

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



please ask for Sandra Hobbs
direct line 0300 300 5257
date 8 October 2010

NOTICE OF MEETING

CHILDREN'S SERVICES OVERVIEW & SCRUTINY COMMITTEE

Date & Time

Tuesday, 19 October 2010 10.00 a.m.

Venue at

**Council Chamber, Priory House, Monks Walk, Shefford,
SG17 5TQ**

Richard Carr
Chief Executive

To: The Chairman and Members of the CHILDREN'S SERVICES OVERVIEW & SCRUTINY COMMITTEE:

Cllrs J Street (Chairman), Mrs D B Gurney (Vice-Chairman), Mrs A Barker, P A Blaine, D Bowater, N B Costin, Dr R Egan, P Hollick, K Janes and A Shadbolt

[Named Substitutes:

Cllrs: I Dalgarno, Mrs S A Goodchild, J G Jamieson, Mrs M Mustoe and A M Turner]

Co-optees: Ms Copley (Parent Governor), Ms Image (Roman Catholic Diocese), Mr Landman (Parent Governor), Mr Reynolds (Church of England Diocese) and Mr Sear (Parent Governor)

All other Members of the Council - on request

**MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS
MEETING**

AGENDA

1. **Apologies for Absence**

Apologies for absence and notification of substitute members

2. **Minutes**

To approve as a correct record the Minutes of the meeting of the Children's Services Overview and Scrutiny Committee held on 14 September 2010 and to note actions taken since that meeting.

3. **Members' Interests**

To receive from Members any declarations and the nature in relation to:-

- (a) personal interests in any agenda item
- (b) personal and prejudicial interests in any agenda item
- (c) any political whip in relation to any agenda item.

4. **Chairman's Announcements and Communications**

To receive any announcements from the Chairman and any matters of communication.

5. **Petitions**

To receive petitions from members of the public in accordance with the Public Participation Procedure as set out in Annex 2 of Part A4 of the Constitution.

6. **Questions, Statements or Deputations**

To receive any questions, statements or deputations from members of the public in accordance with the Public Participation Procedure as set out in Annex 1 of part A4 of the Constitution.

7. **Call-In**

To consider any decision of the Executive referred to this Committee for review in accordance with Procedure Rule 10.10 of Part D2.

8. **Requested Items**

To consider any items referred to the Committee at the request of a Member under Procedure Rule 3.1 of Part D2 of the Constitution.

Reports

Item	Subject	Page Nos.
9	Portfolio Holder Update To receive a verbal update from the Portfolio Holder regarding current issues within Children's Services.	Verbal update
10	Child Poverty Strategy The Deputy Chief Executive / Director of Children's Services will show a video about Child Poverty and give a presentation to Members about the development of a strategy to reduce child poverty and alleviate its effects in Central Bedfordshire. Members will also have the opportunity to discuss the issues with a Headteacher.	13 - 16
11	Post 16 Transport Policy The report proposes changes to the Post 16 Transport Policy, to take effect from September 2011. Members will note that the proposed policy changes are related to young people attending post 16 education and training in schools, colleges and work based learning providers and not part of the Home to School Transport Policy which was agreed by Executive in March 2010.	17 - 60
12	Quarter One Performance Report The report highlights the Quarter One performance for the Children's Services Directorate, including relevant Corporate Health Indicators.	61 - 70
13	Work Programme 2010 - 2011 & Executive Forward Plan The report provides Members with details of the currently drafted Committee work programme and the latest Executive Forward Plan.	71 - 88

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CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **CHILDREN'S SERVICES OVERVIEW & SCRUTINY COMMITTEE** held at Room 15, Priory House, Monks Walk, Shefford, SG17 5TQ on Tuesday, 14 September 2010

PRESENT

Cllr J Street (Chairman)
Cllr Mrs D B Gurney (Vice-Chairman)

Councillors: P A Blaine
D Bowater
N B Costin
Dr R Egan
K Janes
A Shadbolt

Parental Co-optees: H Copley
D Landman
Mr B Sear

Church of England Co-optee: J Reynolds

Apologies for Absence: Cllrs Mrs A Barker
P Hollick

Roman Catholic Diocese Co-optee Mrs F Image

Substitutes: Cllrs J G Jamieson

Members in Attendance: Cllrs B J Spurr

Officers in Attendance: Mr B Carter Overview & Scrutiny Manager
Mrs E Grant Deputy Chief Executive and Director
of Children's Services
Mrs S Hobbs Democratic Services Officer
Ms K Peddie Head of Policy & Strategy –
Children's Services

CS/10/24 **MINUTES**

RESOLVED

that the Minutes of the meeting of the Children's Services Overview and Scrutiny Committee held on 29 June 2010 be confirmed and signed by the Chairman as a correct record.

Members were updated on minute CS/10/19 'Children and Young People's Plan: Making a Positive Contribution' and noted that the Sustainable Communities Overview and Scrutiny Committee had discussed the removal of Government funding to provide free swimming for the under 16 and over 60 year olds. Officers confirmed that this funding had ceased as from the 1 August 2010 and the Council had not been able to continue this funding due to the current economic climate.

CS/10/25 **MEMBERS' INTERESTS**

(a) **Personal Interests:-**

None.

(b) **Personal and Prejudicial Interests:-**

None.

(c) **Any Political Whip in relation to items on the agenda:-**

None.

CS/10/26 **Chairman's Announcements and Communications**

The Chairman advised Members that due to the current economic climate and the new coalition Government's changing legislative framework he had agreed to have a standing item on the agenda at each meeting for a Portfolio Holders' update to enable the Committee to be kept informed.

CS/10/27 **Petitions**

No petitions were received from members of the public in accordance with the Public Participation Procedure as set out in Annex 2 of Part A4 of the Constitution.

CS/10/28 **Questions, Statements or Deputations**

No applications from members of the public were received in accordance with the Public Participation Procedure allowed for under Part A4 of the Constitution.

CS/10/29 **Call-In**

No matters were referred to the Committee for a decision in relation to call-in of a decision.

CS/10/30 **Requested Items**

A request was made that a report be submitted to the Children's Services Overview and Scrutiny Committee regarding the future of the music service. Members were advised that this item was scheduled to come to their meeting on 23 November 2010.

CS/10/31 **Portfolio Holders' Update**

The Portfolio Holder for Children's Services updated Members on the following areas:

- the Assistant Director of Children's Services had taken up the post of Director of Children's Services at Luton Borough Council and Members wished him well in his new job. The post of Assistant Director would be advertised and appointed to before the end of December. In the meantime Mark Wheeler, who had acted as an interim during the Shadow Council period, would be Interim Assistant Director;
- the GCSE results in Central Bedfordshire had improved by 9% which was a 5% increase above the national target. The Portfolio Holder congratulated the schools and thanked teachers and parents for supporting the children through their school years to enable them to achieve great results;
- Hitchmead and Sunnyside Schools in Biggleswade had merged and was named Ivel Valley School. Access works to the former Hitchmead School had been completed and the new Ivel Valley School was going from strength to strength. A press release was due to be published during week commencing 20 September 2010;
- a new replacement school for Roecroft Lower School, Stotfold was due to be started with the first sod being dug during week commencing 20 September 2010. The funding for the school was coming from the Section 106 Agreement and the new school was due to be opened in the autumn of 2011;
- the new coalition Government had stated that local authorities no longer needed to have Children's Trusts. Central Bedfordshire Council had agreed, as there were benefits from working in a Trust and a lot of hard work had been put in by all the partners, to invite partners to continue with the Trust and the Children and Young People's Plan. The Portfolio Holder advised that she had received positive feedback from partners. A query was raised about attendance allowance not being paid for attendees of the Children's Trust. The Portfolio Holder advised Members that there was no provision in the Council's budget to fund attendance allowances for the many panels within the authority;

- the Deputy Chief Executive/Director of Children's Services had been invited to give a presentation at a group session at the Guardian Innovation Conference in November on the Youth at Risk pilot scheme that the Council had been running in Dunstable and Houghton Regis. The Deputy Chief Executive/Director of Children's Services advised Members that she would feedback to the Committee the information from the Conference.

Members were informed that the Principal at Central Bedfordshire College would be retiring after Christmas.

CS/10/32

Task Force Review of the Provision of Facilities for Children & Young People in Central Bedfordshire

The Chairman of the Youth Provision Task Force presented a report which provided details of the aims, process and key findings of the review of the provision of facilities for children and young people in Central Bedfordshire. The Task Force received evidence relating to performance, local consultation and schemes that were currently being undertaken by the Council and had carried out three site visits to youth centres in Barton, Toddington and Leighton Buzzard.

The review had been carried out in the context of the current financial situation and the limited resources on offer to deliver youth support services. The Task Force report focused specifically on issues relating to children and young people who were not in education, employment or training (NEET). The report was structured around the three key areas that had been investigated:

- targeted youth support services;
- property and assets; and
- working in partnership.

Due to the financial constraints the Council should focus the services and raise the aspirations of those most vulnerable children and young people in Central Bedfordshire. The Council needed to ensure that there were processes in place to analyse the numbers of NEET young people at ward level and that resources would be targeted in those areas of greatest need. The Task Force felt that the Council needed to develop its role as a commissioner of services, increasing the range of universal services that were provided by other organisations. Those youth services that the Council provided needed to be delivered in the most cost-effective and efficient manner. The Task Force had set out their recommendations to the Children's Services Overview and Scrutiny Committee in Appendix A to the report.

Members noted that the Government was removing the Tell Us survey. The Council through their Consultation Strategy would ensure that young people would still be consulted and involved. The Portfolio Holder was having discussions with members from the Youth Parliament about the best ways to consult with young people.

Members were advised that an analysis of the Not in Education and Training (NEET) young people as a performance indicator was not currently reported to the Executive in the current performance suite, but Officers would take this forward in their management reviews. Members discussed Central Bedfordshire Council's figures in relation to the numbers of NEETs in Central Bedfordshire. The Council had adjusted their target for 2010/11 to 5.0%, although the current national average was 6.5% and the regional average was 6.1%. Officers would consider if there was a need to adjust this target mid way through 2010/11.

Members thanked the Task Force for their hard work. Members noted that the draft policy on the provisions for youth would be available for the Children's Services Overview and Scrutiny Committee to comment on at their meeting on 23 November 2010.

RESOLVED

to endorse the findings and recommendations contained within the Task Force report.

NOTED

that the Portfolio Holder for Children's Services would bring forward a policy for provision for youth in February/March 2011 that would address the findings and recommendations from the Task Force review, whilst taking account of the changing national landscape. The draft policy would be available for Children's Services Overview and Scrutiny Committee to comment on at their meeting on 23 November 2010.

CS/10/33

Future of the Youth Service

Members considered the report of the Portfolio Holder for Children's Services which summarised the present situation regarding the provision of youth service. Members also received a presentation from the Deputy Chief Executive/Director of Children's Services on the future of the youth service. The presentation provided Members with:

- the history and development of the youth service;
- the policy position of the last Government and the new emergent Government's thinking;
- the challenges facing the council including the reduction in budgets, the role of Councils in the Big Society;
- the current performance in Central Bedfordshire;
- quality assurance;
- good practice examples; and
- the next steps.

A copy of the presentation is attached at Appendix A.

Members discussed the loss of the Area Based Grant (ABG) which contributed to the funding for Connexions. Due to the loss of the ABG a restructure, including the closure of Connexions, was taking place in the Youth Service and all employees within this service were part of a 90 day consultation period as from 13 September 2010. Members were advised that the Central Bedfordshire Together Board (Local Strategic Partnership Board) were the fund holders for any performance reward grants, including the ABG. Connexion's would continue until March 2011. The funding of any the redundancies would come from a corporate fund but employees would, where posts were available, be offered redeployment or restructured to other services. Members noted that the statutory function to provide a form of advice and guidance would continue.

The Government had launched the 'Big Society' programme in May 2010, which would create opportunities empowering local people and encourage them to take an active role in their communities. Officers were waiting for further details from the Government on the availability of future grants. The Government was due to announcement their findings from the Comprehensive Spending Review on 20 October 2010. Members agreed that Officers write to all local MPs, the Chancellor of the Exchequer and the Chief Secretary to the Treasury requesting their support to maintain funding for the benefit of young people. A copy of this letter would be circulated to all members of the Committee. The Portfolio Holder for Children's Services agreed to reinforce this message at a meeting she was due to attend with MPs.

Members discussed the commissioning of services through the voluntary and community sector including the public sector. Officers would need to support ward members to enable them to take a bigger role in their community.

Members noted that the availability of places for apprenticeships. The number of people interested in taking up a place was higher than places available as companies were not taking on any apprentices. It was noted that apprentices were not always reliable and that there was an issue for 16-19 year olds being able to travel to their workplace. Members were advised that the Sustainable Communities Overview and Scrutiny Committee were due to discuss the Council's transport policy and Members requested that they be notified when this was due to happen.

RESOLVED

that delegated authority be given to the Chairman of the Children's Services Overview and Scrutiny Committee to sign off the letter that Officers would write to the local MPs, the Chancellor of the Exchequer and the Chief Secretary to the Treasury requesting their support to maintain funding for the benefit of young people.

Adjournment

The Committee adjourned from 12:05 – 12:15 p.m.

CS/10/34 **Children and Young People's Plan: Overview and Scrutiny Comments**

Members considered the report of the Portfolio Holder for Children's Services which provided a summary of the comments received from the Committee in relation to the Every Child Matters outcome areas. The report provided Members with an opportunity to inform the refresh of the Children and Young People's Plan 2011/12. Members noted that the refresh of the Plan would be submitted to Council on 14 April 2011.

NOTED

the report.

CS/10/35 **Children Excluded from School**

Members considered the report of the Portfolio Holder for Children's Services which summarised the present situation regarding the provision for children excluded from school. The Service Level Agreement (SLA) between Central Bedfordshire Council and Bedford Borough Council to provide via Greys Education Centre Pupil Referral Unit (PRU) for the provision of education for pupils of statutory school age unable to access education due to permanent exclusion, pregnancy or the difficulties of being a young mother, long term illnesses or other temporary difficulties which arrive in people's lives and make access to school very difficult was due to come to an end from March 2011.

The Council had agreed not to renew the SLA and had given notice to Bedford Borough Council. Officers were looking at alternative arrangements, as it was not appropriate for these children to be travelling to Bedford every day and the service was not providing value for money. On average it cost around £11,000 to transport a child to the PRU and then £12,000 to educate the young person. Members noted that alternative arrangements were being drawn up and would be discussed at the Schools Forum and by Headteachers. By bringing the service in-house it would allow also Members to hold the Deputy Chief Executive/Director of Children's Services to account.

Members acknowledged the success of the PRU and the good Ofsted report, but concerns had been raised by this Council, in particular regarding the number of pupils being educated in libraries and this practice was still continuing.

A query was raised regarding the number of excluded children from the Academy. Members were advised that whilst initially the number of exclusions had been high, Officers were expecting the number to be reduced. The Deputy Chief Executive/Director of Children's Services agreed to write to the member concerned regarding her question on funding.

Members noted that a further report would be submitted to the Children's Services Overview and Scrutiny Committee on 23 November 2010.

NOTED

the report.

CS/10/36

Work Programme 2010-11 and Executive Forward Plan

Members considered the report of the Chief Executive which provided details of the current committee work programme and the latest Executive forward plan.

Members noted that the following items had been rescheduled:

- budget 2011/12 to be slipped from 23 November to 21 December 2010;
- child poverty to be brought forward from 21 December to 23 November 2010; and
- to include items on the work programme for children excluded from school, the music service, revised 16 - 19 transport policy and youth provisions for the meeting on 23 November 2010.

Due to the number of items on the agenda for the meetings on 23 November and 21 December 2010, Members requested that provision be made for these to be all day meetings.

Members noted that the quarter 1 performance monitoring would be circulated to Members by email and the reserve meeting on 19 October 2010 would not be called unless an urgent item needed to be considered by the Committee.

NOTED

the above amendments to the work programme.

[Please note that since the meeting it has been agreed that the reserve meeting for Children's Services Overview and Scrutiny Committee on 19 October 2010 will not be cancelled. The following items will be considered at this meeting:

- Portfolio Holder's Verbal Update
- Quarter 1 Performance Monitoring
- Options Regarding a Revised 16 - 19 Transport Policy
- Child Poverty Presentation in advance of the policy discussion on a later agenda]

(Note: The meeting commenced at 10.00 a.m. and concluded at 12.52 p.m.)

Chairman

Dated

Meeting: Children's Services Overview and Scrutiny Committee
Date: 19 October 2010
Subject: Child Poverty Strategy
Report of: Cllr Anita Lewis, Portfolio Holder for Children's Services
Summary: The Deputy Chief Executive / Director of Children's Services will show a video about Child Poverty and give a presentation to members about the development of a strategy to reduce child poverty and alleviate its effects in Central Bedfordshire. Members will also have the opportunity to discuss the issues with a Headteacher.

Advising Officer: Edwina Grant, Deputy Chief Executive and Director of Children's Services
Contact Officer: Edwina Grant, Deputy Chief Executive / Director of Children's Services
Public/Exempt: Public
Wards Affected: ALL
Function of: Council and Children's Trust statutory partners

CORPORATE IMPLICATIONS

Council Priorities:

The report relates to four of the Council's key priorities:

- Educating, protecting and providing opportunities for children and young people
- Managing growth effectively
- Creating safer communities
- Promoting healthier lifestyles.

Financial:

A proportion of existing budgets could be earmarked for tackling child poverty enabling work to focus in areas of greatest needs.

Legal:

The Council is required under the Child Poverty Act 2010 to prepare, publish and keep under review a local child poverty needs assessment and a joint strategy with partner agencies setting out how it will address these needs. In preparing a Child Poverty Strategy, the Council will be meeting its legislative duties as set out in the statutory guidance published by the government in October 2010.

Risk Management:

None

Staffing (including Trades Unions):

None

Equalities/Human Rights:

An Equality Impact Assessment of the Strategy is being developed in conjunction with the strategy which will highlight areas of good practice within Central Bedfordshire in addressing the needs of those living in poverty, taking into account the diverse needs of the community.

Community Safety:

N/A

Sustainability:

The strategy will sit alongside the Sustainable Communities Strategy and the Children and Young People's Plan and will address the longer term needs of the community.

RECOMMENDATION:

Members are asked to consider the presentation given by the Deputy Chief Executive / Director of Children's services and take advice from the practitioner Headteacher and make early comments on the developing strategy.

Reason for recommendation:

This is so that members of the committee have a chance to discuss child poverty and express their overall views in advance of the draft strategy

Background

1. In 2008/9 across the UK, 2.8 million children were living in relative poverty (a reduction of 100,000 over the previous 10 years) of which 1.6 million were living in absolute poverty and 2.2 million were living in families which suffered low income and material deprivation.
2. In June 2010, the Child Poverty Act received Royal Assent. This enshrines in legislation a long held government ambition to eradicate Child Poverty by 2020 and places a number of statutory duties on both Central and Local Government in the statutory guidance received in October 2010.
3. Local Authorities are required to co-operate with partners (Health Authorities, Job Centre Plus, Police, Youth Offending and Probation Services) to produce a local Child Poverty Strategy and Child Poverty Assessment.

Child Poverty Strategy

4. Central Bedfordshire together with its partner agencies is developing a Draft Child Poverty Strategy which will take into consideration the building blocks set out by the national Child Poverty Unit (Financial Support, Parental Employment and Skills, Life Chances, Place).
5. Four key objectives will set the framework for the strategy with underpinning priorities:
 - Objective 1:** Maximise opportunities for families in poverty to access employment which will have the outcome of more families working and thus reducing levels of family and child poverty
 - Objective 2:** Ensure families in poverty are accessing all available financial assistance with the outcome that non-working families move from worklessness into low paid and then higher paid work in the meantime accessing appropriate benefits
 - Objective 3:** To improve life chances of children and families by intervening early to prevent poor outcomes and raising educational achievements and aspirations with the outcome that children from poor households gain better qualifications to ensure their access to the labour market so that the cycle of intergenerational poverty is broken
 - Objective 4:** Work with colleagues from all sectors and agencies to improve the environmental factors which exacerbate the effects of poverty, harnessing the resources of the third sector and services across the council in order to achieve priorities, with the outcome that poor families develop healthier lifestyles to prolong life expectancy and live in an improved environment.
6. Each objective will be underpinned by a number of immediate and longer term priorities and will link to the key plans and strategies of Central Bedfordshire.

Conclusion and Next Steps

7. Members are asked to consider the objectives and the presentation given by the Deputy Chief Executive / Director of Children's services and early comments on the strategy are requested.
8. The draft strategy will be presented to the Children's Services Overview and Scrutiny Committee at its meeting on the 23 November and subsequently submitted to Executive, Council, the LSP and the Children's Trust for sign-off in April 2011.

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Meeting: Children's Services Overview and Scrutiny Committee
Date: 19 October 2010
Subject: Post 16 Transport Policy
Report of: Cllr Lewis – Portfolio Holder Children's Services
Summary: The report proposes changes to the Post 16 Transport Policy, to take effect from September 2011. Members will note that the proposed policy changes are related to young people attending post 16 education and training in schools, colleges and work based learning providers and not part of the Home to School Transport Policy which was agreed by Executive in March 2010.

Advising Officer: Edwina Grant, Deputy Chief Executive and Director of Children's Services
Contact Officer: Sylvia Gibson, Assistant Director Learning and Strategic Commissioning
Public/Exempt: Public
Wards Affected: All
Function of: Executive

CORPORATE IMPLICATIONS

Council Priorities:

The proposals relate to the second of the Council's key priorities::

- Educating, protecting and providing opportunities for children and young people.

The proposals also support the priorities set out in the Children and Young People's Plan and the Local Area Agreement to ensure that children, young people and families:

- enjoy and achieve at school and meet their full potential;
- are supported in families with a low income;
- receive appropriate services if they have special educational needs or are identified as vulnerable;

The proposals also have an impact on National Indicator 198 (Mode of travel to school), which is a priority in the Local Area Agreement and a mandatory indicator in the Local Transport Plan. This target aims to reduce car use for journeys to school and to increase the number of children travelling by sustainable modes of transport.

Financial:

The proposed changes to Policy, if approved by the Council, would result in budget savings whilst ensuring that those entitled to support and those who are the most vulnerable are able to access post 16 provision.

The cost of providing Post 16 Transport in the financial year 2009/10 was £1.94m. The 2009/10 parental contribution in 2009/10 towards post 16 transport costs is £234k, requiring the council to fund approximately £1.71m. Transport is provided on a subsidised basis for certain students and is free for others. It is estimated that the cost for the 2010/11 academic year will increase by 4% as more students access post 16 provision, in line with the raising of the participation age in 2013.

In conclusion more young people will be accessing post 16 education, but the proposals outlined in this policy will ensure that the cost per student is reduced.

Budget figures are projections and should be viewed as indicative savings. These projections do not take account of any costs which might be necessary to mitigate the effects of increased car use to school and colleges.

Legal:

For the 2009/10 and 2010/11 academic years, Central Bedfordshire Council adopted the previous policy of Bedfordshire County Council.

The Apprenticeship, Skills, Children and Learning Act 2009 amended the Education Act 1996 in relation to the provision of transport for persons of sixth form age. The Council has a duty to publish a Transport Policy statement annually that will detail the arrangements that will be made for students to access schools, colleges or any establishment at which the local authority or the Young People's Learning Agency secures education or training. The statement should include details of any financial assistance that will be made available, and detail any travel concessions which are provided under the Transport Act 1985.

Risk Management:

Any changes to the policy will meet current legislative requirements as described above. The new policy will be fairer and more equitable for all families.

There is the potential for an adverse reaction from young people and their parents where policy changes result in the provision of previously free or subsidised transport being removed. Therefore, it is important that the Council conducts effective consultation on any proposed changes to the current policy and takes careful note of the outcome of the consultation before reaching decisions.

Staffing (including Trades Unions):

There would be no impact upon staffing levels within the local authority. A new policy would reduce the administrative cost within the Client Transport Team and the Transport Entitlement Team.

Equalities/Human Rights:

Central Bedfordshire Council has a statutory duty to promote race, gender and disability equality and to tackle discrimination experienced by other vulnerable groups. An Equality Impact Assessment is being undertaken as part of the development of the policy. This will be revised and updated once the outcome of the consultation on the proposals is known. The Central Bedfordshire Equality Forum will also consider the draft policy and equality impact assessment.

Community Safety:

The Council does not have a statutory obligation to consider the Safe Routes requirements for post 16 students. The proposals do recognise that support must be made available to protect vulnerable children.

Sustainability:

Central Bedfordshire Council is developing a Sustainable Modes of Travel Strategy for educational establishments, which is a statutory requirement for the Authority under the Education and Inspections Act (2006). Any changes to the Post 16 Transport Policy and their impact will be considered as part of the development of this Strategy.

RECOMMENDATIONS:

- 1. That the Children's Services Overview and Scrutiny Committee considers and comments on the proposed changes to the Post 16 Transport Policy as set out in the report and Appendices.**
- 2. That the Children's Services Overview and Scrutiny Committee receive an updated report, consultation findings and proposed policy at their meeting of 25 January 2011.**

Background

1. The Council is required to have a Post 16 transport policy. For the 2009/10 and 2010/11 academic years Central Bedfordshire Council adopted the previous policy of Bedfordshire County Council.
2. A local authority does not have a statutory responsibility to provide free home to school or college transport for 16-19 year old students. However it does have the statutory responsibility to consider how it will assist learners to access the appropriate post 16 provision.
3. The Education and Skills Act 2008 states that the compulsory participation age will increase to 17 in 2013 and to 18 in 2015. It is important to ensure that appropriate provision is available for this cohort of learners.
4. The Department for Education issues guidance to local authorities in preparing their Policy Statement. Guidance for the 2011/12 academic year is awaited, therefore the guidance issued for 2010/11 is used throughout the proposals.

5. A Post 16 Transport Policy Statement for the 2011/12 Academic Year must be in place by 31st May 2011.
6. As part of Central Bedfordshire Council's overall aim to make the most effective use of resources available and to ensure they are targeted where they are needed most, a review of the current scheme of subsidised transport for 16-19 students has been undertaken.
7. This report sets out proposed changes to the policy and the consultation process taking place between 8th November and 17th December.

Current policy

8. The current Post 16 Transport Policy was that of the legacy Council and met the requirements of legislation that has since been updated. This policy will meet the standards within the Department for Education guidance issued in June 2010.
9. Transport is provided for all learners of sixth form age who attend a mainstream school or college course through a subsidised scheme.
10. To be eligible for subsidised transport students must :
 - a) be enrolled on a full time course
 - b) be 16 years of age or over and under 19 years of age at 1 September of the relevant academic year
 - c) be attending the nearest school or college to their home address which offers the qualification they are studying for, irrespective of the module content. This may be in Central Bedfordshire or a neighbouring council
 - d) Live more than 3 miles from their place of study, measured by the shortest available walking route. The distance may be less than 3 miles if a student has a medical condition which prevents them from walking to school or college, or the need for transport on road safety grounds can be justified based on the Council's Home to School Transport Policy.
11. The cost of the subsidised scheme for students, for the academic year 2010/11 is £133.95 per term or £364.25 per student for an annual pass. Some students, whose families are in receipt of certain benefits, are entitled to free transport.
12. All students with a statement of special educational need and in receipt of free home to school transport in Year 11 because of their special needs are provided with transport free of charge, irrespective of the distance between home and school or college. This includes all children who attend a special school or specialist provision in a mainstream school in Year 11. When a student leaves a local authority maintained school to attend a Further Education institution, their statement ends and they will be assessed under the statutory duties stated in the Apprenticeship, Skills, Children and Learning Act (2009). Where a student remains in education, free transport is provided up to the age of 25.

Proposals

13. As part of Central Bedfordshire Council's overall aim to make the most effective use of resources available and to ensure they are targeted where they are needed most, a review of entitlement to and the cost of Post 16 transport has been undertaken. The proposals set out below are to be consulted on to ensure that support is provided for those most in need.
14. The proposals below have been developed to ensure equitable and transparent processes for providing transport to post 16 students. The proposals are in line with new legislation, Department for Education guidance and are compatible with the current Home to School Transport Policy criteria for low income, medical needs and looked after children, as agreed by the Executive in March 2010.

a) Mileage criteria

Current

- i) Subsidised transport is provided to Post 16 students who live more than 3 miles from and attend the nearest school or college to their home address offering the qualification they are studying for, irrespective of the module content. This may be outside Central Bedfordshire.
- ii) This criterion creates queries to the school transport eligibility team, and also means that the Council is obliged to subsidise transport to some students to study courses as far away as London.

Proposal

- iii) Irrespective of the criteria used to assess entitlement to subsidised transport it is proposed that the maximum distance between home and school or college for which subsidised transport will be provided will be 15 miles.

b) Low Income Criteria

Current

- i) Where a student is entitled under the mileage criteria (as above), free transport is provided for those whose families are in receipt of Income Support, Working Tax Credit, Pension Credits, Employment Support Allowance or Income Based Job Seekers Allowance.

Proposal

- ii) It is proposed that the benefits taken into account when assessing entitlement to free transport should be the same as for statutory age pupils applying for transport on low income or concessionary grounds.

- iii) Families with a low income are defined as those children entitled to free school meals or whose family is in receipt of maximum working tax credit. This will mean that certain families in receipt of working tax credit, but not at the maximum rate, who have previously received passes free of charge, will in future, be required to pay.

c) Medical needs

Current

- i) Where a student attends the nearest school or college, transport is currently considered on medical grounds irrespective of distance between home and college. The medical condition can be temporary or long term and each application is considered on an individual basis. An application for transport has to be supported by a GP or consultant. Charges are made on a pro rata basis, dependant on the timescale for which transport is required.

Proposal

- ii) It is proposed that the current arrangements continue, with the most cost effective transport being provided for a maximum of one term at a time and subject to the Council discussing with GP commissioners regarding the level of appropriate transport for each student.

d) Road safety assessments

Current

- i) Transport is provided on road safety grounds where a student attends the nearest school and where pupils of statutory school age are entitled on road safety grounds. It is not a requirement to assess road safety grounds for Post 16 students attending college as the guidance recognises the capability of 16 year olds to travel independently.

Proposal

- ii) The council is not required to provide a safe route assessment for Post 16 students who are seen in the guidance as capable of travelling independently. It is proposed that subsidised transport will no longer be provided for students living within the 3 mile distance criteria.

e) Special Educational Needs

Current

- i) All students with a statement of special educational need and in receipt of free home to school transport in Year 11 because of their special needs are provided with transport free of charge, irrespective of the distance between home and school or college. This includes all children who attend a special school or specialist provision in a mainstream school in Year 11. Where a student remains in education, free transport is provided up to the age of 25.

Proposal

- ii) It is proposed that post 16 students with special education needs will be eligible for transport if they attend the nearest school or college that is more than 3 miles from their home address or they have transport needs specifically identified in their statement of special education need, or within the assessment carried out under the Apprenticeship, Skills, Children and Learning Act (2009) relating to Further Education providers. Charges for transport for students with special education needs will be assessed in the same way as all other students.

f) Looked After Children, Refugees and Unaccompanied Asylum Seeking Children

Current

- i) Whilst representing only a very small number of the total school population, Looked After Children and Refugees and Asylum Seekers can be some of the most vulnerable children in need of support. The education provider will not always be the nearest to their home address. The current rate of post 16 participation and success from this cohort is significantly below average when compared to the whole cohort. Providing free transport to this cohort enables more Looked After Children, Refugees and Asylum Seeking Children to access suitable provision.

Proposal

- ii) It is proposed that the current arrangements continue.

g) Assessment of Course Content

Current

- i) The current policy states that to be eligible for subsidised transport a learner must “be attending the nearest school or college which offers the qualification they are studying for, regardless of module content.” This means that the Council is obliged to subsidise transport to some students to study courses as far away as London.

Proposal

- ii) To ensure that Post 16 students have access to a wide range of provision and are able to make choices about the school or college they attend, but that transport is not committed to learners travelling considerable distances, it is proposed that the new policy states that learners must “be attending the nearest school or college which offers a qualification at the same level and in the same sector area as the course of choice”.

h) Appeals

- i) Appeals from young people or parents will be managed through the Council Complaints process. However, where appeals are made regarding the appropriateness of course content, the 14-19 Strategy Group, a statutory group as stated in the Education and Skills Act 2008 section 85, will provide an independent view regarding the reasonableness of the choice made by the young person.

Consultation Process

15. The Consultation will begin on 8 November 2010 and will run until 17 December 2010. The Consultation will take the form of representational workshops and a questionnaire that will be based upon the six proposals as outlined in this report. The consultation will be circulated widely and made available on the Council Website.

Conclusion and Next Steps

16. The Committee is requested to consider the proposed changes to the Post 16 Transport Policy and to comment on the proposals which will feed back into the review of the Policy. The outcomes of the consultation will be fed back to the committee at its meeting on the 25th January before going to Executive on the 8th February.

Appendices:

Appendix A: Transport policy statement for learner ages 16 – 18 in further education and continuing learners aged 19 and over 2010/11, Central Bedfordshire Council, March 2010

Appendix B: 2010 Post-16 Transport Guidance, Department for Education, June 2010

Appendix C: Financial Information

Transport policy statement for learners aged 16-18 in further education and continuing learners aged 19 and over, 2010/11.



Name of Local Authority: Central Bedfordshire Council

Department Responsible: Children's Services

- 1. Summary of Policy Statement and main objectives (this section should give an overview/statement of intent of what the LA's transport policy is and what the subsequent desired outcomes are).**

Once a student reaches the age of 16 and completes year 11 at school there is no statutory entitlement to free home to school transport. To support young people in accessing school or college beyond the age of 16, Central Bedfordshire Council provides a Post 16 Transport Scheme that, in certain circumstances, enables students to travel to school or college at a subsidised rate.

- 2. Please provide details of all concessionary fares, discounts, subsidies, passes or travel cards available for learners aged 16-18 and who provides them. Please provide details of any costs to the learner.**

2.1 Central Bedfordshire Council Post 16 Transport Scheme

To be eligible for subsidised transport through the Post 16 Scheme students must:

- be enrolled on a full-time course.
- be 16 years of age or over and under 19 years of age at 1 September 2010.
- be attending the nearest school or college to their home address which offers the qualification they are studying for, irrespective of the module content. This may be in Central Bedfordshire or a neighbouring Council.
- live more than 3 miles from their place of study, measured by the shortest available walking route. The distance may be less than 3 miles if a student has a medical condition which prevents them from walking to school or college, or the need for transport on road safety grounds can be justified, based on the Council's Home to School Transport Policy.
- live in the area of Central Bedfordshire for the whole academic year.

The cost of the Central Bedfordshire Council's subsidised scheme for the academic year 2010/11 is £133.95 per term or £364.25 for an annual pass.

Students may be entitled to free transport to school or college through the Post 16 Scheme if:

- they had a Statement of Special Educational Needs in Year 11 and were in receipt of free home to school transport in that year of school because of their special needs.
- their family is receiving Income Support, Working Tax Credit, Pension Credits, Income Based Job Seekers Allowance or Pension Credits

Application forms and guidance notes are available from the:

School Transport Entitlement Team
Children's Services
Central Bedfordshire Council
Technology House
Amphill Road
Bedford
MK42 9BD

Telephone: 0300 300 8133

Email : school.transport@centralbedfordshire.gov.uk

Type of Transport Provided

Transport provided through the Post 16 Scheme will be on the most cost efficient mode of transport for a student to attend school or college 5 days each week. Travel arrangements will include bus passes on registered services, places on school contract vehicles, rail passes, and occasionally mileage rates or taxi. The Council cannot guarantee that the subsidised rate is the cheapest way to travel for individual students and advise students that they make their own enquires about possible alternatives.

2.2 College Transport

Some colleges organise transport for students who are not eligible for subsidised transport through the Central Bedfordshire Council Post 16 scheme. Students should enquire to individual colleges about any arrangements that may be in place for individual courses.

2.3 The National Concessionary Travel Scheme

Concessionary Fares for People with Disabilities

There is a national concessionary travel scheme that allows eligible people to travel on local buses free of charge anywhere in England. The national concession applies at off-peak times. Off-peak is defined as the hours between 9.30am and 11.00 pm on Mondays to Fridays and all day Saturdays, Sundays and Bank Holidays

In addition to the national concession, eligible Central Bedfordshire residents can travel free all day every day on local buses. This means that you can board a local bus at any time in Central Bedfordshire and travel as far as that bus goes. If that bus takes you outside of Central Bedfordshire, there may be restrictions on whether you can return during the peak period.

To travel free on local buses, these must be registered as "local services" which is running to a fixed timetable.

National Concessionary Travel Passes are plastic “Smartcards”. The first is issued free, there may be a charge for a replacement if it is lost or damaged.

Concessionary Travel Passes are valid anywhere in England but not in Scotland, Wales or Northern Ireland

To qualify for a pass a customer must provide proof that they are a permanent resident of Central Bedfordshire and that they have a qualifying disability.

There are seven categories of disability under which a person can be entitled to Concessionary bus travel. An eligible person is someone who:

- (a) is blind or partially sighted,
- (b) is profoundly or severely deaf,
- (c) is without speech,
- (d) has a disability, or has suffered an injury, which has a substantial and long term adverse effect on his or her ability to walk,
- (e) does not have arms or has long-term loss of the use of both arms,
- (f) has a learning disability, that is, a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning, or
- (g) would, if they applied for the grant of a licence to drive a motor vehicle under Part III of the Road Traffic Act 1988, have his application refused pursuant to section 92 of that Act (physical fitness) otherwise than on the ground of persistent misuse of drugs or alcohol.

If your mobility is so severely impaired that you require assistance when travelling (either because of your age or a disability), you may be entitled to a Companion Pass which grants free travel to both the holder and one companion while travelling within Central Bedfordshire. With this pass, a companion is also allowed to travel free in certain neighbouring areas, but not elsewhere in England.

Applications can be made in person at a Customer Service Centre, or an application form can be downloaded from the [Central Bedfordshire Council website](#)

2.4 Discounts on Public Transport

Arriva

Arriva offer students discounted Zone Tickets, which can only be bought online and which cover convenient timescales of either 8 or 12 weeks. Arriva Zone Tickets are not valid on: Green Line services between London and Luton, Stevenage, St Albans or Hemel Hempstead, TfL services, or certain contract services.

An NUS, ISIC, or University/College ID card and number will be needed to validate your ticket.

If you experience problems with buying your online ticket, such as delivery delays, or do not receive your ticket in time, please call Arriva customer services on 0844 800 44 11.

Other bus operators offer various season ticket options for travel. Contact details for operators are included in section 11.

2.5 Door to Door Services

There are three dial-a-ride services operating in Central Bedfordshire for people who are unable, through disability or injury, to use ordinary bus services. These are:

Service	Operating Area	Contact Number
Link-a-Ride	Covers the Ampthill, Flitwick, Sandy and Biggleswade areas	01525 840511
South Beds Dial-a-Ride	Covers the Dunstable and Houghton Regis areas.	01525 222331
Buzzer	Covers the Leighton Buzzard and Linslade area.	01525 853566

There is a separate concessionary fare scheme for registered users of Link-a-Ride, South Beds Dial-a-Ride and the Buzzer. You may travel free on these services, provided that you hold a special concessionary travel pass for door to door services.

To obtain a pass, you need to obtain an application form direct from the service provider. Return the completed form to the service provider. They will authorise it and forward it to the Council. Your new pass will be sent to you within ten working days of our approving your application.

If you wish, you may hold a door to door travel pass as well as a National Concessionary Travel Pass.

3. What times during the day can learners use their travel pass or obtain concessionary fares?

Where transport is provided on school contract services students travel will be provided to and from school at the start and end of the school day. When passes are provided for registered bus services or train services it will be assumed that a student needs to travel to school or college five full days per week. Students will need to check with individual operators whether there are any restrictions to using the pass outside of these times. Contact details for operators are included in section 11.

4. Please confirm that support will continue to be made available to learners who reach 19 whilst continuing on a course.

Students entitled to subsidised or free transport who are 19 during the academic year can continue to receive subsidised transport to the end of the academic year.

5. How will learners be assessed to see if they are eligible for support? E.g. means-testing or must they be on benefits?

Applications for subsidised transport will be assessed by the School Transport Entitlement Team on the criteria set out in Section 2. Where a student is entitled to subsidised transport they will need to pay the charge of £133.95 per term or £364.25 for an annual pass unless evidence of receipt of the relevant benefit is provided.

6. What help do you provide for learners with learning difficulties and/or disabilities, including those over 19 or learners facing other difficulties in following their courses?

Students may be entitled to free transport to school or college through the Post 16 Scheme if they had a Statement of Special Educational Needs in Year 11 and were in receipt of free home to school transport in that year of school because of their special needs. In certain circumstances transport to college can be provided until a student reaches the age of 25.

7. Do you provide mobility/independence training for learners who face difficulty with transport?

Training is currently provided on certain courses for students who face difficulties with transport. As a result of a review of the Central Bedfordshire Council Home to School Transport Policy, training will be introduced across the Council during the 2010/11 academic year.

8. When should learners start to apply for transport support?

Students who are entitled to transport in Year 11 at school are sent an application form to their home address, to be completed if they are staying on at their current school for the academic year 2010/11. To ensure that a pass is issued and transport available from the start of the autumn term the form should be returned to the School Transport Entitlement Team by 30th July 2010.

If students are applying for a place at Central Bedfordshire College or Bedford College they can obtain an application from the Student Services Section of the College or by contacting the School Transport Entitlement Team. To apply for subsidised transport to all other colleges, students should contact the school Transport Entitlement Team for an Application Form.

All students who will be returning for the second or third year of a course for which they have previously been assessed as entitled to subsidised transport are sent a form to their home address.

Students are encouraged to apply for transport as early as possible rather than wait for examination results. It is easier to cancel arrangements than to set up new ones.

9. What help can learners apply for if they need to travel to a course that is beyond your LA area?

Entitlement to subsidised Post-16 Transport is based on a student attending the nearest school or college to their home address, which offers the qualification they are studying for, irrespective of module content. This may be in Central Bedfordshire or a neighbouring Council.

10. What help is available for learners who attend a further education institution which is beyond daily travelling distance and they need to stay away?

Transport can be provided in exceptional circumstances. Application for such transport should be made on the usual application form.

11. Please provide information about all points of contact for learners seeking transport support, e.g. Local Authority, College, Bus Company. Please include any websites and email addresses.

For day to day enquires about home to school or college transport arrangements please contact:

Client Transport Team
Sustainable Communities
Central Bedfordshire Council
Technology House
Amphill Road
Bedford
MK42 9BD

0300 300 8167

Bus Operators	
Arriva The Shires	01582 587071
Centrebus	01582 608231
Cedar Coaches Ltd	01234 354054
Grant Palmer Passenger Services	01582 600844 g2bus@hotmail.com
MK Metro	01908 254225
Stage Coach Bedford	01234 212852 east.enquiries@stagecoachbus.com

Rail Operators	
National Rail Enquiries	08457 4884950
First Capital Connect	08450 264700
London Midland	0121 634 2040
Schools	
All Saints Academy Houghton Road Dunstable LU5 5AB	01582 608641 office@allsaintsacademydunstable.org
Harlington Upper School Goswell End Road Harlington LU5 6NX	01525 755100 enquiries@harlington.org
Manshead Upper School Dunstable Road Caddington LU1 4BB	01582 608641 office@mansheadschoool.co.uk
Queensbury Upper School Langdale Road Dunstable LU6 3BU	01582 601241 head@queensbury.beds.sch.uk
Redborne Upper School Flitwick Road Ampthill MK45 2NU	01525 404462 admin@redborne.beds.sch.uk
Samuel Whitbread Community College Shefford Road Clifton SG17 5QS	01462 629900 info@swcc.beds.sch.uk
Sandy Upper School Engayne Avenue Sandy SG19 1BL	01767 680598 sandyupper@schools.bedfordshire.gov.uk

Stratton Upper School Eagle Farm Road Biggleswade SG19 1BL	01767220000 strattonus@deal.bedfordshire.gov.uk
The Cedars Upper School Mentmore Road Leighton Buzzard LU7 2AE	01525 219300 cedarsus@deal.bedfordshire.gov.uk
Vandyke Upper School Vandyke Road Leighton Buzzard LU7 3DY	01525 636700 office@vandyke.beds.sch.uk
Colleges	
Barnfield College New Bedford Road Luton LU2 &BF	01582 569500 enquiries@barnfield.ac.uk
Bedford College Cauldwell Street Bedford MK42 9AH	01234 291000 info@bedford.ac.uk
Central Bedfordshire College Kingsway Dunstable LU5 4HG	08453 552525 enquiries@centralbeds.ac.uk

2010 Post-16 Transport Guidance



June 2010

Guidance to Local Authorities in Preparing their Academic Year 2010/2011 Transport Policy Statement

Introduction

1. Local authorities have a duty to prepare and publish an annual Transport Policy Statement specifying the arrangements for the provision of transport or otherwise that the authority considers it necessary to make to facilitate the attendance of all persons of sixth form age receiving education or training¹.
2. The overall intention of the 16-18 transport duty is to:
 - ensure that learners of sixth form age are able to access the education and training of their choice; and
 - ensure that, if support for access is required, this will be assessed and provided where necessary.
3. This document has been jointly produced by the DfE and YPLA to support local authorities in developing their transport policy and publishing their Transport Policy Statement for the academic year 2010/11. From April 2010, this will become statutory guidance issued by the Secretary of State for Children, Schools and Families under section 509AB(5) of the Education Act 1996. Local authorities must have regard to this guidance when carrying out their responsibilities in relation to transport arrangements for young people of sixth form age.
4. Local authorities should take their own legal advice when preparing the Transport Policy Statement and devising a local response to transport needs, to ensure they are exercising their duties and powers in a manner which complies with the legislation and public law.

The Policy Landscape

5. In developing their transport policy, local authorities will want to be aware of the policy developments that relate to 16-18 transport requirements.
6. The Government legislated, through the Education and Skills Act 2008, to raise the participation age so that from 2013, young people will be required to stay in education or training until they are 17 and from 2015 until their 18th birthday. It is important that transport provision supports young people's participation in education and training both now and in the future.
7. The planning of transport provision at a local level should also take into account the delivery of the 14-19 curriculum reforms.

¹ Section 509AA of the Education Act 1996.

- Diploma delivery is now under way in many areas, with young people sometimes travelling between sites to access their Diploma learning.
- From 2010/11, the majority of 16-18 learning providers will be involved in delivering Foundation Learning (FL)². Learners may need to travel to alternative sites to access their learning.
- Increasingly young people will be undertaking Apprenticeships. There will be an entitlement to an Apprenticeship place for each suitably qualified young person from 2013, with around one in five of all young people undertaking an Apprenticeship by 2020.

8. To support the raising of the participation age and the delivery of the 14-19 reforms, from April 2010, local authorities take on a new responsibility for commissioning education and training provision for 16-18 year olds (and 19-24 year olds with learning difficulties and/or disabilities). The Young People's Learning Agency for England (the YPLA) and the Skills Funding Agency (the SFA) will support local authorities in their new role.

9. A National Commissioning Framework (NCF), setting out the core systems for planning, commissioning, procuring and funding of education and training provision, will be published by the YPLA in April 2010. The full commissioning process will be operational from the latter part of 2010. Ensuring that young people have access to the education and training provision that is commissioned at a local level will be essential.

Changes to the Guidance Required

10. Figures 1 and 2 set out a high level summary of the changes made through the Apprenticeships, Skills, Children and Learning (ASCL) Act 2009.

11. This guidance on the 16-18 transport duty reflects the changes made to the duty by Sections 53, 55 and 56 of the (ASCL) Act 2009, which apply from the academic year 2010/11. Figure 1 below provides a high level summary of these changes and their commencement dates.

² Foundation Learning will encompass all existing programmes at Entry Level and Level 1 for 16 to 19 year olds, including those in schools, colleges and E2E providers. Some schools in every area should also be involved, as Foundation Learning will have absorbed the Key Stage 4 Engagement programme for 14 to 16 year olds. By 2011/12 the majority of schools should be involved in delivering Foundation Learning, working with Local Authorities and partners across the 14-19 age range to ensure that provision bridges the age 16 divide effectively to support Raising the Participation Age.

Figure 1: Changes Apply for Academic Year 2010/11

Section of ASCL Act 2009	Commencement Date	Summary of the section
53	1 April 2010	Local authorities are required to consider what they have to do under section 15ZA(1) in respect of persons of sixth form age. That is that they must consider their responsibilities for commissioning education and training provision for 16-18 year olds when developing their transport policy for those of sixth form age.
55	Commenced 12 January 2010	<p>Introduces a requirement on local authorities to have regard to the need to provide sufficient information when drawing up their Transport Policy Statement and to consider the need to publish this statement in good time.</p> <p>Allows the Secretary of State for Children, Schools and Families to change by order the date by which Transport Policy Statements must be published.</p>
56	Commenced 12 January 2010	<p>New power for local authorities to amend and republish their Transport Policy Statements in-year in response to complaints or a direction by the Secretary of State.</p> <p>Complaints must go through a local complaints process first, before they can be considered by the Secretary of State.</p>

12. The remaining changes to the ASCL Act (Sections 54 and 57) will be commenced on 1 April 2010 but will apply to the academic year 2011/12. While they will not impact on the transport duty in 2010/11, local authorities need to be aware of these changes and plan ahead to respond to them. Further guidance will be issued by the Secretary of State for the academic year 2011/12 to support local authorities in meeting their responsibilities. Figure 2 summarises the changes that will come into force for academic year 2011/12. Where the changes do not apply until academic year 2011/12 (see figure 2) local authorities are asked to provide, as a distinct section, key details of how they will respond to these changes in their 2010/11 Transport Policy Statements.

Figure 2: Changes Apply for Academic Year 2011/12

Section of ASCL Act 2009	Commencement Date	Summary of the section
54	Commences 1 April 2010 but to apply for the academic year 2011/12	Adds young people of sixth form age and their parents to the list of named stakeholders local authorities have to consult in drawing up their Transport Policy Statement.
57	Commences 1 April 2010 but to apply for the academic year 2011/12	<p>Re-enacts the adult transport duty – s509 of the Education Act 1996. This requires local authorities to consider whether there is adequate transport provision available to facilitate the attendance of FE learners</p> <p>Requires local authorities to prepare and publish a new Transport Policy Statement for young people aged 19-24 with learning difficulties and/or disabilities. This can be produced in conjunction with the Transport Policy Statement for young people of sixth form age. There is a requirement to consult a number of parties in producing the statement, including young people and their parents.</p> <p>Requires local authorities to have regard to guidance issued by the Secretary of State.</p> <p>Provides that local authorities may amend and republish their Transport Policy Statements in-year in response to complaints or a direction by the Secretary of State. Complaints must go through a local complaints process first, before they can be considered by the Secretary of State.</p>

Extent and Coverage of the 16-18 Transport Duty – Section 509AA

13. The duty applies to all local authorities in England in respect of arrangements for young people (over compulsory school) aged 16-18 and those continuing learners who started their programme of learning before their 19th birthday³.

14. The legislation recognises that a local response to transport arrangements is important in enabling young people's participation in education and training. A local approach allows local circumstances to be taken into account. Therefore the legislation gives local authorities the discretion to determine what transport and financial support are necessary to facilitate young people's attendance. The local authority must exercise its power to provide transport or financial support reasonably, taking into account all relevant matters and a failure to make arrangements would amount to a failure to meet the duty.

15. The Transport Policy Statement must detail the transport arrangements and financial assistance with transport that the local authority considers it necessary to make to ensure access to education or training for learners of sixth form age⁴.

16. It is important that the local authority does not differentiate between providers or institutions in its arrangements. The arrangements must be provided for learners of sixth form age who are engaged in learning or training at:

- a school (including Academies);
- a further education institution;
- an Authority maintained or assisted institution providing higher or further education;
- an establishment funded directly by the YPLA e.g. Independent Specialist Providers for learners with learning difficulties and/or disabilities;
- a learning provider that is funded by the local authority to deliver Foundation Learning or other accredited programmes of learning which lead to a positive outcome (this could include colleges, charities and private learning providers).

17. Arrangements to support learners doing Apprenticeships (employed and non-employed Programme-led Apprenticeships) should also be set out in the Transport Policy Statement. Learning providers are responsible for ensuring that non-employed Programme-led Apprentices have reasonable expenses met in full where these are needed to overcome barriers to learning. These may include the costs of travelling to or from the place of learning or work placement. Employers and learning providers will want to take account of learners' likely transport arrangements when planning off-the-job training, particularly outside normal working hours. The

³ Section 509AC of the Education Act 1996 defines persons of sixth form age for the purposes of the sixth form transport duty .
⁴ See section 509AA of the Education Act 1996.

costs of expenses for learners should be claimed by learning providers against the Additional Learning Support allocation on the Training Provider Statement (TPS) in arrears.

18. The Transport Policy Statement must also specify the arrangements proposed to be made by the governing bodies of schools and further education colleges which may include support with transport costs or transport provision⁵. The local authority should only include arrangements that are actually going to be made and not make assumptions about what arrangements it thinks schools and colleges should make. Governing bodies are under a duty to co-operate in giving the local authority any information and other assistance that is reasonably required by the authority to enable them to prepare their statement⁶.

Transport Policy Statement Audience and Content

19. The Transport Policy Statement is intended to inform learners in year 11, 12 and 13 and their parents about what transport arrangements and support are available locally. Statements should be a one-stop shop providing information about transport arrangements to all types of provision, including arrangements made by bodies other than the local authority. The statement must set out what the local authority's overall transport policy is in regard to learners and the rationale behind the policy.

20. Transport Policy Statements should be clear and provide sufficient detail about the transport arrangements and support provided so as to inform learners in making their post-16 choices. Learners should be provided with information through the Transport Policy Statement about who is eligible for transport support and how and when they should apply for support. Details of any concessionary fares, discounts, subsidies or travel cards should be included alongside the eligibility criteria for this support and how eligibility will be assessed. Clear signposting from the statement should point young people to sources of further information e.g. local authority, college, transport provider websites or contact details.

Funding

21. The local authority is required to deliver the arrangements it has detailed in the Transport Policy Statement. The arrangements local authorities choose to make are generally funded through the formula grant from central Government to local authorities, and through locally raised revenue including council tax. Local authorities and their partners may use other sources of funding to support these costs where appropriate.

⁵ Section 509AA(4) of the Education Act 1996.

⁶ Section 509AA(5) of the Education Act 1996.

22. It should be noted that the Transport Partnership Fund, which is available to local authorities in 2010/11, is a short term source of funding and there is no guarantee that this funding will continue to be made available in future years. Therefore, those activities which have been established through the fund and proved to be most successful should be funded increasingly from local authority core funding i.e. from formula grant or locally raised revenue.

Assessment of What Arrangements Are Needed

23. In assessing what transport arrangements or financial assistance may be required, the local authority must have regard to the following.

23.1 The needs of those who could not access education or training provision if no arrangements were made⁷.

Local authorities need to satisfy themselves that they have made the transport arrangements or arrangements for financial assistance necessary to facilitate learners' participation in education or training. In doing so, they should consider the needs of the most vulnerable or socially excluded learners. The needs of learners with learning difficulties and/or disabilities should be specifically considered and the arrangements in place for each group must be documented in the Transport Policy Statement.

Local authorities should also consider the needs of:

- Those who are vulnerable to becoming NEET (not in education, employment or training) at the age of 16 or 17 or who have already become NEET. These young people should be supported in a suitable place of learning and provided with any support that is necessary with transport to enable them to participate⁸.
- Young parents – Care to Learn (C2L) can help pay for childcare and travel costs for learners aged 19 and under at the start of their course. The additional costs of taking a child to and from childcare may be claimed, within a set weekly limit. C2L does not support the costs of travel to the Learning Provider. Learning Providers should be encouraged to support learners to apply for C2L. Further details are available on the [directgov website](#)

and

- Those who live in particularly rural areas where the transport infrastructure can be more limited.

⁷ Section 509AB(3)(a) of the Education Act 1996

⁸ Local authorities are reminded that all 16 and 17 year olds (i.e. those completing compulsory education in the current year, or who completed in the previous year) are entitled to an offer of a place in post-16 learning under the September Guarantee.

23.2 The need to ensure that learners have reasonable opportunities to choose between different establishments at which education and training is provided⁹.

Young people should have a reasonable opportunity to choose between the courses available to them at 16 and be supported to access their choices. Local authority transport policies must be supportive of reasonable choice. In defining what is 'reasonable', local authorities will want to take into account any complaints received in previous years in respect of local Transport Policy Statements.

We would expect reasonable choice to include enabling learners to choose courses outside their home local authority boundaries if it makes sense for them to do so. In this case, local authorities will want to consider how their transport policy can support learner movement across local authority boundaries, to ensure that the learner is no worse off than if they had chosen to attend an establishment within their home local authority.

Local authorities will want to be mindful of the transport policy of neighbouring local authorities in determining how to support learners travelling across local authority boundaries. Learners should not be disadvantaged by travelling across local authority boundaries to education or training. The new arrangements for commissioning 16-19 education and training provision, which come into effect in April 2010, should support greater cooperation and engagement between local authorities in setting their transport policies.

Reasonable choice should also include enabling learners to choose an establishment of education or training that is not the closest to where they lived if it makes sense to do so.

Good Practice Example

Travelling outside LEA boundary or studying at institutions beyond daily travelling distance - due to the geography of Lancashire and its 13 border Authorities, the Partnership engages with other local LEAs, Schools and Colleges to support students when exercising their choice to travel outside Lancashire to study. Lancashire County Council collaborates with Schools and Colleges across the country.

Source: Lancashire Transport Policy Statement 2009

⁹ Section 509AB(2)(b) of the Education Act 1996.

23.3 The distance from the learner's home to establishments of education and training¹⁰.

Distance should be a factor that local authorities consider in determining eligibility for support with transport. Young people in rural areas should not be worse off financially because they may need to travel further to access education and training provision than their peers in urban areas. The statutory walking distance of 3 miles (along the nearest available route) for those over the age of 8, is set out under section 444(5) of the Education Act 1996 of the home to school transport duty for children of compulsory school age. This can be used as a bench mark by local authorities in defining the distance a young person might reasonably be expected to walk to access education or training. Local authorities will want to take into account other factors, such as the impact a learning difficulty or disability may have on a young person's ability to walk this distance, and the nature (including safety) of the route, or alternative routes, which a young person could be expected to take in determining whether transport arrangements are necessary.

23.4 The journey time to access different establishments¹¹.

Journey time also needs to be taken into account (as introduced by section 83 of the Education and Skills Act 2008). Consistent with the home to school transport duty for children of compulsory school age, young people should be able to reach their establishment of education or training without incurring such stress, strain, or difficulty that they would be prevented from benefiting from the education provided. For example, a young person should not have to make several changes of public service bus (or other mode of transport) to get to their establishment of education or training, if that would result in an unreasonably long journey time. In this context, local authorities will want to consider which mode of transport will best meet the need to ensure a reasonable journey time. Best practice suggests that a child of secondary school age may reasonably be expected to travel 75 minutes each way to access learning. Local authorities should apply similar expectations to learners of sixth form age.

23.5 The cost of transport to the establishments in question¹².

Local authorities are expected to target any support on those young people – and their families – who need it most, particularly those with a low income. The Transport Policy Statement should set out clearly the criteria used to establish a learner's eligibility to receive transport/financial support. The effective implementation of these measures will ensure that all learners are able to have reasonable choice in post-16 learning and will contribute towards reducing child poverty.

¹⁰ Section 509AB(2)(c) of the Education Act 1996.

¹¹ Section 509AB(3)(c) as amended by the Education and Skills Act, section 83.

¹² Section 509AB(3)(d) of the Education Act 1996.

Local authorities may ask learners and their parents for a contribution to transport costs. We would expect local authorities to exercise their discretion in determining in what circumstances it is appropriate to ask for a contribution, but in exercising their discretion they should:

- Ensure that any contribution is affordable for learners and their parents.
- Ensure that there are arrangements in place to support those families on low income. Low income groups will always include those on the maximum level of working tax credit.
- Take into account the likely duration of learning and ensure that transport policies do not adversely impact particular groups. For example, as learners with learning difficulties and/or disabilities are more likely to remain in education or training longer than their peers and therefore, any contribution sought from the families of learners with learning difficulties and/or disabilities would need to allow for the fact they may have to make a contribution over a longer period than the families of those with children who do not have a learning difficulty and/or disability.

Good Practice Example

Peterborough City Council makes free transport available to eligible post-16 students who:

- qualify for Income Support; or
- whose parent/carers qualify for Income Support or income-based Job Seekers' Allowance; and
- whose home is 3 miles or over from the nearest appropriate centre.

Source: Peterborough Transport Policy Statement 2009

23.6 Alternative means of facilitating attendance at establishments¹³.

Alternative means of facilitating attendance at establishments of education or training should be considered by local authorities. In doing so, local authorities should consider learners' safety. Suitable and appropriate alternatives may include transport solutions, for example:

¹³ Section 509AB(3)(d) of the Education Act 1996.

- Cycle schemes – which can support independence but also offer a sustainable form of transport provision.
- Moped schemes - which can support individual learners (over the age of 17) to travel to education and training from rural areas where there is no critical mass of learners meaning that, for example, a bus service, is not viable.
- Independent travel training to enable young people (often with learning difficulties and/or disabilities) to travel on public transport independently. These schemes enable young people to gain skills which can be used for travelling to education or training and have, in some cases, enabled local authorities to make cost savings. It is strongly recommended that local authorities consider these schemes for the all round benefits they can bring. For further information see paragraph 30.

23.7 Non-transport solutions to facilitate learner access.

Local authorities will also want to consider whether non-transport solutions could facilitate learner access to education or training. For example, peripatetic teachers, mobile provision and e-learning options are already in use in some areas or are being explored as part of the 14-19 reforms.

23.8 Preferences based on religion.

Local authorities must have regard to any preference the individual may have for a particular institution based on their religion or belief¹⁴.

Under this Act “religion” means any religion and “belief” means any religious or philosophical belief. References to “religion or belief” include references to a lack of religion or belief. It therefore follows that this duty covers all religions as well as philosophical denominations.

It should be noted that “religion” and “belief” are not opposites, and there may be considerable overlaps in the coverage of the two terms.

The definition of “religion” includes those religions widely recognised in this country such as Christianity, Islam, Hinduism, Judaism, Buddhism, Sikhism, Rastafarianism, Baha'is, Zoroastrians and Jains. Equally, denominations or sects within a religion can be considered as a religious or religious belief, such as Catholicism or Protestantism within Christianity. The Department considers that the main limitation on what constitutes a “religion” is that it must have a clear structure and belief system.

¹⁴ Section 509AD of the Education Act 1996 (as inserted by section 84 of the Education and Inspections Act 2006). Subsection (3) provides that “religion” means any religion and “belief” means any religious or philosophical belief.

For a “belief” to be worthy of protection it must attain a certain level of cogency, seriousness, cohesion and importance; be worthy of respect in a democratic society and not be incompatible with the human dignity of the fundamental rights of the child¹⁵. Examples of beliefs are Humanism and Atheism.

Local authorities should obtain their own legal advice in relation to the scope of this requirement.

Financial Assistance and Charging

24. When setting their transport policies local authorities should take into account the differing needs of learners in their areas. To aid transparency, it is helpful for local authorities to set out the average cost per learner of post-16 transport in their area before any subsidies are deducted. Clearly setting out average costs will enable learners and parents to understand the extent of the local authority subsidy.

25. Local authorities may take receipt of Education Maintenance Allowance (EMA) into account in assessing an individual’s need for financial help with transport but they cannot stipulate that a learner must use their EMA to meet transport costs. The purpose of EMA is to act as an incentive to encourage participation and progression in post-compulsory education, it would be counter to that purpose if a young person had to use a significant proportion of their EMA to meet the costs of transport. EMA is not intended to meet a young person’s transport costs.

Good Practice Example

In order to qualify for financial support for transport in **Bradford**, students must demonstrate financial hardship by current receipt of Education Maintenance Allowance (EMA) or, where no longer in receipt of EMA, proof that the household income is below £30,810 per year. Bradford’s Post 16 Transport Policy statement states that: *“The policy allows for provision to support students in receipt of EMA to ensure that the EMA is not too greatly eroded as an incentive.”*

Source: Bradford Transport Policy Statement 2009

26. For provision delivered to learners aged 16-18 in colleges of further education, independent providers and school sixth forms¹⁶ an annual allocation of discretionary Learner Support (dLS), formerly referred to as Learner Support or Hardship Funds. The purpose of dLS is to provide exceptional support to individual learners who are experiencing financial difficulty with meeting costs associated with learning. dLS is not to be used routinely to fund transport costs. Local authorities

¹⁵ See Campbell and Cosans v UK (1982) 4EHRR 293

¹⁶ Known as 16-18 Learner Responsive Provision ie that provision driven by the requirements of individuals, who can choose from a range of qualifications approved for funding by the Government, the learning taking place mainly on schools’, colleges’ or providers’ premises.

should not take into account the fact that the YPLA provides this funding to colleges and providers when determining what transport arrangements it needs to make.

Specific consideration of Learners with Learning Difficulties and/or Disabilities

27. Section 509AB(1) imposes a requirement that the Transport Policy Statement should set out to what extent the arrangements specified in the statement include arrangements for facilitating the attendance at schools and learning providers of learners with learning difficulties and/or disabilities. Arrangements for this group of learners must therefore be explicitly set out in the Statement.

28. The transport needs of learners with learning difficulties and/or disabilities should be considered in assessments made under Section 139A of the Learning and Skills Act 2000. The local authority may assess learner transport needs in more detail beyond the Section 139A assessment. Arrangements cannot be limited to those learners who have been previously assessed as having a statement of SEN. Learner transport needs will change throughout their educational career and equally their disability status may change. The local authority can take into account receipt of Disability Living Allowance when assessing what support might be needed by a learner (ie as a proxy of the severity of a disability) but may not require the learner to use this to support their transport costs to learning.

29. A learner with learning difficulties and/or disabilities may take longer to complete a programme of learning or training, and therefore it will be good practice for the local authority to extend the arrangements for the provision of transport until a learner has completed their programme even if that is after they have reached the age of 19.

30. If the local authority and/or providers operate an independent travel training scheme it is good practice to include such initiatives in the Transport Policy Statement. The statement should set out the process for the learner or carer to access the scheme. Plans are underway to incorporate Independent Travel Training as part of Foundation Learning with courses leading to accreditation under the QCF.

31. A tool has been developed to help local authorities to monitor the cost-effectiveness of their Independent Travel Training programme in a consistent way. The tool is intended to support local authorities in making a case for mainstream funding for their Independent Travel Training programmes by showing the financial savings that can be realised through implementing such programmes. The tool is available at: www.dcsf.gov.uk/14-19/transport

Good Practice Example

Essex Travel Training work with young people and adults with additional needs to give them the skills they need to access everyday activities, such as education, employment, training or leisure, and helps them to live their lives independently.

The team work with clients to develop a range of skills: from coping with traffic on major road and planning journeys; to how to get help and using a telephone. Since April 2006, over 800 referrals have been received with in excess of 600 successful completions.

Prior to Travel Training many clients relied on organised transport, predominantly taxis, to access everyday activities. The majority of the time this transport is organised and paid for by the local authority even though the majority of clients are entitled to concessionary fares pass on public transport. On completion of their training, this organised travel is no longer needed and the council has saved around £500,000 across the Education and Adult Social Care budgets. The project has secured long term funding (until 2011 currently) to continue to improved accessibility for individuals with additional needs, opening up new opportunities that many people take for granted.

Source: Essex Transport Policy Statement 2009

32. The 16-18 transport duty relates to learners of sixth form age with learning difficulties and/or disabilities aged up to 19 (and beyond the age of 19 if they are continuing on a particular course started before the age of 19). Local authorities also have a duty under the Education and Skills Act 2008 to encourage, enable and assist the participation of learners with learning difficulties and/or disabilities up to the age of 25 in education and training. It therefore follows that it is good practice for local authorities to include information about what transport arrangements are available and if they are adequate to enable these learners to participate. Local authorities will want to be aware of the adult transport duty (section 508F and section 508G of the Education Act 1996 , as inserted by section 57 of ASCL 2009) in carrying out their responsibilities for this group. Guidance will be issued to support local authorities in carrying out their responsibilities under the adult transport duty ahead of the academic year 2011/12.

Local Complaints Process

33. Local authorities must publish as part of the Transport Policy Statement the process which will be followed should a complaint or an appeal be made on behalf of, or by a learner. Complaints must first be taken up with the local authority¹⁷. If

¹⁷ Section 509AE(4) (sixth form complaints) of the Education Act 1996.

these do not result in a satisfactory outcome, learners and their families may complain to the Secretary of State.

Complaints to the Secretary of State

34. The Secretary of State has powers under section 496 and 497 of the Education Act 1996 to direct a local authority where they have exercised their functions unreasonably or where they have failed to discharge a duty. If the Secretary of State is satisfied that an authority has acted unreasonably, he may give such directions as to the exercise of the power or performance of the duty, as appear to him, to be expedient. It should be noted that this is a high threshold: conduct will be “unreasonable” only if it is conduct which no reasonable local authority acting with due appreciation of its responsibilities would have decided to adopt. Where a complainant is not satisfied with the outcome of the local complaints procedure the Secretary of State will not always be able to intervene.

35. Under section 509AA (9), the Secretary of State may also direct a local authority to make transport arrangements or provide financial assistance for travelling expenses for individuals or groups of learners. This only applies where particular transport arrangements or financial assistance have not been included in, or are not covered by, the local authority’s Transport Policy Statement. The Secretary of State can make a direction where he considers it expedient to do so, having regard to the particular circumstances of the case.

Consulting Key Partners on the Transport Policy Statement

36. The Transport Policy Statement is the responsibility of the local authority, however the local authority should try and achieve a consensus with other partners and stakeholders about its content and delivery. Post-16 Transport Partnerships which bring together the key partners have been helpful in developing a collaborative approach to transport solutions and the production of the Transport Policy Statement.

37. The local authority has a duty to consult with the following stakeholders in developing the statement to ensure it provides a full picture of the available transport and support.

- Any other local authorities it considers appropriate¹⁸. There will be occasions where learners will travel across local authority boundaries and this should not be a barrier for the learner. There are clear benefits for local authorities to collaborate where similar challenges exist or to share good practice. From 1 April 2010 Sub Regional Groupings (SRGs) will provide a forum for local authorities to work together to build a picture of learner demand and flows between local authorities and across travel to learn areas. They will enable

¹⁸ Section 509 AB(6)(a) of the Education Act 1996.

local authorities to plan and commission learning provision in collaboration with neighbouring authorities. The Transport Policy Statement must set out the local authority's travel policy to neighbouring local authority areas. Local authorities should also consult neighbouring local authorities that are in Wales or Scotland.

- Other departments within the local authority, for example social services, who may also procure for, or own, their own transport.
- The governing bodies of schools and further education institutions¹⁹. The Transport Policy Statement shall specify the arrangements proposed to be made by the governing bodies of schools and further education institutions for the provision of transport and/or financial assistance. It is important to note, the power of schools and colleges to make arrangements is in addition to, and not instead of, the power of the local authority to make arrangements.
- Passenger Transport Executives and the Integrated Transport Authorities they are responsible to and Transport for London (TfL) where the local authority is a London borough or the City of London^{20 21}.

38. Other bodies including: learning providers; representatives of 14-19 consortia; federations; HEIs; transport companies and authorities operating in the locality; public sector bodies; community groups; voluntary organisations and groups/organisations with an interest in disability issues including Independent Specialist Providers should also be consulted where appropriate.

39. It is good practice to include young people, young people with learning difficulties and/or disabilities and parents in any consultation process to ensure that their needs are established and catered for. From the academic year 2011/12 onwards local authorities will be required to consult persons of sixth form age and their parents.²² Local authorities should set out in their 2010 Transport Policy Statements how and when they propose to consult young people and their parents to inform the development of their 2011 statements.

¹⁹ Section 509AB(6)(b) .

²⁰ Section 509AB(7)(a)

²¹ Section 509AB(7)(b).

²² Section 54 of ASCL 2009 inserts new subsection (ca) in s509AB(6.) This has been commenced in April 2010, to apply for the academic year 2011-12.

Good Practice Example

Nottinghamshire provides a good example of partnership working. There has been an active partnership involving all colleges and sixth forms since 2001. There is also a Post-16 strategic group that meets to develop policies.

The Local Authority is moving from institution-specific approaches to transport, to addressing broader area needs. To this end, Nottinghamshire allocates Transport Partnership Funding through the use of an Innovation Fund. Only joint applications signed by all institutions can be made for resources through the fund. This fosters partnership between institutions. The creation of area-stretching groups further encourages institutions to work together and provide equitable support for all learners. The application process has been made as simple and non-bureaucratic as possible. To ensure effectiveness, bidders must clearly identify an intended outcome and then review the progress towards the outcome when the grant is given.

Partnership has also been used to reduce the problems associated with cross-boundary coverage, through collaboration between the City and County Council. The City Council is a full contributing member to the County Council Post-16 Strategy. This means they contribute to the county pot so the money is pooled between city and county, which removes the problems caused by institutions straddling boundaries. As part of this initiative, Nottinghamshire has appointed area strategy group co-ordinators to make county-wide bids into the innovation fund.

Source: SQW, good practice interviews

Publication of the Transport Policy Statement

40. The Transport Policy Statement must be published by the local authority by 31st May.

41. The Transport Policy Statement should be available on the local authority's own website by 31st May. Local authorities are also responsible for ensuring that a link is made to the Directgov website which is the main source of government web-based information for the general public.

42. To facilitate this process the Local Authority's web team should complete the following actions:

- load the Transport Policy Statement on to the council website; and
- update the links to local Directgov (LGSL/IL 1135/8: "find out about transport for 16-19 year olds in education")

Any difficulties experienced in locating local authority web team details should be directed to localdirectgov@communities.gsi.gov.uk

43. Local authorities should also provide information about the transport arrangements in their areas through the 14-19 prospectus, options evenings and

other mechanisms. Availability and cost of transport will inform how young people choose their post-16 provision. Local authorities will need to ensure that those who have a role in supporting young to people to make this decision are aware of transport arrangements in their area.

Good Practice Example

Websites with weblinks to education and transport providers are an effective way of providing up-to-date information and this practice is much in evidence. Leicester, for example, has developed a Student Travel Website. This has the added advantage of accessibility for a wider audience, including learners living in other areas. The website includes information on training programmes, various videos and recordings. During the design of the website, teachers, parents and learners were all consulted to ensure the information available on the website was appropriate and helpful.

Source: SQW, good practice interviews

In-year Changes

44. A local authority should consider its approach in implementing what is set out in its Transport Policy Statement and continue to monitor its progress throughout the year.

45. Changes in legislation through the ACSL Act 2009 have allowed for Transport Policy Statements to become more responsive. From 2010, local authorities may amend and republish their transport policy statements in year in response to complaints or to a direction by the Secretary of State.

Appendix – Summary of Statutory Provisions

This appendix sets out the relevant statutory provisions in the Education Act 1996 (as amended) in relation to local authorities' responsibilities for the provision of transport for persons of sixth form age.

The section highlighted in bold refer to the amendments made to the 1996 Act by the Apprenticeship, Skills, Children and Learning Act 2009.

References to the "Learning and Skills Council" that were previously in these provisions have been removed or amended in anticipation of Order²³

Section 509AA: Provision of transport etc. for persons of sixth form age

- (1) A Local Education Authority shall prepare for each academic year a Transport Policy Statement complying with the requirements of this section.
- (2) The statement shall specify the arrangements for the provision of transport or otherwise that the Authority consider it necessary to make for facilitating the attendance of persons of sixth form age receiving education or training—
 - (a) at schools;
 - (b) at any institution maintained or assisted by the Authority which provides further education or higher education (or both);
 - (c) at any institution within the further education sector; or
 - (d) at any establishment (not falling within paragraph (b) or (c)) at which the authority secures the provision of education or training under section 15ZA(1) or the National Council for Education and Training for Wales.
- (3) The statement shall specify the arrangements that the Authority consider it necessary to make for the provision of financial assistance in respect of the reasonable travelling expenses of persons of sixth form age receiving education or training at any establishment such as is mentioned in subsection (2).
- (4) The statement shall specify the arrangements proposed to be made by the governing bodies of—
 - (a) schools maintained by the Authority at which education suitable to the requirements of persons over compulsory school age is provided; and
 - (b) institutions within the further education sector in the Authority's area for the provision of transport for facilitating the attendance of persons of sixth form age receiving education or training at the schools and institutions and for the provision of financial assistance in respect of the travelling expenses of such persons.

²³ Apprenticeship, Skills, Children and Learning Act 2009 (Consequential Amendments)(England and Wales) Order 2010.

- (5) Those governing bodies shall co-operate in giving the Local Education Authority any information and other assistance that is reasonably required by the Authority for the performance of their functions under this section and section 509AB.
- (6) The statement shall specify any travel concessions (within the meaning of Part 5 of the Transport Act 1985 (c. 67)) which are to be provided under any scheme established under section 93 of that Act to persons of sixth form age receiving education at any establishment such as is mentioned in subsection (2) above in the Authority's area.
- (7) The Authority shall—
- (a) publish the statement, in a manner which they consider appropriate, on or before 31st May in the year in which the academic year in question begins; and
 - (b) make, and secure that effect is given to, any arrangements specified under subsections (2) and (3).
- (8) Nothing in this section prevents a Local Education Authority from making, at any time in an academic year, arrangements—
- (a) which are not specified in the transport policy statement published by the Authority for that year; but
 - (b) which they have come to consider necessary for the purposes mentioned in subsections (2) and (3).
- (9) The appropriate Authority may, if it considers it expedient to do so, direct a Local Education Authority to make for any academic year—
- (a) arrangements for the provision of transport or otherwise for facilitating the attendance of persons of sixth form age receiving education or training at establishments such as are mentioned in subsection (2); or
 - (b) arrangements for providing financial assistance in respect of the reasonable travelling expenses of such persons;
- which have not been specified in the transport policy statement published by the Authority for that academic year.
- (9A) The “appropriate Authority” means—
- (a) in the case of a Local Education Authority in England, the Secretary of State; and
 - (b) in the case of a Local Education Authority in Wales, the National Assembly for Wales.
- (10) The Secretary of State (in relation to Local Education Authorities in England) or the National Assembly for Wales (in relation to Local Education Authorities in

Wales) may by order amend subsection (7)(a) **to change the time by which the statement must be published.**

(11) Subsection (9) is subject to section 509AE (complaints about transport arrangements etc for persons of sixth form age in England).

Section 509AB: Further provision about Transport Policy Statements

- (1) A statement prepared under section 509AA shall state to what extent arrangements specified in accordance with subsection (2) of that section include arrangements for facilitating the attendance at establishments such as are mentioned in that subsection of disabled persons and persons with learning difficulties.
- (2) A statement prepared under that section shall—
 - (a) specify arrangements for persons receiving full-time education or training at establishments other than schools maintained by the Local Education Authority which are no less favourable than the arrangements specified for pupils of the same age attending such schools; and
 - (b) specify arrangements for persons with learning difficulties receiving education or training at establishments other than schools maintained by the Authority which are no less favourable than the arrangements specified for pupils of the same age with learning difficulties attending such schools.
- (3) In considering what arrangements it is necessary to make for the purposes mentioned in subsections (2) and (3) of section 509AA the Local Education Authority shall have regard (amongst other things) to—
 - (a) the needs of those for whom it would not be reasonably practicable to attend a particular establishment to receive education or training if no arrangements were made;
 - (b) the need to secure that persons in their area have reasonable opportunities to choose between different establishments at which education or training is provided;
 - (ba) what they are required to do under section 15ZA(1) in relation to persons of sixth form age;**
 - (c) the distances, and journey times, between the homes of persons of sixth form age in their area and establishments such as are mentioned in section 509AA(2) at which education or training suitable to their needs is provided; and
 - (d) the cost of transport to the establishments in question and of any alternative means of facilitating the attendance of persons receiving education or training there.
- (4) In considering whether or not it is necessary to make arrangements for those purposes in relation to a particular person, a Local Education Authority shall have regard (amongst other things)—

- (a) to the nature of the route, or alternative routes, which he could reasonably be expected to take; and
 - (b) to any wish of his parent for him to be provided with education or training at a school, institution or other establishment in which the religious education provided is that of the religion or denomination to which his parent adheres.
- (5) In preparing a statement under section 509AA a Local Education Authority shall have regard to any guidance issued;
- (a) by the Secretary of State (in the case of an Authority in England); or
 - (b) by the National Assembly for Wales (in the case of an Authority in Wales), under this section.
- (6) In preparing a statement under that section a Local Education Authority shall consult—
- (a) any other Local Education Authority that they consider it appropriate to consult;
 - (b) the governing bodies mentioned in subsection (4) of that section;
 - (c) the National Council for Education and Training for Wales (in the case of a Local Education Authority in Wales);
 - (ca) persons in the local education authority's area who will be of sixth form age when the statement has effect, and their parents;**
 - (d) any other person specified for the purposes of this section by the Secretary of State or the National Assembly for Wales (in the case of an Authority in Wales).
- (7) In preparing a statement under that section a Local Education Authority shall also consult—
- (a) where they are the Local Education Authority for a district in a metropolitan county, the Passenger Transport Authority for that county; and
 - (b) where they are the Local Education Authority for a London borough or the City of London, Transport for London.
- (7A) In preparing and publishing a statement under section 509AA, a local education authority must have regard to (amongst other things) the need to-**
- (a) include in the statement sufficient information about the matters that the statement must specify, and**
 - (b) publish the statement in time,**
- to enable persons who will be of sixth form age when the statement has effect and their parents to take reasonable account of those matters when choosing between different establishments at which education or training is provided.**

Section 509AC : Interpretation of sections 509AA and 509AB

- (1) For the purposes of sections 509AA and 509AB a person receiving education or training at an establishment is of sixth form age if he is over compulsory school age but—
 - (a) is under the age of 19; or
 - (b) has begun a particular course of education or training at the establishment before attaining the age of 19 and continues to attend that course.
- (3) References in section 509AA to an establishment supported by the National Council for Education and Training for Wales are to any establishment at which education or training is provided by a person to whom that Council secures the provision of financial resources in any of the ways mentioned in section 34(2) of the Learning and Skills Act 2000.
- (4) References in section 509AB to persons with learning difficulties are to be construed in accordance with section 15ZA(6) and (7).
- (5) In sections 509AA and 509AB and this section—
 - “academic year” means any period commencing with 1st August and ending with the next 31st July;
 - “disabled person” has the same meaning as in the Disability Discrimination Act 1995;
 - “establishment” means an establishment of any kind, including a school or institution;
 - “governing body”, in relation to an institution within the further education sector, has the same meaning as in the Further and Higher Education Act 1992.
- (6) The Secretary of State may by order amend the definition of “academic year” in subsection (5) in relation to its application in the case of Local Education Authorities in England.
- (7) The National Assembly for Wales may by order amend the definition of “academic year” in subsection (5) in relation to its application in the case of Local Education Authorities in Wales.

Section 509AD: LEAs in England: duty to have regard to religion or belief in exercise of travel functions

- (1) A local education authority in England must have regard, amongst other things, in exercising any of their travel functions in relation to or in connection with the travel of a person or persons to or from a school, institution or other place—
 - (a) to any wish of a parent of such a person for him to be provided with education or training at a particular school, institution or other place where that wish is based on the parent’s religion or belief; and

- (b) in a case where the person in question (or any of the persons in question) is of sixth form age (within the meaning given in section 509AC(1)), to any wish of that person to be provided with education or training at a particular school, institution or other place where that wish is based on the person's religion or belief.
- (2) The "travel functions" of a local education authority in England are their functions under any of the following provisions—
- section 508A (duty to promote sustainable modes of travel etc);
 - section 508B (travel arrangements for eligible children);
 - section 508C (travel arrangements etc for other children);
 - section 508E and Schedule 35C (school travel schemes);
 - section 508F (transport etc for certain adult learners);
 - section 509AA (transport etc for persons of sixth form age).
- (3) For the purposes of this section—
- (a) "religion" means any religion,
 - (b) "belief" means any religious or philosophical belief,
 - (c) a reference to religion includes a reference to lack of religion, and
 - (d) a reference to belief includes a reference to lack of belief."

Section 509AE : Complaints about transport arrangements etc for persons of sixth form age in England

- (1) A local education authority may revise a statement prepared under section 509AA to change the arrangements specified under subsection (2) or (3) of that section if, as a result of a sixth form transport complaint, they have come to consider the change necessary for the purpose of the arrangements specified under the subsection in question.**
- (2) A local education authority must revise a statement prepared under section 509AA to change the arrangements specified under subsection (2) or (3) of that section if, as a result of a sixth form transport complaint, the Secretary of State has directed them to do so.**
- (3) An authority that revise a statement under subsection (1) or (2) must publish the revised statement and a description of the revision as soon as practicable.**
- (4) The Secretary of State need not consider whether to exercise any power under sections 496 to 497A (powers to prevent unreasonable exercise of functions, etc), section 509AA(9) (power to require LEA to make additional transport arrangements), or subsection (2) of this section in response to a matter that is, or could have been, the subject of a sixth form transport complaint made to him or her unless satisfied that—**

(a) the matter has been brought to the notice of the local education authority concerned, and

(b) the authority have had a reasonable opportunity to investigate the matter and respond.

(5) In this section “sixth form transport complaint” means a complaint that is—

(a) about a local education authority's exercise of, or failure to exercise, a function under sections 509AA to 509AD in relation to persons of sixth form age, and

(b) made by a person who is, or will be, a person of sixth form age when the matter complained of has effect, or by a parent of such a person,

and “sixth form age” is to be construed in accordance with section 509AC(1).

(6) For the purposes of sections 509AA(8) and (9), 509AB(1) to (5), 509AC and 509AD, the revision of a statement under this section is to be treated as the preparation of a statement under section 509AA.

(7) Where a local education authority have published in a single document a statement prepared under section 508G and a statement prepared under 509AA, the requirement to publish a revised statement under subsection (3) is to be treated as a requirement to publish a version of the document that includes the revised statement.

Post 16 Transport Costs Financial Year 2009/10

	2009/10						
	Gross Cost	Parental Contribution	Net cost	Learners receiving subsidised transport	Learners with free transport	Total Learners accessing transport	Average cost per learner
Mainstream - School	£440,250	£74,802	£365,448	314	273	587	£750
Mainstream - College/WBL	£465,999	£159,343	£306,656	316	269	585	£797
SEN	£1,042,321	£0	£1,042,321	0	156	156	£6,682
Total	£1,948,569.70	£234,145.00	£1,714,424.70	630	698	1,328	£1,482

Potential savings from proposals

	2011/12*	2011/12**	2012/13**
Mileage criteria	£35,000	£33,600	£55,200
New Low income criteria	£68,250	£65,520	£107,640
Medical Needs		£0	£0
Removal of road safety assessment	£85,271	£81,860	£134,485
Introduction of 3 miles criteria for SEN	£78,750	£75,600	£124,200
Total	£267,271.08	£256,580	£421,525

Savings illustrated above have used the following assumptions

- 1) Learner numbers increase by 4% each year
- 2) Travel patterns remain similar - i.e. learners from the same ward access the same institutions
- 3) Savings are based against the full year 2009/10 figure of £1.949m

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Meeting: Children's Services Overview and Scrutiny Committee
Date: 19 October 2010
Subject: Quarter One Performance Report
Report of: Cllr Anita Lewis Portfolio Holder for Children's Services
Summary: The report highlights the Quarter One performance for the Children's Services Directorate, including relevant Corporate Health Indicators.

Advising Officer: Edwina Grant, Deputy Chief Executive and Director of Children's Services
Contact Officer: Karen Oellermann, Head of Partnerships, Performance and Workforce Development
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

The Quarterly Performance Report ensures that progress on the delivery of the Council's priorities is monitored.

Financial:

There are a number of performance indicators within the full corporate suite that have a financial link – most notably the amount of debt outstanding and the percentage of Council Tax collected. There may be financial implications relating to investment decisions to improve performance.

Legal:

None.

Risk Management:

Areas of ongoing underperformance are a risk to both service delivery and the reputation of the Council.

Staffing (including Trades Unions):

The corporate performance suite includes indicators on sickness absence within the Council and the number of Carlisle Management Solutions agency staff.

Equalities/Human Rights:

It is important that consideration is given to all our Central Bedfordshire communities when considering public facing performance indicators – particularly vulnerable groups.

Community Safety:

There are Children's Services indicators that relate to ensuring children and young people are kept safe.

Sustainability:

None

RECOMMENDATION:

1. That the Committee notes and reviews Quarter One performance.

Background

1. The Council's framework for performance management supports the delivery of the Council's priorities.
2. Those indicators that Directors have identified as 'critical' make up the quarterly performance suite and these now include a wider Corporate Health set relating to people and financial management.
3. This focus on a smaller set of 'critical' indicators in key areas has been recognised in the Audit Commission Annual Governance report. The report states that 'the Council produces relevant and reliable data and information to support decision making and manage performance'.

Performance Summary

4. **Corporate Health Performance Indicators**
An expanded set of Corporate Health indicators is now being reported. In order to better understand the Council's overall corporate health performance, these indicators are reported both at the Directorate level and the overall Central Bedfordshire Council (CBC) figure. These indicators are measured across the council.
5. Sickness absence across CBC is currently on track to meet the target of 8 days lost per employee. The Quarter 1 figure is an improvement on the same period for 2009/10. Children's Services sickness absence is well within the target and the Directorate is performing well within the Council.

6. The Council has demonstrated an intention to better understand the use of agency workers supplied through Carlisle Managed Solutions and has developed a new performance indicator to track this. It is worth noting that the largest group of agency workers in the Council are currently care workers. The Director receives a monthly report on the number of social workers employed through the agency and this is reducing as new appointees are moving into new permanent posts.
7. Undisputed invoices paid within 30 days has seen a large improvement in performance when compared with Q4 09/10 but a small decline when compared to Q1 09/10. The Financial Services improvement plan is currently reviewing the processes that were brought together from the three legacy councils and additional training and workshops are planned across the council to aid better understanding of the Procure 2 Pay process. Currently in Children's Services performance stands at 79% against a target of 90%. A systems review is ongoing to improve performance in order to meet the target.
8. We are continuing to monitor the levels of debt outstanding. The Council is currently reviewing the 'Reminder Issuing Process', a partly manual based system, to explore the potential to automate the whole reminder process. This may serve to improve the reduction of the amount of debt outstanding. Across Children's Services performance is variable and ongoing work is required to establish where the call in of debt is required.
9. **Children's Services**
On the safeguarding indicators, our performance is largely good in the light of increased pressures. Timing indicators have been achieved or exceeded target. Despite the impact of sustained referral pressure, the rate of conversion of referrals to assessment has increased. Work is on-going to ensure that sufficient social workers are recruited and that early action is taken by other professionals to enable further improvement. National results released later in the autumn will evidence the influence of increased pressures on local authorities across the country.
10. The impact of low numbers requires some comparisons between years to be made with caution. This is the case with short term placement stability where, whilst the outcome is within target, progress has declined slightly. The difference compared to the same time last year is one child. This indicator is still well within the target range and children are moved based on their carefully assessed needs.
11. On school performance two new local indicators have been introduced. These will show inspection judgements and our local response at an earlier stage than has been previously reported. They will measure to what extent the Council is focusing its efforts on those schools that are neither good nor outstanding rather than adopting a blanket approach to outcomes in schools.

12. The Ofsted Monitoring Report for Derwent Lower concluded that the school is making satisfactory progress in addressing the issues for improvement and in raising the pupils' achievement. The school and Local Authority Statements of Action for the Mill Vale have been produced and sent to Ofsted and will be implemented and monitored by the School Improvement service from September onwards.

Conclusion and Next Steps

16. That the Committee notes and reviews the performance for Quarter one.

Appendices:

Appendix A – (Quarter 1 Performance Report)

Background Papers: (open to public inspection)

Executive 28 September 2010 - (Quarter 1 Performance Report)

Location of papers: Priory House, Chicksands

Appendix A

Corporate Health - People

Indicators	Linked to LAA	National PwC 09/10	Unit	Good is	Outturn 09/10	Quarter 1 Apr-Jun	Quarter 2 Jul-Sept	Quarter 3 Oct-Dec	Quarter 4 Jan-Mar	Trend Comparison	Year to Date	Performance Judgement (Q compared with Q)	Target 10/11	Comments
Total corporate sickness absence - number of days lost						1.8 (09/10 2.3)								Work is currently underway to probe further into performance against this indicator, particularly to distinguish between long and short term sickness and to review the application of the current sickness procedures (e.g. whether the procedures remain appropriate for Central Bedfordshire Council). Meetings will be held between the HR Business Partners and the Senior Managers in the Council, to support the accurate and timely recording of sickness absence throughout the Directorates. Specific focus to be given to high levels of absence in SCH&H, recognising that Adult Social Care sickness has a national 'spike'.
Office of The Chief Executive						2.18								
Customer & Shared Services						1.37								
Children's Services	No	No	No. Days	Low	9.9	1.26				Seasonal	1.8	↑A	8.0	
Social Care, Health & Housing						2.92								
Sustainable Communities						1.51								
Total number of Carlisle Managed Solutions agency staff						207								This indicator presents a snap shot view of the numbers of Carlisle Managed Solutions Staff working in the Council at the end of the Quarter 1 reporting period. From Quarter 2 HR colleagues will be generating awareness across the Council regarding the importance of maintaining the Carlisle Managed Solutions Agency Staff Recording Process. Trend data will be provided from quarter 2 when the Council will be in an informed position to discuss the quarter by quarter performance of this indicator.
Office of The Chief Executive						1								
Customer & Shared Services	No	-	No.			53				Qtr on Qtr	207	-	NA	
Children's Services						63								
Social Care, Health & Housing						79								
Sustainable Communities						11								

Corporate Health – Finance

Indicators	Linked to LAA	National PwC 09/10	Unit	Good is	Outturn 09/10	Quarter 1 Apr-Jun	Quarter 2 Jul-Sept	Quarter 3 Oct-Dec	Quarter 4 Jan-Mar	Trend Comparison	Year to Date	Performance Judgement (Q compared with Q)	Target 10/11	Comments
Invoices paid within 30 Days						86%	-	-	-					The 86% figure for Quarter 1 compares well with the figure as at Quarter 4 (74.8%) 2009/10. High volumes of rejected invoices (no PO's, no commitment) continue to be monitored. Additional training & workshops are planned across the authority to aid better understanding of Procure 2 Pay process.
Office of The Chief Executive					82%	-	-	-						
Customer & Shared Services	No	90.9%	%	High	82.6%	71%	-	-	-	Qtr on Qtr	86.0%	↑A	90%	
Children's Services						79%	-	-	-					
Social Care, Health & Housing						86%	-	-	-					
Sustainable Communities						84%	-	-	-					
Amount of debt outstanding - 61 - 90 days (£m)	No	-	No.	Low	NA	1,442m	-	-	-		1,442m	-	-	
Chief Executive	No	-	No.	Low	NA	0.0	-	-	-		-	-	-	The Finance Team are currently reviewing the 'Reminder Issuing' process - at present the Council has a manual process.
Customer & Shared Services	No	-	No.	Low	NA	261k	-	-	-	Qtr on Qtr (When available)	-	-	-	During Q2 the Finance Team will be seeking to actively engage with Council departments to inform & support colleagues in the implementation of the 'Debt Recovery Process', i.e. disputed invoices and queries - who to inform. We also aim to improve the debt recovery procedure to best suit the different types of debt outstanding.
Children Services	No	-	No.	Low	NA	142k	-	-	-		-	-	-	
Social Care Health & Housing	No	-	No.	Low	NA	662k	-	-	-		-	-	-	
Sustainable Communities	No	-	No.	Low	NA	213k	-	-	-		-	-	-	

Amount of debt outstanding - 91 - 365 days (£m)	No	-	No.	Low	NA	1.941m	-	Qtr on Qtr (When available)	1.941m	-	-
Chief Executive	No	-	No.	Low	NA	0.0	-	-	-	-	-
Customer & Shared Services	No	-	No.	Low	NA	642k	-	-	-	-	-
Children Services	No	-	No.	Low	NA	828k	-	-	-	-	-
Social Care Health & Housing	No	-	No.	Low	NA	420k	-	-	-	-	-
Sustainable Communities	No	-	No.	Low	NA	597k	-	-	-	-	-
Amount of debt outstanding - over 1 year (£m)	No	-	No.	Low	NA	0.006m	-	Qtr on Qtr (When available)	0.006m	-	-

As this is a new indicator Quarterly comparisons will be made from Quarter 2.

There is only a very minor amount of outstanding debt over 1 year old, excluding legacy debt.

Children's Services

Indicators	Linked to LAA	NFER Statistical Neighbourhoods	Unit	Good is	Outturn 09/10	Quarter 1 Apr - Jun	Quarter 2 Jul - Sept	Quarter 3 Oct - Dec	Quarter 4 Jan - Mar	Trend Comparison	Year to Date	Performance Judgement (Q compared with Q)	Target 10/11	Comments
NI 59 - The percentage of initial assessments within seven working days of referral	No	76%	%	High	86.7%	94.6%	-	-	-	Qtr on Qtr	94.6%	↑G	85.0%	This represents top quartile performance when compared with both national and statistical neighbours previous performance. The timelines of initial assessments is a strong indicator of the responsiveness of the child protection system. Substantially improved performance has been achieved in spite of a 64% increase in assessments undertaken since this time last year.

<p>NI 62 - The percentage of children looked after at 31 March with three or more placements during the year</p>	<p>No</p>	<p>10%</p>	<p>%</p>	<p>Low</p>	<p>9.2%</p>	<p>1.1%</p>	<p>-</p>	<p>-</p>	<p>-</p>	<p>Seasonal</p>	<p>1.1%</p>	<p>↓↕</p>	<p>10.0%</p>	<p>This indicator measures the number of placements a child has had in year but as numbers are low, very few children move in a particular quarter. In the same quarter last year, one child out of 151 children moved three times. In the same quarter this year, it was two children out of 177 so providing a differential of 0.4% . This indicator is still well within the target range and children are moved based on their carefully assessed needs. Performance remains in the top quartile.</p>
<p>NI 67 - The percentage of child protection cases which should have been reviewed during the year that were reviewed</p>	<p>No</p>	<p>100%</p>	<p>%</p>	<p>High</p>	<p>100%</p>	<p>100%</p>	<p>-</p>	<p>-</p>	<p>-</p>	<p>Qtr on Qtr</p>	<p>100%</p>	<p>● G</p>	<p>100%</p>	<p>Those with child protection plans are among the most vulnerable children that the authority works with. To be effective, plans must be actively reviewed within the required timescale. In spite of a net increase of 14% of children with child protection plans within this quarter, 100% performance has been maintained.</p>

<p>NI 68 - The percentage of children in need that led to initial assessments</p>	<p>No</p>	<p>56%</p>	<p>%</p>	<p>High</p>	<p>68.2%</p>	<p>52.1%</p>	<p>-</p>	<p>-</p>	<p>-</p>	<p>Qtr on Qtr</p>	<p>52.1%</p>	<p>↑R</p>	<p>65.0%</p>	<p>This indicator measures the percentage of children referred to social care that become the subject of an initial assessment. Performance has been affected by a significant rise in referrals increasing from 227 per 10,000 in 08/09, 307 per 10,000 in 09/10 and 477 per 10,000 during the current year. The number of actual initial assessments undertaken was 215 / 284 = 75.7% for Quarter 1 09/10, and 353 / 677 = 52.1% for Quarter 1 10/11. Compared to Quarter 1 last year referrals have increased 138% and Initial Assessments have gone up by 64%. Work is on-going to ensure that sufficient social workers are recruited and that early action is taken by other professionals in the service to avoid unnecessary referrals when needs can be met by action in schools or other local services. This rise in demand is also being experienced in other authorities as partner's awareness and vigilance continues to be raised. It is expected that performance will improve by next quarter and will be on track by year end.</p>
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Meeting: Children's Services Overview & Scrutiny Committee
Date: 19 October 2010
Subject: Work Programme 2010 – 2011 & Executive Forward Plan
Report of: Chief Executive
Summary: The report provides Members with details of the currently drafted Committee work programme and the latest Executive Forward Plan.

Contact Officer: Bernard Carter, Overview & Scrutiny Manager
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

The work programme of the Children's Services Overview & Scrutiny Committee will contribute indirectly to all 5 Council priorities.

Financial:

n/a

Legal:

n/a

Risk Management:

n/a

Staffing (including Trades Unions):

n/a

Equalities/Human Rights:

n/a

Community Safety:

n/a

Sustainability:

n/a

RECOMMENDATIONS:

1. **that the Children's Services Overview & Scrutiny Committee**
 - (a) **considers and approves the work programme attached, subject to any further amendments it may wish to make;**
 - (b) **considers the Executive Forward Plan; and**
 - (c) **considers whether it wishes to add any further items to the work programme and/or establish any Task Forces to assist it in reviewing specific items.**

Work Programme

1. Attached at Appendix A is the currently drafted work programme for the Committee.
2. Also attached at Appendix B is the latest version of the Executive's Forward Plan so that Overview & Scrutiny Members are fully aware of the key issues Executive Members will be taking decisions upon in the coming months. Those items relating specifically to this Committee's terms of reference are shaded in light grey.
3. The Committee is now requested to consider the work programme attached and amend or add to it as necessary. This will allow officers to plan accordingly but will not preclude further items being added during the course of the year if Members so wish and capacity exists.

Task Forces

4. In addition to consideration of the work programme, Members will also need to consider how each item will be reviewed i.e. by the Committee itself (over one or a number of Committee meetings) or by establishing a Member Task Force to review an item in greater depth and report back its findings.

Conclusion

5. Members are requested to consider and agree the attached work programme, subject to any further amendments/additions they may wish to make and highlight those items within it where they may wish to establish a Task Force to assist the Committee in its work.

Appendices:

Appendix A: Children's Services Overview and Scrutiny Committee Work Programme 2010 – 11

Appendix B: The Executive Forward Plan for the period Oct 2010 to Sept 2011

Work Programme for Children's Services Overview & Scrutiny Committee 2010 - 2011

Ref	Indicative OSC Meeting Date	Report Title	Issue to be considered	Comment
1.	19 October 2010 (R)	Portfolio Holder Update	To receive a verbal update from the Portfolio Holder regarding current issues within Children's Services	
2.		Child Poverty	To receive a presentation and consider current thinking regarding child poverty and its impact on Central Bedfordshire, which will inform Member consideration of the Council's own, early draft, Child Poverty Strategy	
3.		Revised 16-19 Transport Policy	To consider options for consulting on a revised policy for 16-19 transport.	
4.		Quarter 1 Performance Monitoring	To receive performance monitoring information for the first quarter of 2010/11.	
5.	23 November 2010	Portfolio Holder Update	To receive a verbal update from the Portfolio Holder regarding current issues within Children's Services	
6.		Learning Transformation	To receive a verbal update on progress.	
7.		Future Delivery of Music Service	To consider proposals regarding the future delivery of the Council's music service.	

NB: - **(R)** denotes a 'reserve' meeting

Ref	Indicative OSC Meeting Date	Report Title	Issue to be considered	Comment
8.		Future Delivery of Youth Service	To consider proposals regarding the future delivery of the Council's youth service.	
9.		Commissioning of PRU/Exclusions	To consider options regarding the commissioning of the Council's PRU/Exclusions service.	
10.		Child Poverty Strategy	To receive and consider the Council's draft Strategy following consideration of child poverty generally at the October 2010 meeting.	
11.		Quarter 2 Budget Information	To receive the directorate's budget monitoring information for the second quarter of 2010/11.	
12.	21 December 2010 (R)	Base Budget 2011/12	To receive directorate proposals regarding the base revenue budget 2011/12	
13.		Future Delivery of SEN	To consider proposals regarding the future delivery of the Council's SEN service.	
14.		Quarter 2 Performance Monitoring	To receive performance monitoring information for the second quarter of 2010/11.	
15.	25 January 2011	Portfolio Holder Update	To receive a verbal update from the Portfolio Holder regarding current issues within Children's Services	

NB: - **(R)** denotes a 'reserve' meeting

Ref	Indicative OSC Meeting Date	Report Title	Issue to be considered	Comment
16.		Review of School Places in Dunstable & Houghton Regis	To consider proposals in light of early consultation regarding the review of School Places in Dunstable & Houghton Regis	
17.	01 March 2011 (R)			
18.	29 March 2011	Portfolio Holder Update	To receive a verbal update from the Portfolio Holder regarding current issues within Children's Services	
19.		Children and Young People's Plan: New Plan for 2011/12	To receive and consider the new Children and Young People's Plan for 2011/12	
20.		Quarter 3 Performance Monitoring	To receive performance monitoring information for the third quarter of 2010/11.	
21.		Quarter 3 Budget Information	To receive the directorate's budget monitoring information for the third quarter of 2010/11.	
22.	14 June 2011	Portfolio Holder Update	To receive a verbal update from the Portfolio Holder regarding current issues within Children's Services	New Municipal Year – this item to be confirmed
23.		Children and Young People's Plan: Achieve Economic Well-Being		

NB: - (R) denotes a 'reserve' meeting

Ref	Indicative OSC Meeting Date	Report Title	Issue to be considered	Comment
24.		Children's Trust Annual Report	To receive the annual report of the Children's Trust	As above
25.		LSCB Annual Report	To receive the annual report of the Local Safeguarding Children Board	As above
26.		Quarter 4 Performance Monitoring	To receive performance monitoring information for the final quarter of 20010/11	As above
27.		Quarter 4 Budget Information	To receive the directorate's budget monitoring information for the final quarter of 20010/11	As above

NB: - (R) denotes a 'reserve' meeting

**Central Bedfordshire Council
Forward Plan of Key Decisions
1 October 2010 to 30 September 2011**

- 1) During the period from **1 October 2010 to 30 September 2011**, Central Bedfordshire Council plans to make key decisions on the issues set out below. “Key decisions” relate to those decisions of the Executive which are likely:
- to result in the incurring of expenditure which is, or the making of savings which are, significant (namely £200,000 or above per annum) having regard to the budget for the service or function to which the decision relates; or
 - to be significant in terms of their effects on communities living or working in an area comprising one or more wards in the area of Central Bedfordshire.
- 2) The Forward Plan is a general guide to the key decisions to be determined by the Executive and will be updated on a monthly basis. Key decisions will be taken by the Executive as a whole. The Members of the Executive are:

Member	Portfolio
Cllr Mrs Tricia Turner MBE	Chairman of the Executive and Leader of the Council
Cllr Richard Stay	Deputy Leader of the Council and Portfolio Holder for Policy and Performance
Cllr Mrs Rita Drinkwater	Portfolio Holder for Housing
Cllr Mrs Carole Hegley	Portfolio Holder for Social Care and Health
Cllr Maurice Jones	Portfolio Holder for Finance, Governance and People
Cllr Mrs Anita Lewis	Portfolio Holder for Children’s Services
Cllr Steve Male	Portfolio Holder for Customers, Systems and Assets
Cllr Ken Matthews	Portfolio Holder for Economic Growth, Skills and Regeneration
Cllr David McVicar	Portfolio Holder for Safer Communities and Healthier Lifestyles
Cllr Tom Nicols	Portfolio Holder for Sustainable Development

- 3) Those items identified for decision more than one month in advance may change in forthcoming Plans. Each new Plan supersedes the previous Plan. Any person who wishes to make representations to the Executive about the matter in respect of which the decision is to be made should do so to the officer whose telephone number and e-mail address are shown in the Forward Plan. Any correspondence should be sent to the contact officer at the relevant address as shown below. General questions about the Plan such as specific dates, should be addressed to the Head of Democratic Services, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
- 4) The agendas for meetings of the Executive will be published as follows:

Meeting Date	Publication of Agenda
08 June 2010	27 May 2010
13 July 2010	24 June 2010
17 August 2010	05 August 2010
28 September 2010	16 September 2010
02 November 2010	21 October 2010
07 December 2010	25 November 2010
11 January 2011	23 December 2010
8 February 2011	27 January 2011
15 March 2011	3 March 2011
5 April 2011	24 March 2011
31 May 2011	19 May 2011

Central Bedfordshire Council

Forward Plan of Key Decisions for the period 1 October 2010 to 30 September 2011

Key Decisions

Date of Publication: 15 September 2010

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
1.	First Quarter Review of the 2010/11 Capital Programme -	To review the first quarter of the 2010/11 Capital Programme.	2 November 2010		Report	Cllr Maurice R Jones Comments by 02/10/10 to Contact Officer: Matt Bowmer, Assistant Director, Finance Email: matt.bowmer@centralbedfordshire.gov.uk Tel: 0300 300 6147
2.	Central Bedfordshire Empty Homes Strategy -	To consider a Empty Homes Strategy for Central Bedfordshire.	2 November 2010	Portfolio Holder for Housing Executive Consultees Social Care Health and Housing Overview and Scrutiny Committee	Report with proposed Empty Homes Strategy	Cllr Mrs Rita J Drinkwater Comments by 05/10/10 to Contact Officer: Nick Costin, Head Private Sector Housing Email: nick.costin@centralbedfordshire.gov.uk Tel: 0300 300 5219

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
3.	Award of the Gas Maintenance Contract to Council Housing Properties south of the District -	To award the contract	2 November 2010		Report	Cllr Mrs Rita J Drinkwater Comments by 05/10/10 to Contact Officer: Basil Quinn, Housing Asset Manager Performance Email: basil.quinn@centralbedfordshire.gov.uk Tel: 0300 300 5202
4.	Local Investment Plan -	To approve the Plan for submission to the Homes and Communities Agency.	2 November 2010		Report	Cllr Ken C Matthews Comments by 05/10/10 to Contact Officer: Jon Cliff, Head of Growth Programme Email: jon.cliff@centralbedfordshire.gov.uk Tel: 0300 300 4373
5.	Central Bedfordshire Housing Strategy 2010 - Draft for Consultation -	The Executive are asked to approve the draft strategy and the detailed action plan as the basis for consultation.	2 November 2010	15 January 2010: Key Stakeholders and Partners 28 January 2010: members consultation event Web based consultation December 2009 - February 2010	The Central Bedfordshire Housing Strategy 2010	Cllr Tom Nicols Comments by 02/10/10 to Contact Officer: Zoe Cox, Housing Research & Policy Officer Email: zoe.cox@centralbedfordshire.gov.uk Tel: 0300 300 4479

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
6.	Carbon Management Plan -	Adoption of the Carbon Management Plan to set out how the Council will reduce it's carbon footprint, identify the opportunities and projects this will involve and strategy for funding this.	2 November 2010	Executive consulted at May meeting. Consultation with the Portfolio holder on-going.	Draft Carbon Management Plan and supporting documents. The Council's Climate Change Strategy	Cllr Tom Nicols Comments by 02/10/10 to Contact Officer: Richard Fox, Head of Development Plan Email: richard.fox@centralbedfordshire.gov.uk Tel: 0300 300 4105
7.	Budget Management Report - Quarter 2 -	To consider the Quarter 2 Budget Management report.	7 December 2010		Report	Cllr Maurice R Jones Comments by 07/11/10 to Contact Officer: Matt Bowmer, Assistant Director, Finance Email: matt.bowmer@centralbedfordshire.gov.uk Tel: 0300 300 6147
8.	Local Economic Assessment -	To approve the Central Bedfordshire Local Economic Assessment.	7 December 2010		Draft final Local Economic Assessment	Cllr Ken C Matthews Comments by 16/11/10 to Contact Officer: James Cushing, Head of Economic Policy Email: james.cushing@centralbedfordshire.gov.uk Tel: 0300 300 4984

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
9.	Future Delivery of Music Service -	To consider future delivery of the Music Service	7 December 2010		Report	Cllr Mrs Anita M Lewis Comments by 07/11/10 to Contact Officer: Alison Bray, Head of School Support Email: alison.bray@centralbedfordshire.gov.uk Tel: 0300 300 6825
10.	Draft Budget 2011/12 -	To approve the draft 2011/12 Medium Term Financial Plan and Capital Programme for consultation.	Unspecified	Portfolio Holders Overview & Scrutiny Committees	Report	Cllr Maurice R Jones Comments to Contact Officer: Matt Bowmer, Assistant Director, Finance Email: matt.bowmer@centralbedfordshire.gov.uk Tel 0300 300 6147
11.	Review of Fees and Charges -	To review Fees and Charges for 2011/12	11 January 2011		Report	Cllr Maurice R Jones Comments by 11/12/10 to Contact Officer: Matt Bowmer, Assistant Director, Finance Email: matt.bowmer@centralbedfordshire.gov.uk Tel: 0300 300 6147

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
12.	Treasury Management Strategy -	To consider the Treasury Management Strategy	11 January 2011		Report	Cllr Maurice R Jones Comments by 15/12/10 to Contact Officer: Matt Bowmer, Assistant Director, Finance Email: matt.bowmer@centralbedfordshire.gov.uk Tel: 0300 300 6147
13.	Adult Social Care Performance Report -	To consider the Adult Social Care Performance Report.	11 January 2011		Report	Cllr Mrs Carole Hegley Comments by 11/12/10 to Contact Officer: Ed Thompson, Assistant Director, Adult Social Care Email: ed.thompson@centralbedfordshire.gov.uk Tel: 01582 818060
14.	Draft Budget and Capital Programme for 2011/12 -	To recommend the draft Draft Budget and Capital Programme to Council on 24 February 2011 for approval.	8 February 2011	Portfolio Holders Overview & Scrutiny Committees	Report	Cllr Maurice R Jones Comments by 05/01/11 to Contact Officer: Matt Bowmer, Assistant Director, Finance Email: matt.bowmer@centalbedfordshire.gov.uk Tel: 0300 300 6147

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
15.	Future Delivery of Pupil Referral Unit -	To consider future delivery.	8 February 2011		Report	Cllr Mrs Anita M Lewis Comments by 07/01/11 Alison Bray, Head of School Support Email: alision.bray@centralbedfordshire.gov.uk Tel: 0300 300 6825
16.	Local Transport Plan 3 -	To consider the LTP3 for recommending onto Council for approval.	8 February 2011	Members, Stakeholders & General Public (01 February 2010 – 31 October 2010). Channels of engagement include: <ul style="list-style-type: none"> • Overview & Scrutiny Cttee (18/01/2011) • Taskforce • Local member & district councillor workshops/meetings • Stakeholder workshops • Householder surveys • On-line presence (myjourney website) • Public exhibitions • Internal briefings • Cross border liaison meetings • Hard copy information distribution to hard to reach groups Press releases	Report	Cllr Tom Nicols Comments by 05/01/11 to Contact Officer: Paul Cook, Head of Transport Strategy Email: paul.cook@centralbedfordshire.gov.uk Tel: 0300 300 6999

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
17.	Budget Management Report - Quarter 3 -	To consider the Quarter 3 Budget Management Report.	15 March 2011		Report	Cllr Maurice R Jones Comments by 15/02/11 to Contact Officer: Matt Bowmer, Assistant Director, Finance Email: matt.bowmer@centralbedfordshire.gov.uk Tel: 0300 300 6147
18.	Child Poverty Strategy -	To agree the strategy which sets out how the Local Authority and its partners intend to reduce child poverty by 2020. This includes 4 targets (relative low income, material deprivation, absolute poverty and persistent poverty). This also includes a needs assessment to describe the characteristics of child and family within Central Bedfordshire and a joint child poverty strategy which will outline the steps and accountability for the Local Authority and partners.	15 March 2011		Report	Cllr Mrs Anita M Lewis Comments by 05/02/11 to Contact Officer: Martin Pratt, Deputy Director Children Families and Learning and Assistant Director Specialist Services Email: martin.pratt@centralbedfordshire.gov.uk Tel: 0300 300 4392

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
19.	Biggleswade Town Centre Strategy and Masterplan -	To consider and formally adopt the Biggleswade town centre strategy and masterplan as a supplementary planning document.	15 March 2011	<p>Non statutory consultation – July 2009 comprising public exhibition</p> <p>Non statutory consultation – 3 July to 27 August 2010, 4 public exhibitions in addition to web and print consultation methods</p> <p>Formal statutory consultation – Early November 2010 for a period of four to six weeks</p>	Biggleswade town centre strategy and masterplan	<p>Cllr Ken C Matthews/ Cllr Tom Nicols</p> <p>Comments to Contact Officer: Liz Wade, Assistant Director Economic Growth and Regeneration</p> <p>Email: liz.wade@centralbedfordshire.gov.uk</p> <p>Tel: 0300 300 6288</p>
20.	Community Safety Partnership Priorities and the Community Safety Partnership Plan for 2011 - 2012 -	To agree and sign off the Community Safety Partnership Priorities and the Community Safety Partnership Plan for 2011- 12	15 March 2011	<p>Strategic Assessment & Partnership Plan will be considered at the CSP Executive Meeting in November 2010, Overview and Scrutiny Committee in January 2011 and the Local Strategic Partnership in February 2011</p>	Strategic Assessment Priorities & Community Safety Partnership Plan 2011 - 2012	<p>Cllr David McVicar</p> <p>Comments by 10/02/11</p> <p>Jeanette Keyte, Community Safety Manager</p> <p>Email: jeanette.keyte@centralbedfordshire.gov.uk</p> <p>Tel: 0300 300 5232</p>

Ref No.	Issue for Key Decision by the Executive	Intended Decision	Indicative Meeting Date	Consultees and Date/Method	Documents which may be considered	Portfolio Holder and Contact officer (method of comment and closing date)
NON KEY DECISIONS						
21.	Quarter 2 Performance Report -	To highlight the key Quarter 2 performance for Central Bedfordshire Council	7 December 2010		Report	Cllr Richard Stay Comments by 01/11/10 to Contact Officer: Iain Melville, Head of Performance Email: iain.melville@centralbedfordshire.gov.uk Tel: 0300 300 6024
22.	Quarter 3 Performance Report -	To highlight the key Quarter 3 performance for Central Bedfordshire Council.	15 March 2011		Report	Cllr Richard Stay Comments by 01/02/11 to Contact Officer: Iain Melville, Head of Performance Email: iain.melville@centralbedfordshire.gov.uk Tel: 0300 300 6024
23.	Quarter 4 Performance Report -	To highlight key Quarter 4 performance for Central Bedfordshire Council.	31 May 2011		Report	Cllr Richard Stay Comments by 01/05/11 to Contact Officer: Iain Melville, Head of Performance Email: iain.melville@centralbedfordshire.gov.uk Tel: 0300 300 6024

Postal address for Contact Officers: Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

**Central Bedfordshire Council
Forward Plan of Decisions on Key Issues**

For the Municipal Year 2010/11 the Forward Plan will be published on the fifteenth day of each month or, where the fifteenth day is not a working day, the working day immediately proceeding the fifteenth day, or in February 2011 when the plan will be published on the fourteenth day:

Date of Publication	Period of Plan
14.05.10	1 June 2010 – 31 May 2011
15.06.10	1 July 2010 – 30 June 2011
15.07.10	1 August 2010 – 31 July 2011
13.08.10	1 September 2010 – 31 August 2011
15.09.10	1 October 2010 – 30 September 2011
15.10.09	1 November 2010 – 31 October 2011
15.11.10	1 December 2010 – 30 November 2011
15.12.10	1 January 2011 – 31 December 2011
14.01.11	1 February 2011 – 31 January 2012
14.02.11	1 March 2011 – 28 February 2012
15.03.11	1 April 2011 – 31 March 2012
15.04.11	1 May 2011 – 30 April 2012