

BRIDGEND COUNTY BOROUGH COUNCIL**REPORT TO CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY
COMMITTEE****DATE 2nd SEPTEMBER 2014****REPORT OF THE CORPORATE DIRECTOR CHILDREN****LEARNER TRAVEL POLICY****1. Purpose of Report.**

The purpose of this report is to inform the Children and Young People Overview and Scrutiny committee of the work that has been completed in relation to reviewing learner travel arrangements in Bridgend and to state our intention to seek Cabinet approval to begin a public consultation in September 2014.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

The report links to the following corporate priority

- Working together to make the best use of resources

3. Background.

3.1 The Council's approved medium term financial strategy (MTFS) 2013/14 to 2016/17 seeks to achieve potential revenue savings in the home to school/college transport budget through amendments to the Learner Travel Policy.

3.2 The Council's statutory responsibilities in relation to home to school/college are set out in the Learner Travel (Wales) Measure 2008. This stipulates that free transport must be available for:

- all learners receiving primary education living **two** miles or further from home to the nearest suitable school;
- all learners receiving secondary education (aged 11-16) living **three** miles or further from home to the nearest suitable school

3.3 There is no statutory duty to provide free transport for learners:

- who are not of statutory school age and this includes nursery aged children as well as post 16 students;
- Who, by parental preference, attend a voluntary aided (VA) school, where the school is not the nearest available school.

3.4 The Measure also provides guidance on circumstances in which local authorities may choose to make their own discretionary arrangements. Bridgend County Borough Council currently uses its discretionary powers to provide free transport for:

- primary and nursery aged children, residing more than 1.5 miles from the nearest suitable school (normally defined as their catchment area school);
- secondary aged children residing more than 2 miles from the nearest suitable school (normally defined as their catchment area school);
- post 16 learners, subject to the 2 mile limit;
- all learners attending VA schools, regardless of whether the school is the nearest available school.

3.5 The Learner Travel Statutory Provision and Operational Guidance 2014 was published in June 2014. This guidance includes statutory provisions which local authorities must consider in undertaking their responsibilities under the Learner Travel (Wales) Measure 2008. This guidance includes statutory guidance on risk assessing walked routes to school.

3.6 A consultation on proposed changes to the Learner Travel Policy was previously undertaken in December 2013. This consisted of the following six proposals:

- Proposal 1: Home to School transport: Change to statutory minimum distances
- Proposal 2: Home to School/College transport: Cease to provide transportation for post 16 learners
- Proposal 3: Home to School transport: Cease to provide transport to Voluntary Aided Schools
- Proposal 4: Home to School transport: Charging for post 16 transport
- Proposal 5: Home to School transport: Increase the cost of a 'paying place'
- Proposal 6: Home to School transport: Rationalisation of SEN transport

3.7 As a result of views expressed during the consultation, and the announcement that Welsh Government were due to start consulting on their Learner Travel Operational Guidance, it was felt prudent to cease the consultation and to undertake further detailed analysis on the following:

- The potential impact of withdrawing free post 16 transport on schools and colleges and the impact on post 16 learners
- The potential impact in terms of parental choice of schools and therefore the potential effect on pupil numbers at individual schools if statutory minimum distances are applied
- The potential impact on highway safety outside schools and college sites; on local communities; and on carbon footprint as a result of changes to the way that learners travel to school/college
- Further work to be undertaken following the consultation on safe routes to school and taking expert road safety advice
- Analysis of current routes to school using existing software to ensure all routes are efficient and transport providers are making most efficient use of routes and bus capacity

- Rationalisation of SEN transport

3.8 In light of the volume of work that this further analysis would necessitate a dedicated project manager was appointed in April 2014 to oversee the completion of the work outlined in 3.7 and a number of workstreams were project managed.

4. Current situation / proposal.

4.1 The first phase of work as stated in 3.7 has now been completed and final analyses are taking place. An overview of the work to date is given below.

- **The Analysis of the potential impact on schools, colleges and learners of withdrawing free post 16 transport;**

Research has been undertaken on the position that other Welsh authorities have taken with regards to Post-16 learner transport. Most Welsh councils are either in the position of amending their policies or have already amended them. An analysis of national research on the factors that influence the choices that post-16 learners make has also been undertaken and these have helped to develop a range of options that can be submitted to Cabinet in September 2014 that will realise financial savings whilst mitigating against the risk of increasing the number of NEETs.

- **The potential impact in terms of parental choice if statutory distances were introduced and the potential impact this would have on pupil numbers at individual schools;**

This has looked at school capacity analysis in respect of pupil admission numbers (PAN). It has also included a Welsh Medium/VA School analysis and the chance of there being parental choice on changing to non- Welsh Medium/VA from Welsh Medium/VA. Distance analysis was included to the next nearest school(s) with risk evaluation on parental choice. Furthermore there has been a financial impact analysis of the worst case scenario on schools most likely to lose pupils. This information will be used to determine what (if any) risk is posed by changing to statutory distances and will be presented to Cabinet on 16th September.

- **The potential impact on highway safety outside schools & college sites and on local communities and on carbon footprint as a result of changes to the way that learners travel to schools; and**
- **Further work to be undertaken following the consultation on safe routes to school and taking expert road safety advice**

Capita was commissioned to undertake the expert work around highway safety, carbon footprint and safe routes to school and this piece of work has been completed and we are awaiting their final report. The draft Capita report has recently been received by colleagues in the Communities Directorate to evaluate. The final report will be shared with members at cabinet on the 16th September 2014.

4.2 Work has also been undertaken to ensure that our current Learner Travel routes are maximising their efficiency and that we are not over-providing on our current applied distances. Staff have been trained in the use of a specific software package and work is ongoing to ensure that each transport route is accurately recorded and does not overlap with a safe walking route.

- 4.3 Work has also been undertaken to ensure that our provision of SEN transport is more efficient whilst still keeping the needs of the learner paramount. This work is on-going and will benefit from the taxi procurement exercise that the Communities directorate will undertake next year.
- 4.4 The corporate communications team has been actively involved throughout and are producing a consultation proposal and methodology to ensure that good practice, clear principles and guidelines are adhered to and that the consultation is a meaningful process, fair and clearly understood by all. A copy of the consultation plan is at Appendix A1.
- 4.5 Work to complete the workstreams outlined in section 4 is in its final stages and we believe that we will be in a much stronger and more informed position to approach Cabinet on September 16th with a view to commence a new 3 month public consultation starting in late September.
- 4.6 Any changes to the Learner Travel Policy need to be in line with statutory timescales in relation to consultation and implementation. The Learner Travel Policy is set in line with BCBC's Policy and Admission arrangements which are governed by Welsh Governments School Admissions Code. This sets out that admission arrangements must be consulted on for each maintained school between 1st September and 1st March and set by 15th April of the school year (the "determination year") beginning two years before the school year in which the arrangements will apply. With this in mind we would be looking at any change to the existing policy being implemented from the academic year 2016/17.
- 4.7 It is important to note that any changes that reduce discretionary provision of free school transport can only apply to pupils reaching compulsory school age or changing school. Changes cannot be made to existing pupils who have already been awarded the discretionary provision. As such will take a number of years to fully implement. It is also to be noted that the Learner Travel Information Regulations 2009 require the publication of information on the general transport policy before 1 October of the year preceding the academic year in which the changes will come into force. This means that changes for the academic year 2016/17 must be published before 1 October 2015. This dovetails with the timescales set out in paragraph 4.6 above so that the earliest time at which any amended learner transport provision could be implemented (in whatever form is finally settled upon) is the academic year 2016/17.
- 4.8 Changes cannot be made that would result in a lower provision than that which is permitted by statute (as set out in paragraph 3.2 above) and those pupils to whom discretionary provision at the current level has already been awarded are entitled to retain that level of provision until they either change schools or reach an age at which it is no longer compulsory for them to attend school.

5. Effect upon Policy Framework & Procedure Rules.

There are no implications for the Council's policy framework or procedure rules.

6. Equality Impact Assessment

No Equality Impact Assessment has been carried out to date. The consultation will invite stakeholders to raise equality issues and an EIA will be produced to accompany the report back to Cabinet on the outcome of the consultation.

7. Financial Implications.

7.1 The cessation of the original consultation in January 2014 has meant that the original savings identified for 2015/16 could no longer be realised and the MTFS for the Children's directorate has therefore been re-profiled as shown below in Table 1.

Table 1: Re-profiled MTFS – Learner transport (July 2014)

MTFS Ref.	Savings Proposals	2014-15 £000	Indicative 2015-16 £000	Indicative 2016-17 £000	Indicative 2017-18 £000	Comments
CH4	Retender Learner Transport contracts	250	400	100		
CH5	Rationalise Special Education Needs transport	200	200	50		
CH8	Change to statutory distances			250	240	Requires consultation and Cabinet approval
CH11	Charging for post 16 transport			50	25	Requires consultation and Cabinet approval
CH14	Increase charges for paid places on home to school transport			25		
CH37 New	Cease provision of non-statutory free post-16 transport			300	600	Requires consultation and Cabinet approval
CH38 New	School transport route efficiencies		200	200	200	

7.2 The failure to realise these savings would have a significant impact on the Children's Directorate capacity to deliver savings identified in the MTFs, and the savings would have to be found from core services from within the Directorate.

8. Recommendation.

8.1 The committee is asked to note the work that has been undertaken to date .

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Appendix A1: Consultation Plan

Background documents

Cabinet Report, 17th September 2013, Learner Transport Policy

Report to the Children and Young People Overview and Scrutiny Committee, 12th November 2013, Learner Transport Policy

Cabinet report, 10th December 2013, Learner Transport Policy