

# Asesu'r Effaith ar Bobl Gwynedd

This document assesses what impact the policy, procedure, plan, etc. will have on the county's population and will be implemented based on a number of legislations.

- **Equality Act 2010.** The Act places a duty on public organisations to give due attention to the impact of any new (or amended) policy, procedure or plan, etc. on persons with protected characteristics. We are required to:
  - eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act.
  - promote equality of opportunity between people who share a relevant protected characteristic and those who do not.
  - foster good relations between people who share a protected characteristic and those who do not.

In Wales, the specific duty notes the need to undertake an impact assessment following specific guidelines to consider the impact that any changes in policy or procedure (or the creation of a new policy or procedure), will have on persons with protected equality characteristics. A timely assessment should be made before any decision is taken on any relevant change (i.e. that affects people with protected equality characteristics).

- **Socio-economic Duty.** Wales has implemented this further duty, which is part of the Equality Act 2010, and places a duty to address socio-economic disadvantages in strategic decisions.
- **Welsh Language Standards (Section 44 Welsh Language Measure (Wales) 2011).** The Council is required to consider the impact that any change in policy or procedure (or the creation of a new policy or procedure), will have on opportunities for people to use the Welsh language and to ensure that the Welsh language is not treated less favourably than English. This document therefore ensures that these decisions safeguard and promote the use made of the Welsh language.
- **Well-being of Future Generations Act 2015.** The Council has a duty to put the five ways of working in place and to respond to the seven national well-being goals.
- **Armed Forces Act 2021.** Councils must give due attention to the impact of this proposal on those who serve or who have served in the Armed Forces, as well as their families.

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**Author:** Robert John Jones, Education Transport Manager

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## **STEP 1 - Main Aims and Objectives of the Policy or Practice**

### **1. What kind of document or procedure is being assessed?**

- New and revised policies, practices or procedures (which modify service delivery or employment practices)

### **2. What are the aims, objectives and intended outcomes of the policy or practice?**

The current Education Transport Policy was adopted in 2009, and while there is no change to the statutory requirements related to providing transport for learners, it is timely to review the policy because of the need to:

- Ensure we are meeting current statutory requirements and guidance
- Ensure clarity on the discretionary elements for fairness for children, young people and their families
- Ensure that the Policy is fit for purpose in terms of the reasonableness of operating within the resources available

The Learner Travel (Wales) Measure 2008 (the Measure) states that Local Authorities must:

- Assess the travel needs of learners in their authority area;
- Provide free home-to-school transport for learners of compulsory school age attending a primary school and who live two miles away from the nearest suitable school;

- Provide free home-to-school transport for school-age learners attending a secondary school who live three miles away from the nearest suitable school;
- Assess and meet the needs of 'looked-after' children in their authority area;
- Promote access to Welsh-medium education and faith schools;
- Promote sustainable modes of transport.

The Local Authority has a statutory duty to provide transport from the home to school in accordance with the requirements of the Measure. At the same time, within the Measure, the Local Authority may make discretionary arrangements under part 6 of the Measure, based on the Authority's choice and discretion.

In accordance with the Learner Travel Information (Wales) Regulations 2009, Local Authorities are required to publish information about their policies for providing discretionary transport within their Education Transport Policy, and if an Authority makes use of Part 6 powers to provide discretionary transport, the Authority also has the right to revoke the provision at a later date. In order to do this, under statutory guidance 2014, the Authority is required:

- To conduct a consultation before revoking or modifying a discretionary provision; and
- Publish the arrangements by 1 October the previous year.

The main changes proposed to the Education Transport Policy (Draft) for the purpose of consultation relate to the Authority's discretionary transport provision in the following areas:

- Empty Seats Scheme
- Faith Schools
- Dual Residency
- Post-16

There are also other fields within the Education Transport Policy where we have added detail and clarity to the policy, but those additions do not result in any change to the commitment to provide transport in accordance with the current Transport Policy. Those fields include:

- Measuring the Travelling Distance
- Additional Learning Needs (ALN) and Medical Conditions
- Looked after Children
- Schools Reorganisation

- Expectations on parents/guardians
- Transport charges

### **3. Who are the main consultative groups (stakeholders)?**

The Authority will specifically consider the following stakeholders when undertaking the consultation:

- School Headteachers
- Governing Bodies
- Grŵp Llandrillo Menai
- Parents
- Children and Young People

The Authority will consider the comments of the Education and Economy Scrutiny Committee following the consultation.

## **STEP 2 - Engagement Data and Impact Assessment**

**4. Has there been any attempt to comply with the duty to engage in accordance with what is described above and has enough information been gathered to proceed?**

**Yes, we are seeking Cabinet permission to proceed with the public engagement exercise.**

**Details of the engagement. Note any consultation or engagement you have conducted or intend to conduct.**

Action	Dates	Information
<b>Complaints and enquiries</b>	<b>September 2024- September 2025</b>	<p>Following a detailed scrutiny of the complaints and inquiries received relating specifically to education transport over the period, it becomes clear that our current transport policy is weak in terms of offering guidance and the relevant detail when dealing with these issues:</p> <ul style="list-style-type: none"> <li>- Assessment and suitability of routes</li> <li>- The nearest catchment / suitable school</li> <li>- Additional learning Needs and Medical Conditions</li> <li>- Code of Conduct</li> </ul> <p>As a result, we have offered further clarity and detail on these aspects in the Education Transport Policy (Draft).</p> <p>A number of requests, enquiries, and as a result complaint were also received about the Empty Seats Scheme which is part of the current Education Transport Policy. Although there is a fee attached to the Empty Seats Scheme, the scheme does not guarantee an empty seat for a specific period, and it is not possible to increase vehicle capacity to meet the need for more seats as part of the Scheme, as the intention of the scheme is to facilitate transport for learners who are not eligible under the statutory requirements, but that does not lead to additional costs for the authority.</p> <p>Due to the statutory requirements to consult and announce any change before 1 October of the previous year, it is not possible to implement the Empty Seats Scheme as intended without committing to offer an empty seat throughout the academic year. This goes against the essence of the plan of a flexible arrangement to be able to offer an empty seat without committing to providing the seat for a specific period, as that could lead to additional costs for the Authority.</p>

		As a result, the Empty Seats Scheme as a heading has been abolished as a proposal from the Draft Education Transport Policy.
<b>Public Consultation</b>	<b>February-March 2026</b>	<p>The Authority will specifically consider the following stakeholders when undertaking the consultation:</p> <ul style="list-style-type: none"> <li>- School Headteachers</li> <li>- Governing Bodies</li> <li>- Grŵp Llandrillo Menai</li> <li>- Parents</li> <li>- Children and Young People</li> <li>- Education and Economy Scrutiny Committee</li> </ul> <p>It is intended to consult specifically with some relevant groups i.e.</p> <ul style="list-style-type: none"> <li>- Headteachers Strategic Groups</li> <li>- Gwynedd Governors Forum</li> <li>- Children and Young People Forum</li> </ul> <p>The Authority will consider the comments of the Education and Economy Scrutiny Committee following the consultation.</p>

**5. What information is available about the impact on each of the following characteristics and subjects?**

	<b>Evidence, Information and Relevant Data</b>	<b>Potential Positive and/or Negative Impact</b>
<b>Race</b>	The Education Department, the Integrated Transport Unit and all Gwynedd schools have relevant policies in practice to protect individuals from any discrimination based on race, such as Equality, Inclusion and Anti-bullying Policies. The Anti-bullying Policy provided by Cyngor Gwynedd sets out anti-bullying guidelines and procedures based on	We have not identified a potential impact on this characteristic

	factors such as race in the school, which extend out to the transport arrangements to school and home for that specific school. Therefore, it is not anticipated that the proposed transport policy would affect this characteristic.	
<b>Disability</b>	It is not anticipated that the change would have a negative impact on this characteristic. An accessibility-based assessment of any provision and suitability of paths, pick-up points, transportation vehicles and relevant sites would be carried out, and we will ensure that any transport provided (in line with the Education Department's transportation policy), would be suitable for the individual's needs. The needs of any disabled child would be considered in accordance with the Education Department's Accessibility and Equality policies.	We have not identified a potential impact on this characteristic
<b>Gender</b>	It is not anticipated that the proposed transport policy would affect this characteristic. Implementing the said document would mean that everyone would continue to be treated according to their needs, regardless of their gender.	We have not identified a potential impact on this characteristic
<b>Age</b>	It is anticipated that implementing the new transport policy would mean that learners of all eligible ages would be treated fairly and according to their need. Introducing a maximum eligibility age of 19 for post-16 learners, in line with the 2008 Transport Measure, would reduce long-term transport costs and secure sufficient capacity for eligible learners.	<p>There is a possible positive effect as the new Policy will set clear guidance for learners due to the fact that learners of all eligible ages will be treated fairly and according to their needs.</p> <p>There is a potential negative impact on a small group of learners aged 19 and over who currently benefit from the Post-16 Travel Pass. There is an intention to consult on this change as part of the consultation on the draft Policy and we will consider the feedback received from the consultation, adapt and change the draft Policy as we see fit, before the policy is adopted in its final form.</p>



<b>Religion and Belief</b>	<p>Every school and further education college has an Inclusion Policy that deals with any discriminatory incident that may arise, associated with religion or belief.</p> <p>There is no reference to faith schools in the current Education Transport Policy, therefore there is no clear guidelines within the present policy on transport for learners who attend faith schools in Gwynedd.</p>	<p>There is a possible positive effect as the new Policy will set clear guidance for a small group of learners who choose to attend faith schools, and therefore they will be treated fairly and according to their needs.</p> <p>There is a potential negative impact also as the draft policy proposes to transport learners to faith schools for a maximum distance of 5 miles, whilst the existing policy is more ambiguous about the transportation distance. There is an intention to consult on this change and we will consider the feedback received from the consultation, adapt and change the draft Policy as we see fit, before the policy is adopted in its final form.</p>
<b>Sexual Orientation</b>	It is not anticipated that the proposed transport policy would affect this characteristic. Implementing the said document would mean that everyone would continue to be treated according to their needs.	We have not identified a potential impact on this characteristic
<b>Gender reassignment</b>	It is not anticipated that the proposed transport policy would affect this characteristic. Implementing the said document would mean that everyone would continue to be treated according to their needs.	We have not identified a potential impact on this characteristic
<b>Marriage and Civil Partnership</b>	It is not anticipated that the new-look policy would impact people who are married or in a civil partnership. Implementing the said document would mean that everyone would continue to be treated according to their needs.	We have not identified a potential impact on this characteristic
<b>Pregnancy and Maternity</b>	It is not anticipated that the draft transport policy would have an impact on anyone who is pregnant, whether staff or parents, as both schools and colleges implement the same policies. Implementing the said document would mean that everyone would continue to be treated according to their needs.	We have not identified a potential impact on this characteristic

<b>The Welsh Language</b>	It is not anticipated that introducing the proposed changes in the draft transport policy would affect the Welsh language. Updates to commissioning and administrative procedures and processes are the main changes here.	We have not identified a potential impact on this characteristic
<b>Socio-economic Considerations</b>	Providing transport for post-16 learners is not a statutory requirement, however, on a positive note, Gwynedd Council on a discretionary basis provides free transport for further education students to attend various education courses in our schools which have a sixth form and several college campuses. Ensuring free transport promotes access for all learners to be able to study in further education. We will add details about the impact on the socio economic considerations as more information becomes available.	<p>There is a possible positive effect of providing free transport to post-16 learners on a discretionary basis, so that they can continue to study in further education with partial and free transport provision.</p> <p>We will consider any relevant feedback from the point of view of the socio-economic considerations received from the consultation and adapt and change the Draft Transport Education Policy as we see fit, before the policy is finally adopted.</p>
<b>Those Who Serve or Who Have Served in the Armed Forces, As Well As Their Families</b>	It is not anticipated that the proposed policy would have an impact on those who serve or who have served in the armed forces, as well as their families. Children from military or ex-military families will get the same fair play whichever school they attend.	We have not identified a potential impact on this characteristic
<b>Human Rights</b>	It is not anticipated that changes to the transport policy would have an impact on human rights.	We have not identified a potential impact on this characteristic
<b>Other</b>	No further observations currently.	No further observations currently.

#### **6. Are there any data or information gaps, and if so, what are they and how do you intend to address them?**

Following guidance and subject to Cabinet decision to go out to consult on the Draft Education Transport Policy, we intend to hold a public consultation between February and March 2026. The Authority will specifically consider the following stakeholders when undertaking the consultation:

- Schools
- Governing Bodies

- Grŵp Llandrillo Menai
- Parents
- Children and Young People

The Authority will consider the comments of the Education and Economy Scrutiny Committee following the consultation.

The consultation will be an opportunity to gather data and further information to be included in the Education Transport Policy, as well as the Impact Assessment. We will update the Equality Impact Assessment as the direction of the work becomes more apparent.

**7. When considering other key decisions that affect these groups, is there an increasing impact (cumulative impact)?**

It is not anticipated that there will be a cumulative impact from introducing the draft Education Transport Policy for consultation purposes. We will consider all the feedback received from the consultation, and adapt and change the Draft Transport Education Policy as we see fit, before the Policy is finally adopted.

**8. What does the proposal include to demonstrate you have given due regard to the Public Sector Equality Duty (to promote equal opportunity; help to eliminate unlawful discrimination, harassment, or victimisation and foster good relations and wider community cohesion) as covered by the three aims of the General Duty in the Equality Act 2010?**

The Policy will follow the statutory requirements to protect the learner from any discrimination, harassment or victimisation. Equal opportunities are promoted within the organisations and equality policies and procedures are followed.

**9. How does the proposal show that due regard has been given to the need to address inequality due to socio-economic disadvantage? (Note that this relates to closing the inequality gap, rather than just improving outcomes for everyone.)**

The proposed new transport policy will ensure that opportunities are given to everyone to attend the nearest catchment/suitable education sites. Learners are given the opportunities to follow an education pathway of their choice, following a course from the range of subjects offered across all the county's education sites, and a site that meets all the learner's needs. Suitable, orderly transport is provided, with particular links for this purpose.

**10. How does the proposal show implementation in line with the requirements of the Welsh Language Standards (Welsh Language Measure (Wales) 2011), to ensure that the Welsh language is not treated less favourably than the English language, and to ensure opportunities for people to use the Welsh language? Also, how does the proposal operate in accordance with the requirements of the Council's Welsh Language Strategy to take**

**advantage of every opportunity to promote the Welsh language (beyond providing bilingual services) and increase opportunities to use and learn the language in the community?**

The Education Transport Policy provides transport for learners to Category 3 Welsh-medium schools and transitional schools in accordance with the statutory requirements. Facilitating access to Welsh-medium schools through the Education Transport Policy ensures that all learners have opportunities to use the Welsh language in the schools, together with taking advantage of the schools' campaigns to promote the Welsh language in the school and in the community in accordance with the vision of the Siarter Iaith.

Furthermore, every tender agreement between the Council and the education transport providers requires the contractor to comply with the requirements of the Welsh Language Standards, being able to communicate and understand Welsh and English to a standard that would enable them to deal in a timely and appropriate manner with an issue that may arise during the implementation of the agreement.

### **11. How does this proposal meet the requirements of the Well-being of Future Generations Act by implementing the five ways of working, and respond to the seven national well-being goals, including creating a More Equal Wales?**

Following consideration and assessment in accordance with the requirements of the well-being act, the seven well-being act goals and the Council's well-being objectives were considered, and it is concluded that the proposal meets the following requirements: The Transport Policy (draft) makes a direct contribution to the Act in many ways:

1. **A prosperous Wales** - Opportunities are provided through access to educational opportunities to foster and develop a skilled and educated population.
2. **A resilient Wales** - Through their studies, learners become aware of the values which maintain social, economic and ecological resilience, as well as the ability to adapt to change.
3. **A healthier Wales** - Being a part of society which promotes physical well-being and seeks to reflect on a positive identity, which is associated with strengthening mental health. The purpose of this is to ensure that every child and young person in Gwynedd is ready to learn and can fully benefit from the education and training available, and can easily access support to improve their emotional, mental and physical well-being.
4. **A more equal Wales** - Providing access to a comprehensive education for every child, regardless of their background, seeks to ensure that every child and young person can access the highest quality education and training, which enables them to thrive and achieve their potential.
5. **A Wales of cohesive communities** - Opportunities are provided to connect people and communities by providing viable and safe transport links.
6. **A Wales with a vibrant culture and thriving Welsh language** - Welsh-medium education is one of the main methods of realising this goal.
7. **A globally responsible Wales** - Access to education promotes and improves the economic, social, environmental and cultural well-being of our learners, in the hope that this extends to global well-being.

The five ways of working are operational in the:

**Long-term** - promoting access to education and reducing any frustrations for the future generations.

**Prevention** - ensure that children do not lose the opportunity to access the best type of education.

**Integration** - engagement with education, culture, health and equality.

**Collaboration** - partnerships between schools, local authorities and parents. **Involvement** - giving families and learners a voice when drawing up and developing a policy.

## **STEP 3 - Procurement and Partnerships**

### **12. Will this policy or practice be carried out wholly or partly by contractors or in partnership with another organisation(s)?**

Transport for learners will be provided through tender processes and third-party agreements administered by the Integrated Transport Unit.

**What action will be taken to comply with the General Equality Duty, Human Rights and Welsh language legislation and the Socio-Economic Duty in relation to procurement and/or partnerships?**

#### **Procurement:**

The tender documents will be Cyngor Gwynedd standard documents, which note the expectations in terms of compliance with the General Equality Duty, Human Resources and Welsh language legislation and the Socio-economic Duty.

## **STEP 4 - Dealing with Negative or Unlawful Impact and Strengthening the Policy or Practice**

### **13. When considering proportionality, does the policy or practice have a significantly positive or negative impact or create unequal outcomes?**

#### **Significant Positive Impact:**

This is considered when engaging on the proposed draft policy. It is ensured that everyone, including the learner, can voice their opinion on the proposal. This is achieved by publishing an on-line engagement package on our corporate website, which will include a background document explaining the rationale for the consultation, the Draft Education Transport Policy, an online questionnaire, together with the Impact Assessment on the People of Gwynedd. Paper copies of all of the consultation package documents will be available from Siop Gwynedd in the Council's main buildings. We will also publish a condensed version of the Education and Transport Policy on our website, and a paper copy will also be available at Siop Gwynedd. It is emphasized that the consultation is dependent on receiving Cabinet approval on the Draft Education Transport Policy.

**Significant Negative Impact:**

Negative impacts may emerge when introducing some changes to the policy, particularly when removing some aspects that are currently offered and at the Council's discretion. These will be considered when engaging on the proposed draft policy, and when drawing up the final policy. We will update the Impact Assessment as the direction of the work becomes clearer.

**14. Any intentional negative impact and why it is believed that there is justification for operating in this way should be explained (for example, on the grounds of improving equal opportunities or developing good relationships between those who share a protected characteristic and those who do not or due to objective justification or positive action)**

We will elaborate on this further after receiving further information from the consultation. It is possible that some negative impacts will derive from the Draft Education Transport Policy, for example:

- There will be stricter guidelines for learners who live in dual residences, in order to better manage costs.
- Further education learners will be expected to follow a course of their choice at the nearest college, to facilitate education transport arrangements.
- More clarity and considerations will be given to faith school catchment areas as there is no reference to them at all in the current policy.

**15. Will any of the negative impacts identified count as unlawful discrimination albeit they are unavoidable (e.g. budget cuts)?**

No

**Note the reason for stating this and the justification for proceeding**

We will act in accordance with the legal requirements imposed on us.

**16. What other measures or changes could be included to strengthen or change the policy/practice to demonstrate that due regard has been given to equal opportunity; help to eliminate unlawful discrimination, harassment, or victimisation; and foster good relations and wider community cohesion; as covered by the improvement aim of the General Duty in the Equality Act 2010?**

When engaging with stakeholders, we will consider all comments received and consider whether there are opportunities to strengthen or change the policy to promote equal opportunities to help remove unlawful discrimination, harassment or victimisation and foster good relationships and broader community cohesion before it is adopted in its final form.

**17. What measures or other changes could be included to strengthen or change the policy/practice to demonstrate that due regard has been given to the need to reduce inequalities of outcome as a result of socio-economic disadvantage?**

This will be reviewed when dealing and discussing the content of the policy, we will update the Impact Assessment as the direction of the work becomes clearer.

**18. What other measures or changes could be included to strengthen or change the policy/practice to demonstrate that due regard has been given to the need to increase opportunities for people to use the Welsh language and in treating the Welsh language no less favourably than the English language as set out in the Welsh Language (Wales) Measure 2011 and to reduce or prevent any adverse effects that the policy/practice may have on the Welsh language?**

This will be reviewed when dealing and discussing the content of the policy, we will update the Impact Assessment as the direction of the work becomes clearer.

**19. Is there enough information to make a balanced judgement and to proceed?**

Yes

## **STEP 5 - Decision to Proceed**

**20. Given the information gathered in Steps 1–4 above, is it possible to move forward with the policy or practice or not, and if so, on what basis?**  
Choice of:

It is possible to proceed to consult on the Draft Policy.

## **STEP 6 - Actions and Arrangements for Monitoring Outcomes and Reviewing Data**

The EqIA process is an ongoing one that doesn't end when the policy/practice and EqIA is agreed and implemented. There is a specific legal duty to monitor the impact of policies/practices on equality on an ongoing basis to identify if the outcomes have changed since you introduced or amended this new policy or practice. If you do not hold the relevant data, then you should be taking steps to rectify this in your action plan. To review the EHRC guidance on data collection you can review their [Measurement Framework](#)

**21. What actions noted in Steps 1-5 or any additional data collection work would help to monitor the policy/practice when implemented:**

Action	Dates	Timetable	Lead Responsibility	Add to the Service Plan
Review the Transport Policy	Summer Term	Annually	Education Transport Manager	No
Present the final Education Transport Policy to be adopted by the Cabinet	Summer Term	To be confirmed	Education Transport Manager	No

**22. What arrangements to monitor and review the ongoing impact of this policy or practice will be implemented, including timeframes for when it should be formally reviewed:**

Monitoring and Review Arrangements (including where outcomes will be recorded)	Timeframe and Frequency	Lead Responsibility	Add to the Service Plan
Review of the Policy	Annually	Education Transport Manager	No