

Impact Assessment

Version 2016

Assessment of:	Changes to Post-16 Education Transport Policy 2017-18
Service:	Education and Learning

Head of Service:	Sue Clarke
Date of sign off by Head Of Service/version:	xx June 2016
Assessment carried out by (incl. job title):	Andrew Brent, Policy and Strategy Officer (Education)

Section 1 - Background

Description:	This is an assessment of the impact of the proposed changes to the Post-16 Education Transport Policy for the 2017-18 academic year.
Reason for change and options appraisal:	<p>The proposed changes involve a shift in emphasis from the LA being a first option for assistance with transport for post-16 students to the LA being a safety net to ensure that no Devon-resident post-16 student is unable to continue in education because the absence of transport is an unsurmountable barrier. Under an amended policy, students would be expected to have made their own arrangements and if that is not possible they would be required to provide evidence that without support from the LA, he or she would be unable to continue in Further Education. Where that need is established, it would be met by the LA.</p> <p>In reviewing the policy for the 2017-18 academic year, the LA proposed two changes:</p> <ul style="list-style-type: none">• Increasing the contribution towards LA costs to be paid by students to £580 per annum;• For all new applications, requiring evidence from the student or his or her parent that assistance from the LA is required in order for the student to be able to continue in Further education.

	<p>The proposed changes would have no impact on the statutory requirement on the LA to support Learners with Learning Difficulties and Disabilities (LLDD).</p> <p>Under the proposed policy, students would get to and from school or college either by public transport or other private arrangements (such as walking, cycling or using a private vehicle). This would be paid for by the student or parent, supported where available by funds from the college Bursary scheme.</p> <p>Where that is not possible, they would be able to use a vacant seat on a LA-contracted vehicle. This would require a contribution towards LA costs, paid for by the student or parent, supported where available by funds from the college Bursary scheme. These seats would be guaranteed for the student while he or she attends the establishment from the same address.</p> <p>Where a vacant seat is not available, students can make a case to the LA that there is a need for LA assistance. The LA will assess need and ask for evidence in support of the case. Where it is agreed that support is required, it will be in the form the LA considers appropriately meets that need – such as the provision of a seat on a LA-contracted vehicle, a petrol or other financial allowance to the student, Independent Travel Training. This would require a contribution towards LA costs, paid for by the student or parent, supported where available by funds from the college Bursary scheme. These seats would be guaranteed for the student while he or she attends the establishment from the same address.</p> <p>Where the LA does not agree that need has been established, there would be a two-stage appeal process to ensure that the circumstances would be fully and fairly considered.</p>
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Section 2 - Key impacts and recommendations

Social/equality impacts:	<ol style="list-style-type: none"> 1. The contribution to LA costs is required for all post-16 students. A higher contribution will be more challenging for parents and students to pay. Less well-off families who cannot access other support including from the school and college Bursary scheme may opt not to continue in further education. <p>The LA assists post-16 students by operating a supported travel scheme. This is chargeable to limit the financial burden on the LA. The LA provides a safety net through a two-stage appeal process. This enables families to make an individual case that a post-16 student requires assistance in addition to or in</p>
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the absence of Bursary support.

Schools and colleges are funded through a Bursary scheme to support students with learning costs including transport. The monies to do this have been available through schools and colleges since the withdrawal of the Education Maintenance Allowance in 2011. No low-income student should be unable to secure the costs of the contribution from the Bursary scheme. The LA will work with schools and colleges to seek additional funds to supplement the Bursary where this is possible and would ensure support for students in need. The LA provides a safety net through a two-stage appeal process. This enables families to make an individual case that a post-16 student requires assistance in addition to or in the absence of Bursary support.

2. The 2016-17 policy established an entitlement to support from the LA for any post-16 student who meets published criteria – with that support requiring a contribution towards the costs of the LA. A post-16 student would be entitled to LA support where he or she is:

- A Devon-resident
- Studies on a full time course
- Attends a state-funded school or college designated to provide post-16 education for the home address or the nearest available establishment providing a course necessary for the chosen career path
- Lives further than a walking distance of three miles from the establishment, unless it is evidenced that the student is unable to walk to the school or college
- is under 19 years of age on the 31 August immediately preceding the start of the academic year

Where a student is not entitled to support from the LA, he or she is signposted to the school or college for support. This would be the case where, for example, the student could attend the designated establishment or one closer to home but chooses to attend one further away from home. This arrangement means that the LA is the principal or default source of support for students who live beyond the minimum walking distance and who do not make their own arrangements for travel. Students and their families use their own vehicles or use public transport where this is more convenient or cost-effective for them. In some circumstances, the schemes operated by colleges themselves may be more convenient or

cost-effective than the support available from the LA.

Under the proposed arrangements for 2017-18, the LA would step back from this role of providing support by default. Students and their families would continue to make their own arrangements where they are more convenient or cost-effective but where that is not possible, they would be expected to approach the schools and colleges for support from the college-managed Bursary schemes. To secure support from the LA on an individual basis, students and their families would be required to provide evidence that:

- they could not make their own arrangements for travel and that
 - support from the college Bursary was not available or insufficient
- to enable the student to travel to and from school or college to remain in Further Education. The LA would have changed its role from the default provider of support to a safety net. It is expected that the LA would be required to support transport for many of the students who would receive support under the 2016-17 policy: those with the most rural isolation who are furthest from public transport or where there is no public transport option at all, those with the greatest economic hardship and those whose additional educational or medical needs require more costly specialised or individual transport. In all cases where the LA accepts evidence from the student or family that these are the circumstances, it will provide support. It is the proposal of the LA that post-16 students will continue to access Further Education and it will support them with transport arrangements where it is necessary to do so. Support would be provided to meet individual need and would be the most cost-effective means available to the LA, for instance:
- the provision of Independent Travel Training to enable the student walk or use public transport
 - access to a LA-contracted vehicle
 - financial support for fuel or otherwise to enable the student to travel, net of the LA contribution.

It would not be considered necessary to provide support where a student, for example:

- can travel by public transport – using those vehicles would be paid for by family itself, seeking support from the colleges through the Bursary scheme, particularly for those from low-income households.
- has access to a family vehicle, even where using the vehicle would be inconvenient for the family. A family would have to provide satisfactory evidence that there was no private vehicle available
- does not provide evidence that the college is unable to provide sufficient assistance through the Bursary scheme.

	<p>The proposed policy would be a needs-led service, ensuring that students who evidence that they do not have the means to get to and from college have support from the LA.</p>
Environmental impacts:	<p>It is possible that passengers liable to pay the increased contribution may decide that making their own way to school or college is a better option for them. This may increase the number of vehicles on Devon's road but to a very small extent. There is no reason why any post-16 student would need to change their travel arrangements because of this as monies to pay the contribution are available from the Bursary scheme. The LA will work with schools and colleges to seek additional funds to supplement the Bursary where this is possible and would ensure support for students in need. The LA provides a safety net through a two-stage appeal process. This enables families to make an individual case that a post-16 student requires assistance in addition to or in the absence of Bursary support.</p> <p>It is possible that some students would not receive support from the LA on the grounds that they have the means to use their own transport. A student provided with a with a mobility vehicle from public funds for instance would be expected to use that vehicle to travel to and from college and not access a LA-contracted vehicle.</p> <p>The LA also works with local public transport providers to help offer sustainable transport options with various tickets available from these companies, some of which will be more cost effective for the student than the LA scheme</p>
Economic impacts:	<p>1. The increase in the contribution is projected to raise a minimal amount for the LA but is help to reduce the financial burden on the LA minimally. An increase of £20 per student is not an insignificant sum for families themselves, particularly where a family has more than one student passenger.</p> <p>It is necessary for the LA to address the financial pressures it faces in a number of ways, including increasing fees and charges in a proportionate and measured way. The LA provides a safety net through a two-stage appeal process. This enables families to make an individual case that a post-16 student requires assistance in addition to or in the absence of Bursary support.</p>

Other impacts (partner agencies, services, DCC policies, possible 'unintended consequences'):	<p>1. The expectation is that schools and colleges will indeed allow Bursary funds to be used to support transport for their post-16 students as intended. Those funds have been available to establishments since 2011 and may be being used to support students in other ways. By diverting a proportion of the Bursary to transport costs, there will inevitably be less money available for other purposes such as learning resources and curriculum enhancement.</p> <p>The Bursary is intended to support students with costs including travel. Despite the Raising of the Participation Age, central government has not extended the statutory entitlement to free transport to post-16 students and has provided funds to establishments. It is appropriate for the LA to review whether it is able to subsidise travel in this manner and to withdraw from support where the family is able to pay for public service transport or where there is no impact on the ability of students themselves to pay.</p>
How will impacts and actions be monitored?	<p>The number of post-16 students using LA transport will be monitored.</p> <p>The LA will work with schools and colleges and public transport providers to monitor the impact of these changes.</p>

Section 3 - Profile and views of stakeholders and people directly affected

People affected:	<p>Those accessing support from the LA make up a small minority of Devon's post-16 students. Instead of automatically entitlement to support from the LA for those meeting basic eligibility criteria, any post-16 student who seeks LA support would need to provide satisfactory evidence of need for support.</p> <p>Post-16 students will either not request support because they are able to make their own arrangements, independently or with the financial support of the Bursary scheme or they will seek support from the LA and establish a need for that support. They would all liable to pay a contribution towards costs and could approach their school or college for financial support to pay the full LA contribution.</p>
Diversity profile and needs assessment of affected	<p>The contribution is applicable to all post-16 passengers, regardless of race, religion, orientation or additional need.</p>

people:	
Other stakeholders:	<p>A number of schools and colleges have expressed their concern about an increase in demand for Bursary support that will be prompted by an increase in contributions for post-16 students. Establishments will no longer be in a position to disperse the Bursary on other student costs.</p> <p>A number of parents have questioned the need and “fairness” of an increase in contributions and have expressed concern about how they would get their children to and from college. Where those students are already in post-16 education or in current Year 11, they will be subject to the current policy of support for all eligible students. The proposed amendment would only apply to new applications for post-16 transport for travel from September 2017.</p> <p>Local public transport providers who offer alternative transport options for young people.</p> <p>Where there is a need for support, the LA will act as a safety net to ensure that all Devon-resident students can continue into post-16 education.</p>
Consultation process:	All Devon schools and colleges with children in Year 10 and above were contacted to advise them of the proposed changes. In addition to views from the establishments themselves, a letter was sent for distribution to the parents of Year 10 children as they would be the cohort first affected by the proposed change.
Research and information used:	Relevant legislation and the policies of other LAs and their contribution levels were benchmarked. The potential impact on children and students and the anticipated financial impact on the LA were modelled.

Background Analysis

This section describes how relevant questions and issues have been explored during the options appraisal.

Section 4a - Social Impacts

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief.

This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).

The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:

- Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
- Proportionate (negative impacts are proportionate to the aims of the policy decision)

- Fair
- Necessary
- Reasonable, and
- Those affected have been adequately consulted.

Characteristics	Describe any needs and actual or potential negative consequences (e.g. disadvantage or community tensions) for the groups listed. (Consider how to mitigate against these).	Describe any needs and actual or potential neutral or positive outcomes for the groups listed. (Consider how to advance equality/reduce inequalities as far as possible).
All residents (include generic equality provisions):	For all parents and students, the decision to seek admission to an establishment further from home where contribution to costs is required, an increase may undermine parental preference. By becoming the provider of support as a safety net, the LA would be prompting students and their families to more fully consider how they can make their own arrangements and to approach schools and colleges for support.	<p>The LA provides a safety net through individual assessment of need and a two-stage appeal process. This enables families to make an individual case that a post-16 student requires assistance in addition to or in the absence of Bursary support.</p> <p>The LA will continue to provide advice and to sign-post students and families to help them to make their own arrangements, use public transport and to request Bursary support.</p>
Age:	The LA does not consider these changes cause any particular consequences linked to this characteristic. It is anticipated that students will travel to their establishment in the same way with the potential for limited drop-off by a small number of students who	

	are in a position to make their own transport arrangements.	
Disability (incl. sensory, mobility, mental health, learning disability, ill health) and carers of disabled people:	The LA does not consider these changes cause any negative consequences linked to this characteristic. It is anticipated that students will travel to their establishment in the same way.	Students with Special Educational Needs or Disabilities will not be disproportionately affected by the increase to the contribution. Where individual or specialised travel arrangements are required, it is anticipated that the additional costs involved will mean the LA does need to provide support. The LA provides a safety net through a two-stage appeal process. This enables families to make an individual case that a post-16 student requires assistance in addition to or in the absence of Bursary support.
Culture and ethnicity: nationality/national origin, skin colour, religion and belief:	The LA does not consider these changes cause any particular consequences linked to this characteristic. It is anticipated that children and students will travel to their establishment in the same way.	
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)	The LA does not consider these changes cause any particular consequences linked to this characteristic. It is anticipated that children and students will travel to their establishment in the same way.	
Sexual orientation and marriage/civil partnership:	The LA does not consider these changes cause any particular consequences linked to this characteristic. It is anticipated that children and students will travel to their establishment in the same way.	

Other socio-economic factors such as families, carers, single people/couples, low-income, vulnerability, education, reading/writing skills, 'digital exclusion' and rural isolation.	Low-income families would find any increase in fees and charges or reduction in discounts more challenging to afford. This is mitigated by the option to seek assistance from school and college Bursary scheme. Where this is insufficient and the absence of transport would be an unsurmountable barrier to attendance, students and parents may approach the LA for support.	The level of contribution is not higher in more rural, isolated areas where the actual costs to the LA may be higher. Support and advice is available from the LA which would employ officers able to assist with the process as necessary.
Human rights considerations:	There are no human rights considerations. Students have the right to continue into Further Education but that is not to a particular establishment. They also have a right to expect their transport needs are considered fairly and in line with legislation.	The LA would provide a safety net for education transport for post-16 students through individual assessment of need and a two-tier appeals process to ensure that individual circumstances are considered fairly and consistently, in line with legislation and the policy.

Section 4b - Environmental impacts

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties.

The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please select from the table below and proceed to the 4c, otherwise complete the environmental analysis table):

	Devon County Council's Environmental Review Process for permitted development highway schemes.
	Planning Permission under the Town and Country Planning Act (1990).
	Strategic Environmental Assessment under European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment".

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce waste, and send less waste to landfill:	None identified.	None identified.
Conserve and enhance biodiversity (the variety of living species):	None identified.	None identified.
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	None identified.	None identified.
Conserve and enhance the quality and character of our built environment and public spaces:	None identified.	None identified.
Conserve and enhance Devon's cultural and historic heritage:	None identified.	None identified.
Minimise greenhouse gas emissions:	It is possible that parents and students may decide to make other travel arrangements in	Parents or young people may explore other sustainable (public transport) options.

	response to the increase to the contribution or because they are in a position to do so which would negate the need for the LA to provide support. This could mean more vehicles using Devon's roads.	
Minimise pollution (including air, land, water, light and noise):	None identified other than above.	None identified other than above.
Contribute to reducing water consumption:	None identified.	None identified.
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):	None identified.	None identified.
Other (please state below):	None identified.	None identified.

Section 4c - Economic impacts

	<p>Describe any actual or potential negative consequences.</p> <p>(Consider how to mitigate against these).</p>	<p>Describe any actual or potential neutral or positive outcomes.</p> <p>(Consider how to improve as far as possible).</p>
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Impact on knowledge and skills:	None identified.	None identified.
Impact on employment levels:	None identified.	None identified.
Impact on local business:	None identified.	More parents and students may look for other transport options thereby supported local transport companies and help sustain local transport services for the whole community.

Section 4d -Combined Impacts

Linkages or conflicts between social, environmental and economic impacts:	<p>None identified.</p> <p>The LA anticipates very limited impact on the actions of parents and their choices of schools and travel arrangements.</p>
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Section 5 - 'Social Value' of planned commissioned/procured services:

How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?	The LA will have reduced the financial burden on the LA of the Education Transport Policy by increasing contributions and ending discounts. This will improve the economic and social well-being of the Council and Devon-residents.
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