

# Equality Impact Assessment (EqIA)

## Introduction

This EqIA is for:

To provide Statutory School Transport in relation to mainstream and Post 16 Transport

Details are set out:

C11 Option for Change

Officers undertaking the assessment:

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The Public Sector Equality Duty which is set out in the Equality Act 2010 requires public authorities to have due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation; Advance equality of opportunity between people who share a protected characteristic and those who do not; Foster good relations between people who share a protected characteristic and those who do not.

The purpose of carrying out an Equality Impact Assessment is to assess the impact of a change to services or policy on people with protected characteristics and to demonstrate that the Council has considered the aims of the Equality Duty.

## Part A: Impact, consultation and proposed mitigation

### 1 What are the potential impacts of proposal? *Has any initial consultation informed the identification of impacts?*

The proposal will fulfil the statutory obligation of the Council with regards to home to school transport provision.

At present, Nottinghamshire's Home to School Transport Policy includes some discretionary services particularly in relation to children travelling to faith schools. There are also some other minor enhanced provisions when compared with other local authorities.

The new proposed service will provide home to school transport for those children who have a statutory entitlement. The transport for these children will be provided using the most cost effective method which will include a combination of local and school bus contracts, tickets on commercial services, taxis and parental reimbursements.

Under the proposed new service, there will be no subsidised travel for Post-16 Students.

**2 Protected Characteristics: Is there a potential positive or negative impact based on:**

Age	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> Negative	<input type="checkbox"/> Neutral Impact
Disability	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Gender reassignment	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Pregnancy & maternity	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Race <small>including origin, colour or nationality</small>	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Religion	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> Negative	<input type="checkbox"/> Neutral Impact
Gender	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact
Sexual orientation <small>including gay, lesbian or bisexual</small>	<input type="checkbox"/> Positive	<input type="checkbox"/> Negative	<input checked="" type="checkbox"/> Neutral Impact

**3 Where there are potential negative impacts for protected characteristics these should be detailed including consideration of the equality duty, proposals for how they could be mitigated (where possible) and meaningfully consulted on:**

How do the potential impacts affect people with protected characteristics <i>What is the scale of the impact?</i>	How might negative impact be mitigated or explain why it is not possible	How will we consult
<p><b>Children travelling to faith schools</b> A higher proportion of discretionary services are provided for children travelling to faith schools than non-faith schools.</p> <p>Under the proposals all bus services other than those carrying statutory travellers (Local Authority (LA) catchment over distance and low income faith travellers over distance) will be ceased.</p>	<p><b>Children travelling to faith schools</b> The following mitigation will be implemented</p> <ul style="list-style-type: none"> <li>• Children from low income families will be protected – parents informed of their statutory entitlements</li> <li>• The LA will consult and work with schools and bus contractors to try and secure alternative services not funded by the LA.</li> <li>• Inform parents as early as possible regarding the changes.</li> </ul>	<p><b>All</b></p> <p>Public consultation will include consultation using the Internet and the Schools’ Portal and direct contact with schools and the further education sector.</p> <p>All other communication including press releases will be managed through the Council’s Communications team.</p> <p>Initial internal consultation via email and team meetings.</p> <p>Parents, schools and other stakeholders will be informed of any changes following consultation and the committee process as soon as possible. It is anticipated that at least one academic year’s notice will be given of any changes.</p>

<p><b>Post 16 Travellers</b> No subsidised travel will be provided for Post 16 travellers.</p>	<p><b>Post 16 Travellers</b> The following mitigation will be implemented</p> <ul style="list-style-type: none"> <li>• The LA will consult and work with schools and bus contractors to try and secure alternative services not funded by the LA.</li> <li>• Inform parents of the commercial alternatives including student travel cards offered by some operators.</li> </ul>	
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## Part B: Feedback and further mitigation

### 4 Summary of consultation feedback and further amendments to proposal / mitigation

The majority of concerns raised during the public consultation were about the withdrawal of home to school transport provision for children attending faith schools, where it is not their nearest school. The main areas of concern were:

- ***Ability to afford paying for school transport particularly where this involves two bus journeys and where families have more than one child attending a faith school.***
  - The proposal will continue providing transport for children from low income families where the faith school is between 2 and 20 miles (primary) or 2 and 25 miles (secondary) from their home. This exceeds the statutory minimum requirement for support to low income families who attend a faith school. There is no statutory duty to provide assistance to primary faith travellers, and the statutory duty to provide assistance to secondary low income faith is capped at 15 miles
  - In addition, it is proposed to have a hardship fund which the Council has suggested that the two diocese manage. This could be used to subsidise school bus services provided directly by a faith school, contribute to providing discounted season passes on commercial vehicles or directing funding to individuals who have exceptional circumstances.
- ***For children living in rural areas, there is concern that there is no public bus service to their faith school.***
  - The Council will work with commercial operators and schools to assist schools to make provision for their pupils where the school identifies that there is limited or no service currently.
- ***Safety of route to faith school for primary aged children especially if they have to change buses, walk long distances or if there are no viable footpaths.***
  - Where a child is attending their nearest or catchment school then the safety of the walking route will have been assessed. If this is deemed unavailable then pupils will qualify for travel assistance
  - With regards to preference schools including preference faith schools then it is the responsibility of parents to make arrangements to get their children to school. Schools may want to assist with this as has happened in other schools in the County who have procured bus services for their non-catchment children to get to school. The schools currently providing services are Tuxford, Toot Hill, Retford Oaks and Meden. These schools either provide discounted passes or allow children to pay a daily fare.
  - It is worth noting that a further two schools in Nottinghamshire, Ashfield Academy and The Chilwell School either provide services or financially contribute to services that serve their catchment area where pupils live under the statutory walking distance.
- ***Ability of commercial operators to cope with extra demand and worry that children will not get to school on time and be left at bus stops.***

- The Council will work with commercial operators and schools to assist schools to make provision for the pupils where an issue of capacity has been identified.
- ***Congestion around schools as more parents will be forced to take their children to faith schools by car.***
  - Schools will be encouraged to update existing school travel plans.
- ***Discriminating on the grounds of religion/belief against parents who want to exercise their right to send their children to a school of their choice.***
  - It is recognised that this proposal may have a potential negative impact. Due to the current financial position and the requirement for the County Council to continue to meet its statutory legal obligations the proposal is to remove a discretionary services in order for the County Council to continue to meet its legal obligations. Recognising the impact that this decision may have and following consultation, a number of mitigations have been identified to lessen any impact that reducing a non statutory and discretionary service may have. These mitigations include provision for low income families that is still above the minimum requirement placed on the Council.
  - Statutory guidance from the Department for Education confirms that under the European Convention on Human Rights, parents do not enjoy a specific right to have their children educated at a school with a religious character or a secular school, or to have transport arrangements made by their local authority to and from any such school. Schedule 3 of The Equality Act 2010 states that the Act's requirements relating to religion or belief related discrimination do not apply to anything done in connection with transport to or from a school.
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- ***Children with disabilities who are unable to use public transport.***
  - Where a child is attending their nearest qualifying school (this may not be their nearest school but the nearest school that can meet their SEND needs) then parents can request alternative transport. Pupils currently attending their nearest qualifying school and who are accessing special transport will not be affected by **these** proposals.
- ***Detrimental effect of moving school on child's education especially in key stage years.***
  - This may be mitigated by the proposals suggested in the previous bullet points
- ***Several parents commented that they would prefer to pay more money towards the cost of dedicated school transport rather than let their children use public transport.***
  - A proportion of the services that pupils in Nottinghamshire access for home to school journeys are on commercial and local bus services already. This has increased in recent years as more of our dedicated services are now operated commercially.
- ***With regards the proposal to cease subsidised travel for Post-16 students, the main concern was that children have to remain in education until they are 18 and if there is no viable public transport to sixth forms/colleges for children who live in rural areas, then this could be a problem.***
  - The Council seeks to ensure that young people can reach their potential. The raising of the participation age to 18 enabled young people to do so through a number of options including staying in education, participating in training or through work.