

## **Cabinet**

**8 February 2023**

### **Home to School Transport Services - Consultation**



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## **Report of Corporate Management Team**

**John Pearce, Corporate Director of Children and Young People's Services**

**Amy Harhoff, Corporate Director of Regeneration, Economy and Growth**

**Paul Darby, Corporate Director of Resources**

**Councillor Ted Henderson, Cabinet Portfolio Holder for Children and Young People's Services**

**Councillor Richard Bell, Deputy Leader and Cabinet Portfolio Holder for Finance**

**Councillor Elizabeth Scott, Cabinet Portfolio Holder for Economic Regeneration and Partnerships**

### **Electoral division(s) affected:**

Countywide

### **Purpose of the Report**

- 1 To seek Cabinet approval to undertake a public consultation on proposals to transform Durham County Council's Home to School Transport Service for Children and Young People.

### **Executive summary**

- 2 The Local Authority has a statutory duty to provide home to school transport to children and young people who meet circumstances prescribed in legislation. This is set out in statutory guidance from the Department for Education.
- 3 The Home to School Transport offer for our eligible children and young people is currently set out in the Durham County Council "Home to Primary, Secondary and Special School and College Travel and

Transport Policy”, which mirrors the statutory guidance and also allows for additional discretionary arrangements.

- 4 The existing Home to School Transport (H2ST) service provides daily transport for approximately 9,000 children and young people, with over 1,000 contracts in place with Transport Providers.
- 5 At the end of September 2022, projected net expenditure on statutory Home to School Transport is approx. £24.3 million, against a current net budget of £19.5 million. This represents an overspend of £4.8 million.
- 6 It is estimated that net expenditure on Home to School Transport will increase by a further £4.8 million in 2023/24. This estimated increase reflects both the full year impact of price increases experienced in 2022/23 and an estimate of further demand and price pressures in 2023/24.
- 7 The Home to School Transport Budget has been increased by £9.6 million in 2023/24 to cover the additional estimated demand and cost pressures.
- 8 With increasing pressure on funding and growing demand for council services, especially statutory services, decisions need to be made about how the council meets this demand in an affordable yet effective way in the future.
- 9 An external review of the County Council’s Home to School Transport Service was undertaken in 2021, in order to identify opportunities to transform the service and manage demand and pressures on the service.
- 10 Following the Service review, a number of opportunities were identified in relation to transforming the Home to School Transport Service, which are:
  - Review the provision of the Durham County Council’s Concessionary Schemes.
  - Consider how the Council can more effectively and efficiently support the provision of journeys and passenger assistants on transport.
  - Promote Independence skills of young people through travel training and other opportunities

- Introduce a simplified process for providing personal travel budgets for parents/cares of pupils with SEN and those living in remote rural areas where it is cost effective to do so.
- Review unsafe walking routes and existing travel routes across the County, especially schools with high volumes of routes.
- Review potential procurement options for home to school transport services in relation to impact on value for money and associated competitive pricing.

11 It is proposed to undertake a consultation on the above elements of the Home to School Transport Service. This paper sets out the detail of the transformation priorities and the public consultation process.

### **Recommendation(s)**

12 Cabinet is recommended to:

- agree that a public consultation will take place from 27 February 2023 to 9 April 2023 on the proposals outlined above in relation to the transformation of the Home to School Transport Service;
- agree to delegate the sign off of the final consultation documentation to the Corporate Director of Children and Young Peoples Services in conjunction with the relevant Portfolio Holders.

## Background

- 13 The Council has a statutory duty under various Acts and Guidance to provide education transport to eligible students. The main legislation is set out in the following:
- The Education Act 1996;
  - Education and Inspections Act (EIA) 2006;
  - The Home to School Travel and Transport Guidance 2014;
  - Post 16 Transport to Education and Training Guidance 2014.
- 14 In order to comply with statutory Home to School Transport duties local authorities must comply with the following :
- Promote the use of sustainable travel and transport;
  - Make transport arrangements for all eligible children.
- 15 In particular, the Education Act 1996, states that a statutory duty is placed on the Council to make suitable travel arrangements to facilitate attendance at school for eligible children of compulsory school age (5-16). This is based on statutory walking distance for children to a qualifying school as follows:
- Beyond 2 miles (below the age of 8);
  - Beyond 3 miles (age 8 – 16);
  - Between 2 – 6 miles for pupils from low income families (for example in receipt of free school meals);
  - No statutory distances for pupils with a disability or mobility requirement.
- 16 The Home to School Travel and Transport Guidance 2014 (Special Education Needs) requires Local Authorities to make transport arrangements for those children who cannot reasonably be expected to walk to school because of their mobility or associated health and safety issues related to their special education needs and disabilities.
- 17 Durham County Council's Home to School Transport service provides daily transport to almost 9,000 passengers, made up of mainstream and SEND passengers along with other special provision. This is delivered by over 1,000 contracts and utilising over 300 different transport suppliers.

- 18 Expenditure on home to school transport has been increasing steadily over recent years. At the end of September 2022, projected net expenditure for the 2022/23 financial year on statutory Home to School Transport is approx. £24.3 million, against a current net budget of £19.5 million. An overspend of £4.8 million for the period. This increase is due to demographic growth, inflationary pressures and prices.
- 19 The increasing demand and cost of Home to School Transport has been driven by a number of factors:
- SEND Transport delivery, including the increased demand for Taxis and Passenger Assistants over recent years. An external review undertaken in 2021/22 identified that whilst 23% of pupil demand (2,013 passengers) is for SEND/other specialist transport this represents 72.8% of the total expenditure on the service (£16.172 million);
  - National Regulations, such as Public Sector Vehicles Accessibility Regulations, which have required vehicles to meet additional specification requirements;
  - Increasing contractor costs, driven by fuel prices, inflation and wage increases;
  - Parental/School demands and expectations, including meeting the needs of a significantly increased number of pupils with Education, Health and Care Plans.
- 20 Transport costs are forecasted to rise further in future years with continuing price inflation and increases in the National Minimum Wage likely to impact the service.
- 21 It is estimated that net expenditure on Home to School Transport will increase by a further £4.8 million in 2023/24. This estimated increase reflects both the full year impact of price increases experienced in 2022/23 and an estimate of further demand and price pressures in 2023/24.
- 22 The Home to School Transport Budget has been increased by £1.3 million in 23/24 to reflect the standard 5% price increase assumption used by the County Council. In addition, the budget has also been increased by a further £8.3 million to cover the additional estimated demand and cost pressures in 2023/24.
- 23 To help understand the issues in more detail and be informed by best practice elsewhere in the country, the Council commissioned a review of the Home to School Transport service in 2021. The review considered home to school transport organisation and delivery, key

policy and processes, supply market value, procurement, routing, systems used and performance.

- 24 The culmination of the review was a range of key findings and potential improvements to the effectiveness and efficiency of the Service, which were presented to the Council for consideration.
- 25 The Council has also identified on a number of guiding principles for the Service Transformation of Home to School Transport in that proposals should be:
- Sustainable and support the Council's Environmental policies;
  - Safe for providers and users of the Service;
  - Aligned to the identified needs of Children and Young People;
  - Supportive of the Independence of Children and Young People where appropriate;
  - Efficient and deliver value for money.
- 26 The Council has therefore shaped a transformation programme for its Home to School Transport Services around the following Priorities, which will be the subject matter of the consultation as follows:

### **Priority 1 - Review the DCC Concessionary Scheme.**

- 27 Concessionary seats are spare seats available on a school bus, that are sold to pupils who are **not** entitled to free transport. There are three schemes which operate in County Durham:
- ***The standard scheme.*** When the Council is commissioning transport for statutorily entitled pupils there are likely to be spare seats available which are made available to non-entitled pupils. This practice is common across Local Authorities in England. The current charge is £1.63 per day;
  - ***The maintained scheme.*** This was implemented following policy changes that took effect in September 2012, where sufficient transport capacity was maintained within the Spare Seats Concessions on established school transport routes that did not have an alternative suitable local bus service. The Council does not operate a full cost recovery model for this scheme and incurs a financial loss each year of over £250,000. The current charge is £1.63 per day. A comparable commercial child fare is Go North East 'Under 19' fare which is currently available at £1.40 single

fare ticket, which would result in a charge of £2.80 for a return journey.

- **The Schools' Scheme.** Concessionary transport is provided where partner schools request the Council to arrange a scheme. There are currently 11 schools participating covering travel by 2,110 children. Schools are able to set their own charges for the provision with some schools providing the transport at no charge to pupils, however a fare charge is usually made. This scheme is cost neutral to the Council as it is fully funded by the participating schools.

28 The consultation will seek views on:

- A proposed increase to the daily charge for the provision of the **standard** and **maintained** Concessionary schemes which aligns to the Go North East Under 19 fare of £2.80 for a return journey from 2023/24 academic year;
- The future provision of the **maintained** Concessionary scheme, in particular the cessation of the scheme and options for implementation;
- Continuation of the standard scheme and the Schools' scheme.

## **Priority 2 - Consider how the Council can more effectively and efficiently support the provision of journeys and passenger assistants on transport.**

29 Single person journeys and passenger assistants are mainly provided for children with special educational needs and disabilities and mainly to pupils in special schools. They are usually taxis which is the most expensive form of transport. Furthermore, the transported pupil is often accompanied by a Passenger assistant.

30 There has been a significant increase in children and young people with SEND receiving single person transport in County Durham with/without a passenger assistant.

31 The Review of Home to School Transport identified that:

- 41% (204) of SEND Transport Routes in County Durham were single person journeys compared to the benchmark of selected similar County Councils of 38%;
- 93% (467) of SEND Transport Routes in County Durham had a passenger assistant, with the benchmark for selected similar County Councils being 64%;

- Durham had a lower number of passengers per SEN Transport Route at 2.94 passengers per route. The benchmark for selected similar County Councils was 3.37 passengers.

32 The consultation will:

- Explore how best to ensure the optimum use of home to school transport resources, in particular the provision of single person vehicles and passenger assistants whilst discharging statutory responsibilities;
- Seek views on the potential impact on the duration of transport journeys and the benefits of independence/ socialisation with peers.

### **Priority 3 - Develop independence skills of young people and Introduce an updated personal travel budget scheme.**

33 Independent Travel Training (ITT) is a process that trains individuals on how to travel independently in a safe and responsible way. Travelling independently is a life skill that reduces isolation and dependency and opens opportunities for education, employment and enjoyment.

34 Many children with SEND currently receive door-to-door transport from the time they start school until the time they leave college and as such they do not gain the necessary travel and social skills that other children do. Whilst some children with SEN will not be able to travel independently, those that are able, should be given the opportunity to do so.

35 This presents an opportunity to develop travel training, which will involve tuition in timetable reading and practical coaching in catching buses and route familiarisation. The scheme can be extremely successful and in some authorities over 50 children every year are helped to travel independently. The scheme has the potential to produce better outcomes for children over the long term and will have benefits for their future mobility, social integration, and employability.

36 The Council is also considering options in respect of the introduction of Pickup Points. Pickup points are similar to bus stops, where the Council identifies designated pick-up and drop-off locations for the pupil to meet the bus or taxi rather than offering a door-to-door service. This reduces the time needed for the route to pick up the pupils and supports children and young people to become more independent and better prepares them for adulthood.

37 It will require pupils to walk a reasonable distance in order to access public transport close to where they live. The maximum distances will



depend on a range of circumstances, including the age of the child, their individual needs and the nature of the routes they are expected to walk to the designated pickup or set down points.

- 38 In taking forward any plans to introduce Pickup Points the council will take factors such as safety and ease of access into account, as well as learning from examples where this has been successfully introduced.
- 39 A Personal Travel Budget is a sum of money provided by the Council to parents or carers of children with SEND who are eligible for travel assistance. The budget allows families to make their own arrangements for travel, thereby increasing choice and flexibility. It also provides an opportunity for the Council to reduce expenditure and management time associated with day-to-day arrangements. The External Review indicated that annual savings per pupil of approx. £6,000 are possible through the use of Personal Travel budgets.
- 40 In many local authorities, Personal Travel Budgets are typically offered to SEN passengers as they mainly represent those in receipt of special door to door transport arrangements. However, in Durham there is an increased opportunity to offer PTBs given the higher number of mainstream passengers travelling by specially arranged contracted transport because of geography/ rurality.
- 41 The Council has only issued 10 Personal Budgets, which is 0.2% of those transport passengers. Other councils in the benchmark group achieve around 2.24% of all passengers. This is partly due to the current scheme only allowing parents to procure transport provision from transport contractors.
- 42 Both personal travel budgets and independent travel training are underdeveloped and not part of any strategic plan for the service.
- 43 The consultation will seek views on:
  - The introduction of an independent travel training scheme to support independence and socialisation of young people;
  - The benefits of Personal Travel Budgets and how a simplified scheme can provide greater flexibility and incentive to parents to transport their own children to school;
  - The benefits and impact of the introduction of pickup points.

## ***Priority 4 - Review Unsafe Walking Routes and Re-Routing***

- 44 The Council provides free transport for pupils travelling to their nearest suitable school, who would not otherwise qualify due to being under the relevant distance threshold, where the shortest walking route(s) are assessed as unsuitable to walk. A suitable route is one on which a pupil, accompanied as necessary, can walk with reasonable safety to school. Assessing the suitability of routes takes into account the following:
- Traffic flow on the road and at crossing points;
  - Accident record of the route;
  - Visibility and sight lines;
  - Presence or absence of 'step-off' footway alongside the road;
  - Street lighting on route. The absence of street-lighting is not in itself sufficient to declare a route unsafe. DCC interprets this as requiring street lighting to be present at crossing points.
- 45 At July 2022, there were 491 pupils receiving free transport as a result of their walking route being assessed unsuitable. There is the potential to make some of these unsuitable routes safe through highways works, with associated costs, enabling children to safely walk to school, as well as providing wider benefits to the community such as helping to improve fitness and potentially contributing to reduced child obesity.
- 46 The Review of Home to School Transport identified opportunities for effectiveness and efficiency through an annual re-routing exercise. It is common practice amongst councils to evaluate opportunities for re-routing journeys to reflect changes in demand and other changes in the lead up to the new school year. The Council has implemented new IT software to support an exercise of this type.
- 47 Whilst this may require some changes to existing routes patterns, the review identified a potential efficiency of around 11% as the minimum that can be expected from schools with 5 routes or more. This would also have potential to release vehicles from existing routes, which would then be available to transport pupils as well as improving competition on tendering and reduce vehicles on the roads at peak times.
- 48 The consultation will seek views on:
- The introduction of improvements to existing unsuitable routes to make them safe for children to attend school without the need for Home to School Transport; and

- The Benefits of undertaking a comprehensive route review to deliver efficiencies and benefits in the provision of transport routes.

***Priority 5 - Review potential procurement options for home to school transport services in relation to impact on value for money and associated competitive pricing.***

- 49 As highlighted earlier in the report, the Home to School Transport Service is currently operating in an environment of increasing price inflation and contract costs with challenges around transport supply and market competition in some areas.
- 50 It therefore is pivotal to the delivery of the Service that the Council has a clear strategy and approach in relation to the procurement and supply of transport moving forward.
- 51 This will involve assessing opportunities to develop the supply base further and increase competition and deliver better value on routes and contracts.
- 52 To move this forward the Council will establish an improvement team to review how procurement and contracting processes currently work with the aim of introducing improvement which achieve the above.
- 53 The programme will benchmark current ways of working and identify potential alternative options for how the Council procures its home to school transport services and associated competitive pricing to best meet travel needs.
- 54 The consultation will seek views on how the Council can best achieve value for money, whilst maintaining quality of service.

**National Research by the County Councils Network**

- 55 The findings from the Durham review have also been reflected in national feedback from the County Councils Network, who surveyed councils in 2021 to understand the impact on Home to School Transport demand and costs. The County Councils Network (CCN) published a review in March 2022 with main findings as follows:
- Costs of delivering services have increased over the last 5 years, due to economic factors such as inflation and wage rises, but also an increasing number of young people with complex needs requiring specialist transport;

- Expenditure on mainstream home to school transport has remained flat over the five years as councils have cut back to statutory minimum and fewer pupils are transported free;
- Councils have told CCN that transport providers are retendering for contracts early, and at prices up to 20% higher than last year;
- SEND home to school transport is arguably most affected by fuel price rises. Due to their specific needs, many of these pupils require taxis, private hire vehicles, or minibuses;
- The yearly average per head expenditure on SEND home to school transport pupils increased by £206 between 2018/19 to 2020/21;
- Due to statutory duties, LAs are paying significantly higher rates rather than risk a provider pulling out of routes altogether. Statutory duties are based on legislation dating from 1944 and terminology such as 'statutory walking distance' is confusing and unhelpful;
- In a separate CCN survey in relation to home to school transport for pupils with Special Educational Needs and Disabilities, over half of Councils responding (14) said it was 'unsustainable'.

## **Consultation Approach and Timeline**

- 56 It is proposed that the Council consults with service users and families, schools, partners and other interested parties on the proposals between **27 February 2023 and 9 April 2023**. The consultation will seek feedback on their views of our overall approach, the five areas of transformation and their impact.
- 57 This will build on the pre-consultation information and engagement work which was undertaken with Special Schools during January 2023 to help us develop the consultation approach. The proposed changes that we are entering into consultation, have been informed following recommendations from the Home to School Transport Review commissioned by the Council in 2021.
- 58 In consulting and listening to the voices of our customers and other stakeholders including schools and transport providers, we intend to obtain valuable information that will help us to make better-informed decisions and inform more effective solutions when refining the proposals.
- 59 The consultation will be planned and implemented in accordance with the Council's Consultation Statement and Consultation Protocol (March

2019) and will be undertaken to comply with statutory and government guidance, as well as the general requirements of public law.

## **Consultation Planning**

- 60 Up to the start of the consultation period work is being done to further develop the proposals that are outlined within this report. This work is overseen by the Corporate Home to School Travel Board.
- 61 A Consultation Task Group has been established to enable the project team to work with the Consultation Officer Group, Equalities Team and Corporate Communications Team to develop these plans and ensure that the key messages are effectively conveyed to all stakeholders involved and in a timely manner. The key messages of the consultation, the list of stakeholders being consulted, and the resources, engagement methods and approaches being used are being developed.
- 62 Consultation activities and methods include:
- A video which conveys the key messages and proposals in a straightforward way;
  - A series of focus groups for young people, parents, providers to be held either in person or as online events;
  - A consultation information sheet in plain English detailing a summary of the key proposals, questions, closing date and how to be involved;
  - An easy read version of the information and survey;
  - Attendance and discussion at key stakeholder meetings;
  - A paper/online survey form seeking feedback on the key proposals;
  - A web page outlining the consultation with links to the cabinet report, survey, video and other supporting materials;
  - Social media showing the video and signposting to the web page and online survey.
- 63 The Consultation process will be undertaken in accordance with timeline overpage:

<b>Activity</b>	<b>Start</b>	<b>End</b>
Decision by Cabinet to commence a consultation	8 <sup>th</sup> February 2023	8 <sup>th</sup> February 2023
Consultation Period (6 weeks)	27 <sup>th</sup> February 2023	9 <sup>th</sup> April 2023
Analysis of Feedback and preparation of report for Cabinet	10 <sup>th</sup> April 2023	31 <sup>st</sup> May 2023
Report to Cabinet with outcome of consultation and proposals	14 <sup>th</sup> June 2023	14 <sup>th</sup> June 2023

## **Equalities Impact Assessment**

- 64 A full Equalities Impact assessment is attached at appendix 2 detailing the potential impact on the protected characteristic groups of these proposals. The assessment will be updated throughout and following the consultation to assess the impact of the proposed changes.
- 65 In summary, the proposals for consultation disproportionately impact (both negatively and positively) the protected characteristics in terms of disability, age and sex (women). The following summarises impact for each proposal:
- (a) **Review DCC Concessionary Scheme:** The financial impact for those affected by proposals to increase the daily fare charges for the standard and maintained schemes will impact families with school aged children (accessing this), who are most likely to be working age people. This may also disproportionately impact lone parents who are predominately female. Proposals do not affect those pupils eligible for free transport to school as set out in the Home to School Transport Policy;
  - (b) **Consideration of how the Council can more effectively and efficiently support the provision of journeys and passenger assistants on transport:** This proposal directly impacts children with special educational needs and disabilities (SEND) and their families. Whilst the proposal won't impact decisions to award transport to those meeting statutory eligibility criteria, it may lead to changes in the mode of transport provided to some children with SEND and/or the level of support provided to them on that transport. This could impact some families, for example, if a child

is subsequently recommended shared vehicle transport where they have previously accessed individual transport. The consultation aims to better understand and assess the impacts for children and young people with SEND, and their families, affected by these proposals;

- (c) **Introduction of independent travel training and updated personal travel budget scheme:** This aims at having a positive impact on those older pupils with special educational needs and disabilities by providing them with increased confidence and independence skills which will help with their transition to an adult. A personal travel budget for eligible children with SEND allows families to make their own arrangements for travel, thereby increasing choice and flexibility. The consultation aims to better understand and assess the impacts for children and young people with SEND, and their families, affected by these proposals;
- (d) **Review Unsafe Walking Routes and Re-Routing:** There are potential impacts for those 491 children currently receiving free transport as a result of their walking route being assessed as unsuitable. However, the potential to make some of these unsuitable routes safe, enabling children to safely walk to school, will provide wider benefits to the community such as helping to improve fitness and potentially contributing to reduced child obesity;
- (e) **Review potential procurement options for home to school transport services in relation to impact on value for money and associated competitive pricing:** There are no specific equality impacts

66 The consultation is designed to be as inclusive as possible, engaging a broad range of stakeholders, including listening to the views of young people. The impacts on groups of people with protected characteristics will continue to be reviewed as the project and proposals progress and the council will work with partners to identify and evaluate any mitigations to address adverse impacts.

## Conclusion

67 The Home to School Transport Service is a statutory service which is highly valued by parents, children and young people who use the Service. However, it also represents a challenge to the Council in terms of effective management and control of costs.

68 Overall transport costs have been increasing for many years and are forecasted to rise further in future years. This is largely explained by

increases in SEN and special transport demand, increasing contractor prices and increasing expectations and demands from parents and schools.

- 69 The External Review undertaken in 2021 has identified potential opportunities to transform the services offered and to achieve sustainable, year on year cost efficiencies.
- 70 The consultation will provide an opportunity to seek feedback from stakeholders in relation to the Council's proposals for a future Service.

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## Appendix 1: Implications

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### Legal Implications

The Education Act 1996 and Education and Inspections Act (EIA) 2006 sets out the statutory duty on Local Authorities to make such travel arrangements as they consider necessary to facilitate attendance at school for eligible children.

The EIA 2006 defines eligible children as follows:

#### *Statutory walking distances eligibility*

The Local Authority must provide free transport for all pupils of compulsory school age (5-16) if their nearest suitable school is:

- Beyond 2 miles (if below the age of 8); or
- Beyond 3 miles (if aged between 8 and 16)

#### *Special educational needs, a disability or mobility problems eligibility*

The Local Authority must make transport arrangements for all children who cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety issues related to their special educational needs (SEN) or disability. Eligibility for such children should be assessed on an individual basis to identify their particular transport requirements. Usual transport requirements (e.g. the statutory walking distances) should not be considered when assessing the transport needs of children eligible due to SEN and / or disability.

#### *Unsafe route eligibility*

The Local Authority must make transport arrangements for all children who cannot reasonably be expected to walk to nearest suitable school because the nature of the route is assessed as unsafe to walk.

#### *Extended rights eligibility*

The Local Authority is required to provide free transport where pupils are entitled to free school meals or their parents are in receipt of maximum level of Working Tax Credit if:

- The nearest suitable school is beyond 2 miles (for children aged 8 but under 11)
- One of their three nearest suitable schools, if that school is between 2 and 6 miles (for children aged 11 -16)
- The nearest school preferred on the grounds of religion or belief, for pupils whose parents adhere to that particular faith, where that school is between 2 and 15 miles (for children aged 11 – 16)

## **Finance**

The Consultation includes proposals to increase the charge for the concessionary scheme to a commercial rate of £2.80 per day from the current daily rate of £1.63.

## **Consultation**

The Consultation plan is included in the main report.

## **Equality and Diversity / Public Sector Equality Duty**

A full Equalities Impact Assessment is attached at appendix 2 detailing potential impacts (both positive and negative) in relation to the protected characteristics of disability, age and sex (women). The assessment will be updated throughout and following the consultation to assess the impact of the proposed changes on the protected characteristic groups and to identify and evaluate any mitigations.

## **Climate Change**

A Sustainability Assessment has been undertaken for the Home to School Transport Review and reported to CMT previously. This includes a specific response in relation to impact on Climate Change.

A Climate Change Impact Assessment has also been developed in respect of the Review of the Concessionary Scheme and Review of Unsafe Walking routes which concluded that proposals to change existing arrangements for the provision of home to school transport have the potential to impact on climate change through reducing transport routes and therefore carbon emissions. The consultation must be careful to consider any potential increase in the use of personal vehicles.

## **Human Rights**

None.

## **Crime and Disorder**

None.

## **Staffing**

None.

## **Accommodation**

None.

## **Risk**

There is a risk of challenge if the consultation and equalities impact are not undertaken in accordance with legislative requirements.

## **Procurement**

The consultation will seek views on how the Council can best procure home to school transport services which have an impact on value for money and maintain quality of service.

## Appendix 2

### Durham County Council Equality Impact Assessment

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. Completion of this template allows us to provide a written record of our equality analysis and demonstrate due regard. It must be used as part of decision making processes with relevance to equality.

Please contact [equalities@durham.gov.uk](mailto:equalities@durham.gov.uk) for any necessary support.

#### Section One: Description and Screening

<b>Service/Team or Section</b>	Children and Young Peoples Services Regeneration, Economy and Growth
<b>Lead Officer name and job title</b>	Keith Forster, Strategic Manager, Operational Support CYPS Cathy Knight, Integrated Passenger Transport Manager
<b>Subject of the impact assessment</b>	Home to School Transport Review
<b>Report date (Cabinet)</b>	08/02/2023
<b>MTFP Reference (if relevant)</b>	
<b>EIA Start Date</b>	13/09/2022
<b>EIA Review Date</b>	Post consultation

#### Subject of the Impact Assessment

Please give a brief description of the policy, proposal or practice which is the subject of this impact assessment.

Home to School Transport is a statutory service provided by the Council for pupils who meet statutory eligibility criteria. If eligible, a pupil will receive free transport to School. Durham County Councils arrangements are set out in the Councils Home to School Transport Policy.

Following a review of the Councils policy and provision, five priority areas emerged with a number of changes proposed for further development as part of a three year transformation programme:

### **Priority One: Review the DCC Concessionary Scheme.**

**Description** - Concessionary seats are spare seats available on a school bus, that are sold to pupils who are not entitled to free transport. There are three schemes – standard, maintained and the school's scheme.

The key areas to explore in the consultation are:

- A proposed increase to the daily charge for the provision of the **standard** and **maintained** Concessionary schemes which aligns to the Go North East Under 19 fare of £2.80 for a return journey from 2023/24 academic year.
- The future provision of the **maintained** Concessionary scheme, in particular the cessation of the scheme and options for implementation.

### **Priority 2 - Consider how the Council can more effectively and efficiently support the provision of single person journeys and passenger assistants on transport.**

**Description** - Single person journeys and passenger assistants are mainly provided for children with special educational needs and disabilities and mainly to pupils in special schools. They are usually taxi's, which is the most expensive form of transport, and the transported pupil is often accompanied by a Passenger assistant.

Durham has a higher than average proportion of young people with SEND receiving single person transport in County Durham with/without a passenger assistant. Additionally, a much higher proportion of transport routes are provided with a passenger assistant

The key areas to explore in the consultation are:

- Explore how best to ensure the optimum use of home to school transport resources, in particular the provision of single person vehicles and passenger assistants whilst discharging statutory responsibilities.
- Seek views on the potential impact on the duration of transport journeys and the benefits of independence/ socialisation with peers.

### **Priority 3 - Develop independence skills of young people and introduce an updated personal travel budget scheme.**

**Description** - Independent Travel Training (ITT) equips individuals on how to travel independently in a safe and responsible way. Travelling independently is a life skill that reduces isolation and dependency and opens opportunities for education, employment and enjoyment.

Children with SEND currently receive door-to-door transport from the time they start school until the time they leave College and as such do not gain the necessary travel skills that other children do. Whilst many children with SEND will not be able to travel independently, those that are able should be given the opportunity to do so.

**Description** - Pickup points are similar to bus stops, where the Council identifies designated pick-up and drop-off locations for the pupil to meet the bus or taxi rather than offering a door-to-door service.

This reduces the time needed for the route to pick up the pupils and supports children and young people to become more independent and better prepares them for adulthood.

It will require pupils to walk a reasonable distance in order to access public transport and the maximum distances will depend on a range of circumstances, including the age of the child, their individual needs and the nature of the routes they are expected to walk to the designated pickup or set down points.

**Description** - A Personal Travel Budget is a sum of money provided by the Council to parents or carers of children with SEND who are eligible for travel assistance. The budget allows families to make their own arrangements for travel, thereby increasing choice and flexibility. They also represent an opportunity for the council to reduce expenditure and management time associated with day-to-day arrangements.

The key areas to explore in the consultation are:

- The introduction of an independent travel training scheme to support independence and socialisation of young people.
- The benefits of Personal Travel Budgets and how a simplified scheme can provide greater flexibility and incentive to parents to transport their own children to school.
- The benefits and impact of the introduction of pickup points

#### **Priority 4 - Review Unsafe Walking Routes, Re-Routing and Pickup Points**

**Description** - The Council provides free transport for pupils travelling to their nearest suitable school, who would not otherwise qualify due to being under the relevant distance threshold, where the shortest walking route(s) are assessed as unsafe to walk.

There is no statutory requirement for home to school transport to be a door-to-door service or to provide for individual establishments. An analysis of unsafe routes and consideration of collective pick-up points and multiple destinations requires further exploration.

The key areas to explore in the consultation are:

- The introduction of improvements to existing unsuitable routes to make them safe for children to attend school without the need for Home to School Transport and
- The Benefits of undertaking a comprehensive route review to deliver efficiencies and benefits in the provision of transport routes

**Priority 5 - Review potential procurement options for home to school transport services in relation to impact on value for money and associated competitive pricing.**

**Description** - The Home to School Transport Service is currently operating in an environment of increasing price inflation and contract costs with challenges around transport supply and market competition. It therefore is pivotal to the delivery of the Service that the Council has a clear strategy and approach in relation to the procurement and supply of transport moving forward. To move this forward the Council will establish an improvement team to review how procurement and contracting processes currently work with the aim of introducing improvement which achieve the above.

The key areas to explore in the consultation will be:

- To seek views on proposals to identify and assess additional ways to achieve better value for money, whilst maintaining quality of service.

Who are the main people impacted and/or stakeholders? (e.g. general public, staff, members, specific clients/service users, community representatives):

- Pupils, including SEND pupils
- Parents and carers
- Transport providers
- Schools
- Staff
- General public

## Screening

Is there any actual or potential negative or positive impact on the following protected characteristics <sup>1</sup> ?		
Protected Characteristic	Negative Impact Indicate: Yes, No or Unsure	Positive Impact Indicate: Yes, No or Unsure
Age	Yes	No
Disability	Potentially	Yes
Gender reassignment	No	No
Marriage and civil partnership (only in relation to 'eliminate discrimination')	No	No
Pregnancy and maternity	No	No
Race	No	No
Religion or Belief	No	No
Sex	Potentially	No
Sexual orientation	No	No

Please provide **brief** details of any potential to cause discrimination or negative impact. Record full details and any mitigating actions in section 2 of this assessment.

The Programme has the potential to impact on equalities' groups as follows:

**Disability:** The transformation programme includes consideration of transport provision for children with special educational needs and disabilities (SEND). Whilst this won't impact on the decision to award transport to those meeting statutory eligibility criteria, it may impact on the mode of transport provided to some children with SEND and the level of support provided to them on that transport. For example, some children who currently travel in a single person vehicle may need to be transported in shared transport with other children, some children who currently receive a dedicated passenger assistant to accompany them on transport may have that PA removed or may need to share with other children.

<sup>1</sup> <https://www.equalityhumanrights.com/en/equality-act/protected-characteristics>



**Age:** Review affects children and young people accessing home to school transport. As part of the review of concessionary travel charging any additional/increased transport costs will impact families with school aged children (accessing this), who are most likely to be working age people.

**Religion or Belief:** There are a number of faith schools whose pupils travel on transport provided as part of Concessionary Schemes. However, of 498 Pupils using the maintained concessionary scheme, 43 are travelling to Faith schools and as such would not indicate a disproportionate impact on faith schools.

**Sex:** There is potential to increase fares charged, which are most likely paid for by parents/carers. There is potential disproportionate impact for lone parents who are predominately female. Proposals do not affect those pupils eligible for free transport to school as set out in the Home to School Transport Policy.

Please provide **brief** details of positive impact. How will this policy/proposal promote our commitment to our legal responsibilities under the public sector equality duty to:

- advance equality of opportunity,
- eliminate discrimination, harassment and victimisation, and
- foster good relations between people from different groups?

The potential to introduce independent travel training is aimed at having a positive impact on those older pupils with special educational needs and disabilities by providing them with increased confidence and independence skills which will help with their transition to an adult.

A personal travel budget for eligible children with SEND allows families to make their own arrangements for travel, thereby increasing choice and flexibility.

Consultation is designed to be as inclusive as possible, engaging a broad range of stakeholders, including listening to the views of young people.

## Evidence

What evidence do you have to support your data analysis and any findings?

Please **outline** any data you have and/or proposed sources (e.g. service user or census data, research findings). Highlight any data gaps and say whether or not you propose to carry out consultation. Record your detailed analysis, in relation to the impacted protected characteristics, in section 2 of this assessment.

### Passenger data

The home to school transport service provides daily transport to approx. 9,000 passengers in 2021, made up of mainstream and SEND passengers along with

other special provision. This is delivered by over 1,000 transport routes utilising over 300 different contracted suppliers. SEN Pupils account for 1,474 pupils.

The Review of home to school transport services undertaken in 2021 identified that in total there are 369 single passenger routes with 41% of SEN routes being single passenger. In larger Rural Councils the average is 38%. In all Councils it is around 30%.

Council data at November 2022 identified that there are 90 Children, who based on their needs, have been assessed as requiring Single Person Transport to school. The remaining young people receive a single person transport for a variety of other reasons

The Review also identified that there are 537 passenger assistants overall (mainly applied to SEN and special passenger routes where there are 450). Chaperones/PAs are deployed on 93% of all SEN routes against a normal expected deployment in other LA's per SEN route of around 64%.

### **Independent Travel Training**

Durham does not currently have a travel training offer and as such have no children with SEN who are travelling independently. Methods of coaching include tuition in timetable reading and practical coaching in catching buses. The scheme can be extremely successful and in some authorities over 50 children every year are helped to travel independently. Independent Travel Training is a long-term commitment which will produce better outcomes for children over the long term and will have benefits for their future mobility, social integration, and employability

Travel training will underpin the shift in the travel offer as there is a real opportunity to promote the service better, engage schools and develop a real momentum for training more children to travel independently for those children who can respond to it

### **Personal Budgets**

The review identified that against a benchmark for councils it would be expected that at least 2.5% of passengers entitled to travel benefitting from a private travel budget (PTB) and in some local authorities this is seen as high as 12%, however in Durham there are negligible numbers.

Promotion of carefully agreed Personal Travel Budgets to attract take-up can contribute to the development of independence and in many cases promote better interaction of parent and school at daily drop and pick-up.

### **Review DCC Concessionary Scheme**

There are currently 61 pupils taking advantage of the Standard Spare Seat Concessions offer.

There are currently 498 pupils taking advantage of the 'Maintained Capacity' Spare Seats Concessions offer.

Currently there are agreements with 13 schools for concession schemes covering travel by 2,300 pupils, 3 of these are faith schools.

### **Review Unsafe Walking Routes (most populous)**

- i. Lumley New Road to Park View Community School  
Pupils affected: 87
- ii. High Jobs Hill to Parkside Academy  
Pupils affected: 64
- iii. A181 to Wellfield School  
Pupils affected: 41
- iv. Broomside Lane to Belmont School  
Pupils affected: 21
- v. Esh Hill top to Durham Community Business College  
Pupils affected: 16
- vi. A167 to Woodham Academy  
Pupils affected: 15

### **Consultation**

Cabinet is asked to approve consultation with a broad range of stakeholders on priority areas of the programme. This impact assessment will be revisited and updated with consultation feedback and analysis.

## Screening Summary

On the basis of the information provided in this equality impact screening (section 1), are you proceeding to a full impact assessment (sections 2&3 of this template)?	Please confirm Yes
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## Sign Off

Lead officer sign off: Keith Forster	Date: 16/12/2022
Equality representative sign off (where required): Mary Gallagher, E&D Team Leader	Date: 16/12/2022

If carrying out a full assessment please proceed to sections two and three.

If not proceeding to full assessment, please ensure your screening record is **attached to any relevant decision-making records or reports**, retain a copy for update where necessary, and forward a copy to [equalities@durham.gov.uk](mailto:equalities@durham.gov.uk)

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

## Section Two: Data analysis and assessment of impact

Please provide details of impacts for people with different protected characteristics relevant to your screening findings. You need to decide if there is or likely to be a differential impact for some. Highlight the positives e.g. benefits for certain groups and advancement of equality, as well as the negatives e.g. barriers or exclusion of particular groups. Record the evidence you have used to support or explain your conclusions, including any necessary mitigating actions to ensure fair treatment.

Protected Characteristic: <b>Age</b>		
What is the actual or potential impact in relation to age?	Record of evidence which supports and/or explains your conclusions on impact.	What further action or mitigation is required?
The project is related to home to school transport as such the impacts of all proposals will affect young people and their families	<u><a href="#">LG Inform:</a></u> Of the 522,100 people in Durham, 89,100 were 5-19 (17% of the population).	Stakeholder consultation – public and targeted

<p>who are likely to be of working age.</p> <p>As part of the review of concessionary travel charging any additional/increased transport costs will impact families with school aged children (accessing this), who are most likely to be working age people.</p>	<p><b>Review DCC Concessionary Scheme</b></p> <p>There are currently 61 pupils taking advantage of the Standard Spare Seat Concessions offer.</p> <p>There are currently 498 pupils taking advantage of the 'Maintained Capacity' Spare Seats Concessions offer. 43 pupils are travelling to Faith Schools</p> <p>Currently there are agreements with 11 schools to support the Schools Concessionary scheme. This covers travel by 2,300 pupils and is not part of the consultation.</p> <p><b>Review of most populous Unsafe Walking Routes</b></p> <ul style="list-style-type: none"> <li>i. Lumley New Road to Park View Community School Pupils affected: 87</li> <li>ii. High Jobs Hill to Parkside Academy Pupils affected: 64</li> <li>iii. A181 to Wellfield School Pupils affected: 41</li> <li>iv. Broomside Lane to Belmont School Pupils affected: 21</li> <li>v. Esh Hill top to Durham Community Business College Pupils affected: 16</li> <li>vi. A167 to Woodham Academy Pupils affected: 15</li> </ul>	<p>Targeted engagement with Youth Council</p> <p>Raise awareness of <a href="#">Durham County Council - Help with Your Money</a></p> <p>An initial trial of 'making safe' three sites currently assessed as unsafe</p>
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Protected Characteristic: **Disability**

What is the actual or potential impact in relation to disability?

Record of evidence which supports and/or explains your conclusions on impact.

What further action or mitigation is required?

Whilst the review of transport provision for children with special educational needs and disabilities (SEND) won't impact decisions to award transport to those meeting statutory eligibility criteria, it may change the mode of transport provided to some children with SEND and the level of support provided to them on that transport. For example, some children who currently travel in a single person vehicle may need to be transported in shared transport with other children, some children who currently receive a dedicated passenger assistant to accompany them on transport may have that PA removed or may need to share with other children.

[LG Inform:](#)  
 In Durham 17.6% of school age pupils have a statutory plan of SEN (statement or EHC Plan) or are receiving SEN support (previously school action and school action plus).  
 There are 281 Transport contracts with a single passenger. The majority of these will be for pupils with SEND.  
 There are 520 contracts with a Passenger Assistant. The majority of these will be to support pupils with SEND

As above  
 Targeted engagement with Special schools in development of consultation approach.  
 Alternative formats, including easy read, will be made available.  
 Reasonable adjustments will be made were requested and necessary.

The potential to introduce independent travel training is aimed at having a positive impact on those older pupils with special educational needs and disabilities by providing them with increased confidence and independence skills which will help with their transition to an adult.

A personal travel budget for eligible children with SEND allows families to make their own arrangements for travel, thereby increasing choice and flexibility. This also

reduces management time for the council associated with day-to-day travel arrangements.		
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Protected Characteristic: <b>Gender reassignment</b>		
What is the actual or potential impact in relation to gender reassignment?	Record of evidence which supports and/or explains your conclusions on impact.	What further action or mitigation is required?
It is not anticipated that the proposals will differentially impact trans people.	Currently there is no robust data about the number of trans people in County Durham or in the UK.	N/A

Protected Characteristic: <b>Marriage and civil partnership (only in relation to 'eliminate discrimination')</b>		
What is the actual or potential impact in relation to marriage and civil partnership?	Record of evidence which supports and/or explains your conclusions on impact.	What further action or mitigation is required?
It is not anticipated that the proposals will differentially impact on the grounds of marriage and civil partnership.		N/A

Protected Characteristic: <b>Pregnancy and maternity</b>		
What is the actual or potential impact in relation to pregnancy and maternity?	Record of evidence which supports and/or explains your conclusions on impact.	What further action or mitigation is required?
It is not anticipated that the proposals will differentially impact on the grounds of pregnancy and maternity.		N/A

Protected Characteristic: <b>Race</b>		
What is the actual or potential impact in relation to race?	Record of evidence which supports and/or explains your conclusions on impact.	What further action or mitigation is required?
It is not anticipated that the proposals will differentially impact on the grounds of race.		N/A

Protected Characteristic: <b>Religion or belief</b>		
What is the actual or potential impact in relation to religion or belief?	Record of evidence which supports and/or explains your conclusions on impact.	What further action or mitigation is required?
There are a number of faith schools whose pupils travel on transport provided as part of Concessionary Schemes. However, of 498 Pupils using the maintained concessionary scheme, 43 are travelling to Faith schools and as such would not indicate a disproportionate impact on faith schools.	Currently there are agreements with 13 schools covering travel by 2,300 pupils, 3 of these are faith schools.	As above  Keep SACRE informed of proposals.  Raise awareness of <a href="#">Durham County Council - Help with Your Money</a>

Protected Characteristic: <b>Sex</b>		
What is the actual or potential impact in relation to sex?	Record of evidence which supports and/or explains your conclusions on impact.	What further action or mitigation is required?
There is potential that the proposals will differentially impact on the grounds of gender.  There is potential to increase fares charged, are most likely paid for by	<a href="#">LG Inform:</a>  Of the 522,100 people in Durham, 266,800 were women (51.1% of the population) and 255,300 men (48.9%).  Lone parents are predominately female, which	Raise awareness of <a href="#">Durham County Council - Help with Your Money</a>



parents. Lone parents are predominately female.	affects socio economic status and access to own a car.  A higher proportion of female carers than male carers.	
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Protected Characteristic: <b>Sexual orientation</b>		
What is the actual or potential impact in relation to sexual orientation?	Record of evidence which supports and/or explains your conclusions on impact.	What further action or mitigation is required?
It is not anticipated that the proposals will differentially impact people on the grounds of their sexual orientation.		N/A

## Section Three: Conclusion and Review

### Summary

Please provide a brief summary of your findings; a summary of any positive and/or negative impacts across the protected characteristics, links to the involvement of different groups and/or public consultation, mitigations and conclusions made.
Proposals may have disproportionate impact for the following protected groups.  <b>All proposals:</b>  The project is related to home to school transport as such will affect young people and working age families.  <b>Impact of how the Council can more effectively and efficiently support the provision of single person journeys and passenger assistants on transport.</b>  Whilst this won't impact on the decision to award transport to those meeting statutory eligibility criteria, it may change the mode of transport provided to some children, especially those with SEND, as well as the level of support provided to them on that transport. For example, some children who currently travel in a single person vehicle may need to be transported in shared transport with other children, some children who currently receive a dedicated passenger assistant to accompany them on transport may have that PA removed or may need to share with other children.

**Impact of developing independence skills of young people and introducing an updated personal travel budget scheme.**

The potential to introduce independent travel training is aimed at having a positive impact on those older pupils with special educational needs and disabilities by providing them with increased confidence and independence skills which will help with their transition to an adult.

A personal travel budget for eligible children with SEND allows families to make their own arrangements for travel, thereby increasing choice and flexibility. This also reduces management time for the council associated with day-to-day travel arrangements.

**Review the DCC Concessionary Scheme.**

There is potential to increase fares charged for the standard and maintained concessionary scheme, which are most likely paid for by parents/carers of working age. Lone parents are predominately female and therefor may be a disproportionate impact on women.

**Consultation**

Cabinet is recommended to approve public consultation to seek the views of a broad range of stakeholders. This impact assessment will be revisited and updated with consultation feedback.

The impacts on groups of people with protected characteristics will continue to be reviewed as the project and proposals progress and the council will work with partners to identify and evaluate any mitigations to address adverse impacts.

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Will this promote positive relationships between different communities? If so how?

None identified.

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## Action Plan

Action	Responsibility	Timescales for implementation	In which plan will the action appear?
Consultation	TBC	TBC	N/A
An initial trial of 'making safe' three sites, sites currently assessed as unsafe	TBC		
Keep SACRE informed of proposals.	TBC/CYPS	TBC	N/A
Raise awareness of <a href="#">Durham County Council - Help with Your Money</a>	TBC	TBC	N/A

## Review and connected assessments

Are there any additional or connected equality impact assessments that need to be undertaken? (If yes, provide details)	
When will this assessment be reviewed?  Please also insert this date at the front of the template	At decision points, then reviewed annually post implementation

## Sign Off

Lead officer sign off:  Keith Forster	Date:  06/01/2023
Equality representative sign off (where required):  Mary Gallagher, E&D Team Leader	Date:  06/01/2023

**Please ensure:**

- **The findings of this EIA are carefully considered and used to inform any related decisions and policy development**
- **A summary of findings is included within the body of any relevant reports or decision-making records**
- **The EIA is attached to reports or relevant decision-making records and the report Implications Appendix 1 is noted that an EIA has been undertaken**

Please retain a copy for review and update where necessary, and forward a copy to [equalities@durham.gov.uk](mailto:equalities@durham.gov.uk)