

## North Yorkshire County Council

## Transport, Economy and Environment Overview and Scrutiny Committee

21 January 2015

## Work Programme

**1 Purpose of Report**

1.1 This report asks the Committee to:

- a. Note the information in this report.
- b. Confirm, amend or add to the areas of work shown in the work programme schedule (**Appendix A**).

1.2 Consider whether it wishes to receive the results of the public consultation on proposed changes to the home to school and college transport policy at its meeting on 15 April 2015.

**2 Background**

2.1 The scope of this Committee is defined as:

- *Transport and communications infrastructure of all kinds, however owned or provided, and how the transport needs of the community are met.*
- *Supporting business, helping people develop their skills, including lifelong learning.*
- *Sustainable development, climate change strategy, countryside management, waste management, environmental conservation and enhancement flooding and cultural issues.*

**3 Local Flood Risk Strategy**

3.1 The Committee was presented with the draft Local Flood Risk Strategy at its meeting on 15 October 2014. The consultation closed on 17 December 2014.

3.2 Written feedback will be provided to the Committee shortly to provide Members with an opportunity to comment before a report is presented to the Executive on 3 February and subsequently to the County Council meeting on 18 February for adoption of the strategy.

**4 Consultation on savings proposals in relation to home to school transport and college transport.**

4.1 A report is attached at **Appendix B** providing the background to the current public consultation on savings proposals to remove two areas of discretionary provision from the home to school and college transport policy. The proposals are part of the target savings to be met under the Council's 2020 programme. The public consultation runs from 17 December 2014 to 11 March 2015.

4.2 The proposals are:

- To cease providing free transport for pupils aged 8-11 who live between two and three miles from their normal school; and
- To cease providing free transport for pupils at a 'critical stage' of their education if they move home and wish to remain at the school currently attended.

4.3 The Committee is asked to consider if it wishes to receive a report relating to the results of the public consultation exercise at its meeting on 15 April. This would be in advance of a final report with recommendations being presented to the Executive, enabling the Committee's views on the proposals to be included in that report.

## **5 Recommendations**

5.1 That the Committee:

- a. Notes the information in this report.
- b. Confirms, amends, or adds to the areas of work listed in the Work Programme schedule.

5.2 That the Committee considers whether it wishes to receive the results of the public consultation on proposed changes to the home to school and college transport policy at its meeting on 15 April 2015.

**Jonathan Spencer,  
Corporate Development Officer**

Tel: 0845 8 72 73 74

Email: [jonathan.spencer@northyorks.gov.uk](mailto:jonathan.spencer@northyorks.gov.uk)

8 January 2015

Annexes:                      Appendix A – Work Programme  
                                      Appendix B – Home to School and College Transport:  
                                      Savings Proposals

**Transport, Economy and Environment Overview and Scrutiny Committee – Work Programme Schedule 2015/16**

**Scope**

‘Transport and communications infrastructure of all kinds, however owned or provided, and how the transport needs of the community are met.

Supporting business, helping people develop their skills, including lifelong learning.

Sustainable development, climate change strategy, countryside management, waste management, environmental conservation and enhancement flooding and cultural issues.’

**Meeting dates**

|   |                         |                                   |                                 |                                 |                                 |                                   |
|---|-------------------------|-----------------------------------|---------------------------------|---------------------------------|---------------------------------|-----------------------------------|
| <b>Scheduled Committee Meetings</b><br>Agenda briefings to be held immediately prior to Committee meeting. Attended by Group Spokespersons. |                         | <b>15 April<br/>2015<br/>10am</b> | <b>8 July<br/>2015<br/>10am</b> | <b>14 Oct<br/>2015<br/>10am</b> | <b>20 Jan<br/>2016<br/>10am</b> | <b>13 April<br/>2016<br/>10am</b> |
| <b>Scheduled Mid Cycle</b><br>Attended by Group Spokespersons only.   | 3 March<br>2015<br>10am | 5 May<br>2015<br>10am             | 15 Sept<br>2015<br>10am         | 1 Dec<br>2015<br>10am           | 1 March<br>2016<br>10am         | 3 May<br>2016<br>10am             |

**Overview Reports**

| <b>Meeting</b>   | <b>Subject</b>                                      | <b>Aims/Terms of Reference</b>                  | <b>Action/By Whom</b>        |
|--|---|---|------------------------------|
| <b>Consultation, progress and performance monitoring reports</b> |   |   |                              |
| Each meeting as available  | Corporate Director and / or Executive Member update | Regular update report as available each meeting | David Bowe/Executive Members |

## Transport, Economy and Environment Overview and Scrutiny Committee – Work Programme Schedule 2015/16

| Meeting   | Subject   | Aims/Terms of Reference  | Action/By Whom   |
|---|---|--|--|
| <b>15 April 2015</b>                              | Rail services   | To give an update on current and planned rail services affecting North Yorkshire: overview of the Rail North franchising partnership and replacing the franchises for TransPennine and Northern rail services.   | John Laking  |
|   | Adult Learning Service                                  | Overview of the Adult Learning Service and actions arising from the Ofsted inspection carried out in November 2014.  | Linda Burgon   |
|   | Finance Yorkshire                                       | Overview of the work of Finance Yorkshire in supporting businesses in, or relocating to, the Yorkshire and Humber region (with 'seed corn' finance, business loans and equity-linked finance); and to explore the ways in which the County Council and Finance Yorkshire could work together in the future to help support businesses in our area.   | Jonathan Spencer/Alex McWhirter (Finance Yorkshire)                                |
| <b>8 July 2015</b>                                | Highways Maintenance Contract                           | To receive the annual report on actions being put in place by the highways maintenance & highways improvement contractor (Ringway) to improve performance and communications.  | Barrie Mason   |
|   | Highways Agency   | Regular annual update  | Roger Wantling   |
| <b>Items where dates have yet to be confirmed</b> | Airport Consultative Committees                         | Annual report by the County Council's representatives on: <ul style="list-style-type: none"> <li>• Leeds/Bradford International Airport (Cllr Trotter)</li> <li>• Durham and Tees Valley Airport (Cllr Jeffels)</li> <li>• Robin Hood Airport (Cllr Pearson)</li> </ul>  | County Councillors David Jeffels, Cliff Trotter and Chris Pearson/Jonathan Spencer |
|   | Home to School and College Transport: savings proposals | To receive the results of the public consultation on proposals to: <ul style="list-style-type: none"> <li><input type="checkbox"/> cease providing free transport for pupils aged 8-11 who live between two and three miles from their normal school</li> <li><input type="checkbox"/> cease providing free transport for pupils at a 'critical stage' of their education if they move home and wish to remain at the school currently attended</li> </ul> | Andrew Terry   |

## Transport, Economy and Environment Overview and Scrutiny Committee – Work Programme Schedule 2015/16

### Member working groups

|  |  |   |                            |
|--|--|---|----------------------------|
|  | Working group on the Minerals and Waste Development Framework<br><i>(Next meeting to be held in March or April 2015 – date tbc.)</i> | To contribute to the preparation of new spatial planning policies for minerals and waste. | Jonathan Spencer/Rob Smith |
|--|--|---|----------------------------|

### Possible future overview reports and presentations from external partner organisations

| Meeting | Subject                          | Aims/Terms of Reference                     | Action/By Whom   |
|---------|----------------------------------|---|------------------|
|         | Promoting access to our heritage | To give an overview and promote discussion. | English Heritage |

### In-depth Scrutiny Projects/Reviews

| Subject | Aims/Terms of Reference | Action/By Whom | Timescales |
|---------|-------------------------|----------------|------------|
|         |                         |                |            |

Please note that this is a working document, therefore topics and timeframes might need to be amended over the course of the year.

**North Yorkshire County Council**

**Transport, Economy and Environment  
Overview and Scrutiny Committee**

**21 January 2015**

**Home to School and College Transport: Savings Proposals**

**1.0 Purpose**

- 1.1 To note the formal consultation which is currently underway to remove two areas of discretionary provision from the home to school and college transport policy in order to meet the target saving in the 2020 programme.

**2.0 Background**

- 2.1 Since 2010/11 savings of £3.928m have been made in the budget for home to school and college transport. By 2020, further savings of £325k have to be made in the current £20.5m budget.
- 2.2 The meeting of the Corporate Director and Executive Members for CYPS on 9 December 2014 agreed to public consultation on proposals to make further savings in areas of discretionary provision in the home to school and college transport service. A copy of the report which was considered at the meeting is appended.

**3.0 Proposals for consultation**

- 3.1 Transport for pupils aged 8-11:

The Council has a duty to provide free transport for children over the age of 8 who live more than three miles from their normal or catchment school. For younger children, the Council must provide free transport if they live more than two miles from their normal or catchment school. The Council's current policy is to provide **all** primary age children with free transport if they live more than two miles from their normal or catchment school, regardless of their age. There are approximately 520 children who live between two and three miles from school who receive discretionary free transport. Most of these pupils travel to school on buses which are provided for entitled pupils but a small number (11 in 2014/15) are provided with taxis because there is no school bus available.

- 3.2 Consultation proposal:

We are now consulting on changing this aspect of the policy so that free transport would be provided for those pupils aged 8-11 who live over three

miles from their normal or catchment school, (which is the statutory requirement) but not for those who live between two and three miles from that school.

Implementation of the proposed revision to the policy would save the Council approximately £190k per annum. It is likely that most parents would choose to purchase an annual bus pass, which currently costs £380. It is proposed that these changes would be applied to pupils starting primary school from September 2016 onwards, to ensure any change in policy can be part of parents' decision when choosing a school for their child.

### 3.3 Transport for pupils at a 'critical stage' of their education:

If pupils in Years 10 and 11 move house and their parents want them to remain at the school at which they started their GCSE courses, the Council currently provides free transport to enable them to do so. Some pupils in Year 9 may also be eligible for this support if they have commenced GCSE courses which their new school does not offer. In 2014/15, 191 pupils were provided with transport on these grounds.

### 3.4 Consultation proposal:

We are now consulting on removing this area of discretionary provision. This would mean that in these cases, parents would be responsible for making transport arrangements for their children and for meeting any associated costs. The current policy would continue to apply to children who are in the care of the local authority.

We estimate that this would make a saving of £135k per annum from the home to school and college transport budget. The proposal would be phased in from September 2015 so that pupils already supported in this way would not have their current arrangements disturbed.

## 4.0 Post-16 transport

4.1 The 9 December report also recommended that consultation be timetabled on a proposal to cease to provide subsidised post-16 transport to schools and colleges. That recommendation was **not** agreed and Executive Members requested that further consideration be given to the matter later in 2015. A decision was made to increase the cost of a post-16 travel pass to £550 per annum from September 2015.

## 5.0 Consultation

5.1 A 12 week public consultation on the proposals commenced on 17 December 2014 and ends on 11 March 2015. A report will be made to the Executive on the outcomes of the consultation before a final decision is made.

Andrew Terry  
Assistant Director, Access and Inclusion (CYPS)

8 January 2015

Attachment 1 (Background document): Report presented to the Corporate Director's Meeting with Executive Members (CYPS) – 9 December 2014



## NORTH YORKSHIRE COUNTY COUNCIL

## CHILDREN AND YOUNG PEOPLE'S SERVICE

## CORPORATE DIRECTOR'S MEETING WITH EXECUTIVE MEMBERS

9 December 2014

**HOME TO SCHOOL AND COLLEGE TRANSPORT: SAVINGS PROPOSALS****1.0 PURPOSE OF REPORT**

- 1.1 To seek approval to options for consultation on proposals to achieve the 2020NY target saving of £1.1 million relating to home to school transport, and the remaining £200k MTFS 2 target relating to post-16 transport. The savings required through this would see the vast majority of the Post-16 subsidy reduction eliminated, with only £100k remaining for young people with SEN and those whose families are on low income.

**2.0 SAVINGS ACHIEVED AND REMAINING TO BE MADE**

- 2.1 A saving of £1.1m must be made in the home to school and college transport budget as part of the 2020NY programme.
- 2.2 The MTFS 2 saving of £400k relating to post-16 transport will be 50% achieved by increasing the annual change to £480 from September 2014 (with remissions for low income families and those with SEN). This leaves £200k to be saved.
- 2.3 In total, therefore, a saving of £1.3m is required. This is profiled over the next three years as shown, below.

**Targets**

|                                   | <b>2014-15</b> | <b>2015-16</b> | <b>2016-17</b> | <b>2017-18</b> | <b>2018-19</b> | <b>Total</b> |
|-----------------------------------|----------------|----------------|----------------|----------------|----------------|--------------|
| MTFS 2 (Post 16)                  | 120            | 200            | 80             | 0              | 0              | 400          |
| Achieved through increase to £480 | -120           | -80            | 0              | 0              | 0              | -200         |
| 2020 - Procurement                | 0              | 450            | 0              | 0              | 0              | 450          |
| 2020 - Post 16                    | 0              | 0              | 100            | 150            | 200            | 450          |
| 2020 - Other                      | 0              | 150            | 50             | 0              | 0              | 200          |
|                                   | <u>0</u>       | <u>720</u>     | <u>230</u>     | <u>150</u>     | <u>200</u>     | <u>1,300</u> |

- 2.4 Some progress towards the achievement of this target has been made. In the case of the procurement savings, new contracts in Scarborough and elsewhere have come into effect from April 2014 and therefore the majority of the £450k identified will be achieved a year early.
- 2.5 In addition, there appears to be a significant reduction in costs on post 16 travel, due to a reduction in uptake (see 3.2 below).
- 2.6 Current estimates – which are very much based on early indications – suggest that in financial terms this Post 16 reduction would equate to a full year saving of around £450k, leaving £200k still to be found. Adding the remaining £200k 2020NY discretionary saving means that £400k remains overall to be found. The options in

Section 4, show how this can be achieved from the remaining discretionary items in the policy.

#### Savings Summary - current position

|                              |            |
|------------------------------|------------|
| MTFS 2 (Post 16)             | 400        |
| 2020 NY Post 16              | 450        |
| Achieved through £480        | -200       |
| Achieved through reduced use | -450       |
| 2020NY Other savings         | 200        |
| Procurement Target           | 450        |
| Contract Savings achieved    | -450       |
|                              | <u>400</u> |

### 3.0 **DISCRETIONARY PROVISION.**

3.1 There are 3 types of discretionary transport provision to school and college. That is to say, areas of provision over and above that which the Council has a duty to provide. These are:

- Post-16 transport
- 8-11 year old provision between 2 and 3 miles
- Provision for pupils at a 'critical stage' of their education.

### 3.2 **Subsidised post-16 transport**

The local authority currently provides transport assistance to approximately 1400 students in post-16 education to enable them to access further education courses at their nearest or appropriate school or college. The current cost of a travel pass is £480 per annum, with remissions for those on low income, those with SEN, and other vulnerable groups.

The 33% increase in price of a travel pass in 2014, and an increase in the provision of transport made by colleges of further education and schools, has contributed to a significant reduction in the number of students applying to the Council for a travel pass since September 2014. This means that the subsidy to post-16 transport has reduced beyond what was anticipated and now stands at £300k per annum, of which £200k would be taken as a saving. As stated above, these figures are very early estimates and will be confirmed, or otherwise, through the normal Cost Centre Monitoring process over the next few months. For the moment however, the recommendations in this paper are based on the assumption that only £200k potential Post 16 savings remain.

### 3.3 **Free transport for children aged 8-11 to attend their normal school**

The local authority has a duty to provide free transport for children over the age of 8 who live more than 3 miles from their normal school. For younger children the local authority must provide free transport if they live more than 2 miles from their normal school. North Yorkshire's policy is to provide all Primary age children with free transport if they live more than 2 miles from their normal school which means that there are approximately 520 children who live between 2 and 3 miles from school who receive discretionary free transport. Most of these pupils travel on school buses

which are provided for entitled pupils but a small number (11 in 2014/15) are provided with taxis because there is no school bus available.

Assuming that 75% of parents of children living between 2 and 3 miles from their normal school would purchase a bus pass at the current cost of £380, the local authority is currently foregoing potential income of approximately £145k. The additional cost of dedicated transport for this group (taxis) is £48k per annum. Therefore the current cost of this subsidy to NYCC is £193k.

### 3.4 **Free transport for children at a 'critical stage' of their education**

Where pupils in years 10 and 11 move house and their parents want them to remain at the school at which they started their GCSE courses, free transport is provided to enable them to do so. Some pupils in year 9 may be eligible for this support if they have commenced GCSE courses which their new school does not offer.

In 2014/15 191 pupils were provided with free transport on these grounds at a cost to the local authority of £180k.

## 4.0 **OPTIONS**

### 4.1 **Subsidised post-16 transport:**

The 2013 consultation document for the proposal to achieve the first £200k MTF5 2 saving by increasing the post-16 charge to £480 per annum, explained that it may be necessary to further increase the charge from September 2015 to achieve the remaining £200k saving. This would mean an increase in the price of a post-16 travel pass to £600 per annum. The local authority undertook to work with schools and colleges on a proposal to delegate additional funds to them for three years to help them to develop their own transport arrangements, taking account of the 16-19 bursary funds which are provided to schools and colleges by the Government. This was seen as providing a more acceptable option than a further steep price or earlier withdrawal of post-16 transport.

Options were developed to utilise the anticipated remaining subsidy (expected to be in the region of £450k) to enable this. The options which were considered were:

- (i) delegation of the funding to colleges to further develop their own arrangements and for them to fix the charge to students
- (ii) payment by the local authority of a grant of approximately £ 350 per annum to eligible students for them to make their own transport arrangements, which could include using college provided transport
- (iii) a combination of (i) and (ii), above

The earlier than anticipated reduction in the remaining post-16 subsidy to only £200k means that the option of delegating funds to schools and colleges for them to develop their own arrangements realistically is no longer feasible. The issue mainly concerns colleges, as transport to schools, (on which post-16 pupils can purchase a travel pass) will continue to be available. No doubt colleges which already make their own travel arrangements would welcome some temporary additional funding from the Council, but the sums involved would be small, and where a college does not commission its own transport, this would be unlikely to tempt them to do so. Colleges would also be under no obligation to provide transport for those students living in deeply rural areas.

The increase in the price of a post-16 travel pass to £480 has led to a significant number of parents and students making other arrangements to get to school or college. Experience shows that this is likely to be a temporary effect, and that in the next two or three years if the price remains the same, and the policy continues to be in place, then demand will increase, the subsidy to post-16 transport will grow, and the savings target will not be achieved.

A better option now, mindful of the changed circumstances, would be to consult on removing post-16 travel assistance and to pay a mileage allowance to students to make their own arrangements where there is no school transport or local bus service available. It is estimated that this would apply to no more than 100 students. Where transport is available, they would be expected to pay their own way, and to meet the full cost. The existing remissions for students with SEN and other low income and vulnerable groups would continue to apply. The timescale for consultation and decision making on such a proposal means that it could not be implemented before September 2016.

Alternatively, Members might wish to leave the post-16 transport policy intact and monitor take-up over the next two years when the position could be reviewed. Because of the accelerated savings on post-16 transport this year, this would not affect the overall profile for achieving the £1.3M saving.

Whichever option is adopted, It is suggested that from September 2015, an increase in price of a post-16 travel pass to £550 would most likely mean that increasing numbers of parents and students would make alternative arrangements at no cost to the Council. The cost would also compare favourably with that charged by some colleges but would not be so significant as to require public consultation.

#### **4.2 Free Transport for children aged 8-11 to attend their normal school**

It is proposed that the home to school and college transport policy be amended for this group of pupils so that it meets statutory requirements, and no more. That is to say that free transport would be provided for those who live over 3 miles from their normal school, but not to those who live between 2 and 3 miles from their normal school.

This proposed amendment to the transport policy would have to be phased in to apply to new primary school admissions from September 2016. This is because some parents may have chosen a school for their children based upon the existing policy and to change the eligibility for free transport for them would be considered to be unreasonable and not in line with good practice.

#### **4.3 Pupils at a Critical Stage of their education**

It is proposed that this element of the current policy be removed and that parents be responsible for making transport arrangements in such cases, and for any costs arising.

#### **5.0 FINANCIAL IMPLICATIONS**

- 5.1 If the options in section 4, above, are adopted following consultation then the estimated savings, below, would be achieved.

|                                   |      |
|-----------------------------------|------|
| Area of discretionary provision   | £    |
| Post-16 travel                    | 200k |
| Free transport for 8-11 year olds | 193k |
| Pupils at a 'critical stage'      | 180k |
| Total                             | 573k |

5.2 A saving of £573k, added to the £900k savings already made, as set out in paragraph 2.4, above, would mean that the combined MTFs and 2020NY total saving of £1.473M would be achieved, which would be £173k over target. The current profiling of the savings over financial years would need to be adjusted to take account of the earlier than anticipated Post 16 saving and the phasing in of the savings attributable to the changes in policy relating to free transport for 8-11 year olds.

## 6.0 LEGAL IMPLICATIONS

6.1 The Local Authority has a statutory duty under Section 508A of the Education Act 1996 (1996 Act) to promote the use of sustainable travel and transport.

6.2 The Local Authority has a statutory duty under Section 508B of the 1996 Act to provide, free of charge, suitable home to school travel arrangements to secure the attendance at school or other relevant educational establishment of eligible children.

6.3 The Education and Inspections Act 2006 inserted into the 1996 Act the definition of "eligibility" which is summarised as follows:

- A child with SEN and/or a disability or with mobility problems who cannot reasonably be expected to walk to school
- A child who does not live within walking distance of their nearest school (i.e. for children under the age of 8 more than 2 miles and children aged 8-11 more than 3 miles)
- A child who, having regard to the nature of the route which he/she could reasonably be expected to take, accompanied as necessary (taking account of any disability of the parent), cannot reasonably be expected to walk
- A child who is entitled to free school meals or their parents are in receipt of maximum Working tax credit

6.4 **Statutory Guidance: Home to School travel and transport guidance, DfE July 2014.** The Local Authority must have regard to this guidance.

- Where charges are imposed under the Local Authority's discretionary powers it is good practice from low income groups (those not eligible for extended rights either due to being just outside the financial limits or live just outside the distance criteria and therefore not in receipt of free travel) should be exempt.
- However the guidance recognises that the Local Authority is best placed to determine local needs and circumstances and balance the demands for a broad range of discretionary travel against their budget priorities. But there is an expectation that the Local Authority will engage with parents and clearly communicate what support can be expected from the Local Authority.

### 6.5 **Statutory Guidance Post 16 Transport Guidance (DfE, June 2010)**

Local authorities have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport, or otherwise, that the local authority considers it necessary to make to facilitate the attendance of all persons of sixth form age receiving education or training. A failure to make arrangements would amount to a failure to meet the duty.

6.6 Local authorities are expected to work with local partners, e.g. schools, further education colleges and other local authorities that may be appropriate in preparing their transport policies. Working with partners will help identify the transport needs of students and identify how best to support these students to ensure that transport is not a barrier to them accessing education and training.

6.7 Because of the recognition that the local response to transport arrangements is important in enabling young people's participation in education and training, the legislation gives local authorities the discretion to determine what transport and financial support is necessary to facilitate young people's attendance. It is important that the local authority does not differentiate between providers or institutions in its arrangements. The local authority must exercise its power to provide transport and financial support 'reasonably', taking into account all 'relevant matters'.

6.8 The local authority must have regard to the needs of those who could not access education or training provision if no arrangements were made. Local authorities should consider the needs of:

- the most vulnerable or socially excluded learners.
- Learners with Special Educational Needs (SEN) (who should be specifically considered and the arrangements in place for each group must be documented in the transport policy statement).
- those who are vulnerable to becoming NEET,
- young parents and
- those who live in particularly rural areas where transport infrastructure can be more limited.

### 6.9 **Statutory Guidance on the Participation of Young People in Education, Employment or Training for Local Authorities**

This guidance issued in accordance with the Education and Skills Act 2008 provides information on the duties of local authorities to promote effective participation. It includes the following relevant statements:

- local authorities should ensure young people are not prevented from participating because of the cost or availability of transport to their education and training.
- local authorities, schools and colleges will need to set out what services they provide for young people with SEN in the area – the 'Local Offer' – up the age of 25.

### 7.0 **EQUALITIES IMPLICATIONS**

7.1 A draft equalities Impact assessment is attached at Appendix 1. This will be published with the consultation document. It will be reported, as amended, in the report to the Executive on the outcome of the public consultation.

8.0 CONSULTATION

8.1 There will be a twelve week public consultation on the proposals with a report to the Executive on the outcomes.

9.0 RECOMMENDATIONS

9.1 That, in order to achieve the target saving in the 2020NY savings programme, public consultation be commenced on proposals to:

- i) cease providing free transport for pupils aged 8-11 who live between two and three miles from their normal school
- ii) cease providing free transport for pupils at a 'critical stage' if they move home and wish to remain at the school currently attended

9.2 That public consultation to cease to provide subsidised post-16 transport from September 2016 be commenced during the autumn term 2015, with the exception of provision for those with SEN and other vulnerable groups, including those on low income, and those where there is no local transport available.

9.3 That the price of a post-16 travel pass be increased to £550 per annum from September 2015.

PETER DWYER  
CORPORATE DIRECTOR – CHILDREN AND YOUNG PEOPLE'S SERVICE

Report prepared by Andrew Terry, Assistant Director, Access and Inclusion

Action Agreed .....Executive Member

Date: 9 December 2014

Action Requested .....Corporate Director

Date: 9 December 2014

# Equality Impact Assessment (EIA): evidencing paying due regard to protected characteristics

November 2014

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email [communications@northyorks.gov.uk](mailto:communications@northyorks.gov.uk).

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔



Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.



|   |   |
|---|---|
| Name of Directorate and Service Area                                | Children and Young People's Service.<br>Access and Inclusion  |
| Lead Officer and contact details                                    | Andrew Terry, Assistant Director, Access and Inclusion, e-mail <a href="mailto:andrew.terry@northyorks.gov.uk">andrew.terry@northyorks.gov.uk</a>   |
| Names and roles of other people involved in carrying out the EIA    | Anton Hodge Assistant Director Assistant Director – Strategic Resources CYPS,<br>Richard Owens, Assistant Director Integrated Passenger Transport BES,<br>Catherine Price Passenger Transport Integration Manager BES   |
| How will you pay due regard? e.g. working group, individual officer | A small group of council officers has developed this draft EIA. It will be published on the Council's consultation website and will be amended in light of the consultation on proposed revisions to the existing policy. It will be included as a completed document in the report to the Council's Executive on the outcomes of the consultation. |
| When did the due regard process start?                              | First draft of EIA started on 11 <sup>th</sup> November, 2014   |
| Sign off by Assistant Director (or equivalent) and date             |   |

**Section 1. Please describe briefly what this EIA is about.** (e.g. are you starting a new service, changing how you do something, stopping doing something?)

This EIA is about proposals to remove 2 areas of discretionary provision from the home to school and college transport policy. These are:

- i) to no longer provide free transport to pupils aged 8-11 who live between 2 and 3 miles from their normal or catchment school. This would be phased in to apply to pupils admitted to primary school from September 2016.
- ii) to no longer provide free transport to pupils in Years 10 and 11 where they have moved house and their parents wish them to remain at the school at which they commenced their GCSE courses of study. This would also apply to some pupils in Year 9 if they have commenced GCSE courses which their new school does not offer. This would be phased in from September 2015.

**Section 2. Why is this being proposed?** (e.g. to save money, meet increased

demand, do things in a better way.)

The Council is committed to savings of £92m by the end of March 2015. Following recent announcements by the government over future funding it now needs to find a further estimated £77m between 2015 and 2019. The council proposes to make a £325k saving in the home to school and college transport budget as part of this savings target.

**Section 3. What will change? What will be different for customers and/or staff?**

It is estimated that 520 families of children aged 8-11 and who live between 2 and 3 miles from their normal or catchment school would be responsible for making their own transport arrangements because they would no longer be provided with free transport by the Council.

It is estimated that 190 families would be responsible for making their own transport arrangements for pupils in Years 9,10 and 11 if they moved house and wanted their children to remain at the school at which they commenced their GCSE courses.

**Section 4. What impact will this proposal have on council resources (budgets)?**

Assuming that 75% of parents of children aged 8-11 living between 2 and 3 miles from their normal or catchment school purchase a bus pass at the current rate of £380, then the Council would gain income of £145k per annum.

The additional cost of dedicated transport for this group where there is no bus available is £45k per annum, which would also be saved.

The proposal to cease providing free transport where pupils in Years 9,10 and 11 move house would save the Council £135K per annum.

The total reduction in the home to school and transport budget is therefore estimated at £325k, per annum.

| <b>Section 5. Will this proposal affect people with protected characteristics?</b> | <b>No impact</b> | <b>Make things better</b> | <b>Make things worse</b> | <b>Why will it have this effect? State any evidence you have for your thinking.</b> |
|--|------------------|---------------------------|--------------------------|---|
| Age  |                  |                           | X                        | Pupils aged 8-11 who live between 2   |

|   |                  |                           |                          |  |
|---|------------------|---------------------------|--------------------------|--|
|   |                  |                           |                          | and 3 miles from their normal or catchment school would no longer be entitled to free transport  |
| Disability  | X                |                           |                          | Pupils with a Statement of special educational needs (or Education, Health and Care Plan) would be provided with free transport where this was required. Pupils with medical needs would be considered for free transport on a case by case basis. Cases where a parent with disabilities was unable to accompany their child walking to school would be considered for free transport on a case by case basis |
| Sex (Gender)  | X                |                           |                          |  |
| Religion or belief  | X                |                           |                          |  |
| There would be no additional impact for those with Protected Characteristics under the headings of Race, Gender Reassignment, Sexual Orientation, Pregnancy or Maternity, Marriage or Civil Partnership |                  |                           |                          |  |
| <b>Section 6. Would this proposal affect people for the following reasons?</b>  | <b>No impact</b> | <b>Make things better</b> | <b>Make things worse</b> | <b>Why will it have this effect? Give any evidence you have.</b>   |
| Live in a rural area  |                  |                           | X                        | A very small number of pupils aged 8-11 ( currently 11 in number), have no school bus on which they would be able to purchase a pass.  |
| Have a low income   |                  |                           | X                        | There is currently no reduction in the cost of a bus pass for those on low income, other than those post-16. It is difficult to estimate the number of families per annum that would be affected by the proposal as we do not have any record of numbers of people in receipt of certain benefits.   |

**Section 7. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men?) State where this is likely to happen and explain what you think the effect will be and why giving any evidence you have.**

No, it will not.

**Section 8. Only complete this section if the proposal will make things worse for some people. Remember that we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us.**

**Can we change our proposal to reduce or remove these adverse impacts?**

The council will meet its statutory obligations if these proposals are agreed following consultation.

Families who purchase a bus pass will be able to pay in instalments, as currently is the case.

The schools affected will be asked to review their school travel plans.

If parents believe that a walked route to school is unsafe for a child, accompanied as necessary, then the council will make an assessment and may provide free travel.

**Can we achieve our aim in another way which will not make things worse for people?**

The Council is already in the process of saving approximately £2million from the home to school transport budget for those of statutory school age, following full public consultations in 2010 and 2013. This is mainly the removal of other discretionary elements of the policy (primarily the withdrawal of free or assisted transport to denominational schools and a 33% increase in the charge for post-16 transport).

All Directorates within the Council are required to make reductions to help achieve overall efficiency savings, and as outlined in Section 2 above, this proposal is thought to be fair and proportionate in contributing towards this.

**If we need to achieve our aim and can't remove or reduce the adverse impacts get advice from legal services. Summarise the advice here. Make sure the advice is passed on to decision makers if the proposal proceeds.**

The proposal illustrates that some measures may have an adverse effect, i.e. the removal of free transport between 2-3 miles for 8-11 year olds. As this is discretionary and not statutory provision, it is possible to introduce such changes

even though it can have a negative impact on those receiving this provision. It is important that it should be a proportionate action having regard to the available budget and the need for change.

**Section 9. If the proposal is implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)**

We will monitor the take up of bus passes for those aged 8-11 who live between 2 and 3 miles from their catchment or normal school.

**Section 10. List any actions you need to take which have been identified in this EIA**

| Action                        | Lead  | By when   | Progress |
|-------------------------------|---|-----------|----------|
| Consultation                  | Andrew Terry,<br>Assistant Director,<br>Access and<br>Inclusion | Closing X |          |
| Monitor take up of bus passes | Richard Owens,<br>Assistant Director,<br>IPT                    | Ongoing   |          |