

## WRITTEN STATEMENT OF A KEY DECISION CABINET

<b>ITEM:</b>	<b>CHANGES TO HEREFORDSHIRE SCHOOLS AND POST 16 TRANSPORT POLICY</b>
Members Present:	Councillors: AW Johnson (Leader), J Millar, PM Morgan (Deputy Leader), GJ Powell, PD Price.
Date of Decision:	19 December 2013
Exempt:	No
Confidential	No
<p>This is a key decision because</p> <p>It is likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.</p> <p>And/or</p> <p>It is likely to be significant in terms of its effect on-</p> <p>Two or more Wards or electoral divisions;</p> <p>One Ward (unless the number of those affected is very small or it is impractical to treat this as a key decision).</p> <p>A notice was served in accordance with Part 3, Section 9 (Publicity in connection with key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.</p>	
Urgency/Special Urgency: (As defined in Constitution)	No
Purpose:	<p>To consider in light of the responses to the public consultation, changes to the Council's home to school transport policy such that it provides the statutory minimum requirement of free transport; and</p> <p>To consider in light of the responses to the public consultation changes to the Council's school transport policy such that the subsidy for post 16 special educational needs (SEN) students is withdrawn and they pay the same charge as all other students.</p>
<b>Decision:</b>	<p><b>THAT: Cabinet agreed to amend or remove the discretionary transport policies with effect from 1 September 2014 as detailed in this report, as follows:</b></p> <p><b>(a) To withdraw the Herefordshire free home to school transport policy eligibility based upon nearest and catchment school and replace with</b></p>

	<p><b>eligibility based upon:</b></p> <ul style="list-style-type: none"> <li><b>i) nearest suitable school with places,</b></li> <li><b>ii) in England;</b></li> </ul> <p><b>(b) Continue to provide the Herefordshire free home to school transport policy eligibility based upon nearest and catchment school only for those pupils entering Y10 or in Y11 at their current school on 1 September 2014 so they may complete their study programmes;</b></p> <p><b>(c) To continue to charge parents for a seat on a school bus (because the child is not eligible for free transport) but reduce the Council's subsidy by increasing annual charge by £60 (£1.58 a week) from £660 to £720 (£17.36 - £ 18.95) in September 2014 and to annually review the subsidy each September thereafter to take account of operating costs;</b></p> <p><b>(d) To continue to charge post 16 transport but to reduce the Council's subsidy by increasing the annual charge by £60 (from £660 to £720) in September 2014 and to annually review the subsidy each September thereafter to take account of operating costs;</b></p> <p><b>(e) To withdraw free transport for Herefordshire post 16 years with SEN and replace with the requirement to meet the annual charge of £720 from April 2014. This to be annually reviewed each September thereafter to take account of operating costs; and</b></p> <p><b>(f) The implications of these policy changes be reviewed annually or sooner in the event that the impact of the proposed changes was materially worse than anticipated.</b></p>
Reasons for the Decision:	<p>The Council is seeking to provide only the statutory minimum service it is required to do unless there is good reason to do otherwise. The council also has adopted a policy of full cost recovery unless there is good reason not to. There is good reason to make exceptions over the nearest school being in Wales and seeking not to cause potential disruption to key stage 4 pupils, as set out above.</p> <p>Post 16 students, apart from those with SEN, make a contribution to transport if they use it. The council may choose to require post 16 students with SEN to make the same contribution to transport. In taking their decision the cabinet will need to have due regard to any impact of</p>

	<p>on this group sharing the protected characteristic of disability. All post 16 students have opportunities to access funding through bursaries. The awarding bodies have to have due regard for those with a protected characteristic. The transport used by students with SEN is modified according to their needs.</p>
Options Considered:	<p>No change. The Council would continue to provide more than is the statutory obligation, requiring greater savings to be made elsewhere.</p> <p>Do not introduce the charge for SEN post 16 young people. The council would be providing more than it is obliged to and would not gain the additional revenue, requiring greater savings to be made elsewhere.</p> <p>Introduce a policy of providing free transport to the nearest school only for all pupils. The Council would provide free transport to a school in Wales if this was the nearest school. The curriculum and teaching approaches are different in the two countries. There is good reason therefore for the Council to provide free transport for eligible children to their nearest English school. Parents will of course still be able to exercise their preference to attend a Welsh school should they wish to.</p> <p>Introduce a policy such that all residents of Herefordshire who were entitled to transport could get transport to their nearest Herefordshire school, rather than one in another authority. This would realise only a third of the savings and would disadvantage schools with no borders to neighbouring authorities. Neighbouring local authorities have not adopted this approach when introducing nearest school only policies.</p> <p>Introduce the policy changes to nearest school for all year groups from September 2014. Whilst this change in transport policy does not mean that children are required to change school, some families may feel they have to change school because of the logistics and costs of making their own arrangements for transport. This would mean some pupils, at a key point of their education, might be disrupted.</p> <p>Introduce the policy changes to nearest school as the pupil's transition in YR or Y7 or change school. This would phase the budget savings in over at least five years, make route planning more complex and create confusion for operators and parents.</p> <p>Introduce the nearest school transport policy with effect from April 2014. This would not give parents and other organisations time to make alternative arrangements and could be disruptive mid-year.</p>

	<p>Introduce full cost recovery for post 16 SEN students. Many SEN students require specially adapted vehicles which are more costly to run and maintain (and can cost up to £8000 a year). To expect the students to fund the full cost would be considered unreasonable under equality legislation.</p> <p>Increase the vacant seat payment scheme and post 16 transport costs to the current overall full cost recovery figure of £850 from September 2014. The vacant seat payment is set annually and the last increase, in September 2013, was from £514 to £660; which represents a 28% increase. An increase, to the current full cost recovery of £850, would be a 29% rise. A £60 per annum represents a 9% annual increase, which, although significant, is more reasonable in the current economic climate.</p>
<p>Conflict of Interest ■ (See below):</p>	
<p>Date the key decision is due to take effect:</p>	<p>2 January 2014</p>

**COUNCILLOR AW JOHNSON:** .....Date: 19 December 2013  
**LEADER OF THE COUNCIL**

- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;

And

- in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.