

Appendix A
COMMUNITY IMPACT ASSESSMENT

Directorate / Service Area		Officer undertaking the assessment
CFA Learning/0-19 Place Planning & Organisation Strategy & Commissioning /Commissioning Enhanced Services		Name: Hazel Belchamber, Judith Davies Job Title: Head of 0-19 Place Planning & Organisation, Head of Commissioning Enhanced Services
Service / Document / Function being assessed		Contact details: 01223 699775, 01223 729150
Mainstream Home to School/College Transport Policy SEND Transport		Date completed: 7 October 2015 Date approved:
Business Plan Proposal Number (if relevant)	6.403, 6.410 , 6.611	
Aims and Objectives of Service / Document / Function		

- To ensure that children and young people of statutory school age are able to get to school on time and safely
- To ensure that the County Council meets its statutory duty to provide free transport for children aged 5-8 living more than two miles from their designated school and for those aged 8-16 living more than three miles from their designated school
- To ensure young people of secondary school age living in low-income families know about their entitlement to free transport to one of their three nearest qualifying secondary schools, where they live between 2 and 6 miles of that school
- To ensure young people of secondary school age living in low-income families know about their entitlement to their nearest denominational school where their parents have expressed a preference for such a school based on their religion or belief
- To provide parents and young people with the opportunity to appeal against a decision not to grant them assistance with transport to school or college
- To ensure access to further education and learning for students aged 16-19 (s509AB of the Education Act 1996) and to apprenticeships and traineeships including travel to and from the place of learning or work placement

In exercising its duties the Council must have regard to the following:

- The needs of the most vulnerable or socially excluded.
- The needs of young people with learning difficulties and/or disabilities (these must be documented in the Council's transport policy statement in accordance with s509AB of the Education Act 1996)
- Those vulnerable to becoming NEET (Not in Education, Employment or Training).
- Young parents – Care to Learn
- Those in particularly rural areas

In addition, under the Public Sector Equality Duty (PSED) contained in s149(1) of the Equality Act 2010 the Council must ensure that it has demonstrated due regard to the following:

- The need to **eliminate unlawful discrimination**, harassment, victimisation and any conduct prohibited in the Act.
- The need to **advance equality of opportunity** between persons who share a relevant protected characteristic and those who do not.
- The need to **foster good relations** between persons who share a protected characteristic and those who do not.

SEND Transport - The Local Authority must adhere to the legislation requiring the Local Authority to make suitable arrangements to transport children and young people with EHC Plans and Statements to Local Authority identified schools and colleges. However, there is also a requirement within the Business Plan to achieve a savings target of £399K.

What is changing?

Where relevant, consider including: how the service/document/function will be implemented; what factors could contribute to or detract from this; how many people with protected characteristics are potentially impacted upon; who the main stakeholders are; and, details of any previous or planned consultation/engagement to inform the CIA.

It is proposed to cease to provide financial support to any new student over the age of 16 (the statutory school leaving age), including those living in low income households, but not those with special educational needs and/or disabilities who qualify for assistance under the Council's policy, beginning a course of study effective from 1 September 2016.

Unlike the duty to provide free transport for those children aged 5-16 who meet eligibility criteria, the Council, is not required under s509AA of the Education Act 1996 to provide free transport to students once they reach age 16 and are no longer, therefore, of statutory school age. However, it must exercise its power to provide transport or financial support reasonably, taking into account all relevant factors.

A wide-ranging consultation process will need to be undertaken to ensure that all those who would be

affected by the proposed change have the opportunity to express their views. In particular, the Council will need to ensure that views are sought and taken into account from those young people living in low income households (identified through entitlement to free school meals and pupil premium) and by schools or through the Council's RONI as being vulnerable to becoming NEET, are made aware of the proposed changes.

SEND Transport - A number of changes are being proposed to achieve savings of £399K

- The LA will consult on ending free post 16 SEN transport for those on low income and introduce a contribution to travel costs. This will be at a lower rate than that for other post 16 SEND students and will deliver savings. This will mean that all students' post 16 who are eligible for SEN transport will make a contribution to the cost of the transport the LA arranges on their behalf.
- The LA will seek savings through the introduction of personal budgets (PB) to replace mileage payments but extend the take up across a wider cohort with a target of take up of 15 % (of single occupancy taxis) in the first year and then 5% in subsequent years for 5 years. The aim of the PB will be to introduce a flexible scheme that ensures that parents and young people are incentivised to make more cost effective arrangements
- 300 current SEN routes will be retendered over 2015/16 with the aim that new contractors are encouraged into the market and deliver better value for money but provide the level of quality and safety required by the LA.

Who is involved in this impact assessment?

e.g. Council officers, partners, service users and community representatives.

Council officers, Local Members, parents/carers and students who would be affected (those currently in Year 11 and below) transport operators and post-16 providers, some of whom organise and manage their own transport contracts.

Children and young people with disabilities and their families, Schools, Other SEND Services, Pin point, Partners i.e. health

What will the impact be?

Tick to indicate if the expected impact on each of the following protected characteristics is positive, neutral or negative.

Impact	Positive	Neutral	Negative
Age			√
Disability			√
Gender reassignment		√	
Marriage and civil partnership		√	
Pregnancy and maternity		√	
Race		√	

Impact	Positive	Neutral	Negative
Religion or belief		√	
Sex		√	
Sexual orientation		√	
The following additional characteristics can be significant in areas of Cambridgeshire.			
Rural isolation			√
Deprivation			√

For each of the above characteristics where there is a positive, negative and / or neutral impact, please provide details, including evidence for this view. Consider whether the impact could be disproportionate on any particular protected characteristic. Describe the actions that will be taken to mitigate any negative impacts and how the actions are to be recorded and monitored. Describe any issues that may need to be addressed or opportunities that may arise.

Positive Impact

- The changes may prompt more independent travel and improve better outcomes for young people.
- PBs may appeal to some parents to have a lump sum to transport children themselves.
- A benefit of PBs could be that parents feel more involved in their child's learning and school life when they bring their child to the school
- Parents from other LAs operating PBs report that transporting their own children to school has led to meetings with other parents that have children with similar needs and this has led to opportunities for peer support and socialising
- Children may be supported to develop independent travel skills which prepare them for life outside school and adulthood if parents choose to take them to school by methods such as public transport or cycling
- Community resilience may be encouraged in situations where parents cooperate and pool their children's PBs e.g. Cooperation with a local community transport or community car scheme.
- Parents and young people are empowered to make decisions about their child through increased choice

Negative Impact

This change of policy would affect all new post-16 students except those with special educational needs and/or disabilities who meet the Council's eligibility criteria for assistance. In addition, in cases where a young person has reached the age of 16 before they start Year 11 (the final year of statutory education), for example as a result of time lost due to illness, or where a decision was made earlier in their education to delay their transfer from one year group to the next, free transport will continue to be provided to enable them to complete their statutory education provided they meet the eligibility criteria for transport.

As the Council was providing free transport for post-16 students living in low income families* up until September 2015, a decision to withdraw all financial support only a year later could be expected to have the greatest affect on these most vulnerable students. It could prove to be a significant disincentive to them taking a decision to continue their education and learning once they are no longer of statutory school age, leading to a potential increase in the number Not in Employment of Education (NEET). This could be compounded by the Business Plan proposal to reduce funding for schools' support for Key Stage 4 pupils at risk of not participating in post-16 provision.

In mitigation, the change would only affect new students, not those who have already commenced a course of

study. In addition, the most vulnerable students (those in care, care leavers and those who qualify for income support in their own right) are eligible for a post-16 bursary of £1,200 a year. Discretionary bursaries for those facing genuine financial barriers including with the cost of transport can expect to receive around £800 per year. Such bursaries are administered by schools and colleges directly, and they can be used to pay for transport costs.

The change could have a disproportionate impact on students living in rural areas of the county which are less well served by public/commercial bus services and routes. This could be compounded by Business Plan proposals being developed by the Environment and Economy Directorate to reduce financial support for contracted bus services.

It could also have a disproportionate impact on students living in low income households in rural areas who also have a diagnosed long-term medical condition which prevents them walking to their nearest designated pick up/drop off point for transport or to their nearest appropriate centre.

This change in policy would also affect post-16 providers. It could reduce the number of young people taking the decision to continue to study full-time on completion of their statutory schooling. This could lead providers to reduce the number and type of courses on offer and adversely affect the financial and educational viability of some of them, particularly school sixth forms.

There would also be a negative impact on those post-16 providers who organise and manage their own transport contractors who receive reimbursement from the Council for those students using their transport who qualify for assistance under the Council's policy. The Council could face claims for compensation for lost revenue.

*Defined as those who qualify for Income Support, Income-based Jobseeker's Allowance, Income Related Employment and Support Allowance, Support under Part VI of the Immigration & Asylum Act 1999, Guarantee element of State Pension Credit or holds the NHS Tax Credit Exemption Certificate.

SEND Transport - Some low income families may find that they are unable to afford to pay termly fees in one off payment for post-16 transport. To mitigate this officers will explore flexible payments e.g. monthly.

Officers will ensure that they have details of all the bursaries available from post 16 colleges / schools to help with travel costs. This information will be published in the local Offer.

There needs to be close monitoring of attendance to be sure that changes are not leading to more young people being NEET or an increase in non-attendance at post 16 settings.

Neutral Impact

N/A

Issues or Opportunities that may need to be addressed

The Department for Education has confirmed that post-16 transport legislation gives local authorities the discretion to determine what transport and financial support is necessary to facilitate young people's access to education or training and apprenticeships and traineeships. Those arrangements do not have to include free or subsidised transport but they must be reasonable, and take all relevant factors into account - because the availability and cost of transport can have an impact on whether young people continue to participate post-16 learning.

Should the Council adopt a policy that it would no longer provide any form of financial assistance for post-16 students there would no longer be a need to offer a right of appeal and for those appeals to be heard by a member service appeal panel as the panel would no longer have a mandate from full Council to consider the individual circumstances of a case and, where they felt appropriate, agree transport support.

However, it would be both necessary and appropriate to regularly review and assess the impact of such a change in policy to determine whether the number of young people who are NEET is increasing as a result.

Such a change would also be expected to reduce operational demands on both the 0-19 Planning & Organisation Service within Children's, Families and Adults and on the Social Education Transport Team (SETT) within Passenger Transport as staff currently have to assess and determine eligibility for assistance based on the criterion of students attending their nearest appropriate centre. Officers also have to respond to requests for appeals,

prepare for and present cases at appeal hearings.

SEND Transport - There is a possibility of the inappropriate use by families of a Personal Budget and therefore there needs to be close monitoring of the use of the budget. There needs to be sufficient interest in PBs to ensure savings are realised. Therefore good communication and marketing of the scheme needs to be in place. The LA will coproduce the scheme with parents and young people

Explore within the EHCP meeting the opportunity for a Personal Budget.

Community Cohesion

If it is relevant to your area you should also consider the impact on community cohesion.

N/A

Version Control

Version no.	Date	Updates / amendments	Author(s)
1	7 October 2015		Hazel Belchamber