

MINUTES of the meeting of Children's Services Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 13th July, 2005 at 9.30 a.m.

Present:	Councillor	B.F. Ashton (Chairman)
	Councillor	J.P. Thomas (Vice Chairman)
	Councillors	N.J.J. Davies, G. Lucas, R.M. Manning, Mrs. J.E. Pemberton, Mrs. S.J. Robertson, D.C. Taylor, Ms. A.M. Toon and W.J. Walling
	Church Members	J.D. Griffin (Roman Catholic Church) and Revd. I. Terry (Church of England)
	Teacher Representatives	M. Carter (Special Education Sector Teachers) and C. Lewandowski (Secondary School Teachers)
	Headteacher Representatives	A Marson (Secondary Headteachers)

In attendance: Councillors Mrs. A.E. Gray, Mrs. J.A. Hyde, T.M. James, D.W. Rule MBE (Cabinet Member - Children's Services), D.B. Wilcox and R.M. Wilson

1. APOLOGIES FOR ABSENCE

Apologies were received from Miss S. Peate.

Apologies were also received from Mrs C. Woolley, the newly appointed Parent Governor Member for the Secondary School sector.

2. NAMED SUBSTITUTES

There were no named substitutes.

3. DECLARATIONS OF INTEREST

Agenda Item 5 - Councillor R. M. Manning declared a prejudicial interest, however, under the terms of the Code of Conduct relating to scrutiny committees he was eligible to take part in the meeting. Mr J. D. Griffin and Rev'd. I Terry both declared personal interests in view of their professional role on the Committee.

4. MINUTES

RESOLVED: That the minutes of the meeting of the former Education Scrutiny Committee held on 14th March, 2005 be approved as a correct record and signed by the Chairman.

5. CALL-IN OF CABINET DECISION ON THE REVIEW OF DENOMINATIONAL TRANSPORT

The Committee considered Cabinet's decision on 23rd June, 2005 on the Review of Denominational Transport, which had been called-in by three members of the Committee, in accordance with the Scrutiny Committee Rules.

The stated reason for calling in the decision was: "establishing the criteria for low income families".

The Cabinet Member – Children's Services, outlined the decision of Cabinet. The draft decision notice (Ref No 2005 CAB 057) together with the report to Cabinet by the Director of Children's Services was contained in the agenda.

The Head of Policy and Resources reported that a supplementary report had been issued subsequent to the agenda, which set out the proposals to ensure fair and effective implementation of the new policy, especially in relation to low income families. He highlighted that the Council had the choice of using either a set of criteria that it would have to define and administer or, as recommended, a set of existing national criteria, which had already been defined and were widely used. The Council had, however, to use its discretion in selecting which of the existing eligibility assessments was the most appropriate to this particular issue. The application of the new policy was clarified to the Committee, which would take account of the needs of larger and/or low income families as follows:

- Contributions towards the cost of the first two children attending any denominational school from any one family (at the same address), toward denominational transport, with any subsequent children having a denominational place entitled to free transport, so long as those other children remain in receipt of transport under this scheme.
- Contributions being set at 3 levels reflecting the income level and family situation. The levels would be:
 - a) Full rate - Equivalent to the payments made under the Vacant Seats Policy (The Vacant Seats Policy allows parents to take up spare seats on transport provided to those pupils who are outside the statutory walking distance).
 - b) Free transport for those entitled to free school meals, free prescriptions (on income related criteria), and full housing or Council tax benefit;
 - c) A 50% contribution would be sought from those not entitled under b) above but who would be entitled to housing and or Council tax benefit at a level to be determined.

The following are the principal issues or comments arising from the ensuing debate:

- The Committee agreed that the policy needed to be easily understandable by parents;
- That the policy needed to be easy to administer and enforce;
- Having considered the pros and cons of various options for a local system of entitlement, the Committee agreed that the method of assessing low income families should be based on the eligibility criteria for state benefits (i.e. the use of Council Tax and Housing Benefits and Free School Meals entitlements). Variations within state benefits criteria would mean that the implementation of a three tier banding scheme of entitlement for denominational transport would introduce an element of flexibility to the Council's policy.
- The Committee debated at some length the proposed level of parental

contribution (proposed as £100) and whether this should reflect the lower levels set by some other rural Councils as indicated in Appendix B to the report to Cabinet. The Committee appreciated that while the issue was the establishment of criteria for low income families, it suggested that Cabinet give further consideration to the level of contribution aspect of the policy.

- While Vacant Seats and Denominational Transport were separate policies, the Committee appreciated that there needed to be a degree of uniformity in relation to the level of parent contribution.
- While the proposed policy addressed the issues raised by a potential legal challenge, concern was expressed that a proper impact assessment had not been undertaken. A minority view was expressed that implementation should be deferred for one year pending a full review. Concern was also expressed that by addressing one area of legal challenge the new policy must be sufficiently robust in all areas to resist any further legal challenge.
- The Committee were mindful of the overall consultation undertaken and the comments now made by the Diocesan Authorities concerning their need to consult with denominational school governors concerning any implementation of the new policy. Having considered the timetable for implementation, (inclusion in the 'Information to Parents' handbook 2005 to be issued for the 2006 pupil intake), then provided further discussion was held with the Church Authorities to ensure a smooth transition, the Committee supported the implementation timetable.
- Clarification was still awaited from the DfES in relation to how the Denominational Transport policy would be affected should other schools of a differing philosophy become involved. It was noted that legislation currently going through parliament may address this point.
- The Cabinet Member (Children's Services) stated that he would be recommending to Cabinet that this policy be reviewed after one year of operation.
- It was suggested that a review of the Denominational Transport Policy be included in the Committee's work programme as an area for further monitoring.

Having debated the issue the Committee confirmed its wish to refer the decision back to Cabinet with the comments that: the method of assessing low income families be based on the eligibility criteria for state benefit; the suggested three banded system (full rate, free and 50%) be supported; further consideration be given to the level of parent contribution; further discussion be held with the Church Authorities over the implementation of the policy and that the policy be reviewed after one year of operation.

RESOLVED: That, based on the comments of this Committee, the decision on the Denominational Transport Policy, taken by Cabinet on 19th May, 2005, be referred back for further consideration by Cabinet.

The meeting ended at 11.00 a.m.

CHAIRMAN

