

<b>Name of the activity being assessed</b>	Consultation on and proposed changes to school transport bus services to Bolton schools				
<b>Directorate / Department</b>	Schools System Support	<b>Service</b>	Home to School Transport Services	<b>Assessment Author</b>	Jackie Clarkson
<b>Is this a new or existing activity?</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing	<b>Responsible manager / director for the assessment</b>		Carol Grimshaw/Joanne Siddle	
<b>Date EIA started</b>	05/06/2023	<b>Implementation date of the activity</b>		01/09/2023	

## **SECTION 1 - ABOUT YOUR ACTIVITY**

<p><b>How was the need for this activity identified?</b> i.e. Why are we doing this activity?</p>	<p>The council has a statutory duty to provide free Home to School transport services to school age children in the borough who meet the relevant criteria. The council's Policy on home to school transport and the services provided to pupils in the borough have undergone significant changes over the last decade, and home to school transport is regularly reviewed with changes made as necessary to ensure that transport arrangements will continue to meet statutory requirements, whilst remaining a cost effective, appropriate use of public funds.</p> <p>Historically Blackburn with Darwen Borough Council used to provide discretionary free home to school transport to children attending more distant schools preferred on faith grounds and the routes of designated school services were arranged with that in mind. However, in 2010-11 the council's home to school transport Policy was changed and that discretionary home to school transport was removed. Since 2012, the council has not provided any new pupil with free home to school transport to attend a more distant school preferred on grounds of faith or belief (other than those pupils who are entitled to such transport under the low income extended eligibility rights).</p> <p>There is a clear need to review the current school transport arrangements for pupils travelling from this borough to schools in Bolton. Our current designated school bus services to Bolton (which are heavily subsidised by this Council) provide a level of service to these pupils which the council does not provide anywhere else in the borough. This is inequitable to all the other pupils in the borough. As this is an existing service, it is felt appropriate that the pupils and families currently using these services (or likely to do so in the future) should be consulted about any proposals for changes to those services and approval was sought to do so.</p> <p>Online consultees were asked for their views on the following statements:</p>
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	<p><u>Statement 1:</u></p> <p>The Council currently subsidises home to school transport for fare-paying children in the Borough to travel to schools in the Bolton area, which is an opportunity not available elsewhere in the Borough.</p> <p><u>Statement 2:</u></p> <p>The Council proposes to review and possibly remove bus routes which are not required to transport children who are eligible for free home to school transport.</p> <p><u>Statement 3:</u></p> <p>The Council proposes to continue to allow, at its discretion, fare-paying children who are not eligible for free home to school transport and have been offered a place at a Bolton School commencing in September 2023 to use its Bolton school bus services until they complete their secondary education in Summer 2028.</p> <p>This consultation and the proposals it outlines are to bring this element of designated school transport into line with the Home to School Transport Policy and Council provision everywhere else in the borough and thus promote fairness and equality across the Borough.</p>
<p><b>What is the activity looking to achieve?</b></p> <p><b>What are the aims and objectives?</b></p>	<p>This consultation is looking to harmonise the Council's home to school transport provision across the Borough to bring the designated school bus services for Bolton into line with the Home to School Transport Policy and Council provision across the rest of the borough and thus promote fairness and equality across the Borough. The Council will continue to provide statutory home to school transport services for all eligible pupils in this area, as it does across the rest of the borough.</p> <p>Other schools (including faith schools) are now providing school transport and are not receiving any financial support from the council. This change would ensure that schools are treated equally by the council in relation to statutory home to school transport provision.</p> <p>The proposed changes would take full effect from September 2028 (subject to ongoing review).</p>
<p><b>Services currently provided</b> (if applicable)</p>	<p>The council currently provides four designated school bus services that carry pupils living in the south of the Borough to Bolton schools. Although some of these services carry paying passengers, the financial cost of those services is heavily subsidised by the council. On review, it became apparent that some of these services are no longer required in order for the borough to fulfil its statutory duties regarding home to school transport provision.</p>

	<p>The current provision of these school transport services gives pupils who are able to access them a level of service that the council does not provide to pupils across the rest of the borough and also clearly exceeds our statutory home to school transport duties. In recent months, the disparity in provision has been raised with the Home to School Transport Team by a number of families in the borough. In light of the important need to treat pupils equally (and bearing in mind current and likely future budget pressures) it is proposed that the council should review and possibly alter some of its current designated school bus services for pupil's resident within the borough's boundaries who attend schools in the area of Bolton.</p>		
<b>Type of activity</b>	<input type="checkbox"/> Budget changes <input checked="" type="checkbox"/> Change to existing activity	<input type="checkbox"/> Decommissioning <input type="checkbox"/> Commissioning	<input type="checkbox"/> New activity <input type="checkbox"/> Other [please state here]

**SECTION 2 - UNDERSTANDING YOUR CUSTOMER****What resources will support in undertaking the equality analysis and impact assessment?**

*Please identify additional sources of information you have used to complete the EIA, e.g. reports; journals; legislation etc.*

Blackburn with Darwen Borough Council's Home to School Transport Policy.

Supported by the following:

- Education Act 1996 (amended by the Education and Inspections Act 2006):
- Education and Inspections Act (2006):
- Department for Education's statutory guidance on the home to school transport provision:

The School Standards and Framework Act 1998:

**Who are you consulting with? How are you consulting with them? *(Please insert any information around surveys and consultations undertaken)***

Jointly, the Executive Member for Children, Young People and Education and the Executive Member for Growth and Development commenced a process of extensive consultation from the 6<sup>th</sup> March 2023 until 19<sup>th</sup> May 2023, informing interested parties of the review of the provision of school bus services to Bolton schools in line with the current Home to School Transport Policy. An online consultation was opened from Monday, 6<sup>th</sup> March 2023 and concluded on Friday, 19<sup>th</sup> May 2023. Headteachers of Secondary and Primary schools in the area were informed of this and asked to advise families of children attending their schools, through their existing communication channels, of the online consultation's location on the Council's website. Details of the consultation were advertised on the School Transport page of the Council's website and advertised by Communications.

In addition to the online consultation, a wide range of stakeholders was also invited to state their views. These included:

- Headteachers of Primary and Secondary schools in Darwen and the south of the Borough;
- Headteachers of Bolton Schools: Canon Slade School, Turton School, Sharples School and Thornleigh Salesian College;
- The Church of England Dioceses of Blackburn and Manchester;
- The Roman Catholic Diocese of Salford;
- The two Members of Parliament.

A reminder email was sent to all parties on Friday, 5<sup>th</sup> May 2023.

84 responses have been received either online or sent directly. The Council summarised the responses and has published every response which accompanied the decision (attached as Appendix 1).

<b>Who does the activity impact upon?*</b>	Service users	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly	
	Members of staff	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Indirectly	
	General public	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly	
	Carers or families	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly	
	Partner organisations	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly	

<b>Does the activity impact positively or negatively on any of the protected characteristics as stated within the Equality Act (2010)?*</b>  <b>The groups in blue are not protected characteristics (please refer to p. 3 of the guidance notes)</b>	Positive impact	<input checked="" type="checkbox"/> Age	<input checked="" type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input checked="" type="checkbox"/> Vulnerable groups
		<input checked="" type="checkbox"/> Race	<input checked="" type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input checked="" type="checkbox"/> Carers
	Negative impact	<input checked="" type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input checked="" type="checkbox"/> Vulnerable groups
		<input checked="" type="checkbox"/> Race	<input checked="" type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input checked="" type="checkbox"/> Carers
	No impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers

**\*If no impact is identified on any of the protected characteristics a full EIA may not be required. Please contact your departmental Corporate Equality & Diversity representative for further information.**

**Does the activity contribute towards meeting the Equality Act's general Public Sector Equality Duty?** *Refer to p.3 of the guidance for more information*  
***A public authority must have 'due regard' (i.e. consciously consider) to the following:***

DUTY	DOES THE ACTIVITY MEET THIS DUTY? EXPLAIN
<b>Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act</b> <i>(i.e. the activity removes or minimises disadvantages suffered by people due to their protected characteristic)</i>	No changes will be made to existing services until September 2028 whereby all existing pupils will have completed their statutory secondary education and will not be affected by any changes.
<b>Advance equality of opportunity between those who share a protected characteristic and those who do not</b> <i>(i.e. the activity takes steps to meet the needs of people from protected groups where these are different from the needs of other people)</i>	Proposed changes to the Policy will not restrict parental right to express a preference or deny any pupil access to education. Pupils will be free to travel where they wish and attend the school of their choice. Pupils already attending schools in Bolton won't be affected, nor will the 2023 intake of pupils.
<b>Foster good relations between people who share a protected characteristic and those who do not</b> <i>(i.e. the function encourages people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	Local authority schools are open to all children irrespective of their protected characteristics; schools are required to make necessary adjustments in order that affected children are able to participate fully in school life. This Policy simply states that the Council will no longer provide discretionary school transport for pupils attending faith schools (other than those eligible for extended rights). Statutory school transport and families on a low income are not impacted by the changes.

<b>ASSESSMENT</b>	<b>Is a full EIA required?</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Please explain how you have reached your conclusion <i>(A lack of negative impacts must be justified with evidence and clear reasons, highlight how the activity negates or mitigates any possible negative impacts)</i>			

<b>Author Signature</b>	<b>Jackie Clarkson</b>	<b>Date</b>	<b>05/06/2023</b>
<b>Head of Service/Director Signature</b>	<b>Carol Grimshaw</b>	<b>Date</b>	<b>12/06/2023</b>

*The above signatures signify acceptance of the ownership of the Initial EIA and the responsibility to publish the completed Initial EIA as per the requirements of the Equality Act 2010.*

<b>Departmental E&amp;D Lead Signature</b>	<i>Claresse Brazendale</i>	<b>Date</b>	<b>26/06/2023</b>
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**FULL EQUALITY IMPACT ASSESSMENT****SECTION 3 – ANALYSIS OF IMPACT**

Does the activity have the **potential** to:

- **positively** impact (benefit) any of the groups?
- **negatively** impact/exclude/discriminate against any group?
- **disproportionately** impact any of the groups?

Explain how this was identified – through evidence/consultation.

Any negative impacts that are identified within the analysis need to be captured within the action plan in **Section 4**

**N.B.** Marriage & Civil Partnership is only a protected characteristic in terms of work-related activities and NOT service provision

<b>Characteristic</b>	<b>Positive</b>	<b>Negative</b>	<b>Don't know</b>	<b>Reasons for positive and/or negative impact</b> Please include all the evidence you have considered as part of your analysis	<b>Action No.</b>
<b>Age</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The change resulting from this consultation will impact positively and negatively on school aged children 11-16 years old attending their preferred schools where there are nearer schools to their home address.</p> <p><u>Positive</u></p> <ul style="list-style-type: none"> <li>• Equality of the Home to School Transport Policy and its application to all pupils across the borough.</li> <li>• Eligible pupils will not need to change buses to get to school but will retain a direct service.</li> <li>• Designated transport would ensure a direct service to schools without requiring bus connections (i.e. using the commercial network).</li> <li>• The Council will continue to provide transport for low income families and statutory pass holders where applicable,</li> <li>• Fares are still considerably less than commercial fares.</li> <li>• Continuation of services until July 2028 (so no existing pupils will be impacted).</li> </ul> <p><u>Negative</u></p> <ul style="list-style-type: none"> <li>• May lead to increased car usage with increased health and safety risks and additional congestion outside schools if future pupils chose to attend more distant preferred schools as they will not qualify for statutory home to school transport.</li> <li>• Bolton Schools refused to subsidise bus services, unlike the schools within Blackburn with Darwen.</li> </ul>	

				<ul style="list-style-type: none"> <li>Parental choice of Bolton Schools will be restricted by the family's ability to make their own arrangements for the pupil to travel to the preferred school.</li> </ul>	
<b>Disability</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Where a child or young person is disabled and qualifies for free transport this will continue and will be unaffected by the changes. A separate Policy for children with disabilities will apply.	
<b>Gender reassignment</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Policy will apply to all pupils regardless of their gender identity and expression.	
<b>Marriage &amp; Civil Partnership</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/a	
<b>Pregnancy &amp; Maternity</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No implications - any (pregnant / new parent) school aged pupil who continues with their education is covered by a separate Policy which provides mother and child with free transport.	
<b>Race</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Policy will apply to all pupils irrespective of their race.	
<b>Religion or Belief</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The Policy will apply to all pupils irrespective of their religion or belief. Statutory eligible pupils will not be affected. Future pupils who want to attend faith schools in Bolton but are not eligible for extended transport rights will not have the benefit of Council school transport services to those schools, which is already the case across the rest of the borough. The proposed change would bring the local authorities provision for these pupils in line with all other pupils.	
<b>Sex</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No implications – the Policy will apply to all pupils irrespective of their gender.	
<b>Sexual orientation</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No implications - the Policy will apply to all pupils irrespective of their sexual orientation.	
<b>Vulnerable Groups</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Where a child or young person is disabled or considered as having Special Educational Needs and qualifies for free transport this will continue and will be unaffected by these changes. A child or young person, who has an Education, Health and Care Plan (EHCP) which states that transport must be provided as part of that plan, will continue to receive transport with no change".	
<b>Deprived Communities</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><u>Positive</u></p> <p>The Council will continue to support low income families (children receiving free school meals or parents on the highest band of working tax credit) who are eligible for extended home to school transport provision.</p> <p><u>Negative</u></p> <p>Decisions could affect low income families who are not in receipt of any benefits. In the affected areas, families will continue to be able to choose which school their child attends, but the Council will not be providing free/subsidised transport to pupils choosing to attend more distant preferred schools. There may be a burden on large families and those families just above thresholds financially.</p>	



<b>Carers</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Policy includes provision for children where there might be circumstances where there is temporary parental incapacity for the child to be accompanied to the school.	
<b>Other [    ]</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

<b>Does the activity raise any issues for community cohesion?</b>  <b>Does the activity contribute positively towards community cohesion?</b>	<p>Families from the affected areas will still have the same choice in terms of school admissions, but they will have to make their own transport arrangements to attend more distant preferred schools in future if they are not eligible for extended home to school transport rights on the grounds of low income.</p>
<b>Does the activity raise any issues in relation to human rights as set out in the Human Rights Act 1998? Details of which can be found <a href="#">here</a></b>	<p>Children and young people will still have the freedom to apply to the school(s) of their choice but the Council is only required to provide home to school transport for pupils to whom it owes a statutory duty. "Under the ECHR parents do not enjoy a specific right to have their children educated at a school with a religious character or a secular school, or to have transport arrangements made by their local authority to and from any such school. The Equality Act 2010 does not apply to the exercise of an authority's function in relation to transport" (DfE Home to school travel and transport guidance 2014).</p>
<b>Does the activity support / aggravate existing departmental and/or corporate risk?</b>	<p><i>Is the activity on the departmental risk register? If it is not, should it be?</i></p> <p><b>No</b></p>

## CONCLUSIONS OF THE ANALYSIS

<b>Action following completion of the impact assessment</b>			
<i>It is important that the correct option is chosen depending on the findings of the analysis.  The action plan must be completed as required.</i>			
<input type="checkbox"/> No major change in the activity	<input checked="" type="checkbox"/> Adjust activity	<input type="checkbox"/> Continue with activity	<input type="checkbox"/> Stop and reconsider activity
<b>Please explain how you have reached your conclusion</b>			

The current provision of these school transport services gives pupils who are able to access them a level of service that the council does not provide to pupils across the rest of the borough and also clearly exceeds our statutory Home to School transport duties. In recent months, the disparity in provision has been raised with the Home to School Transport team by a number of families in the borough. In light of the important need to treat pupils equally (and bearing in mind current and likely future budget pressures) it is proposed that the Council should review its current bus services for pupil's resident within the borough's boundaries who attend schools in the Bolton area.

## ACTION PLAN

Action No.	What is the negative / adverse impact identified?	Actions required to reduce / mitigate / eliminate the negative impact	Resources required	Responsible officer(s)	Target completion date
1.	School admission numbers will be reviewed annually to determine whether there has been an impact as a result of this decision.	Review information from Blackburn with Darwen's School Admissions Team on applications to analyse whether or not there has been an impact on school admission numbers.		Head of Service School Systems Support	September 2028
2.	School partnership working in order for schools to contribute towards discretionary school transport costs.	To continue to work with schools to support them in the process of owning their transport provision.		School Transport Team	Ongoing

## MONITORING AND REVIEW

The responsibility for establishing and maintaining the monitoring arrangements of the EIA action plan lies with the service completing the EIA. These arrangements should be built into the performance management framework.

Monitoring arrangements for the completion of EIAs will be undertaken by the Corporate Equality & Diversity Group and the oversight of the action plans will be undertaken by the Management Accountability Framework.

If applicable, where will the EIA Action Plan be monitored?	<i>e.g. via Service Management Team; Service Leadership Team; Programme Area Meetings</i> <b>Children, Young People &amp; Education Service Leadership Team</b>
How often will the EIA Action Plan be reviewed?	<i>e.g. quarterly as part of the MAF process</i> <b>Annually or Policy Change</b>
When will the EIA be reviewed?	<i>It should be reviewed at least every 3 years to meet legislative requirements</i>

	July 2026
Who is responsible for carrying out this review?	Transport Team Leader and Head of Service, School System Support

<b>Author Signature</b>	<b>Jackie Clarkson</b>	<b>Date</b>	<b>05/06/2023</b>
<b>Head of Service/Director Signature</b>	<b>Carol Grimshaw</b>	<b>Date</b>	<b>12/06/2023</b>
<i>The above signatures signify acceptance of the ownership of the full EIA, the responsibility for the associated Action Plan (if applicable) and the responsibility to publish the completed full EIA as per the requirements of the Equality Act 2010.</i>			
<b>Departmental E&amp;D Lead Signature</b>	<i>Claresse Brazendale</i>	<b>Date</b>	<b>26/06/2023</b>