Public Document Pack

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CABINET
Tuesday, 9th June, 2020

S U P P L E M E N T A R Y P A C K

1.	**HOME TO SCHOOL TRANSPORT POLICY**

Updated Impact Assessment attached to replace the version in the main agenda pack.
(Pages 3 - 16)

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Cyngor Sir Powys County Council
Impact Assessment (IA)
The integrated approach to support effective decision making

Please read the accompanying guidance before completing the form.

This **Impact Assessment (IA)** toolkit, incorporates a range of legislative requirements that support effective decision making and ensure compliance with all relevant legislation. **Draft versions of the assessment should be watermarked as "Draft" and retained for completeness. However, only the final version will be made publicly available. Draft versions may be provided to regulators if appropriate. In line with Council policy IAs should be retained for 7 years.**

Service Area	Corporate Transport	**Head of Service**	Adrian Jervis	**Portfolio Holder**	Cllr Aled Davies
Proposal	To carry out consultation on a revised Home to School Transport Policy				
Outline Summary / Description of Proposal					

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In April 2020, the Leader of the Council approved a new Strategy for Transforming Education in Powys, along with a recommendation for officers to bring back a revised Home to School Transport Policy for consultation. The proposed changes and reasons are outlined below:

Proposed change	**Reason for change**
Clarity about the duty to promote Welsh medium provision 'According to the Learner Wales Travel Measure 2008, each local authority must promote access to education and training through the medium of the Welsh language when exercising functions under this Measure. Therefore, for learners who choose to study through the medium of Welsh in Powys, transport will be provided to the nearest Welsh medium provision.'	To comply with the Learner Travel Wales Measure and the recommendations contained in the Estyn Report of 2019.
Removal of the practice of reimbursing 16 – 19 aged learners who travel out of county to study.	The authority is currently spending c.£75k on travel assistance for learners to travel out of county.
Removal of the practice of providing transport following a change of ordinary place of residence for learners in years 10,11,12 and 13.	It is a parental/guardian's choice to change the ordinary place of residence of a learner. The parent/guardian must apply for school transport based on the new place of residence, and the normal eligibility criteria will apply.
Clarified the appeal process to make it clearer. Clarified that it is the Corporate Transport Unit's responsibility to decide on eligibility for transport in the first instance and not the Principal Officer Admissions and Transport. If an appeal goes to a second stage, then the final operational decision will be made by the Head of Highways, Transport and Recycling.	Since 2019, budget responsibility for home to school transport has moved from the Schools Service to the Highways, Transport and Recycling Service to improve the operational management. To ensure that appeals are not at risk of challenge because of political differences. Individual cases are a matter for operational decision making.

Following consultation, a Consultation Report and final Home to School Transport Policy, along with an updated impact assessment, will be considered by Cabinet in September 2020. If approved, the policy would be implemented from September 2021.

1. Version Control (services should consider the impact assessment early in the development process and continually evaluate)

Version	Author	Job Title	Date
1	Sarah Astley	Strategic Programme Manager	5/5/2020
2	John Forsey	Senior Manager Corporate Fleet & Transport	6/5/2020
3	Mariane Evans	Senior Manager Education Services	01/06/20

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2. Profile of savings delivery (if applicable)

2018-19	2019-20	2020-21	2021-22	2022-23	TOTAL
£	£	£0	£75,000	£	£

3. Consultation requirements

Consultation Requirement	Consultation deadline/or justification for no consultation
Public consultation required	If approved by Cabinet, it is proposed that consultation is carried out on the revised policy for a period of 6 weeks during June and July 2020.

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4. Impact on Other Service Areas

Does the proposal have potential to impact on another service area? (Have you considered the implications on Health & Safety and Corporate Parenting?) **PLEASE ENSURE YOU INFORM / ENGAGE ANY AFFECTED SERVICE AREAS AT THE EARLIEST OPPORTUNITY**					
Adult Services	☐	Education	✓	Legal and Democratic Services	☐
Children's Services	☐	Finance	☐	Property, Planning and Public Protection	☐
Commissioning	☐	Highways, Transportation and Recycling	☐	Transformation and Communications	☐
Digital Services	☐	Housing and Community Development	☐	Workforce and OD	☐

Data Protection Impact Assessment

Will the proposal involve processing the personal details of individuals? Yes ✓ No ☐
Is Powys County Council the data controller? Yes ✓ No ☐

If you have answered yes to either of the above you will be required to complete, as a minimum, the screening questions on the data protection impact assessment.
For further advice please contact the Data Compliance Team.

4a Geographical Locations

What geographical area(s) will be impacted by the proposal? (Chose all those applicable)							
Powys	✓	Brecon	☐	Llandrindod and Rhayader	☐	Machynlleth	☐
		Builth and Llanwrtyd	☐	Llanfair Caereinion	☐	Newtown	☐
North	☐	Crickhowell	☐	Llanfyllin	☐	Welshpool and Montgomery	☐
Mid	☐	Hay and Talgarth	☐	Llanidloes	☐	Ystradgynlais	☐
South	☐	Knighton and Presteigne	☐				

5. How does your proposal impact on Vision 2025?

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Council's Well-being Objective	How does the proposal impact on this Well-being Objective?	IMPACT Please select from drop down box below	What will be done to better contribute to a more positive impact or to mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
The Economy **We will develop a vibrant economy**	The Council currently spends approximately £9m on transport with Powys based suppliers. It is unlikely that this would change following implementation of the revised policy.	Neutral		Choose an item.
Health and Care **We will lead the way in providing effective, integrated health and care in a rural environment**	N/A	Choose an item.		Choose an item.
Learning and skills **We will strengthen learning and skills**	The revised policy proposes to remove the practice of reimbursing 16-19 aged learners who travel out of county to study which could mean that a small number of pupils are unable to access courses not provided in Powys. However, in most instances, the provision is available within Powys and the Council is planning to enhance the post-16 offer through the use of technology by September 2021 There may be a small impact on number of pupils in some schools due to the change in the Welsh-medium policy -i.e. removing the provision of free transport 'in the language of choice'. However, the actual number of pupils not going to their nearest Welsh-medium school is low (28 pupils currently with two schools affected)	Neutral		Choose an item.

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Council's Well-being Objective	How does the proposal impact on this Well-being Objective?	IMPACT Please select from drop down box below	What will be done to better contribute to a more positive impact or to mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
Residents and Communities **We will support our residents and communities**	The revised policy proposes to remove the practice of reimbursing 16-19 aged learners who travel out of county to study which could mean that a small number of pupils are unable to access courses not provided in Powys. However, in most instances, the provision is available within Powys.	Neutral		Choose an item.

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Source of Outline Evidence to support judgements

6. How does your proposal impact on the Welsh Government's well-being goals?

Well-being Goal	How does proposal contribute to this goal?	IMPACT Please select from drop down box below	What will be done to better contribute to a more positive impact or to mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
A prosperous Wales: An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.	It is not anticipated that implementation of the revised policy would have a significant impact on the level of home to school transport provided, therefore there would be no impact on this well-being goal.	Neutral		Choose an item.
A resilient Wales: A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).	N/A	Choose an item.		Choose an item.

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Well-being Goal	How does proposal contribute to this goal?	IMPACT Please select from drop down box below	What will be done to better contribute to a more positive impact or to mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
A healthier Wales: A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood. **Public Health (Wales) Act, 2017:** Part 6 of the Act requires for public bodies to undertake a health impact assessment to assess the likely effect of a proposed action or decision on the physical or mental health of the people of Wales.	The law provides that the Council provides free school transport for primary aged children who live more than 2 miles from their nearest suitable school and 3 miles for secondary aged learners. Where we do not provide transport for learners who do not qualify under the distance criteria, learners and families should be encouraged to make use of alternative active travel arrangements such as walking & cycling	Neutral		Choose an item.
A Wales of cohesive communities: Attractive, viable, safe and well-connected Communities.	The policy confirms that transport will be provided to eligible learners to their nearest catchment school – this will ensure that eligible learners will be able to attend their local primary school, strengthening linksa with the local community	Choose an item.		Choose an item.
A globally responsible Wales: A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being. **Human Rights - is about being proactive (see guidance)** **UN Convention on the Rights of the Child:** The Convention gives rights to everyone under the age of 18, which include the right to be treated fairly and to be protected from discrimination; that organisations act for the best interest of the child; the right to life, survival and development; and the right to be heard.	N/A	Choose an item.		Choose an item.
A Wales of vibrant culture and thriving Welsh language: A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation. *Incorporating requirements under the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards*				

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Well-being Goal	How does proposal contribute to this goal?	IMPACT Please select from drop down box below	What will be done to better contribute to a more positive impact or to mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
Opportunities for persons to use the Welsh language, and treating the Welsh language no less favourable than the English language	The revised policy promotes access to Welsh-medium education, as required by the Learner Travel (Wales) Measure 2008.	Good		Choose an item.
Opportunities to promote the Welsh language	The revised policy promotes access to Welsh-medium education, as required by the Learner Travel (Wales) Measure 2008.	Good		Choose an item.
People are encouraged to do sport, art and recreation.	N/A	Choose an item.		Choose an item.
A more equal Wales: A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances). *Incorporating requirements under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 and the Social Economic duty (2020).*				
Age	The revised policy would be applicable to all pupils	Neutral		Choose an item.
Disability	The revised policy would be applicable to all pupils. As outlined in the policy, transport will be provided to learners with SEN/ALN in accordance with their statutory plan.	Neutral		Choose an item.
Gender reassignment	The revised policy would be applicable to all pupils	Neutral		Choose an item.
Marriage or civil partnership	The revised policy would be applicable to all pupils	Neutral		Choose an item.
Race	The revised policy would be applicable to all pupils	Neutral		Choose an item.
Religion or belief	The revised policy would be applicable to all pupils	Neutral		Choose an item.
Sex	The revised policy would be applicable to all pupils	Neutral		Choose an item.
Sexual Orientation	The revised policy would be applicable to all pupils	Neutral		Choose an item.
Pregnancy and Maternity	The revised policy would be applicable to all pupils	Neutral		Choose an item.
Socio-economic duty	The revised policy would be applicable to all pupils	Neutral		Choose an item.

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Source of Outline Evidence to support judgements

7. How does your proposal impact on the council's other key guiding principles?

Principle	How does the proposal impact on this principle?	IMPACT Please select from drop down box below	What will be done to better contribute to a more positive impact or to mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
Sustainable Development Principle (5 ways of working)				
Long Term: *Looking to the long term so that we do not compromise the ability of future generations to meet their own needs.*	The Council may need to further review the Home to School Transport Policy in the future in order to align with plans which are taken forward as part of the Council's Strategy for Transforming Education in Powys	Neutral		Choose an item.
Collaboration: *Working with others in a collaborative way to find shared sustainable solutions.*	If approved by Cabinet, consultation will be carried out on the revised policy.	Good		Choose an item.
Involvement (including Communication and Engagement): *Involving a diversity of the population in the decisions that affect them including:* ***Unpaid Carers:*** *Ensuring that unpaid carers views are sought and taken into account*	If approved by Cabinet, consultation will be carried out on the revised policy, which will provide an opportunity for anyone affected by the policy to let the Council know their views, including unpaid carers.	Good		Choose an item.

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Principle	How does the proposal impact on this principle?	IMPACT Please select from drop down box below	What will be done to better contribute to a more positive impact or to mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
Prevention: *Understanding the root causes of issues to prevent them from occurring including:* ***Safeguarding:*** *Preventing and responding to abuse and neglect of children, young people and adults with health and social care needs who can't protect themselves.*	As outlined in the revised policy, 'Required safeguarding checks (enhanced DBS clearance) will be undertaken by operators on all bus drivers, taxi drivers and passenger assistants every 3 years. All drivers are required to undertake safeguarding training with the authority. They also complete online training through the NSPCC. During the tendering process, all contractors must evidence that they adhere to a safeguarding policy.'	Good		Choose an item.
Integration: *Taking an integrated approach so that public bodies look at all the well-being goals in deciding on their well-being objectives.*	N/A	Choose an item.		Choose an item.
Powys County Council Workforce: What Impact will this change have on the Workforce?	N/A	Choose an item.		Choose an item.
Payroll: How will this impact salary, any overtime/enhanced payments etc? Does this affect any particular group of employees? E.g. Male/Female dominated workforce. Does this proposal comply with the Councils Single Status Terms and Conditions?	N/A	Choose an item.		Choose an item.
Welsh Language impact on staff	N/A	Choose an item.		Choose an item.
Apprenticeships: Has consideration been given to whether this change impacts negatively, or positively on Apprenticeships within the service?	N/A	Choose an item.		Choose an item.

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Principle	How does the proposal impact on this principle?	IMPACT Please select from drop down box below	What will be done to better contribute to a more positive impact or to mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
Source of Outline Evidence to support judgements				

8. What is the impact of this proposal on our communities?

Communities	How does the proposal impact on residents and community?	IMPACT See impact definitions in guidance document	What will be done to better contribute to a more positive impact or to mitigate any negative impacts?	IMPACT AFTER MITIGATION See impact definitions in guidance document	Source of Outline Evidence to support judgement
Consider the level of impact on the community following implementation of the Proposal	The revised policy provides transport to eligible learners to their nearest catchment school – this will enable learners to attend their local primary school, strengthening links with the community	Insignificant		Choose an item.	

9. What are the risks to service delivery or the council following implementation of this proposal?

Description of risks			
Risk Identified	**Inherent Risk Rating** Impact X Likelihood (See Risk Matrix in guidance document)	**Mitigation**	**Residual Risk Rating** Impact X Likelihood (See Risk Matrix in guidance document)

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Difficulties sharing information with stakeholders due to Covid-19 restrictions	**9**	• Information to be shared via e-mail with stakeholders • Information about the consultation to be widely publicised using the Council's social media channels throughout the consultation period • Press release to be issued at the start of the consultation period • Follow-up press release(s) to be issued during the consultation period to raise awareness	**3**
Legal challenge to consultation process	6	• Legal advice to be sought • Advice to be sought from Communications Team	3
Officer capacity to prepare Consultation Report in time to be considered by Cabinet in September 2020	6	• Officers to prepare Consultation Report to be identified prior to the start of the consultation period • Level of responses to be monitored throughout consultation period, additional officer capacity to be identified if needed	2

10. Overall Summary and Judgement of this Impact Assessment?

Outline Assessment (to be inserted in cabinet report)	**Cabinet Report Reference:**
It is anticipated that implementation of the revised home to school transport policy would have an impact on some Powys residents in the short term, due to the proposal to cease reimbursing learners aged 16 – 19 who travel out of county for post-16 provision and the proposal to change the provision of transport to the nearest school in the 'language of choice'. Transition arrangements will put in place to minimise this impact. If approved by Cabinet, consultation will be carried out on the draft policy, which will provide the opportunity for anyone affected by the proposed changes to let the Council know their views. This impact assessment will be updated following consultation.	

11. Is there additional evidence to support the Impact Assessment (IA)?

What additional evidence and data has informed the development of your proposal?
N/A

12. On-going monitoring arrangements?

What arrangements will be put in place to monitor the impact over time?

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If the policy is approved, the impact will be monitored annually, and if the policy needs changing due to changes in other policies of the law, then the policy will need to be revised to take account of these changes.
Please state when this Impact Assessment will be reviewed.
Following the consultation period.

13. Sign Off

Position	Name	Signature	Date
Impact Assessment Lead:	John Forsey	John Forsey	01/06/2
Head of Service:	Adrian Jervis	Adrian Jervis	
Portfolio Holder:	Cllr Aled Davies	Cllr Aled Davies	

14. Governance

Decision to be made by	Cabinet	**Date required**	02/06/20

FORM ENDS

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