

Equality Impact Analysis to enable informed decisions

The purpose of this document is to:-

- I. help decision makers fulfil their duties under the Equality Act 2010 and
- II. for you to evidence the positive and adverse impacts of the proposed change on people with protected characteristics and ways to mitigate or eliminate any adverse impacts.

Using this form

This form must be updated and reviewed as your evidence on a proposal for a project/service change/policy/commissioning of a service or decommissioning of a service evolves taking into account any consultation feedback, significant changes to the proposals and data to support impacts of proposed changes. The key findings of the most up to date version of the Equality Impact Analysis must be explained in the report to the decision maker and the Equality Impact Analysis must be attached to the decision making report.

****Please make sure you read the information below so that you understand what is required under the Equality Act 2010****

Equality Act 2010

The Equality Act 2010 applies to both our workforce and our customers. Under the Equality Act 2010, decision makers are under a personal duty, to have due (that is proportionate) regard to the need to protect and promote the interests of persons with protected characteristics.

Protected characteristics

The protected characteristics under the Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Section 149 of the Equality Act 2010

Section 149 requires a public authority to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by/or under the Act
- Advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share those characteristics
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The purpose of Section 149 is to get decision makers to consider the impact their decisions may or will have on those with protected characteristics and by evidencing the impacts on people with protected characteristics decision makers should be able to demonstrate 'due regard'.

Decision makers duty under the Act

Having had careful regard to the Equality Impact Analysis, and also the consultation responses, decision makers are under a personal duty to have due regard to the need to protect and promote the interests of persons with protected characteristics (see above) and to:-

- (i) consider and analyse how the decision is likely to affect those with protected characteristics, in practical terms,
- (ii) remove any unlawful discrimination, harassment, victimisation and other prohibited conduct,
- (iii) consider whether practical steps should be taken to mitigate or avoid any adverse consequences that the decision is likely to have, for persons with protected characteristics and, indeed, to consider whether the decision should not be taken at all, in the interests of persons with protected characteristics,
- (iv) consider whether steps should be taken to advance equality, foster good relations and generally promote the interests of persons with protected characteristics, either by varying the recommended decision or by taking some other decision.

Conducting an Impact Analysis

The Equality Impact Analysis is a process to identify the impact or likely impact a project, proposed service change, commissioning, decommissioning or policy will have on people with protected characteristics listed above. It should be considered at the beginning of the decision making process.

The Lead Officer responsibility

This is the person writing the report for the decision maker. It is the responsibility of the Lead Officer to make sure that the Equality Impact Analysis is robust and proportionate to the decision being taken.

Summary of findings

You must provide a clear and concise summary of the key findings of this Equality Impact Analysis in the decision making report and attach this Equality Impact Analysis to the report.

Impact – definition

An impact is an intentional or unintentional lasting consequence or significant change to people's lives brought about by an action or series of actions.

How much detail to include?

The Equality Impact Analysis should be proportionate to the impact of proposed change. In deciding this asking simple questions “Who might be affected by this decision?” “Which protected characteristics might be affected?” and “How might they be affected?” will help you consider the extent to which you already have evidence, information and data, and where there are gaps that you will need to explore. Ensure the source and date of any existing data is referenced.

You must consider both obvious and any less obvious impacts. Engaging with people with the protected characteristics will help you to identify less obvious impacts as these groups share their perspectives with you.

A given proposal may have a positive impact on one or more protected characteristics and have an adverse impact on others. You must capture these differences in this form to help decision makers to arrive at a view as to where the balance of advantage or disadvantage lies. If an adverse impact is unavoidable then it must be clearly justified and recorded as such, with an explanation as to why no steps can be taken to avoid the impact. Consequences must be included.

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Proposals for more than one option If more than one option is being proposed you must ensure that the Equality Impact Analysis covers all options. Depending on the circumstances, it may be more appropriate to complete an Equality Impact Analysis for each option.

The information you provide in this form must be sufficient to allow the decision maker to fulfil their role as above. You must include the latest version of the Equality Impact Analysis with the report to the decision maker. Please be aware that the information in this form must be able to stand up to legal challenge.

Background Information

Title of the policy / project / service being considered	Home to School Transport Policy in relation to Discretionary Grammar School Transport - Option (1) to leave the policy unchanged and review in 2 yrs	Person / people completing analysis	David Robinson, Commissioning Manager, Children's Transport Services
Service Area	Children's Commissioning Transport Services	Lead Officer	David Robinson, Commissioning Manager, Children's Transport Services
Who is the decision maker?	Councillor Mrs P. Bradwelll	How was the Equality Impact Analysis undertaken?	Consideration of the results of the Task and Finish Group's investigations including; review of current policy; examination of policies at other councils; written views received from parents; engagement day with Head Teachers and Chairs of Governors, parents, campaign groups and the Youth Cabinet; meeting with the Youth Cabinet; review of the views of two campaign groups.
Date of meeting when decision will be made	03/06/2016	Version control	1.0
Is this proposed change to an existing policy/service/project or is it new?	Existing policy/service/project	LCC directly delivered, commissioned, re-commissioned or de-commissioned?	Commissioned
Describe the proposed change	<p>This EIA considers Option 1 in the Task and Finish Group report, namely to leave the Grammar School Transport Policy as it is, but review in two years.</p> <p>The Grammar School Transport Policy is a discretionary policy to provide free transport to grammar schools for pupils living within Designated Grammar School Transport Areas. The Policy is described within the Task and Finish Group Report.</p> <p>The Policy is considered rational as a response to the partially selective and partially non-selective status of schools in Lincolnshire. In particular the Grammar School Transport Areas reflect the fact that as selective schools the Grammar Schools will draw their pupils from a wider area than a non-selective school but balances this against protecting the non-selective schools in the areas of Lincolnshire not covered by the Grammar School DTAs.</p>		

The Policy relates only to transport and does not affect the right to attend a grammar school or any particular grammar school.

Evidencing the impacts

In this section you will explain the difference that proposed changes are likely to make on people with protected characteristics. To help you do this first consider the impacts the proposed changes may have on people without protected characteristics before then considering the impacts the proposed changes may have on people with protected characteristics.

You must evidence here who will benefit and how they will benefit. If there are no benefits that you can identify please state 'No perceived benefit' under the relevant protected characteristic. You can add sub categories under the protected characteristics to make clear the impacts. For example under Age you may have considered the impact on 0-5 year olds or people aged 65 and over, under Race you may have considered Eastern European migrants, under Sex you may have considered specific impacts on men.

Data to support impacts of proposed changes

When considering the equality impact of a decision it is important to know who the people are that will be affected by any change.

Population data and the Joint Strategic Needs Assessment

The Lincolnshire Research Observatory (LRO) holds a range of population data by the protected characteristics. This can help put a decision into context. Visit the LRO website and its population theme page by following this link: <http://www.research-lincs.org.uk> If you cannot find what you are looking for, or need more information, please contact the LRO team. You will also find information about the Joint Strategic Needs Assessment on the LRO website.

Workforce profiles

You can obtain information by many of the protected characteristics for the Council's workforce and comparisons with the labour market on the [Council's website](#). As of 1st April 2015, managers can obtain workforce profile data by the protected characteristics for their specific areas using Agresso.

Positive impacts

The proposed change may have the following positive impacts on persons with protected characteristics – If no positive impact, please state '*no positive impact*'.

Age	<p>The pupils attending grammar school are of secondary school age and post 16 (11 – 18 years of age). The Council's Grammar School Transport Policy only affects children up to the end of year 11 (11 – 16 years of age) as post-16 transport is covered by a separate policy and is supplied to qualifying students provided a student/parental contribution is made towards the cost. The Grammar School Transport Policy also affects the pupils' parents and carers who are responsible for ensuring their children attend school.</p> <p>If option 1 is adopted – The entitlement of qualifying children and their parents/carers within a grammar school DTA to free transport to a grammar school will continue.</p>
Disability	<p>If option 1 is adopted as above the entitlement will continue for qualifying children and their parents/carers with this protected characteristic</p>
Gender reassignment	<p>If option 1 is adopted - as above the entitlement will continue for qualifying children and their parents/carers with this protected characteristic</p>
Marriage and civil partnership	<p>If option 1 is adopted - as above the entitlement will continue for qualifying children and their parents/carers with this protected characteristic</p>
Pregnancy and maternity	<p>If option 1 is adopted - as above the entitlement will continue for qualifying children and their parents/carers with this protected characteristic</p>
Race	<p>If option 1 is adopted - as above the entitlement will continue for qualifying children and their parents/carers with this protected characteristic</p>

Religion or belief	If option 1 is adopted - as above the entitlement will continue for qualifying children and their parents/carers with this protected characteristic
Sex	If option 1 is adopted - as above the entitlement will continue for qualifying children and their parents/carers with this protected characteristic
Sexual orientation	If option 1 is adopted - as above the entitlement will continue for qualifying children and their parents/carers with this protected characteristic

If you have identified positive impacts for other groups not specifically covered by the protected characteristics in the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

For all groups (not merely those in groups that have a protected characteristic), there are some positive impacts of the proposals. The continuation of the free transport service to grammar schools within the DTAs would support the whole secondary school sector in Lincolnshire by providing certainty, stability and potentially, increased choice to lower income parents within the DTAs.

Maintaining the numbers of pupils using school transport will indirectly support bus and taxi providers by maintaining a major customer base and providing income. This will in turn support the local (particularly rural) population by maintaining local bus services and taxi firms. Maintained transport support will have a positive impact on the local economy and will help support people living in rural areas. They will be less likely to move to larger centres of population to be nearer a grammar school on economic grounds.

Adverse/negative impacts

You must evidence how people with protected characteristics will be adversely impacted and any proposed mitigation to reduce or eliminate adverse impacts. An adverse impact causes disadvantage or exclusion. If such an impact is identified please state how, as far as possible, it is justified; eliminated; minimised or counter balanced by other measures.

If there are no adverse impacts that you can identify please state 'No perceived adverse impact' under the relevant protected characteristic.

Negative impacts of the proposed change and practical steps to mitigate or avoid any adverse consequences on people with protected characteristics are detailed below. If you have not identified any mitigating action to reduce an adverse impact please state 'No mitigating action identified'.

Age	<p>Younger people (age 11 -16) are more likely than the general population to be users of public transport as they are not yet old enough to obtain a driving licence. Their parents/carers are more likely to have lower disposable income due to having teenager/s to support. If the parents/carers are more likely to have lower disposable income, they are less likely to have access to private transport or to afford the full cost of transport. Grammar schools are more likely to be a longer distance from the home than the primary or secondary school as there are fewer of them and they tend to be sited in or near major centres of population. Therefore, this group of pupils/parents may be more reliant on LCC home to school transport.</p> <p>The lack of free transport outside the grammar school DTAs may disproportionately affect this group in relation specifically to attending a selective school. However free transport is provided to the nearest suitable school which in the areas outside the grammar school DTAs are non-selective schools but which provide education suitable to pupils of grammar school age among a substantial cohort of pupils of grammar school aptitude</p> <p>Mitigating action.</p> <p>If not attending a selective school is considered an adverse impact mitigation is provided by the Council providing free access to the nearest suitable school which in the areas outside the grammar school DTAs are non-selective schools but which provide education suitable to pupils of grammar school aptitude among a substantial cohort of other pupils of grammar school aptitude.</p>
Disability	<p>Students and parents/carers who have recognised learning difficulties and/or physical disability are more likely to have lower disposable income as they may be less likely to be in secure well paid employment. If the parents/carers are more likely to have lower disposable income, they may be less likely to have access to private transport. Grammar schools are more likely to be a longer distance from the home than the primary or secondary school as there are fewer of them and they tend to be sited in or near major centres of population. Therefore, this group of pupils/parents may be more reliant</p>

	<p>on LCC home to school transport.</p> <p>The lack of free transport outside the grammar school DTAs may disproportionately affect this group in relation specifically to attending a selective school. However free transport is provided to the nearest suitable school which in the areas outside the grammar school DTAs are non-selective schools but which provide education suitable to pupils of grammar school age among a substantial cohort of pupils of grammar school aptitude</p> <p>Mitigating action.</p> <p>If not attending a selective school is considered an adverse impact mitigation is provided by the Council providing free access to the nearest suitable school which in the areas outside the grammar school DTAs are non-selective schools but which provide education suitable to pupils of grammar school aptitude among a substantial cohort of other pupils of grammar school aptitude.</p>
Gender reassignment	<p>The Council does not consider there to be any specific detrimental impact on people with this protected characteristic. Insofar as there are, the same considerations as for Age and Disability apply</p>
Marriage and civil partnership	<p>The Council does not consider there to be any specific detrimental impact on people with this protected characteristic. Insofar as there are, the same considerations as for Age and Disability apply</p>
Pregnancy and maternity	<p>The Council does not consider there to be any specific detrimental impact on people with this protected characteristic. Insofar as there are, the same considerations as for Age and Disability apply</p>
Race	<p>Parents/carers whose first language isn't English are more likely to have lower disposable income as they may be less likely to be in secure well paid employment. . If the parents/carers are more likely to have lower disposable income, they may be less likely to have access to private transport. Grammar schools are more likely to be a longer distance from the home than the primary or secondary school as there are fewer of them and they tend to be sited in or near major centres of population. Therefore, this group of pupils/parents may be more reliant on LCC home to school transport.</p> <p>The lack of free transport outside the grammar school DTAs may disproportionately affect this group in relation specifically to attending a selective school. However free transport is provided to the nearest suitable school which in the areas outside the grammar school DTAs are non-selective schools but which provide education suitable to pupils of grammar school age among a substantial cohort of pupils of grammar school aptitude</p>

	<p>Mitigating action.</p> <p>If not attending a selective school is considered an adverse impact mitigation is provided by the Council providing free access to the nearest suitable school which in the areas outside the grammar school DTAs are non-selective schools but which provide education suitable to pupils of grammar school aptitude among a substantial cohort of other pupils of grammar school aptitude.</p>
Religion or belief	<p>The Council does not consider there to be any specific detrimental impact on people with this protected characteristic. Insofar as there are, the same considerations as for Age and Disability apply</p>
Sex	<p>Parents/carers who are women are more likely to be single parents or have lower disposable income as they may be less likely to be in secure full time well paid employment. .If the parents/carers are more likely to have lower disposable income, they may be less likely to have access to private transport. Grammar schools are more likely to be a longer distance from the home than the primary or secondary school as there are fewer of them and they tend to be sited in or near major centres of population. Therefore, this group of pupils/parents may be more reliant on LCC home to school transport.</p> <p>The lack of free transport outside the grammar school DTAs may disproportionately affect this group in relation specifically to attending a selective school. However free transport is provided to the nearest suitable school which in the areas outside the grammar school DTAs are non-selective schools but which provide education suitable to pupils of grammar school age among a substantial cohort of pupils of grammar school aptitude</p> <p>Mitigating action.</p> <p>If not attending a selective school is considered an adverse impact mitigation is provided by the Council providing free access to the nearest suitable school which in the areas outside the grammar school DTAs are non-selective schools but which provide education suitable to pupils of grammar school aptitude among a substantial cohort of other pupils of grammar school aptitude.</p>
Sexual orientation	<p>The Council does not consider there to be any specific detrimental impact on people with this protected characteristic. Insofar as there are, the same considerations as for Age and Disability apply</p>

If you have identified negative impacts for other groups not specifically covered by the protected characteristics under the Equality Act 2010 you

can include them here if it will help the decision maker to make an informed decision.

No other negative impacts identified

Stakeholders

Stake holders are people or groups who may be directly affected (primary stakeholders) and indirectly affected (secondary stakeholders)

You must evidence here who you involved in gathering your evidence about benefits, adverse impacts and practical steps to mitigate or avoid any adverse consequences. You must be confident that any engagement was meaningful. The Community engagement team can help you to do this and you can contact them at consultation@lincolnshire.gov.uk

State clearly what (if any) consultation or engagement activity took place by stating who you involved when compiling this EIA under the protected characteristics. Include organisations you invited and organisations who attended, the date(s) they were involved and method of involvement i.e. Equality Impact Analysis workshop/email/telephone conversation/meeting/consultation. State clearly the objectives of the EIA consultation and findings from the EIA consultation under each of the protected characteristics. If you have not covered any of the protected characteristics please state the reasons why they were not consulted/engaged.

Objective(s) of the EIA consultation/engagement activity

- To identify the groups of people we want to engage in the review of the Policy and to receive and consider their views.
- To identify barriers that may prevent people from engaging with the review
- To identify mitigating actions to maximise the scope of the review
- To evaluate the review findings.
- To implement agreed changes.

Who was involved in the EIA consultation/engagement activity? Detail any findings identified by the protected characteristic

Age	School transport staff utilising the work of the Task and Finish Group who reviewed current policy; examined policies at other councils; reviewed written views received from parents; held an engagement day with Headteachers and Chairs of Governors, parents, campaign groups and the Youth Cabinet; met with the Youth Cabinet; reviewed the views of two campaign groups.
Disability	School transport staff utilising the work of the Task and Finish Group who reviewed current policy; examined policies at other councils; reviewed written views received from parents; held an engagement day with Headteachers and Chairs of Governors, parents, campaign groups and the Youth Cabinet; met with the Youth Cabinet; reviewed the views of two campaign groups.
Gender reassignment	School transport staff utilising the work of the Task and Finish Group who reviewed current policy; examined policies at other councils; reviewed written views received from parents; held an engagement day with Headteachers and Chairs of Governors, parents, campaign groups and the Youth Cabinet; met with the Youth Cabinet; reviewed the views of two campaign groups.
Marriage and civil partnership	School transport staff utilising the work of the Task and Finish Group who reviewed current policy; examined policies at other councils; reviewed written views received from parents; held an engagement day with Headteachers and Chairs of Governors, parents, campaign groups and the Youth Cabinet; met with the Youth Cabinet; reviewed the views of two campaign groups.
Pregnancy and maternity	School transport staff utilising the work of the Task and Finish Group who reviewed current policy; examined policies at other councils; reviewed written views received from parents; held an engagement day with Headteachers and Chairs of Governors, parents, campaign groups and the Youth Cabinet; met with the Youth Cabinet; reviewed the views of two campaign groups.
Race	School transport staff utilising the work of the Task and Finish Group who reviewed current policy; examined policies at other councils; reviewed written views received from parents; held an engagement day with Headteachers and Chairs of Governors, parents, campaign groups and the Youth Cabinet; met with the Youth Cabinet; reviewed the views of two campaign groups.
Religion or belief	School transport staff utilising the work of the Task and Finish Group who reviewed current policy; examined policies at other councils; reviewed written views received from parents; held an engagement day with Headteachers and Chairs of Governors, parents, campaign groups and the Youth Cabinet; met with the Youth Cabinet; reviewed the views of two campaign groups.

Sex	School transport staff utilising the work of the Task and Finish Group who reviewed current policy; examined policies at other councils; reviewed written views received from parents; held an engagement day with Headteachers and Chairs of Governors, parents, campaign groups and the Youth Cabinet; met with the Youth Cabinet; reviewed the views of two campaign groups.
Sexual orientation	School transport staff utilising the work of the Task and Finish Group who reviewed current policy; examined policies at other councils; reviewed written views received from parents; held an engagement day with Headteachers and Chairs of Governors, parents, campaign groups and the Youth Cabinet; met with the Youth Cabinet; reviewed the views of two campaign groups.
Are you confident that everyone who should have been involved in producing this version of the Equality Impact Analysis has been involved in a meaningful way? The purpose is to make sure you have got the perspective of all the protected characteristics.	Yes This EIA has been drawn up with the evidence of the contributors to the engagement exercises available in particular notes of the meetings held and records of correspondence received and considered.
Once the changes have been implemented how will you undertake evaluation of the benefits and how effective the actions to reduce adverse impacts have been?	If option 1 is adopted – review the Policy again in two years' time

Further Details

Are you handling personal data?	<p>No</p> <p>If yes, please give details.</p>
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Actions required	Action	Lead officer	Timescale
Include any actions identified in this analysis for on-going monitoring of impacts.	Review this EIA in 2017	David Robinson	April 2017 review
Signed off by		Date	Click here to enter a date.