

Impact Assessment

Home to School Transport Policy



Powys

DRAFT

15/05/2024

Reference: 7474-9292-0548-3502

Impact Assessments (IA) are a process of assessing how our proposals and decisions might impact upon different types of people and communities and developing proposals in line with relevant legislation.

This is a legal requirement, and ensures the Council considers key legislation, including Equalities, Welsh language, Future Generations, Socio-economic Duty and Risk when developing proposals.

It will also help the Council make the best possible decisions for the people of Powys.

1. Proposal Information

Author name	Sarah Leyland-Morgan, Passenger Transport Manager
Head of service	,
Portfolio holder	, portfolio holder for
Proposal title	Home to School Transport Policy
Description of proposal	<p>To update and amend the current Home to School Transport Policy ensuring it provides clarity for those reading it, where previously the information allowed for mis-interpretation and challenge. In addition, we wish the policy to be better aligned with the school admissions policy and the introduction of catchment maps for the 2025 student intake.</p> <p>There are no significant changes to the application of the policy. We have added a section related to the use of bus passes which has not previously been included. Bus passes have always been issued and used, however, they have not previously been included in the policy explaining why they are important for students to carry.</p>

2. Savings and Consultation requirements

Profile of savings delivery

Consultation requirements

Consultation required?	Yes
Union consultation deadline	01/07/2024 This section would not allow me to only add a date into public consultation, the date will probably need amending.
Staff consultation deadline	01/07/2024
Public consultation deadline	01/07/2024

Consultation method

We will be working with colleagues in our communications department who will assist in ensuring we provide members of the public with access to the amended policy via our own social media and website. We will in addition be utilising all the schools own methods of sharing information and communications with parents and students. As we are not making changes to the policy which alter its application we believe this will be an exercise in engagement rather than full consultation.

3. Impact on other service areas, geographical areas and data protection

3a. Impact on other service areas

- Highways Transport & Recycling
- Education
- Highways Transport & Recycling
- Childrens Services
- Schools (Primary Secondary and Special)

3b. Impact on geographical locations

The entire county

3c. Data protection impact assessment

Will the proposal involve processing the personal details of individuals?

No

Is Powys County Council the data controller?

Yes

Further information

Amendments to the Home to School Transport policy do not affect how we currently manage data, the amendments do not require the processing of personal details, however, in providing and allocating transport for students we do have access to personal data.

5. Impact on well-being goals including Welsh language and equalities

5a. A prosperous Wales

Impact	None
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5b. A resilient Wales

Impact	None
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5c. A healthier Wales

Impact	None
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5d. A Wales of cohesive communities

Impact	None
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5e. A globally responsible Wales

Impact	None
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5f. A Wales of vibrant culture and thriving Welsh language

Using Welsh

Impact	The Home to School Transport policy is clear that for families wishing to access Welsh medium education for their children we will make an exception to the distance criteria in order for this to be made possible. The policy does not distinguish between Welsh stream and full Welsh medium provision as we have a small number of Welsh medium schools compared to Welsh streams. We believe it is important to retain where possible access to the Welsh language within these communities and as such if we by-pass a Welsh stream giving priority to full Welsh medium provision we are in danger of diminishing the use of Welsh in some of these communities.
Impact rating	Good
	Providing access to Welsh language education for those living in Powys by providing free transport, does we believe provide a positive outcome for those families and their wider communities. We do not have any control

Mitigation	over the number of Welsh medium schools or Welsh Streams provided across the County, but can continue to support families to access those which are available.
Mitigated impact rating	Good

Promoting Welsh

Impact	The Home to School Transport policy contributes to this goal by making an exception to the distance criteria for those families wishing to access the Welsh language for their children's education. We do not make the same offer for those families wanting to by-pass Welsh language provision in favour of English, except where it might be detrimental to the child's education & Wellbeing. This would, however, be decided through our discretionary arrangements or through the appeals process. We do recognise our obligations under the School Standards and Framework Act 1998 to comply with parental preference regarding choice of school. However, where parents/guardians exercise a preference for a school other than their catchment school, the child will not be entitled to free home to school transport.
Impact rating	Good
Mitigation	We believe there is a risk in terms of equality by making an exception to the transport entitlement for those families accessing Welsh medium provision and not those wishing to access English medium. Where there is no exception to the distance criteria and their catchment school is Welsh medium, families may feel aggrieved that priority is placed on access to the Welsh language. We believe this is mitigated by there being less availability of Welsh language education across parts of Powys and our duty to promote the use of and access to the Welsh language.
Mitigated impact rating	Neutral

Sports, Art & Recreation

Impact	None
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5g. A more equal Wales

Age

Impact	None
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Disability

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Impact	None
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Gender Reassignment

Impact	None
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Marriage or Civil Partnership

Impact	None
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Race

Impact	None
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Religion or Belief

Impact	None
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Sex

Impact	None
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Sexual Orientation

Impact	None
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Pregnancy and Maternity

Impact	None
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Socio-economic Duty

Impact	None
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5h. Evidence

Alterations to the Home to School policy are for clarification in order to avoid mis-interpretation in areas where there was some ambiguity. How the policy will be applied has not altered. The policy is written in line with the Learner Travel (Wales) Measure 2008 and Learner Travel Statutory Provision and Operational Guidance June 2014. From 2025 the policy will in addition align with the introduction of catchment maps produced and consulted upon by School Service.

We believe there is an impact in relation to the Welsh language as access to education through the medium of Welsh is looked at more favourably than that of English provision when awarding free school transport, to this end we do expect to receive some level of criticism from those families where their catchment school is Welsh medium and they do not wish their child to be educated through the Welsh language. This is the only area in the policy which could be considered discriminatory. The Learner Travel (Wales) Measure under section 10 specifically states:

"Each local authority and the Welsh Ministers must promote access to education and training through the medium of the Welsh language when exercising functions under this Measure "

6. Impact on key guiding principles & workforce

6a. Sustainable development principles

Long-term

Impact	None
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Collaboration

Impact	None
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Involvement (including Communication and Engagement)

Impact	None
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Prevention

Impact	None
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Integration

Impact	None
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6b. Impact on the workforce

Impact	None
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6c. Impact on payroll

Impact	None
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6d. Welsh language impact on staff

Impact	None
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6e. Impact on apprenticeships

Impact	None
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6f. Evidence

We do not feel there is anything in this section where changes to the Home to School Transport policy impact on any of the key guiding principles and workforce - we will be engaging with the relevant stakeholders to ensure their comments on the amendments made to the policy are taken into consideration and where appropriate used to add additional clarity.

7. Likelihood and risks

Risk 1

Description	Lack of equality regarding English language preference and access to free transport.				
Likelihood score	4	Impact score	3	Risk rating	12.0
Mitigation	The risk can be mitigated through the discretionary arrangements and appeals process available to those affected.				
Residual likelihood score	3	Residual impact score	2	Residual risk rating	6.0

8. Overall summary and judgement

Outline assessment

The Home to School Transport policy has been updated and amended in order to provide clarity to sections where there was some ambiguity leading to mis- interpretation in its application. We have removed the wording nearest suitable or catchment school to just read catchment school which will align with the catchment maps being introduced for the 2025 intake of students by School Service.

In terms of well-being goals and specifically the Welsh language, the policy continues to allow access to free school transport where the catchment school is not offering Welsh medium provision and this is the preferred language in which the family wishes their child to be educated. Priority is

given to Welsh language education, however, it is not reciprocated where the catchment school is Welsh Medium and the language preference of the family is English.

The policy must take into consideration its duties under the Learner Travel Wales Measure 2008 and the Learner Travel Statutory Provision and Operational Guidance 2014. Specifically related to the Welsh Language under Section 10 of the measure which reads:

"Each local authority and the Welsh Ministers must promote access to education and training through the medium of the Welsh language when exercising functions under this Measure."

It is important to note that we continue to recognise our obligations under the School Standards and Framework Act 1998 to comply with parental preference regarding choice of school. However, where parents/guardians exercise a preference for a school other than their catchment school, the child will not be entitled to free home to school transport.

Alterations to the policy for the purpose of clarity do not in anyway alter how it is applied and, therefore, the impact should be minimal.

Cabinet reference

9. Additional evidence

The Learner Travel Wales Measure 2008

The Learner Travel Statutory Provision and Operational Guidance 2014

Powys County Council School Catchment Maps - Developed by School Service ready for implementation in September 2025

10. Ongoing monitoring arrangements and governance

Monitoring arrangements

Powys County Council has a legal duty to provide learners of compulsory school age with free transport to their nearest suitable maintained school if they live over the statutory walking distance. Transport will be provided in accordance with the Learner Travel (Wales) Measure 2008 and the statutory guidance issued by Welsh Ministers entitled 'Learner Travel - Statutory Provision and Operational Guidance - June 2014' and our School Transport Policy. The policy will be subject to periodic review.

Review date

16/05/2025

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