

Meeting of:	SUBJECT OVERVIEW AND SCRUTINY COMMITTEE 1
Date of Meeting:	18 JULY 2024
Report Title:	LEARNER TRAVEL CONSULTATION OUTCOME
Report Owner / Corporate Director:	CORPORATE DIRECTOR (EDUCATION, EARLY YEARS AND YOUNG PEOPLE)
Responsible Officer:	ROBIN DAVIES GROUP MANAGER (STRATEGY, PERFORMANCE AND SUPPORT)
Policy Framework and Procedure Rules:	There is no effect upon the policy framework or procedure rules.
Executive Summary:	The outcome of the public consultation on proposals to amend the current Home-to-School/College Transport Policy

1. Purpose of report

1.1 The purpose of this report is to:

- inform Subject Overview and Scrutiny Committee 1 (SOSC1) of the outcome of the public consultation in relation to the local authority's Home-to-School/College Transport Policy; and
- for SOSC1 to consider and agree any recommendations it may wish to make to Cabinet when it meets to consider the matter on 23 July 2024.

1.2 Given the timings of this meeting and the meeting of Cabinet on 23 July 2024, the Chair of SOSC1 has agreed to make a verbal presentation to Cabinet in respect of any recommendations forthcoming from SOSC1, which are consistent with the committee's challenge and support role in light of the proposals and the consultation responses.

1.3 Therefore, this report provides feedback on the outcome of the public consultation on proposals to amend the local authority's current Home to School/College Transport Policy. The public consultation prompted over 1000 responses from the public and from learners. The results are a product of an online survey and four public meetings, as well as bespoke consultation meetings/events with both primary and secondary school pupils. The analysis of the survey results is presented in the consultation report (see Appendix 2).

1.4 The proposals that were consulted upon are 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 legacy 'sibling' protection for pupils.

Proposal 3

Removal of all transport for nursery pupils (excluding pupils attending their nearest suitable Welsh-medium or faith school).

Proposal 4

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.

Proposal 5

The offer to parents/carers of pupils with additional learning needs the option of a 'transport budget' providing a mileage allowance of 45 pence per mile

1.5 Detailed comments and suggestions were received via the written responses to the consultation. A summary of these are reported in Appendix 3, against the following main themes:

- Time
- Distance
- Responsibility
- Safety
- Faith-based education
- Welsh-medium education
- Cost
- Environment
- Additional learning needs
- Attendance/attainment
- Expectation

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.

2.7 The public consultation in respect of the most recent policy proposal took place over a 12-week period from 10 April 2024 to 3 July 2024 and was available bilingually, through a variety of alternative formats. Consultation with the public and with learners took place at specially arranged events.

2.8 The five substantial proposals put forward for consultation are detailed in the public consultation document (see Appendix 1) and are as follows:

- 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.
- Removal of 'sibling' and 'in-receipt' protection for pupils
- Removal of all transport for Nursery pupils (excluding pupils attending Welsh-medium and faith schools).

- Removal of all Post-16 transport (excluding pupils attending Welsh-medium and faith schools).
- The offer to parents/carers of pupils with additional learning needs (ALN) the option of a 'personal transport budget'.

2.9 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 • Porthcawl Comprehensive School • Coleg Cymunedol Y Dderwen • Maesteg School • Bryntirion 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)
<p>Post-16 learner (Welsh-medium)</p> <p>Attends sixth form at Ysgol Gyfun Gymraeg Llangynwyd</p>	<p>Free home-to-school transport provided over three miles from school, or where there is no available walking route.</p>	<p>No change.</p>
<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>	<p>Free home-to-school transport provided over three miles from school.</p>	<p>No change.</p>
<p>Post-16 learner with additional learning needs (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>	<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>
<p>Post-16 learner with ALN not in a specialist provision</p>	<p>Free home-to-school transport provided over three miles from school or where there is no available walking route.</p>	<p>Free home-to-school transport provided at the discretion of the local authority following an assessment of the needs of the learner.</p>

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>

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.

2.10 The Consultation Report (see Appendix 2) provides detail of the consultation approach taken and results.

2.11 In total, there were over 8,916 interactions during the consultation. The method of response is detailed below in Table 2 below.

Table 2 Consultation response interactions

Interactions	Number
Survey completions	1,308
Public meeting attendees	27
Pupil workshop attendees	93
Emails/letters	2
Social media interactions	7,486
Total	8,916

2.12 Through the utilisation of social media, this content reached 87,423 people, generated 105,170 impressions (number of times the content was viewed) and generated 7,486 engagements (including likes, comments, and shares) across our social media platforms.

3. Current situation

The outcome of the consultation

3.1 Proposal 1

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

- 70.5% of all respondents did not agree with the proposal while 29.5% did agree.
- 62.8% of pupils did not agree with the proposal while 37.2% did.
- 73.1% of parents did not agree with the proposal while 26.9% did.

3.2 From the comments in the response to this survey question, there did seem to be some misunderstanding that the current distance eligibility thresholds would be changing when the proposal will merely ensure that all pupils are treated equally under the current policy offer. That is, that all pupils regardless of where they live in the county would only be eligible where they reside over two miles (for primary school pupils) or three miles (for secondary school pupils) from their catchment or nearest suitable Welsh-medium or faith primary school and where there is an available walking route as determined by the local authority.

3.3 The main aspects identified by recipients related to time and distance to school, the safety and wellbeing of pupils travelling to school, the cost for families of providing transport for their children not eligible for free home-to school transport and the impact on the environment, in particular the local environment outside schools, in particular road safety and congestion (see Appendix 3).

3.4 Proposal 2

Removal of legacy 'sibling' protection for pupils

- 47.9% of all respondents did not agree with the proposal while 52.1% did agree.
- 35.8% of pupils did not agree with the proposal while 64.2% did.
- 50.6% of parents did not agree with the proposal while 49.4% did.

3.5 Many responses highlighted that they felt it would be unfair for siblings not to have the same eligibility for free home-to-school transport and that they should travel together. However, the policy proposal does in fact, seek to standardise eligibility in-line with Welsh Government's Learner Travel (Wales) Measure 2008 ensuring that all pupils over the distance eligibility thresholds are treated equally and there is no sibling protection offered as a legacy from the 2015 policy changes that still provide for considerable inequity among pupils in respect of the policy offer.

3.6 The main aspects identified by responders related to the social impact of siblings potentially not travelling together, the safety and wellbeing of younger pupils in particular if they were to walk to school and the criticism that such a policy offering should never have been agreed in the first place.

3.7 Proposal 3

Removal of all transport for nursery pupils (excluding pupils attending their nearest suitable Welsh-medium or faith school).

- 57.5% of the respondents did not agree with the proposal while 42.5% did agree.
- 53.3% of pupils did not agree with the proposal while 46.7% did.
- 58.3% of parents did not agree with the proposal while 46.7% did.

3.8 There was considerable negative reaction to this proposal in respect of the retention of eligibility for Welsh-medium and faith pupils. Many comments identified the policy proposal as discriminatory against those pupils and families seeking an English-medium education. The other main aspects were the cost for families of arranging alternative transport and the practicality of such young children walking to school.

3.9 **Proposal 4**

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.**

- 69.8% of all respondents did not agree with the proposal while 30.2% did agree.
- 58.8% of pupils did not agree with the proposal while 41.2% did.
- 70.9% of parents did not agree with the proposal while 29.1% did.

3.10 There was considerable negative reaction to this proposal in respect of the retention of eligibility for Welsh-medium and faith pupils. Many comments identified the policy proposal as discriminatory against those pupils and families seeking an English-medium education. The other main aspects were the cost for families of arranging alternative transport given the greater distances in particular to Bridgend College from the west of the county borough and the valley communities. Respondents identified a likely reduction in pupils progressing into Post-16 education and the lack of alternative options for transport following the recent cessation and reduction of many bus services.

3.11 **Proposal 5**

The offer to parents/carers of pupils with additional learning needs (ALN) the option of a 'transport budget' providing a mileage allowance of 45 pence per mile.

- 52.6% of all respondents did not agree with the proposal while 47.4% did agree.
- 48.4% of pupils did not agree with the proposal while 51.6% did.
- 54.1% of parents did not agree with the proposal while 45.9% did.

3.12 There was some confusion regarding this policy proposal. The majority of responders assumed that this was a mandatory proposal and that either the local authority was forcing this policy arrangement on parents, or that the local authority would charge parents 45p/mile for the provision of school transport for their child. Very few responders understood this was only an offer, and if parents rejected the offer of a personal transport budget, their child's current eligibility and associated transport provision for free home-to-school transport, would not be impacted.

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

4.1 A full equality impact assessment has been carried out as part of the development of this policy proposal. The full EIA considers the impact of the strategy, policy or proposal on the nine protected characteristics, the Socio-economic Duty and the use of the Welsh Language.

4.2 The full EIA is attached as Appendix 4 and a Welsh language Impact Assessment is attached as Appendix 5.

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

5.1 A Well-being of Future Generations (Wales) Act 2015 assessment has been completed. A summary of the implications from the assessment relating to the five ways of working is as follows:

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 are implementable.

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.

6. Climate Change Implications

6.1 The use of private transport providers for the purpose of delivering dedicated home-to-school transport is a significant contributor to carbon emissions, as 325 individual home-to-school transport contracts operate daily (June 2024). These are shown in table 3 below.

Table 3 – Home-to-school transport contract types and numbers

Contract type	Number
Bus/coach	74
Minibus	50
Special minibus for pupils with additional learning needs (ALN)	60
Special taxi for pupils with ALN	90
Taxi	26
Wheelchair accessible vehicle for pupils with ALN	16
Dedicated Nursery transport	9
Total	325

- 6.2 College transport is currently delivered via public service buses. A change to the policy position is unlikely to reduce or increase the numbers of public service vehicles journeys currently in place across Bridgend as college learners have access to existing timetabled public service buses.
- 6.3 Many of the proposals could potentially have an impact on the use of private motor vehicles to transport pupils to school or other mechanisms of transport, for example, walking and cycling. The proposals contained in this report may therefore not necessarily support a reduction in carbon emissions from private transport operators if parents become responsible for transporting their own children to school. However, it is highly likely that the proposals will reduce the number of contracts that the local authority will be required to deliver to support a revised policy offer. This will vary at least annually with changes to the pupil cohort in schools.
- 6.4 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 local authority's responsibility to learners 'looked after' by the local authority is covered under the general duties identified in the Learner Travel (Wales) Measure 2008, where there is a duty on the local authority to assess the needs of learners who are children looked after or formerly looked after by the local authority and to put in place suitable transport arrangements if deemed eligible. 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 £10.4m at end of 2023-2024. The budget has also increased, from £5.86m in 2020-21 to £9.819m in 2024-25, but this is still not sufficient to meet the rising costs.

- 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 2024-25, there is still a projected overspend of £1.2m at the end of the 2024-2025 financial year.
- 8.3 Table 2 below summarises the proposals put forward for consideration for public consultation and the associated potentially financial benefits.
- 8.4 It is important to note that any changes approved by Cabinet 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
Removal of legacy 'sibling' protection for pupils.	£300k
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 It is recommended that SOSC1:

- notes the content of this report and the outcomes from the consultation (see Appendix 2); and
- considers any recommendations the Committee may wish to make to Cabinet which are consistent with their challenge and support role in light of the proposals and the consultation responses.

Background documents

None