

Meeting of:	Cabinet
Date of Meeting:	Thursday, 29 September 2022
Relevant Scrutiny Committee:	Environment and Regeneration
Report Title:	Amended School and College Transport Policy
Purpose of Report:	To advise Cabinet of the results of a recent public consultation on a revised School and College Transport Policy and gain approval to publish the amended policy on the Council's website by 1 st October, 2022 so that it can be implemented on 1 st September, 2023.
Report Owner:	Cabinet Member for Sustainable Places
Responsible Officer:	Miles Punter – Director of Housing and Environment
Elected Member and Officer Consultation:	Accountant Environment and Housing Services Legal Services (Committee Reports) Director of Learning and Skills
Policy Framework:	This is a matter for decision by Cabinet
<p>Executive Summary:</p> <ul style="list-style-type: none"> • Following a complaint that was made to the Council regarding school transport from the Rhoose area to Cowbridge Comprehensive school, recommendations were made by the Public Services Ombudsman in March 2022 in relation to amending the School and College Transport Policy to make it clearer. • The Ombudsman requested that the Policy be updated to ensure consistency, clarity, and accuracy of phrasing in relation to the purchase of bus passes, school catchment areas and transport entitlement. • The proposed revised School and College Transport Policy was therefore published on the Council's website on 12th July, 2022: https://www.valeofglamorgan.gov.uk/en/living/transportation/school_transport/School-and-College-Transport-Policy-2022-consultation.aspx 	

- A total of 16 responses were received to the consultation which ran from Tuesday 12th July 2022 to Friday 12th August, 2022.
- Most responses to the consultation required clarification with only two leading to changes to the Policy document as well as a revised spare seat purchase form (Appendix D). The minor changes to the Policy are in red text within the proposed Policy document (Appendix A).
- In order for the Revised Policy to be in force from 1st September, 2023, the new Policy needs to be placed on the Council's website by 1st October, 2022.

Recommendations

1. That Cabinet reviews and agrees the consultation responses and replies to each as contained at Appendix B to this Report.
2. That Cabinet approves the Revised School and College Transport Policy as attached at Appendix A to this Report.
3. T H A T the use of paragraph 15.14.2(ii) of the Council's Constitution (urgent decision procedure) be approved by Cabinet to allow the revised policy to be published on the Council website by 1st October, 2022.

Reasons for Recommendations

1. To ensure Cabinet acknowledges the responses from the public consultation and subsequent answers to each.
2. To ensure the revised policy document, which clarifies eligibility for free school transport, can be introduced.
3. To ensure the Policy can be implemented from 1st September 2023.

1. Background

- 1.1 The current School and College Transport Policy has been in place since September 2017:
<https://www.valeofglamorgan.gov.uk/Documents/Living/Transport/School%20Transport/School-Transport-General/VOG-Council-Home-to-School-and-College-Transport-Policy-ENGLISH-EDITION-2017.pdf>
- 1.2 This Policy was agreed by Cabinet in 2016 with three distinct policies for mainstream school transport, additional learning needs school transport and Post 16 College transport being amalgamated into one.
- 1.3 Following a complaint that was made to the Council regarding school transport from the Rhoose area to Cowbridge Comprehensive school which was subsequently referred to the Ombudsman, recommendations were made by the Ombudsman in relation to amending the School and College Transport Policy to make it clearer.
- 1.4 The summary of the Ombudsman requests is contained at Appendix C.

2. Key Issues for Consideration

- 2.1 The proposed revised School and College Transport Policy was published on the Council website on 12th July, 2022:
https://www.valeofglamorgan.gov.uk/en/living/transportation/school_transport/School-and-College-Transport-Policy-2022-consultation.aspx

- 2.2** In addition, a document was published which listed on a page by page basis all amendments to the current policy:
- <https://www.valeofglamorgan.gov.uk/Documents/Living/Transport/School%20Transport/School-Transport-General/Home-to-SchoolCollege-Transport-Policy-Consultation/HOME-TO-SCHOOL-COLLEGE-TRANSPORT-POLICY-Listed-amendments-per-page-Eng.pdf>
- 2.3** The link for the webpage on the consultation was sent to all elected members, Community Councils and Schools (who were in turn asked to send the information to parents/carers via their own on-line methods).
- 2.4** A total of 16 responses were received following the consultation which ran from Tuesday 12th July, 2022 to Friday 12th August, 2022.
- 2.5** Due to the minor amendments which were made to the policy a low number of responses was to be expected.
- 2.6** Most responses required clarification with only two leading to changes to the policy document. The changes are in red text within the proposed policy document (Appendix A).
- 2.7** The Ombudsman requested that the Policy be updated to ensure consistency, clarity, and accuracy of phrasing in relation to the purchase of bus passes, school catchment areas and transport entitlement.
- 2.8** This has been done by adding additional information on the purchase bus pass section of the Policy, including the “Check my” function that is available on the Council website which informs parents/carers of their catchment schools in the Policy and clarifying what the definition of the nearest catchment school is.
- 2.9** In addition to amending the School and College Transport Policy the Ombudsman also requested the spare seat purchase form be amended to highlight that:
- Applications are treated on a first come first served basis, with details of the date forms being published on the School Transport webpage two weeks before the end of the summer term.
 - To purchase a spare seat an application must be submitted every school year.
 - A pupil allocated a seat one year will not automatically be entitled to purchase a spare seat the following year for the following reasons:
 - There may no longer be spare capacity.
 - The application has been submitted later than others and spare seats are no longer available.
 - The Council may decide not to sell spare seats.
- 2.10** The above points have all been actioned and the new spare seat purchase form is attached as Appendix D to this Report.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1** Long-term: A reliable school transport network will assist the Council's plans to locally address the Climate Change Emergency and realise a net-zero carbon future. The long-term benefit of providing free school transport to those entitled will assist them in their education. Older pupils, particularly those attending colleges, are not allocated to dedicated college transport but are instead provided with local bus and/or train passes.
- 3.2** Integration: A few of the school transport services are integrated with one bus serving two schools. This is particularly true where secondary schools and primary schools in certain areas have different start and finish times.
- 3.3** Involvement: The provision of school transport services is required by many pupils within the local community. The timetables and routes of this service provision is often the outcome of continued consideration of service requests and requirements proposed by pupils, schools, colleges, parents/carers, and transport providers.
- 3.4** Collaboration: The School and College Transport Policy applies to schools and colleges inside and outside of the Vale of Glamorgan. To ensure the Policy is adhered to and services are reliable a collaborative approach between the Council, pupils, schools, colleges, parents/carers, and transport providers is necessary.
- 3.5** Understanding Root Causes of Issues and Prevention: The provision of home to school/college transport reduces the need for private car use and prevents congestion across the highway network.

4. Climate Change and Nature Implications

- 4.1** Providing home to school transport for close to 3000 pupils (as of Sept 2022) ensures single use vehicles are not used and reduces the impact on climate change.
- 4.2** By using school transport young people gain an understanding of how public transport works. This will benefit any impacts on nature as these young people will use public transport, which greatly reduces harmful gases, moving forward.

5. Resources and Legal Considerations

Financial

- 5.1** The amendments to the School and College Transport policy have no further costs implications compared with the existing policy.

Employment

- 5.2 There are no employment implications with the proposed Schools and College Transport policy.

Legal (Including Equalities)

- 5.3 The Learner Travel Information (Wales) Regulations 2009 (which require Local Authorities to publish and make available information on travel arrangements made under The Learner Travel (Wales) Measure 2008) specifies that a Local Authority should only change an existing transport policy and /or arrangements at the beginning of a school year with the policy needing to be published by 1st October the year before it is to be implemented.

6. Background Papers

None.

VALE OF GLAMORGAN COUNCIL

ENVIRONMENT AND HOUSING SERVICES DIRECTORATE

POLICY FOR THE PROVISION OF HOME TO SCHOOL/COLLEGE TRANSPORT

SEPTEMBER 2023

(Revised August 2022)

**Miles Punter
Director of Environment and Housing Services**

Emma Reed Head of Neighbourhood Services and Transport

Passenger Transport Team Details

In the Vale of Glamorgan Council all functions relating to school and college transport are dealt with by the Transport Services Department.

Any correspondence can be sent to:

Mainstream Transport – schooltransport@valeofglamorgan.gov.uk

ALN Transport – schooltransportsen@valeofglamorgan.gov.uk

Vale of Glamorgan Council
Passenger Transport Team
Neighbourhood Services and Transport
Alps Depot
Quarry Road
Wenvoe
CF5 6AA

The contact telephone number is **01446 700111**

Website

<http://www.valeofglamorgan.gov.uk/en/living/transportation/transportation.aspx>

HOME TO SCHOOL/COLLEGE TRANSPORT POLICY

It is the council's intentions to provide a reliable system of transportation that will seek to carry learners safely, punctually and in comfort. These principles apply to all services provided by the Council.

LEGAL FRAMEWORK

School/College Transport Services are governed by the following legislation:

The Education (Miscellaneous Provisions) Act 1996
The Transport Act 1985
The Learner Travel (Wales) Measure 2008
The Learner Travel Information (Wales) Regulation 2009
The Safety on Learner Transport (Wales) Measure 2011
The Learner Travel Statutory Provision & Operational Guidance 2014
The Travel Behaviour Code Statutory Guidance 2009
Guidance on Home to School Transport Risk Assessments 2009
Guidance for the provision of seat belts on dedicated learner transport 2012
Special Educational Needs Code of Practice 2002
SEN and Disability Act 2001
Public Passenger Vehicles Act 1985
Bus and coach accessibility and the Public Service Vehicle Accessibility Regulations 2000

In addition, the following policies should be considered when making decisions on transport provision:

Active Travel Act 2013
Welsh Government Transport Strategy 2021

A Code of Practice document, is also available to show compliance to legislation and statutory requirements and informs of the responsibilities of:

School Transport Operators
School Transport Drivers
School Transport Passenger Assistants
Pupils
Parents
Schools

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NEAREST SUITABLE SCHOOL

For this purpose of this policy and in line with the Welsh Learner Travel Measure 2014 the definition of nearest suitable school for pupils attending a mainstream school is the local education authority prescribed catchment area school.

For pupils with additional learning needs the definition of nearest suitable school will be decided by the Council's Complex Needs team and will take into account the pupils age, ability and aptitudes and any learning difficulties that they pupil may have.

MAINSTREAM SCHOOL TRANSPORT ENTITLEMENT

Mainstream primary aged pupils are provided with free school transport if they live 2 miles or further, as measured by the shortest available walking route, from their nearest suitable school, as defined by the Local Education Authority. (Mainstream primary aged pupils for the purpose of this policy are those in reception through to Year 6)

Mainstream secondary aged pupils are provided with free school transport if they live 3 miles or further, as measured by the shortest available walking route, from their nearest suitable school, as defined by the Local Education Authority. (Mainstream secondary aged pupils for the purpose of this policy are those Year 7 to Year 11. However, at the discretion of the council also applies to those pupils in Year 12 and 13 attending their catchment school).

The Vale of Glamorgan Council currently provides free school transport for mainstream primary and secondary aged pupils, as defined above. In addition, the Council, at its discretion, provides free school transport to Welsh medium and faith based mainstream schools.

A pupils catchment school can be checked by entering the address postcode into the "Check" function on the Council website:

<https://www.valeofglamorgan.gov.uk/en/index.aspx>

 **Check**

Check local information in your area:

<input type="text" value="Postcode"/>	Find your local services
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In circumstances when the nearest suitable mainstream school is full and admission is refused, free home to school transport will only be provided to the next nearest suitable school with an available space, as defined and allocated by the Local Education Authority. The qualifying distances as outlined above must still be met.

It is the Council, as Local Education Authority in conjunction with schools who decide if a school is at capacity in any academic year. Only when the necessary information is received and confirmed will decisions be made by the Council in respect of the provision of free home to school transport to the next nearest suitable school.

Where a pupil attends, as a result of parental preference, a school other than the nearest suitable school as defined by the Local Education Authority, it must be understood that parents accept full responsibility for transport costs and arrangements.

If an Admissions application is later made to the nearest suitable school after initially choosing and attending a non-catchment school (parental choice) and the nearest suitable school is consequently full, free school transport will not be provided to an existing non catchment school or another non catchment school. Parents must consider their child's transport entitlement before making an expression of preference for a school place.

If a pupil moves address parents/carers need to inform the Passenger Transport Team and an individual transport eligibility assessment will be undertaken.

ADDITIONAL LEARNING NEEDS (ALN) SCHOOL TRANSPORT ENTITLEMENT

Additional Learning Needs (ALN) pupils with specific travel requirements which cannot be met with reasonable adjustment on mainstream transport will have their eligibility determined by the Council's Complex Needs Team.

ALN pupils will be eligible for free school transport if they are assessed as having severe and/or complex difficulties and are attending a special school as directed by the Complex Needs Team.

ALN pupils will be assessed for free school transport if they have severe and/or complex difficulties and are attending a school resource base, as directed by the Complex Needs team.

Consideration will be given for free school transport for ALN pupils living within the 2 and 3 mile limits on an individual basis, complying with Section 9 of the Learner Travel (Wales) Measure 2008, ensuring fairness and compliance with relevant equality legislation to ensure no unlawful discrimination between learners. This decision will be made in consultation with all relevant parties.

If a pupil cannot walk to school (either with the support of an appropriate adult or independently depending on their age/ability) because of the nature of their additional learning needs or disability, the council may provide free home to school transport even if the distance is less than the statutory limit.

The decision on this will be made by the Passenger Transport Team in conjunction with schools and the Complex Needs Team.

If possible and in conjunction with the agreement of the learner, parent/carer, the school and Complex Needs Team, passenger assistant provision may be provided, instead of transport, to enable the pupil to get to school independently. This promotes sustainable modes of travel and encourages independent living as well as health and wellbeing.

In undertaking assessments of a child's additional learning needs the Complex Needs Team will gather information from a range of key professionals and determine the provision and placement necessary to meet those needs. Any individual requirements for transport will be assessed as part of this process in consultation with the passenger transport team.

School Day Placements outside of the Vale of Glamorgan

If provision to meet a pupil's additional learning need is not available within the Vale of Glamorgan, a decision may be taken that a day school in a different authority is the nearest appropriate placement. If this is the case, transport will normally be provided on a daily basis. This placement must be agreed by the Complex Needs Team.

School Residential Placements outside of the Vale of Glamorgan

A very small number of pupils with the most complex additional learning needs attend residential school placements. The decision that this is appropriate is taken by the Complex Needs Team. Transport arrangements and costs are considered as part of the process relating to placement decisions. Transport may be provided on the following basis:

- Weekly or fortnightly boarding – transport for the child to return home weekly or fortnightly during term time.
- 38 week termly boarding – transport at the beginning and end of each half term and one additional return journey per half term.
- 51/52 week residential placements – one return journey per term

Other ALN Transport Provision

Transport is not provided for integration or for assessment preceding a transfer into a special school or unit. Transport will be provided only when the permanent placement is agreed.

If parents decline an offer of a placement at an appropriate school for their child's needs and prefer their child to attend an alternative appropriate school, parents become responsible for both providing transport to school and the financial cost.

Under normal circumstances the Passenger Transport Team will not provide transport to respite accommodation. However, where existing school transport can accommodate transport to and from the respite provision without delay or deviation from the route, this can be considered. The cost of which will be recouped from the relevant service. Any request for transport to respite must be made directly to the Passenger Transport Team and not drivers/passenger assistants/operators directly.

If it is decided that a Looked After Child (LAC) should attend a school other than the nearest suitable one to their current residence because of a need to maintain continuity in education or contact with siblings and friends, transport will be provided by the Passenger Transport Team and charged back to the LAC Team budget. Alternatively, under Section 18 of the Learner Travel (Wales) Measure 2008 the costs of making the travel arrangements may be recouped from the authority that looks after the child.

FURTHER EDUCATION TRANSPORT (16 to 19 year olds)

Learners aged 16 to 19 living in the Vale of Glamorgan are provided with free travel if they live three or more miles from their nearest appropriate further educational establishment for the course they are undertaking. If a course is chosen that is available at an institution closer to the student's home address, free school transport will not be provided.

Free transport will only be provided to publicly funded institutions within the Vale of Glamorgan, Bridgend and Cardiff.

Appropriate Home to School Transport will continue to be provided for ALN pupils aged 16 to 19 (aged under 19 on 31st August prior to the start of the academic year) who continue their education at the educational establishment agreed by the Complex Needs Team.

FURTHER INFORMATION

The service is not able to take the following into account when considering transport entitlement:

- Parents work or other commitments
- Attendance by siblings at other schools
- If a parent chooses to send their child to a school/education provider that is not the catchment or nearest appropriate school to the home address
- A work experience placement
- A work-based placement
- An address other than the home address, including child-minders/relatives
- A journey from one educational establishment to another
- Ad hoc visits to other schools, colleges or other establishments
- Out of hours clubs (e.g. breakfast, after school activity)
- Link courses
- Any educational provision planned over weekends or bank holidays
- Respite arrangements other than as detailed separately (see Respite section)
- Attending a special school/unit/class for a period of assessment
- Attending medical appointments
- Collections from school due to illness
- Detention requirements
- Parental attendance at meetings
- Part-time timetables
- To meet examination timetables or extended schools clubs

Transport is provided from home to school/college at the start of the day, and school/college to home at the end of the day.

Codes of Guidance

The Council has compiled a code of guidance for the following:

School Transport Operators
School Transport Drivers
School Transport Passenger Assistants
Pupils
Parents
Schools

These documents are available on the council website and form part of this policy.

As part of this policy each code of guidance must be adhered to by the relevant party.

Welsh Government Travel Behaviour Code

All pupils being transported to and from school/college should adhere to the Welsh Government's Travel Behaviour Code.

It is, however, recognised that some ALN pupils behaviour cannot be subject to the prescribed penalties in place on mainstream transport as it might be a symptom of their medical condition which cannot be controlled.

Pupils attending Pupil Referral Units (PRU) are subject to the travel behaviour code on the basis that the travel behaviour code is universally applicable to all learners aged 5 to 19 years.

Transport Request Forms (ALN School Transport)

The Complex Needs Team will send a Transport Request form to parents/carers of qualifying pupils for them to check, add further information, amend, sign and return. This is the parents/carers opportunity to ensure that the transport provider is advised of all information necessary to transport their child safely. This information will be passed onto the Passenger Transport Team where suitable transport will be arranged.

Upon receipt of the signed form, ten (school) days are normally required to arrange transport and inform all parties of the arrangements that will be put in place. Wheelchairs will not be transported until a "tag" has been issued by the Passenger Transport Team providing information on suitable wheelchair and passenger restraint systems for that type of wheelchair.

Bus Passes (mainstream transport)

The Council will send out to individual bus passes, for those who qualify for free school transport, for the following academic year over the summer holidays. Any pupil who does not produce either a bus pass or a letter from the school, to the driver, will be refused travel. The council asks all operators to adhere to a strict "no pass no travel" rule (details of which can be found in the Code of Guidance).

Any request for transport during term time can take up to ten school days to be processed.

Replacement bus passes

In all circumstances it is the parent's/carer's responsibility to pay for the cost of replacement bus passes that are lost or damaged. The Passenger Transport team should be contacted at the earliest opportunity where payment can be made and the replacement pass issues.

On receipt of the replacement bus pass form it can take up to ten school days for the pass to be sent out. An email can be issued while the form is being processed to ensure the pupil can continue to travel.

Siblings

From an educational perspective the Council, as a Local Education Authority does cater for siblings of pupils to attend the same school, even in cases where the catchment school is not the nearest available school. However, the Council is not in a position to offer free school transport in such instances and it will be the responsibility of parents to meet the costs and arrangements transporting their child/ren to and from school. There may however be instances where a spare seat on existing school transport services can be purchased – see spare seat purchase section.

Walking Route Assessments

All walking route assessments are undertaken as a desk-based exercise initially, with the assessment returning a distance from the boundary of the pupil's property (excluding private roads) to the first available gate of the school. All measurements are produced using the Council's in-house GIS software. Should the distance be queried a manual measurement can be undertaken or previous manual assessments referred to if a measurement from a similar area to the same school has already been undertaken.

Unavailable Walking Routes

The council has a duty to provide free transport if a walking route is deemed as unavailable. The availability of a walking route is based on the Welsh Government's Risk Assessment of Walked Routes to School Guidance (chapter 5 of the Learner Travel Statutory Provision and Operational Guidance 2014).

Each route will be considered on its own merits. If there is still contention after any initial assessment, the Council may appoint an independent company to assess the route.

Should a walking route be deemed unavailable in line with the guidance the Council will not refund any costs incurred by parents prior to the walking route assessment report being received.

Transport links

The council will exercise discretion in determining whether or not it will provide a taxi link to an existing bus service for those pupils living in rural locations.

Managed Move between schools

In exceptional circumstance where a managed move has been arranged between two schools a pupil may be eligible for free school transport. The Directorate of

Learning & Skills will provide evidence of the managed move to the Transport Services team who will assess eligibility in these cases.

Spare Seat Purchase

From time to time it is possible that the numbers of pupils entitled to free transport will be below the capacity of the vehicle used. In such cases the Council will, at its discretion, aim to make spare capacity available to other pupils, who do not qualify for free school transport, at a charge.

Applications are treated on a first come first served basis, with details of the date forms are made available published on the School Transport webpage two weeks before the end of the Summer term.

The cost for the spare seat must be paid in full before a pass will be issued. To purchase a spare seat an application must be submitted every school year. A pupil allocated a seat one year will not automatically be entitled to purchase a spare seat the following year for the following reasons:

- there may no longer be spare capacity;
- the application has been submitted later than others and spare seats are no longer available;

It must be understood that the provision of this facility does not represent an obligation on the Council and, being entirely dependent on the capacity of the vehicle used, may result in withdrawal of the facility at short notice in order to accommodate pupils who do qualify for free transport. If the facility is withdrawn parents will be reimbursed any overpayment that has been made. Furthermore, the provision of this facility does not represent an obligation on the Council for future years if a parent purchases a pass in any one year.

Any pass purchased is done so in the knowledge that the published timetable will not be amended. No additional mileage or stops will be added to any service to cater for pupils who obtain purchase passes.

Purchase pass applications will not be considered until all entitled pupils have been allocated seats. This may mean applications for the start of the school year (September) not being dealt with until October.

The Council may also make the decision to not sell spare seats on vehicles where capacity is close to full.

It should be noted that the Council will not sell spare seats to those pupils attending nursery units. This is primarily as the ratio of pupils to supervisors on school transport does not match that of school nursery units.

Payments to parents/carers

The authority may agree to a parent/carer transporting their child to and from school and receiving reimbursement of travel expenses when this is considered the most appropriate arrangement, usually where there is no other alternative transport.

Payment will be in the form of a mileage payment, an agreed daily rate or the cost of the public transport fare and will be made monthly in arrears.

Applications for payment cannot be submitted until the last school day of the month and can take up to 28 days to process.

Change of Address

Any change of address should be reported directly to the Passenger Transport Team who can reassess entitlement to transport and arrange alternative transport as required. The school will need to confirm the change of address.

Ten school days' notice may be required to arrange alternative transport if an existing route with available space does not operate close to the new address.

Change of Catchment areas

If a catchment area changes at any time free school transport entitlement will be in line with catchment areas as set out by the Local Education Authority.

Different Parental Addresses

Pupils who live at different parental addresses throughout the school week may be allocated a space on two separate school transport services. This is on the proviso that both addresses meet the qualifying criteria and both are registered addresses with the school.

It should be noted that one of the addresses needs to be in the catchment area of the school the pupil is attending.

Change of Address – GCSE pupils

If a pupil moves address when in Year 10 (after the half term holiday in October) or in Year 11, applications for free school transport will be considered on an individual basis.

Consideration will only be given to those pupils who already reside or move into the Vale of Glamorgan.

Free transport awarded in error

If an error is made or where legislation is changed this may have an effect on the entitlement of a pupil or pupils using school transport. The council will honour the

transport provision for that pupil or pupils for the remainder of the academic half term the mistake was found in or the legislation became effective in.

Parent/carer responsibility prior to boarding and on alighting the vehicle

It is the responsibility of the parent/carer to ensure the safety of their child/ren prior to their acceptance onto school transport in the morning.

Likewise, it is the parent's/carer's responsibility to ensure the safety of the child once he/she alights from the vehicle on the way home.

The council will not accept any responsibility when a parent does not meet their child, either at a bus stop or home address, at the designated time of arrival on an afternoon journey, or where a pupil forgets their bus pass and is not accepted onto the vehicle.

Mainstream Primary pupil afternoon drop off

The Council has a clear procedure that transport operators should follow when transporting primary aged pupils.

The procedure to follow if no responsible person is present:

1. Contact the Passenger Transport team who attempt to contact the parent/carer;
2. If no contact can be made, continue with the journey until the last stop is reached;
3. If still no contact at the last stop, return the pupil to school;
4. Arrangements can then be made, taking into account the safety of the pupil.

If a parent/carer does not meet a pupil regularly this may result in sanctions being imposed, such as a pupils temporary exclusion from free school transport.

All primary aged pupils should be physically handed over to a responsible person. No pupil should be allowed to walk from the bus of their own accord unless parental consent has been given and provided by the Passenger Transport Team.

ALN Pupil afternoon drop off

If the parent/carer is not home in the afternoon, the driver will leave a note at the house with contact details to say he/she has called and will contact their Transport Operator immediately for advice.

Seatbelts

All contracted school transport services require a seatbelt for each pupil. The only exception to this are locally registered bus services.

CCTV

It is the Council's policy to provide CCTV on all contracted school services where the vehicle capacity is 21 seats or more. Clear signs will be displayed on vehicles to indicate this.

Where applicable some vehicles with capacity under 21 seats may be fitted with CCTV.

Passenger Assistants

It is the Council's policy to provide passenger assistants for all mainstream primary school services where more than 16 pupils are carried.

A passenger assistant will be provided on ALN school transport where necessary.

Adverse Weather Conditions

Weather conditions can cause major problems to the provision of home to school transport. With safety paramount, contractors will take the ultimate decision, as to whether a service will operate and the specific timings of the service in the event of it operating during adverse weather.

In order to manage this effectively, please keep yourself updated of the weather conditions at all times and ensure contact telephone numbers are up to date.

Schools will inform the Vale of Glamorgan's contact centre of their closure and these will be quickly published on the Vale of Glamorgan website (www.valeofglamorgan.gov.uk). The Passenger Transport Team will also endeavour to update the Public Transport Twitter account.

If severe weather is anticipated and the Council has not announced the closure of school(s), the decision to operate morning journeys rests with the contractor. If a contractor operates the morning journey it should be expected that the afternoon journey will also be in operation unless weather worsens quickly or if forecasts predict worsening weather. If morning journeys are not carried out because of inclement weather conditions, contractors must inform Headteachers and the Passenger Transport Team of their decision immediately.

Where a decision is made to not operate a morning journey, operators must be mindful of the fact that conditions may improve to the extent that an afternoon journey is practicable. This is particularly important where children normally transported by school transport have been taken in to school by parents. In these situations the contractor must be prepared to transport pupils home in the afternoon. Contractors will not be expected to transport a child taken into school by a parent home if an assessment considers an afternoon journey inoperable.

Should weather conditions deteriorate during the day, Headteachers may decide to close their school early. If this is the case transport contractors will be asked to supply transport as promptly as possible. Schools closing earlier than normal are responsible for ensuring that parents of primary school and Additional Learning

Needs pupils are available to receive their children (or have arranged for a responsible adult to do so).

Contract Monitoring

All school transport services will be periodically monitored throughout the academic year. The council, on unspecified days, undertakes random checks on contracts, to ensure compliance with contract conditions.

Disclosure and Barring Service Checks

All drivers and passenger assistants operating dedicated home to school transport services in the Vale of Glamorgan must complete an enhanced Disclosure and Barring Service (DBS) check.

Only once the council has given authorisation that an individual is able to work on school transport services will that person be issued with an Identification badge.

Training

Driver and passenger assistants will periodically be required to attend relevant training, which will help in their understanding and management of the children they transport. Training will be provided by the Council in conjunction with the school and transport provider. Topics covered will be dependent on the service provided and will include but not be limited to manual handling, use of appropriate wheelchair restraints, safeguarding and dealing with challenging behaviour.

Certain drivers will need a Certificate of Professional Competence (CPC) to ensure they can carry out a service and to comply with the law. The Council and transport provider will ensure these are in place where applicable.

School Liaison

The Council will request that each school has a designated member of staff who deals specifically with school transport issues.

Temporary Medical Conditions

If a mainstream pupil cannot use mainstream transport due to a temporary medical condition the Council will not organise separate transport.

If an ALN pupil has a temporary medical condition transport may be provided on request from the Complex Needs Team.

Transport provided on medical grounds will be reviewed regularly. Temporary medical conditions will be reviewed every half term or sooner, dependent on medical advice. Longer term medical conditions will be reviewed annually.

Parent/Carer Medical Conditions

Assistance is not provided under the terms of this policy for a young person in respect of the disabilities/medical conditions of either both of his/her parents/carers.

Damage to Vehicles (mainstream)

Drivers and passenger assistants are advised to contact the police and the Passenger Transport Team immediately if there is a risk of harm or intentional damage to the vehicle.

Parents/carers are advised that where pupils have damaged a vehicle or the operator is required to undertake an enhanced clean of the vehicle, they may be required to financially reimburse the transport provider.

Complaints Procedure

Any complaints should be directed to the Passenger Transport Team in the first instance. Contact details can be found at the front of this policy document.

Any complaints received by parents, pupils, schools will be investigated immediately. In the event of the complaint being upheld, the Council reserves the right to take any appropriate steps necessary in accordance with contract conditions.

In line with the Welsh Government Travel Behaviour Code any complaint made regarding pupil behaviour will be investigated. The Council may impose sanctions, dependent on the severity of the incident, ranging from a temporary suspension to a complete exclusion from transport.

Appeal Process

If you wish to appeal any decision (including entitlement) regarding school transport you can put your appeal in writing to:

Head of Neighbourhood Services and Transport
Vale of Glamorgan Council
The Alps Depot
Wenvoe
CF5 6AA

Revised School and College Transport Policy – Consultation Responses and Replies

August 2022

Please Note that the responses are as submitted by the respondent

Response 1

I am currently in the Vale Group for transport to Cowbridge school regarding Rhoose, Llantwit & St Athan. I live in St Athan with 2 children who need transport to & from Cowbridge Comprehensive School. We are using Caring Coaches which recently put their prices up to £2,000 a year for our 2 children & have to pay in 3 instalments (March, August & December) which we are struggling to pay! We both work full time which is proving difficult to find any other way to get them there safely & on time! Finding alternative & more reliable transport than what there is right now is practically impossible!

Reply

Under the current School and College Transport policy, and the amended policy, free school transport is provided to a pupils nearest catchment school or next nearest if catchment is full. This is based on the first application made for a school. The Council is unable to provide free transport for pupils where the nearest catchment or next nearest if catchment is full is not chosen and parents/carers opt for a different school.

Response 2

I think the new policy looks great-parents need to understand their choice of choosing a non catchment school means they are not given free school transport. Hopefully, in the long term, more families will choose their catchment school and increase active travel rates to school.

Reply

Noted and thank you for your comment.

Response 3

P12 Spare seat scheme - would there be any subsidiary for parents in receipt of universal credit? Would this be a LEA decision?

**P13 Payments to parents - would this be the .45ppm HMRC allowance? In exceptional circumstances could the payments be made to an member of VOG staff - such as 1:1 TA?
p14/15 - presuming the drop off arrangements on p14 are for secondary school pupils, then arrangements for primary and ALN are outlined on p15?**

Are faith schools responsible for meeting the cost of transport or is this subsidised by LEA's?

Reply

Spare seat scheme – the charge to purchase a spare seat, where a pupil does not qualify for free school transport, will be the same for all.

Payment to parents – this is currently based on the HMRC allowance. However, in exceptional circumstances and dependent on the needs of a child we have made payments to teaching assistants who have to provide 1:1 care.

Drop off arrangements on page 14 refer to all with further detail on primary and ALN pupils on page 15.

Faith school transport is currently subsidised by the Vale of Glamorgan Council.

Response 4

Further to the upcoming consultation my only concern on the buses is that there are a few people whose behaviour is not acceptable and intimidating. There should be a chaperone and swift sharp penalties for those who do not behave correctly

Reply

Any primary school services with more than 16 pupils on boards will have a passenger assistant allocated to it. Vehicles with more than 16 seats that convey secondary aged pupils will have CCTV fitted in order to monitor behaviour. The School Transport team work with schools to identify pupils who do not behave correctly on school transport and invoke suspensions and permanent bans from school transport. However, under the Welsh Learner Travel measure the Council has to give a reasonable period of notice to parents/carers of these pupils.

Response 5

My circumstances are we have a child currently in year 8 in cowbridge (we live in rhoose) we picked Cowbridge Comp as our first choice when he left Rhoose as we were told the following year this would be a catchment school. The reason we did this is because he has a younger brother who is now in year 7 and has a free bus. We didn't want to split them up as they are very close.

We paid for the council for seat on the bus last year but this year I've had to pay £750 and now the price has risen to £970 for next year. We simply can't afford the rise and have no means to get him to school next year with us both working part time. Ive tried to and asked for him to be moved to an original catchment school which was Whitmore but the only school available is the welsh school. Im not happy splitting my sons up but I'm at a lost as what to do next.

If we were made fully aware of this when we put Cowbridge as his first choice two years ago I certainly wouldn't have because a lot of his friends put Whitmore but ended up in cowbridge with a free pass.

Im now stressed and worried at what will happen firstly to his education and secondly to myself and my wife as we have no support to get him to school.

Reply

The Council will provide free school transport for a pupil attending their nearest catchment school or next nearest if catchment is full. The catchment area for pupils is defined by the Local Education Authority (LEA).

Response 6

The suggestion i would like to put in would be that transport could be available to a wider variety of children rather than just children who live 1mile from there school.

For example, i live on montgomery road and from September my son will be going to whitmore, my son has grade 4 hypermobilty, 2 knock knees and flat feet and struggles to walk very far, when i contacted transport i was told that because we are within 1mile he would not be entitled to transport, given this my son is going to come home in a lot of pain each day because of walking to, in and from school.

Reply

Free school transport is provided in line with the Welsh Governments Learner Travel measure. If a pupil has additional learning needs the Complex Needs Team will assess their need for free school transport.

Response 7

I am an extremely concerned by the wording within the policy consultation for school transport 2022.

The wording is not very clear within the proposed amendments as to the provision of school transport to Faith based Schools.

‘ The Vale of Glamorgan Council currently provides free school transport for mainstream primary and secondary aged pupils, as defined above, to Welsh medium and faith based mainstream schools at its discretion.’

Does this wording mean that the VOG will continue to provide free school transport to Welsh Medium and faith based mainstream schools?

There needs to be clarity that children who attend faith based schools, such as St David’s 6th form College or St Richard Gwyn Catholic school for example will continue to receive free school transport. The same clarification needs to be afforded for those pupils who attend Welsh medium schools.

Reply

Comment noted. The Council is not proposing to withdraw free school transport for Welsh medium or faith-based schools. The sentence has been changed to:

The Vale of Glamorgan Council currently provides free school transport for mainstream primary and secondary aged pupils, as defined above. In addition, the Council, at its discretion, provides free school transport to Welsh medium and faith based mainstream schools.

Response 8

As a parent of a child that will be attending St David’s 6th form from September 2022, I am extremely concerned that the proposed changes do not confirm that the VOG will continue to

provide free school transport for children who live more than 3 miles away from faith based or Welsh medium schools.

There is no provision for 6th Form at the nearest faith based (Catholic) secondary school, this being St Richard. To remove the right to free transport to St David's would have a significant impact to those children who are intending to continue with their formal education within a Catholic education setting. The only alternative, would be for the VOG to provide a Catholic 6th form facility within St Richard Gwyn.

Reply

The proposed policy will not affect the provision of free transport to St Davids College for pupils who have previously attended St Richard Gwyn Secondary School. St Davids College is recognised as the Year 12 and 13 catchment school for those who attended St Richard Gwyn in Year 11.

Response 9

As a parent of secondary school pupils who use the school transport, I wondered if any survey has been done on the no of pupils who do after school activities at the school, and their transport needs.

My daughters have both been very actively engaged in sport, music and performing arts after school, and when they do these activities they have to make their own arrangements to get home.

We have been in the fortunate position that we have two working parents who have vehicles and have been able to accommodate this. Not all families have this capability. Our local public service transport is non existent. I am also aware that many other parents drive to collect their children when their children have activities after school, this is not the most climate friendly way of doing this. In our village we are served by two buses, and I wondered if one could be scheduled late and the other early.

I would suggest that perhaps a later transport is made available to get pupils home, perhaps this could be timetabled twice or three times a week? So that after school activities could be timetabled two or three times a week. Children who choose or can not participate in after school activities could possibly use the school or local public library to study, whilst waiting for this later bus.

There is a huge need to get young people, particularly girls involved in sport. Transport home could be one of the reasons that they are not able to participate. In our village we are served by two buses, and I wondered if one could be scheduled late and the other early?

I see an opportunity of making our future generations more able to participate in extra curricular activities and creating a healthier environment with fewer cars.

Reply

The Council has a statutory duty to provide free home to school transport for those that qualify at school scheduled start and finish times.

Extra-curricular activities that fall outside of the scheduled start and finish times such as breakfast clubs or sport sessions would be extremely difficult to cater for. However, if schools were to request a school bus pick up earlier/later than scheduled on a full time basis it could be considered.

Response 10

Hello, having read your updates I am in touch to confirm that my daughter will be using this service due to it being the feeder 6th form from St Richard Gwyn. There are no other local options to continue my daughters schooling within a faith school. I feel should you decide to stop the transport this will affect parents choosing St Richard Gwyn for their children.

Your email feels unsettled in relation to providing transport and am now concerned that having chosen St Davids it could mean that in a years time my daughter may need to change school as we simply could not get her there in time. I feel for fairness, should you decide to stop this service you need to provide at least 2 years notice in order to assist pupils already there.

Am keen to hear your reply & request confirmation you will retain this service for the next 2 years please.

Reply

The proposed policy will not affect the provision of free transport to St Davids College for pupils who have previously attended St Richard Gwyn Secondary School. St Davids College is recognised as the Year 12 and 13 catchment school for those who attended St Richard Gwyn in Year 11.

Any policy changes must be published a year before and pupils already entitled to transport would continue to receive transport based on the "old" policy. Only new pupils would be assessed against any new stipulations in the new policy.

Response 11

I would like to ensure that my child is able to benefit from free school transport from Barry to St David's college. Without this it would be prohibitive for many students from the Vale to attend a college on the other side of Cardiff.

Reply

The proposed policy will not affect the provision of free transport to St Davids College for pupils who have previously attended St Richard Gwyn Secondary School. St Davids College is recognised as the Year 12 and 13 catchment school for those who attended St Richard Gwyn in Year 11.

Response 12

I write to you to express my opinion that transport to St Davids 6 form college should be included in your planning for the next academic year and beyond.

I have two children who I hope will be accepted to the only faith college in my area. As the only faith college in my area I am sure that I am not alone in hoping that this service continues to provide children like my own to be of guidance.

Reply

The proposed policy will not affect the provision of free transport to St Davids College for pupils who have previously attended St Richard Gwyn Secondary School. St Davids College is recognised as the Year 12 and 13 catchment school for those who attended St Richard Gwyn in Year 11.

Response 13

I write in relation to the recent proposed changes to the 'School and College Transport Policy', which I strongly believe do not go far enough.

Rather than just list out suggestions, I have instead provided some context, relevant to our personal scenario, so you can really see the impact this is having and hopefully see the honourable intentions behind the (entirely reasonable) suggestions being made.

Given the sensitive nature of this matter and the large number of families who are severely struggling as a direct result of the current rules in place I have cc'd in additional parties for whom these issues are relevant.

Personal Circumstances / Background

The current school transport options for Cowbridge Secondary School, from Rhose, are having a severe detrimental impact on our family.

Our son currently attends Cowbridge Secondary School and is in Year 8. We live in Rhose Point. We have 2 younger daughters aged 9 and 5. The decision to send our son to Cowbridge was made once we found out that the Council had announced changes to Rhose's catchment area (from Llantwit to Cowbridge), following their earlier decision to cease feeder schools (which also impacted us detrimentally) and we realised that, should we not send our son to Cowbridge, he would be attending a different school to his sisters. In addition to (understandably) wanting to ensure consistent education opportunities for all three of our children, it would have been logistically impossible for us to accommodate this otherwise.

We were aware that our son would not qualify for free school transport in Year 7 (we paid for him to travel on the School/Council supplied bus for this year and were happy to do so) but we were under the impression that he would qualify in Year 8, when the catchment changed. We subsequently found out that this was not the case however the Council's guidance on this point was incomplete at the time we originally made the decision and the fact that he would not be entitled to free transport in Year 8 was never communicated to us, despite us clearly asking at the time (this has been confirmed by the Ombudsman).

In Year 8 our son was then refused a spot on the School/Council supplied transport and it transpired that they were oversubscribed by in excess of 12 people - it was/is clear that the transport being provided was insufficient for the demand.

We have complained about the above points in the past and the Ombudsman partially upheld this complaint, confirming that the guidance was unclear, the communication was severely lacking, and the transport currently provided was not sufficient. Nevertheless, this (unfortunately) did not change anything and the guidance with regards to qualification for free school transport, and our son's position, remains unchanged largely down to the decision by the Council to view the above as relating solely to 'parental preference', which (for the reasons outlined later) we believe to not strictly be the case and in fact be a gross oversimplification.

We have now been informed that the Council will not be allowing any 'paid for' spots on their School transport/bus and that the only option for children to now get to school will be to use the only private operator in the area, Caring Coaches, who have just emailed everybody to say that their fee has now increased to an extortionate £970 for the 2022/23 school year and that parents have to make a decision by 30 June otherwise the service would be withdrawn - this type of behaviour, i.e. being held to ransom by a private operator setting 'urgent' deadlines - a well

known 'sales' tactic to pressure acceptance - who have a monopoly over the service and the ability to continue increasing their fee at will, beyond its already extortionate amount, is clearly a huge cause for concern.

To be clear - we are now being directly discriminated against because of the Council's failure to properly assess the unfair impact of their decisions regarding change in catchment and school transport, especially with regards to children with younger or older siblings. Based on existing 'public transport' available it would take our son over two hours to make his way to his 'local' School, with multiple changes en route, and this would not even allow for him to arrive at School anywhere near the start of his School day. This option is therefore unviable. Public infrastructure is non-existent. We have been forced into financial hardship this year with the local Council transport team actively refusing to discuss, consider or find any workable solution/alternative(s), despite us offering to travel to neighbouring villages to intercept existing routes (none of which arrive on time), and/or offering to pay a market rate to have him travel on their own, existing service.

This has grossly affected our income placing us in financial hardship; has affected the time our whole family has to start their day to accommodate other siblings' school attendance (our 5 year-old and 9 year-old both now have to get up at 6am each day, to leave our house by 7:30am in order to make this work, and do not arrive home until past 4:30pm - which is having a negative impact on their wellbeing), and is causing problems with our personal work arrangements. Our son's wellbeing and mental health is also being directly affected, and the environmental impact of having multiple vehicles making numerous, repeated and unnecessary journeys is appalling.

Purposefully excluding a group of children and making life as difficult as possible is discriminatory. We have tried to communicate that we are open to a middle ground. To be clear, we are not asking for 'free' school transport, but the unarguable fact is that the Council has not planned properly for the demand from Rhoose and the surrounding areas. There are now no viable alternatives and families are being held to ransom by a sole private operator, and are being put through real financial (and emotional) hardship, at an already incredibly difficult time, as a direct result of this.

Our suggestions

#1

Regarding the question of 'parental preference', this should not be black & white, there should be some element of the guidance to allow flexibility in extenuating circumstances.

For example, the decision by the Council to change school catchment areas was an external factor (outside of our control) that left us with no choice but to take the action we did. There is nowhere in the guidance which addresses the fact, or allows for some degree of flexibility or discretion, where there has been a case of 'parental preference' but when this 'parental preference' was largely down to material changes by the Council, such as a change in catchment area. In such cases I strongly believe it to be both extremely unfair and entirely unequitable to punish both the parents and the pupil for an action which was not truly 'parental preference' but rather a case of the parents' hand being forced as a direct (or indirect) result of a policy change by the Council.

To be clear - we would never have sent our son to Cowbridge if the Council hadn't changed the catchment area and to treat this as 'parental preference' and punish us for the decision we were forced to make as a result of you changing catchment is simply not right. You are of course entitled to change catchment areas, however there should then be some discretionary element of

flexibility for parents who are then directly impacted by this decision, otherwise the guidance is failing the children & parents you are trying to better serve.

It is clear that in this particular instance adequate thought was not given as to how such a change (to catchment) would impact parents with more than 1 child who would then be forced to attend different schools.

I would therefore strongly suggest that the opportunity be taken for this oversight to be corrected, i.e. in cases where changes by the Council to school catchment areas affect pupils with siblings from then having 'different' catchment schools, there should be a rule which applies additional leeway/flexibility for the child who is otherwise going to be caught out by this change, exactly as we have been, e.g. allow, in circumstances where there is a change of catchment by the Council, for affected pupils with siblings to be granted the same rights as their siblings, or to remove the tag of 'parental preference' in this scenario.

#2

With regards to the point of 'parental preference', there needs to be acknowledgement of the fact that circumstances can change, often as a direct result of actions taken by the Council which then makes their current guidance extremely unfair.

In our scenario for example, at the time we had to make our choice there were a number of transport options open to us. However, the Council's decision to change catchment has now changed the availability / relevance of these options.

For example, when we made the choice there was the ability to place our son on a paid spot with the existing school transport. This has now been removed. When we originally made the choice, there was the ability to pay for him to join the private operator, however because of the Council's decision to change catchment this has now directly impacted the private operator's ability to commercially run this surface which has resulted in the already extremely high cost now skyrocketing further for the next school year, and being in very real likelihood of being cancelled outright - this extortionate price increase, and the likely removal of the service altogether, is as a direct result of the Council's decision. Finally, when private quotes were sought (by ourselves, by other parents and by a local Councilor) we were met with an outright refusal to even provide a quote for fear that to do so could impact their lucrative private contract(s) with the Council - we therefore do not even have the option to source alternative transport as a group as the Council have (indirectly) monopolised all other private transport options.

The circumstances have therefore changed since the point of 'parental preference' as a direct result of Council decisions and there is nothing in the guidance which reflects or makes accommodation for such scenarios.

#3

Regardless of the above, it is fair to say that in our scenario we are not asking for 'free' transport, we are prepared to contribute to the Council for this service. Regardless of any question around 'parental preference', they are already saving money due to the fact that they are not having to provide these children with transport to the alternative schools, so it seems incredibly unfair and disingenuous to suggest that *no* budget exists to accommodate this - as a question of fact, this budget does exist, as it would have been provided otherwise. Regardless of this, all affected parents are prepared to pay for this service and as such we can see no conceivable reason as to why the Council would not look to increase the capacity of their (currently inadequate) school transport service for Rhoose to Cowbridge.

The parents here are not demons trying to squeeze every ounce of blood from the Council they can; they are simply trying to get their children to school. In almost every single interaction with the Council on matters concerning school transport parents are met with an, at best frosty, but on average, hostile, response. The clear perception being given is that the Council cares more about 'winning' rather than trying to amicably work with parents to come to an equitable solution. Hostility and an attitude of 'tough luck, computer says no' is met at every step of the way.

On our particular issue we, along with other parents struggling to get their children to school, have received some great assistance from our local Conservative councillors, and politics aside it would be great to see acknowledgement and a real drive for change by the Labour councillors, given that we all share the mutual goal of making the Vale of Glamorgan a better place for us all to live. At the end of the day, we are just parents trying to see our children attend school.

Instead of the Council having a policy that looks to overcome challenges and proactively work with affected families to find a realistic, mutually beneficial, and commercially/financially viable solution we are instead met with a brick wall and driven further down the road of financial hardship. The question of being environmentally considerate is not even considered. The question of compromise to our child's attendance record (because we are simply facing no viable options) and to not further impact his social integration and wellbeing are not even considered. Instead the rules as currently drafted are a blunt sword and have the effect of disadvantaging and ostracising a family trying to secure consistent and fair education choices for all their children. Poor planning, continued mishandling of budgets and allowances, coupled with a monopolised private contract transport system has seen all options stripped away and this deserves to be heard and justified.

For example - the Council (or more accurately Councillor Bronwen Brooks, Deputy Leader and Cabinet Member for Sustainable Places) have recently confirmed that parents should be happy with being quoted £195 per day for 38 pupils by Caring Coaches stating "*the offer of £195 per day therefore seems a very reasonably one*" given that "*recent tenders for school transport services have returned prices between £300 and £400 per day*" - this begs the rather obvious question - why on earth are the Council paying £300-400 per day for their existing services when they could be paying £195 per day?? If the Council were to therefore cease its current contract and move across to Caring Coaches, the savings they would make would more than allow them to restart allowing 'non-qualifying' children to join the school bus on a 'paid' basis, like they used to do.

This seems like an extremely obvious, and mutually beneficial solution and would be a perfect example of the Council working collaboratively with parents in a relatively simple way to overcome the problem(s) they are facing, without any negative implications to its finances. Furthermore, now that the Council have changed the catchment area to Rhose the size/capacity of the existing transport is going to be inadequate (although from the over-subscribes every year it appears it always was) and as such now is the perfect time to get the position future-proofed for the increasing number of pupils who will need this service, which also opens up the opportunity to accommodate 'non-qualifying' pupils (even if parents have to contribute) who are being disadvantaged because of the Council's actions to date, as explained above.

We therefore respectfully request that the Council honour their requirements and increase the capacity of their current school transport options to accommodate the overwhelming demand from parents who do not qualify for 'free' transport (mainly down to lack of foresight at the time of drafting these new rules). We are prepared to contribute towards this and as such there should be no increase in cost to the Council for doing this (in fact, they may very well even end up in a cash surplus position).

As a minimum, including provisions within the Policy to allow 'non-qualifying' parents to contribute towards a seat on pre-existing school transport buses is therefore a must.

Reply

Catchment areas are not set by the Transport Services department. The Local Education Authority sets the catchment areas and the Transport Services department assess eligibility from that.

Spare seats are sold where available. A lot of services have requests for a spare seat each year and applications are turned down.

The Ombudsman has not instructed the Council to award free school transport to pupils who live in Rhoose and will be in Year 9 or above in September 2022 to Cowbridge Comprehensive school.

To ensure the policy is clear for all, suggested amendment requested by the Ombudsman have been added. The policy makes it clear what the Council will and will not provide in respect of school transport.

Current school transport contracts were awarded in 2019 and prices were tied in for five years. Due to a host of external factors (COVID-19, inflation, reduction in operators) any "new" tenders are returning prices stated by Cllr Brookes.

Allowing non-qualifying pupils to contribute towards a seat is available. However, seats are only sold if there is spare capacity on a vehicle.

There are several areas where private school buses operate. The services are run on a commercial basis and the Council does not have a statutory duty to provide school transport for pupils who are not attending their nearest catchment school, as set out by the LEA.

Response 14

My main concern is that nowhere in the amendments does it refer to a 'safe' walking route. The consultation is concerned only with available walking routes. We live in St.Donats which is less than 3 miles and therefore deemed walkable. However the route goes along a road with no pavement and very fast traffic. When combined with the lack of light in winter this leads to very dangerous conditions under which you are expecting our young people to be walking to school. This does not seem to me to be fulfilling safeguarding concerns on behalf of the council.

I would be more than happy for my child to walk to school if the route was safe. I wonder when the three miles boundary for school transport was conceived? I suspect this is a rule that hasn't kept pace with the rise in traffic and therefore the rise in danger when walking on roads. Therefore this would need to be reviewed. I do believe that the route from St.Donats to Llantwit should be assessed fully for its safety, potentially by an external consultant.

Reply

The Welsh Government Learner Travel Measure defines a route as "available" as opposed to "safe". The measure also sets the mileage limits for assessing free school transport. Noting your comments,

the Transport Services department will be assessing the availability of this walking route when schools go back in September 2022.

Response 15

Thank you for giving everyone the opportunity to comment on the proposed changes. Here is my response:

Amendment:

Page 6 – clear information on choosing a non-catchment school and transport implications

"If an Admissions application is later made to the nearest suitable school after initially choosing and attending a non-catchment school (parental choice) and the nearest suitable school is consequently full, free school transport will not be provided to an existing non catchment school or another non catchment school. Parents must consider their child's transport entitlement before making an expression of preference for a school place."

Parent response:

Having looked at the legislation set out in the Learner Travel (Wales) Measure 2008, section 3 makes no mention of time limiting your duty to provide free transport to a non-catchment school should circumstances require it.

Therefore you should not make a policy that is not based on the law. Doing so will just mean a judicial review will find your policy unenforceable with respect to this section.

Additionally points:

- Parental preference - this policy really limits choices for parents.
- Reasons other than parental choice - this policy will unfairly impact students that need to change schools due to bullying etc where their chosen school is untenable for them anymore.
- Too rigid - this policy will have seriously detrimental effects on those suffering financial hardship where circumstances have changed for them and they need to change schools to take advantage of free school transport.
- Applications looked at, at the point they're made - the Vale need to make decisions on travel when they made regardless of time.

Many thanks for your time, I would be grateful to hear your thoughts on these points.

Reply

The amended policy does not limit choice of school and clarifies when free school transport will be provided. It is not possible to provide free school transport to everyone so the policy exists to inform parents/carers of when it will be so that decisions on school choices can be taken with this in mind.

Your comment on "reasons other than parental choice" are welcome. For that reason, the following has been added to the policy document:

Managed Move between schools

In exceptional circumstance where a managed move has been arranged between two schools a pupil may be eligible for free school transport. Evidence of the managed move needs to be provided to the Transport Services team who will assess eligibility.

Response 16

Speaking as a parent of a child at St Richard Gwyn Catholic High School if the Vale of Glamorgan Council defunded the school bus service and cancelled the present service my child would not be able to attend our preferred High School.

We are a Catholic family and value the opportunity for our child to attend to a faith school both in primary and secondary education. If it wasn't for the council's transport service we wouldn't be able to achieve this. Also the public bus service is expensive as it crosses fares zones.

Another reason we need to keep this valuable and vital transport service is that our High School doesn't have a Sixth Form. Instead, to meet the requirements of continuing education within a faith school setting and do A'Levels, children from the Vale have to attend St David's Sixth Form College in Cardiff. This would be utterly unachievable if funds for this important bus service were withdrawn.

Many non-faith parents have chosen to send their children to these two faith schools because the ethos of charity, good citizenship, mental health well-being (even before the pandemic) balanced with academic achievement brought out the best in the students. The schools also take in pupils from impoverished backgrounds and underfunded areas. To withdraw funding would deny them a chance for the education and support they deserve.

Reply

The Council is not proposing to withdraw faith-based school transport.

END

**Summary of a report issued under 27 of the
Public Services Ombudsman (Wales) Act 2019
Case Number: 202104084
Vale of Glamorgan Council**

Mrs N complained about her son's entitlement to school transport from the Council. Specifically, whether the decision made regarding him not being entitled to free school transport was in line with relevant guidance, policies and legislation, and if the information regarding the entitlement of children in his position (who chose an out of catchment school on the basis that due to catchment changes it would soon become the catchment school for his address) to free school transport was communicated sufficiently and appropriately. She also complained that the information regarding the option of purchase places on school transport being subject to renewal each year wasn't communicated clearly, and about the Council's handling of her complaint.

The Ombudsman found that the Council had acted in accordance with relevant legislation, in that as Mrs N's son had been offered a place at a closer school the Council therefore did not have to provide transport to his preferred school. This element of the complaint was **not upheld**. He found that while information was made available by the Council regarding the issues raised, some of this, particularly surrounding how a child's catchment school was defined, and what happened with transport entitlement when a catchment area changed, was not entirely clear. He considered that if the information had been more specific, whilst it would not have changed the outcome of Mrs N's complaint, it may have meant she would not have needed to go through the full complaints process. As this was an injustice to her the Ombudsman **partly upheld** this complaint.

The Ombudsman also found that the form to purchase bus passes did not specifically state that a pass had to be re-applied for every year and did not roll over, and that the handling of Mrs N's complaints could have been better. These complaints were therefore **upheld**.

The Council agreed to apologise to Mrs N for the issues identified and offer her a £250 payment in recognition of her time and trouble in making the complaints, and the various elements of unclear communication identified.

It also agreed to update relevant policies and guidance, including its bus purchase pass application form, its learner traveller policy, and all relevant school transport and admission documents, to ensure consistency, clarity, and accuracy of phrasing in relation to purchase bus passes, and school catchment areas and transport entitlement.

30 March 2022

**VALE OF GLAMORGAN COUNCIL DIRECTORATE
OF ENVIRONMENT & HOUSING SERVICES**

Passenger Transport Team, The Alps Depot
Quarry Road, Wenvoe CF5 6AA

Application Form to purchase a School Bus Pass for
use on a School Contract Bus:
2022-23



PLEASE NOTE

Applications are treated on a first come first served basis.

To purchase a spare seat an application must be submitted every school year.

The release date for annual applications will be posted on the School Transport webpage two weeks before the end of the summer term.

A pupil allocated a seat one year will not automatically be entitled to purchase a spare seat the following year for the following reasons:

- there may no longer be spare capacity;
- the application has been submitted later than others and spare seats are no longer available;
- the Council may decide not to sell spare seats.

For further details on the Spare seat purchase pass please refer to the School and College Transport Policy document

Part 1 : PERSONAL DETAILS

NAME OF PARENT / GUARDIAN:			
ADDRESS:		CONTACT DETAILS:	
		Telephone Number:	
		Mobile Number:	
POSTCODE:		Email Address:	
NAME(S) OF PUPIL(S)	Date of Birth	SCHOOL ATTENDING IN SEPTEMBER	SCHOOL CURRENTLY ATTENDING

Part 2 : TRAVEL & PAYMENT DETAILS

Bus route required and nearest stop (if known) -

***Delete as appropriate:*

**A) Academic annual bus pass - £315.00 per pupil per annum – all journeys

**B) Academic annual bus pass - £157.50 per pupil – **AM or **PM journeys only

**C) Other (for example 1 day per week).....£1.66 per day.....

Please DO NOT submit payment with application form. An invoice will be sent out if your child is allocated a spare seat

Once seats are available for purchase, they will be released by Monday 26th September 2022 or earlier. You will be contacted if a seat becomes available for sale; therefore, please do not contact the office

Part 3 : ADDITIONAL INFORMATION

1. Completion of an application form does not guarantee that you will be sold a seat. Seats can only be sold **subject to availability** and are sold on a first come first served basis.
2. To purchase a spare seat a purchase pass application must be submitted every school year. A pupil allocated a seat one year will NOT automatically be entitled to purchase a spare seat the following year.
3. Requests to purchase will only be considered once the available seats on the bus have been finalised. Once seats are available for purchase, they will generally be released **by Monday 26th September 2022** or earlier once the seat availability has been assessed. You will be contacted **if a seat becomes available for sale**.
4. Once confirmation has been received from the school transport team that a seat is available, we will contact you direct and if you still require the seat and the pass will be processed. An invoice will then be sent out to you which needs to be paid in full.
5. Purchase pass orders received throughout the school year will be posted promptly to your home address as registered with the school.
6. It must be understood that the provision of this facility does not represent an obligation on the Local Education Authority and is entirely dependent on the capacity of the vehicle used and spare places being available. The Council reserves the right to withdraw the facility at short notice if purchase places are subsequently required for qualifying pupils.
7. Any pass purchased is done so in the knowledge that the published timetable will not be amended. No additional mileage or stops will be added to any service to cater for pupils who obtain purchase passes.
8. Bus passes must be shown to drivers before boarding the allocated school bus. Any pupil without a valid pass or a letter from the school will be refused transport. (No Pass No Travel)
9. Replacements for passes that are mislaid, destroyed or defaced can be obtained from the Passenger Transport team. Forms are available on the school transport website.
10. Pupils or students travelling on any service vehicle who distract the driver or cause distress to any other passengers may have their pass withdrawn either temporarily or permanently. The Council will always investigate complaints of bad behaviour and a framework for tracking action has been devised by the Council to ensure consistency is applied. Full details of the framework for dealing with incidents can be found in the Council's Home to School Transport Policy document.
12. If you no longer want your purchase pass and stop using the service, you must email the School Transport team and hand back the bus passes otherwise you will be liable for the full year payment.
13. The Council may also make the decision to not sell spare seats on vehicles where capacity is close to full.

PART 4 : DECLARATION

I hereby apply for a scholar's bus pass and all the information I have given is correct to the best of my knowledge. I understand that the bus pass application will not be processed if any information I have given is found to be false. I have been made aware of the councils Home to School Transport Policy and I have read the information that was provided with this application form.

Signed :

Dated :

Please print

name:

OFFICE USE ONLY

ADDRESS CONFIRMED		PARENT INFORMED	
CTX UPDATED & ROUTE ALLOCATED		NOTES	
SIGNED		DATED	