



Central Bedfordshire Council
Consultation on Proposed Changes to the Home to
School Transport Policy

Consultation Timescale
Wednesday 6th January - Friday 12th February 2010

Closing Date for responses 12 noon on Friday 12th
February 2010

1. Introduction

A local authority has a statutory responsibility to provide free home to school transport for certain children of statutory school age. The responsibilities are set out in the Education Act 1996 and the Education and Inspections Act 2006.

2. Background

There are currently 31,032¹ statutory aged children, 5 to 15, attending Central Bedfordshire Schools. Transport is provided daily for approximately 6,200 of these children to both mainstream (lower, middle and upper) schools and special schools. Transport is also provided for children who, due to their special educational need, attend a residential school.

For the academic year 2009/10 Central Bedfordshire Council adopted the Home to School Transport Policy previously in place in Bedfordshire County Council. The current cost to Central Bedfordshire of providing home to school transport is in excess of £8 million per year.

As part of Central Bedfordshire Council's overall aim to make the most effective use of the resources available, a review of the existing policy has been carried out. This review has identified potential areas of savings which could be achieved through revisions to the Home to School Transport Policy whilst continuing to target resources where they are most needed.

The Council is also seeking to ensure greater clarity in decision making regarding the provision, or not, of free home to school transport.

3. Why is Central Bedfordshire consulting with you?

Central Bedfordshire Council is committed to providing free home to school transport to meet its statutory obligations. In addition, the Council recognises that there are some children who do not meet the criteria for free home to school transport but who, nonetheless, would benefit from free home to school transport to enable them to access education and to achieve their potential.

¹ Census 2009, pupils aged 5 – 15 as at 31st August 2009, in mainstream and special schools.

The Council recognises that the proposals being put forward for consultation would, if agreed, have an impact on some families more than on others. However, we are keen to make this consultation as broad as possible and we would like to hear from any parents, schools, local residents, appropriate Members of Parliament and anyone with an interest in entitlement to home to school transport for pupils in Central Bedfordshire.

The Council is now consulting on proposals for changes to the Policy to take effect from 1 April 2010 and 1 September 2010.

You can respond to the consultation using the attached form, or you can respond through Central Bedfordshire Council's website www.centralbedfordshire.gov.uk/council-and-democracy/consultations

We will be holding consultation meetings with the relevant Diocesan Authorities and also with Special School Head Teachers and Governing Bodies.

The Council will consider responses to the Consultation at its Executive Meeting on 9th March 2010.

4. Entitlement to transport

Free transport is provided for all statutory age children who live in Central Bedfordshire and who attend their catchment area or nearest school, where the distance from home to school is over the statutory walking distance

- More than 2 miles from home for children aged under 8
- More than 3 miles from home for children aged 8 and over.

In addition, where children are in a family with a low income there is additional entitlement:

- Children aged 8 but under 11 must have travel arrangements made where they live more than 2 miles from their nearest qualifying² school by the shortest available walking route.
- For children aged 11 and over free transport is provided in one of two ways:
 - to a choice of one of the three nearest qualifying schools provided it is more than 2 miles by the shortest available walking route, but not more than 6 miles by motorised route from the child's home.
 - and also to the nearest suitable school preferred by reason of a parent's, or those with legal responsibilities, religion or belief provided it is more than 2 miles by the shortest available walking route and not more than 15 miles by motorised route from home.

² A qualifying school is defined as a community, foundation or voluntary school; community or foundation special school, non-maintained special school; pupil referral unit or maintained nursery school, with places available that provides education appropriate to the age, ability and aptitude of the child and any special educational needs that the child may have.

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. There is currently additional Government funding to meet the cost of transport for these children

The Council is not proposing any changes for children who are provided with transport on this basis.

5. Additional transport considerations

In addition to the specific duties to provide transport on distance grounds, there is a general duty for local authorities to provide any transport it considers necessary, free of charge. A review of the current arrangements has been carried out and the proposals for change are set out below.

A. Road Safety Transport

Where children live within the statutory walking distance of their catchment or nearest school, the local authority has to ensure that it is possible for them to walk to school, accompanied by a responsible adult if necessary. Where this is not possible, because the route to school is not safe, the local authority has to make arrangements for free transport.

The current criteria used to assess routes are based on guidance from the late 1990's. To ensure that the Council is complying with current guidance it is intended that any assessments from 1st April 2010 are based on the national guidance of the Local Authority Road Safety Officers Association, now Road Safety GB, "Identification of Hazards and the Assessment of Risk of Walked Routes to School".

Proposal 1

The Council proposes to start the re-assessment of routes on road safety grounds from 1 April 2010. These re-assessments may result in changes to current entitlement to free transport on road safety grounds. Parents will receive full and timely information of any proposed changes.

B. Denominational Transport

In considering entitlement to free transport a council has to take in to account any wish of a parent for their child to be provided with education or training at a particular school or institution on grounds of the parents' religion or belief. There is no statutory entitlement to such transport, as attendance at a denominational school is through parental choice.

Under the current Home to School Transport Policy, transport is provided for just under 300 statutory aged children to attend their nearest school of the relevant denomination, where the 2 or 3 mile distance criteria are met. The average cost of providing this transport is £2,000 per pupil, per year, compared with the average cost of transport to a mainstream school in the

region of £775 per year. There is clearly a disproportionate cost in providing such transport compared with the cost of other mainstream school transport.

Proposal 2

The Council proposes to end the provision of transport to denominational schools with effect from 1 September 2010. This proposal does not affect the entitlement to transport for families with a low income as set out in part 4 of this paper.

C. Permanently Excluded Pupils

Where a pupil has been permanently excluded from school the pupil is first allocated a place in the Pupil Referral Unit and is then allocated a new school place through a process called the In Year Fair Access Protocol. Where a new school is allocated in this way a child will be entitled to transport to the new school as long as the 2 or 3 mile distance criteria or road safety criteria are met. Currently some pupils receive transport inside this statutory distance.

Proposal 3

The Council proposes to provide transport based on distance criteria, with all requests for transport inside the statutory distance referred to the Director or nominee for consideration against criteria which will be agreed with the School Forum on an annual basis.

D. Medical Needs

Where a child attends their catchment area or nearest school, transport is currently considered on medical grounds irrespective of distance between home and school. 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.

Proposal 4

The Council proposes to continue with existing arrangements where transport is requested on medical grounds for a child to attend their catchment or nearest school and where that need is endorsed by a child's GP or Consultant.

E. Pupils in Years 10 and 11

Sometimes families and children, through no choice of their own, experience disruption in their home circumstances. This can cause particular difficulty for a child in their GCSE examination years if they have to move address and are not able to remain at their previous school where they have started a course of study.

Proposal 5

In order to help children achieve their full potential and to succeed in their GCSE examinations the Council proposes that where a child attending school in Central Bedfordshire in years 10 and 11 has to move in exceptional circumstances to a new address in Central Bedfordshire they will be provided with transport from their new address to their previous school, as long as they have completed at least one term in year 10 at their previous school.

F. Looked After Children and Refugees and Asylum Seekers

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. School places are identified that can best meet a child's individual needs. The school will not always be the nearest school to their home address.

Proposal 6

The Council proposes that Looked After Children and Refugees and Asylum Seekers are supported with transport, if required, to attend schools that best meet their needs. This may mean that transport will be provided to schools where the 2 or 3 mile distance criteria or road safety criteria are not met.

G. Transport for children with Special Educational Needs

Under the current home to school transport policy all pupils who have a place in a special school or specialist provision in a mainstream school are provided with free transport. This means that in some cases transport is provided for children who live a very short distance from the school they attend.

The Council recognises that some children with special educational needs may not be able to walk even relatively short distances to school. However others may, with appropriate support, be able to walk or use alternative ways of getting to school.

Proposal 7

The Council proposes that from September 2010 the need for transport for a child with special educational needs is assessed as part of the Statutory Assessment Process. For those children who live more than the statutory distance between home and the nearest school that can meet their needs, transport will be provided free of charge. As part of the Statutory Assessment the most appropriate mode of travel will be agreed.

For those children who live within the statutory distance the Assessment would include consideration of whether, with parental support, a child could reasonably be expected to walk to school. Where

this is not possible the need for transport will be included in a child's Statement of Special Educational Need and transport will be provided free of charge. Entitlement to transport agreed in this way would be reviewed at every Annual Review.

To support this change, it is proposed that with effect from April 2010, supported travel training is introduced for children in special schools and specialist provisions in mainstream schools. This programme would support young people in making travel choices whilst at school but also when they move on to more independent living.

H. Concessionary Places on School Contract Vehicles

The Council is committed to supporting children to access school. Where children are not entitled to free transport, parents can buy a pass for any spare seats on a school contract vehicle once those entitled have been allocated a place. Passes can be bought for one term at a time and are allocated on a first come first served basis. This does not apply to routes that are public registered services where children pay the bus company direct.

The charge for a concessionary place will be £133.95 from April 2010. Some families with a low income can be allocated seats free of charge.

Proposal 8

To ensure consistency, the Council proposes that the benefits taken into account when assessing whether a pass is to be issued free of charge will be the same as those for entitlement to transport for families with a low income. This will mean that certain families in receipt of working tax credit, but not at the maximum rate, will no longer be allocated a free pass.

6. The Consultation Process

There is a period of six weeks during which you are asked to let us know your views on these proposals. You can write to us using the form attached to this consultation document, or you can complete your response on the Central Bedfordshire website –

www.centralbedfordshire.gov.uk/council-and-democracy/consultations

If you are a parent and you feel that you will be directly affected by the proposed changes you may also wish to contact your child's school to look at their School Travel Plan. The Plan will outline ways the school has identified to improve children's safety on the journey to and from school. It will also support healthy and sustainable transport options and the improvement of the environment around the school.

The Council will consider responses to the consultation at its Executive Meeting on 9th March 2010. Any changes will be implemented with effect from 1st April for Proposals 1, 6 and 8 or 1st September 2010 for all other proposals.