

Equality Impact Assessment Template 2023/24 – Service-Users

1. Service Area ⁱ	Home to School Transport (HTST)	2. Proposal No. ⁱⁱ
3. Head of Service ⁱⁱⁱ	Mia Bryden	
4. Budget Proposal ^{iv}	<p>What is the proposal? Use the savings proposal wording and more detail if needed</p> <p>According to National Guidance on Post 16 transport and travel support to education and training 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 (19th 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 & Hove remains one of few councils to offer a discretionary sixth form travel policy, over and above what is required by law.</p>
<p>5. Summary of impacts^v</p>	<p>Highlight the most significant disproportionate impacts on groups</p> <p>The proposed Post 16 Transport Policy Statement identifies some positive impacts:</p> <ul style="list-style-type: none"> • ensures provision of support for all sixth form pupils and offers a range of options to allow continued access to education or training. • changes would make sure that support can be targeted to those with the highest need . <p>The potential negative impacts for the following protected characteristics:</p> <ul style="list-style-type: none"> • 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 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"> 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.
<p>6. Assess level of impact^{vi}</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>7. Key actions to reduce negative impacts^{vii}</p>	<p>What actions are planned to reduce/avoid negative impacts and increase positive impacts?</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; text-align: center; padding: 10px;"> <p>Analysis behind the proposal</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^{viii}

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.
Age (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>. Disability (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"> • SEND learners of sixth form age (with an EHCP) are able to access the education and training of their choice; and • if support for access is requested, this will be assessed and provided where necessary. <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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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.
Ethnicity/Race (ethnic or national origins, colour or nationality, including refugees & migrants; and Gypsies & Travellers)	NO		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..
Gender (men and women, girls and boys)	NO		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.
Gender reassignment (a person who proposes to, starts or has completed a process to change gender.)	NO		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.
Religion or Belief (any religion or philosophical belief with a clear structure and belief)	NO		This data is not currently collected for CYP using home to school transport to attend college.

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.
system, or lack of religion or belief.)			Entitlement is based on statutory guidance, SEND need and income status.
Sexual Orientation (bisexual, gay, heterosexual and lesbian people)	No		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.
Child Poverty (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.)	No		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"> • income Support or • job Seekers' Allowance (Income Based) or • employment and Support Allowance (Income Related) or • child Tax Credit, but not Working Tax Credit, with an annual Inland Revenue assessed income below £16,190 (subject to review) or

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			<ul style="list-style-type: none"> • guarantee element of State Pension Credit or • working Tax credit run on or • support from the National Asylum Support Service under Part 6 of the Immigration and Asylum Act 1999 • universal Credit with an annual net earned income of no more than £7,400 <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>Other groups relevant to this proposal (Specific and relevant to the service, including but not only: carers, people experiencing domestic or sexual violence, looked after children, homeless people...)</p>	<p>NO</p>		

9. Full EIA?^{ix}	<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>
10. Monitoring and Evaluation	<p>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)?</p> <p>Continue to monitor the demand for subsidised travel for this age group, reviewing complaints and appeals regarding eligibility criteria.</p>
11. Cumulative impacts^x (proposed changes elsewhere which might worsen impacts identified above)	<p>Might related proposals from other service areas (or other changes) worsen or mitigate impacts from your proposal? Please explain these impacts.</p> <p>The government's 16 to 19 Bursary Fund 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 Hardship Fund 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 &</p>

Hove residents using the Disabled Person's Bus Pass as long as the journey starts or finishes in Brighton & Hove.

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.