

Equality and Human Rights Screening Template

PART 1 - POLICY INFORMATION

1.1. Policy Title

STANDARDISATION OF THE PARENTAL PAYMENT SCHEME

1.2. Description of policy or decision

The paper details the current processes with regard to payments made to parents under the Home to School Transport Scheme and outlines a single standardised approach for taking this forward for the Authority.

How payments are processed is currently inconsistent across the legacy offices of the Authority and there is a requirement to standardise this and develop a single approach. The current processes currently costs in excess of £1.7m and does not represent a fair and equitable system for rural residents and students.

It is proposed that the Education Authority addresses the matter in the current 2018/19 school year and is conducting a consultation with pupils and parents.

During the academic year 2016-17, approximately 85,000 pupils were provided with school transport by the Education Authority, in accordance with Department of Education Circular 1996/41 – School Transport (updated 2009). Whilst most pupils will travel to and from school on a bus; the Authority can also provide families with financial assistance. The purpose of this is to assist families with transport costs.

Whilst schemes operated by the five legacy Education and Library Boards (ELB's) were broadly similar, each of the legacy ELB's developed schemes which resulted in a number of differences including:

- different daily rates used to calculate payments;
- payments calculated on the basis of different total number of school days;
- payments made at different times of the year; and
- payments paid in different circumstances i.e. in lieu of Translink pass.

Historically payments were made on the basis of the cost of public transport to the ELB's and families could receive an amount up to the value of the Translink pass. This position started to change in the mid 2000's as ELB's started to come under

increasing financial pressures.

Consequently in 2004 the former SEELB (Dundonald Office) took the decision to cap payments and despite continued increases in the cost of a Translink pass, payments made to Parents stayed at the 2004 rate £459.60.

In 2011, the former SELB (Armagh Office) reviewed its scheme for parental payments and along with freezing the maximum amount payable, which is £615.60; changed the basis on which it made payments to reflect average pupil attendance at school (which was less than the 190 days a pupil could attend).

Another key difference is that the former NEELB and SELB used their discretion to pay parents travelling expenses as an alternative in those cases where a Translink pass would have been issued to the pupils/students. This was done in the acknowledgement that for some pupils/students the provision of a Translink pass did not always meet their transport requirements for attendance at school/college. However, over time, a practice developed which meant that, regardless of the suitability of the public transport network, families could ‘cash in’ their pass and receive a payment. As Translink passes are purchased on an individual basis this could be done without incurring any additional cost. In NEELB and WELB a payment equated to the value of a Translink pass, whilst in SEELB and SELB the opportunity was taken to achieve efficiency by paying a reduced rate. The BELB (Belfast Office) do not provide any transport assistance for mainstream pupils; only pupils with a special educational need.

The following table summarises the position that pertained in Legacy Boards for payment to mainstream Primary & Post Primary pupils in 2016-2017 academic year:

Table 1: Mainstream Payments 2016-2017

	BELB (Belfast)	NEELB (Ballymena)	SEELB (Dundonald)	SELB (Armagh)	WELB (Omagh)
Equivalent average rate per day	N/A	£3.46	N/A	£2.32	£3.47
No. Days Paid	Actual	190	Actual	180	190
When	Retrospectively Mainstream	In advance October	Retrospectively	January/ February	Retrospectively
Payment in Lieu of Translink Pass	No	Yes @ full rate	Yes, but only on written application from Parent	Yes but reduced rates applied	No
Other		All ATR paid at full rate		Parental responsibility mileage rates deducted from total	
Number	N/A	1601	585	813	102
Total Cost	N/A	£1,053,256	£245,985	£339,593	£67,276
Average Unit Cost	N/A	£658	£420	£418	£660

Currently there is a need to develop a single standardised approach to the Parental Payment Scheme for all service users, regardless of which legacy ELB a person is resident in. The creation of the Authority represents a significant opportunity to rationalise and harmonise the services we provide. If the current system were to continually operate, as well as being financially unsustainable, it potentially leaves the Authority open to challenge on the grounds of a failure to recognise the needs and circumstances of rural residents. There is a clear procedural, business and service need to harmonise this Scheme.

Currently there are different rates of payments in the various legacy ELB areas. The highest payment is £660 per pupil, followed by £658. The lowest paid is £418. The difference between the highest and lowest payment is £230. This is regardless of distance travelled and is a result of which area a pupil happens to reside.

Currently there is no allowance for rurality in so far as distance is not a factor. Therefore one pupil could be 3.1 miles from their school and another 20 miles and both will receive the same payment.

Further to this in three of the legacy areas, there is no differentiation between those that need a payment, i.e. there is no available public transport route, and those that do not, i.e. those that just wish to 'cash in'.

This does not, represent best use of public money and there is a need to rationalise the Scheme to continue to make it viable and available for those that need it.

Table 2: Payment Bands

BAND	YEARLY AMOUNT PAYABLE
<ul style="list-style-type: none"> • Distance from pupils home to nearest suitable school • Including Parental Miles* 	
Band A 0-4 miles	£185.00 £46.26 x 4= £185.04
Band B 4 – 10 miles	£465.00 £46.26 x 10= £462.60
Band C 10 – 15 miles	£695.00 £46.26 x 15= £693.90
Band D 15+ miles	£740.00 £46.26 x 16 = £740.16

It is proposed that we offer a parental payment scheme based on the number of miles being travelled – see table above – instead of using one standard payment, this makes it fairer for those travelling longer distances.

The EA will carry out a consultation with parents and pupils in the Autumn of 2018 on its proposal to introduce the new scheme which will apply to all applicants for payment related to the current school year.

1.3. Who are the main stakeholders impacted? (Internal and external as well as actual and potential)

Service Users / Pupils

1.4. Is the policy likely to impact people living in rural areas?

Yes	✓
No	

If yes, please complete the rural sections of the template

1.5. Other policies or decisions with a bearing on this policy or decision?

DE Circular 1996/41 School Transport

The relevant sections of the Circular outline the statutory position as follows:

'5.1 Transport assistance for eligible pupils can be provided by a variety of means including the issue of sessional tickets (commonly referred to as 'bus passes') for public transport, the operation of the Education Authority vehicles, the hire of buses or taxis and the payment of bicycle or car allowances.'

Where a Board is constrained in its response, that is, where it cannot provide a service that meets the aims of paragraph 5.2 and or paragraph 5.3 within the constraints of paragraph 5.1, then Boards may offer parents an allowance in lieu of transport and in such cases responsibility for the journey then rests with the parent.'

PART 2 – EVIDENCE AND MITIGATION

2.1. What information did you use to inform this screening? E.g. census data, Equality Impact Assessments (EQIAs), consultation reports, service level data?

Actual pupil data from the ‘Parental Payments’ database held in each Office for the 16/17 academic year; total of 3101 pupils across EA Transport.

- 2011 Census Data
- Gingerbread Statistics on lone parents families 2017/18
- DE Census Bulletin Oct 2017
- Office for National Statistics
- Shout Out Report by Rainbow Project
- Electoral Office Stats 2017
- Life and Times Survey NI 2010

2.2. Quantitative Data

What is the profile of the people that are impacted by this policy or decision?

Please provide a statistic breakdown of the people impacted by this policy or decision. Note, if the policy or decision impacts both staff and service users, please provide data on both.

Section 75 Group	Make up of affected groups?																
Age	Age	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
	Tot	6	120	231	258	301	379	372	284	99	80	85	103	110	113	381	179
Dependants	<p>On Census Day 2011, there were a total of 238,071 households with dependent children in Northern Ireland. This figure represents a third (33.8%) of all households.</p>																
Disability	<p>Statemented Transport is managed differently so there will be no impact on the needs of persons with a disability with the revision of this policy.</p>																
Religious Belief	<p><i>Religious belief based on category of school attended:</i></p> <p>Number of Pupils in Receipt of Parental Payments 2016/17-</p>																

	<table border="1"> <tr> <td>Religion</td> <td>Catholic</td> <td>Protestant</td> <td>Mixed</td> </tr> <tr> <td>Total</td> <td>1320</td> <td>977</td> <td>804</td> </tr> </table>	Religion	Catholic	Protestant	Mixed	Total	1320	977	804						
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Gender	<p>Number of Pupils in Receipt of Parental Payments 2016/17-</p> <table border="1"> <tr> <td>Gender</td> <td>Female</td> <td>Male</td> </tr> <tr> <td>Total</td> <td>1566</td> <td>1535</td> </tr> </table>	Gender	Female	Male	Total	1566	1535								
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Marital Status	<p>The 2011 Census reports that 36.14% of the NI population (Aged 16+) have never married or never registered a same-sex civil partnership, 47.56% of that age cohort are married, 0.09 are in a registered same-sex civil partnership, 3.98% are separated but still legally married or still legally in a same-sex partnership, 5.45% are divorced or have their same-sex partnership legally dissolved and 6.78% are widowed or are a surviving partner from a same-sex civil partnership.</p> <p>92 000 of families in NI are lone parents families and they incorporate around 150 000 children. Gingerbread 2017/18</p>														
Political Opinion	<p>Limited data available; however the Electoral Commission's data on the first-preference votes per party in the Northern Ireland Assembly Elections 2017 gives a good guide to political preferences in the province as a whole.</p> <p style="text-align: center;">Table 7: First preference votes per party in Northern Ireland Assembly Elections 2017</p> <table border="1"> <thead> <tr> <th><i>Political party</i></th> <th><i>Votes</i></th> </tr> </thead> <tbody> <tr> <td><i>Democratic Unionist Party</i></td> <td>225,245</td> </tr> <tr> <td><i>Sinn Fein</i></td> <td>224,245</td> </tr> <tr> <td><i>Ulster Unionist Party</i></td> <td>103,314</td> </tr> <tr> <td><i>Social Democratic and Labour Party</i></td> <td>95,958</td> </tr> <tr> <td><i>Alliance</i></td> <td>72,717</td> </tr> <tr> <td><i>Other</i></td> <td>81,668</td> </tr> </tbody> </table>	<i>Political party</i>	<i>Votes</i>	<i>Democratic Unionist Party</i>	225,245	<i>Sinn Fein</i>	224,245	<i>Ulster Unionist Party</i>	103,314	<i>Social Democratic and Labour Party</i>	95,958	<i>Alliance</i>	72,717	<i>Other</i>	81,668
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Ethnicity	<p>The 2011 Census 1.8 per cent (32,400) of the usually resident population of Northern Ireland belonged to minority ethnic groups in 2011, more than double the proportion in 2001 (0.8 per cent). 0.1 per cent (1,300) of people were Irish Travellers.</p> <p>English was not the main language for 3.1 per cent (54,500) of usual residents</p>														

	<p>aged 3 years and over, almost one quarter of whom (24 per cent) lived in Belfast LGD. The most prevalent main language other than English was Polish (17,700 people, 1.0 per cent).</p> <p>The Department of Education Census October 2017 (Statistical bulletin 2/2018) reports that schools are increasingly becoming more ethnically diverse. There are more than 14,400 pupils in NI recorded as 'non-white', representing 4.2% of the school population. This is an increase of 1.1 percentage points compared to five years prior.</p>						
Sexual Orientation	<p>Office for National Statistics (ONS) data 2015 (published October 2016) indicates that in NI an estimated 0.8% of the population are Gay or Lesbian; 1.1% Bisexual; 0.3% Other; 3.7% don't know or refused to answer the question.</p> <p>The Shout Report, published by Rainbow stated that, "an analysis of the 2001 Census indicates that between 2% and 10% of the population may be lesbian, gay or bisexual."</p> <p>The 2010 Northern Ireland Life and Times survey (1,205 adults) Reported the figure as only 1%. The Office for National Statistics 2010 Report (450,000 respondents) found that in Northern Ireland 92.5% said they were heterosexual and 0.9% of respondents said they were LGB, although 0.4% reported as 'other' and 6.2% said they didn't know Or refused to respond.</p>						
Rural Impacts	<p>See 'Refund of Travelling Expenses Rural Proofing Analysis'.</p> <p>Number of Pupils in Receipt of Parental Payments 2016/17-</p> <table border="1" data-bbox="311 1299 1093 1377"> <thead> <tr> <th>Rural / Urban</th> <th>Rural</th> <th>Urban</th> </tr> </thead> <tbody> <tr> <td>Total</td> <td>2707</td> <td>393</td> </tr> </tbody> </table>	Rural / Urban	Rural	Urban	Total	2707	393
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2.3. Qualitative Data

What are the needs and experiences of the groups that are impacted by this policy or decision?

Are there different needs and experiences for any of the equality groups and what equality issues emerge from this?

Section 75 Group	What are the needs and experiences of the groups as they relate to the policy or decision?
Age	Although 9- 11 year olds are most likely to be in receipt of a

	<p>bus pass previous patterns suggest that the most likely impact will be on 17 year olds are they are most likely to 'cash in' their bus passes following passing their driving test.</p> <p>The entitlement to bus passes has not changed nor has the ability to 'cash in' a pass where a school transport service is proven unsuitable for legitimate family or bus/train scheduling issues.</p>
Dependants	<p>This policy will impact on parents with dependent children of school age who qualify for a translink bus pass but who wish to cash it in. The payment could be lower for some in order to standardise the payment system across the EA which is now based on the distance a pupil lives from the school. This should be a more fair and equitable way forward.</p>
Disability	<p>Stated Transport is managed differently so there will be no impact on the needs of persons with a disability with the revision of this policy.</p>
Religious Belief	<p>There will not be any impacts on anyone on the basis of religious belief due to a revision of this policy.</p>
Gender	<p>There will not be any impacts on anyone on the basis of gender due to the revision of this policy.</p>
Marital Status	<p>Lone parents for separated parents; this can be considered under Exceptional Circumstances.</p>
Political Opinion	<p>There will not be any impact on persons because of their political opinion in the revision of this policy.</p>
Ethnicity	<p>There will not be any impact due to a person's ethnicity with the revision of this policy.</p>
Sexual Orientation	<p>There will not be an impact on a person because of their sexual orientation due to the revision of this policy.</p>

What are the social and economic impacts of the policy of people living in rural areas?

Please consider positive and negative impacts around issues such as access to education or youth provision, transport, broadband accessibility and employment impacts

Rural Impacts	<p>Positive impact</p> <p>In cases where payments must be provided due to the unavailability of a public transport option or a legitimate family or school scheduling reason, and based on the</p>
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	public transport rate of 25.7p, the Authority proposes using positive action to address inequalities by using the following payment bands:												
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This will therefore have a positive impact on people who live in rural areas.													

2.4. Policy / Decision changes

Based on the equality issues that have been identified, what changes (mitigation) can you make to the policy in order to better promote equality of opportunity?

In developing the policy or decision, what changes did you make, or do you intend to make to address any equality issues that you identified?

Payments made when the Authority is unable to provide school transport

There is still a cash alternative to a bus pass. Parents will be required to submit evidence that a bus route is unsuitable and / or evidence that supports their claim that they have exceptional circumstances.

Based on the rural impacts that you have identified, what changes (mitigation) can you make to the policy?

Rural Proofing Analysis carried out by ESRI Ireland on behalf of the Authority. Through the data available in this report the Education Authority was able to adopt positive action measures to address rural inequalities by introducing pay bands based on how far you live from school.

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Anyone who has an exceptional circumstance can apply to the EA and this will be considered on a case by case basis.

PART 3 – GOOD RELATIONS

3.1. Are there any changes to the policy or decision that you would make to better promote good relations?

GROUP	Impact on Good Relations	Policy / Decision Changes
Religion	No	No
Ethnicity	No	No
Political Opinion	No	No

PART 4 – SEC 75 EQUALITY SCREENING DECISION

This section is only relevant to the Section 75 Equality Duties

4.1. How would you categorise the impacts of the policy or decision?

Please refer to guidance notes on categorising impacts

Please select:

Major Impact	
Minor Impact	✓
No Impact	

4.2. Does the policy or decision require a full Equality Impact Assessment?

Please select:

Yes	
No	✓

The entitlement to bus passes has not changed nor has the ability to ‘cash in’ a pass where a school transport service is proven unsuitable for legitimate family or bus/train scheduling issues.

PART 5 – DISABILITY DUTIES

5.1. Does the policy or decision encourage the participation of disabled people in public life? Or is there anything you can do within the policy or decision to encourage participation of disabled people in public life?

<i>How does the policy encourage the participation of disabled people in public life?</i>	<i>Is there anything further you can do to encourage the participation of disabled people in public life?</i>
Stated Transport is managed differently and so this policy has no impact on disabled people in public life.	N/A

5.2. Does the policy or decision promote positive attitudes towards disabled people? Or is there anything you can do within the policy or decision to promote positive attitudes towards disabled people?

<i>How does the policy promote positive attitudes towards disabled people?</i>	<i>Is there anything further you can do promote positive attitudes towards disabled?</i>
No	No

PART 6 – HUMAN RIGHTS

6.1. Are Human Rights Relevant?

Article		Relevant Yes/No
Article 2:	Right to Life	No
Article 3:	Right to freedom from torture, inhuman or degrading treatment or punishment	No
Article 4:	Right to freedom from slavery, servitude & forced compulsory labour.	No
Article 5:	Right to liberty and security of person.	No
Article 6:	Right to a fair & public trial in a reasonable time	No
Article 7:	Right to freedom from retrospective criminal law & no punishment without law	No
Article 8:	Right to respect for private & family life, home & correspondence.	No
Article 9:	Right to freedom of thought, conscience & religion.	No
Article 10:	Right to freedom of expression.	No
Article 11:	Right to freedom of assembly & association	No
Article 12:	Right to marry & found a family.	No
Article 14:	Prohibition of discrimination in the enjoyment of the convention rights	No
Protocol 1, Article 1	Right to a peaceful enjoyment of possessions & protection of property	No
Protocol 1, Article 2	Right of access to education	Yes

If you answered 'no' to all human rights considerations, please go to section 7 – monitoring

6.2. If you have answered yes to any of the Articles, does the policy or decision have a potential positive impact or does it potentially interfere with anyone's Human Rights?

Article number	Positive impact or potential interference?	How?	Any legal issues arise?
Right of Access to Education	Positive Impact	There is now a payment based on the distance you live from school and therefore this benefits pupils who live in a rural setting.	

PART 7 – MONITORING

7.1. What data will you collect to monitor the impact of the policy in terms of equality of opportunity, disability duties or human rights compliance?

Section 75	Disability Duties	Human Rights
<p><i>'In cases where payments must be provided due to the unavailability of a public transport option or a legitimate family or school scheduling reason, and based on the public transport rate of 25.7p.'</i></p> <p>Transport will monitor the legitimate family or bus/train scheduling cases put forward as to why the parental payment is the only suitable transport option.</p> <p>Transport will compare past data with the incoming 18/19 academic year.</p>	N/A	N/A

SIGN OFF

Approved Lead Officer: _____ **Sara Long** _____

Policy Screened by: _____ **Alison Cloughan** _____

Date: _____ **13 September 2018** _____

Please note that the template **must be published** as part of the screening process. Please forward the completed template to equality.unit@eani.org.uk for publication.