

1. Topic of assessment

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| EIA title: | Education travel assistance for children and young people with an Education, Health and Care Plan / Statement of Special Educational Needs – pre-16 age group |
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| EIA author: | Ginni Smedley |
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2. Approval

| | Name | Date approved |
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| Approved by¹ | | |

3. Quality control

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| Version number | 5 | EIA completed | |
| Date saved | 11.05.2016 | EIA published | |

4. EIA team

| Name | Job title (if applicable) | Organisation | Role |
|-------------------|---|-----------------------|---------------------|
| Flora Wilkie | Strategy and Policy Development Officer | Surrey County Council | EIA research |
| Michelle Starr | Performance and Intelligence Analyst | Surrey County Council | Data analysis |
| Ginni Smedley | Strategy and Policy Development Manager | Surrey County Council | EIA author |
| Sue Roch | South East Area Education Officer | Surrey County Council | Policy author |
| Dee Turvill | Commissioning and Development Manager (Participation) | Surrey County Council | Contributor |
| Catherine Allen | Principal Accountant, Children Schools& Families | Surrey County Council | Contributor |
| SEND travel group | Project group reviewing SEND travel arrangements | Various | Review of draft EIA |

¹ Refer to earlier guidance for details on getting approval for your EIA.

5. Explaining the matter being assessed

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| <p>What policy, function or service is being introduced or reviewed?</p> | <p>Surrey County Council is reviewing its policies for travel assistance between home and education provider for children and young people with an education, health and care plan (EHCP) or an existing statement of special educational needs (SEN). Separate policies have been developed for 0-16 year olds and 16-25 year olds, due to differences in how education is provided to each of these age groups.</p> <p>This EIA relates to the review of the education travel assistance policy for children and young people aged 0-16 with special educational needs and disabilities.</p> |
| <p>What proposals are you assessing?</p> | <p>Surrey County Council is not proposing to change its policy regarding entitlement to travel assistance for children and young people aged 0-16 with special educational needs and disabilities. The revised policy restates current policy; however, changes have been made to layout and language to make the policy more accessible, and elements that were less clear in previous versions have been clarified. In response to stakeholder feedback it is intended that there will also be a Parents' Guide to explain key information, which will be co-produced with parents.</p> <p>The policy explains the conditions under which children and young people with special educational needs and disabilities (SEND) who are under 16 years old will receive assistance with travel between the child/young person's main residence and the education provider in which they are in receipt of an EHCP or SEN. It emphasises strongly that a child/young person's individual needs will determine the support they are given. Many children/young people with a SEN or EHCP are able to walk to school or use public transport; however, the Council recognises that some children/young people cannot reasonably be expected to do this because of their mobility problems or associated health and safety issues related to their special educational needs or disability. The policy also includes arrangements in cases of financial hardship and/or exceptional needs.</p> <p>As well as setting out the options for travel assistance for those who are eligible, the revised policy proposes alterations to payment arrangements for those who are entitled to receive a parental travel allowance. It is hoped the parental travel allowance will be attractive to families who qualify, as it can offer greater flexibility. Increased take-up of the travel allowance would assist Surrey County Council in achieving savings compared to the cost of taxi provision for eligible children and young people, and help to reduce the overall SEND travel budget.</p> <p>For children and young people who qualify, the parental travel allowance will replace the current system of paying 'parental mileage', with effect from September 2016. Reimbursement rates (based on 2015/16 rates and subject to yearly review) will be 45 pence per mile for 2 journeys (compared to 22.5p/mile for 4 journeys currently).</p> |

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| | <p>Payments will be in equal monthly instalments from October to July (currently they are paid termly in arrears), and payments will only be adjusted if the child/young person's attendance falls below 80% in the term (currently, deductions are made in respect of all non-attendance).</p> <p>The revised policy will come into effect from September 2016 for all new applicants. Transition arrangements will be offered to current claimants who might otherwise experience a financial loss under the new policy, and will apply until the child/young person transfers to the next phase of their education (e.g. until transfer to secondary phase, or transfer to post-16 phase). This may be required where the child/young person attends an education provider that is more than 10 miles from their home so might receive a lower net amount under the new parental mileage system (depending on their attendance levels).</p> |
| <p>Who is affected by the proposals outlined above?</p> | <ul style="list-style-type: none"> • Children and young people under the age of 16, with special educational needs and disabilities • Parents, carers and families of above |

6. Sources of information

| Engagement carried out |
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| <p>The revised policy has been developed collaboratively with relevant SCC officers; the SEND Travel Group and with Family Voice Surrey, a parent-carer forum for families of children and young people with additional needs in Surrey. Representatives from Family Voice have attended SEND travel group meetings, contributing to proposals such as the development of a co-produced Parents' Guide, and improved travel training for children and young people with special educational needs and disabilities, both of which should strengthen the intended positive impacts of the revised policy.</p> <p>Surrey County Council has consulted on the revised policy with approximately 50 directly affected stakeholders (i.e. parents/carers of children or young person with a EHCP/SEN and children/young people with a EHCP/SEN). Twenty-five engaged through the written consultation, and approximately 25 through events. This represents approximately 1.5% of children, young people and families affected by the pre- and post-16 education travel policies for children and young people with SEND.</p> <p>An online consultation took place between 4 January and 28 March 2016, targeted towards children and young people; parents/carers; professionals and all Surrey residents. A total of 44 responses were received, with two further responses received by e-mail. Fifty-two per cent of the respondents were parents; 2.5% were carers; 11% teachers; 5% officers; 2.5% students and 26% 'other'. The consultation was 're-launched' on 24 February to provide improved information about the new travel allowance scheme including 2 case studies to show how the travel allowance scheme would affect families financially. Of the total 44 responses, 34 were received prior to re-launch and 8 afterwards.</p> |

The deadline for responses was extended slightly in response to specific requests by some stakeholders, to ensure they were able to respond fully to the consultation. Detailed written responses to the consultation were received from Family Voice; from the Surrey Deaf Forum, and from SOS SEN.

Full details of the consultation and respondents' feedback can be found in the Consultation Report provided to Cabinet.

The consultation has informed the development of the pre-16 education travel policy for children/young people with a SSEN/EHCP as follows:

- Document accessibility: Significant numbers of respondents did not agree that the draft policy provided at consultation stage was easy to understand. In response to this feedback, the policy has been substantially re-drafted to ensure that layout and content is more accessible. The nature of the policy constrains the extent to which legal language can be avoided, however, clear explanations/definitions have been provided to enhance understanding. Additionally, we have committed to developing a co-produced Parents' Guide to accompany the policy.
- Travel allowance system: Many respondents did not agree that the new parental allowance would offer greater flexibility, and/or expressed concerns about affordability. It was clear from some responses that there were misunderstandings about the policy and what was being proposed, and the re-launch of the consultation together with further information about the parental travel allowance was intended to mitigate this. Additionally, the revised policy includes information about how Surrey County Council can support families in circumstances of financial hardship, and transition arrangements have been proposed for current claimants.
- Legality of proposed policy: Some respondents questioned whether certain aspects of the policy were lawful or complied with good practice in relation to groups with protected characteristics, e.g. disability. Surrey County Council has sought further advice to ensure its proposed policy is lawful and complies with all relevant guidance, including legislation and guidance relating to groups with protected characteristics. The policy has been re-worded to be more explicit about how children and young people's individual needs will be considered and it emphasises that the child's/young person's individual needs will determine the assistance they are offered.

Data used

- SEND transport payment records for 2015/16
- EMS data on schools, type of primary need, ethnicity and gender.
- Needs analysis of children and young people 0 – 25 years old with Special Educational Needs and Disabilities
- Families in Poverty Needs Assessment 2010

7. Impact of the new/amended policy, service or function

7a. Impact of the proposals on residents and service users with protected characteristics

| Protected characteristic ² | Potential positive impacts | Potential negative impacts | Evidence |
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| <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 101</p> <p>Age</p> | <p>The revised policy may have a positive impact for some children aged 0-16, by explaining more clearly how mileage will be reimbursed under the travel allowance system, thus encouraging choice and giving flexibility if the child attends other activities on the way home from school.</p> <p>Because reimbursement will happen more frequently, this may have a positive impact on families with children aged 0-16.</p> <p>In response to stakeholder feedback and the initial equalities impact</p> | <p>The revised policy may have a negative impact for some children aged 0-16, if they attend schools more than 10 miles from their home, due to lower nett reimbursement rates, although this may be offset by not applying deductions to the parental travel allowance unless a child's attendance falls below 80%. Additionally, existing claimants may opt for 'transition arrangements' whereby existing claims would be reimbursed under the current policy if preferred.</p> <p>Despite reimbursements being made more frequently under the revised policy, some</p> | <p>Entitlement criteria remain unchanged within the revised policy, although the policy has been redrafted to provide clearer information. Arrangements for children and young people using public transport and taxis will not be altered.</p> <p>Under the current policy, parental mileage is reimbursed at 22.5 pence per mile, rising to 40 pence per mile for journeys over 10 miles so long as the child is in the car, with 4 journeys per day being reimbursed. Under the revised policy, the travel allowance will be 45 pence per mile, with 2 journeys per day being reimbursed (2015/16 rates quoted). The nett effect of this is that parents of children attending schools within 10 miles of their home will receive the same amount under both policies; however, where the child's school is more than 10 miles from home, rates of reimbursement will be lower under the revised policy. This may be offset because deductions for non-attendance will only apply where the child's attendance falls below 80%, whereas currently deductions apply to all non-attendance. Payments under the current parental mileage system are made termly in arrears; under the revised policy, the travel allowance will be paid in equal monthly instalments from October to July. Existing claimants may opt for 'transition arrangements' whereby existing claims would be reimbursed under the current policy if preferred.</p> <p>Some respondents to the online consultation identified cost as a potential barrier to using the travel allowance. Surrey's Families In Poverty Needs Analysis and JSNA shows that approximately 9.9%</p> |

² More information on the definitions of these groups can be found [here](#).

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| | <p>analysis which identified concerns in relation to low income families and from parents about whether their the policy would meet their child/young person’s individual needs, the policy has been redrafted to provide clearer information, and SCC has committed to developing a coproduced Parents’ Guide. The revised policy emphasises that individual needs and circumstances will be considered, and contains information relating to financial hardship and exceptional circumstances. The policy is therefore expected to have a positive impact for 0-16 year olds, including those from low-income families.</p> | <p>families on low incomes may find that being reimbursed retrospectively is not feasible for them and may not be able to accept a travel allowance due to financial constraints. This might mean that their children/young people lose out on out-of-school opportunities because other forms of transport are less flexible.</p> <p>Correlating consultation responses with the profile of child poverty in Surrey suggests that families with children aged 0-10 may be more likely to be experience a negative impact from the revised payment arrangements.</p> <p>The policy may have a negative impact for children in large families, particularly if they experience reductions to income from welfare benefits. Parents may be less able to afford the</p> | <p>of children and young people aged 0-19 are living in poverty in Surrey. 64% of these are aged 0-10. It is estimated that nationally 29% of families with disabled children are in poverty and 55% of families with children with disabilities are living in or at the margins of poverty. Comments from Family Voice during development of this EIA confirm their awareness of a local co-relationship between family poverty and disability.</p> <p>Surrey’s education travel assistance policy states assessment for entitlement will not normally take account of attendance by siblings at other schools/colleges. Under the Government’s ongoing programme of welfare reforms, families with a large number of children will experience the greatest cumulative financial impact from benefits changes. Key measures include the Universal Credit cap, effective from September 2016, which will particularly affect large families; and payment of benefits monthly in arrears. These reforms will impact at the same time as Surrey’s revised travel assistance policy will come into effect.</p> |
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| | | <p>option of a travel allowance, and if several siblings attend different schools, parents may be unable to accompany all their children to school. It should be noted that these impacts would be the same under the current policy; and also that parents may opt for another arrangement such as a taxi arranged by Surrey County Council, rather than the parental travel allowance.</p> | |
| <p>Disability</p> | <p>As with the current policy, the revised policy states that the child/young person's individual needs will be considered when deciding transport provision. This is expected to have a positive impact for children/young people with SEND by ensuring that their journey to/from their education provider is suitable for their needs and as non-stressful</p> | <p>As explained above, the revised policy delivers a nett reduction in reimbursement per mile where a child attends a school more than 10 miles from home. This may have a negative impact on families of children with certain disabilities, where their nearest appropriate education provision is further from home. This may be offset by not applying deductions to the parental travel</p> | <p>Over 5000 children and young people aged 0-25 in Surrey have special educational needs and disabilities. Based on March 2016 figures, it is estimated that approximately 2300 0-16 year olds with SEND would be in receipt of travel assistance in September 2016.</p> <p>It is estimated that nationally 29% of families with disabled children are in poverty and 55% of families with children with disabilities are living in or at the margins of poverty. Comments from Family Voice during development of this EIA confirm their awareness of a local co-relationship between family poverty and disability.</p> <p>Under the revised policy, deductions for non-attendance will only apply where the child's attendance falls below 80%, compared to below 90% under the current policy. Attendance averages at 80% for children and young people with SEND.</p> |

as possible.

The policy also states that whether it is possible for a child/young person to be accompanied will be considered. This should have a positive impact for children with disabled parents, by taking account of their individual and family circumstances.

The revised policy may have a positive impact for children/young people with disabilities by explaining their entitlements to education transport more clearly. The parental travel allowance may give greater flexibility for disabled children/young people to attend other activities on the way home from school, or to choose the most convenient route of travel.

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allowance unless a child/young person's attendance falls below 80%; however, there may be a nett financial loss for pupils with high attendance who go to education providers more than 10 miles from their home. Existing claimants may opt for 'transition arrangements' whereby existing claims would be reimbursed under the current policy if preferred.



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| | <p>reimbursement will happen more frequently, this may have a positive impact on the families of disabled children.</p> <p>Not making deductions unless attendance falls below 80% is expected to have a positive impact for some families of children with disabilities, since the revised threshold will mean that fewer families experience deductions.</p> | | |
| Gender reassignment | No impacts identified | No impacts identified | No data available |
| Pregnancy and maternity | No impacts identified | No impacts identified | No data available |
| Race | No impacts identified | No impacts identified | Discrepancies between data sets and collection methods make it difficult to obtain a reliable profile of the race/ethnicity of children currently receiving SEND travel assistance. From the information available, it appears that the ethnic profile of these children broadly corresponds to the ethnic profile of the Surrey population as a whole, suggesting that the current and revised policies do not have any particular impact in relation to race. |
| Religion and belief | No impacts identified | No impacts identified | <p>No data available.</p> <p>Neither the current nor revised policy make reference to religion or</p> |

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| | | | belief in terms of eligibility for education travel assistance for children and young people with SEND. |
| Sex | The potential positive impacts from the revised policy are as described under 'Age' above. Both boys and girls should experience these impacts; however, a higher proportion of boys will experience any positive impacts from the policy. | The potential negative impacts from the revised policy are as described under 'Age' above. Both boys and girls should experience these impacts; however, a higher proportion of boys will experience any negative impacts from the policy. | Using March 2016 data to estimate recipients of SEND travel assistance in September 2016, the gender profile of children/young people would be as follows: Female: 540 (23%) Male: 1519 (66%) Not recorded: 245 (11%) TOTAL: 2304 (100%) |
| Sexual orientation | No impacts identified | No impacts identified | No data available |
| Marriage and civil partnerships | No impacts identified | The revised policy may have a negative impact for some children/young people aged 0-16, if they attend schools more than 10 miles from their home, due to lower nett reimbursement rates, although this may be offset by not applying deductions to the parental travel allowance unless a child's attendance falls below 80%. Existing claimants may opt for 'transition arrangements' whereby | 74% of children in poverty in Surrey are in lone parent households. Data is not available possible to identify how many Surrey children/young people with SEND are in lone parent households. |

existing claims would be reimbursed under the current policy if preferred.

The impact of the any financial loss may be greater for families on low incomes, and 74% of children in poverty are in lone parent households. This may mean that receiving a travel allowance is not feasible for some lone parent households, and might also mean that these children/young people lose out on out-of-school opportunities because other forms of transport are less flexible.

The policy may have a negative impact for children of lone parents with large families, particularly if they experience reductions to income from welfare benefits. Lone parents may be less able to afford the option of a travel allowance, and if several siblings attend different schools, lone

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| | | <p>parents may be unable to accompany all their children to school. It should be noted that these impacts would be the same under the current policy and also that parents may opt for another arrangement such as a taxi arranged by Surrey County Council, rather than the parental travel allowance.</p> | |
| <p>Page 108</p> <p>Carers³</p> | <p>It is likely that the same potential positive impacts identified under 'Age' above for children aged 0-16 will be experienced directly or indirectly by their carers.</p> | <p>It is likely that the same potential negative impacts identified under 'Age' above for children aged 0-16 will be experienced directly or indirectly by their carers.</p> | <p>No data available</p> |

³ Carers are not a protected characteristic under the Public Sector Equality Duty, however we need to consider the potential impact on this group to ensure that there is no associative discrimination (i.e. discrimination against them because they are associated with people with protected characteristics). The definition of carers developed by Carers UK is that 'carers look after family, partners or friends in need of help because they are ill, frail or have a disability. The care they provide is unpaid. This includes adults looking after other adults, parent carers looking after disabled children and young carers under 18 years of age.'

7b. Impact of the proposals on staff with protected characteristics

| Protected characteristic | Potential positive impacts | Potential negative impacts | Evidence |
|--------------------------------|----------------------------|----------------------------|---|
| Age | No impacts identified | No impacts identified | The revised policy applies to children and young people aged 0-16 with SEND and their parents/ carers. It is not anticipated that it will have any impact relating to the protected characteristics of staff within schools or Surrey County Council. There is a small possibility that escort staff with protected characteristic could be impacted either positively or negatively if the revised policy led parents to opt for different travel arrangements to those their children use currently, however, it is not possible to predict this reliably. Any implications for staff who are also parents/carers of children with SEND have been considered above. |
| Disability | No impacts identified | No impacts identified | As above |
| Gender reassignment | No impacts identified | No impacts identified | As above |
| Pregnancy and maternity | No impacts identified | No impacts identified | As above |
| Race | No impacts identified | No impacts identified | As above |
| Religion and belief | No impacts identified | No impacts identified | As above |
| Sex | No impacts identified | No impacts identified | As above |

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| Sexual orientation | No impacts identified | No impacts identified | As above |
| Marriage and civil partnerships | No impacts identified | No impacts identified | As above |
| Carers | No impacts identified | No impacts identified | As above |

8. Amendments to the proposals

| Change | Reason for change |
|---|---|
| Briefing document provided during consultation to explain how the current parental mileage system compares with the revised travel allowance system. | Some respondents to consultation stated they were unclear what the new travel allowance system would mean for them in practice. |
| Information included within policy about reimbursement rates under the new travel allowance system; frequency of payments, and how payments would be adjusted if attendance falls below 80%. | Some respondents to consultation stated they were unclear what the new travel allowance system would mean for them in practice. |
| Revisions to language and layout of policy, to explain entitlements and obligations; how decisions will be made and the appeals process. | Consultation feedback indicated that some families found the revised policy difficult to understand and that some parts were ambiguous. |
| Policy emphasises that applications will be assessed on the basis of children/young people's individual needs. Clearer information included about provisions for financial hardship and exceptional needs. | Consultation feedback identified that some respondents were concerned about affordability for families, or were concerned about whether their child/young person's individual needs would be considered. |
| Agreement to develop a Parents' Guide, co-produced with parents, by July 2016. | Consultation feedback indicated that some families found the policy difficult to understand, due to its length and use of 'legalistic' language. |
| Agreement to offer 'transition arrangements' in respect of the parental travel allowance to those currently claiming the parental mileage reimbursement. This means that existing claims could continue to be calculated in line with the current policy, if families prefer this, until the child/young person transfers to the next phase of their education. | Recognition that where the parent/young person receives a travel allowance to attend an education provider that is more than 10 miles from their home, nett reimbursement rates may be lower under the proposed new arrangements (although this will depend on the young person's attendance levels). Transition arrangements are intended to mitigate this financial impact for current recipients of the parental mileage scheme. |
| Agreement for communications and staff training in preparation for roll-out of the revised policy. | Ensuring that all staff coming into contact with families with SEND are able to give good quality advice about options and financial implications. |
| Agreement to continue to collect feedback from service users and their families, and to use this to inform annual revisions of this policy. | Commitment to developing best possible offer for families, within current financial constraints. |
| Publication of travel allowance rates for 2016/17, as soon as possible (June 2016) | To ensure that families understand what the travel allowance will mean for them in practice. |

7 9. Action plan

| Potential impact (positive or negative) | Action needed to maximise positive impact or mitigate negative impact | By when | Owner |
|--|--|-----------|-------------------|
| Potential positive impacts identified in relation to age; disability and sex include renewed emphasis that individual needs will be considered; the option of a parental travel allowance that affords greater flexibility; more frequent reimbursements; and clearer information about entitlement, financial hardship, exceptional needs and appeals processes. | Develop Parents' Guide, co-produced with parents. | July 2016 | Sue Roch |
| | Communications and staff training | June 2016 | Sue Roch |
| | Implement proposals to develop travel training | June 2017 | SEND travel group |
| Potential negative impacts identified in relation to age; disability; sex and marriage and civil partnerships include concerns about affordability of the parental travel allowance for families on low incomes, particularly noting the co-relationship between poverty and disability within families (either adults or children). The potential that not being able to take up the travel allowance option could reduce children and young people's access to out-of-school activities. | Develop Parents' Guide, co-produced with parents, ensuring that information about financial hardship and exceptional needs is easy to understand. | June 2016 | Sue Roch |
| | Communications and staff training, to ensure staff are able to provide good quality information to parents. Ensure parents know that no-one will be forced to take up the parental travel allowance - they could opt for a taxi instead. Raise awareness of option for transition arrangements where applicable. | June 2016 | Sue Roch |
| | Publish 2016/17 rates for parental travel allowance. | June 2016 | Sue Roch |
| | Implement proposals to develop travel training, to increase choices and improve outcomes for children and young people with SEND. | June 2017 | SEND travel group |
| All groups with protected characteristics | Monitor actual impacts through feedback loops and ensure this informs future policy development during annual revisions of this policy. | Ongoing | SEND travel group |

10. Potential negative impacts that cannot be mitigated

| Potential negative impact | Protected characteristic(s) that could be affected |
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| None identified | |
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11. Summary of key impacts and actions

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| Information and engagement underpinning equalities analysis | Consultation with children and young people with SEND and their families; and professionals and voluntary groups working with SEND, from January to March 2016. This identified the need to improve the clarity and accessibility of policies and led to agreement to develop a co-produced Parents' Guide. |
| Key impacts (positive and/or negative) on people with protected characteristics | Anticipated positive impacts include improved clarity of information in relation to education travel assistance for children/young people with SEND; and an improved parental travel allowance offer. Applies for people with protected characteristics and specifically children and young people with disabilities and their families. Negative impacts may include affordability issues for some people with protected characteristics; however, it is intended to mitigate this through clarity about how cases of financial hardship can be supported. |
| Changes you have made to the proposal as a result of the EIA | Re-drafted policies with clearer information about entitlement and provision, and emphasis that individual needs will be considered; clearer information relating to financial hardship and/or exceptional needs; agreement to co-produce a Parents' Guide; proposals for staff training and communications. |
| Key mitigating actions planned to address any outstanding negative impacts | Re-drafted policies with clearer information about entitlement and provision, and emphasis that individual needs will be considered; clearer information relating to financial hardship and/or exceptional needs; agreement to co-produce a Parents' Guide; proposals for staff training and communications. |
| Potential negative impacts that cannot be mitigated | None identified |

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