BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 SEPTEMBER 2020

REPORT OF THE CORPORATE DIRECTOR EDUCATION AND FAMILY SUPPORT

LEARNER TRAVEL POLICY

1. Purpose of report

1.1 The purpose of this report is to:

- update Cabinet on the outcomes of the consultation exercise approved by Cabinet regarding the proposed changes to the local authority's Learner Travel Policy;
- assist Cabinet in determining whether or not it should progress with any of the proposals;
- identify how the proposals would contribute to the overall saving to the Council's medium-term financial strategy; and
- report on the outcomes of the independent strategic review of transport.

2. Connection to corporate well-being objectives/other corporate priorities

2.1 This report assists in the achievement of the following corporate well-being objectives under the Well-being of Future Generations (Wales) Act 2015:

- **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.

- **Helping people and communities to be more healthy and resilient -** taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.

- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

1.1. The Council's statutory responsibilities in relation to home to school/college transport are set out in the Learner Travel (Wales) Measure 2008 (the Measure).

1.2. Local authorities must:

a) assess the travel needs of learners in their authority area;

b) provide free home to school transport for learners of compulsory school age attending primary school who live two miles or further from their nearest suitable school;
c) provide free home-to-school transport for learners of compulsory school age attending secondary school who live three miles or further from their nearest suitable school;
d) assess and meet the needs of 'looked after' children in their authority area;
e) promote access to Welsh-medium education;
f) promote sustainable modes of travel; and
g) where learners are not entitled to free transport, local authorities have the power to provide transport on a discretionary basis.

1.3. In Bridgend, the term 'nearest suitable school' applies to the local catchment area school and this can be an English-medium, Welsh-medium, voluntary aided, voluntary controlled or maintained special schools.

1.4. Section 2 of the Measure requires local authorities to assess the travel needs of all learners under the age of 19 who receive education or training and who are ordinarily resident in the local authority's area. This includes those who have reached the age of 19 but started a course when under the age of 19 and continue to attend that course. However, there is no statutory duty in the Measure to provide free transport for the following learners:

- those who are not of statutory school age, and this includes nursery-aged children as well as post-16 students; or

- those who, by parental preference, attend a voluntary aided (VA) school, where the school is not the nearest suitable school.

1.5. 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 Measure. This guidance includes statutory guidance on risk assessing walked routes to school.

1.6. The Measure also provides guidance on circumstances in which local authorities may choose to make their own discretionary arrangements.

1.7. The Learner Travel Policy is closely aligned with the local authority's School Admissions Policy although it does not form part of the admission arrangements. Nevertheless, the Council's Learner Travel Policy will be a material consideration in respect of the choice of school for many parents and is therefore detailed in the local authority's Admissions Policy ie the 'Starting School' Booklet for parents.

1.8. The learner transport budget has been under significant financial pressure for many years. Ongoing annual budget reductions under the medium-term financial strategy (MTFS) have been significant with efficiency savings of £1.869m between 2014-2015 and 2020-2021. There has, however, also been some budget growth of £906k to support increased pressure on the home-to-school transport budget in the period 2018-2018-2019 to 2020-2021. Table 1 below provides further detail of these savings and growth.

Table 1 MTFS savings/growth 2014-2015 to 2020-2021

MTFS savings	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	TOTAL
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	
Retender learner transport contracts	250	400	100					750
Rationalise special education needs transport	200	100	150					450
School transport route efficiencies		200	200	40				440
Phased implementation of Learner Transport Policy regarding statutory distances for free travel				20	67	67	75	229
TOTAL	**450**	**700**	**450**	**60**	**67**	**67**	**75**	**1,869**

MTFS growth	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	TOTAL
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	
Increasing costs associated with home-to-school transport, including demand for pupils with additional learning needs (ALN) and demographic growth						427		427
Transport costs for Welsh Government's Junior Apprenticeship Programme						42		42
Increase in costs of learner travel due to re-tender exercise that took place in 2017-2018					81			81
Retendering of contracts for buses and taxis							356	356
TOTAL					**81**	**469**	**356**	**906**

1.9. However, ongoing pressure on the home-to-school transport budget, as a result of the significant savings set against the budget identified in Table 1, has meant that year-on-year spend has exceeded the available annual budget, leading to a £774k overspend position in 2019-2020. While there has been additional budget growth of £906k over the 2018-2019 to 2020-2021 period, this has only addressed the additional costs brought about primarily through increased contractor prices, changes to eligibility for pupils and additional costs associated with transporting pupils with additional learning needs (ALN).

1.10. In September 2015, Cabinet determined changes to the local authority's Home to School/College Transport Policy in order to meet MTFS savings identified from 2016-2017 to 2019-2020. The policy change and corresponding budget MTFS budget reduction proposals were implemented in September 2016. However, initial savings were predicated on the full implementation of a change to statutory distances of 2 miles for primary school-age children from the previous 1.5 miles and 3 miles for secondary school-age children (including post-16 learners) from the previous 2 miles. No change was proposed to nursery-age children eligibility of 1.5 miles. On implementing the policy change, Cabinet determined to protect the entitlement of all pupils currently benefitting from home-to-school transport at the former distances until they moved schools or moved from one phase of education to another. Furthermore, protection was provided for siblings of children already in receipt at the former distances, where they too would benefit from free transport at the same distance.

1.11. Cabinet was not minded to remove the discretionary arrangements for post-16 learners, who would therefore continue to benefit from home-to-school/college transport at the 3-mile distance.

1.12. The 'in-receipt' and the 'sibling rule' entitlement has meant that, year-on-year, the number of pupils the policy change applies to, is relatively small. However, parents have challenged this inequality and have been critical of its intention, especially as children without siblings are disadvantaged.

1.13. Parents who have been aggrieved that their child has been at detriment in comparison with their peers (ie a child without siblings in the same school, entering their statutory education in reception or transitioning from primary education into secondary education in Year 7) have typically challenged the safety of walked routes to school in order to address this inequality. Without sufficient formal assessments under the requirements of the Learner Travel (Wales) Statutory Provision and Operational Guidance 2014 (the Operational Guidance), it has been difficult for the local authority to contest much of the challenge on the availability of walked routes to school. On this basis, the School Transport Team issues a number of temporary bus passes each year to pupils where there has been a challenge to the availability of a walked routes to school.

1.14. Without adequate assurances that routes considered as available by the local authority had followed the procedure outlined in the aforementioned Operational Guidance, the local authority would not be able to fully implement its policy decision made in September 2015.

1.15. Therefore, in August 2017, the local authority agreed to progress the formal assessments of walking routes in accordance with the operational guidance to identify the major safe walking routes to schools. These formal assessments did not include

all possible walked routes, as such an assessment would be unfeasible, but included an assessment of all major routes across the county borough from the main residential areas to local schools. Routes that were generally considered as 'well-travelled' as part of the 'public realm' (eg modern streets through residential estates where sufficient pavements/footways were present with good street lighting were automatically considered to be 'available' as per the operational guidance or as per previous assessments undertaken by officers).

1.16. The physical assessments of the main routes were progressed by an independent consultant. Physical assessments were undertaken before routes were deemed available, taking into consideration the statutory provisions contained within the Operational Guidance. An officer of the local authority was appointed to progress statutory consultations with schools, learners and parents, to ensure that their views were heard as part of the assessment and engagement process.

1.17. Twelve reports were produced covering the following geographical areas/school catchments:

- Abercerdin Primary School
- Blaengarw Primary School
- Brynteg School
- Bryntirion Comprehensive School
- Coleg Cymunedol Y Dderwen
- Cynffig Comprehensive School
- Garw Valley
- Maesteg School
- Nantymoel Primary School
- Ogmore Vale Primary School
- Pencoed Comprehensive School
- Porthcawl Primary School

1.18. All assessment undertaken fully followed the statutory requirements outlined in the aforementioned operational guidance.

1.19. Section 5 of the local authority's current Home to School/College Transport Policy identifies the local authority's response to the identification of available routes and states that in determining the comparative safety of a walking route where routes are reviewed, 'provision may be withdrawn where for example, identified hazards have been mitigated against. This will then be classed as an identified and available safe walking route. Parents will be given at least one term advance notice of the withdrawal of transport and any withdrawal will normally be implemented to coincide with the start of an academic year.'

1.20. Following these assessments, officers identified that the impact of fully implementing the available walking route assessments on those learners currently benefitting from free home-to-school transport where routes had previously been challenged by parents as 'unsafe', would be significant.

1.21. With this in mind, and in order to make sufficient savings to address the current £774k overspend in 2019-2020 and the MTFS proposal in 2020-2021 of an additional £75k,

it was proposed to seek the views of the public on a number of policy proposals, not least the implementation of available walked route assessments.

1.22. Therefore, in July 2019, Cabinet agreed to undertake a full 12-week public consultation on a new set of proposals that would both address the inherent inequality in the current Home-to-School/College Transport Policy (principally the 'sibling rule' and 'in-receipt' protection) and to provide sufficient savings to support the £1.869m of budgets savings made since 2014. Therefore, the following proposals to the Learner Travel Policy were approved for consultation by Cabinet in July 2019:

- removal of escorts from all taxis and minibuses (excluding those transporting pupils with special education need) of less than 8 passengers;
- withdrawal of transport for all learners benefitting from an identified and available (safe) routes to school in line with statutory distances of 2 miles for primary school-age pupils and 3 miles for secondary school-age pupils;
- removal of 'sibling' and 'in receipt' protection for pupils;
- removal from the local authority's Home to School/College Transport Policy of specific examples of the special circumstances where the local authority will provide discretionary transport;
- removal of all transport for nursery pupils; and
- removal of all post-16 transport.

1.23. The public consultation took place over a 12-week period from 14 October 2019 to 5 January 2020. The consultation was available bilingually and through a variety of alternative formats. Consultation with learners took place throughout January at specially arranged events in the Council Chamber and in support of the separate consultation on the review of Post-16 education in Bridgend.

1.24. Two of the proposals agreed by Cabinet for consultation in July 2019 were combined as material issues into five total proposals that formed the proposals detailed in the public Consultation Document (see Appendix 1) and summarised as follows:

Proposal 1

Withdrawal of transport for all learners benefitting from an available walking route to school, in line with statutory distances of two miles for primary school-age pupils and three miles for secondary school-age pupils.

Proposal 2

Removal of escorts from all taxis and minibuses of less than 8 passengers.

Proposal 3

Removal from the local authority's Home to School/College Transport Policy of specific examples of the special circumstances where the local authority will provide discretionary transport.

Proposal 4

To stop providing free transport for learners aged 16 or over, who go to school or college other than those pupils who attend a Welsh-medium sixth-form at a school within Bridgend or who wish to pursue a faith-based education in a sixth-form at a voluntary aided school within Bridgend.

Proposal 5

To stop providing free transport for nursery-age pupils (aged three and four-years-old).

1.25. Table 2 below provides a summary of the impact of these proposals on learners if they were to be approved by Cabinet.

Table 2 - Current and proposed learner travel policy arrangements

Post-16 transport		
Learner type	**Current arrangement**	**Proposed arrangement** (from September 2021)
Post-16 student (English-medium) Attending Bridgend College or the nearest college offering the course eg Coleg Cymoedd	Free home-to-college transport provided over three miles from college or where there is no available walking route (normally this is provided via a public service bus pass)	No home-to-college transport provided
Post-16 student (English-medium) Attends sixth-form at • Brynteg School • Pencoed Comprehensive School • Cynffig Comprehensive School • Porthcawl Comprehensive School • Coleg Cymunedol Y Dderwen • Maesteg School • Bryntirion Comprehensive School	Free home-to-school transport provided over three miles from school or where there is no available walking route.	No home-to-school transport provided
Post-16 student (Welsh-medium) Attends sixth-form at Ysgol Gyfun Gymraeg Llangynwyd	Free home-to-school transport provided over three miles from school or where there is no available walking route	No change

Post-16 transport		
Learner type	**Current arrangement**	**Proposed arrangement** (from September 2021)
Post-16 student (faith-based education) Attends sixth-form at Archbishop McGrath Catholic High School	Free home-to-school transport provided over three miles from school or where there is no available walking route	No change
Post-16 student with additional learning needs (ALN) in specialist provision	Free home-to-school transport provided if over three miles from school or where there is no available walking route Free home-to-school transport also provided at the discretion of the local authority	Free home-to-school transport provided at the discretion of the local authority following an assessment of the needs of the learner
Post-16 student with ALN not in a specialist provision	Free home-to-school transport provided over three miles from school or where there is no available walking route	Free home-to-school transport provided at the discretion of the local authority following an assessment of the needs of the learner

School transport for secondary school-age pupils		
Learner type	**Current arrangement**	**Proposed arrangement** (from September 2021)
Secondary school-age pupil (English-medium, Welsh-medium and faith-based education) Age 11-16 Attends a secondary school which is their nearest suitable school, and they live over three miles from the school or	Free home-to-school transport provided	No change

School transport for secondary school-age pupils		
Learner type	**Current arrangement**	**Proposed arrangement** (from September 2021)
no available walking route exists		
Secondary school-age pupil (English-medium, Welsh-medium and faith-based education) Age 11-16 Attends a secondary school but it is not their nearest suitable school, as a parent has expressed their parental preference for an alternative school	No home-to-school transport provided	No change
Secondary school-age pupil (English-medium, Welsh-medium and faith-based education) Age 11-16 Attends a secondary school which is their nearest suitable school, and they live over two miles from the school and they were previously in receipt of free home-to-school transport at this distance when the policy changed in September 2016	Home-to-school transport provided	Home-to-school transport provided only where the pupil lives over three miles from school or where there is no available walking route

School transport for secondary school-age pupils		
Learner type	**Current arrangement**	**Proposed arrangement** (from September 2021)
Secondary school-age pupil (English-medium, Welsh-medium and faith-based education) Age 11-16 Attends a secondary school which is their nearest available school and they live over 2 miles from the school as they became eligible for free transport when the policy changed in September 2016 as a sibling was already attending the same school and was already in receipt of free home-to-school transport at this distance	Home-to-school transport provided	Home-to-school transport provided only where the pupil lives over three miles from school or where there is no available walking route

School transport for primary school-age pupils		
Learner type	**Current arrangement**	**Proposed arrangement** (from September 2021)
Primary age pupil (English-medium, Welsh-medium and faith-based education) Age 5-11 Attends a primary school which is their nearest suitable school, and they live over two miles from the school or no available walking route exists	Home-to-school transport provided	No change

School transport for primary school-age pupils		
Learner type	**Current arrangement**	**Proposed arrangement** (from September 2021)
Nursery-age pupil (English-medium, Welsh-medium and faith-based education) Age 5-11 Attends a primary school, but it is not their nearest suitable school as a parent has expressed their parental preference for an alternative school	No home-to-school transport provided	No change
Primary school-age pupil (English-medium, Welsh-medium and faith-based education) Age 5-11 Attends a primary school which is their nearest suitable school, and they live over 1.5 miles from the school, as they were previously in receipt of free home-to-school transport at this distance when the policy changed in September 2016	Home-to-school transport provided	Home-to-school transport provided only where the pupil lives over two miles from school or where there is no available walking route
Primary school-age pupil (English-medium, Welsh-medium and faith-based education) Age 5-11 Attends a primary school which is their nearest suitable school and they live over 1.5 miles from the school and they became eligible for free transport when the policy changed in September 2016, as a sibling was already attending the same school and was already in receipt	Home-to-school transport provided	Home-to-school transport provided only where the pupil lives over two miles from school or where there is no available walking route

School transport for primary school-age pupils		
Learner type	**Current arrangement**	**Proposed arrangement** (from September 2021)
of free home-to-school transport at this distance		

Transport for nursery children		
Learner type	**Current arrangement**	**Proposed arrangement** (from September 2021)
Nursery age pupil (English-medium, Welsh-medium and faith-based education) Age 3-4 Attends nursery school which is their nearest suitable school, and they live over 1.5 miles from the school or no available walking route exists	Home-to-school transport provided	No home-to-school transport provided
Nursery age pupil (English-medium, Welsh-medium and faith-based education) Age 3-4 Attends nursery school, but it is not their nearest available school as a parent has expressed their parental preference for an alternative school	No home-to-school transport provided	No change

1.26. Some learners with ALN who are of compulsory school age have their needs met within a mainstream school setting, but with prescribed support (confirmed on their Statement of Special Education Needs). For these learners travel assistance will be assessed and provided on an individual basis.

1.27. The consultation report (see Appendix 2) provides detail of the consultation approach taken and results.

1.28. In total, there were 1396 interactions during the consultation. The method of response is detailed below in Table 3 below.

Table 3 - Consultation response interactions

Interactions	Number
Survey completions	943
Parents meetings	97
Pupil workshops	305
Emails	13
Letters	3
Social media comments	35
Total interactions	**1396**

4. Current situation/proposal

1.29. The outcome of the consultation is as follows and is detailed in the Consultation Report (see Appendix 2) and in the thematic 'Emerging Themes' summary (see Appendix 3). However, the main issues from the responses are summarised below

1.30. Proposal 1 - Withdrawal of transport for all learners benefitting from an available walking route to school, in line with statutory distances of two miles for primary school-age pupils and 3 miles for secondary school-age pupils

1.31. There were three main responses relating to this proposal (for a full breakdown see consultation report in Appendix 2).

- 57% of the respondents and 76% of learners did not agree with the proposals.
- 29% of the respondents did agree with the proposal and 14% were unsure. Whereas 18% of learners agreed with this proposal and 6% were unsure.
- Of the 456 respondents disagreeing with the proposal 27% identified that it was too far to walk and would take too long especially in bad weather and 24% identified that children would be unsafe walking to school.
- Of the 296 learners responding, 14.5% identified that it would be too far to walk, 11% identified that the local authority should keep all transport and 9% identified that there was no safe walking route to school.

1.32. There did seem to be some misunderstanding of the already implemented distances of two miles for primary school-age pupils and three miles for secondary school-age pupils. The local authority's current Home-To-School/College Transport Policy was approved in September 2015 and implemented from September 2016. The local authority's current policy matches the statutory distances of two miles for primary school children and three miles for secondary school children are laid down in national legislation ie the Learner Travel (Wales) Measure 2008.

1.33. Proposal 2 - Removal of escorts from all taxis and minibuses of less than eight passengers

1.34. There did appear to be some confusion regarding this proposal, as many public respondents as well as learners, assumed that this proposal included the complete removal of escorts on vehicles for pupils with additional learning needs, even though this is not part of the proposal as clarified in the consultation document.

- 43% of the respondents and 35% of learners did not agree with the proposals.
- 37% of the respondents did agree with the proposal and 20% were unsure. Whereas 37% of learners agreed with this proposal and 28% were unsure.
- Of the 264 respondents disagreeing with the proposal 16% identified that there could be safeguarding issues for both children and driver and 15% identified that child safety could be compromised.
- Of the 303 learners responding 40% provided reasons for their responses, 18% of these commented that escorts were not needed, 18% commented that an escort was not needed if the driver makes the pupil feel comfortable and safe and 16% commented that escorts provide personal/medical support.

1.35. It is important to note that the role of escorts is not to provide any form of medical support to pupils, merely to ensure pupil and vehicle safety by communicating with the driver who takes ultimate charge of the safety of the vehicle and occupants. Any emergency situation would be dealt with via the vehicle stopping and the emergency services being contacted. Escorts are not authorised to administer medication to pupils or provide any personal support.

1.36. Proposal 3 - Removal from the local authority's Home to School/College Transport Policy of specific examples of the special circumstances where the local authority will provide discretionary transport

1.37. There did appear to be some confusion regarding this proposal, as it does not identify a specific reduction of provision, merely the refinement of the Home to School/College Transport Policy.

- 37% of the respondents and 31% of learners did not agree with the proposal. 20% of respondents and 44% of learners agreed with this proposal.
- 43% of respondents and 25% of learners were unsure.
- There 138 comments from respondents disagreeing with the proposal. Of these 25% identified that each pupil should be assessed on a case by case basis and 14% identified that the service is needed.
- 78 learners responding provided comments. 34% of these commented that it will encourage more people to apply and 26% commented that pupils with special circumstances should have this transport.

1.38. Proposal 4 - To stop providing free transport for learners aged 16 or over, who go to school or college

1.39. A significant 71% of public respondents and 85% of learners did not agree with this proposal.

- 18% of public respondents and 8% of learners agreed with this proposal.
- 11% of public respondents and 7% of learners were unsure.
- There were 412 comments received from respondents disagreeing with the proposal. Of these, 19% identified that 'it will discourage young people from attending sixth form' and 54% identified that it will be costly to pay for transport.

13% commented that it would negatively impact young people living in poverty/deprived areas and a similar 13% commented that we should encourage young people to attend sixth form.
- 136 learners responding provided comments. 41% of these commented that pupils will be unable to pay for travel and 20% commented that this proposal limits opportunities for pupils.

1.40. Respondents and learners were asked to identify who they believed should still receive free post-16 transport if this was to be removed. Disabled young people (694) and young people in care (572) were the two highest responses from public respondents. Learners chose disabled young people' (155) followed by 'care leavers' (96).

1.41. Proposal 5 - To remove all transport for nursery pupils

- 58% of the respondents and 63% of learners did not agree with the proposals.
- 25% of the respondents did agree with the proposal and 17% were unsure. Whereas 26% of learners agreed with this proposal and 11% were unsure.
- Of the 246 respondents disagreeing with the proposal 19% identified that it would impact negatively on Welsh-medium education and 15% commented it would be difficult for working parents.
- 117 learners responded with comments 27% commented that Welsh-medium education should be protected.

1.42. The community engagement workshops primarily identified concerns in relation to safe walking routes and the distance from home-to-school and how this is measured. The impact on post-16 learners was also identified as a concern and that the proposal to remove post-16 transport should be considered alongside the proposed options for post-16 education in Bridgend.

Assessment of the impact of the policy proposals

1.43. It is clear that the current home-to-school/college transport policy is complicated.

1.44. The policy has been subject to change but not consistently applied due to:

- nuances in policy (sibling rule and 'already in-receipt' retention of eligibility;
- historic insecurities in up-to-date assessments of availability of walking routes (now resolved);
- nursery transport at 1.5 miles and over;
- primary transport - a mix of over 1.5 and 2 miles eligibility (dependent on local challenges over the availability of walked routes to school, as well as the 'sibling' and 'in-receipt' rules); and
- secondary transport - a mix of over 2 and 3 miles eligibility (dependent on local challenges over the availability of walked routes to school as well as the 'sibling' and 'in-receipt' rules).

1.45. Some historic anomalies also exist where there is no eligibility under any previous or current policy (eg North Cornelly to Cynffig Comprehensive School.) and therefore for many years there has been a legitimate expectation that such an arrangement will continue unchallenged.

1.46. Assessment of impact of proposal 1 - Withdrawal of transport for all learners benefitting from an available walking route to school, in line with statutory distances of two miles for primary school-age pupils and three miles for secondary school-age pupils.

1.47. The majority of all school transport provided to learners in both primary and secondary schools is provide by 'big bus' transport. A 'big bus' is defined as having 22 or more seats.

1.48. 4,638 Bridgend pupils travel to school on a 'big bus' (January 2020).

1.49. Big bus transport is provided for 20 schools (12 primary schools and 8 secondary schools). The 12 primary schools include all of Bridgend's Welsh-medium and Catholic schools (along with three English-medium schools in Bridgend and two out-of-county bilingual/Welsh-medium schools).

1.50. Big bus transport is also provided to Dolau Primary School and YG Llanhari in Rhondda Cynon Taf because of the current eligibility for pupils to attend these schools under the local authority's Schools Admission Policy (however, this arrangement will end from 2020 for new admissions).

1.51. The only secondary school where big bus transport is not required is Bryntirion Comprehensive School. This is because the proximity of the local population to the school means that in general, very few pupils are eligible under the current or previous Home to School/College Transport Policies.

1.52. Table 4 below identifies the numbers of pupils on 'big bus' transport in January 2020 and the estimated impact on eligible pupils travelling if all safe routes were implemented as per the most recent assessments. Cohorts of learners and their address/geographical location can vary dramatically year-on-year and such an analysis is therefore meant to be representative only. However, a large number of learners benefitting from transport currently are predicted to lose their eligibility if this policy proposal was to be implemented. This is because of a large number of secondary school pupils in certain schools who live between the former 2 mile distance, (where under the former policy they would have been eligible) and the now 3 mile distance implemented in 2016 eg Brynteg School and Cynffig Comprehensive School. For other secondary schools, the change is less significant eg Coleg Cymunedol Y Dderwen as the majority of learners travelling from the valley communities travel much further distances already. Similarly for primary age pupils it would be those in faith schools and in Welsh-medium schools who would be most impacted by this proposal. Table 4 below provides an estimate of this impact based on known cohorts of learners.

Table 4 – Number of pupils on big buses January 2020 and estimated reduction following the implementation of Proposal 1

Primary schools	Pupil Nos. Jan, 2020	Estimated Pupil Nos. September 2021	Estimated Percentage reduction in eligible learners

Faith schools			
St Robert's Catholic Primary School	63	63	0.0%
St Mary's and St Patrick's Catholic Primary School	66	32	-51.5%
St Mary's Catholic Primary School	171	66	-61.4%
Welsh-medium primary schools			
Ysgol Y Ferch o'r Sgêr	98	45	-54.1%
YGG Calon y Cymoedd	134	121	-9.7%
Ysgol Cynwyd Sant	138	90	-34.8%
YG Bro Ogwr	289	148	-48.8%
English-medium schools			
Coety Primary School	27	27	0.0%
Pencoed Primary School	42	42	0.0%
Ogmore Vale Primary School	106	106	0.0%
Secondary schools			
Faith schools			
Archbishop McGrath Catholic High School	667	600	-10.0%
Welsh-medium schools			
Ysgol Gyfun Gymraeg Llangynwyd	647	560	-13.4%
English-medium schools			
Porthcawl Comprehensive School	137	49	-64.2%
Pencoed Comprehensive School	152	91	-40.1%
Cynffig Comprehensive School	237	10	-95.8%
Brynteg School	356	10	-97.2%
Maesteg School	398	100	-74.9%
Coleg Cymunedol Y Dderwen	844	780	-7.6%
Bilingual/Welsh-medium schools not in Bridgend			
Dolau Primary School	23	23	0.0%
YG Llanhari	43	43	0.0%
TOTAL	**4,638**	**3,006**	**-35.2%**

1.53. The impact on pupils utilising smaller vehicles eg taxis and minibuses would likely be far less, as these tend to be used where the learners are located geographically distant from their local school eg outlying farms without any available walking route to school or where the community is small and geographically isolated (eg Coytrahen to Coleg Cymunedol Y Dderwen or Heol Y Cyw to Pencoed Primary and Pencoed Comprehensive Schools). Given the local authority's statutory responsibility to assess the transport needs of learner's, in particular those with ALN or with disabilities, it is not envisaged that transport will be withdrawn for these learners unless that assessment identifies their ability to walk to school within the statutory distances.

1.54. The local authority has a statutory duty to promote the Welsh language and this is enshrined in the Welsh Language (Wales) Measure 2011.

1.55. The disproportionate impact on Welsh-medium learners may influence a parent/carer's choice of progressing a child into Welsh-medium education.

1.56. If Cabinet are therefore minded not to implement this policy proposal immediately, due to the impact highlighted in Table 4, it must determine a point in time by which the assessed routes become considered as available. Whereas the sibling rule and in receipt policy elements could remain in the policy, Cabinet must accept the identification by local authority officers of available walked routes to school utilising Welsh Government guidance and therefore approve their implementation, otherwise any parent/carer or pupil, could challenge whether any walked route is available. In such a situation, the demand for free home-to-school transport could outstrip both available budget and the supply of vehicles available from school transport operators. The options available to Cabinet are therefore detailed in Table 5 below:

Table 5: Proposal 1 – Policy elements options and risks

Policy element	Option	Risk
Sibling protection	removal	Some increased numbers of learners ineligible for free home-to-school transport
	continuation	Ongoing disparity and inequality amongst pupils, particularly those starting at reception and Year 7 without siblings already in school.
In-receipt rule	removal	Some increased numbers of learners ineligible for free home-to-school transport
	continuation	Ongoing disparity and inequality amongst pupils, particularly those starting at reception and Year 7. Older children would still be eligible, younger children would not be (unless the sibling rule is applied).
Implementation of walking route assessments identifying all routes now considered to be 'available'	Full implementation from September 2021	Significant impact on learners with potential 65% reduction in pupils, no longer eligible for free home-to-school transport
	Routes assessed as newly available are accepted as available, but implementation is	Reduced impact on current cohort of learners. If a delay is chosen, with a greater

	delayed eg 3 years (September 2023)	lead-in, parents/carers and pupils may feel more able to adapt to a future policy change. The local authority would be able to put in place some additional measures to support greater numbers of learners walking to school eg improved active travel arrangements and would likely have benefitted during this period from further funding opportunities to support a number of supportive active travel initiatives. If the implementation of this policy element is withheld, those routes now assessed as available could be officially classified as such, transport for learners using these routes could continue to be provided on a discretionary basis as permitted by the Learner Travel (Wales) Measure 2008.

1.57. Assessment of impact of Proposal 2 - Removal of escorts from all taxis and minibuses of less than eight passengers

1.58. There is no statutory responsibility on the local authority to provide escorts on any school transport vehicle. However, the Learner Travel (Wales) Measure 2008 does require local authorities to assess the travel needs of learners.

1.59. Table 6 below identifies that numbers of contracts (vehicles) that currently provide escorts.

1.60. Table 6: Escorts on home-to-school transport contracts – July 2020

	Buses	Special Taxi	Taxi	Heronsbridge School	Special Minibus	Minibus	Total
Vehicles operating	82	76	40	42	48	16	**304**

Vehicles with escorts	28	35	8	42	27	6	**146**
Vehicle over 8 seats vehicle with escort	28	0	0	8	10	5	**51**
Under 8 seats with escort	0	35	8	34	17	1	**95**

1.61. It is important to note that some contracts do run without an escort where it has been assessed by the local authority in liaison with the transport operator that the role is not required.

1.62. The role is primarily one of safety and communication including the following principle responsibilities:

- Keeping doors closed until the vehicle is at a complete standstill.
- Not allowing children to open or close vehicle doors.
- Getting off the bus to ensure that all children are well clear of the vehicle, and that nobody is going back for property they have left behind.
- Helping parents / teachers to assist pupils boarding and alighting.
- Discouraging children from crossing in front of, or immediately behind the vehicle.
- Closing doors before moving off and ensuring that pupils catch nothing in doors.
- Ensuring they seat all children before the vehicle starts.
- Stowing all bags, luggage etc safely.
- Ensuring, with the driver that any harnesses, restraints and wheelchair securements are correctly fastened.
- After dropping pupils off at schools or day centres, check all seats for lost property and that no children have been left on the vehicle before instructing the driver to leave the site.

1.63. The cost of each escort per day is approximately £10 for each contract. Therefore the cost annually is negligible, although given that the risk associated with the removal of escorts on mainstream contracts is minimal as the driver is able to adequately monitor pupils in smaller vehicles, hence the threshold that has been set per this proposal relates to vehicles of less than 8 seats. Therefore, given there are very few (currently 9) mainstream contracts (highlighted in Table 6 above) with escorts that could be removed as a result of this policy proposal the financial savings would be a potential £35k per annum.

1.64. Local authority officers would, in conjunction with advice from the school transport operator and school, assess the needs of learners travelling on a contract proposed to run without an escort, and therefore determine the suitability of running such a contract on a case-by-case basis.

1.65. **Assessment of impact of Proposal 3 - Removal from the local authority's Home to School/College Transport Policy of specific examples of the special circumstances where the local authority will provide discretionary transport**.

1.66. As mentioned previously, the consultation responses and public meetings identified confusion regarding the use in the current Home to School/College Transport Policy of specific examples where the local authority can use its discretion under the Learner Travel (Wales) Measure 2008. The current policy provides the following examples:

- where a learner has had to change address, to move to a different area of the county borough to escape a domestic violence situation;
- short term emergency situations which necessitate a learner having to move to a different area of the Borough;
- where a learner has a medical condition which requires transport to be made available in the short term (eg broken leg).

1.67. These three specific examples are considered to be far too constraining on the local authority's ability to offer discretion to all pupils equally. Furthermore, they do not identify how officers would provide parity. For example, the policy suggests that the local authority should provide free discretionary transport to all learners with a broken leg who, without consideration of whether this is practical, feasible or cost effective. The removal of these specific examples would allow officers the ability to make a judgement based on individual circumstances and evidence (including medical evidence) rather than on categorisation.

1.68. Assessment of impact of Proposal 4 - To stop providing free transport for learners aged 16 or over, who go to school or college other than those pupils who attend a Welsh-medium sixth-form at a school within Bridgend or who wish to pursue a faith-based education in a sixth-form at a voluntary aided school within Bridgend.

1.69. An outcome form the consultation identified this proposal as the most contentious of all the proposals, as the impact is likely to be significant.

1.70. There are currently 1,425 learners studying in Year 12 & 13 in all secondary schools in Bridgend. Of these approximately 54% currently benefit from eligibility of free home-to-school transport, although take-up is varied. This is detailed in Table 7 below

Table 7: Post-16 pupil numbers at secondary schools benefitting from free home-to-school transport - January 2020.

School	Post-16 pupil numbers on transport
Archbishop McGrath Catholic High School	139
Brynteg School	110
Coleg Cymunedol Y Dderwen	136
Cynffig Comprehensive School	66
Maesteg School	133
Pencoed Comprehensive School	43
Porthcawl Comprehensive School	38

Ysgol Gyfun Gymraeg Llangynwyd	85
Ysgol Llanhari	17
Bishop Of Llandaff Church in Wales High School	4
Total	**771**

1.71. This policy proposal would see the removal of all of these learners from transport other than those attending Ysgol Gyfun Gymraeg Llangynwyd and Archbishop McGrath Catholic High School.

1.72. This is because the local authority has a statutory duty to promote the Welsh language and this is enshrined in the Welsh Language (Wales) Measure 2011. It is considered that if free home-to-school transport is removed for Post-16 learners, given the limited geographical choice of Welsh-medium schools in the county borough ie one secondary and four primary schools, a parent/carer considering putting their child into Welsh-medium education may choose not to proceed on the basis of the loss of free transport at post-16. As many parents/carers will have high aspirations for the ongoing education of their child beyond their statutory education, a clear barrier to that continuity of education is considered to be the availability of free transport at post-16. The outcome of the public consultation clearly identified concerns associated with the availability of transport, with learners stating they would potentially not progress into sixth-form in particular, if free transport was removed.

1.73. The local authority's duty to ensure that its provision of learner transport complies with section 10 of the Learner Travel (Wales) Measure (2008) "to promote access to education and training through the medium of Welsh', is further strengthened through the Welsh Government's strategy for Welsh Medium Education.

1.74. The vision of the Welsh Medium Education Strategy is "To have an education and training system that responds in a planned way to the growing demand for Welsh-medium education, reaches out to and reflects our diverse communities and enables an increase in the number of people of all ages and backgrounds who are fluent in Welsh and able to use the language with their families, in their communities and in the workplace".

1.75. This vision is supported by six strategic aims. Strategic aim 1: "To improve the planning of Welsh-medium provision in the pre-statutory and statutory phases of education, on the basis of proactive response to informed parental demand" is supported by 11 objectives one of which is "To promote access to Welsh-medium statutory primary and secondary provision, and to institutions providing further education and nursery education, when exercising functions under the Learner Travel (Wales) Measure 2008".

1.76. The strategic aims and key outcomes set out in the local authority's Welsh Education Strategic Plan (WESP). Bridgend County Borough Council's vision is that our provision of Welsh-medium education and support for the teaching of the Welsh language should:

- deliver the key principles of equality, choice and opportunity for all;
- respect, promote and embody the linguistic and cultural diversity of Bridgend and Wales;
- recognise a common Welsh heritage;
- reflect the social, economic and cultural needs of Wales in the 21st century;

- provide opportunity to reflect on and develop personal identity and a sense of place and community;
- be consistent with the national aspirations set out in the Welsh Government's Welsh-medium Education Strategy (WMES);
- take into account 'A Living language, A Language for Living – the Welsh Government's Welsh language Strategy 2012-2017'

1.77. The WESP is also explicit that BCBC as an authority fully complies with the requirements of the Learner Travel (Wales) Measure (2008) and that currently it exercises discretion with regards to distance criteria.

1.78. The authority is also bound by the Welsh Language Standard 2015. Schedule 2 of this relates to policy making standards and the duty on public bodies to ensure that when consulting on and formulating new (or revising existing policy decisions) policies that the effects (whether adverse/positive) on opportunities for persons to use the Welsh language are considered, and that the authority is treating the Welsh language no less favourably than the English language.

1.79. This is an important consideration in respect of any school, not least Ysgol Gyfun Gymraeg Llangynwyd (YGGL) as it is the only Welsh-medium secondary school in the county borough and there is likely to be some impact of the policy on the sustainability of the school should it be implemented. See Table 8 below for the geographic location of pupils at the school.

Table 8: Geographical location of pupils at Ysgol Gyfun Gymraeg Llangynwyd

Location	Pupil numbers
Bridgend	433
Bryn	1
Maesteg	142
Pencoed	3
Penybont	2
Penyfai	1
Port Talbot	8
Porthcawl	21
Other	9
Grand Total	**620**

1.80. Table 8 above identifies that only 32% of the pupils attending YGGL are local to Maesteg, with the vast majority (68%) domiciled elsewhere, mostly in Bridgend. Therefore, the concern would be that the parents of those pupils may not, beyond the implementation of the policy, chose a Welsh-medium education for their children knowing that they would not be eligible for free home to school transport post-16. They may therefore determine that an English-medium education would be better give the closer geographical location and larger numbers of English-medium secondary schools within Bridgend.

1.81. In light of this, the proposal presented to Cabinet ensures that the duty of the Local Authority to promote access to education and training through the medium of Welsh contained in section 10 of the Measure is met by this proposal as is the public sector equality duties, in respect of having due regard to the need to eliminate discrimination,

advance equality of opportunity and foster good relations between different people when carrying out its activities.

1.82. Although there is no similar statutory requirement to promote a faith-based education, it is important to note that an identical number of schools are available to learners wishing to attend faith schools as there are Welsh-medium schools. This limited number of schools is again, considered as a barrier to those choosing a faith-based education for their child and as such the protection of post-16 education is considered to be important in ensuring the decision about a child entering faith-based education, is not prejudiced with the knowledge that post-16 transport would not being available in the future.

1.83. The support for constructive diversity in education is at the heart of national and local policy. The duality of a faith and non-faith based system offers learners the opportunity to be educated in accordance with the wishes of them, their parents/carers. This accords with the duty under Article 2 of Protocol 1 of the European Convention on Human Rights (ECHR): 'to respect the right of parents to ensure education and teaching in conformity with their own religious and philosophical convictions'.

1.84. Faith-based education is therefore particularly important, contributing to a more diverse school system within Bridgend, offering greater opportunities for learner and parental choice.

1.85. Therefore the proposal to protect post-16 transport for those learners benefitting from a faith-based education in Bridgend is protected beyond that identified in the Learner Travel (Wales) Measure 2008. However, there are a currently four post-16 learners who are attending the Bishop Of Llandaff Church in Wales High School in Cardiff. This is because there are no Church-in-Wales secondary schools in Bridgend and therefore free home-to-school transport is provided for these learners also. It would therefore be sensible on the basis of the same argument regarding choice of opportunity for learners wishing to pursue a Church in Wales faith-based education, to also protect post-16 transport for these learners.

1.86. The significant concern for pupils who do not benefit from a Welsh-medium or faith-based education, is that the cost implications brought about by this proposal on families, and how they would be able to support their child in attending sixth-form or further education college if they had to pay for transport. Many pupils living close to a secondary school or Bridgend college would not be as disadvantaged as learners in more geographically remote areas eg the valley communities, where access to a secondary school or college is less easy.

1.87. Although, Educational Maintenance Allowance (EMA) provides £30/week support to families who are eligible ie in Wales, a family's income must be below £23,078. Eligibility also depends on how many dependent children there are in a household.

1.88. The issue of cost has been highlighted in the consultation responses with 18.6% stating that the cost would affect the number of pupils continuing with post-16 education.

1.89. 19.4% of respondents felt that the proposal would discourage pupils from choosing post-16 education.

1.90. Pupils also raised similar issues regarding the insufficiency of public transport in the area, the potential negative impact the change will have on their life outside of school, as well as questioning how sufficient the current school facilities are in supporting the introduction of the proposal (eg locker spaces, coat drying areas and facilities to support active travel to and from school).

1.91. Learners were able to select groups of learners who they believed should still receive free post 16 transport if this was to be removed. Respondents were able to select multiple categories with disabled young people and care leavers being the two most chosen categories. Further details on all the consultation responses are available in Appendix 2.

1.92. Post-16 learners attending Bridgend College utilising free transport passes provided by the local authority for the use of First Cymru bus services are identified in Table 9 below, together with the cost of this arrangement:

1.93. Table 9 – Current cost of providing free transport to Post-16 learners at Bridgend College

Bridgend College location	No. of post-16 learners currently eligible of free transport	Annual cost of passes
BRIDGEND	814	£314,500

1.94. Learners attending sixth forms utilise the same buses as those as learners of statutory school age, therefore, the likely savings are difficult to assess as no wholesale removal of specific contracts is possible. Whereas there would be a significant reduction in the number of learners on this transport, there may not be a corresponding reduction in the number of buses. However, this is the anticipated outcome over time. It is estimated that an additional saving of at least £185,500 could be brought about over time on this basis.

1.95. Although there would be an immediate saving to the local authority of the removal of transport for college students, there would likely be a corresponding impact on the numbers of young people not choosing further education. This is because the more geographically distant someone is away from Bridgend College, the likely higher the cost of transport would be. Whereas the local authority has negotiated a flat rate of £2.19/day per student attending the college with First Cymru buses, which is paid by the local authority from the budget identified in Table 9, this rate might not be available to a student acting in their own private capacity as a fare paying individual. However, they could benefit from the one-third reduction in the cost of a fare if they had subscribed to Welsh Government's 'Mytravelpass Cymru' and would also potentially benefit from the aforementioned EMA allowance of £30/week if they were from an eligible household.

1.96. The cost of a daily ticket for learners travelling with the First Cymru is £3.30/day, £14.40/week or £42/month for students age16-21showing a valid 'Mytravelpass'. EMA allowance, can therefore cover this cost but for some learners where the household earning are above the threshold for benefits, such a daily cost may still influence the ability of a family to support their child's further education.

1.97. It could be considered that on this basis, those students living outside of Bridgend town area, in the valleys communities to the north and west of the county borough, would be disproportionately impacted by the removal of free transport provision for Post-16 learners. This is turn could increase significantly the numbers of young people not in education, employment or training (NEET), at a time when the local authority has made significant progress in reducing the number of NEET in to 0.9% (20018/2019) of Year 11 leavers from schools in Bridgend, well below the all Wales average of 1.6%

1.98. Assessment of impact of Proposal 5 - To stop providing free transport for nursery-age pupils (aged three and four-years-old).

1.99. Education for nursery pupils at age 3 or 4 is non-statutory.

1.100. The Learner Travel (Wales) Measure 2008 identifies that local authorities are required to assess the travel needs of learners under the age of five but there is currently no legal duty to provide free or assisted transport arrangements for nursery learners.

1.101. As home-to-school transport for nursery pupils is non-statutory, the local authority provides this by discretion.

Table 10 below identifies the numbers of nursery pupils currently on school transport (big buses).

Table 10: Nursery pupils on school transport - March 2020

School	Nursery Pupils
Dolau Primary School	2
Ogmore Vale Primary School	14
Pencoed Primary School	1
St Mary's and St Patrick's Catholic Primary School	2
St Mary's Catholic Primary School	16
St Robert's Catholic Primary School	11
Ysgol Gyfun Gymraeg Calon Y Cymoedd	10
Ysgol Cynwyd Sant	18
Ysgol Gymraeg Bro Ogwr	9
Ysgol Y Ferch O'r Sgêr	4
Total	**87**

1.102. Recent observations by officers of nursery pupils travelling on buses has identified significant health and safety risks, in particular:

- the pupils were unable to climb the steps of the coach unaided, with the very small nursery children needing help or carrying onto the bus, to prevent them falling backwards off the entrance steps;
- the majority of nursery aged pupils were unable to reach the seat belt strap and had to be assisted by the escort, which is not part of their role; and
- the seat belt straps were laying across the necks of the pupils, not against their shoulders as required.

1.103. The impact on families of the removal of nursery pupils from school transport would create a MTFS saving of a potential £40k per annum as there are insufficient pupils per contract to warrant a significant reduction in vehicle size. However, some seats could be made available as paying places and future retendering of contracts can take into consideration the reduction is capacity brought about by this policy proposal.

1.104. This policy decision therefore should focus on safety first, rather than savings.

1.105. The safety of learners is paramount and therefore, if Cabinet are minded to agree to continue to provide nursery pupils with free home-to-school transport in line with the current policy, the carrying of nursery pupils on big buses should cease. There are in that context, two alternative options that should be considered to improve the safety of nursery learners on big buses, as follows:

- that the operator fits lap belts to their vehicles at considerable expense, which is likely to be passed on the local authority. This is because the design of coach seats does not allow for new statutory required booster seats to be fitted to coach seats. This would also limit transport operator's ability to offer these coaches for private hire work, in-between school runs, which may increase the overall cost of school transport contracts for the local authority;
- that all nursery children are transported in a minibus or taxi, with significant cost and vehicle availability implications.

1.106. There are currently 1527 nursery pupils in Bridgend schools, the 87 currently using school transport represents only 6% of all nursery learners. Although the impact on those families is therefore acknowledged, given the non-statutory nature of their children's education, it is recommended that safety should usurp any other argument as to the need to provide free home-to-school transport to these learners, including similar arguments as per the retention of post-16 transport for those learners attending Welsh-medium or faith schools.

1.107. If Cabinet is minded to determine that the local authority stops providing transport for nursery age pupils because of these significant safety concerns, it is acknowledged that this decision in particular, is likely to impact negatively on Welsh-medium and faith-based education, given the limited number of primary schools in Bridgend. Parents would therefore be required to make their own transport arrangements.

1.108. Given the identified impact, Cabinet could consider the retention of nursery transport to support both Welsh-medium nursery transport alone, or Welsh-medium and faith education, as the issues are similar. This would ensure that the transport needs of pupils seeking a Welsh-medium education or a faith-based education are met from nursery to the end of their post-16 education. Such an arrangement would unlikely provide any significant savings as the majority of nursery transport is dedicated to Welsh-medium and faith-based education. In addition, all future nursery transport would still need to be transferred onto smaller vehicles to address the aforementioned issues.

1.109. Another option, that would potentially reduce this as a burden on parents/carers, would be to offer financial support, as a direct payment, to parents/carers to

transport their own child to nursery. This would only apply to those nursery pupils who reside over the current policy distance of 1.5 miles.

1.110. Some direct payment are already made to parents of pupils with ALN where the local authority, in collaboration with parents, have determined it is in the child's best interest that they transport their own child to school. The current mileage rate is £0.15/mile. This could be increased significantly to the HM Revenue and Customs (HMRC) rate of £0.45/mile. The current annual cost of this arrangement is £10,269. If this new rate was to be introduced, the cost would increase to £30,685 per annum.

1.111. Therefore, based on the new HMRC rate, the annual cost to the local authority based on an example daily mileage distance of an eight mile round trip for the current cohort of nursery pupils on school transport would be £60,000/annum. However, it is likely that parents who do not currently utilise the local authority's free transport, but whose child is currently eligible, would come forward to claim this allowance. Therefore these costs are indicative only and are likely to increase significantly.

1.112. Therefore both the direct payments and the retention of any nursery transport provision, would increase the cost to the local authority, as smaller vehicles would be required to ensure pupil safety. This would require dedicated funding as pupils would be transferred off big buses and placed on smaller vehicles.

Feedback to the Cabinet from Subject Overview and Scrutiny Committees 1 and 2 held on 6 July 2020

1.113. Concern was expressed about the impact of removing nursey pupil transport provision, which could have an impact on the Welsh language, if parents opt to send their child to the nearest English-medium nursery instead of a Welsh Meithrin and then continue with English-medium primary education.

1.114. There is nervousness regarding the proposal to remove escorts from taxis and mini-buses and although the point about drivers being the escort in smaller vehicles was acknowledged, there are concerns about managing issues of bullying.

1.115. Schools will need extra resources to enable them to adapt to following active travel methods of pupils getting to school (eg the provision of secure bicycle storage).

1.116. The clarification of the process for appeal if a parent challenged the safety of a safe and available route to school was welcomed.

1.117. Clarification was welcomed that the local authority would be assessing the needs of learners with ALN and disabilities on an individual basis regarding the provision of transport, however, there is concern that it would be perceived as another assessment for parents to navigate.

1.118. With regards to re-tendering of contracts and budgetary pressures concern is expressed about suggestion in the report that there would be an additional cost brought about by the increase in contract prices, and the scope to retender contracts on a competitive basis to reduce those costs needs to be explored.

1.119. It was questioned whether children of primary school age could safely walk to school within a safe and available route of two miles and how the guidance defines safe and available.

1.120. Clarification that there was no responsibility on the local authority to make arrangements for out-of-county pupils attending its schools, was acknowledged however it was questioned what discussion has there been with other local authorities on cross border harmonisation.

1.121. Clarification of the confusion around the proposal to remove examples from the policy in respect of the local authority's discretionary arrangements and the assurance it had not been significant to skew the consultation, is acknowledged, however this could have been made clearer in the report.

1.122. Concern was expressed regarding the proposal whereby post-16 learners would cease to have a place on home to school transport, to the same location as pre-sixteen learners.

1.123. While the education choice of parents and learners, opting for a Welsh-medium or faith education was supported, it was questioned whether faith and language should be treated differently in transport proposals from that of English-medium education.

1.124. Pupils from disadvantaged areas in the valleys would be discriminated against by the proposals. There is concern that proposals have the potential to discourage those in continuing their studies, in semi-rural locations who are less likely to have bus services and live in potentially more deprived parts of the borough. A wider socio-economic impact assessment of proposed models, needs to be conducted, particularly affecting those in semi-rural and deprived areas of the borough.

1.125. Concern is expressed about the impact of the proposal upon pupils eligible for free school meals, as these would likely find the cost of funding transport more financially burdensome.

1.126. Concern was expressed that the proposal to provide transport to pupils for faith education at a sixth-form voluntary aided school in Bridgend, is discriminatory against Anglican pupils who wish to receive sixth-form education at the Bishop of Llandaff School and the legal position needs to be clarified.

1.127. There was concern that the proposals are discriminatory in respect of faith schools and Welsh-medium schools against maintained schools, given the understanding of the Welsh Language Act was that Welsh should have parity with English and not take precedence or priority, so prioritising transport for Welsh medium schools was not justified.

1.128. Concern is expressed regarding the positive discrimination of travel being provided to faith schools, that there are pupils of faith attending schools not categorised as faith schools, pupils without faith that attended faith schools and there are other faiths not being considered in the proposals accessing faith schools outside of the county area.

1.129. The use of any of £620k recent funding for pedestrian and cycling crossing points and £4m active travel funding upon elements of safe routes to school for those

without them should be explored and highways' officers comments sought upon the impact of the learner travel proposals.

1.130. There is potential for savings to be made from current transport of some pupils on school buses for relatively short distances, by making small investment in small areas of footpath or crossing points and looking at active travel to school. It is recommended that ward members need to be more involved, particularly in terms of active travel as they have local knowledge of these issues.

1.131. When planning applications for new houses, large estates, or schools are submitted, the Education and Family Support Directorate not only need to be involved in consultation on the school but also in the active travel route to that school.

1.132. Concern was expressed over the removal of escorts, given the range of ALN and medical conditions of pupils in specialist transport and clarification was welcomed that the proposal was not to remove escorts form children and young people with ALN and medical conditions, however this could have been made clearer in the report.

1.133. There had been a lack of response regarding what communication had been undertaken with disability organisations.

1.134. Members were concerned that there had not been any significant analysis undertaken in respect of the costs and availability of public transport bus routes at appropriate times for Post-16 pupils in each area, which had been recommended when Home to School Transport had been scrutinised previously.

1.135. Members recommended that the Budget Research and Evaluation Panel (BREP) be requested to explore an alternative way of finding the proposed savings elsewhere.

1.136. Given the number of concerns raised above regarding discrimination, there could be a challenge to the proposals, as in an effort to meet the duty to promote the Welsh language, there may be an unintended consequence in failing to meet the "commencing the socio-economic duty" legislation.

1.137. Independent strategic review of transport

1.138. To support recovery from the current deficit budget position an independent strategic review of transport was commissioned in July 2019 and reported in November 2019

1.139. The scope of the external review has examined potential savings set against the local authority's home-to-school transport budget as well as other Bridgend County Borough Council (BCBC) transport services.

1.140. A cross-directorate group, which included officers from the Education and Family Support Directorate, the Chief Executive's Directorate, the Social Services and Wellbeing Directorate and the Communities Directorate, met to determine the key transport-related issues which might benefit from external review.

1.141. Following a procurement exercise in July 2019, PeopleToo was awarded the contract based on both a technical and commercial assessment of the tender submissions. Three work packages were required to be delivered as part of the review, as follows:

Work Package 1 (WP1) – Consideration of the opportunities available to make strategic amendments to the delivery of transport services within Bridgend

1.142. The purpose of WP1 was to establish and outline the following:

- Whether changes to school catchment area boundaries, taking into consideration the impact on admission arrangements, could support a reduction in the number of pupils eligible for home-to-school transport.

- Whether amendments to the timing of the school days across all Bridgend schools, would ensure that capital assets are maximised (eg through potential sharing of capital assets by schools) and that the timing of the school days of schools supports the most efficient provision of home-to-school transport.

- Whether opportunities exist to make efficiency savings through the enhanced use of existing school minibuses or through the additional provisioning of schools with their own transport facilities.

- Whether the current model of transport services provided by the local authority, in particular the provision by private suppliers to deliver the majority of the local authority's transport provision, is the most cost effective model of service provision.

- Whether there are benefits in bringing the majority of transport provision (in particular education and social care) in-house. This would mean that the majority of education and social care transport provision would be provided by the local authority, served by an in-house fleet, rather than outsourced to the private sector.

- Whether Adult Social Care Day Services who operate a fleet of 19 vehicles can operate more efficiently. Vehicles are positioned strategically and to meet assessed need (eg people with profound learning disabilities/older persons) within the borough. The service relies on a combination of contract transport, in-house transport and community transport to meet the needs of individuals accessing the service. Vehicles are utilised for both in-house transport at the start/end of each day and support pre-planned activity in the wider community as part of an individual's Day Time Opportunity Plan.

- There are currently 21 transport contracts that support delivery of adult services. The current value of contracts is in the region of £210k. The previous spend on transport by the service prior to developing the in-house service was in region of £680k. The service is developing a collaboration agreement with Community Transport to serve the Llynfi/Garw/Ogmore Valleys.

- Consideration of the transport arrangements for looked-after children provided by the local authority. This should include the breadth of ancillary transport services for looked-after children (of both non-statutory and statutory school

age) who rely on local authority-provided transport services (eg for respite care).

Work Package 2 (WP2) – Undertake a full assessment of the current home-to-school transport arrangements in Bridgend.

1.143. WP2 should focus on undertaking an assessment of BCBC's current home-to-school transport provision.

1.144. Provide recommendations of how any efficiencies can be achieved and report on implications of implementing recommendations including associated costs.

1.145. Areas of efficiencies to consider must relate to the assessment undertaken under WP1, but in particular focus on:

- Do nothing (maintain the status quo).
- A full in-house home-to-school transport service.
- Varying of current transport routes to maximise their efficiency.
- Identification of catchment boundary changes (if proposed under WP1) to reduce the number of pupils eligible for free home-to-school transport.
- Explore other ways to deliver transport services (eg best use of vehicles within the Council's ownership (including those in schools) or the collaboration with other councils).

1.146. The provider is expected to assess all BCBC school catchment areas/associated transport routes and is expected, for each recommendation, to outline the most suitable transport required and include evaluations of how specific eligible pupils would be allocated to specific contracts.

1.147. The provider is expected to provide detailed solutions to mitigate negative impacts of implementing each recommendation in line with any statutory legislation, regulations, standards or guidance identified in WP1.

Work Package 3 (WP3) – Undertake a full assessment of the current employee travel expenses arrangement.

1.148. WP2 focuses on undertaking an assessment of BCBC's current employee travel expenses arrangements, with a particular focus on, but not limited to:

- Whether the current mileage rate paid by the local authority to staff should be reconsidered (ie the current rate is 47p per mile for all users, which is above the HMRC rate of 45p per mile for the first 10,000 business miles, then 25p per mile). The total spent on travelling allowances in 2018-2019 was around £1.2m. If the HMRC rate had been applied, this would have generated a saving of around £45k.

- Exploration of the adoption of lease vehicles for staff rather than paying an individual mileage for their own vehicles (ie 'the grey fleet'). This approach is currently adopted by a number of other local authorities across Wales. Such leases may reduce the costs of mileage claimed in certain circumstances although this would depend on the mileage claimed, and as identified by a

number of local authorities, this may not produce a saving if the staff member's time is considered. Therefore, the review should explore in particular the most desirable mileage threshold to trigger the use of a leased fleet vehicle.

1.149. Peopletoo presented its findings in November 2019 and identified potential savings that are both predicated on a policy change (the basis of the learner travel public consultation) and those savings which are predicated on operational changes alone.

1.150. The main findings of the review can be summarised as follows:

- There is currently significant over-provision of home-to-school transport compared with the statutory minimum required by the Learner Travel (Wales) Measure 2008 and the local authority's own Home-to-School/College Transport Policy. If the statutory minimum is introduced, as per the consulted policy proposals, the following savings could potentially be made:
  - 2657 (58%) of all pupils currently taken to schools via bus would be ineligible for free home-to-school transport potentially saving £1.48m per annum.
  - 28 (39%) of all pupils currently taken to school via taxi would be ineligible for free home-to-school transport potentially saving £124k per annum.
  - 71 (51%) of all pupils currently taken to school via minibus would be ineligible for free home-to-school transport potentially saving £139k per annum.

- Therefore, £1.743m could potentially be saved (subject to checks of pupil eligibility as per the availability of a walked route to school) if a policy change was introduced from September 2021, the earliest possible implementation as per the requirements of the Learner Travel (Wales) Measure 2008.

- The independent review has identified a disaggregated approach to the organisation of transport provision within BCBC, with no central co-ordination. Therefore, the review recommends the creation of an Integrated Transport Unit (ITU) for the local authority. The review proposes that existing staff in relevant directorates transfer to a central ITU to maximise the knowledge and skills available to the benefit of all services requiring transport provision for clients. The review recommends that technology (potentially existing and new) should be utilised to improve GIS/route planning and fleet tracking in support of the ITU.

- The local authority does not optimise alternative forms of transport provision for its services as a lower cost alternative to contracting private operators. The review recommends a proactive approach in as much as they become the default position.

Personal transport budgets

1.151. Personal transport budgets should be considered as an alternative to provided home-to-school transport. This would provide parents with the opportunity to

receive a cash lump sum to meet the costs of taking their own children to school. It is proposed that the current mileage rate of 15p/mile (from a pupils home to their school) be increased to 40p/mile (or possibly 45p/mile as per the Her Majesty's Revenue and Customs (HMRC) rate).

Independent travel

1.152. 'Travel training' is seen as an opportunity to provide support to some learners who are currently dependent on the local authority's support for transport, but who would benefit from greater independence in the long term. The review identifies that the broadening of independent travel training could facilitate self-sufficiency and independence of some learners, allowing for both greater independence and financial savings over time.

Travel passes

1.153. The use of travel passes on large school buses and 'section 22' community transport can invoke some savings. Organisations that provide transport on a 'not-for-profit' basis can apply for permits under section 19 or section 22 of the Transport Act 1985 which are subject to the approval of the Traffic Commissioners. Savings can be accrued by the use of travel cards/passes on public transport vehicles for pupils of statutory school age, with the opportunity to transfer approximately 765 secondary school pupils currently on large buses over a three year period onto contracted bus routes at a substantial saving.

1.154. The review has also identified that such an approach could increase the viability of some passenger transport services to the benefit of the wider public.

Social Services transport

1.155. The use of social services transport vehicles, to decrease the reliance on externally provided transport for some pupils, is seen as an opportunity to maximise the use of the capital resources available to BCBC.

Route optimisation

1.156. There is an opportunity for BCBC to improve route optimisation through better route planning and by reviewing catchment areas.

Procurement

1.157. The procurement of externally contracted transport is considered by the review to be 'traditional'. The review proposes a more commercial approach whereby Bravo 'e-auctions' are reintroduced, and taxi frameworks are implemented on a charge per mile basis with better engagement of providers.

Mixed transport provision

1.158. The review identifies that the council should introduce a mixed transport provision across in-house externally contracted and community transport.

1.159. At this stage, local authority officers are unable to verify whether any of the above mentioned findings can be implemented or lead to annualised savings against the learner travel budget. Cabinet will therefore need to consider the findings of the review and determine whether any of the findings should be taken forward for consideration.

5. Effect upon policy framework and procedure rules

5.1 The report does not have any impacts on policy framework and procedure rules..

6. Equality Impact Assessment

6.1 A full EIA accompanies this report (see Appendix 4)

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1

Long-term	Ongoing reliance on the local authority to provide free home-to-school transport where this is not supported by national policy will have a significant impact on the ability of the local authority to support and sustain other critical services long-term. National government policy supports active travel and the reduction in the reliance on private and public transport. Benefits include the reduction in emissions, less dependence on fossil fuels and improvements to health and wellbeing.
Prevention	The proposal to remove discretionary transport is not taken lightly. However, there are current tensions in respect of the inequity in the current policy. The proposal, therefore, is for a public consultation to address the inequity in the local authority's Home to School/College Transport Policy and to ensure that further budget efficiencies.
Integration	The local authority has a strategic role in facilitating the attendance of pupils to school where they are eligible for free home-to-school transport or where it is provided under the discretion of the local authority.
Collaboration	The local authority works closely with schools and pupils to ensure that the needs of learners are taken into consideration in the identification and delivery of transport services.
Involvement	The local authority intends to involve all sectors of society in consulting on its proposals. This will involve sufficient time and resources to fully identify, understand and respond to the issues identified for individuals and their communities.

8. Financial implications

1.1. There are significant potential efficiency savings associated with this public consultation. The pressure on the home-to-school/college transport budget is significant (see Table 1).

1.2. The learner transport budget has reduced by £1.869m from 2014-2015 to 2020-2021 as part of ongoing medium-term financial strategy savings.

1.3. For 2020-2021, there is a school/college transport budget of £5.508m with a projected £395k overspend for the current financial year as at quarter 1. The potential overspend has been mitigated due to savings on 25% of contract values due to the school closures as a result of COVID-19 and without this, the underlying overspend would be £337k higher.

1.4. £906k of recurring corporate funding has been allocated to support the learner transport budget covering the period 2018-2019 to 2020-2021. The increasing pressure of ongoing savings set against an already significant budget reduction since 2014-2015, with increased demand for transport from eligible learners and more costly transport for pupils with ALN in particular, has significantly impacted the ability of the budget to sustain the local authority's own policy requirements.

1.5. Table 11 below identifies the potential savings associated with each of the five policy proposals being put forward for consideration.

Table 11 Approximate savings for learner transport policy proposals

	Proposal	**Potential Savings**
Proposal 1	Withdrawal of transport for all learners benefitting from an available walking routes to school, in line with statutory distances of two miles for primary school-age pupils and three miles for secondary school-age pupils	£200k
Proposal 2	Removal of escorts from all taxis and minibuses of less than eight passengers	£35k
Proposal 3	Removal from the local authority's Home to School/College Transport Policy of specific examples of the special circumstances where the local authority will provide discretionary transport	£0k
Proposal 4	To stop providing free transport for learners aged 16 or over, who go to school or college	£500k
Proposal 5	To remove all transport for nursery pupils	£40k
	Total	£775k

1.6. If the direct payment support for parents of pupils with ALN was increased to the HMRC rate the cost would increase in the region of £20k per annum. If a direct payment support for parents of the current cohort of nursery pupils was introduced, the annual cost to the authority would be a minimum of £60k.

1.7. The external review of transport (with a focus on learner travel) identifies possible savings of £2.37m, which include the savings identified at Table 12 below if Bridgend

reduces its home-to-school transport provision to the statutory minimum and employs a range of operational changes to current practice.

Table 12 – PeopleToo identified potential financial savings and investment requirements

			If Ineligibility Applied				If Ineligibility Not Applied			
Savings Initiative	**Financial Savings - Ineligibility taken in full**	**Financial Savings - Assuming no reductions to Ineligibility**	**2020/21**	**2021/22**	**2022/23**	**Total**	**2020/21**	**2021/22**	**2022/23**	**Total**
Transport - Ineligible Pupils Removed Net Savings	**£1,497,066**	**£0**	**£0**	**£952,678**	**£544,388**	**£1,497,066**	**£0**	**£0**	**£0**	**£0**
Managing Demand:										
Transferring contracted transport in-house 4 vehicles	£171,925	£343,851	£14,945	£121,451	£35,530	£171,925	£29,890	£242,902	£71,059	£343,851
Increase use of Travel Passes	£28,050	£56,100	£8,925	£14,025	£5,100	£28,050	£17,850	£28,050	£10,200	£56,100
Increase use of Personal Travel Budgets	£154,106	£154,106	£23,488	£58,778	£71,840	£154,106	£23,488	£58,778	£71,840	£154,106
Increase Independent Travel Training and In-house training	£198,555	£198,555	£53,255	£73,400	£71,900	£198,555	£53,255	£73,400	£71,900	£198,555
Sub-total Demand Management	**£552,636**	**£752,612**	**£100,613**	**£267,654**	**£184,370**	**£552,636**	**£124,483**	**£403,130**	**£224,999**	**£752,612**
Improved Procurement of Contracted Transport	**£156,277**	**£725,000**	**£99,449**	**£56,828**	**£0**	**£156,277**	**£461,364**	**£263,636**	**£0**	**£725,000**
Replace externally hired vehicles with in-house	**£83,500**	**£83,500**	**£83,500**			**£83,500**	**£83,500**			**£83,500**
Route Optimisation	**£80,500**	**£181,500**	**£0**	**£0**	**£80,500**	**£80,500**	**£0**	**£0**	**£181,500**	**£181,500**
Total Gross Savings	**£2,369,979**	**£1,742,612**	**£283,562**	**£1,277,160**	**£809,257**	**£2,369,979**	**£669,346**	**£666,766**	**£406,499**	**£1,742,612**
Investment required										
Route planning and optimisation software (capital)	-£25,000	-£25,000	-£25,000			-£25,000	-£25,000			-£25,000
Fleet Tracking	-£22,000	-£22,000	-£18,000	-£2,000	-£2,000	-£22,000	-£18,000	-£2,000	-£2,000	-£22,000
GIS Mapping Training and development	-£10,000	-£10,000	-£10,000			-£10,000	-£10,000			-£10,000
Total Net Savings	**£2,312,979**	**£1,685,612**	**£230,562**	**£1,275,160**	**£807,257**	**£2,312,979**	**£616,346**	**£664,766**	**£404,499**	**£1,685,612**

1.8. Some investment is required (c. £57k) for technology and training to support some aspects of the independent findings of the review.

1.9. It is important to note that these figures are as presented by PeopleToo. Further validation of these figures will be undertaken in due course.

9. Recommendation(s)

1.10. It is recommended that Cabinet:

- withdraw the transport for all learners benefitting from an available walking route to school now identified as available following formal assessment since March 2017, in line with statutory distances of two miles for primary school-age pupils and three miles for secondary school-age pupils, including the removal of sibling protection and the removal of the in-receipt protection as afforded to learners in September 2016;

- remove escorts from all taxis and minibuses of less than eight passengers, other than those transporting learners with additional learning needs or where a local authority assessment of the needs of the learners has identified the appropriateness of an escort;

- remove from the local authority's Home to School/College Transport Policy of specific examples of the special circumstances where the local authority will provide discretionary transport;

- stop providing free transport for learners aged 16 or over, who go to school or college other than those pupils who attend a Welsh-medium sixth-form at a school within Bridgend or who wish to pursue a faith-based education in the nearest suitable voluntary aided school;

- stop providing free transport for nursery-age pupils (aged three and four-years-old); and

- consider the outcome of the independent strategic review of transport and the approach required to implement any aspect of the review.

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Appendices

Appendix 1 - Learner Travel Consultation Document, October 2019
Appendix 2 - Learner Travel Consultation Report, February 2020
Appendix 3 - Learner Travel Consultation, Emerging Themes
Appendix 4 - Equalities Impact Assessment

Background documents

An Independent Review of Bridgend County Borough Councils' Transport Arrangements