
Revised Policies for Travel Assistance for Children and Pupils Attending School and Post 16 Students

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This report relates to a decision that is Key

Purpose of this report

1. The Travel Assistance Policies for Central Bedfordshire are being reviewed. The purpose of this report is to seek the views of the Executive on proposals relating to Travel Assistance Policies in order to approve the proposals for public consultation.

Recommendations:

The Executive is asked to:

1. **authorise the Director of Children's Services to commence a public consultation regarding the proposed changes to the Council's policies relating to School Travel Assistance and Travel Assistance for Post 16 pupils set out in Appendix A and Appendix B for public consultation;**
2. **to ensure the key changes in the proposals are set out clearly in the consultation documents;**
3. **to ensure that all parents and carers of children and young adults currently receiving school travel assistance are directly consulted; and**
4. **to report back to Executive the findings of the consultation.**

Overview and Scrutiny Comments/Recommendations

2. The report has not been considered by Overview and Scrutiny as the request is to consult on the changes in the policies. The draft policies will go to Overview and Scrutiny following the public consultation.

Issues

3. Central Bedfordshire Council provides transport assistance to entitled pupils of school age and those post 16 attending education.
4. The Council is required to have policies in place setting out how the statutory service will be delivered. The current Home to School Transport Policy was adopted by Executive in February 2014, a review was undertaken in April 2015 by the Director of Children's Services in consultation with the Executive Member. The Post 16 policy was adopted by Executive in 2010.
5. Central Bedfordshire Council Transports over 5,000 entitled children/students from home to school each year.
6. In 2016/17 the cost to the revenue budget was over £8.4 million compared to £7.3 million in 2015/16.
7. Currently, pupils are entitled to transport assistance for the following reasons:
 - a) All children who are in reception year to the end of year 11 qualify for free school transport if they go to their nearest suitable or catchment school and live at least:
 - 2 miles from the school if they are under 8
 - 3 miles from the school if they are 8 or older. The statutory walking distances are measured by the shortest available walking route.
 - b) If there is no available walking route, children may be offered free transport.
 - c) If the family is in receipt of the maximum Working Tax Credit or your children are entitled to free school meals, they will get free school transport if they are:
 - I. aged 8 to 11 and the nearest suitable school is at least 2 miles away
 - II. aged 11 to 16 and attend 1 of the 3 nearest schools between 2 to 6 miles from the home address

- III. aged 11 to 16 and attend the nearest school of their chosen religion or belief and it is between 2 to 15 miles from the home address.
- d) There is no automatic entitlement for pupils with an Education Health Care Plan or Statement of Special Educational Needs. However transport can be provided if they live further than the statutory walking distances mentioned in above and:
- attend their nearest or catchment mainstream school
 - attend the nearest suitable special school, which has been agreed by us as being able to meet their needs.
- e) If a child lives under the statutory walking distance but their needs would mean it was unsafe for them to walk even when accompanied by an appropriate adult, then transport may also be provided.
- f) If a child has attends the nearest or catchment school and they have a medical condition which means they are unable to walk to school or access mainstream or public transport, then transport may be provided.
- g) If a child is between 16 and 18 and in further education or sixth form, we may be able to help with transport. Transport is provided to pupils who attend the catchment or nearest school or the nearest establishment which offers the chosen course.
- h) The distance from home to school or college needs to be between 3 and 20 miles (measured by walking distance up to 3 miles and motorised route after 3 miles) and:
- be from a low income family or;
 - have a medical need or;
 - be in the care of the authority
- i) Transport can be provided for pupils who have a Statement of Special Educational Needs or Education Health Care Plan up until the age of 25.
8. The Council's policies have been reviewed to ensure that they meet the statutory requirements whilst making the most efficient use of resources.
9. The changes to the policy being considered are:
- Transport will be provided from home to nearest available school rather than to nearest or catchment.

- The provision of a pass to travel on public transport will be the first point of assistance offered, rather than the commissioning of routes through private operators.
- Transport will not be provided for children who are not of statutory school age (under 5).
- Concessionary passes will be charged at a cost that better reflects the cost to the council of the transport provision.
- Where a Motability vehicle is provided to transport a child, parental mileage will be paid.
- Where it is more cost effective, schools will be given the option to have a contribution made to allow them to run their own minibus to transport their pupils.
- Post 16 SEN students will be required to make a contribution towards the cost of their transport unless they are from a low income family.

Reason/s for decision

10. To ensure that the Council meets its statutory obligations.
11. To ensure that the Council adopts a fair, equitable and transparent policy to support all pupils and their families.
12. To ensure that the Council adopts a Home to School Transport Policy that can be implemented within the available resources.

Council Priorities

13. Enhancing Central Bedfordshire, by reducing the number of contracted vehicles and making better use of public transport routes this will reduce the number of vehicles on the roads, leading to a reduction in congestion and air pollution and will help support the commercial public transport routes within Central Bedfordshire.
14. Improving education and skills, by ensuring that those children who are entitled are provided with travel assistance from home to school safely and efficiently the pupils are more likely to be in their place of education.
15. Protecting the vulnerable; improving wellbeing, by ensuring that some of our most vulnerable residents are able to access education.

16. A more efficient and responsive council, changes to how travel assistance is provided will allow the Council to make the best use of its resources.

Corporate Implications

Legal Implications

17. The current Home to School Transport policies, agreed by the Executive on 9 March 2010 and 4 February 2014 ensured the Council is compliant with the relevant legislation.
18. The policy details the way in which the Council will exercise its powers and duties to provide home to school transport in accordance with Section 509 of the Education Act 1996 and the Education and Inspections Act 2006. Adopting the proposed policy will ensure that the Council is meeting its legal responsibilities.
19. The duty placed on the Council is to make such travel arrangements as they consider necessary to enable the attendance of “eligible children” within their area, at the relevant ‘qualifying school’.
20. The duty applies to ‘eligible children’ in the Council’s area who are attending their nearest ‘qualifying school’, where:
 - the school is beyond the statutory walking distances of two miles for children below the age of eight and three miles for those aged eight and over; or
 - the child is from a ‘low income family’ and is over age eight, but under 11 years of age, and they are living more than two miles from the nearest school; or
 - the child is from a ‘low income family’ and is of secondary age (aged 11- 16) and attending a qualifying school that is between two and six miles from the child’s home (as long as there are not three or more nearer suitable qualifying schools); or
 - the child is from a ‘low income family’ and is of secondary age (aged 11-16) and attending their nearest school preferred on the grounds of religion or belief, between two and 15 miles from home.
21. The Council must also make travel arrangements for those pupils who are unable to walk to school because of their special educational need (SEN), disability or mobility problems and children who cannot reasonably be expected to walk because the nature of the route is such that they cannot walk in reasonable safety.

22. Legal advice is that the consultation should be extensive and should include all those parents, carers and young people accessing the current service. There will also need to be a full equality impact assessment carried out and any adverse impacts highlighted, and any mitigation measures will need to be considered

Financial and Risk Implications

23. In 2016/17 the total spend on the educational transport contracts was £8,964,303 which resulted in an overspend of £1,404,533 which is detailed in the table below along with a comparison to 2015/16.
24. The MTFP Contains savings associated with changes to these policies. These savings were agreed as part of the budget agreed by Council in February 2017.

Year	Budget 15/16	Budget 16/17	Spend 15/16	Spend 16/17	Variance 15/16	Variance 16/17
Mainstream	£3,310,400	£3,486,460	£3,071,495	£3,695,192	£239,000	£208,732
Mainstream Colleges	£153,810	£79,810	£87,901	£68,697	£65,909	£11,113
SEN	£3,394,940	£3,475,940	£3,510,123	£4,348,339	£115,183	£872,339
SEN Colleges	£350,000	£350,000	£291,133	£326,310	£58,867	£23,690
*Extended Rights	£122,000	£167,500	£424,000	£525,765	£302,000	£358,265
Totals	£6,981,150	£7,559,770	£7,384,652	£8,964,303	£53,362	£1,404,533

* Extended rights to transport applies to families on low income.

25. Other processes have been put in place to mitigate these costs such as the move from a framework for letting the routes to a dynamic purchasing system.
26. The cost of transport is not sustainable with the resources we have so we must ensure that we are using the resource as efficiently as possible.
27. The change to the Home to School Transport Policy agreed by Executive in February 2014 allowed for the provision of children of none statutory school age (4 year olds), at that time the budget implications were not provided. In 16/17 the cost of transporting 4 year olds was £107,000.

Equalities Implications

28. The Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
29. When the Home to School Transport policy was developed in 2010 a full equality impact assessment was undertaken in consultation with the Equality Forum. As part of the policy review and consultation process undertaken in 2013 the equality impact assessment was refreshed. A further refresh of the Equalities Impact Assessment will take place as part of this review, once the outcomes from the public consultation are known.

Conclusion and next Steps

30. The Executive are asked to agree that the draft policies are subject to a twelve week public consultation commencing on 12 June 2017.
31. The responses to the consultation will be used to inform the new policy which will be brought back to Executive for adoption.
32. The new policies will be implemented from September 2018.

Appendices

Appendix A: School Travel Assistance Policy

Appendix B: Travel Assistance Policy for Post 16 Students.

Background Papers

None

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