Younger parents are increasingly using the online system to apply for school places.</p>	<p>Further engagement with childcare providers and nurseries in the city to continue to engage younger parents and parents of younger children.</p> <p>Liaise with support services such as Parenting Team, Family Coaches and Youth Employment Service to continue encouraging participation from younger parents.</p> <p>Greater use of social medial platforms and online promotion to reach younger parents in conjunction with traditional methods of promotion.</p> <p>Consideration of timing of any public consultation events so parents with young families can</p>

<b>Groups to assess</b>	<b>What do you know<sup>9</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>10</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>11</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>12</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
		provided 14% were under 30. 12% were aged between 30-39; 29% aged between 40-49; 22% were aged between 50-59 and 14% were 60 or older.		attend.
<b>Disability<sup>14</sup></b>	Children with Special Educational Needs and Disabilities (SEND) who have an Education, Health & Care Plan would be placed in school under the SEND code of Practice by the SEN team and normal admission arrangements and PANs would not apply.	<p>Consultation in 2021, 8% identified as having a disability. Nearly 68% did not consider themselves to have a disability and 24% did not provide an answer to this question.</p> <p>Consultation in 2020, less than 1% identified as having a disability. 11.5% did not consider themselves to have a disability and 87.7% did not provide an answer to this question.</p> <p>There were no requests last year for consultation documentation in alternative formats and all responses were submitted online or by</p>	<p>Parents of children with a disability may be more interested in SEND processes than mainstream school admission arrangements.</p> <p>Disabled parents could find it harder to respond through the online consultation portal or attend an event in person.</p> <p>Parents with children who have a disability may not be able to attend a consultation event in person.</p> <p>Parents with disabled children or who have a disability themselves may not be able to travel a</p>	<p>Consultation documentation should be available in other accessible formats, and this should be advertised more widely.</p> <p>Parents who are unable to attend a public meeting will be able to access information online or over the telephone or attend a virtual meeting.</p> <p>If consultation events are held online relevant information should be available to be viewed after the event.</p> <p>Nurseries will be encouraged to identify families who need additional support to</p>



<b>Groups to assess</b>	<b>What do you know<sup>9</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>10</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>11</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>12</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
		email.	distance to take their child to a school place.	<p>access the information materials.</p> <p>The council will also liaise with PaCC and Amaze and any adult/parent disability groups.</p> <p>There needs to be sufficient school places within a reasonable distance of families including those families who have someone with a disability living with them.</p>
<b>Gender reassignment<sup>15</sup></b>	There are currently no disproportionate impacts identified for this group.	Schools in the city work closely with Allsorts to understand the complex needs of gender diverse children and young people.	The needs of any impacted within this cohort will be taken into consideration using policy and the Trans Toolkit.	A package of support is provided to the schools via Brighton & Hove's Trans Toolkit which will be adapted to meet the individual needs of children and young people.
<b>Pregnancy and maternity<sup>16</sup></b>		Parents who are pregnant or on maternity leave may find it difficult to get older children to school.	There needs to be sufficient places within a reasonable distance from families where there is a pregnant adult or an adult on maternity leave.	Consideration needs to be given to ensuring that there are enough school places within a reasonable distance from families where there is a

<b>Groups to assess</b>	<b>What do you know<sup>9</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>10</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>11</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>12</sup>?</b> All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
			Pregnant people could find it harder to attend an event in person.	pregnant adult or an adult on maternity leave.
<b>Race/ethnicity<sup>17</sup></b> Including migrants, refugees and asylum seekers	<p>The data available for pre-school pupils indicates an increasing percentage of ethnic minority children for the city in general.</p> <p>There is no comprehensive race/ethnicity data available for the cohort due to start school in September 2024.</p> <p>In 2021 allocation year 27.8% of all applications were from ethnic minority families and there is no ethnicity information for a further 11% of applicants.</p> <p>33% of late school applications were submitted by ethnic minority families and for a further 19% there is no</p>	<p>Consultation on admission arrangements conducted in 2021, 18% out of the 451 respondents identified as other than white British. 17% of respondents did not answer this question or did not want to specify their ethnicity.</p> <p>For the consultation in 2020, 3% identified as other than white British and 9% identified as white British. 88% of respondents did not answer this question or did not want to specify their ethnicity</p> <p>Feedback from the Ethnic Minority Achievement Service (EMAS) in relation to the 2020 consultation indicated</p>	<p>In some allocation years a higher percentage of pupils from ethnic minorities apply late or are directed to a school that was not a preference.</p> <p>There was an increased percentage of ethnic minority respondents for last year's consultation process compared to previous years.</p> <p>Interested parties from other race/ethnic groups could find it harder to respond through the online consultation portal or attend an event in person.</p>	<p>Important to ensure that there are some surplus places in each planning area so there are local school places available for any late applicants.</p> <p>Explore further other methods of engagement with ethnic minority communities to further increase responses to the consultation. Continue Including the use of the EMAS service to reach out to communities to communicate the proposals in the consultation and the potential impact on their community.</p> <p>Highlight that there is a translation function on the council's website so</p>

<b>Groups to assess</b>	<b>What do you know<sup>9</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>10</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>11</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>12</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
	<p>ethnicity information.</p> <p>76.4% of ethnic minority families who applied received their first preference school compared to 82% of white British families.</p>	<p>that many parents from ethnic minorities or with English as an additional language found the consultation confusing even with assistance. There was a reluctance to participate from some groups as they felt that it didn't affect them partly due to the uncertainty of the housing situations so children may have to move schools anyway and they trust that whatever school parents get it will be a good school. The difficulty of not being able to attend a local school was however identified as a potential problem.</p>		<p>that consultation information can be viewed in different languages.</p> <p>Hard copy consultation materials to be made available in different languages as required.</p>
<b>Religion or belief<sup>18</sup></b>	<p>There are only Church of England and Catholic faith schools within the city. These schools can prioritise children of the faith above other children. A number of these schools do prioritise children of other</p>	<p>There is little information on this. Some parents will seek a secular education for their child whilst others will want their children taught in line with their religious belief.</p> <p>79% of responders to the</p>	<p>All schools identified for a reduction in PAN are community schools and this could potentially have a disproportionate impact on pupils with no faith.</p>	<p>Faith schools in the city are responsible for their own admission arrangements and the council cannot consult on changes to their PAN.</p> <p>The council will need to ensure that there are</p>

<b>Groups to assess</b>	<b>What do you know<sup>9</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>10</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>11</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>12</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
	<p>faiths above children of no faith. None of the faith schools are proposing a reduction in PAN for September 2025.</p> <p>22% of first preference applications for September 2023 were for church aided schools and 78% expressed a first preference for secular schools.</p>	<p>consultation in 2021 indicated they have no particular religious belief, did not answer the question or preferred not to say.</p>		<p>sufficient secular school places available for all residents who require one within a reasonable distance.</p> <p>Consultation events will take place in secular buildings wherever possible.</p>
<b>Sex/Gender<sup>19</sup></b>	<p>There are no single sex, maintained schools in the city. Admission arrangements do not take into consideration the gender of the child.</p>	<p>61% of responses to the 2021 consultation were submitted by females and 19% by males. 20% did not answer or preferred not to say.</p> <p>10% of responses to the 2020 consultation were submitted by females and 3% by males. 87% did not answer or preferred not to say.</p>		
<b>Sexual orientation<sup>20</sup></b>	n/a			

<b>Groups to assess</b>	<b>What do you know<sup>9</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>10</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>11</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>12</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
<b>Marriage and civil partnership<sup>21</sup></b>	n/a			
<b>Community Cohesion<sup>22</sup></b>	<p>The schools identified in the consultation are in different planning areas and serve different communities within in the city.</p> <p>Brunswick Primary School has 2% of pupils within the 10% most deprived areas of Britain and 4% of pupils within the 20% most deprived areas of Britain.</p> <p>Goldstone Primary School has 1% of pupils within the 10% most deprived areas of Britain and 13% of pupils within the 20% most deprived areas of Britain.</p> <p>Patcham Infant School &amp; Stanford Infant Schools have 1% of pupils within</p>	<p>House prices surrounding popular schools can be inflated, due to increased demand on accommodation close to popular schools.</p> <p>Parents from some socio-economic groups are better able to lobby and to instigate a cohesive community response to the proposals that may disproportionately influence the decision making about which schools will have their PAN reduced.</p> <p>Some communities may not be adequately represented in public meetings or in the responses to the consultation.</p>	<p>Can have an implication on the pupils offered a place at these schools as families who cannot afford to move close to oversubscribed schools are unable to obtain a place there.</p> <p>Responses to this consultation need to be considered based on the content not just quantity of replies as some areas in the city due to the nature of the community will provide significantly more replies and in a variety of ways.</p>	<p>Consideration of admission arrangements and tie break to remove advantage to families who are in the financial position to move close to popular schools in order to increase chance of obtaining a place.</p> <p>Encourage communities in all areas of the city to engage in the consultation process and provide alternative methods for them to respond.</p> <p>Take consideration of the impact of any change in PAN may have on a school in relation to the composition of pupil cohorts and their families to promote a comprehensive education offer.</p>

<b>Groups to assess</b>	<b>What do you know<sup>9</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>10</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>11</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>12</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
	<p>the 10% most deprived areas of Britain and 2% of pupils within the 20% most deprived areas of Britain.</p> <p>Queens Park Primary School has 21% of pupils within the 10% most deprived areas of Britain and 30% of pupils within the 20% most deprived areas of Britain.</p> <p>Rudyard Kipling Primary School has 30% of pupils within the 10% most deprived areas of Britain and 31% of pupils within the 20% most deprived areas of Britain.</p> <p>Saltdean Primary School has 0.3% of pupils within the 10% most deprived areas of Britain and 2% of pupils within the 20% most deprived areas of Britain.</p> <p>St Lukes Primary School</p>			

<b>Groups to assess</b>	<b>What do you know<sup>9</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>10</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>11</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>12</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
	<p>has 14% of pupils within the 10% most deprived areas of Britain and 20% of pupils within the 20% most deprived areas of Britain.</p> <p>Woodingdean Primary School has 16% of pupils within the 10% most deprived areas of Britain and 16% of pupils within the 20% most deprived areas of Britain.</p>			
<b>Families with English as additional language</b>	<p>The percentage of pupils with English as an additional language varies across primary schools and planning areas from 6.7% in Patcham to 21.3% in West Blatchington &amp; North Hangleton planning areas.</p> <p>Brunswick Primary School have 29.8% of pupils and Queens Park Primary school has 28.9% of pupils where English is an additional</p>	<p>There is little information on this. However we are aware of the level of consultation responses of those who are identified as other than white British. It is also considered likely that families with English as an additional language may struggle to understand the detail and implication of the proposed changes to the admission arrangements in the city.</p>	<p>Families with pupils who have English as an additional language are proportionally more likely to apply late which significantly reduces their change of being offered a place at an oversubscribed school.</p> <p>The higher number of families with English as an additional language applying late could be contributed to a number of factors such as these families moving into the</p>	<p>Important to ensure that there are still surplus places in each planning area so late applicants and pupils moving mid-year can be offered a place at a local school.</p> <p>Greater emphasis needs to be made in future to reach these families and make them aware of the school admissions applications process. If this group are unaware of the school admissions timescale it is also likely</p>

<p><b>Groups to assess</b></p>	<p><b>What do you know<sup>9</sup>?</b> Summary of data about your service-users and/or staff</p>	<p><b>What do people tell you<sup>10</sup>?</b> Summary of service-user and/or staff feedback</p>	<p><b>What does this mean<sup>11</sup>?</b> Impacts identified from data and feedback (actual and potential)</p>	<p><b>What can you do<sup>12</sup>?</b> All potential actions to:  <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul> </p>
	<p>language.</p> <p>Patcham Infant School have the lowest with 4.6% of pupils where English is an additional language.</p>	<p>Information that interpreters could be available for public meetings for particular languages with a high prevalence in the community would help encourage participation from these families.</p>	<p>city outside the cut off dates for the main admission rounds. This could be due to these families are not being aware of when to apply for school places as they are less likely to understand the promotional information distributed for parents.</p> <p>Families may not comprehend the implication of the proposals or which year they take effect and be able to relate this to their own circumstances.</p> <p>Families with English as an additional language could find it harder to respond through the online consultation portal or attend an event in person.</p>	<p>that they would be less aware of the consultation process. Additional steps should be taken to engage these families with this consultation.</p> <p>Advice and support shall need to be sought from the EMAS team and others with links to various communities where there are a number of families with English as an additional language.</p> <p>For public meetings with a focus on a particular community, explore with individual schools the languages spoken and benefit of providing interpreters.</p> <p>Highlight that there is a translation function on the council's website so that consultation information can be viewed in different</p>



<b>Groups to assess</b>	<b>What do you know<sup>9</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>10</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>11</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>12</sup>?</b> All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations languages.
<b>Other relevant groups<sup>23</sup></b>  <b>Children in Care and Care Experienced Young People</b>	<p>That Children in Care and Care Experienced Young People are likely to face discrimination.</p> <p>There are 332 children and young people in care, and 381 children and young people previously in care.</p> <p>41% of 19-21 year old care leavers are not in education, employment or training, compared to 12% of other young people the same age.</p> <p>There are 66% with SEND and 35% have an EHCP, compared to 12% of the general population. 50% of children and young people in care have a diagnosable mental health condition.</p>	<p>Brighton &amp; Hove City Council have adopted Children in Care and Care Experienced Young People as a protected characteristic. As Corporate Parent, there is a collective responsibility and demonstrable commitment to ensure that children and young people with care experience are enabled to have the same opportunities as any other child or young person.</p>	<p>We need to ensure that the profile of children and young people accessing school places are not discriminated against and have the opportunity to access school provision.</p>	<p>Brighton &amp; Hove City Council have adopted Children in Care and Care Experienced as a protected characteristic and will demonstrate commitment to ensure that this group are not discriminated against within the short break and school holiday activities programme.</p> <p>If there is not proportionate representation, then an action plan will be implemented to ensure that we are supporting children and young people from this cohort to attend.</p> <p>Children in care and previously looked after children have the top admission priority when</p>

<b>Groups to assess</b>	<b>What do you know<sup>9</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>10</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>11</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>12</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
				applying for school places.
<b>Cumulative impact<sup>24</sup></b>				

**Assessment of overall impacts and any further recommendations<sup>25</sup>**

Reducing the number of surplus school places is necessary to safeguard the whole family of schools in the city and to protect schools from financial difficulties as pupil numbers reduce. Without a reduction in school places there is the real possibility that some schools become unable to operate in a financially efficient way with implications for the quality of education provided and the council's own budget.

A higher percentage of late applications are for children from ethnic minorities and children with English as an additional language although the numbers are small. Late applications for oversubscribed schools are less likely to be offered a place. To minimise the impact on these families of applying late more needs to be done to reach these families when reminding parents to apply for their child's school place.

The consultation process must be as accessible as possible for all residents to respond to and that events are held at a variety of times and in locations which allow interested residents to participate and the process of receiving responses is also available to all.

**4. List detailed data and/or community feedback that informed your EIA**

<b>Title</b> (of data, research or engagement)	<b>Date</b>	<b>Gaps in data</b>	<b>Actions to fill these gaps: who else do you need to engage with?</b> (add these to the Action Plan below, with a timeframe)
<b>January 2022 &amp; January 2023 school census</b>	<b>January 2022 &amp; 2023</b>		
<b>Admissions consultation sought views through the council's consultation portal and themes identified in series of virtual public meetings.</b>	<b>15/11/21-2/01/22</b>	<b>Equalities monitoring questions in the consultation portal were not answered by 12% of respondents.</b>	
<b>Admissions consultation sought views through the council's consultation portal</b>	<b>14/11/22-31/12/22</b>	<b>Equalities monitoring questions were not asked of respondents</b>	
<b>Infant &amp; Primary school allocation data</b>	<b>September 2023</b>		

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## 5. Prioritised Action Plan<sup>26</sup>

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				
<p>Disabled parents and parents with children who have a disability may find it more difficult to participate in the consultation process</p>	<p><b>Consultation documentation made available in accessible formats and this should be advertised more widely.</b></p> <p><b>Parents who are unable to attend a public meeting will be able to access information online or over the telephone</b></p> <p><b>Nurseries will be encouraged to identify families who need additional support to access the information materials.</b></p> <p><b>The council will also liaise with PaCC and Amaze and any adult/parent disability groups.</b></p>	<p><b>Greater participation in the consultation by disabled parents and parents whose children have a disability.</b></p>	<p><b>Increased proportion of responses to consultation made by parents with a disability</b></p>	<p><b>Before and during consultation period</b></p>
<p><b>Previous consultation processes either did not sufficiently engage</b></p>	<p><b>Continue to explore other methods of engagement with ethnic</b></p>	<p><b>Greater participation in the consultation by parents from ethnic</b></p>	<p><b>Increased proportion of responses to consultation made by</b></p>	<p><b>Before and during consultation period</b></p>

<p>with ethnic minority families or those who did provide a response were unwilling to divulge their ethnicity however there was an increased percentage of ethnic minority families responding to recent consultations.</p>	<p>minority communities in order to continue increasing responses to the consultation, including the use of the EMAS service to reach out to communities to communicate the proposals in the consultation and the potential impact on their community.</p> <p>Highlight that there is a translation function on the council's website so that consultation information can be available in different languages.</p> <p>Hard copy consultation materials to be made available in different languages as required.</p>	<p>minority families.</p>	<p>parents from ethnic minorities.</p>	
<p>Some communities may not be adequately represented in public meetings or in the responses to the consultation.</p>	<p>Encourage communities in all areas of the city to engage in the consultation process and provide alternative methods for them to respond.</p>	<p>Increased participation in the consultation from communities less likely to participate in the past.</p>	<p>Responses received to the consultation from parents living in all areas in the city.</p>	<p>Before and during consultation period</p>
<p>Ensure that families with English as an additional language are aware of the</p>	<p>Advice and support sought from the EMAS team and others with links to various</p>	<p>More Families with English as an additional language aware of the</p>	<p>Greater number of responses to consultation from this group.</p>	<p>Before and during consultation period</p>

<p><b>consultation and are able to participate.</b></p>	<p><b>communities where there are a number of families with English as an additional language.</b></p> <p><b>Highlight that there is a translation function on the council's website so that consultation information can be available in different languages.</b></p> <p><b>Hard copy consultation materials to be made available in different languages as required.</b></p>	<p><b>consultation and able to participate.</b></p>		

**EIA sign-off:** (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

**Staff member completing Equality Impact Assessment:** Richard Barker

**Date:** 31.10.23

**Directorate Management Team rep or Head of Service/Commissioning:**

**Date:**

**CCG or BHCC Equality lead:**

**Date:**

## Guidance end-notes

<sup>1</sup> The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

### <sup>2</sup> Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people in relation to their 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

**The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:**

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **advance equality of opportunity.** This means the need to:
  - Remove or minimise disadvantages suffered by people due to their protected characteristics
  - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
  - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
  - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
  - Tackle prejudice
  - Promote understanding

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<sup>3</sup> EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected within the context

The greater the impacts, the more thorough and demanding the process required by the Act will be.

<sup>4</sup> **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

**Do you need to complete an EIA? Consider:**

- Is the policy, decision or service likely to be relevant to a specific group or groups (eg: older people)?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

<sup>5</sup> **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

<sup>6</sup> **ID no:** The unique reference for this EIA. If in doubt contact your CCG or BHCC equality lead (see page 1)

<sup>7</sup> **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

<sup>8</sup> **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'



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This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

<sup>9</sup> **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on specific groups of the policy/decision/service is available?<sup>9</sup>
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the groups identified above in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: <http://www.bhconnected.org.uk/content/needs-assessments> and Community Insight: <http://brighton-hove.communityinsight.org/#> ) and national ones where they are relevant.

<sup>10</sup> **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
  - (a) consult when proposals are still at a formative stage;
  - (b) explain what is proposed and why, to allow intelligent consideration and response;
  - (c) allow enough time for consultation;
  - (d) make sure what people tell you is properly considered in the final decision.
- Try to consult in ways that ensure all perspectives can be considered.
- Identify any gaps in who has been consulted and identify ways to address this.

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<sup>11</sup> Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
  - Are one or more groups affected differently and/or disadvantaged? How, and to what extent?
  - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
  - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
  - If there is negative differential impact, how can you minimise that while taking into account your overall aims
  - Do the effects amount to unlawful discrimination? If so the plan must be modified.
  - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

<sup>12</sup> Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to improve the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

<sup>13</sup> **Age:** People of all ages

<sup>14</sup> **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

<sup>15</sup> **Gender Reassignment:** A transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected

<sup>16</sup> **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

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<sup>17</sup> **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

<sup>18</sup> **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

<sup>19</sup> **Sex/Gender:** Both men and women are covered under the Act.

<sup>20</sup> **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

<sup>21</sup> **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

<sup>22</sup> **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

<sup>23</sup> **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum etc

<sup>24</sup> **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

<sup>25</sup> **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

<sup>26</sup> **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

