

Meeting:	General overview and scrutiny committee
Meeting date:	19 January 2016
Title of report:	Update on home to school transport provision
Report by:	Assistant director education and commissioning

Classification

Open – Report and Appendix 2

Exempt – Appendix 1 is exempt by virtue of paragraph 2 “Information which is likely to reveal the identity of an individual” of the Access to Information Procedure Rules set out in the constitution pursuant to Schedule 12A Local Government Act 1972, as amended.

Key Decision

This is not an executive decision.

Wards affected

Countywide

Purpose

To receive an update on the impact of the revised education transport policy which became effective from September 2015.

Recommendation(s)

THAT:

- (a) the impacts outlined within the report are considered and determine whether any further actions be recommended to the executive.**

Alternative options

- 1 The committee could recommend that further investigation be undertaken to assess the impact on parents and communities. The information contained in this report suggests that this is not required and if undertaken would require a diversion of resources from other activities at a time of significant resource and financial challenge.

Reasons for recommendations

- 2 To monitor the impacts of the implementation of the transport policy changes.

Key considerations

- 1 In common with a number of other local authorities, Herefordshire council has moved to a position of meeting statutory minimum policy requirements, unless there are clear reason not to. This is to meet the significant reductions in local authority finance. On 19 December 2013 cabinet agreed a revised home to school transport policy; having regard to the subsequent recommendations of the general overview and scrutiny committee. In March 2014, cabinet decided the implementation date for the policy changes would be amended to September 2015.
- 2 The key changes to the revised policy were that free transport will only be provided to the nearest school, subject to the statutory walking distance criteria and with an exception provided in relation to those pupils whose nearest school was in Wales who would be offered free transport to their nearest Herefordshire School. Post 16 special educational needs (SEN) students now have to pay a contribution towards the provision of transport assistance.
- 3 The modelling of the cost of any transport policy is complex. Many factors need to be considered including parental choice, parents moving into and out of Herefordshire, and the tendering of routes. Currently approximately 50% of parents across Herefordshire do not send their child to the nearest school. If more parents choose to send their child to the nearest school the council would have to provide more transport. Similarly if fewer parents choose to send their child to the nearest school, the council would have to pay less. All of this was fully assessed in the original cabinet decision and scrutiny.
- 4 The impacts of the revised policy are outlined in appendix 1 (exempt). The key statistics lifted from the appendix are:
 - a. In September 2014 there were 1,646 transfers to secondary school and in September 2015 there were 1,667. Of these in 2014, a total of 402 were entitled to free transport and in 2015 there was a total of 359 – therefore the number of year 7 eligible mainstream pupils in receipt of free transport has reduced by 43 when compared to the previous year (September 2014). It is not yet possible to analyse the impact, if any, upon eligible reception class pupils as not all children have yet either taken up their place at school or applied for free transport (most parents will take their reception aged child to/from school until they are settled).
 - b. The number of mainstream pupils paying for a vacant seat has increased by 96 generating additional annual income (a net cost saving) of £71K. Of these, 83 were additional year 7 and 13 were additional reception pupils.
 - c. 28 Post 16 SEN students are now paying a contribution, which is generating additional annual income (a net cost saving) of £21K. The overall number of Post 16 and Post 19 SEN students accessing transport has not changed year on year. A total of £541K of bursary funding has been available to further education providers across Herefordshire to allocate to their students.
 - d. The number of pupils qualifying for free transport to a school in another local

council area has increased by five from 19 in September 2014 to 24 in September 2015 (Tenbury Academy has seen an increase of 11, whilst other local council schools have seen a reduction). In both years the number of pupils qualifying for free transport was 50% of those being offered a place at a school in another local council area. Therefore 50% of parents have chosen to make their own arrangements to a school of their "choice". Based on the parental preferences received for 2016/17, then 23 out of 48 first preference requests for an out of county school/academy will be eligible for free transport i.e. less than 50% of the preferences received.

- e. A number of secondary schools (Bishop's, John Kyrle, John Masefield, Weobley and Wigmore) might have expected to receive fewer preferences for their schools as a direct consequence of the change in education transport policy. However, four out of the five offered more places (before any statutory appeals) and one (Wigmore) made the same number of offers. There is no evidence of any negative impact on other schools.
- f. A total of 172 mainstream pupils who would have been entitled under the previous policy are not entitled to free transport under the revised policy. 34 appeals against the outcome of the revised education transport policy have been received. All but two have been refused. An analysis of the appeals is shown in appendix 1. The number of appeals (20% of potential total) is in line with the response expected from the change in policy. The majority were submitted because the catchment school was not the nearest and/or an older sibling was entitled but not the younger sibling. The issue concerning the sibling connection will reduce as each year passes.
- g. A petition from a campaign group called "Keep Our Kids in Herefordshire" was received on Friday 18 December 2015. The petition contains 502 signatures. The petition asks that Herefordshire Council "amend its new policy, ending free transport to schools outside the county and reinstate the free service to Herefordshire schools for eligible children". A response to the petition from the relevant cabinet member will be sent w/c 11 January 2016.

Community impact

- 5 The change in implementation date for the agreed policy changes has provided additional planning time for young people, parents/carers, schools and transport providers to prepare for the changes, whilst still ensuring that the council continues to direct its resources at the agreed corporate priorities.

Equality duty

- 6 Public sector equality duty (PSED) implications of the policy changes were explored when Cabinet took the decision in December 2013 (see appendix 2); the changes to the timing of the implementation, with the slower phasing, further mitigated some of the impacts and allowed parents and schools to consider options. To date we have received no information to suggest that there are either any unintended consequences or this has had a more negative and therefore inequitable impact upon certain families/geographies.

Financial implications

- 7 There are no direct financial implications arising from this report.

- 8 In line with our original planning it is anticipated that annual net cost savings of £71K (as a result of increased income) will occur in the 2015/16 academic year as a result of changing the mainstream education transport entitlement. Which will equate to a potential annual saving of £355K at the end of the 5 year roll out period. However, this excludes any cost savings yet to be generated by route reviews as a result of reduced patronage on certain education transport contract routes. This work has yet to be undertaken by the integrated passenger transport team. It is anticipated these reviews will take place during the next spring term (January 2016 onwards) and lead to further significant savings.

Legal implications

- 9 The council is required under section 508B of the Education Act 1996 (“the Act”) to make and provide free of charge, such home to school travel arrangements as they consider necessary having regard for the Department for Education statutory Home to School Travel and Transport Guidance, 2014.

Risk management

- 10 The delayed implementation date and phasing has mitigated the risks identified by allowing parents and schools additional planning time and the rolling out of various alternative transport options. In addition there have been no further risks identified.

Consultees

- 11 There have been ongoing discussions with group leaders and schools regarding the change in the education transport policy. Communications have been issued to all schools and elected members.

Appendices

Appendix 1 - policy change impact analysis (exempt)

Appendix 2 - Equality Impact Assessment: Home to school/college transport

Background papers

- None identified.