

Equality Impact Assessment Corporate Service Improvement Tool

Details of the assessment

Name of Function/Policy/ Service being assessed:	Discretionary Rail Concessions
Is the activity...?	New <input type="checkbox"/> (please go to step 1) Existing: <input checked="" type="checkbox"/> (please go to step 2)
Date of assessment	Commenced 18/08/10 Completed 16/12/10
Directorate & Service	Central Services
Policy Owner	Julie Beilby
Lead Officer	Claire Fox, Delia Gordon, Sarah Andrews, Lynn Francis

	Key Questions	Answers/Notes
Step 2	Scoping the assessment	
1.	What is the overall aim, or purpose of the function/ policy/service?	In our current capacity as the travel concession authority to provide: § Concessionary fares to those who meet the criteria. § A rail concession option as an alternative to the statutory bus pass
2.	What outcomes do you want to achieve with this function/ policy/service and for whom?	§ To give eligible residents the choice of rail concessions, subject to funding.
3.	Who is intended to benefit from the function/service/ policy?	§ All residents who are of eligible age and people with disabilities, as set out in the Transport Act 2000. § Rail operators may benefit through increased use of public transport.
4.	Who defines or defined the function/service/policy?	§ Department for Transport set the criteria for the national scheme. § Responsibility for provision of the statutory national bus pass will transfer to Kent County Council from April 2011. KCC have confirmed they will continue with discretionary bus

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	Key Questions	Answers/Notes												
		<p>concessions, including companion passes, but will not provide the discretionary rail concessions.</p> <p>§ It is possible for District Councils to consider introducing discretionary travel schemes under the social wellbeing powers of the Local Government Act 2000.</p>												
5.	Who implements the function/service/policy?	<p>§ KCC will provide the statutory scheme under the Transport Act 2000.</p> <p>§ TMBC currently provide the discretionary rail concessions under the Transport Act 1985. The discretionary powers will transfer to KCC in April 2011.</p> <p>§ Rail operators determine eligibility for the Disabled Persons Railcard – TMBC offer a reimbursement to the cost.</p>												
6.	How do the outcomes of the function/service/policy meet or conflict other policies, values or objectives of the public authority (if applicable)?	<p>Please indicate which Sustainable Community Strategy (SCS) priority these outcomes relate to:</p> <table border="1" data-bbox="772 667 2145 1018"> <tr> <td data-bbox="772 667 1182 707">Safer place</td> <td data-bbox="1182 667 2145 707"><input type="checkbox"/></td> </tr> <tr> <td data-bbox="772 707 1182 746">Cleaner, smarter borough</td> <td data-bbox="1182 707 2145 746"><input type="checkbox"/></td> </tr> <tr> <td data-bbox="772 746 1182 826">Improving health & reducing inequalities</td> <td data-bbox="1182 746 2145 826"><input checked="" type="checkbox"/></td> </tr> <tr> <td data-bbox="772 826 1182 906">Protecting & enhancing the environment</td> <td data-bbox="1182 826 2145 906"><input checked="" type="checkbox"/></td> </tr> <tr> <td data-bbox="772 906 1182 946">Good local transport</td> <td data-bbox="1182 906 2145 946"><input checked="" type="checkbox"/></td> </tr> <tr> <td data-bbox="772 946 1182 1018">Strong economy & decent housing</td> <td data-bbox="1182 946 2145 1018"><input type="checkbox"/></td> </tr> </table> <p>Any other comments:</p> <p>§ It contributes to the Corporate Priority to work with partners to achieve further shared priorities to improve residents' quality of life in Tonbridge & Malling.</p> <p>§ Potential to hinder other services due to the rising cost.</p>	Safer place	<input type="checkbox"/>	Cleaner, smarter borough	<input type="checkbox"/>	Improving health & reducing inequalities	<input checked="" type="checkbox"/>	Protecting & enhancing the environment	<input checked="" type="checkbox"/>	Good local transport	<input checked="" type="checkbox"/>	Strong economy & decent housing	<input type="checkbox"/>
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7.	Are there any factors that could contribute or detract from the outcomes identified earlier?	<p>§ Misconceptions from the public of what they are entitled to, when compared to free travel offered to similar groups in London.</p> <p>§ Rising cost of rail travel whilst the Council contribution (£10) has remained static over a number of years.</p> <p>§ KCC have confirmed that once they take over provision of the statutory bus pass, only their staff will have access to the data of pass holders.</p>												

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	Key Questions	Answers/Notes												
		<p>§ No government grant is available for provision of discretionary concessions. It would need to be fully funded by TMBC.</p> <p>§ Uncertainty of where legal responsibilities lie for provision/withdrawal of discretionary elements.</p> <p>§ When the statutory responsibilities transfer to KCC the general public may be confused over where responsibilities lie (KCC vs TMBC).</p>												
Step 3	Consideration of data and information													
8.	What do you already know about who uses this function/service/policy?	<p>We monitor take-up of rail concessions.</p> <table border="1" data-bbox="786 643 1794 834"> <thead> <tr> <th>Year</th> <th>Senior or network railcard</th> <th>Disabled Persons Railcard</th> </tr> </thead> <tbody> <tr> <td>2007-8</td> <td>1590</td> <td>14</td> </tr> <tr> <td>2008-9</td> <td>1007</td> <td>9</td> </tr> <tr> <td>2009-10</td> <td>890</td> <td>7</td> </tr> </tbody> </table> <p>§ The figures show a decrease in uptake of rail concessions over the past three years - the introduction of national concessionary bus travel scheme may have impacted on take-up.</p> <p>§ No information about usage is available.</p> <p>§ No formal customer feedback system is in place.</p> <p>§ Three other district councils in Kent offer rail concessions. Seven Councils have previously been investigated by the Local Government Ombudsman over their decision to only offer the statutory minimum Concessionary Travel Scheme. At the time there was a specific discretionary power to offer additional concessionary travel vouchers and the Ombudsman concluded that they had failed to consider their duties under the Disability Discrimination Act and as a result the authorities reimbursed their complainants and reintroduced some of the concessions.</p> <p>§ Figures show that the number of people with disabilities holding bus passes is increasing (397 in 2007-8, 517 in 2008-9, 594 in 2009-10).</p>	Year	Senior or network railcard	Disabled Persons Railcard	2007-8	1590	14	2008-9	1007	9	2009-10	890	7
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2007-8	1590	14												
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9.	Has any consultation with service	§ Information about rail concessions is published on the Council website.												

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	Key Questions		Answers/Notes
	users already taken place on the function/service/ policy and if so what were the key findings?		<ul style="list-style-type: none"> § Leaflets are available at customer contact points and doctors surgeries. § Any changes to the scheme have been reported in Here and Now, the Council's magazine. § Other Councils across Kent are consulted on the discretionary concessions they offer. We have consulted with KCC and been advised they will not offer rail concessions when they take over responsibility for travel concessions. § Informal consultation shows that discretionary rail concessions would be missed by service users.
10.	What, if any, additional information is needed to assess the impact of the function/service/policy?		Consideration of the financial impact should TMBC continue to offer rail concessions <i>in addition to</i> the statutory scheme provided by KCC (instead of the current provisions where rail concessions are only offered as an alternative).
11.	How do you propose to gather the additional information?		It is not possible to carry out financial forecasting to determine the impact of offering rail concessions in addition to the KCC statutory scheme as take-up data would be unquantifiable.
Step 4	Assessing the Impact		
12.	Based on what information you already know, in relation to each of the following groups consider whether a) there is anything in the function/service/policy that could discriminate or put anyone at a disadvantage b) for an existing function/service/policy, how it is actually working in practice for each group		
a.	Equality groups	Age	Age profile of rail concession holders as at 11/08/10: 30 – 59 0.3% (3) 60 – 64 28% (224) 65 – 69 28% (227) 70 – 74 21% (167) 75 – 79 14% (117) 80 – 84 6% (48) 85+ 2% (13) Not known 1% (8)
b.		Disability	Current holders of Disabled Persons Railcard as at 11/08/10: 3 in TN9, TN10 (Tonbridge); 1 each in TN15 (Plaxtol), ME18 (Wateringbury), ME20 (Aylesford). 3 male and 3 female. We do not gather data about impairment type.

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	Key Questions	Answers/Notes
c.	Gender	Gender profile of railcard holders as at 11/08/10: Male 48% (390) Female 52% (417) No apparent issues.
d.	Race	No apparent issues.
e.	Religion/Belief	No apparent issues
f.	Sexual Orientation	No apparent issues
g.	General/other	Address of rail concession holders as at 11/08/10: Broad postcode analysis of a 50% sample (405) showed the following area uptake: TN9 and TN10 (Tonbridge) 38% (153) TN15 (Sevenoaks inc Borough Green, Ightham) 22% (89) TN11 (Hildenborough) 20% (83) ME19 (West Malling inc East Malling) 12% (49) ME20 (Aylesford inc Ditton) 3% (12) ME18 (Mereworth, Watlingbury) 2% (9) TN12 (East Peckham) 1% (4) ME5 (Blue Bell Hill) 0.7% (3) ME6 (Snodland) 0.7% (3) ME16 (Barming) 0.2% (1) The high take up in urban areas suggests that a percentage of users are likely to be commuters.
Step 5	Reviewing and Scrutinising the Impact	
13.	Have you identified any differential impact and does this adversely or positively affect any groups in the community?	Although TMBC will have no specific power to provide a travel concession scheme from April 2011, we have given due regard to our public equality duties and identified that as a result of lack of funding from government and the decision by KCC not to offer subsidy for rail concessions there will be an adverse impact on people with disabilities and eligible age groups. This impact relates to the cost of the scheme to residents rather than availability of the railcard or access to public transport.

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	Key Questions	Answers/Notes
14.	Can we make any changes or improvements?	As indicated above, although there is collective responsibility for the impact, TMBC Cabinet have sought to mitigate this by making a formal recommendation to KCC for them to provide rail concessions, which was not upheld. TMBC can seek to mitigate the impact of KCC's decision by informing current pass holders of any changes to the scheme, at the earliest available opportunity.
15.	If there is nothing you can do, can the reasons be fairly justified?	Although TMBC has the discretion to exercise its wellbeing powers to establish a concessionary travel scheme for some residents within its area or to provide financial payment to KCC to operate such a scheme, the cost of doing so is unquantifiable. As KCC will hold all information about bus pass holders and have confirmed that TMBC will not be able to access this data, we would no longer be able to offer rail concessions as an alternative to the bus pass. There is no government funding available for TMBC to offer rail concessions to an unlimited number of residents in addition to the KCC concessionary scheme so the costs would need to be fully funded by TMBC and with the potential for rising costs, this could in turn hinder provision of other services resulting in potential further impacts on the community.
16.	Do any of the changes in relation to the adverse impact have a further adverse affect on any other group?	If TMBC decided to exercise its wellbeing powers and provide rail concessions only to a limited number of residents (such as existing holders) this could have an adverse impact on those that don't qualify for the criteria.

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Step 5 continued...		Actions to be inserted into Equality Action Plans			
Based on your answers in Step 5, please finalise your actions here. These actions will then be incorporated into our equality action plans.					
Equality Strand	Related SCS (or other) Priority	Action	Outcome/monitoring information and targets	Date for Completion	Responsible Officer
If an adverse impact was found or unmet needs identified, which actions will you put in place to address this:					
Disability Age	To work with partners to achieve further shared priorities to improve residents' quality of life in Tonbridge & Malling	<ul style="list-style-type: none"> – To notify existing holders of concessions for the Disabled Persons Railcard of the changes to the scheme from April 2011. – To carry out general publicity relating to the changes to the concessionary travel scheme from April 2011. 	Current pass holders will be aware of the changes to the scheme.	February / March 2011	Julie Beilby
If the impact is still unclear, list the actions you will put in place to gather the information you need:					
If you did not find any evidence of unmet needs or adverse impact, list the actions you will put in place to maintain good practice:					

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Step 6	Decision making and future monitoring	
17.	Which decision making process do these changes need to go through i.e. do they need to be approved by a committee/Council?	Management Team to approve the equality impact assessment. Finance and Property Advisory Board to consider recommendations to Cabinet. Cabinet to make decision and recommend to Full Council as appropriate.
18.	How will you continue to monitor the impact of the function/service/ policy on diverse groups?	We will monitor complaint levels once changes to the scheme have been introduced and pass this to KCC on an annual basis for consideration.
19.	When will you review this equality impact assessment?	Annually.
Final steps		
For an existing function/service/policy: Send your assessment to the West Kent Equalities Officer		
For a new function/service/ policy: Summarise your findings in the committee report. Ensure planned consultations address the findings of this impact assessment.		