

Meeting of:	CABINET
Date of Meeting:	12 MARCH 2024
Report Title:	HOME-TO-SCHOOL/COLLEGE TRANSPORT POLICY
Report Owner / Corporate Director:	CORPORATE DIRECTOR OF EDUCATION AND FAMILY SUPPORT
Responsible Officer:	ROBIN DAVIES GROUP MANAGER BUSINESS SUPPORT
Policy Framework and Procedure Rules:	There is no effect upon the policy framework or procedure rules.
Executive Summary:	This report seeks Cabinet approval to progress a full public consultation on proposals to amend the local authority's Home-to-School/College Transport Policy to support the identified medium-term financial strategy efficiency savings of £792k in the 2025-2026 financial year.

1. Purpose of Report

- 1.1 The purpose of this report is to seek Cabinet approval to begin a public consultation on proposed changes to the local authority's Home-to-School/College Transport Policy.

2. Background

- 2.1 The local authority has a statutory duty under the Learner Travel (Wales) Measure 2008 ('the Measure') to make suitable transport arrangements to facilitate the attendance of children each day at the relevant places where they receive their education or training subject to specific requirements This is primarily achieved via the contracting of home-to-school transport services from the private sector. Eligibility for pupils and Post-16 learners to be in receipt of free home-to-school/college transport is governed by the local authority's Home-to-School/College Transport Policy.

- 2.2 Under the Measure, local authorities must:

- assess the travel needs of learners in their authority area;
- 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;
- 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;
- assess and meet the needs of 'looked after' children in their authority area;
- promote access to Welsh-medium education;

- promote sustainable modes of travel; and
- where learners are not entitled to free transport, local authorities have the power to provide transport on a discretionary basis.

- 2.3 In September 2015, Cabinet determined changes to the local authority's Home-to-School/College Transport Policy to meet the Medium-Term Financial Strategy (MTFS) efficiency savings identified from 2016-2017 to 2019-2020. The policy change was implemented in September 2016.
- 2.4 Changes to policy eligibility were based on statutory distances laid down in the measure of two miles for primary school pupils and three miles for secondary school pupils.
- 2.5 Cabinet was not minded to remove the discretionary arrangements for Post-16 learners, who would continue to benefit from home-to-school/college transport at the three-mile distance (the same as secondary school pupils in statutory education).
- 2.6 However, the policy included 'in-receipt' and the 'sibling rule' entitlement (explained below), which has meant that, year-on-year, the number of pupils the policy change has applied to (and consequently, any efficiency savings), has been relatively small.

In-receipt entitlement

- 2.7 This applies where pupils benefitting from eligibility for free home-to-school transport under the former policy eligibility, prior to the policy change in September 2015, would retain their more favourable eligibility under the former policy arrangements until they left the current phase of education (primary or secondary) or moved to another school.

Sibling rule entitlement

- 2.8 The 'in receipt' eligibility under the pre-2015 policy, as described above, has been able to be passed-on by one sibling to another where the younger sibling started at the same school as their older sibling. This rule has benefitted families with larger numbers of siblings attending the same school.
- 2.9 The 'in-receipt' entitlement has since all but receded naturally, as pupils have aged and either transitioned from primary to secondary education or have left school naturally at the end of either Year 11 or Year 13. However, the 'sibling rule' entitlement persists, where many pupils have a more generous offer for school transport based on the eligibility passed down to them by their older siblings (who were attending the same school) under the former more generous (pre-2016) policy arrangements.
- 2.10 This has caused some discontent among some families, in particular those with just one child, and there have been several complaints to the local authority over many years regarding the inequity associated with this policy arrangement. Many older pupils currently benefit from a more generous school transport offer than pupils several years younger than them, who are not eligible for free home-to-school transport under the current policy.

- 2.11 In Bridgend, the term 'nearest suitable school' applies to the local catchment area school and this can be an English-medium, voluntary aided (VA), voluntary-controlled or maintained special schools. For Welsh-medium schools, there are no catchment areas and eligibility for free home-to-school transport is predicated on the school being the closest to the pupil's home.
- 2.12 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 those who are not of statutory school age, and this includes nursery aged children as well as Post-16 learners.
- 2.13 The Learner Travel Statutory Provision and Operational Guidance 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.
- 2.14 The Measure and Statutory Provision and Operational Guidance also provide guidance on circumstances in which local authorities may choose to make their own discretionary arrangements as well as how these may be removed.
- 2.15 The local authority's Home-to-School/College Transport Policy is closely aligned with the local authority's School Admissions Policy, although it does not form part of the admission arrangements. Nevertheless, the local authority's Home-to-School/College Transport Policy will be a material consideration in respect of the choice of school for many parents/carers and is therefore detailed in the local authority's Admissions Policy and the accompanying 'Starting School' booklet for parents.

3. Current situation/proposal

- 3.1 The final MTFS 2024-25 to 2027-28, presented to Council on 28 February 2024, includes a saving of £792k for 2025-26 in respect of the current Home-to-School/College Transport Policy.
- 3.2 Although there have been significant savings following the policy change approved by Cabinet in September 2015, changes in demographics and demand, especially post-pandemic, have meant that additional budget growth has been necessary to support the learner transport budget.
- 3.3 Cabinet previously approved a full 12-week public consultation on proposed amendments to the local authority's Home-to-School/College Transport Policy in September 2014. The outcome of this consultation was reported in September 2015. More recently, in July 2019 Cabinet was minded to approve a 12-week public consultation on the following proposals:
- 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 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.

3.4 However, in September 2020, following the reporting of the outcome of that 12-week consultation, Cabinet determined that the recommendations regarding statutory distances to schools, *'be deferred and that details of the August 2020 Welsh Government announcement regarding its review of the statutory limits for learner travel be awaited, in order that the local authority can consider in the round how we align Bridgend County Borough Council guidelines with Welsh Government funding proposals and statutory limits.'*

3.5 However, the review by Welsh-Government has not been forthcoming and it is now proposed that the local authority progress proposals to address the aforementioned MTFs savings independently of any awaited national policy agenda change.

3.6 It is therefore proposed that a new full 12-week consultation for further amendments to the local authority's Home-to-School/College Transport Policy be considered to commence in March 2024. Such a consultation should take into consideration the following legislative context.

Statutory responsibility to consult

3.7 Section 6 of the Learner Travel (Wales) Measure 2008 gives local authorities the power to make any arrangement they think fit to facilitate the travel of learners to and from a place where they receive education or training. The power applies in relation to a learner living or studying in the authority's area.

3.8 If a local authority chooses to make use of the section 6 power to provide discretionary transport arrangements, the local authority also has the power to remove this provision at a later date. In doing this, the authority should follow the correct procedures for withdrawal of transport provision in line with relevant policies and protocols.

Conformity with national and local guidance

3.9 It is important that pupils are actively engaged with, on policy proposals, so that they are fully able to exercise their Article 12 right as outlined in The United Nations Convention on the Rights of the Child (UNCRC).

3.10 Article 12 identifies that children have the right to say what they think should happen and have their opinions considered. The convention encourages adults to listen to the opinions of children and involve them in decision-making process.

3.11 However, the convention recognises that the level of a child's participation in decisions must be appropriate to the child's level of maturity. A child's ability to form and express their opinions develops with age and therefore it is considered important that support from schools is important, to articulate the proposals to pupils in a way that they would understand.

Conformity with Bridgend County Borough Council's consultation and engagement guidelines

- 3.12 The local authority's own consultation and engagement toolkit which was adopted in August 2014 provided a framework from which we developed our approach to consultation. An opportunity to respond to the survey and engage with the Council on how the public could share their views, is only delivered within the reasonable usage of the resources available. It is proposed that several community engagement events will need to be arranged to support the consultation. These will be attended by senior managers, giving the opportunity for all interested parties the opportunity to engage.
- 3.13 All documentation will need to be written in clear English, with Welsh language versions available together with other alternatives available on request including large print and braille. A letter outlining the consultation and inviting views on the proposals will be sent to every parent of every child attending all schools in Bridgend, and to those learners in Bridgend and other colleges. An electronic survey will be made available at libraries, and the survey will also receive promotional support via the use of local newspapers and social media (in particular, on Facebook and X (formerly Twitter)).

Conformity with the National Principles for Public Engagement in Wales

- 3.14 There will be opportunity for the public to engage with officers at the planned public engagement sessions. Pupils will be encouraged to respond to the consultation with support from schools and specialist local authority officers, explaining how important their contribution will be to the consultation exercise, and that they could influence any decision in respect of the policy.
- 3.15 There will be engagement with a number of organisations including all Bridgend schools, including school councils, Bridgend College, councillors, regional MSs, local MPs, the First Minister, town and community councils, neighbouring councils, Estyn, school governing bodies, headteachers and all Public Service Board members, including South Wales Police. Furthermore, there will be engagement with Rhieni dros Addysg Gymraeg (RhAG), the Archdiocese of Cardiff, the Diocese of Llandaff, the Church in Wales, and Roman Catholic Church.
- 3.16 The consultation will be jargon free, appropriate, and understandable across a wide range of audiences. Information will be made available in a variety of formats and bilingually. Irrelevant information will not be presented, merely that pertinent to the proposals.
- 3.17 There will be a full range of opportunities to engage, in particular the public engagement events.
- 3.18 Based on previous experience of progressing similar consultation exercises on proposed changes to the Home-to-School/College Transport Policy, it is proposed that three engagement sessions are held in a suitable school in the north and south of the county borough and at Bridgend College.

- 3.19 It is not proposed that prescriptive public meetings be held as these are often unhelpful as they do not allow for parity of engagement. The open format of the proposed engagement events is planned to help participating members of the public to understand our proposals. This proposal is based on experience, given that many attendees at public meetings do not always have an opportunity to engage fully or feel able to ask questions.
- 3.20 These engagement events will focus on obtaining the views of the public on specific issues, and also in improving the general understanding of our proposals and their possible impact for individuals and communities.

Conformity with the National Children and Young People's Participation Standards for Wales

- 3.21 There are seven national standards that organisations working with children and young people should aim to meet so that children and young people have a good experience of participation. These standards promote the participation of children and young people in making decisions, planning, and reviewing any action that will affect them.
- 3.22 The seven standards and how we meet the requirements of each one in respect of consultation approach are as follows:

Information - which is easy for children and young people to understand

We will ask children and young people to take part in the consultation and we will make the information presented easy for them to understand. We will send out information in a variety of forms as identified earlier. We will talk to children and young people from school councils and the Bridgend Youth Forum.

It's your choice - enough information and time to make an informed choice

We will ensure that through the consultation children and young people know what they are being asked to engage in.

No discrimination - every child and young person has the same chance to participate

We will ensure that all young people from all backgrounds will be able to access relevant information and that it will be appropriately presented. We will treat children and young people with equal status as adults, especially in this particular scenario as the policy proposal impacts upon them as individuals.

Respect - Your opinion will be taken seriously

We will request children and young people's views on what is proposed. We will record what children and young people say and we will ensure that there are a variety of channels of communication and opportunities available, so that children and young people can provide their views on the proposals.

You get something out of it - You will enjoy the experience

In our consultation meetings we will welcome, value, and respect the attendance and engagement by children and young people and respond to each question and query independently.

Feedback - You will find out what difference your opinion has made

The consultation report will be published following the consultation.

Improving how we work - Adults will ask you how they can improve how they work

We will incorporate lessons learned from our engagement with young people to ensure there are opportunities for the voices of our young people continue to be heard in respect of future proposals.

Conformity with Bridgend County Children and Young Person's Charter

- 3.23 The Charter is based on the United Nations Convention on the Rights of the Child (UNCRC) to promote and safeguard the rights and interests of all children and young people within Bridgend County. A full Equalities Impact Assessment (EIA) will accompany the consultation report that will be provided to Cabinet following the proposed consultation exercise. This will contain a summary of all 42 articles in the UNCRC although some are more relevant than others. There is no expectation in respect of the Charter that the entire convention and its relevance to the policy under review are fully understood.
- 3.24 The Council, through consideration of this charter, works to the principle of 'Best interest'. However, this does not mean that any negative decision would automatically be overridden, although it does require the local authority to examine how a decision has been justified and how the local authority would mitigate against the impact (in the same way as any other protected group).

Conformity with Paragraph 12 of the Children and Families (Wales) Measure 2010

- 3.25 Paragraph 12 of the Children and Families (Wales) Measure 2010 states that a local authority must make such arrangements as it considers suitable to promote and facilitate participation by children in decisions of the authority which might affect them.
- 3.26 There will be a number of opportunities, in particular through community engagement, to ensure participation by pupils.

Considering the effects of the policy proposal on the Welsh language

- 3.27 The Welsh Language (Wales) Measure 2011 makes provision about promoting and facilitating the use of the Welsh language and treating the Welsh language no less favourably than the English language.
- 3.28 The Welsh Language Measure also makes provision about standards relating to the Welsh language.
- 3.29 The Measure provides that the local authority, in its proposals to change a policy, considers one or more of the following:

- what effects, if any, (whether positive or adverse) the policy decision would have on opportunities for other persons to use the Welsh language, or treating the Welsh language no less favourably than the English language;
- how the decision could be made so that the decision has positive effects, or increased positive effects, on opportunities for other persons to use the Welsh language, or treating the Welsh language no less favourably than the English language; and
- how the decision could be made so that the decision does not have adverse effects, or has decreased adverse effects, on opportunities for other persons to use the Welsh language or treating the Welsh language no less favourably than the English language.

- 3.30 The local authority will consider and identify all the possible effects the policy proposal may have on opportunities for persons to use the Welsh language or treating the Welsh language no less favourably than the English language.
- 3.31 Therefore, the local authority will consider relevant evidence, in order to understand the likely or actual effect of the policy decision on the Welsh language.
- 3.32 The local authority's statutory duty to promote the Welsh language is enshrined in the above-mentioned Welsh Language (Wales) Measure 2011.
- 3.33 It is considered that if free home-to-school transport is removed for nursery and Post-16 learners, given the limited geographical choice of Welsh-medium schools in the county borough that is, one secondary and four dispersed primary schools, a parent/carer considering placing their child into Welsh-medium education may choose not to proceed on the basis of the loss of free transport.
- 3.34 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 previous public consultations on this matter clearly identified concerns associated with the availability of transport, with parents/carers and pupils stating they would potentially not progress into sixth form in particular if free transport was removed.
- 3.35 Part of the local authority's duty is to ensure that the provision of learner transport complies with section 10 of the Learner Travel (Wales) Measure (2008), that is, "to promote access to education and training through the medium of Welsh". This is further strengthened through Welsh Government's strategy for Welsh-medium education.
- 3.36 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".
- 3.37 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 school provision, and to institutions providing further education and nursery education, when exercising functions under the Learner Travel (Wales) Measure 2008”.

- 3.38 The strategic aims and key outcomes set out in the local authority’s Welsh Education Strategic Plan (WESP) is that our provision of Welsh-medium education and support for the teaching of the Welsh language is strong. The WESP is also explicit that the local authority fully complies with the requirements of the Learner Travel (Wales) Measure (2008) and that currently it exercises discretion with regards to distance criteria.
- 3.39 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.
- 3.40 This is an important consideration in respect of access to any Welsh-medium school. Consequently, the local authority recognises in progressing these proposals the need to support and promote the growth of the Welsh language and therefore the proposals do not include any policy change on the provision of home-to-school transport for pupils attending their nearest suitable Welsh-medium school within Bridgend.

Faith-based education

- 3.41 Unlike the Welsh language, there is no statutory requirement to promote a faith-based education. However, it is important to note that an identical number of schools are available to learners wishing to progress a faith-based education, as there are Welsh-medium schools. This limited number of schools is considered as a barrier to those choosing a faith-based education for their child and as such the protection of both nursery and 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 be available in the future.
- 3.42 The support for constructive diversity in education is at the heart of national and local policy. The duality of a faith and non-faith, offers learners the opportunity to be educated in accordance with the wishes of them and 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’.
- 3.43 Faith-based education is therefore particularly important, contributing to a more diverse school system within Bridgend, offering greater opportunities for learner and parental choice. This extends to both Catholic and Church-in-Wales faiths and as such, even though there are no Church-in-Wales secondary schools in Bridgend, pupils attending the nearest suitable Church-in-Wales secondary school (that is the Bishop of Llandaff Church in Wales High School) will also retain eligibility for free home-to-school transport, including at Post-16.

- 3.44 Therefore, the following policy amendments to the local authority's current Home-to-School/College Transport Policy, are proposed.
- 3.45 The local authority's current Home-to-School/College Transport Policy includes significant discretionary arrangements. These discretionary arrangements are unsustainable both financially, and from the perspective of there being significantly less capacity in the current and future transport market to support the discretion offered by the local authority since the pandemic.
- 3.46 Therefore, it is recommended that Cabinet consider the following discretionary elements of the local authority's Home-to-School/College Transport Policy to both support the requirements for greater efficiency savings and to help address the ongoing pressure for school transport vehicles in respect of increasing statutory eligibility by creating free capacity across the sector.
- 3.47 In proposing a new public consultation, the main aim will be public engagement, in particular, pupils and their immediate families, to attempt to ascertain their views and what might be the impact on them if the proposed changes to the local authority's Home-to-School/College Transport Policy were implemented.

Withdrawal of transport for all learners benefitting from an identified and available (safe) walking route to school in line with statutory distances of two miles for primary school pupils and three miles for secondary school pupils

- 3.48 The local authority is satisfied that it has identified all the safe walking routes to schools in accordance with the Learner Travel (Wales) Measure and the Learner Travel Statutory Provision and Operational Guidance. The local authority's current Home-to-School/College Transport Policy states that, "As routes are reviewed, provision may be withdrawn where for example, identified hazards have been mitigated against."
- 3.49 There remain a significant number of pupils benefitting from free home-to-school transport where previously there was no assurance of the availability of an available (safe) walking route to school. Some pupils therefore receive free home-to-school transport even though they reside less than 500m from their school, as for these pupils, the local authority has previously determined not to invoke the above-mentioned policy arrangement and remove transport from them at this time.

Removal of 'sibling' and 'in-receipt' protection for pupils

- 3.50 This policy proposal will remove the inequity caused by the implementation of both the 'in-receipt' and 'sibling protection' elements of the current policy. There are approximately 340 pupils currently in receipt of free home-to-school transport who benefit from this policy exception. This policy arrangement has been the subject of significant challenge from parents/carers regarding its equity as it favours larger families and is detrimental to families with only one child. It often means that pupils entering Reception or Year 7 without older siblings in the same school are ineligible for free school transport. However, their peers, with older siblings in the same school, are eligible, as their siblings have passed down eligibility that preceded the 2016 policy change protecting those 'in receipt' of the former policy distances of two miles for primary school pupils and three miles for secondary school pupils.

Removal of transport for Nursery pupils

- 3.51 Home-to-school transport for Nursery pupils is non-statutory. The local authority provides this by discretion. In September 2020 Cabinet determined to retain this policy discretion and continue to provide Nursery transport to pupils residing over 1.5 from home-to-school attending their nearest suitable primary school. Observations by officers of Nursery pupils travelling on buses had identified significant health and safety risks principally associated with the age of the pupils travelling. However, Cabinet was minded not to remove this eligibility but to retain transport for Nursery pupils. However, Cabinet requested that officers 'move urgently to explore suitable mitigation in order to combat the risks'. Therefore, since 2021, all Nursery pupils have been transported on smaller taxi and minibus vehicles.
- 3.52 The current proposal seeks to remove this discretion given that Nursery education is non-statutory. Nevertheless, it is important to identify the local authority's duty to support Welsh-medium education and also faith-based education as identified in paragraphs 3.26-3.44 above. Therefore, for Welsh-medium schools and faith schools, it is proposed that the provision will be retained.

Removal of all Post-16 transport

- 3.53 There is no statutory duty to provide free transport for Post-16 learners to school or college. Pupils attending sixth forms in secondary schools benefit from transport from home-to-school under the same distance criteria as pupils of statutory school age (that is, those living more than three miles from home to the nearest suitable (catchment) school receive free home-to-school transport). Similarly, those attending further education colleges receive free home-to-college transport to the closest college offering the first course of their choice as full-time study if they live over three miles from home-to-college. Sixth form pupils utilise the school buses provided for eligible pupils of statutory school age, while college learners are provided with free bus passes to make use of public service vehicles.

The offer to parents/carers of pupils with additional learning needs (ALN) the option of a 'personal transport budget'

- 3.54 Transport budgets are a way of ensuring that pupils with ALN are provided with home-to-school transport that meets their needs by their parents/carers. Such a budget would provide financial support to parents/carers on an individual basis as an offer for them to arrange their own transport to school for their child. The offer would not be mandatory, but as an offered alternative to local authority provided home-to-school transport. The offer would apply to pupils with ALN on dedicated or shared transport (for example, a special taxi or special minibus).
- 3.55 As some pupils often have very complex needs, in particular, those with medical conditions, it has become more difficult for the local authority to source suitable transport. Many transport operators have a limited number of suitable vehicles (for example, those with wheelchair accessible tail-lifts and/or suitably trained and experienced staff).
- 3.56 It is proposed that parents/carers would be offered the (current) Her Majesty's Revenue and Customs (HMRC) mileage rate of 45p per mile for the journey to and from school (for journeys up to 10,000 miles). For example, if the distance from

home-to-school was 5 miles, the daily personal transport budget would be in respect of 10 miles and therefore the personal transport budget would be £4.50 per day.

- 3.57 It is proposed that this offer would apply to all ALN on special taxis and minibuses equally regardless of the likelihood of this proposal invoking a saving to the local authority. For example, if the current daily rate of transporting three ALN pupils to a primary school learning resource centre is £120, it is possible that the personal transport budget offer, if taken up by only two of the three parents/carers, would invoke additional costs. This is because it would still be the responsibility of the local authority to transport the third child to school at the same likely cost of £120 per day. Therefore, while there may be some efficiency savings across the sector in proposing this approach, these are not guaranteed. However, the proposal could potentially create large numbers of vacant seats that would be available to support the transport needs of other pupils with statutory eligibility for free home-to-school transport.
- 3.58 It is important to note that any personal tax implications would be the responsibility of any parents/carers wishing to accept this offer.
- 3.59 Table 1 below provides a summary of the proposed policy changes as they apply to the current Home-to-School/College Transport Policy.

Table 1 Current and proposed learner travel policy arrangements

Transport for Post-16 students		
Pupil/learner type	Current arrangement	Proposed arrangement (from September 2025)
<p>Post-16 learner (English-medium) Attending Bridgend College or the nearest college offering the first course of full-time study.</p>	<p>Free home-to-college transport provided over three miles from college or where there is no available walking route. This is normally provided via a public service bus pass).</p>	<p>No home-to-college transport provided.</p>
<p>Post-16 learner (English-medium) Attends sixth form at:</p> <ul style="list-style-type: none"> • Brynteg School • Pencoed Comprehensive School • Cynffig Comprehensive School 	<p>Free home-to-school transport provided over three miles from school, or where there is no available walking route.</p> <p>This is normally provided via a contracted school bus, minibus, or taxi.</p>	<p>No home-to-school transport provided.</p>

Transport for Post-16 students		
Pupil/learner type	Current arrangement	Proposed arrangement (from September 2025)
<ul style="list-style-type: none"> • Porthcawl Comprehensive School • Coleg Cymunedol Y Dderwen • Maesteg School • Bryntirion Comprehensive School 		
<p>Post-16 learner (Welsh-medium)</p> <p>Attends sixth form at Ysgol Gyfun Gymraeg Llangynwyd</p>	Free home-to-school transport provided over three miles from school, or where there is no available walking route.	No change.
<p>Post-16 learner (faith-based education)</p> <p>Attends sixth form at Archbishop McGrath Catholic High School or Bishop of Llandaff Church in Wales High School.</p>	Free home-to-school transport provided over three miles from school.	No change.
<p>Post-16 learner with ALN in specialist provision</p>	<p>Free home-to-school transport provided if over three miles from school, or where there is no available walking route.</p> <p>Free home-to-school transport also provided at the discretion of the local authority based on the individual needs of learner.</p>	Free home-to-school transport provided at the discretion of the local authority following an assessment of the needs of the individual learner.
<p>Post-16 learner with ALN not in a specialist provision</p>	Free home-to-school transport provided over three miles from school or	Free home-to-school transport provided at the discretion of the local authority following an assessment of the needs of the learner.

Transport for Post-16 students		
Pupil/learner type	Current arrangement	Proposed arrangement (from September 2025)
	where there is no available walking route.	

School transport for secondary school pupils		
Pupil/learner type	Current arrangement	Proposed arrangement (from September 2025)
<p>Secondary school pupil (English-medium, Welsh-medium, and faith-based education)</p> <p>Age 11-16</p> <p>Attends a secondary school which is their nearest suitable school, and they live over three miles from the school or there is no available walking route exists.</p>	<p>Free home-to-school transport is provided.</p> <p>Free transport is provided to the siblings of pupils who previously had protection under the former Learner Travel Policy of eligibility for free transport over two miles from home to their nearest suitable school.</p>	<p>Removal of the 'sibling rule' so all pupils are equally eligible (that is, where they live over three miles from their nearest suitable school).</p>

School transport for primary school-age pupils		
Learner type	Current arrangement	Proposed arrangement (from September 2025)
<p>Primary school pupil (English-medium, Welsh-medium, and faith-based education)</p> <p>Age 5-11</p> <p>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.</p>	<p>Home-to-school transport is provided.</p> <p>Free transport is provided to the siblings of pupils who previously had protection under the former Learner Travel Policy of eligibility for free transport over 1.5 miles from home to their nearest suitable school.</p>	<p>Removal of the 'sibling rule' so all pupils are equally eligible (that is, where they live over 2 miles from their nearest suitable school).</p>

School transport for primary school-age pupils		
Learner type	Current arrangement	Proposed arrangement (from September 2025)

Transport for Nursery pupils		
Learner type	Current arrangement	Proposed arrangement (from September 2025)
<p>Nursery pupil (English-medium)</p> <p>Age 3-4</p> <p>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.</p>	Home-to-school transport is provided.	No home-to-school transport provided.
<p>Nursery pupil (Welsh-medium and faith-based education)</p> <p>Age 3-4</p> <p>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.</p>	Home-to-school transport is provided.	No change.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected characteristics, on socio-economic disadvantage or the use of the Welsh Language as a result of this consultation. It is therefore not necessary to carry out a full EIA on this policy or proposal.
- 4.2 However, a full EIA will accompany any recommendations to Cabinet following the conclusion of the consultation.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 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 budget efficiencies are made.
- 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 parents/carers to ensure that the needs of pupils/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.

6. Climate Change Implications

- 6.1 The local authority is projected to spend approximately £9.862m in 2023-2024 financial year on home-to-school transport. The use of private transport for this purpose is therefore a significant contributor to carbon emissions as 317 individual home-to-school transport contracts currently operate daily.

6.2 The proposals contained in this report will add to the local authority reductions of carbon emissions from private transport operators, but more widely, may increase journeys by the public and consequently carbon emissions from parents/carers. Nevertheless, the local authority promotes the use by school transport operators of ultra-low or zero emission vehicles in the procurement of school transport contracts and this will continue to be an important agenda in delivering home-to-school transport arrangements moving forward.

7. Safeguarding and Corporate Parent Implications

7.1 The Home-to-School/College Transport Policy is aligned with the local authority's Corporate Parenting Strategy and provides dedicated transport support to care experienced/looked-after children on a case-by-case basis.

8. Financial Implications

8.1 The learner transport budget has been under significant financial pressure for many years. Home-to-school/college transport spend has increased from £6.021m at the end of 2020-2021 to a projected £9.827m at end of 2023-2024. However, the 2023-2024 budget is currently £8.625m.

8.2 Therefore, while there has been additional annual budget growth, 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 ALN and those looked after by the local authority. Since the pandemic, the transport market has been depressed with significantly higher prices year-on-year. Even with the significant increase in budget between 2020-2021 and 2023-2024, there is still a projected overspend of £1.2m at the end of the 2023-2024 financial year.

8.3 Table 2 below summarises the proposals being put forward for consideration and the associated potential annual MTFS savings.

8.4 It is important to note, that if following the aforementioned public consultation, Cabinet is minded to accept any or all of these proposed policy changes, the changes must be published by 1 October 2024, to be implemented from the start of the 2025-2026 school year in September 2025, as per the requirements of the Learner Travel Information Regulations 2009.

Table 2 Approximate annual savings for learner transport provision

Proposal	Potential annual savings
Withdrawal of legacy transport for all learners benefitting from an identified and available (safe) walking route to school, to fall in line with the statutory distances of 2 miles for primary school-age pupils and 3 miles for secondary school-age pupils.	£200k
	£300k

Removal of legacy 'sibling' protection for pupils.	
Removal of all transport for nursery pupils (excluding pupils attending their nearest suitable Welsh-medium or faith school).	£30k
Removal of all Post-16 transport (excluding pupils attending the following schools: <ul style="list-style-type: none"> • Ysgol Gyfun Gymraeg Llangynwyd; • Archbishop McGrath Catholic High School; and • The Bishop of Llandaff Church in Wales High School. 	£500k
The offer to parents/carers of pupils with additional learning needs (ALN) the option of a 'transport budget' providing a mileage allowance of £45p per mile	Unknown. Dependent on take-up of offer.
Total potential savings	£1.03m

9. Recommendation

9.1 Cabinet is recommended to approve a 12-week consultation on the following proposals:

- Withdrawal of legacy transport for all learners benefitting from an identified and available (safe) walking route to school, to fall in line with the statutory distances of two miles for primary school-age pupils and three miles for secondary school-age pupils.
- Removal of legacy 'sibling' protection for pupils.
- Removal of all transport for nursery pupils (excluding pupils attending their nearest suitable Welsh-medium or faith school).
- Removal of all Post-16 transport excluding pupils attending the following schools:
 - Ysgol Gyfun Gymraeg Llangynwyd;
 - Archbishop McGrath Catholic High School; and
 - The Bishop of Llandaff Church in Wales High School.
- The offer to parents/carers of pupils with ALN the option of a 'personal transport budget' providing a mileage allowance of 45p per mile.

Background documents

None

