

Appendix 3 Equality Analysis



Please refer to the guidance for carrying out Equality Impact Assessments is available on the intranet
Text in blue is intended to provide guidance – you can delete this from your final version.

What are the proposals being assessed?	The policy change being assessed is Merton Council's Home to School/College Travel and Transport Policy.
Which Department/ Division has the responsibility for this?	Directorate of Children, Schools and Families - Education

Stage 1: Overview	
Name and job title of lead officer	Tom Procter, Head of Contracts and School Organisation
1. What are the aims, objectives and desired outcomes of your proposal? (Also explain proposals e.g. reduction/removal of service, deletion of posts, changing criteria etc)	<p>What are you proposing and what are they designed to deliver?</p> <p>The consultation and review of the policy aimed to:</p> <ul style="list-style-type: none"> • ensure it continues to deliver its statutory responsibilities; • seeks views on the development of independent forms of travel to school; • consider a number of options to changes to policy in relation to three specific areas of current discretionary provision. <p>There are 4 key changes proposed to the discretionary policy which have been the focus of the consultation. These are:</p> <ol style="list-style-type: none"> 1) travel support for children with special educational needs and disabilities who are below statutory school age; travel support for young people of sixth form age (16-18) who – 2) are vulnerable learners (e.g. care leavers, or who from low income families); or, 3) who have an Education, Health and Care plan; 4) adult learners, who have an EHCP and who start a course of study following their 19th birthday. <p>Options include – removal of support altogether , other than in exceptional circumstances; introducing charges to help offset the costs of travel; restricting organised transport to only those with the most significant special educational needs.</p>
2. How does this contribute to the council's corporate priorities?	<p>Insert information as to how your proposals support the corporate priorities.</p> <p>Merton's Children's Trust has a four year Children and Young People's Plan that sets out the strategic priorities for securing improvements to the well-being of children and young people in the borough.</p>

	<p>The plan commits to priorities under six outcome areas - Being Healthy, Staying Safe, Enjoying and Achieving, Getting Involved, Having a Say; Becoming Independent; and My Merton: connection with family, friends and the community - with the aim of making Merton:</p> <p><i>'A place where children and young people feel they belong, stay safe and can thrive'.</i></p> <p>Home to school travel supports the priority of Enjoying and Achieving by providing forms of travel assistance that are there to get children and young people to their place of education safely on time and ready to learn. The Council's Independent Travel training programme promotes greater independence for young people who are in a position to benefit from it.</p>
<p>3. Who will be affected by this proposal? For example who are the external/internal customers, communities, partners, stakeholders, the workforce etc.</p>	<p>Who are your customers (staff, service users, stakeholders, partners etc)? Who will your proposals benefit? How will your proposals benefit the council?</p> <p>Stakeholders who may be affected include:</p> <ul style="list-style-type: none"> • Children and young people of non-statutory school age • Parents/carers • Schools and colleges • Transport providers. <p>The main stakeholders who will be impacted by the proposed changes to the Home to School/College Travel and Transport Policy are those children and young people of non-compulsory school age who are currently accessing the service - post 16 pupils, with or without SEND, and children under the age of 5 with SEND.</p> <p>Proposals could have an impact on individuals with protected characteristics. The EIA is necessary to understand any potential impact and necessary mitigation that is required.</p>
<p>4. Is the responsibility shared with another department, authority or organisation? If so, who are the partners and who has overall responsibility?</p>	<p>State here whether there are any other service areas, divisions, directorates, partner agencies (such as contracted organisations), other statutory bodies (e.g. the police, other councils etc) or the community and voluntary sector involved in the delivery of this function.</p> <p>There is an overlap with Adult Services travel policies and provision, especially in respect of travel assistance for Adult learners (those with an EHCP who start a course of study following their 19th birthday).</p> <p>Home to school/college travel providers include Merton Transport Services (operators of the Council's fleet of buses); and a range of private providers in Merton including Merton Community Transport. The Council has a contract with Merton Mencap to provide Independent Travel Training for the young people in the borough.</p> <p>Overall responsibility for home to school travel policies, assessment, commissioning and delivery rests with the Children, Schools and Families directorate.</p>

Stage 2: Collecting evidence/ data

5. What evidence have you considered as part of this assessment?

Provide details of the information you have reviewed to determine the impact your proposal would have on the protected characteristics (equality groups).

List the type of evidence (data, results of consultation, research, etc) and analysis of what this evidence tells you regarding the impact on the protected characteristics (equality groups).

What impact has this evidence had on what you are proposing?

If there are gaps in data (for example information not being available) you may have to address this by including plans to generate this information within your action plan.

A range of local evidence and benchmarking with other areas has been undertaken to understand the impact of the proposals and establish best practice used by other local authorities. Evidence gathered includes:

- Consultation survey responses
- Engagement events with parents
- focus groups in schools and meetings with school leaders

Children, Families, Scrutiny Committee

A public report to the Council's Cabinet got approval for the consultation in November 2021. Schools and colleges, parents whose children used home to school transport and other parties were emailed information about the consultation and invited to take part. There were two versions of the consultation paper – a full version with information on costs and context for home to school travel and a short easy read version.

A questionnaire survey was developed and was posted on the Council's website. Members of the public were able to access consultation information and submit a survey response online through the consultation pages on the Council's website. The questionnaire had free text boxes to allow written comments to be made on the main subject areas. Respondents were given the opportunity to submit written responses via a schools consultation email address. Staff filled in some questionnaires on behalf of respondents who were unable to access the website.

Focus groups were also held with pupils at Cricket Green School, Perseid School and the Raynes Park High School ASD provision. There were also two webinar sessions with Kids' First parents, facilitated by Merton Mencap, and a session with home to school travel staff.

There were 155 responses to the on-line survey, which are analysed in this report. There were six written submissions. Notes and findings from the consultation meetings were also recorded. The findings from the consultation were reported in full to the Children and Young People Overview and Scrutiny Panel on 9 February 2022.

There were two follow up meetings with Kids' First on 24 February 2022 to seek their views on the outcome of the consultation and in advance of the final report to Cabinet on 21 March 2022.

In preparing the consultation, we drew on guidance set out in:

- DfE Home to School Transport Guidance

- DfE Home to College Transport Guidance
- Local Government Association research and the experiences of other authorities in England.

Local authority benchmarking (statistical neighbours, all London authorities, all England authorities). Extensive benchmarking with other local authorities was carried out to review other local authorities' home to school transport policies and provision. This showed, among other things, that Merton had the 3rd highest cost per head for home to school travel in England; that, outside London, the large majority of local authorities apply an annual contributory charge to the parents of children and young people in receipt of post-16 home to school transport provision, to support the costs to the local authority for the provision of this transport. Within London, a few local authorities charge for transport. Within and without London, some local authorities say they restrict their post 16 travel assistance to those with the most significant special educational needs. Some provide only some form of financial re-imbursement for Post 16 students, and in some cases on a means tested basis.

Stage 3: Assessing impact and analysis

6. From the evidence you have considered, what areas of concern have you identified regarding the potential negative and positive impact on one or more protected characteristics (equality groups)?

Protected characteristic (equality group)	Tick which applies		Tick which applies		Reason Briefly explain what positive or negative impact has been identified
	Positive impact		Potential negative impact		
	Yes	No	Yes	No	
Age					
Disability	✓		✓		Independent travel training can have a positive impact for young people for whom it is appropriate. Removing or reducing free home to school travel for some young people with special educational needs and disabilities has a potential negative impact. Introducing charges for those with SEND raises issues of equity and equality with non-disabled passengers who benefit from largely free public transport provide by TfL and is not recommended to be pursued. Restricting free travel in council dedicated buses and taxis for those with only the most significant special needs and disabilities raises risks that some students will be not be able to access to a school/college place.
Gender Reassignment					
Marriage and Civil Partnership					
Pregnancy and Maternity					
Race					
Religion/ belief					
Sex (Gender)					

Sexual orientation					
Socio-economic status			V		Removing travel assistance for 'vulnerable learners' or for 16-18 year olds from low income families has a potential negative impact and is not being recommended. Introducing charging would also have a disproportional potential negative impact and is also not recommended to be pursued.

7. If you have identified a negative impact, how do you plan to mitigate it?

Summarise actions you plan to mitigate the negative impact(s) identified above. Detail for these actions should be included in the Improvement Action Plan (Section 9 below).

There would be a potential negative impact if the council put forward the options in the consultation of charging or removing all support for post-16 travel but this is not recommended to be pursued.

With regard to the recommendations there is a potential negative impact in restricting travel support to less post-16 learners with SEND. However, this is proposed to be mitigated by investing more in travel training and working more closely with schools through formal reviews to ensure that there is greater insight into when a child or young person is ready for independent travel. The mitigation and aims of the new policy and practice is to ensure that no child is left without the ability to safely travel to their nearest appropriate school placement, but there will be improved support mechanisms to ensure more children and young people can do so, and some more scrutiny to ensure placements with accessible transport are chosen wherever possible.

Stage 4: Conclusion of the Equality Analysis

Which of the following statements best describe the outcome of the EA (Tick one box only)

Please refer to the guidance for carrying out Equality Impact Assessments is available on the intranet for further information about these outcomes and what they mean for your proposal

- Outcome 1** – The EA has not identified any potential for discrimination or negative impact and all opportunities to promote equality are being addressed. **No changes are required.**
- Outcome 2** – The EA has identified adjustments to remove negative impact or to better promote equality. **Actions you propose to take to do this should be included in the Action Plan.**
- Outcome 3** – The EA has identified some potential for negative impact or some missed opportunities to promote equality and it may not be possible to mitigate this fully. **If you propose to continue with proposals you must include the justification for this in Section 10 below, and include actions you propose to take to remove negative impact or to better promote equality in the Action Plan. You must ensure that your proposed action is in line with the PSED to have 'due regard' and you are advised to seek Legal Advice.**
- Outcome 4** – The EA shows actual or potential unlawful discrimination. **Stop and rethink your proposals.**

Stage 5: Improvement Action Plan

9. Equality Analysis Improvement Action Plan template – Making adjustments for negative impact

This action plan should be completed after the analysis and should outline action(s) to be taken to mitigate the potential negative impact identified (expanding on information provided in Section 7 above).

Negative impact/ gap in information identified in the Equality Analysis	Action required to mitigate	How will you know this is achieved? E.g. performance measure/ target)	By when	Existing or additional resources?	Lead Officer	Action added to divisional/ team plan?
<p>Travel support for post-16 students to in the future be predominantly through independent forms of travel assistance, such as travel training and travel budgets, where this is possible.</p> <p>Organised transport only for those unable to use independent forms of travel or where their educational placement named in their EHCP is too far away to be reached independently</p>	<ul style="list-style-type: none"> To increase investment in travel training More formal reviews with schools to ensure we meet the needs of children as effectively as possible including identifying children who could be supported towards more independent travel 	<p>Publication of post 16 policy statement</p> <p>Children with SEND will still be able to access appropriate courses</p>	<p>May 2022</p> <p>September 2022</p>	Existing	Tom Procter, Bridget Creasey	Item for Travel Assistance Board

Note that the full impact of the decision may only be known after the proposals have been implemented; therefore it is important the effective monitoring is in place to assess the impact.

Stage 6: Reporting outcomes

10. Summary of the equality analysis

This section can also be used in your decision making reports (CMT/Cabinet/etc) but you must also attach the assessment to the report, or provide a hyperlink

This Equality Analysis has resulted in an Outcome [add](#) Assessment

[Please include here a summary of the key findings of your assessment.](#)

- What are the key impacts – both negative and positive – you have identified?
- Are there any particular groups affected more than others?
- What course of action are you advising as a result of this assessment?
- If your EA is assessed as Outcome 3 and you suggest to proceeding with your proposals although a negative impact has been identified that may not be possible to fully mitigate, explain your justification with full reasoning.

Potential negative impacts from options in the consultation on charging and removing discretionary transport are not being taken forward.

In terms of what is recommended to take forward, the negative impact to consider is the potential impact of not agreeing travel assistance to a greater number of people and therefore their ability to access education. This is being mitigated by the potential positive benefits in terms of the development of more inclusive forms of travel for all age groups, through Independent travel training and travel budgets, and working more closely with schools to identify needs.

Stage 7: Sign off by Director/ Head of Service

Assessment completed by	Phil Wells (Interim Transport Specialist) and Tom Procter (Head of Contracts and School Organisation)	Signature: Tom Procter	Date: 25 February 2022
Improvement action plan signed off by Director/ Head of Service	Add name/ job title	Signature:	Date:

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