

# Durham County Council Equality Impact Assessment

**NB:** The Public Sector Equality Duty (Equality Act 2010) requires Durham County Council to have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people from different groups. Assessing impact on equality and recording this is one of the key ways in which we can show due regard.

## Section One: Description and Screening

<b>Service/Team or Section</b>	RED Sustainable Transport Group
<b>Lead Officer</b>	Andy Leadbeater
<b>Title</b>	Concessionary Travel Arrangements for Disabled Residents and their Carers/Companions
<b>MTFP Reference (if relevant)</b>	
<b>Cabinet Date (if relevant)</b>	
<b>Start Date</b>	18 <sup>th</sup> August 2016
<b>Review Date</b>	

## Subject of the Impact Assessment

Please give a brief description of the policy, proposal or practice as appropriate (a copy of the subject can be attached or insert a web-link):

English National Concessionary Travel Scheme (ENCTS) policy relating to Durham County Council discretionary elements in particular companions/carers of disabled children under the age of 5.

Who are the main stakeholders? (e.g. general public, staff, members, specific clients/service users):

The ENCTS applies to older people and people with a disability. This particular assessment relates to disabled children under the age of 5 and their companions/carers.

## Screening

Is there any actual or potential negative or positive impact on the following protected characteristics?		
Protected Characteristic	Negative Impact Indicate: Y = Yes, N = No, ? = unsure	Positive Impact Indicate: Y = Yes, N = No, ? = unsure
Age	Y	N
Disability	Y	N
Marriage and civil partnership (workplace only)	N	N
Pregnancy and maternity	N	N
Race (ethnicity)	N	N
Religion or Belief	N	N
Sex (gender)	N	N
Sexual orientation	N	N
Transgender	N	N

Please provide **brief** details of any potential to cause adverse impact. Record full details and analysis in the following section of this assessment.

Government guidance indicates that children under fare paying age are not entitled to an ENCTS pass because they already travel for free. Denying this pass subsequently removes the opportunity for a companion pass to be issued to that person which, in turn, removes the opportunity for a companion to travel free with the pass holder. This need for the companion to pay for travel may have an adverse impact on the disabled child.

How will this policy/proposal/practice promote our commitment to our legal responsibilities under the public sector equality duty to:

- eliminate discrimination, harassment and victimisation,
  - advance equality of opportunity, and
  - foster good relations between people from different groups?
- Discretionary enhancements to ENCTS are in place which allow companions to travel free with those eligible within the scheme. This is a positive step taken to advance equality. However, because disabled children under 5 are

not eligible under ENCTS this group are treated less favourably than disabled children over 5. The numbers affected by this are estimated to be relatively small. However, any decision may be subject to legal challenge.

## Evidence

What evidence do you have to support your findings?  
Please **outline** your data sets and/or proposed evidence sources, highlight any gaps and say whether or not you propose to carry out consultation. Record greater detail and analysis in the following section of this assessment.

There are currently 490 children under 5 who would be potentially eligible for disabled pass, 280 of which would be potentially eligible for a companion pass.

The average usage cost of a pass to DCC is £98 p.a. (older people and disabled people).

The estimated average usage cost of a disabled pass to DCC is £138 p.a. (with and without companion).

It is not possible to estimate accurately the costs of a disabled pass with companion.

The potential cost to DCC is dependent upon estimated take up and estimated usage. The following table illustrates potential costs to DCC depending on these variables:

Number eligible	Take up rate	Usage cost pa			
		£50	£100	£150	£200
280	33%	£4,620	£9,240	£13,860	£18,480
280	66%	£9,240	£18,480	£27,720	£36,960
280	100%	£14,000	£28,000	£42,000	£56,000

Paragraph 15 of the Guidance to Local Authorities in Assessing Eligibility of Disabled People in England issued by the Department for Transport (DfT) at

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/181507/eligibility-review.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/181507/eligibility-review.pdf) states

“The 2007 Act provides an entitlement to a concession against a full adult fare. It does not set age limits for recipients of this concession. It should therefore be taken to apply the concession to adults and to all disabled children and young people of fare-paying age.”

## Screening Summary

On the basis of this screening is there:	Confirm which refers (Y/N)
Evidence of actual or potential impact on some/all of the protected characteristics which will proceed to full assessment? However, this stems from government guidance relating to eligibility being linked to age.	Not at this stage
No evidence of actual or potential impact on some/all of the protected characteristics?	

## Sign Off

Lead officer sign off: Andy Leadbeater	Date: 18 <sup>th</sup> August 2016
Service equality representative sign off: Gemma Wilkinson	Date: 18 <sup>th</sup> August 2016

If carrying out a full assessment please proceed to section two.

If not proceeding to full assessment please return completed screenings to your service equality representative and forward a copy to [equalities@durham.gov.uk](mailto:equalities@durham.gov.uk)

If you are unsure of potential impact please contact the corporate research and equalities team for further advice at [equalities@durham.gov.uk](mailto:equalities@durham.gov.uk)