

Section 4

Equality Analysis Toolkit

SEND Transport Policy
For Decision Making Items

Summer 2021

Question 1 - What is the nature of and are the key components of the proposal being presented?

The County Council is updating its transport policy with regard with pupils with Special Educational Needs and Disabilities (SEND). Entitlement to transport is not changing. Areas that are being considered for alteration include:

- **Payments to parents/carers for providing transport themselves**
- **Arrangements for emergency drop off addresses**
- **Transport Service staff to conduct a rigorous periodic review, with school and parents, of the transport provided.**

Question 2 - Scope of the Proposal

Is the proposal likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected?

The proposed changes to the SEND Transport Policy will apply countywide and will affect all those eligible for transport under the policy equally.

Question 3 – Protected Characteristics Potentially Affected

Could the proposal have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation

- Marriage or Civil Partnership Status

And what information is available about these groups in the County's population or as service users/customers?

The proposals will specifically affect school aged pupil with special educational needs and disabilities (protected characteristics of age and disability).

Pupils who have a special educational need or disability will have an Education, Health and Care Plan held by the county council. This will identify whether they are eligible for support with transport to their educational setting. Therefore detailed information is available on the number, location and specific needs of those individuals.

There are approximately 3500 pupils who have an EHCP and receive transport. Offers of Personal Transport Budgets will be made on a cost efficiency basis and the number will vary but are expected to be in the region of 200.

Question 4 – Engagement/Consultation

How have people/groups been involved in or engaged with in developing this proposal?

A Public consultation exercise has been carried out, details of which are presented below along with changes to the policy as a result of the responses.

Question 5 – Analysing Impact

Could this proposal potentially disadvantage particular groups sharing protected characteristics and if so which groups and in what way? This pays particular attention to the general aims of the Public Sector Equality Duty:

- To eliminate unlawful discrimination, harassment or victimisation because of protected characteristics;
- To advance equality of opportunity for those who share protected characteristics;
- To encourage people who share a relevant protected characteristic to participate in public life;
- To contribute to fostering good relations between those who share a relevant protected characteristic and those who do not/community cohesion;

The changes proposed to payments and emergency drop off locations will impact all eligible pupils. Both proposals are an enhancement on current arrangements and should not present any negative impacts to any individual or group.

Concerns were raised in the consultation regarding possible hate incidents/bullying as a result of people with disabilities accessing public transport as a result of undertaking travel training.

Question 6 –Combined/Cumulative Effect

Could the effects of this proposal combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

There are proposals for changes to Short Break provision, SEND Sufficiency Strategy and also for some specific special schools. It is not anticipated that there would be any cumulative effect as the proposed changes will not reduce the service offer. The public consultation did not identify any cumulative impacts.

Question 7 – Identifying Initial Results of Your Analysis

As a result of the analysis has the original proposal been changed/amended, if so please describe.

A public consultation was conducted over 28 days in June/July 2021. A total of 24 responses were received during the consultation; 9 (38%) respondents agreed with the proposed policy, 12 (40%) disagreed with the policy and 3 (13%) neither agreed nor disagreed. The reasons respondents gave for not agreeing with the proposed policy tended to be associated with concerns about how children and young people would access education if their existing transport arrangements were to discontinue. Some of these respondents referred to the vulnerability of children and young people when using public transport. These concerns were similar to those made by other respondents in relation to the travel training programme even though many who referenced this directly were supportive of the approach. A limited number of respondents were concerned that the over-riding purpose of the proposed policy was to reduce costs and a similar number raised concerns about the scope of the policy, for example that it did not extend to young people over the age of sixteen and that transport was not provided for other family members.

There were a limited number of responses to the question about how the draft policy might be improved. Three of these respondents did not think any changes were needed to the draft policy. The others can be grouped into three main themes and which related to the need to give

more consideration to the needs of individual children and young people, whether to increase or maintain existing funding levels for transport and SEND services more generally and whether the scope of the draft policy should be extended to include those over the age of 16 years.

A summary of the responses is attached below.



SEND Transport
Policy - Results Sumr

Question 8 - Mitigation

Will any steps be taken to mitigate/reduce any potential adverse effects of the proposal?

It remains the case that the changes to the policy do not propose any reduction in the service being provided. Some of the responses provided above indicate that the draft SEND Home to School Transport Policy lacks clarity and therefore some changes have been made to the draft version that was submitted to Cabinet in June in order to address this. The changes include removing duplicated information and re-ordering sections to make the policy clearer and easier to read. The apparent emphasis on travel training has been adjusted to place it in context with other transport options. Concerns over post 19 transport (commencement of a new course aged 19 and over) are being addressed via the development of an adult's transport policy. It should be noted that no change has been made to this element in the policy, but the consultation has highlighted the current provision issues for post 19 transport. Policy statements within the post 16 transport policy and adult transport policy along with practice needs to be properly aligned as they are not at present.

Question 9 – Balancing the Proposal/Countervailing Factors

This weighs up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of the analysis.

No damaging effects have been identified as a result of the analysis. The issues raised through the public consultation have been addressed in terms of clarifying the intent of the policy changes.

Question 10 – Final Proposal

In summary, what is the final proposal and which groups may be affected and how?

The final proposal remains the same in that the SEND Transport Policy has been amended to include:

- **Payments to parents/carers for providing transport themselves**
- **Arrangements for emergency drop off addresses**
- **Transport Service staff to conduct a rigorous periodic review, with school and parents, of the transport provided.**

Affected groups remain the same:

The proposals will specifically affect school aged pupil with special educational needs and disabilities (protected characteristics of age and disability).

Question 11 – Review and Monitoring Arrangements

What arrangements will be put in place to review and monitor the effects of this proposal?

The SEND Transport Policy will be subject to regular reviews.

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Position/Role Project Manager

Equality Analysis Endorsed by Line Manager and/or Service Head

Decision Signed Off By

Cabinet Member or Director

For further information please contact

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