

# THE VALE OF GLAMORGAN COUNCIL

## REQUEST FOR THE USE OF EMERGENCY POWERS CORONAVIRUS PANDEMIC

### Re-introduction of School Transport from Monday 29<sup>th</sup> June to Friday 24<sup>th</sup> July 2020

1. **Originating / Department / Service**

Environment and Housing / Neighbourhood Services and Transport

2. **Reason for Seeking Emergency Powers**

PLEASE SPECIFY BELOW and attach appropriate Committee report /  
minute/ memo \* (\* delete as appropriate)

#### **Background**

Following the onset of Covid-19 all schools across Wales closed on 20<sup>th</sup> March 2020. Subsequently all school transport provision was suspended (except for provision for vulnerable pupils and pupils of key workers).

To ensure school transport provision would still be available when schools reopened it was agreed to pay all operators 75% of their daily rate for services that did not run with certain services continuing to receive 100% of their daily rate as they continued services for vulnerable pupils and pupils of parents/carers who are key workers.

On the 3<sup>rd</sup> June 2020, Welsh Government announced that all schools would reopen on Monday 29<sup>th</sup> June 2020 until 24<sup>th</sup> July 2020. Further operational guidance made available from Welsh Government on 10<sup>th</sup> June 2020 has indicated that no more than a third of pupils should attend school at any one time with potential for staggered start and finish times and parents/carers should transport pupils where ever possible, although the local authority still has a statutory duty to provide home to school transport.

Due to the current 2 metre social distancing rule any school transport service will have a greatly reduced capacity. Whilst this will vary from vehicle to vehicle, depending on its makeup, a rough guide has been put together as follows:

- 8 seaters will only carry 1 or 2 passengers.
- 16 seaters will only carry 2 to 4 passengers
- 53 seaters will only carry 7 to 10 passengers
- 70 seaters will only carry 8 to 14 passengers

Vehicles smaller than 8 seats will not allow for the 2-metre distancing rule.

To consider what school transport provision can be provided the Transport team will need to be made aware of individual school plans, including opening

and closing times and pupils who will be attending each day. Colleagues in the Education department are looking to make this information available on Wednesday 17<sup>th</sup> June.

As a result of the loose Guidance from WG this week, Councils in the region are taking different approaches to school transport provision from 29<sup>th</sup> June 2020. Some Councils are not intending to provide any school transport and others are proposing to pay parents to take their children to school. Both options have been dismissed by Officers on the grounds that there is a need to try to establish how school transport might work (or not) for the new term in September if social distancing remains at 2 metres. These four weeks give the Council, transport operators and pupils the chance to try out school transport provided in a different way and to learn from the experience thereby enabling better planning for September. To not provide School Transport may prevent some vulnerable pupils attending school and paying parents will be additional expense as well as potentially encouraging more congestion at the school gate when clearly the emphasis should be on walking and cycling for pupils.

### **Doubling up of buses**

Under normal circumstances some services are usually planned to “double up”, whereby one bus provides two services. This will usually be a secondary school service first followed by a primary school service. **In order to reduce the likelihood any cross contamination between pupils, and the lack of time to get the bus deep cleaned, the doubling up of services is to be suspended.** It should also be noted that where this is not contractually in place and an operator does this to achieve economies of scale, they would be expected to provide two buses instead of one. However, where it is part of a contract an operator could request additional funding to provide two buses instead of one.

### **Discretionary Fare Paying School Transport**

The Council currently provides discretionary fare-paying school transport services for those who do not qualify for free school transport. These pupils live within the qualifying distance to be eligible for free school transport, 2 miles for primary aged pupils and 3 miles for secondary aged pupils. These services are due to cease at the end of this academic year following the decision by the Council to withdrawn funding for these discretionary services. All Schools have already been made aware of this.

### **Recommendation 1**

**It is agreed to stop discretionary fare paying school transport services immediately as those pupils live within the qualifying distance of their school and should actively travel to and from it. This previous decision made by Cabinet on 23<sup>rd</sup> March 2020 to agree to withdraw the funding for these services at the end of the 2020 summer school term (17<sup>th</sup> July 2020), thus potentially seeing them cease operating if operators did not run the commercially, would be rescinded and the services would cease with immediate effect. The operators would, however, continue to be paid up until the end of the school year as vehicles could be repurposed**

**to assist with providing statutory school transport, with details on how this will be assessed listed below.**

### **School Transport Criteria for Spaces**

School transport provision will have capacity issues due to social distancing requirements. Therefore, consideration must be given to how those who are entitled to free school transport will be awarded a space on a vehicle, remembering that the preference as recommended by the Guidance is for pupils to walk or cycle and/or be taken by their parents.

#### **Recommendation 2**

**The following criteria in the order shown are agreed (ie 1 to 4) when deciding on whether a pupil can have a space on a school transport service, IF the number of seats requested is more than seats available:**

- 1. If parent/carer can take pupil or pupil can actively travel to school (walking/cycling/scooting) accompanied as necessary, the pupil will not be eligible for a seat.**
- 2. If (1) is not possible, first option of a seat will be given to a pupil who is considered vulnerable (information on this to be confirmed by individual schools).**
- 3. If seats are still available after consideration of (2), a pupil is a learner of statutory school age (Reception to Year 11) they will be given preference over those of non-statutory school age (Year 12 and 13).**
- 4. If seats are still available or if requests by statutory aged pupils are more than seats available and points 2 and 3 have been considered, learners who live furthest from the school will be given preference.**

There is expected to be capacity issues on the majority of services together with the potential for parents/carers to request additional transport provision during this period. Any additional transport would require additional funding and additional vehicles and drivers which are not in plentiful supply. It is not proposed to provide any additional transport thereby making the costs of the service within the current contracts.

#### **Recommendation 3**

**It is agreed that the Council will not be providing any additional transport provision compared to pre-Covid levels for this four week period.**

### **PPE**

Current Welsh Government recommendation is that three layered face covering should be worn on public transport. This is only a recommendation and not mandatory. To ensure the safety of pupils on school transport the wearing of such masks for drivers (not pupils who may struggle with this) is seen as good practice.

All operators will be given procedures to follow, in addition to their own Covid-19 procedures. This will include the following recommendations:

- Drivers/Escorts to wear three-layer face coverings;
- Drivers/Escorts to maintain social distance from pupils as much as possible;
- Driver to remain in their seat for the entire journey and not get off the bus until they return to their depot;
- Vehicles not be accessed by anyone in between the morning and afternoon services and
- Vehicles be deep cleaned on the return to the depot in the evenings.

#### **Recommendation 4**

**It is agreed that drivers and escorts travelling on school transport services should be required to wear the three-layer face coverings in line with Welsh Government Advice.**

#### **School Transport Payments**

The current agreement for payment for these services (75%) ceases on 30<sup>th</sup> June 2020.

As schools will be reopening and operators are in the process of preparing vehicles (some of which will have been SORN) for the date of Monday 29<sup>th</sup> June, payments should revert back to 100% from this date. In addition, operators will need to be paid for transport provided until 24<sup>th</sup> July (an additional week in the current school term). This will be funded from the additional weeks holiday in October 2020. Therefore, at this stage there will be no additional cost to the Transport budget.

#### **Recommendation 5**

**From 29<sup>th</sup> June until 24<sup>th</sup> July 2020 operators will be paid 100% of their daily cost for school transport services that run under contract to the Council.**

#### **ALN TRANSPORT**

It should be noted the majority of the above applies to mainstream school transport services only and those pupils with additional learning needs who are entitled to free school transport will be assessed on an individual basis and agreement sought between the Passenger Transport Team, school and parent/carer about what transport can be provided.

The above recommendations will allow the Passenger Transport team to understand how transport will run in light of current legislation until 24<sup>th</sup> July 2020. How transport will run from the beginning of the new school year in September 2020, will be a reflection of lessons learned during this four-week period and any changes to legislation over the summer holiday period.

3. **Policy Framework and Budget**

This is a Cabinet function. The recommendations are within the current pre COVID budget although there is a change to who and how many pupils this budget will support..

4. **Relevant Scrutiny Committee** –

Learning and Culture

**IMPORTANT**

The following sections **must** be completed **prior** to the request being submitted to the Democratic and Scrutiny Services Section for processing.

I confirm (delete as appropriate)

- (a) ~~That there are no financial implications and the relevant Cabinet Member, Leader and / or the Deputy Leader has been consulted and is in agreement with the use of Emergency Powers; or~~
- (b) That, in view of the financial commitments, the Head of Financial Services, the appropriate Chief Officer, the relevant Cabinet Member, Leader and / or Deputy Leader have been consulted and are in agreement with the use of the Emergency Powers ~~and that~~
- (c) ~~For matters relating to the Planning Committee the Chairman of the Planning Committee has also been consulted and is in agreement with the use of Emergency Powers;~~
- (d) ~~For matters relating to the Licensing Committee the Chairman of the Licensing Committee has also been consulted and is in agreement with the use of Emergency Powers.~~
- (e) ~~For matters relating to the Welsh Church Act Estate Committee the Chairman of the Welsh Church Act Estate Committee has also been consulted and is in agreement with the use of Emergency Powers.~~
- (f) ~~For matters relating to policy the relevant Scrutiny Committee Chairman has been consulted and is in agreement with the use of Emergency Powers.~~

**Signed:** E L Reed  
**(Instructing Chief Officer)**

**Date:** 12<sup>th</sup> June 2020

**Please print name**

Emma Reed (Head of Neighbourhood Services and Transport)

**I hereby approve under my Emergency Powers the attached recommendations 1 to 5 on behalf of the Cabinet**

**Signed:** D.R. Thomas..... **Date:** 4<sup>th</sup> July 2020.....  
**Managing Director**

**NB Should the relevant portfolio Cabinet Member be unable to be consulted only the Leader and / or Deputy Leader be consulted in their absence.**

**N.B. Cabinet: 23<sup>rd</sup> March, 2020 Minute No. 295**