

The Vale of Glamorgan Council

Cabinet Meeting: 9th May 2016

Report of the Cabinet Member for Regeneration

School and College Transport Policy

Purpose of the Report

1. To consider, for consultation purposes, a revised School and College Transport Policy.

Recommendations

1. That Cabinet approve for consultation purposes the revised school and college transport policy attached at [Appendix B](#).
2. That Cabinet approve for consultation purposes the proposal to only allow further education transport grant to be claimed for publically funded institutions in the Vale of Glamorgan, Cardiff or Bridgend for new pupils from September 2017.
3. That recommendations 1 and 2 above are referred to Environment and Regeneration Scrutiny Committee and Youth Cabinet for consideration as part of the Consultation process.
4. That a report on the outcome of the School and College Transport Policy consultation exercise is considered by Cabinet in Summer 2016.

Reasons for the Recommendations

1. To enable one policy document to be used for all mainstream, additional learning needs and college transport.
2. To enable school transport provision for post 16 pupils to be maintained within current budgetary constraints.
3. To allow Scrutiny Committee and Youth Cabinet to comment on the proposals.
4. To report back to Cabinet the results of the consultation exercise and to decide on a way forward.

Background

2. In April 2015 the Public Transport Team and Additional Learning Needs School Transport Team amalgamated. At the same time work associated with Post 16 College Transport was passed onto the team.
3. The newly formed Passenger Transport Team became responsible for public transport, mainstream school transport, additional learning needs school transport and community transport budgets.
4. At present three distinct policies exist for mainstream school, additional learning needs and Post 16 College transport. Much of the information in each policy is mirrored in the others. These policies are attached at [Appendix A](#).
5. The Council currently provides free school transport to primary school pupils who live 2 or more miles from their nearest school of type. Secondary aged pupils are awarded free transport if they live 3 or more miles from their nearest school of type. Therefore the Council meets all of its statutory obligations in respect of School Transport.
6. At present the Council, provides at its discretion, free school transport for school pupils in Years 12 and 13 and pupils and who are between 16 and 19 attending further education institutions. No changes are proposed currently to this Policy.
7. As the Council's School transport budget is subject to significant reductions and challenges during coming years there is a need to consider changes to current School and College transport policies to ensure that the Council maintains its statutory obligations and also that it still offers young people the opportunity to travel by bus or other public transport facility to and from their educational establishment.
8. The Council's duties to provide school transport for pupils are set out in the Learner Travel (Wales) Measure 2008. Under the Measure the Council has no statutory responsibility to provide free home to school/college transport for pupils over the statutory school leaving age, namely 16 to 19 year old pupils attending 6th forms or colleges.

Current Costs and Numbers

9. In the 2015/16 financial year the Council funded 109 mainstream school transport services, 39 of which are primary school routes and 70 of which are secondary school routes. The cost of these services was approximately £2,054,291.
10. The average cost per head on a mainstream school contracted service is £527 for a secondary aged pupil and £864 for a primary aged pupil. It must be noted that the cost for primary aged pupils is greater due to smaller catchment areas and the added cost of providing escorts on some of the services.
11. In the 2015/16 financial year the spend on Post 16 college transport was approximately £145,000 per annum with 352 students awarded free transport. The majority of this spend is reimbursed to Cardiff and Vale College and Bridgend College, (£64,000 for 186 students and £58,000 for 140 students respectively). Both colleges are reimbursed as they arrange transport for the students directly. A further 26 pupils who attend "other" colleges were reimbursed directly at a cost of approximately £23,000.

Relevant Issues and Options

12. In order to address ongoing financial pressures changes to the Council's policy for the provision of school and college transport needs to be considered.
13. As previously advised there are currently three distinct policies for mainstream school transport, additional learning needs school transport and Post 16 college transport (attached separately at [Appendix A](#)).
14. Combining the three into one document (attached at [Appendix B](#)) will make it easier for Vale of Glamorgan residents to understand entitlement and associated policies. It will also make it easier for staff and members as they will only have to refer to a single policy document.
15. The Council currently provides free transport to secondary aged pupils who live 3 or more miles from their catchment school and college pupils between 16 and 18 who live 3 miles or more from their educational institution, as long as that institution is the nearest that offers the course they wish to study.
16. Colleges in the Vale of Glamorgan, Cardiff and Bridgend provide a broad range of post-16 courses that meet the needs of students who wish to access post-16 education in a further education setting. To reduce the amount of pupils who opt for courses in establishments where transport costs are extremely high introducing a geographical limit on applications would seem sensible.
17. Limiting applications to only further education establishments in the Vale of Glamorgan, Cardiff and Bridgend would potentially see a fall in the numbers opting for courses elsewhere and in turn reduce the high transport costs that are associated with these students.
18. The consultation on the revised Policy needs to be concluded by the end of July 2016 and a decision made before 1st October 2016 to enable the Policy to be implemented from September 2017.
19. It is suggested that these changes will need to be consulted on with a number of interested stakeholders including colleges, schools and pupils receiving free transport as well as their parent/carers.
20. In addition to the above, Welsh Government, neighbouring authorities and community councils will need to be made aware of the consultation process.

Resource Implications (Financial and Employment)

21. The combined statutory mainstream and additional learning needs transport budgets total £2.5 million.
22. The school transport budget currently has a savings target of £320,000 for 2016 / 2017 and a further £22,000 for 2017 / 2018. The change in these policies could contribute some £23 000 to the budget which will assist the Council meet its statutory obligations longer term.

Sustainability and Climate Change Implications

23. School and College transport assists in sustainability and helps to reduce car use for the journey to school and helps to reduce traffic congestion. This report also seeks to reduce the need to travel for pupils.

Legal Implications (to Include Human Rights Implications)

24. The Learner Travel (Wales) Measure specifies that an Authority should only change an existing transport policy and /or arrangements at the beginning of a school year (unless an emergency such as road works necessitates change.)
25. The Guidance issued by the Welsh Government in respect of the Measure also states that an Authority may be acting unreasonably if entitlement to free transport is withdrawn during a pupil's education at a particular school and parents had not been aware of this possibility at the time their application for admissions was accepted. An Authority could also be judged to have acted unreasonably if it changed other aspects of its arrangements, such as timing of services or pick up/drop off points, if it failed to give parents adequate and timely notification of the change.
26. The recommendations in this report have been framed having regard to the above legal issues.

Crime and Disorder Implications

27. There are no crime and disorder implications as a result of the changes to the policy.

Equal Opportunities Implications (to include Welsh Language issues)

28. The Council has to satisfy its public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics.
29. Protected characteristics are age, gender reassignment, sex, race - including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation and religion or belief - including lack of belief.
30. As such any decision to change the home to school/college transport policy has to be made in the context of the Council's equality act public sector duties.
31. An initial Equality Impact Assessment Scoping Form has been completed ([Appendix C](#)).
32. If the recommendations are accepted then consultation responses from representative bodies and individuals will be obtained to assist in finalising the Equality Impact Assessment which will then need to be considered prior to making any final decision.

Corporate/Service Objectives

33. The objectives in this report form part of the Transport Savings Project (TS04) which intends to reduce the amount spend by the Council on passenger transport services. This contributes to the Council's Wellbeing Outcome 2: An environmentally responsible and prosperous Vale.

Policy Framework and Budget

34. This report is a matter for executive decision by Cabinet.

Consultation (including Ward Member Consultation)

35. As this report affects all wards, individual members have not been consulted.

36. The relevant schools, colleges, pupils, parents and other stakeholders will be consulted if Cabinet agrees to the recommendations of this report.

Relevant Scrutiny Committee

37. Environment and Regeneration.

Background Papers

[Appendix A](#) - Current School and College Transport Policies

[Appendix B](#) - Revised School and College Transport Policy

[Appendix C](#) - Equality Impact Assessment Scoping Form

Contact Officer

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Officers Consulted

Mainstream School Transport Officer
Additional Learning Needs School Transport Officer
Post 16 College Transport Officer (Temporary)
Access & Policy Manager
Complex Needs and School Liaison Officer
Visible Services and Transport Accountant
Committee Reports
Director of Learning and Development

Responsible Officer:

Miles Punter - Director of Environment and Housing Services