



Department  
for Transport

# Public Sector Equality Duty - Equality Impact Assessment

Revision of Medium-Term Exemptions from  
Accessibility Regulations for Home-to-school  
Coach Operators

June 2026

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This document records the analysis undertaken by the Department for Transport to fulfil the requirements of the Public Sector Equality Duty (PSED) as set out in section 149 of the Equality Act 2010 (the Act). This requires the Department to pay due regard to the need to:

1. eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
2. advance equality of opportunity between people who share a protected characteristic and those who do not
3. foster good relations between people who share a protected characteristic and those who do not.

The protected characteristics which should be considered are:

- a. age
- b. disability
- c. sex
- d. gender reassignment
- e. marriage or civil partnership
- f. pregnancy and maternity
- g. race
- h. religion or belief
- i. sexual orientation.

Please note that in relation to the protected characteristic of marriage and civil partnerships the department is required to have due regard only to the first point in the first paragraph above.

# Section 1

## Introduction and policy context

1. Under the Education Act 1996 local authorities must provide free Home-to-School (HtS) transport for “eligible children” of compulsory school age who cannot reasonably be expected to walk to school because of distance, special educational needs, disability or mobility problems. This duty is to provide “suitable travel arrangements”, which may include accessible vehicles when required to meet a child’s needs. The duty applies where a child attends a “qualifying school”, which includes state-funded schools and independent schools named in a child’s Education, Health and Care (EHC) plan. For pupils attending independent schools outside an EHC plan, local authorities generally have no duty to provide transport, although they may do so at their discretion.
2. The Public Service Vehicle Accessibility Regulations (PSVAR) 2000 are regulations, that apply across England, Scotland and Wales with Northern Ireland having its own parallel rules and are intended to make buses and coaches used on local or scheduled services accessible to disabled passengers, including wheelchair users. The regulations were made under powers in the Disability Discrimination Act 1995 and came into force on 30 August 2000.
3. PSVAR applies to vehicles designed to carry more than 22 passengers and used on local or scheduled services. Under the Transport Act 1985, a local service is one that uses one or more public service vehicles to carry passengers at separate fares, where the distance between any two stops is less than fifteen miles. A scheduled service is one that uses public service vehicles to carry passengers at separate fares:
  - (a) along specified routes,
  - (b) at specified times, and
  - (c) with pick-up and set down at pre-determined points.

This definition does not include tour services.

4. HtS services are not explicitly referenced in the PSVAR. They are therefore not clearly included or excluded from its scope. However, many HtS services share features of both “local” and “scheduled” services. Consequently, the key factor in determining whether PSVAR applies is usually whether passengers are considered to have paid individual fares. In practice, this means where passengers pay fares to the operator or driver the service is likely to be in scope, but where a vehicle is hired outright (i.e., not sold by individual seats) and no passenger pays a fare to any party they are likely to be out of scope. HtS services involving a whole-vehicle hire but, where at least one passenger pays a fare (to the operator, driver, local authority, or school), are likely to be in scope.
5. In 2019, the Department was made aware that many coach operators providing HtS transport, as well as the organisations that commissioned these services, did not realise that they were required to comply with the PSVAR. This was despite Local Education Authorities having been advised of this requirement in 2001, and the rules applying to newly built vehicles since 2005.
6. Under the regulations, all vehicles - both new and existing - were due to be fully compliant from 1 January 2020. To avoid essential services being withdrawn at short notice, the previous Government agreed to grant a series of short-term exemptions, provided via special authorisations, made using section 178 of the Equality Act 2010. These exemptions were intended to give operators time either to buy new accessible vehicles or to modify existing vehicles so that they met PSVAR requirements.
7. In 2022, the Department changed its approach to exemptions. It introduced longer-term “Medium Term Exemptions”, which remained valid only if operators increased, over time, the proportion of vehicles used on these services that were either fully compliant or partially compliant with PSVAR.
8. At present, coach operators benefit from several exemptions from accessibility regulations for:
  - Rail Replacement (RR) services:
    - Public Service Vehicles Accessibility Regulations 2000 (PSVAR)
    - Public Service Vehicles (Accessible Information) Regulations 2023 (AIR).
  - Paid closed-door HtS services:
    - PSVAR 2000
9. All existing exemptions are due to expire on 31 July 2026.
10. Closed door home to school services typically serve a known group of pupils whose needs are assessed in advance. This is different from open access public services, which PSVAR was designed to regulate. The key objective for Home to School transport should be that disabled children who need PSVAR features can reliably access them when required. In practice, this is often achieved through smaller vehicles and bespoke transport arrangements that better meet individual needs. Applying a blanket requirement for full PSVAR compliance to all coaches used for

home to school services risks placing significant cost pressures on local authority budgets without improving outcomes for many pupils

11. Engagement with Local Authorities, operators and the Department for Education indicates that many eligible pupils with Special Educational Needs and Disabilities (SEND) do not travel on full size coaches. This engagement, supported by surveys conducted with coach operators has also demonstrated that the conditions applied to the provision of exemptions to date, have not resulted in a sufficient increase in PSVAR compliant vehicles to the extent that removing exemptions would not risk service disruption and cost escalation. Operators running the largest numbers of vehicles on services were expected to reach at least 35% compliance by August 2025. However, feedback from the industry indicated that this minimum level was sometimes achieved not by buying new vehicles or upgrading existing ones, but by reducing the number of vehicles declared as being used on these services. This had the effect of lowering the compliance threshold that operators were required to meet.
12. The revised Medium-Term Exemptions are intended to address deficiencies to promote increased accessibility from the exemption regimes applied to date and maintain service continuity while supporting a managed and proportionate increase in the availability of PSVAR compliant vehicles where they are genuinely required.
13. Therefore, after considering the provision of HtS transport and the way in which these services operate in practice, the effectiveness of exemption terms and conditions to date, and the views of stakeholders and the Department's statutory advisers on accessible travel – the Disabled Persons Transport Advisory Committee (DPTAC), the Department intends to introduce revised Medium-Term Exemptions from the PSVAR with revised conditions to be applied to coach operators intended to support sustainable HtS transport provision while encouraging meaningful improvements in accessibility. These revised exemptions would apply from 1 August 2026 to 31 July 2030.

## Revised Medium-Term Exemptions: the proposed policy and its intended effects

14. The revised MTEs are intended to account of HtS services being typically closed door that serve a known group of pupils whose needs are assessed in advance. This differs from the open access public services for which PSVAR was designed. The primary objective for HtS should be that disabled children who require PSVAR features can reliably access them when needed. A blanket requirement for full coach compliance risks imposing significant cost pressures on local authority budgets without improving outcomes for many pupils whose needs are better met by smaller vehicles and tailored support.
15. The Department thus proposes a revised regime that is targeted, time limited and outcome focused. It would:
  - Exempt specified full-size coach vehicles, as opposed to operators, from PSVAR when operating in scope paid for, closed door HtS services for a fixed period of four years, on the condition that operators must provide a fully PSVAR compliant coach on request based on assessed pupil need, regardless of whether a fare is paid.

- Require a no worse off safeguard. Where a valid advance request is made based on assessed need, the operator must supply a PSVAR compliant coach as a condition of the exemption, at no additional cost and without restrictive terms, including where the service is provided free at the point of use.
  - Maintain or improve the accessibility baseline by requiring no reduction in the number of PSVAR compliant coaches within an operator's HtS fleet during the exemption period.
  - Require all new coaches entering service to be PSVAR enabled, except where specific exemptions apply, including those used exclusively for leisure or private hire work.
  - Require periodic reporting on HtS fleet composition and usage to support transparency and enforcement.
16. The Department's intention is that the four-year exemption period would be used to develop a longer term, fit for purpose regulatory approach for accessible coach provision in closed door services. This would be informed by improved data, market readiness and the Law Commission's review of accessible transport legislation.
  17. Options to be considered during this period could include extending PSVAR requirements to a broader range of uses, introducing a new-vehicle compliance requirement, or developing explicit regulatory provisions for HtS transport. This would mean the exemption supports transition rather than creating a permanent carve out for operators of these services.
  18. In developing options, the Department has sought and considered the advice of its statutory adviser on accessible transport for disabled people, the Disabled Persons Transport Advisory Committee (DPTAC).

### Summary of policy options

19. We have considered a range of options for responding to this issue, as follows:

#### Option 1 – Business as usual (allow exemptions to expire on 31 July 2026)

20. If no intervention was made, special authorisations granting exemptions for HtS operators would end on 31 July 2026. From that date, operators would be required to use fully PSVAR compliant vehicles on in scope HtS services. Failure to do so would place operators at risk of committing a criminal offence under the Equality Act 2010 and subject to a fine not exceeding Level 4 on the standard scale, currently £2,500.
21. Based on the Department's engagement with local authorities and coach operators and their representative bodies, this scenario could result in operators exiting the market, leading to a critical shortage of vehicles available to deliver HtS services. This would be likely to increase commissioning costs due to a reduced pool of providers, while achieving no discernible increase in real world accessibility of HtS provision.

22. A reduction in service availability or reliability would risk negative impacts on all pupils who rely on these services through reduced access to education, longer journey times, or unsuitable alternative arrangements. While this option would deliver regulatory compliance, it is unlikely to advance equality of opportunity in practice and may result in worse outcomes for all pupils, including disabled pupils. Overall, the do-nothing option presents a high equality risk with limited equality benefit.

#### Option 2 – Do minimum: renew existing exemptions (by special authorisation as per current exemption scheme criteria)

23. This option would continue the existing medium-term exemption regime for HtS operators, including conditions requiring the provision of fleet and operator information, compliance with exemption conditions, and progress towards annual PSVAR compliance targets based on fleet size. In practice, this approach has enabled continuity of HtS services and avoided significant disruption to provision.
24. From an equality perspective, the primary impact of this option is indirect. HtS services are typically closed-door, commissioned services for a defined group of pupils whose transport needs are assessed in advance. Many eligible pupils with SEND do not travel on large coaches and instead use smaller or bespoke vehicles that are better suited to their individual needs. As a result, extending the current exemption regime does not directly improve accessibility outcomes for disabled pupils, nor does it significantly advance equality of opportunity through increased use of PSVAR-compliant vehicles.
25. However, continuation of the existing regime does reduce the risk of market exit, vehicle shortages and cost escalation that could otherwise affect service availability. This helps maintain access to education for pupils who rely on HtS transport, including children as a protected age group, but without delivering meaningful or systematic accessibility improvements. Evidence from engagement with operators and local authorities indicates that the exemption conditions applied to date have not resulted in a sufficient increase in PSVAR-compliant vehicles, and in some cases compliance thresholds have been met through changes in fleet declaration rather than genuine accessibility improvements.
26. Overall, Option 2 mitigates short-term equality risks associated with service disruption but delivers limited equality benefit. It does not provide a robust or sustainable mechanism for improving accessibility where PSVAR features are genuinely required and therefore makes only a limited contribution to meeting the PSED aims.

#### Option 3 – Legislative change: introduce a revised and updated medium-term exemption scheme (recommended option)

27. This option would extend existing medium-term exemptions for certain full-size coaches operating eligible paid, closed-door HtS services, subject to strengthened conditions. Operators would be required to provide a fully PSVAR-compliant vehicle at no additional cost where a pupil's assessed needs require it, require any new coaches entering HtS service to be PSVAR enabled, and submit regular information on fleet composition and usage to support effective monitoring and enforcement.

28. From an equality perspective, this option reflects the operational reality that HtS services are closed-door and commissioned for a defined group of pupils whose needs are assessed in advance. Many pupils with SEND do not travel on large coaches and instead rely on smaller or bespoke transport arrangements. By requiring access to PSVAR-compliant vehicles where they are genuinely needed, this option supports appropriate transport being available for disabled pupils who require specific accessibility features, without imposing blanket requirements that do not improve outcomes for most users.
29. This approach also mitigates the risk of service disruption, operator exit and cost escalation that could otherwise affect the availability of HtS transport, supporting continued access to education for pupils who rely on these services, particularly children as a protected age group. Unlike the continuation of existing exemption arrangements, this option preserves current levels of accessibility while creating clearer expectations for incremental improvement through new vehicle standards and enhanced oversight.
30. Overall, Option 3 offers a more proportionate and targeted response to the PSED. It balances the need to maintain service continuity with a credible mechanism for improving accessibility where required, while allowing time for the development of longer-term regulatory reform aimed at improving accessibility across the coach sector more broadly.

## Section 2

### 2.1 Summary of the evidence considered in demonstrating due regard to PSED

#### Evidence considered in demonstrating due regard to PSED

31. In developing this policy, we have engaged with Local Authorities representative bodies including the Association of Transport Coordinating Officers (ATCO), the Association of Directors of Environment, Economy, Planning & Transport (ADEPT), trade bodies such as the Confederation of Passenger Transport (CPT) and the UK Coach Operators Association (UKCOA), and the advice of the Department's statutory advisers on accessible transport policy, the Disabled Persons Transport Advisory Committee (DPTAC). The perspectives of Department for Education SEND school transport policy experts was also considered. Through the spring and summer of 2025, the Department also undertook surveys of coach operators and their representative bodies to assess their compliance with the PSVAR, and readiness for the expiration of the existing exemption regime.
32. The views of these bodies have been complemented by the extensive feedback received through a Call for Evidence on the effectiveness and current application of the PSVAR conducted by the Department in 2023, as well as commissioned research conducted by Systra into the travel experience of disabled persons and those with other protected characteristics on buses and coaches. This research considered accessibility, safety, and overall travel experiences, while considering intersectionality and varied needs across different groups. An evaluation of the 2018 Inclusive Transport Strategy conducted by NatCen also informed the Department's policy development process.
33. The PSVAR Call for Evidence findings and related research reports have been particularly useful in informing policy development on whether to amend existing PSVAR HtS exemptions and the particular area of tension between accessibility objectives and service viability. The Department has taken account of the strong stakeholder concern from operators and commissioners about the proportionality and affordability of applying PSVAR requirements to paid HtS services, given the high costs of compliance and the risk of adverse impacts on service availability. At the same time, the Department has considered the views of disabled respondents who emphasised the importance of consistent accessibility expectations, particularly for

free HtS provision, and the need to avoid embedding unequal access to transport at an early age. These considerations have informed a balanced assessment of whether changes to existing exemptions are justified and deliverable.

## 2.2 Assessment

34. The following section considers the potential impacts of the proposed policy on people who share each of the protected characteristics set out in the Equality Act 2010. Each characteristic has been assessed in turn, drawing on the available evidence, stakeholder engagement and an understanding of how home to school transport services operate in practice. This assessment focuses on whether the policy is likely to give rise to differential impacts, barriers to access or disadvantage, and whether any mitigation is required to meet the Department's duties under the Public Sector Equality Duty.

### Equality Assessment: Age

35. Age is a relevant protected characteristic in this assessment, as HtS transport services are used almost exclusively by children and young people of compulsory school age. Any policy affecting the availability, cost or reliability of these services therefore has the potential to impact this group disproportionately compared with the wider population.
36. Under education legislation, local authorities have a duty to provide suitable transport arrangements for eligible children who cannot reasonably be expected to walk to school. HtS services are commissioned to support access to education and are tailored to the needs of a defined group of pupils. Disruption to these services, including through reduced operator participation or vehicle shortages, would risk adverse impacts on attendance, punctuality and educational participation for affected children.
37. The proposed approach supports the continued operation of HtS services by allowing limited use of non-PSVAR compliant coaches where appropriate, while retaining requirements to meet assessed needs through suitable alternative arrangements. This mitigates the risk of service withdrawal or cost escalation that could otherwise affect children as a protected age group. The policy does not differentiate between children on the basis of age within the cohort and does not give rise to differential treatment between younger and older pupils.
38. Overall, the impact on age is assessed as neutral to limited positive, as the approach supports service continuity for children who rely on HtS transport, while maintaining safeguards to meet individual needs where required.

### Equality Assessment: disability

39. Disability is the protected characteristic most directly relevant to the application of the PSVAR and the use of exemptions for HtS transport. PSVAR requirements are intended to support disabled passengers, particularly wheelchair users and those with mobility, sensory or cognitive impairments, to access bus and coach services safely and with reasonable comfort.

40. In the context of paid, closed-door HtS services, disabled pupils' transport needs are typically assessed in advance by local authorities, and suitable travel arrangements are commissioned accordingly. Many pupils with SEND do not travel on large coaches and instead use smaller vehicles or bespoke transport that is better aligned with their individual needs. As a result, the use of non-PSVAR compliant coaches on some HtS services does not, in itself, determine whether disabled pupils can access suitable transport.
41. There is a risk of indirect disadvantage where non-compliant vehicles are used in circumstances where PSVAR features are required and alternative arrangements are not available. However, this risk is mitigated by the requirement on local authorities to provide suitable transport under education legislation and, under the proposed option, by conditions requiring access to a fully PSVAR-compliant vehicle where a pupil's assessed needs require it. The proposed approach therefore limits the risk of discrimination arising from disability while avoiding the imposition of blanket requirements that do not improve outcomes for most disabled pupils.
42. Overall, the impact on disability is assessed as limited and proportionate, with mitigations in place to address situations where PSVAR features are genuinely required.

#### Equality Assessment: Sex

43. The protected characteristic of sex has been considered in relation to the proposed approach to exemptions for HtS transport services. HtS services are commissioned to support access to education for eligible pupils and are provided on the basis of assessed need rather than sex. The availability, commissioning and operation of these services are unlikely to differ for boys and girls, and eligibility criteria apply equally regardless of sex.
44. While there are differing prevalence rates of certain conditions, such as autism, between boys and girls, this is unlikely to affect how HtS services are commissioned or delivered in general terms. Transport arrangements are determined by individual need and local authority duties under education legislation, rather than by sex. HtS services may support pupils attending both single-sex and co-educational schools; however, the Department has not found evidence in its consideration of the evidence to suggest that single-sex schools are more or less likely to be affected by the application of exemptions than co-educational schools, nor that pupils of one sex would be disproportionately affected.
45. The proposed policy does not introduce differential treatment, barriers to access, or changes in service availability based on sex. Any impacts arising from the continuation or modification of exemptions relate to service continuity and accessibility considerations that apply equally to all pupils.
46. Overall, the impact on the protected characteristic of sex is assessed as neutral, and no further mitigation is considered necessary.

## Equality Assessment: Gender Reassignment

47. The protected characteristic of gender reassignment has been considered in relation to the proposed approach to exemptions for home to school transport services. HtS services are commissioned to support access to education for eligible pupils based on assessed transport needs and statutory duties, rather than personal characteristics such as gender identity.
48. The policy affects the availability and operation of closed-door HtS transport services and does not differentiate between pupils or passengers on the basis of gender reassignment. The Department has not identified evidence in its considerations to suggest that pupils who are transgender or who are undergoing gender reassignment would experience different outcomes in relation to access to transport, service availability, or suitability of travel arrangements as a result of the proposed exemptions. Decisions about transport provision are made by local authorities according to individual need and are subject to wider duties under equality and education legislation.
49. No specific barriers, disadvantages or differential impacts associated with gender reassignment have been identified in relation to the continuation or modification of PSVAR exemptions for HtS services. Any impacts arising from the policy relate to service continuity and commissioning considerations that apply equally to all pupils.
50. Overall, the impact on the protected characteristic of gender reassignment is assessed as neutral, and no specific mitigation is required.

## Equality Assessment: Marriage, Civil Partnership, Pregnancy, Maternity

51. The protected characteristics of marriage or civil partnership, and pregnancy and maternity, have been considered in relation to the proposed approach to exemptions for HtS transport services. The policy concerns the commissioning and operation of closed-door HtS transport for eligible pupils and does not differentiate between individuals or families based on marital or civil partnership status, pregnancy, or maternity.
52. Eligibility for HtS transport and the nature of transport arrangements are determined by statutory duties under education legislation and by assessed need, rather than household composition or parental status. No clear or direct link has been identified between pupils or their family's marriage or civil partnership status and access to, or affordability of, HtS transport services.
53. It is possible that parents or carers who are pregnant or have maternity responsibilities may be indirectly affected by changes to transport arrangements if they are required to accompany children more frequently. However, the proposed approach supports service continuity and reduces the risk of disruption or withdrawal of services that could otherwise increase such burdens. Any impacts arising from the policy relate to general service availability and commissioning considerations that apply across families regardless of pregnancy or maternity status.
54. The policy does not introduce differential treatment, barriers to access, or disadvantages specific to marriage or civil partnership, or pregnancy and maternity.

55. Overall, the impact on these protected characteristics is assessed as neutral, and no specific mitigation is required.

### Equality Assessment: Race

56. The protected characteristic of race has been considered in relation to the proposed approach to exemptions for HtS transport services. The policy applies to the commissioning and operation of closed-door HtS services for eligible pupils and does not differentiate between individuals or groups on the basis of race, ethnicity, nationality, or colour.
57. Eligibility for HtS transport and the suitability of transport arrangements are determined by statutory duties under education legislation and by assessed individual need, rather than by racial or ethnic background. The availability and operation of these services are therefore not influenced by race, and the Department has not identified evidence to suggest that pupils from particular racial or ethnic groups would experience different outcomes as a result of the proposed approach.
58. While broader socio-economic factors, such as differing levels of car ownership across some ethnic groups, can influence reliance on publicly provided transport, these factors do not arise directly from the policy itself and are not specific to the use of PSVAR exemptions for HtS services. Any impacts associated with service continuity, cost pressures, or commissioning decisions would apply across the pupil population irrespective of race.
59. Overall, no direct or indirect adverse impacts on the protected characteristic of race have been identified. The impact is therefore assessed as neutral, and no specific mitigation is required.

### Equality Assessment: Religion or Belief

60. The protected characteristic of religion or belief has been considered in relation to the proposed approach to exemptions for HtS transport services. The policy applies to the commissioning and operation of closed-door HtS transport for eligible pupils and does not differentiate between individuals or groups on the basis of religion or belief.
61. Some HtS services are provided to pupils attending faith schools, which may draw from wider catchment areas than other schools. However, this is not a situation unique to faith schools, as other specialist, grammar or independent schools may also draw pupils from wider geographical areas. Transport arrangements for such services are determined by local authority duties, commissioning decisions and assessed need, rather than by pupils' religion or belief.
62. Where local authorities have withdrawn discretionary transport provision, some schools, including faith schools, may arrange transport directly and charge parents. Any impacts arising from such arrangements are linked to the discretionary nature of transport provision rather than to the application of PSVAR exemptions and would not be expected to affect pupils of one faith more than another. In addition, admissions requirements mean that faith schools typically serve pupils from a range of backgrounds, further limiting the potential for differential impact.

63. Overall, no direct or indirect adverse impacts on the protected characteristic of religion or belief have been identified. The impact is therefore assessed as neutral, and no specific mitigation is required.

#### Equality assessment: Sexual Orientation

64. The protected characteristic of sexual orientation has been considered in relation to the proposed approach to exemptions for HtS transport services. The policy applies to the commissioning and operation of closed-door HtS services for eligible pupils and does not differentiate between individuals or groups on the basis of sexual orientation.
65. Eligibility for HtS transport and the suitability of transport arrangements are determined by statutory duties under education legislation and by assessed individual need. The availability, cost and operation of HtS services are not influenced by a pupil's or family member's sexual orientation, and no evidence has been identified to suggest that pupils who identify as lesbian, gay or bisexual would experience different outcomes as a result of the proposed policy.
66. Any impacts arising from the continuation or modification of PSVAR exemptions relate to service continuity, commissioning decisions and vehicle availability, which apply equally across the pupil population. The policy does not introduce barriers to access, differential treatment or disadvantage associated with sexual orientation.
67. Overall, no direct or indirect adverse impacts on the protected characteristic of sexual orientation have been identified. The impact is therefore assessed as neutral, and no specific mitigation is required.

#### Public Sector Equality Duty – Overall Assessment and Due Regard

68. In developing and assessing the policy options relating to PSVAR exemptions for HtS transport services, the Department has had due regard to the requirements of section 149 of the Equality Act 2010 throughout the policy development and decision-making process. Consideration of equality impacts has been embedded from an early stage and has been informed by a wide range of evidence, including engagement with local authorities, transport operators, the Department for Education and the Department's statutory advisers on accessible transport.

#### Eliminating unlawful discrimination

69. The Department has considered whether any of the options would give rise to direct or indirect discrimination, harassment or victimisation in relation to protected characteristics. In particular, careful attention has been given to disability, where PSVAR requirements are most directly engaged. The assessment recognises the statutory duties on local authorities to provide suitable transport for eligible pupils and the closed-door, assessed nature of HtS services. Mitigations have been incorporated to limit the risk of disadvantage where accessibility features are genuinely required, and no option is assessed as giving rise to unlawful discrimination.

### Advancing equality of opportunity

70. The Department has considered how each option would affect access to education, service continuity and the availability of suitable transport for pupils with protected characteristics. The assessment recognises that many pupils with SEND do not use large coaches and that bespoke arrangements are often more appropriate. The preferred approach balances the need to maintain access to education with proportionate measures to support improved accessibility where required, while avoiding outcomes that could reduce provision or increase barriers through service withdrawal or cost escalation.

### Fostering good relations

71. The Department has considered whether the policy could affect relationships between groups with different protected characteristics. No evidence has been identified that the proposed approach would exacerbate prejudice or misunderstanding. By supporting continuity of essential services while signalling a clear direction of travel on accessibility, the policy seeks to promote confidence and fairness across users, commissioners and providers.
72. Taken together, the Department's evidence-led analysis, structured consideration of options and systematic assessment of impacts across all protected characteristics demonstrate that due regard has been paid to the PSED in a proportionate, transparent and robust manner.

## Section 3

### 3.1 Decision Making and Conclusions

73. In reaching its conclusions, the Department has considered a range of policy options in light of the available evidence, stakeholder engagement, and the statutory requirements of the Public Sector Equality Duty. This has included detailed consideration of how HtS transport services operate in practice, the effectiveness of previous exemption regimes, and the likely impacts of alternative approaches on pupils, local authorities and operators.
74. The assessment identified that allowing exemptions to expire without replacement would present a high risk of service disruption, cost escalation and reduced access to education, while delivering limited real-world accessibility benefits. Conversely, continuation of the existing exemption regime would preserve service continuity but would not address the deficiencies identified in earlier approaches, including weak incentives for genuine accessibility improvements and limited transparency over fleet composition and use.
75. On this basis, the Department has concluded that a revised, time-limited exemption regime represents the most proportionate and balanced approach. The preferred option refocuses exemptions away from headline fleet compliance targets and towards outcomes that matter in practice, in particular the availability of PSVAR-compliant vehicles where a pupil's assessed needs require them. This approach better reflects the closed-door and pre-assessed nature of HtS services, while avoiding unintended consequences that could arise from blanket regulatory application.
76. The decision also reflects the Department's intention to use the exemption period as a managed transition towards a longer-term, fit-for-purpose regulatory framework for accessible coach provision in closed-door services. The conclusions reached therefore balance service viability, affordability and equality considerations, and are supported by the detailed analysis set out in Sections 1 and 2 of this assessment.

### 3.2 Monitoring and Evaluation

77. The revised approach set out in the instructions introduces stronger and more systematic monitoring and evaluation arrangements than those available under

previous exemption regimes. In particular, the proposed Special Authorisation conditions will require operators to provide regular, standardised data on fleet composition, PSVAR compliance and vehicle usage. This is intended to improve the quality and consistency of information available to the Department and the Driver and Vehicle Standards Agency (DVSA), addressing known gaps in the current evidence base.

78. The requirement to maintain minimum proportions of compliant vehicles across operators' overall coach fleets, alongside restrictions on the introduction of non-compliant new vehicles, will support more effective oversight and reduce opportunities for avoidance through changes in fleet declaration. These measures will also make it easier to identify trends, assess market readiness, and evaluate whether accessibility outcomes are improving over time.
79. Monitoring will be supported through DVSA's existing inspection and enforcement functions, complemented by ongoing engagement with local authorities, operator representative bodies and the Disabled Persons Transport Advisory Committee (DPTAC). Together, these arrangements are intended to support the Department to identify emerging risks, unintended consequences or distributional impacts, and to review whether further policy or regulatory changes are required before the expiry of the exemption period.
80. Overall, the revised approach is intended strengthen the Department's ability to evaluate both equality and service outcomes, so that future decisions are informed by clearer evidence and aligned with the objectives of the Public Sector Equality Duty.

### 3.3 Sign-off

#### Official Completing the Impact Assessment

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**Date:** 18 May 2026

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