

Notice of Meeting

Cabinet Member for All-Age Learning Decisions

**Date & time**

Thursday, 5
December 2019 at
2.30 pm

Place

Committee Room G,
County Hall, Penrhyn
Road, Kingston Upon
Thames, KT1 2DN

Contact

Ben Cullimore
020 8213 2782
Room 122, County Hall,
Penrhyn Road Kingston
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Chief Executive

Joanna Killian

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This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Ben Cullimore on 020 8213 2782.

Cabinet Member

Mrs Julie Iles (Cabinet Member for All-Age Learning)

AGENDA

1 DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- i. Any disclosable pecuniary interests and / or
- ii. Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

2 PROCEDURAL MATTERS

a Members' Questions

The deadline for Members' questions is 12pm four working days before the meeting (29/11/2019).

b Public Questions

The deadline for public questions is seven days before the meeting (28/11/19).

c Petitions

The deadline for petitions was 14 days before the meeting, and no petitions have been received.

3 PROPOSED CHANGE TO THE REVIEW PROCESS IN SURREY'S HOME TO SCHOOL TRAVEL AND TRANSPORT POLICIES

(Pages 5
- 24)

Following a decision of the Local Government and Social Care Ombudsman, it is proposed to amend the transport case review process that applies to Surrey's mainstream and SEND home to school travel and transport policies to provide for parents to make verbal representation at stage two case reviews. It is also proposed for stage one case reviews to be considered by a senior officer. These amendments will bring Surrey's policies in to line with the DfE's statutory home to school travel and transport guidance.

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SURREY COUNTY COUNCIL**CABINET MEMBER FOR ALL-AGE LEARNING****DATE: 5 December 2019****LEAD OFFICER: LIZ MILLS, DIRECTOR FOR EDUCATION, LIFELONG
LEARNING & CULTURE****SUBJECT: PROPOSED CHANGE TO THE REVIEW PROCESS IN
SURREY'S HOME TO SCHOOL TRAVEL AND TRANSPORT
POLICIES****COMMUNITY VISION OUTCOME: People****SUMMARY OF ISSUE:**

Following a decision of the Local Government and Social Care Ombudsman, it is proposed to amend the transport case review process that applies to Surrey's mainstream and Special Educational Needs and Disabilities (SEND) home to school travel and transport policies to provide for parents to make verbal representation at stage two case reviews. It is also proposed for stage one case reviews to be considered by a senior officer. These amendments will bring Surrey's policies in to line with the Department for Education's (DfE) statutory home to school travel and transport guidance.

RECOMMENDATIONS:

It is recommended that Surrey's home to school transport case review process that applies to both mainstream and SEND pupils/students is finalised as per Annex 1.

REASON FOR RECOMMENDATIONS:

This proposal:

- ensures that the local authority complies with the recommendation of the Ombudsman in relation to complaint reference 18 017 681 (Annex 2).
- ensures that Surrey's policies meet the requirements of the DfE's statutory home to school travel and transport guidance to provide for a senior officer to consider stage one case reviews and for parents to make verbal representation at stage two transport case reviews.
- will enable parents to attend stage two transport case reviews to present their cases verbally.

DETAILS:

1. Annex 2 of the DfE's statutory home to school travel and transport guidance sets out a recommended review/appeals process for local authorities to adopt. This provides for a senior officer to consider stage one case reviews and includes provision for the independent panel at stage two case reviews to consider 'written and verbal representations from both the parent and officers involved in the case'.

2. Surrey has not to date adopted these aspects of the DfE's recommended review/appeals process. Stage one case reviews are currently considered by a panel of at least two senior officers making the process resource heavy, which can lead to delays, and parents have never been invited to present their case verbally at stage two case reviews.
3. On 8 October 2019 the Ombudsman issued a final decision in relation to a complaint from a parent regarding a request for home to school transport (Annex 2). In his report the Ombudsman found fault with the local authority because:
 - it had not allowed the parent to put their case verbally to the Member panel at stage two of their transport case review; and
 - its policies in this respect did not comply with the DfE's home to school travel and transport guidance.
4. The Ombudsman recommended that the local authority amended its home to school transport policies to allow parents to present their case to the panel verbally, so that they would comply with the DfE guidance.
5. The amended home to school transport case review process set out in Annex 1 has been updated to ensure it complies with the recommended review process set out in the DfE's home to school travel and transport guidance. This includes provision for one senior officer to consider stage one case reviews and parents to be allowed to present their cases verbally at stage two case reviews.
6. It is proposed that the amended home to school transport case review process will be implemented from the beginning of January 2020. This is consistent with the timeframe put forward to the Ombudsman following his provisional outcome to the complaint.

CONSULTATION:

7. As this proposal complies with the recommendation of the Ombudsman and brings the transport case review process in to line with the DfE's statutory guidance, no external consultation has taken place with regard to this proposed change to the review process.
8. Whilst there is a separate consultation on potential changes to Surrey's Home to School/College Travel and Transport policy that ends on 15 December 2019, that consultation relates to potential changes that might be introduced from September 2020 (with transitional arrangements as appropriate). However this change to the review process needs to be implemented straight away in order to comply with the recommendation of the Ombudsman.
9. Colleagues in Surrey's Legal Services and the School Appeals team have been consulted on the process to be followed for verbal representation.
10. Training sessions are being arranged for Members and clerks to familiarise them with the changes to stages one and two of the home to school transport case review process.

RISK MANAGEMENT AND IMPLICATIONS:

11. The risk of implementing this recommendation is low as it complies with the decision of the Ombudsman and ensures that Surrey's policies comply with the DfE's statutory guidance.
12. There would be a greater risk if this change was not implemented as it would be likely that the local authority would receive further challenge on this matter and potential public scrutiny by the office of the Local Government and Social Care Ombudsman.

Financial and value for money implications:

13. Allowing parents to represent themselves verbally at stage two transport case reviews may reduce the number of applicants who challenge the decision or the transport case review process.
14. This will have a resource implication in that an officer will also need to attend these meetings. It is anticipated that this requirement will be met from existing resources.

Section 151 Officer commentary:

15. Although significant progress has been made over the last twelve months to improve the Council's financial position, the medium term financial outlook is uncertain as it is heavily dependent on decisions made by Central Government. With no clarity on these beyond 2020/21, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority in order to ensure stable provision of services in the medium term. The Section 151 Officer supports the proposal to revise the review process for home to school transport. This is unlikely to have any direct financial impact on the Council but the wider consultation referenced in paragraph 8 will need to be considered separately.

Legal implications – Monitoring Officer:

16. This proposal will ensure that Surrey's home to school transport case review process meets the requirements of the DfE's statutory home to school travel and transport guidance.
17. The public sector equality duty (Section 149 of the Equality Act 2010) applies to the decision to be made by the Cabinet Member in this report. There is a requirement when deciding upon the recommendations to have due regard to the need to advance equality of opportunity for people with protected characteristics, foster good relations between such groups and eliminate any unlawful discrimination. These matters are dealt with in the equalities paragraphs of the report and in the attached equalities impact assessment (EIA).

Equalities and diversity:

18. An Equality Impact Assessment (EIA) is attached as ANNEX 3.

19. The service does not monitor protected status amongst applicants for home to school/college travel and transport but it is likely that some applicants will fall within the protected groups. For most, belonging to a protected group will not lead to this proposal having either a negative or positive affect. However three groups may be either negatively or positively affected as a result of this proposal:

- parent/carers with a disability may be affected because they may have difficulty in taking up the opportunity to represent themselves verbally at the Stage 2 review
- parent/carers with full time contract types may be affected because they may be limited in the times that they can attend a review
- parent/carers with social identity characteristics relating to their education and skills may prefer to present their case verbally rather than in writing

20. No changes have been made to this proposal as a result of the EIA. The Stage 2 review process will be kept under review to ensure that any other negative impacts that might be identified to a person with a protected characteristic are addressed.

Other implications:

21. The potential implications for the following Council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/Looked After Children	No significant implications arising from this report
Safeguarding responsibilities for vulnerable children and adults	No significant implications arising from this report
Environmental sustainability	No significant implications arising from this report
Public Health	No significant implications arising from this report

WHAT HAPPENS NEXT:

- If this proposal is approved, the amended home to school transport case review process will be published on Surrey's website and existing transport policies will be updated to refer to it.
- The proposal will be implemented from the beginning of January 2020.
- Schools will be notified of the change to the transport case review process in the termly newsletter issued by the Admissions & Transport team at the start of the spring term.
- Surrey's website and home to school transport policies will be updated to alert parents to the fact that the transport case review process has changed.
- Surrey's School Appeals team will endeavour to schedule stage two transport case review dates for the remainder of the academic year so parents can be advised in advance of the dates of the stage two transport case reviews.

Contact Officer:

Claire Potier – Service Manager Admissions and Transport – 01483 517689.

Consulted:

Legal Services – Rachel Hickman

School Appeals team – Vicky Hibbert and Angela Bridgeman

Annexes:

Annex 1 Amended transport case review process

Annex 2 Local Government and Social Care Ombudsman final decision 18 017 681

Annex 3 Equality Impact Assessment

Sources/background papers:

- DfE Home to school travel and transport guidance – July 2014
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Home to school transport - case review process

Parents/carers of children who live in Surrey (or who are in care to Surrey and have an Education, Health and Care Plan) and who wish to challenge a decision about one of the following, may apply for their case to be considered at a transport case review:

- the transport arrangements offered;
- their child's eligibility;
- the distance measurement in relation to statutory walking distances; and
- the safety of the route.

Stage one: Case review by a senior officer

Parents/carers must complete a stage one transport case review form on which they must indicate whether they believe the original decision to be wrong or whether they wish their case to be considered as an exception to the policy. The form must be returned with details of the case within 20 working days from receipt of the original transport decision.

The written request should detail why the parent/carer believes the decision should be reviewed and give details of any personal and/or family circumstances they believe should be considered.

Within 20 working days of receipt of the written request a senior officer, who was not involved with making the original decision, will review the case. More complex cases may sometimes exceed the 20 working day turnaround time for review.

The senior officer will write to the parent/carer, normally within five working days of the review, setting out:

- the decision reached;
- how the review was conducted;
- information about other departments and/or agencies that were consulted as part of the process;
- what factors were considered;
- the rationale for the decision reached; and
- information about how the parent/carer can escalate their case to stage two (if appropriate).

Where possible, applications for review at stage one of the review process should be accompanied by independent supporting evidence such as from a GP or consultant, a social worker, the police, other local authority officers, copies of relevant court orders etc as appropriate.

With the exception of eligibility based on extended entitlement for families on low income, qualification for travel assistance is not means-tested, and family income will not normally be given special consideration under this review process.

When considering reviews, the following will also not normally be taken into account:

- Parent/carers' work or other commitments.

- Attendance by siblings at other schools.
- A work experience placement.
- An address other than the home address, including a childminder's address.
- Ad hoc visits to other establishments or locations.
- Out of hours clubs (e.g. breakfast club, after school activities).

Stage two: Case review by an independent panel

If the parent/carer remains unhappy with the decision at stage one of the transport case review, they can complete a 'Stage 2 transport case review form' to request that their case is escalated to a panel of three Surrey County Council Members. Members on the stage two case review panel will be independent of the original decision making process and will not have had any prior involvement with the case or be connected to the school or family in question.

Requests for a stage two case review must be made within 20 working days from receipt of the local authority's stage one written decision.

Stage two case reviews will normally be considered within 40 working days of receipt of the parent/carers request for it to be escalated. A copy of the paperwork that has been submitted to the stage two case review panel will be sent to the parent at least seven working days prior to the review.

The parent/carer will be asked to indicate on the 'Stage 2 transport case review form' whether or not they wish to attend the review to present their case verbally. An officer for the local authority will also be invited to present the local authority's case. Parent/carers are not required to attend and if they do not indicate that they wish to attend the review will be scheduled to be heard in their absence.

The stage two case review panel will give equal consideration to all case reviews whether conducted in the presence of all parties or heard in the absence of one/both parties. If the panel considers that further information is required, the case will be adjourned so that the information can be made available.

Where a parent/carer chooses to attend the stage two case review, the panel chairman will:

- welcome all parties and introduce the panel members, clerk, and officer of the local authority.
- explain the procedure, clearly and simply, including the panel's remit.
- explain that the panel has read the full written case.
- invite the applicant to briefly highlight the main points of their application.
- invite the officer for the local authority to briefly highlight the main points of the local authority's case.

The panel will seek clarification on points raised by either party if required.

Once the parent/carer and officer for the local authority have left, the panel will reach a decision as to whether to uphold or reject the review. When the panel considers its decisions, the clerk must remain with the panel solely for the purpose of offering advice on procedure or law, making reference to notes or evidence and record decisions, including the reasons for them.

The clerk to the stage two case review panel will write to the parent/carer, normally within five working days of the review, setting out:

- the decision reached;
- how the review was conducted;
- information about other departments and/or agencies that were consulted as part of the process;
- what factors were considered;
- the rationale for the decision reached; and
- information about the parent/carer's right to put the matter to the Local Government Ombudsman (see below).

Local Government Ombudsman

There is a right of complaint to the Local Government Ombudsman, but only if the complainant considers that there was a failure to comply with the procedural rules or if there are any other irregularities in the way the review has been handled. Further advice is available at www.lgo.org.uk or on the Local Government Ombudsman advice line on 0300 061 0614.

If the complainant considers the decision of the independent panel to be flawed on public law grounds, the complainant may also apply for judicial review.

Transport Review Process

Outcome of travel assistance application

Officer A declines the home to school travel application or offers travel arrangements the parent considers 'unsuitable'

Parent challenges – within 20 working days

The parent returns a stage one transport case review form challenging Officer A's decision on the basis of:

- Entitlement
- Distance measurement
- Route safety
- Exceptional circumstance

Stage one: Review by Senior Officer - within 20 working days

Officer B (a Senior Officer) reviews Officer A's decision

Stage one: outcome

Within 5 working days of the review the Senior Officer sends the parent a written notification of the outcome including

- Reason for the decision
- How to escalate to stage two

Parent challenges – within 20 working days

The parent challenges Officer B's decision and returns a form requesting that their case is referred for a stage two review

Stage two: Review by Members review panel - within 40 working days

The Member review panel hears written/verbal evidence from the parent and the local authority officer.

Stage two: outcome

Within 5 working days of the panel the clerk sends the parent a written notification of the outcome including

- Reason for the decision
- How to escalate to case to the Local Government Ombudsman

The Ombudsman's final decision

Summary: The complainant says the Council is at fault in its decision to refuse her son free school transport. The Ombudsman has found some evidence of fault in how the Council made its decision. He recommended the Council carry out a new review of Ms X's request and amend its review policy so that it follows statutory guidance. The Council agreed and for this reason the Ombudsman has ended his consideration of this complaint.

The complaint

1. The complainant, who I will call Ms X, says the Council is at fault in its decision to refuse her son free transport to his school.

The Ombudsman's role and powers

2. We investigate complaints about 'maladministration' and 'service failure'. In this statement, I have used the word fault to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. I refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1), as amended*)
3. We cannot question whether a council's decision is right or wrong simply because the complainant disagrees with it. We must consider whether there was fault in the way the decision was reached. (*Local Government Act 1974, section 34(3), as amended*)
4. If we are satisfied with a council's actions or proposed actions, we can complete our investigation and issue a decision statement. (*Local Government Act 1974, section 30(1B) and 34H(i), as amended*)

How I considered this complaint

5. As part of my investigation I considered the complaint and information provided by Ms X. I made enquiries of the Council and I considered its response, its school transport policy and the relevant statutory guidance. I set out my initial view on the complaint in a draft decision statement and I considered Ms X's and the Council's comments in response.

What I found

Relevant guidance and policy

Home to school travel and transport guidance, statutory guidance for local authorities

6. This statutory guidance explains to local authorities how they should carry out their duties in respect of home to school travel and transport. It states that local authorities have discretionary powers that allow them to go beyond their statutory duties and provide transport for children who are not entitled to free transport.
7. The guidance sets out how local authorities should consider a request for a review of their decision on providing school transport.
8. A Stage One review should be carried out by a senior officer who should send a detailed letter explaining the decision reached, how the review was conducted and the rationale for the decision.
9. If unresolved at Stage One, a Stage two review can be requested. This should be carried out by an independent panel whose members were not involved in the case previously. The panel can receive both written and oral representations from the officers and parents involved. As above, the panel's decision should be in writing and explain what matters were considered and the rationale for the decision.

Surrey County Council Home to School Transport Policy for 4-16 year olds, 2018/19

10. This policy explains how the Council will determine if a child is eligible for free home to school transport. It says:
 - The Council will normally only provide free home to school transport to the child's nearest qualifying school.
 - If a parent could have applied for a school place at a nearer school that had vacancies but chose not to, their child will not normally be eligible for free home to school transport
 - The Council will consider the safety of the walking route when assessing transport eligibility.
 - If a child is not eligible for free home to school transport then a concessionary seat on existing school transport can be purchased, if one is available.
 - Review requests of the Council's decision not to provide transport will not normally take account of a parent's work commitments.
 - If after the first review a parent remains unhappy, a second review will be carried out by a panel of three County Council Members.

Background

11. Ms X and her son, Y, have lived in their current home since he was born.
12. In 2016 Ms X applied for a secondary school place for Y. Information on the Council's website explained that parents should carefully research the schools they apply for to see if their child would be eligible for free school transport to their preferred school.

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13. Ms X successfully requested a place for Y at School Z which is not the nearest school to her home. If she had applied to the nearest school, a place for Y would have been available.
 14. When Y started at School Z in September 2017, Ms X took him to school herself.
 15. However, Ms X's circumstances changed and owing to work commitments she could no longer take Y to school. She applied for free home to school transport as she considered it unsafe for him to walk to school; large parts of the journey are on busy roads with no footpaths. Ms X also explained there are no public bus services to get Y to school on time.
 16. The Council refused Ms X's application. It said its school transport policy only allows it to provide school transport to pupils attending their nearest qualifying school. As School Z was not Y's nearest qualifying school, it could not provide him with transport. It told Ms X she could apply for a concessionary seat on a school contract bus for £168.50 per term.
 17. Ms X was unhappy with the Council's decision and requested a review on the grounds that it had not followed its school transport policy. She said the Council's decision was wrong because:
 - The difference between the distances to School Z and to the nearest qualifying school is only 0.3 miles.
 - A bus contracted by the Council picks up other pupils from where she lives and takes them to School Z even though this cannot be their nearest qualifying school.
 18. The review was considered by the Senior Admissions and Transport Officer who upheld the Council's original decision. The decision was conveyed to Ms X in a letter which explained that, as Y does not attend his nearest qualifying school, he is not eligible for free school transport under the Council's policy. The letter said this was the case even though the difference in distance between Y's nearest qualifying school and School Z was only slight.
 19. Ms X was unhappy with the decision and requested her case be reviewed by the Council's review panel. She thought it was wrong that the Council would pay for transport to Y's nearest qualifying school but not provide him with transport to his current school.
 20. Ms X was not given the opportunity to present her case to the panel.
 21. The panel of three elected members who had not been involved in her case previously upheld the Council's decision. It said:
 - The Council had properly applied its policy when considering the case. Y is not eligible for free school transport as he does not attend his nearest qualifying school.
 - Y would have been allocated a place at his nearest qualifying school if Ms X had applied for one in 2016.
 - Concerns regarding the lack of local bus service and the safety of the route were noted but these did not mitigate the fact that Ms X chose to send Y to School Z despite knowing of these difficulties.
 - Ms X had been offered a concessionary place on a school coach but she did not provide any reasons why she could not fund the cost of the concessionary fare.

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- It could not comment on why other pupils living near Y did receive free school transport to School Z. It said each case was considered on its merits and there might be social and medical reasons for the provision.
22. Ms X remains unhappy and contacted us for assistance. She says she was unaware of the nearest qualifying school when she applied for Y's secondary school place.

Analysis

23. It is not for us to substitute our judgement for that of the Council. Instead we examine the process leading to the Council's decisions for evidence of fault.
24. In its correspondence to Ms X explaining the outcome of her request and her Stage One review, the Council explained it can only provide free transport to the nearest qualifying school. However, the Council has discretionary powers to provide transport for pupils who are not entitled to free transport. Neither letter addresses Ms X's concerns about the safety of her son walking to school or the lack of public transport. As these factors have not been addressed, I am not convinced the Council has properly considered if there were grounds to exercise discretion and provide transport in this case.
25. I note the review panel's decision refers to the outcome of the Stage One review and uses this as the basis of its decision. As I have found fault with the consideration given at Stage One, I consider this also calls into question the conclusions reached by the panel.
26. Furthermore, the statutory guidance says parents should be able to attend a second stage review hearing to present their case. The Council says its policy is not to invite parents to address the panel and accordingly Ms X was not invited to do so. I consider the Council's policy does not comply with the statutory guidance and Ms X was wrongly denied the opportunity to put her case to panel members.
27. For the above reasons, I consider there has been fault in how the Council has considered Ms X's request for free transport and her subsequent review requests. As I have found fault in the process by which it was made, I consider there are grounds to question the robustness of the decision made by the Council.

Agreed action

28. To address the fault identified above, I recommended the Council reconsider Ms X's request having regard to the arguments she put forward including her concerns about the safety of the route and public transport issues. If necessary, the outcome of that reconsideration should then be considered by the panel to see if their decision alters. Ms X should also be invited to present her case to the panel. The Council agreed.
29. I also recommended the Council amends its Home to School Transport policy so it complies with the statutory guidance and allows parents to present their case to the panel orally. The Council has agreed to do so.

Final decision

30. I have ended my investigation of this complaint because the Council agreed to act on my recommendations.

Investigator's final decision on behalf of the Ombudsman

EIA Title				
Did you use the EIA Screening Tool? (Please tick or specify)	Yes (Please attach upon submission)	X	No	

1. Explaining the matter being assessed

What policy, function or service change are you assessing?	Change to the review process in Surrey's home to school travel and transport policies			
Why does this EIA need to be completed?	This proposal will provide parent/carers with the opportunity to present their case at Stage 2 transport reviews and this has the potential to impact on some people from the protected groups identified in the Equality Act 2010.			
Who is affected by the proposals outlined above?	<p>The service does not monitor protected status amongst applicants for home to school/college travel and transport but it is likely that some applicants will fall within the protected groups. For most, belonging to a protected group will not lead to this proposal having either a negative or positive affect. However three groups may be either negatively or positively affected as a result of this proposal:</p> <ul style="list-style-type: none"> parent/carers with a disability may be affected because they may have difficulty in taking up the opportunity to represent themselves verbally at the Stage 2 review parent/carers with full time contract types may be affected because they may be limited in the times that they can attend a review parent/carers with social identity characteristics relating to their education and skills may prefer to present their case verbally rather than in writing 			
How does your service proposal support the outcomes in the Community Vision for Surrey 2030?	N/A			
Are there any specific geographies in Surrey where this will make an impact? (Please tick or specify)	County Wide	X	Runnymede	
	Elmbridge		Spelthorne	
	Epsom and Ewell		Surrey Heath	
	Guildford		Tandridge	
	Mole Valley		Waverley	
	Reigate and Banstead		Woking	
	Not Applicable			
	County Divisions (please specify if appropriate):			
Briefly list what evidence you have gathered on the impact of your proposals?	The number of requests for Stage 2 reviews is low with 22 cases being considered at Stage 2 during the 2018/19 academic year. The service does not monitor protected status amongst applicants for home to school/college travel but given the number of Stage 2 reviews the impact of this proposal is anticipated to be low.			



2. Service Users / Residents

There are 10 protected characteristics to consider in your proposal. These are:

1. Age including younger and older people
2. Disability
3. Gender reassignment
4. Pregnancy and maternity
5. Race including ethnic or national origins, colour or nationality
6. Religion or belief including lack of belief
7. Sex
8. Sexual orientation
9. Marriage/civil partnerships
10. Carers protected by association

Though not included in the Equality Act 2010, Surrey County Council recognises that socio-economic disadvantage is a significant contributor to inequality across the County and therefore regards this as an additional factor.

Therefore, if relevant, you will need to include information on this. Please refer to the EIA guidance if you are unclear as to what this is.

Disability						
What information (data) do you have on affected service users/residents with this characteristic?						
The service does not monitor protected status amongst applicants for home to school/college travel and so no information is available. However given the low number of Stage 2 reviews the impact of this proposal is anticipated to be low.						
Impacts (Please tick or specify)	Positive		Negative	X	Both	
Impacts identified	Supporting evidence		How will you maximise positive/minimise negative impacts?		When will this be implemented by?	Owner
Parent/carers with a disability may have difficulty in taking up the opportunity to represent themselves verbally at the Stage 2 review	Feedback from the appeals service		Stage 2 transport case review form to be updated to ask applicants if they have a disability or have any other concerns regarding access for which they might need assistance or special arrangements, such as a signer or interpreter.		1 January 2020	Claire Potier – Service Manager for Admissions & Transport
What other changes is the council planning/already in place that may affect the same groups of residents? Are there any dependencies decisions makers need to be aware of						
The appeals service already ensure that building and room accessibility issues are considered when managing school admission appeals and they will apply the same consideration to Stage 2 reviews for home to school travel assistance.						
Any negative impacts that cannot be mitigated? Please identify impact and explain why						
None currently identified						

Socio-economic disadvantage						
What information (data) do you have on affected service users/residents with this characteristic?						
The service does not monitor protected status amongst applicants for home to school/college travel and so no information is available. However given the low number of Stage 2 reviews the impact of this proposal is anticipated to be low.						
Impacts (Please tick or specify)	Positive		Negative		Both	X
Impacts identified	Supporting evidence	How will you maximise positive/minimise negative impacts?		When will this be implemented by?	Owner	
Parent/carers with full time contract types may be limited in the times that they can attend a review	Feedback from the appeals service	Stage 2 transport case review form to be updated to ask applicants if there are any times of the day that would suit them better		1 January 2020	Claire Potier – Service Manager for Admissions & Transport	
Parent/carers with social identity characteristics relating to their education and skills may prefer to present their case verbally rather than in writing	Anecdotal evidence	The review process will be designed and implemented to ensure that parent/carers with low level education and skills are not dissuaded or disadvantaged from presenting their case verbally at the review		1 January 2020	Claire Potier – Service Manager for Admissions & Transport	
What other changes is the council planning/already in place that may affect the same groups of residents? Are there any dependencies decisions makers need to be aware of						
The appeals service already take into account the home address when deciding what order to list school admission appeals i.e. putting those living closer first to make travel easier and requiring them to take less time off work and they will apply the same consideration to Stage 2 reviews for home to school travel assistance.						
Any negative impacts that cannot be mitigated? Please identify impact and explain why						
None currently identified						

3. Amendments to the proposals

CHANGE	REASON FOR CHANGE
None	No changes have been made as a result of this EIA. The Stage 2 review process will be kept under review to ensure that any other negative impacts that might be identified to a person with a protected characteristic are addressed.

5. Recommendation

Based your assessment, please indicate which course of action you are recommending to decision makers. You should explain your recommendation in the in the blank box below.

Outcome Number	Description	Tick
Outcome One	No major change to the policy/service/function required. This EIA has not identified any potential for discrimination or negative impact, and all opportunities to promote equality have been undertaken	X
Outcome Two	Adjust the policy/service/function to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?	
Outcome Three	Continue the policy/service/function despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are: <ul style="list-style-type: none"> Sufficient plans to stop or minimise the negative impact Mitigating actions for any remaining negative impacts plans to monitor the actual impact. 	
Outcome Four	Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination (For guidance on what is unlawful discrimination, refer to the Equality and Human Rights Commission's guidance and Codes of Practice on the Equality Act concerning employment, goods and services and equal pay, available here).	
<i>Please use the box on the right to explain the rationale for your recommendation</i>	No specific changes to the proposal are required as a result of this EIA.	

6a. Version Control

Version Number	Purpose/Change	Author	Date
V1	EIA as part of report to Cabinet Member for All Age Learning	Claire Potier – Service Manager Admissions & Transport	25/11/2019

The above provides historical data about each update made to the Equality Impact Assessment. Please do include the name of the author, date and notes about changes made – so that you are able to refer back to what changes have been made throughout this iterative process. For further information, please see the EIA Guidance document on version control.

6b. Approval

	Name	Date approved
Approved by*	<i>Head of Service</i>	
	<i>Executive Director</i>	
	<i>Cabinet Member</i>	
	<i>Directorate Equality Group</i>	

EIA Author	Claire Potier – Service Manager Admissions & Transport
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**Secure approval from the appropriate level of management based on nature of issue and scale of change being assessed.*

6c. EIA Team

Name	Job Title	Organisation	Team Role

If you would like this information in large print, Braille, on CD or in another language please contact us on:

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