

APPENDIX 3

EQUALITIES IMPACT ASSESSMENT

EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	Travel Assistance Policy
DEPARTMENT:	Transformation
TEAM:	Strategic Support
LEAD OFFICER:	Ella Dane-Liebesny
DATE:	04/12/2024

NB: Please ensure you have read the accompanying EA guidance and instructions in full.

SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary of its objectives and the intended results.

The Travel Assistance Policy sets out the travel to school/college assistance available through Brent Council. This policy was drawn up in line with the June 2023 statutory guidance from the Department for Education in respect of children of compulsory school age, and the January 2019 statutory guidance for young people in post-16 education. The policy considers transport arrangements for eligible children with Special Educational Needs and disabilities (SEND) and has been written with reference to the Education Act 1996, the SEN and Disabilities 0-25 Code of Practice (2001), the Children and Families Act 2014, the Children Act 2004, the Disability Discrimination Act 2005, and the Equality Act 2010.

The main changes proposed in the policy are:

- Introduction of a new provision: Independent Travel Training.
- Reform of mileage payments and reimbursements in favour of the model of Personal Travel Allowances (money paid on a termly basis, sum determined by the distance from home to school).

Where assistance is provided, it should be seen as part of a plan of support that encourages and enables residents to become more independent and live a healthy lifestyle. The Council is committed to the principle of inclusion and to promoting greater independence where possible for children and young people with special educational needs and disabilities so that their experiences can be similar to those of their peers. The Council recognises that travelling to school as independently as possible is a valuable experience for young people as they grow up. In order to do this, many young people with special needs may need extra training to help them learn skills required for greater independence and to prepare for adulthood.

2. Who may be affected by this policy or proposal?

Children and young people who fall under one or more of the four categories of eligibility, and their families:

- Category 1: Distance. The statutory walking distances are 2 miles for children under 8 years of age, and 3 miles for children or young people aged 8 or over.
- Category 2: Low-income families.
- Category 3: Unsafe walking route.
- Category 4: Special Educational Needs or Disability.

There are currently ~1300 children and young people on the service. We do not hold demographic data on our service users.

3. Is there relevance to equality and the council's public sector equality duty? Please explain why. If your answer is no, you must still provide an explanation.

Yes. This policy affects some of the borough's children and young people with SEND (approx. 1300).

4. Please indicate with an "X" the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

Characteristic	Impact Positive	Impact Neutral/None	Impact Negative
Age	X		
Sex		X	
Race		X	
Disability *	X		
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage		X	

5. Please complete **each row** of the checklist with an "X".

Screening Checklist

	YES	NO
Have you established that the policy or proposal <i>is</i> relevant to the council's public sector equality duty?	X	
Does the policy or proposal relate to an area with known inequalities?	X	

Would the policy or proposal change or remove services used by vulnerable groups of people?	X	
Has the potential for negative or positive equality impacts been identified with this policy or proposal?	X	

If you have answered YES to ANY of the above, then proceed to section B.

If you have answered NO to ALL of the above, then proceed straight to section D.

SECTION B – IMPACTS ANALYSIS

1. Outline what information and evidence you have gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

After drafting a new policy that considered new central government guidance, the draft policy went through formal consultation with residents between 4th March and 14th April 2024. The consultation period consisted of 4 online drop-in sessions, 4 in-person drop-in sessions, and an online survey hosted on Brent’s Community Engagement Hub. Families and young people were informed about the consultation period through social media, online flyers, letters, emails, text messages, and the Brent Parent-Carer Forum. The Council also informed schools in the borough through a message in the Headteachers’ Bulletin. There were around 40 attendees at the drop-in sessions, and we received 25 survey responses. Further consultation sessions were also held with young people at Woodfield School and The Village School, as well as with supported interns working at the Council.

The consultation asked questions on the following topics:

- Feedback on the current transport service
- Proposed changes to the application process
- Proposed changes to the review/appeal process
- Additional wording in section on independence
- Additional wording in section on compulsory school age
- Additional wording in section on young persons of sixth form age
- Additional wording in section on behaviour and conduct
- Additional wording on residential placements
- Additional wording on parent/carer/guardian disability
- Feedback on Independent Travel Training proposal

As part of the consultation process, families expressed that they were keen to receive clear feedback on the key themes and findings from the consultation, and an explanation as to where and why certain suggestions might/might not have been taken into account. A report was written and emailed to families to explain the changes made between the draft and final versions of the policy.

Benchmarking against other comparable Local Authorities was conducted. In a 2023 benchmarking activity, Brent had the highest proportion of children and young people on their travel assistance transport service in North West London. In response to this information, detailed analysis was conducted on the needs of every individual currently making use of the solo taxi service, and their bases for eligibility to understand the rationale behind the high number of high-cost service users.

2. For each “protected characteristic” provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state “not applicable”.

AGE

Details of impacts identified	<p>The Home to School travel assistance service is a provision for eligible children and young people aged 0-25 in education. It ensures no child of compulsory school age is prevented from accessing education by a lack of transport or the cost of transport.</p> <p>The statutory walking distances are differentiated based on age:</p> <ul style="list-style-type: none">- 2 miles for children under 8 years of age.- 3 miles for children or young people aged 8 or over. <p>The policy sets out to reduce the proportion of children and young people who are not in education, employment or training.</p> <p>Please note that through an exemption in Part 2 of Schedule 3 of the Equality Act, the discrimination provisions on age do not extend to a local authority's school travel arrangements.</p>
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DISABILITY

Details of impacts identified	<p>The policy sets out to support eligible children and young people with special educational needs and disabilities (SEND) to attend educational settings, reduce the proportion of children and young people who are not in education, employment or training, and promote independence in order to better prepare young people to enter adulthood feeling confident and engaged in their futures</p> <p>The introduction of Independent Travel Training should have a strong positive impact on this cohort. Independent travel training is tailored and practical help for people with special educational needs and/or disabilities to travel by public transport, on foot or by bike. It aims to help children and young people travel independently and without fear so they can get to school or college, work, and for social and leisure activities. Independent travel training could increase a child or young person's independence and improve their self-esteem and confidence. Being less reliant on parents, carers, and guardians to take them to places can lead to more opportunities to take part in social and community activities.</p>
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RACE

Details of impacts identified	<p>We do not currently collect data on the race of children and young people using the travel assistance provision. We do however know that there are 7,732 children and young people recorded as having SEND in Brent schools, 15.9% of the total school population. Of these, 5,695 do not identify as white (73.7%). We plan to start collecting data on the race of children and young people accessing travel assistance to monitor how this reflects the race of the SEND cohort overall.</p>
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SEX

Details of impacts identified	<p>We do not collect data on the sex or gender of children and young people using the travel assistance provision. We plan to start collecting data on the sex of children and young people accessing travel assistance to monitor how this reflects the sex of the SEND cohort overall.</p>
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SEXUAL ORIENTATION

Details of impacts identified	Not applicable.
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PREGANCY AND MATERNITY

Details of impacts identified	Not applicable.
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RELIGION OR BELIEF

Details of impacts identified	<p>We do not collect data on the religion or belief of children and young people using the travel assistance provision.</p> <p>The policy states however that children and young people aged 11-16 (in year groups 7 to 11) from low-income families are entitled to free travel assistance if they are attending a school more than 2 miles but not more than 6 miles from the home address and it is one of the three nearest suitable qualifying schools from their home. This distance is extended from 6 to 15 miles if the parents, carers, or guardians have selected the nearest qualifying school based on their religion or belief and, having regard to the religion or belief in question, there is no suitable qualifying school nearer to home.</p> <p>Please note that through an exemption in Part 2 of Schedule 3 of the Equality Act, the discrimination provisions on religion or belief do not extend to a local authority's school travel arrangements.</p>
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GENDER REASSIGNMENT

Details of impacts identified	Not applicable.
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MARRIAGE & CIVIL PARTNERSHIP

Details of impacts identified	Not applicable.
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3. Could any of the impacts you have identified be unlawful under the Equality Act 2010?
No.

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

<p>Yes – participants in our community engagement sessions and online survey were parents, carers and guardians of children and young people with SEND. Brent's Parent-Carer Forum were engaged throughout. Sessions were also held with young people with SEND at Woodfield School and The Village School, where school staff also gave feedback. A further engagement session was held with supported interns at Brent Council. No further engagement is required.</p>
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5. Please detail any areas identified as requiring further data or detailed analysis.

Feedback data from the community engagement and consultation period was analysed to understand residents' views on the policy proposal. These contributions were individually considered, and where appropriate, incorporated into the policy.

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

Although there have been no negative impacts identified, there is a strong legitimate need for the policy change to deliver significant savings and avoid a projected overspend over £1million. The service provision has been under scrutiny from the Council's Budget Assurance Panel for the past year. In addition, the changes made to the policy are to bring it in line with statutory requirements.

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

The policy should be reviewed after a few years of operation, especially in conjunction with the introduction of the Independent Travel Training programme. The impact on children and young people with protected characteristics will be monitored by seeing if the uptake of different travel assistance options (buses, solo taxis, shared taxis, personal travel allowances, and independent travel training) changes each academic year. Furthermore, in early 2025 the Department for Education will be collecting data from all local authorities on home-to-school travel arrangements for pupils in their area. The collection is planned to take place in February and will cover both compulsory school-aged pupils eligible for free travel and travel for post-16 pupils.

SECTION C – CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

Free travel to school is a valuable service for many families, but budget pressures mean the Council has to make difficult decisions about how to make the best use of the limited resources available. The Council believes that independent and active travel provides the best outcomes for residents' physical health, mental health, and wellbeing wherever it is possible. As such this travel policy is based on the principle that the Council will try and assist residents in achieving this wherever possible in the first instance. This is also why stronger monitoring of eligibility is being put into place, in order to ensure that the travel assistance provided is both necessary and best suited to the individual child/young person.

SECTION D – RESULT

Please select one of the following options. Mark with an "X".

A	CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED	
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B	JUSTIFY AND CONTINUE THE POLICY/PROPOSAL	X
C	CHANGE / ADJUST THE POLICY/PROPOSAL	
D	STOP OR ABANDON THE POLICY/PROPOSAL	

SECTION E – ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date
Appeals Panel set up	Appeals will be heard and upheld/overturned, giving us insight into the reception of the new policy.	Ella Dane-Liebesny	Oct 2024
Parent-Carer Forum	Hear feedback after implementation of new policy, which will be fed back to our service providers and administration team.	Richard Murphy	Dec 2024
Budget Assurance Panel	The projected efficiencies to be achieved.	Pauline Jones	2025
Independent Travel Training implemented	CYP with SEND will start to learn how to travel independently, eventually reducing the number of young people on transport buses and contributing to efficiencies.	Richard Murphy	2025
Demographic Review of Travel Assistance Cohort	Race and sex of CYP receiving travel assistance will be compared with that of wider SEND cohort. Any significant disparities will be investigated.	Richard Murphy	2025
Policy review	Review the policy and its EA after one year of operation (September 2025).	TBC	2029

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Ella Dane-Liebesny – 04/12/2024
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REVIEWING OFFICER: <i>* the manager with oversight of the project</i>	Pauline Jones – 04/12/2024
HEAD OF SERVICE / Operational Director:	Sadie East – 06/12/2024