

Equality Impact Assessment Form

Reference –

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The Equality Act 2010 requires the Council to have due regard to the need to

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups

Section 1: What is being assessed?

1.1 Name of proposal to be assessed.

1. The personal travel assistance budget (PTAB) rate.
2. The minimum payment award.
3. Additional payments given to pupils who require an escort.

1.2 Describe the proposal under assessment and what change it would result in if implemented.

Section 508B of the Education Act 1996 (the Act) deals with the duty on local authorities to make such travel arrangements as they consider necessary to facilitate attendance at school for eligible children.

One type of travel arrangement available for local authorities to use is personal transport assistance budgets (PTAB). PTABs can be awarded by a local authority when parents / carers of an eligible child make their own transport arrangements or transport their child themselves. The current rate is 75p per mile.

Bradford Council also awards a minimum allowance of £6 per day for 5-7 year olds and £9 per day for 8-16 year olds.

Pupils who require a shared escort are awarded an extra £1.39 per day and those who require a dedicated escort are awarded an extra £5.00 per day.

This proposal sets out to reduce the PTAB rate to 45p per mile and to remove the minimum mileage allowances and the escort allowances. This will bring the rate in line with a number of other local authorities who provide personal allowances and is consistent with the HMRC mileage allowance payments.

To be clear the proposal means that the benefit will not be withdrawn.

Parents / carers who are currently in receipt of a PTAB will be unaffected by the proposal (due to the phasing out of the current mileage rate). Parents / carers who are offered a PTAB for the first time after the implementation of the proposal, will be offered the reduced rate.

Given there is a statutory duty placed on the Council to make travel arrangements for eligible children, parents / carers will have the choice of another form of travel arrangements for their child if they do not wish to accept a PTAB at the reduced rate.

Section 2: What the impact of the proposal is likely to be

2.1 Will this proposal advance equality of opportunity for people who share a protected characteristic and/or foster good relations between people who share a protected characteristic and those that do not? If yes, please explain further.

A vast majority of children whose parents benefit from PTABs are eligible for home to school transport assistance under Schedule 35B of the Act by virtue of their special educational needs, disability and / or mobility problem.

The proposal will ensure that the Council is able to continue to flexibly fulfil its statutory duty under Section 508B of the Act by offering parents a PTAB. However ultimately the decision as to what is the most appropriate travel arrangement for children sits with the Council but PTABs can only be used where parents agree to accept this arrangement.

2.2 Will this proposal have a positive impact and help to eliminate discrimination and harassment against, or the victimisation of people who share a protected characteristic? If yes, please explain further.

Children with special educational needs and/or a disability are often required to travel further to school than their mainstream contemporaries because they may need specialist provision.

This proposal will continue to give the Council affordable options when discharging its duty under the Act thereby ensuring that all eligible children can access suitable education provision to meet their particular needs. It will also ensure that the transport demands placed on their parents are not greater than others by virtue only of their child's needs.

2.3 Will this proposal potentially have a negative or disproportionate impact on people who share a protected characteristic? If yes, please explain further.

No.

2.4 Please indicate the level of negative impact on each of the protected characteristics?

(Please indicate high (H), medium (M), low (L), no effect (N) for each)

| Protected Characteristics: | Impact (H, M, L, N) |
|-----------------------------------|--------------------------------|
| Age | N |
| Disability | L |
| Gender reassignment | N |
| Race | N |
| Religion/Belief | N |
| Pregnancy and maternity | N |
| Sexual Orientation | N |
| Sex | N |
| Marriage and civil partnership | N |
| Additional Consideration: | |
| Low income/low wage | L |

2.5 How could the disproportionate negative impacts be mitigated or eliminated?

(Note: Legislation and best practice require mitigations to be considered, but need only be put in place if it is possible.)

. The statutory duty to provide free school transport to eligible children continues. The Council will continue to assess eligible children and identify the most appropriate form of travel assistance for eligible children.

Section 3: Dependencies from other proposals

3.1 Please consider which other services would need to know about your proposal and the impacts you have identified. Identify below which services you have consulted, and any consequent additional equality impacts that have been identified.

Education and Learning (Children's Services) and schools need to know about this proposal so that they are able to have informed communications with parents / carers in receipt of this payment and when making travel arrangements.

A public consultation was held between 10 December 2020 and 31 January 2021. It was held online due to the restrictions of COVID-19. It was promoted to all residents on the Council's website, through social media and a press release. Letters were sent to Elected Members, MPs, schools and parents / carers.

Section 4: What evidence you have used?

4.1 What evidence do you hold to back up this assessment?

- HMRC rate is currently 45 p per mile.
- Kirklees Council's and Calderdale Council's rate is 45p per mile.
- Leeds City Council's rate is 50p per mile, neighbouring authority rates, current data on children in receipt of PTABs in Bradford.
- Feedback from the Council's Consultation process

4.2 Do you need further evidence?

No.

Section 5: Consultation Feedback

5.1 Results from any previous consultations prior to the proposal development.

N/A

5.2 The departmental feedback you provided on the previous consultation (as at 5.1).

N/A

5.3 Feedback from current consultation following the proposal development (e.g. following approval by Executive for budget consultation).

The consultation results showed that the majority of respondents disagreed with the reduction in the payment rate. It is important to note that the allowance is not being withdrawn completely and other travel options will be available should parents / carers chose not to accept a PTAB.

Many SEN children travel cross border to school, the current 75p per mile rate in Bradford is more favourable than neighbouring authorities. The proposal would bring this allowance in line with payments parents receive in neighbouring authorities whose children may attend the same school.

A total of 80 respondents completed the online questionnaire. These are broken down as follows:

- 55 parents (69%)
- 16 residents (20%)
- 4 teachers / head teachers (5%)
- 4 other capacity (5%)
- 1 school governor (1%)

When asked if they agree or disagree that the Council should change the PTAB rate from 75p per mile to 45p per mile, the responses were as follows:

- 50 strongly disagree (63%)
- 17 strongly agree (21%)
- 6 disagree (8%)
- 5 agree (6%)
- 2 neither agree nor disagree (2%)

When asked if they agree or disagree that the Council should no longer award a minimum mileage allowance of £6 per day for 5-7 year olds and £9 per day for 8-16 year olds, the responses were as follows:

- 39 strongly disagree (49%)
- 20 strongly agree (25%)
- 6 disagree (8%)
- 3 agree (4%)
- 11 neither agree nor disagree (14%)

When asked if they agree or disagree that the Council should no longer award parents / carers of pupils who require a shared escort an extra allowance of £1.39 per day and those who require a dedicated escort, an extra allowance of £5.00 per day, the responses were as follows:

- 34 strongly disagree (43%)
- 20 strongly agree (26%)
- 5 disagree (6%)
- 4 agree (5%)
- 16 neither agree nor disagree (20%)

5.4 Your departmental response to the feedback on the current consultation (as at 5.3) – include any changes made to the proposal as a result of the feedback.

Having considered the Council's financial challenges, the position of neighbouring authorities, the risks posed by COVID-19 and feedback from the public consultation, the proposal remains unchanged.

This remains the best option for the Council in light of its financial challenges and corporate priorities. The proposal will not hinder children eligible for free school travel assistance from getting to and from school as alternative transport arrangements can be offered where parents do not accept the offer of PTAB.