

### Impact Assessment Level 1: Initial screening assessment

<b>Subject of assessment:</b>	Revision of the Home to School Transport Policy to be introduced for new pupils to the area and be applicable in a phased manner to all other pupils at transition age with effect from September 2016.			
<b>Coverage:</b>	Middlesbrough Council currently provides free home to school transport to pupils who are eligible where the shortest walking route is more than 2 miles for primary aged pupils and three miles for secondary aged pupils from the parental home. This Impact Assessment analyses the impact of the proposal to revise the current policy for new pupils to the area from September 2016 and phased in for current pupils in line with their SEN Statement / Education, Health and Care Plans and transition age for years 6, 9 and 11.			
<b>This is a decision relating to:</b>	<input type="checkbox"/> Strategy	<input checked="" type="checkbox"/> Policy	Service	<input type="checkbox"/> Function
	<input type="checkbox"/> Process/procedure	<input type="checkbox"/> Programme	<input type="checkbox"/> Project	<input type="checkbox"/> Review
	<input type="checkbox"/> Organisational change	<input type="checkbox"/> Other (please state)		
<b>It is a:</b>	<b>New approach:</b>	<input type="checkbox"/>	<b>Revision of an existing approach:</b>	√
<b>It is driven by:</b>	<b>Legislation:</b>	<input type="checkbox"/>	<b>Local or corporate requirements:</b>	√

<p><b>Description</b></p>	<p><b><u>Key aims, objectives and activities</u></b>  <b>Aim</b> - To assess the potential impact of the proposal <b>to update the current Home to School Transport Policy for the 2016/2017 academic year.</b>  <b>Objectives;</b></p> <ol style="list-style-type: none"> <li>1. To ensure that the policy is clear and understandable for practitioners and residents alike.</li> <li>2. To revise the current policy to ensure that the Council still meets its statutory duties.</li> </ol> <p><b><u>Statutory drivers</u></b></p> <p>A number of statutory duties, guidance, legislation and regulations are relevant to this proposal which will be considered; these include but are not limited to the Education Act (1996) and the Equality Act 2010. Under the Education Act (1996) The Council has a statutory duty to provide free home to school transport to eligible pupils residing in Middlesbrough. The revised policy ensures that the Council still meets its statutory duties.</p> <p><b><u>Differences from any previous approach</u></b></p> <p>The current policy has been longstanding, receiving sporadic desktop reviews in line with legislative updates.</p> <p>The revised policy clearly outlines what the Council has a statutory to provide and will provide to eligible service of the home to school element of the passenger transport service. Consultation with service users and their advocates will be undertaken due to practices around the application of the current policy, which will be perceived as policy change to residents and schools. This process needs to be undertaken to ensure that residents and schools are made aware of the changes to the policy, so that meaningful feedback can be received and incorporated into the final policy.</p> <p>If there is a change to a current service user's circumstances and they are still eligible for transport, then an alternative will be provided such as independent travel, training, a English National Concessionary Travel pass, or signposted to alternatives which will mitigate any impact/perception to restricting the right to education.</p> <p><b><u>Key stakeholders and intended beneficiaries (internal and external as appropriate)</u></b></p> <ul style="list-style-type: none"> <li>• Service Users and their families and/or carers – There are currently 1503 clients transported via the passenger transport team.</li> <li>• Professionals who work with service users – the requirement for a cultural change in assessing the transport needs for eligible residents.</li> </ul> <p><b><u>Intended outcomes</u></b></p> <p>The proposal is therefore to consider the approval of the draft revised policy after public consultation has finished, incorporating any recommendations from consultees as part of the process and feedback.</p>
<p><b>Live date:</b></p>	<p>It is proposed that the draft policy will be published from September 2016 and become immediate for new pupils to Middlesbrough and phased in for current pupils at transition age – years 6, 9 and 11.</p>
<p><b>Lifespan:</b></p>	<p>N/a.</p>
<p><b>Date of next review:</b></p>	<p>A Review of the outcomes for individuals would be undertaken 12 months from implementation as part the annual review process in relation Special Educational Needs (through the service users' educational statement/EHCP), to assess whether there had been any unforeseen disproportionate adverse impacts as a result of the application of the policy. A review will also be undertaken based on any legislative changes from the commencement date.</p>

Screening questions	Response			Evidence
	No	Yes	Uncertain	
<b>Human Rights</b> Could the decision impact negatively on individual Human Rights as enshrined in UK legislation? *	☒	☐	☐	The proposal is relevant to the right to education in that transport or lack of transport can restrict fair access to education. However, the draft policy considered ensures that fair access to education remains and the policy does <b>not</b> inhibit this. This has been undertaken through a review of the current policy, assessing the impact of any proposed changes to policy or practice that could negatively impact upon a child's fair right to access education. A transport needs assessment is also undertaken to support a decision taken to provide transport as part of an Education, Health and Care Plan. There are no concerns that the rights of eligible current and potential future customers could be infringed as the processes highlighted previously are in place to ensure that identified needs will continue to be met.

Consult the Impact Assessment further guidance appendix for details on the issues covered by each of these broad questions prior to completion.

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<p><b>Equality</b></p> <p>Could the decision result in adverse differential impacts on groups or individuals with characteristics protected in UK equality law? Could the decision impact differently on other commonly disadvantaged groups? *</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The Public Sector Equality Duty (PSED) requires that when exercising its functions the Councils must have due regard to the need to:-</p> <ul style="list-style-type: none"> <li>• eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</li> <li>• advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and</li> <li>• foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul> <p>In having due regard to the need to advance equality of opportunity, the Council must consider, as part of a single equality duty:</p> <ul style="list-style-type: none"> <li>• removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;</li> <li>• taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it; and</li> <li>• encouraging people who share a protected characteristic to participate in public life or in any other activity in which participation is low.</li> </ul> <p>The Act requires that the needs of people with a disability are considered and that steps should be taken to take these into account. As this proposal relates to a service where a proportion of service users have a learning disability, then this proposal is particularly relevant to the equality duties and the protected characteristics of age and disability.</p> <p>There are 1503 service users currently transported to and from educational settings via Council operated fleet vehicles or commissioned taxi (Monday to Friday).</p> <p>At this stage the anticipated impact on this group is that identified needs will continue to be fully met, however the way in which they are met may change. Under the proposals, age and disability appropriate processes such as independent travel training would be put in place to manage the transition and mitigate impacts such as a change in modes of transport or the removal of transport due to ineligibility. Individual transport assessments would be undertaken by Middlesbrough Council's transport needs assessor and the results be recommended to various departments requesting transport or the multi-agency education health and care plan panel. In some cases, those who have been accessing the service, but who do not meet the eligibility criteria when it is correctly applied, would no longer be able to access transport from the Council. In this case, they will be supported to access alternative transport.</p> <p>A stage 2 assessment will be undertaken following completion of consultation with service users and their advocates which will assess this impact. Evidence used to inform this assessment includes analysis of service users and the intended outcomes the service should be achieved.</p>
<p><b>Community cohesion</b></p> <p>Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town? *</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed draft policy revisions would provide a shift in focus that could see positive integrated opportunities for individuals within the provision of education.</p> <p>There is no evidence to indicate that service users and / or the wider community have any concerns about the impact of the transport policy on community cohesion.</p>

<p><b>Middlesbrough 2020 – Our Vision</b>          Could the decision impact negatively on the achievement of the vision for Middlesbrough? *</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>This proposal is in line with the Mayor’s Priorities of a Fairer Middlesbrough set out in the Mayor’s Vision.. Access to education is the key to good life chances for all, and ensures that local people have access to the best education to enable them to achieve the right qualifications and skills.</p>
<p><b>Organisational management / transformation</b>          Could the decision impact negatively on organisational management or the transformation of the Council’s services as set out in its transformation programme? *</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal will provide savings to support the change programme and it will align provision with the target operating model for the Council as described by the Change Strategy.</p>
<p><b>Next steps:</b></p> <p>➡ If the answer to all of the above screening questions is No then the process is completed.</p> <p>➡ If the answer of any of the questions is Yes or Uncertain, then a Level 2 Full Impact Assessment must be completed.</p>				
<p><b>Assessment completed by:</b></p>	<p>Craig Cowley, Planning &amp; Delivery Manager</p>		<p><b>Head of Service:</b></p>	<p>Dave Carter, Head of Transport &amp; Infrastructure</p>
<p><b>Date:</b></p>	<p>18 May 2016</p>		<p><b>Date:</b></p>	<p>18 May 2016</p>