

Equality Impact Assessments

Equality Impact Assessment	
Proposal A: Removal of Discretionary Faith Element	Date: 4 th January 2019
	Stage: Draft

Stage 1: Do you need to complete an Equality Impact Assessment (EIA)?

Yes, this document will examine the potential impact on groups sharing protected characteristics and ensure any disproportionate impact can be mitigated in some way.

Stage 2: What do you know?

Background already presented as part of this business case. Further to this:

Free School Travel Pass Uptake

The table below provides information on free school travel pass uptake in Stockport since 2011. It is evident from the figures provided that there has been a decrease year on year. The decrease ties in with pupil numbers in the secondary sector whereby they've plateaued; capacity has been added to the school system in preparation for predicated increases which in the short term has eased pressures however further capacity is needed to meet the demand our projections indicate. Pupil numbers are going to rise as these cohorts have been tracked through primary sector. Of the 1226 passes issued so far this year 374 are pupils whose eligibility has been based upon faith or a philosophical belief, equalling 30.5% of total applications in this period.

YEAR	TOTAL PASSES ISSUED
2011/12	1482
2012/13	1497
2013/14	1476
2014/15	1419
2015/16	1368
2016/17	1308
2017/18	1294
2018/ to date	1226

Breakdown of pupils made eligible based on faith or philosophical belief:

School	Total Passes Issued
Harrytown Catholic High School	146
St Annes' catholic High School	7
St James' Catholic High School	205
The King David High School	10
Trinity Church of England High School	6

Pupils made eligible based on faith or philosophical belief who will still be eligible following the redefining of 'Suitable School':

School	Still eligible	No longer eligible
Harrytown Catholic High School	146	0
St Annes' catholic High School	7	0
St James' Catholic High School	184	21
The King David High School	0	10
Trinity Church of England High School	0	6

The protected characteristics under the Equality Act 2010 are as follows:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation.

On the basis of the data outlined above it would seem that pupils who are seeking education at a denominational institution which is not provided within Stockport are being disproportionately affected given that all pupils are impacted by the change. Whilst the numbers remain low, political sensitivities, particularly regarding pupils of the Jewish faith need to be considered by senior management.

Section 509AD of the Education Act 1996 requires the Council to have regard to, amongst other things, a parent's wish for their child to be provided with education or training at a school/institution on grounds of the parent's religion or belief when carrying out their duties/exercising their powers relating to travel. Paragraph 39 of the Guidance referred to above sets out the basis for compliance with these duties/powers, requiring the Council to have due regard to the provisions of the Equalities Act 2010 and the European Convention on Human Rights.

The Public Sector Equality Duty (PSED), section 149 of the Equality Act 2010, requires that the Council, in the exercise of its functions, has 'due regard' to the need to;

- a) eliminate discrimination, victimisation, and harassment;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not,
- c) foster good relations between those who share a relevant protected characteristic and those who do not.

Schedule 3, part 2 of the Equality Act 2010 provides an exemption to discrimination on the grounds of religion or belief in relation to transport to or from school.

Local Authorities remain under a general duty to 'have regard' to the wish of a parent for their child to be provided with education at a particular establishment on the grounds of the parents' religion or belief. However, other than the statutory duty towards pupils who are from low income families, there is no statutory duty to provide free transport to denominational schools for children generally.

Stage 2a: Further data and consultation

A consultation commenced on 5th December 2019 and will remain open until 25th January 2020. The results of the consultation up to 2nd January have been analysed and an interim report will be provided to relevant Scrutiny Committees in January 2020.

Stage 3: Results and Measures

Cabinet members wish to continue to proceed with the Faith Schools proposal. However after hearing the concerns of the parents and in light of other responses to the consultation, have agreed to phase the introduction of this proposal in order to mitigate the impact on parents and families who have already made choices regarding their child's school. Officers will now develop a proposal from a phased introduction which will be published as part of the future admissions processes.

Stage 4: Decision Stage

To be completed following the consultation stage. However, a phased approach will be taken should the proposals be approved for implementation.

Equality Impact Assessment

Proposal B: Variation in Low Income definition

Date: 4th January 2019

Stage: Draft

Stage 1: Do you need to complete an Equality Impact Assessment (EIA)?

Yes, as decisions are being made regarding the future provision of Free School Transport in respect to families who are in receipt of Working Tax Credit and possible changes to the existing eligibility criteria.

This EIA considers the potential change to the criteria within the existing Free School Transport policy to the minimum statutory duty for the above category of applicants.

The document will consider the potential impact of the proposal with regard to protected characteristics and ensure that the needs of individual groups within the customer base are met.

Stage 2: What do you know?

Background already presented as part of this business case. Further to this:

Free School Travel Pass Uptake

The table below provides information on free school travel pass uptake in Stockport since 2011. It is evident from the figures provided that there has been a decrease year on year. The decrease ties in with pupil numbers in the secondary sector whereby they've plateaued; capacity has been added to the system in preparation for predicated increase in pupil numbers and as such competition for places has been eased. Pupil numbers are going to rise as these cohorts have been tracked through primary sector. Of the 1226 passes issued (2018 to date) 94 are for families who are not in receipt of their maximum Working Tax Credit, equalling 7.6% of total applications in this period.

YEAR	TOTAL PASSES ISSUED
2011/12	1482
2012/13	1497
2013/14	1476
2014/15	1419
2015/16	1368
2016/17	1308
2017/18	1294

2018 to
date

1226

Breakdown of working tax credit from this students eligible in 2018 to date

	NUMBER	COST
MAXIMUM WORKING TAX CREDIT	7	£2,646
BELOW MAXIMUM WORKING TAX CREDIT	94	£35,541
TOTAL	101	£38,187

Breakdown of working tax credit by area in 2018 to date

	MAX WTC	WTC Will lose bus passes	Current Total
Adswood		9	9
Brinnington	5	49	54
Cale Green		6	6
Cheadle		3	3
Cheadle Heath		2	2
Edgeley	1	3	4
Hazel Grove		3	3
Heald Green		4	4
Heaton Chapel		1	1
Heaton Norris		1	1
High Lane		2	2
Marple		1	1
North Reddish		2	2
Offerton		3	3
Portwood		3	3
Romiley	1	1	2
South Reddish		1	1

There is a potential negative impact on low income families who fall just below the threshold for maximum Working Tax Credits, who do not receive free school meals

and live over 2 miles from a suitable school, which would have entitled them to free school transport. This is the group that is most likely to be affected by the proposed change to eligibility criteria and would result in families either having to pay £378 per child (as at November 2018) for an annual travel pass or seeking alternative arrangements. For families with multiple siblings there is the potential for significant additional costs.

It is important to note that the majority of travel passes issued under the existing eligibility criteria are for pupils from areas of deprivation (priority 1) within the Borough and particularly in Brinnington. For example in 2018 to date 52% of the total passes issued were to families who lived in Brinnington and of that 52% only 4.9% will be eligible should the proposals be implemented. Furthermore there is no alternative school provision in the Brinnington area for pupils to attend without the need for bus travel.

PROTECTED CHARACTERISTICS

Race: In the context of free school travel in respect to families who are in receipt of Working Tax Credit, consideration of this matter indicates it is unlikely that there will be any differential impact.

Disability: In the context of free school travel in respect to families who are in receipt of Working Tax Credit, consideration of this matter indicates it is unlikely that there will be any differential impact.

Gender: In the context of free school travel in respect to families who are in receipt of Working Tax Credit, consideration of this matter indicates it is unlikely that there will be any differential impact

Religion and Belief: In the context of free school travel in respect to families who are in receipt of Working Tax Credit, consideration of this matter indicates it is unlikely that there will be any differential impact

Sexual Orientation: In the context of free school travel in respect to families who are in receipt of Working Tax Credit, consideration of this matter indicates it is unlikely that there will be any differential impact

Age: In the context of free school travel in respect to families who are in receipt of Working Tax Credit, consideration of this matter indicates it is unlikely that there will be any differential impact

Socio-economic: Low income families are likely to be affected by the proposal.

Stage 2a: Further data and consultation

A consultation commenced on 5th December 2019 and will remain open until 25th January 2020. The results of the consultation up to 2nd January have been analysed and an interim report will be provided to relevant Scrutiny Committees in January 2020.

Stage 3: Results and Measures

Cabinet members have given further consideration to this proposal especially in the light of the uncertainty of the impact of the introduction of Universal Credit. They have also reviewed the responses that have been provided to date in the consultation. Cabinet members have decided that the proposal relating to changing the eligibility criteria for Working Tax Credit should be postponed at this time, but a further review and consideration will take place once the Universal Credit roll out in Stockport has been completed.

Stage 4: Decision Stage

Proposals have been postponed until the rollout of Universal Credit is complete.