

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

1 SEPTEMBER 2015

REPORT OF THE CORPORATE DIRECTOR EDUCATION AND TRANSFORMATION

LEARNER TRAVEL POLICY

1. Purpose of Report

1.1. To report on the results of the consultation exercise initiated by Cabinet together with the accompanying Equality Impact Assessment (EIA) regarding the proposed change to the Council's Learner Travel policy, to assist Cabinet in determining whether or not it will progress with the proposals, and if implemented how the proposal would contribute to the overall saving to the Council's Medium Term Financial Strategy to 2018/19.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

2.1. The report links to the following corporate priorities:-

- Working together to make the best use of resources.
- Working together to raise ambitions and drive up educational achievement.

3. Background

3.1. 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) see Appendix 1.

3.2. 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 2 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 3 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;
- g) Where learners are not entitled to free transport, local authorities have the power to provide transport on a discretionary basis.

3.3. 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 or maintained special schools.

3.4. 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 authority's area. This includes those who have reached 19 but started a course when under 19 and continue to attend that course. However, there is no statutory duty in the Measure to provide free transport for learners:-

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

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

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

3.7. In the Council's current Learner Travel Policy, Bridgend County Borough Council uses its discretionary powers to provide free transport for:-

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

3.8. The learner travel policy is closely aligned with the Council's 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 Council's Admissions Policy i.e., the 'Starting School' Booklet for parents. Even though the Admissions Policy for 2016/17 was set in April 2015 (and will be published on or before 1st October 2015), the Council continuously reviews and reserves the right to amend its admissions procedures for non-statutory education including the non-statutory element of the Council's Learner Travel Policy.

3.9. **Welsh Medium / English Medium Education**

3.10. When deciding which schools are most suitable for learners in their area, local authorities have a duty under Section 10 of the Measure to 'promote access to education and training through the medium of Welsh'.

3.11. Section 6 of the Measure provides local authorities with the power to provide discretionary transport arrangements for learners who are not attending their nearest suitable school because of language preference. Furthermore, in cases where learners do not attend the nearest suitable school, local authorities can use their discretion to provide free transport to Welsh Medium schools regardless of the

distance criteria in order to promote access to education and training through the medium of Welsh.

3.12. Discretionary Transport Arrangements

3.13. Section 6 of the Measure also 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.

3.14. Discretionary travel provisions are not the same as statutory transport provisions. A local authority does not have to use their discretionary powers to provide free or assisted travel, if they do not think the provision is appropriate to facilitate the transport of learners within their authority to education.

3.15. Examples of when discretionary transport provision might be used include:-

- transport for learners who are not of compulsory school age (i.e. under the age of five attending nursery school or in post-16 education or training);
- transport for learners who are not attending their nearest suitable school; and
- transport for learners who live below the statutory distance limit relevant to the learner's age

3.16. If a local authority decides to change or remove the discretionary transport provision it provides, it must publish the information before 1 October of the year preceding the academic year in which the changes will come into force in accordance with the Learner Travel Information Regulations 2009. Therefore any determination on a change of policy proposed to be implemented in September 2016, must be approved and published by 1st October 2015.

3.17. The National picture

3.18. Table 1 below identifies the variations in discretionary learner travel provision across each of the 22 Local Authorities in Wales.

Table 1: Learner travel provision in Wales.

| Local Authority | Primary School distance | Secondary school distance | Is post-16 transport provided? | Additional Information |
|-------------------------------------|-------------------------|-----------------------------|---|---------------------------------------|
| Blaenau Gwent C.B.C | Under 8's 1.5 miles | 8 years and over 2 miles | No - Can apply for a Travel grant of £225 per annum | |
| Bridgend C.B.C | 1.5 miles | 2 miles | 2 miles | |
| Caerphilly C.B.C | 1.5 miles | 2 miles | 2 miles | |
| City & County of Cardiff | 2 miles | 3 miles | No, except for those who live 3 miles + and receive the max EMA allowance | Currently out for public consultation |

| | | | | |
|--------------------------------------|-----------|--|---|---|
| Camarthenshire County Council | 2 miles | 3 miles | 3 miles | |
| Ceredigion County Council | 2 miles | 3 miles | 3 miles | |
| Conwy C.B.C | 2 miles | 3 miles | 3 miles | Proposals to charge for post-16 transport have been consulted on |
| Denbighshire County Council | 2 miles | 3 miles | 3 miles | |
| Flintshire County Council | 2 miles | 3 miles | 3 miles | Secondary distance is reduced to 2.5 miles for children whose parents receive Income Support or Working Tax Credits |
| Gwynedd County Council | 2 miles | 3 miles | £60/£100 per term | |
| Isle of Anglesey Council | 2 miles | 3 miles | No | |
| Merthyr Tydfil C.B.C | 2 miles | 3 miles | 3 miles | |
| Monmouth City Council | 1.5 miles | 2 miles | No - £380 p.a (if seats are available) or £190 p.a if in receipt of income support/child tax credit | |
| Neath Port Talbot C.B.C | 2 miles | 3 miles | No - £100 p.a | No free transport to VA schools unless it is the catchment school and the distance criteria is met |
| Newport City Council | 2 miles | 3 miles (phased introduction with Yr.7 pupils started Sept 2014) | No - phased charge introduction started in Sept 2014 to be fully implemented by Sept 2017) | |
| Pembrokeshire County Council | 2 miles | 3 miles | 3 miles | |
| Powys County Council | 2 miles | 3 miles | 3 miles | No free transport to VA schools unless it is the catchment school and the |

| | | | | |
|---|-------------|----------|-----------|--|
| | | | | distance criteria is met |
| Rhondda Cynon Taff C.B.C | 1.5 miles | 2 miles | 2 miles | Currently out for public consultation Those under the statutory distances are proposed to be charged a fee of £1.75 per day |
| City & County of Swansea Council | 2 miles | 3 miles | 3 miles | Original proposal that VA schools do not qualify for free transport has been subject to a successful judicial review challenge. |
| Torfaen C.B.C | 1.5 miles * | 2 miles* | 2 miles* | From Sept 2015 the distances will revert to statutory minimums of 2 and 3 miles respectively. The policy will be phased and those already in receipt will not be affected* |
| Vale of Glamorgan Council | 2 miles | 3 miles | 3 miles * | * Post-16 is under review |
| Wrexham C.B.C | 2 miles | 3 miles | 3 miles | |

3.19. As can be seen in Table 1 above, Bridgend County Borough Council offers the most supportive Learner Travel provisions in Wales, with only Caerphilly County Borough Council and Rhondda Cynon Taff County Borough Council currently offering comparable provisions.

3.20. The financial case for change

3.21. The learner travel provision made by Bridgend is amongst the most generous to be found in Wales. Hence, expenditure in 2012/13 was 55% higher than the Indicator Based Assessment (IBA) for home to school/college transport included in the Welsh Assembly Government's Standard Spending Assessment (SSA) which is used to determine the Council's Revenue Support Grant.

3.22. Therefore, the Council's Learner Travel policy as it currently stands, is no longer financially sustainable and the Council's approved Medium Term Financial Strategy

(MTFS) to 2018/19 seeks to achieve potential revenue savings through amendments to the Learner Travel Policy as detailed in Table 2 below.

Table 2: Re-profiled MTFS – Learner Transport proposals

| MTFS Ref. | Savings Proposals | Indicative 2016-17 £000 | Indicative 2017-18 £000 | Indicative 2018-19 £000 | TOTAL £000 |
|-----------|--|-------------------------|-------------------------|-------------------------|------------|
| CH5 | Review of Learner Transport Policy regarding statutory distances for free travel | 250 | 240 | | 490 |
| CH7 | Increase charges for paid places on home to school transport | 25 | | | 25 |
| CH8 | Cease provision of non-statutory free post-16 transport | 300 | 200 | 400 | 900 |
| CH6 | Review of learner transport policy regarding charging for post-16 transport | 50 | 25 | | 75 |
| | TOTAL | 600 | 465 | 400 | 1,465 |

3.23. Members will note that specific and different budget reduction proposals have enabled significant savings to be made and were included in the MTFS in 2014/15 (£250,000) and 2015/16 (£400,000). This was achieved through efficiencies in the re-procurement on the home to school bus contracts. Further efficiencies are currently ongoing with the re-procurement of the home to school taxi and minibus (including Special Educational Needs SEN) contracts between June and August 2015 (£250,000 savings are in the MTFS for 2016/17). Neither of these re-procurements and associated efficiency savings require, nor have required, any changes to the Admissions nor Learner Transport policies.

3.24. Cabinet decisions to date

3.25. There has been significant activity in evaluating the Local Authority's home to school travel policy since 2013. Cabinet will recall that on the 17th September 2013 Cabinet approved a public consultation on proposed amendments to the Council's Learner Travel policy.

3.26. The consultation detailed the following six proposals:-

- Proposal 1** Change the Council's Learner Travel policy by changing to statutory minimum distances i.e. 1.5 to 2 miles for primary school pupils and 2 to 3 miles for secondary school pupils.
- Proposal 2** Stop providing transportation for post-16 learners (to school or college)
- Proposal 3** Cease to provide transport to Voluntary Aided Schools
- Proposal 4** Charge for post-16 transport
- Proposal 5** Increase the cost of a 'paying place' i.e. the seat on a school bus that can be offered to those pupils who would not be eligible for a free place.

Proposal 6 Rationalisation of Special Educational Needs (SEN) transport.

3.27. The first consultation commenced on 16th December 2013. However, on the 14th January 2014, as a result of strength of the responses to the consultation, together with the announcement that Welsh Government were due to start consulting on their Learner Travel Operational Guidance, it was felt prudent to cease the consultation early and to undertake further detailed analysis on the following work-streams with a view that a further refined list of proposals could be brought forward for consideration and consulted upon as appropriate. The work-streams were:-

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

3.28. Following the outcome of the evaluation of each of the above mentioned work-streams identified, the following three alternative proposals were identified to take forward to consultation:-

- Proposal 1** To increase the distance required for free transport between a pupil's home and their school, to match the distance required by law (including Welsh medium and Voluntary Aided schools).
- Proposal 2** To charge the full cost of a school bus pass for pupils who do not receive free school transport.
- Proposal 3** To stop providing free transport for learners aged 16 or over, who go to school or college.

3.29. On 16th September 2014 Cabinet received a report outlining the result of the above mentioned work-streams and determined to approve a 12 week consultation on the three alternative proposals identified in paragraph 3.28 above.

3.30. The consultation commenced on **29th September 2014** and closed on the **22nd December 2014**.

3.31. Details of the Consultation

3.32. To be legally sound a consultation must fulfil the Gunning guidance¹:

“First, that consultation must be at a time when proposals are still at a formative stage. Second, that the proposer must give sufficient reasons for any proposal to

¹ R v Brent London Borough Council, ex p. Gunning (1985) 84 LGR 168 at 169

permit of intelligent consideration and response. Third ... that adequate time must be given for consideration and response and, finally, fourth, that the product of consultation must be conscientiously taken into account in finalising any statutory proposals.”

3.33. Statutory responsibility to consult

3.34. 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.

3.35. 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 their relevant policy protocols, for instance, public consultation.

3.36. It is important that the Council consults fully with the public on any proposal to change policy, given the potential wide ranging impact on stakeholders. In respect of this proposal, pupils, parents, carers and family groups as well as schools were identified from the outset as likely to be impacted if the proposals were to be implemented.

3.37. Consultation feedback was considered at the inception of the consultation to be a key driver in any decision in respect of the three proposals identified in paragraph 3.28 above. The financial pressures facing the Council are undoubtedly a very important part of this context and formed the basis on which the consultation exercise was predicated. However, as part of the decision making process, Cabinet will need to take into account not only the Council's budgetary position, but also other matters including the Council's relevant statutory responsibilities to the public and the responses received throughout the consultation. Clearly, the responses to the proposals detailed in the original consultation in December 2013 through to January 2014 had an important role in Local Authority deciding to terminate the consultation early to consider alternative proposals.

3.38. As noted at paragraphs 3.28 to 3.30 of this report, on the 16th September 2014 Cabinet considered the results of the work-streams supporting the evaluation of the original proposals and agreed to initiate a full public consultation on the aforementioned three proposals.

3.39. Consultation Approach

3.40. A Consultation Proposal document (see Appendix 3) was developed prior to the consultation to identify the approach the Local Authority would take to engage with stakeholders during the 12 weeks consultation period.

3.41. Key features of this included the identification of:-

- key stakeholders;
- promotional tools to be used throughout the consultation;
- focus groups to be used to support the consultation;

- proposed community engagement workshops;
- the need to engage with Bridgend Youth Council; and
- a support event for citizens needing help with responding to the questionnaire

3.42. The Local Authority used as many different mechanisms to communicate with stakeholders as could be utilised at the time of the consultation.

3.43. In particular these included:-

- Use of the Council's website with a link from the 'Home page' to the consultation documentation, including online 'SNAP' survey.
- Use of Social Media including Twitter and Facebook
- Council press releases
- Use of the Customer Service screens in the reception of Civic Offices, Bridgend to advertise the consultation.
- 'Message of the day' advising council staff of the consultation
- Communication to all councillors
- Communication to all school governors
- Communication to all stakeholders mentioned in the section 3.2 of the 'School Organisation Code (July 2013)'
- All pupils in the County Borough were provided with a letter via 'pupil post' outlining the consultation and inviting them and their families to provide a response. However, as there is no similar system in place in Bridgend College, alternative opportunities were sought to advertise the consultation and the associated community engagement event held at the College.
- All parent governors were also written to advising them of a special consultation engagement event which was arranged specifically for them.
- Paper copies of the consultation document and the accompanying survey were made available at local libraries throughout the county borough.

3.44. Schools/headteachers were encouraged to support the consultation through use of:-

- School texting services to parents e.g. Teachers2Parents
- Schools websites/use of 'Moodle' sites for schools
- Appropriate additional communication mechanisms with pupils e.g. school assemblies, newsletters to parents etc.

3.45. Community engagement

3.46. To support engagement with the public, seven community engagement workshops were held throughout the county borough and were attended by officers and the Corporate Director (Children).

3.47. These were located in Table 3 below:-

Table 3: Community Engagement Events held

| Venue | Date | No. attendees |
|---|-----------------|---------------|
| Pencoed Comprehensive | 13 October 2014 | 0 |
| Archbishop McGrath Catholic High School | 15 October 2014 | 34 |
| Coleg Cymunedol Y Dderwen | 16 October 2014 | 1 |

| | | |
|-------------------------|------------------|-----------|
| Porthcawl Comprehensive | 20 October 2014 | 1 |
| Maesteg Comprehensive | 22 October 2014 | 3 |
| Bridgend College | 23 October 2014 | 5 |
| YGG Llangynwyd | 25 November 2014 | 32 |
| Total | | 76 |

3.48. These events were open to all residents of the county borough to attend between 3.30 pm and 7pm as drop-in sessions. The events were designed to allow members of the public to ask questions of officers about the proposals and to receive help in completing the consultation questionnaire (if required).

3.49. Attempts were made to engage with the Bridgend Youth Council via email and telephone calls at the outset of the consultation. However, there were some technical difficulties making contact. The Youth Council has since identified some difficulty with their email system and although follow-up telephone calls were placed it was unfortunate that no suitable opportunity was agreed and therefore officer representatives could not attend the Youth Council meetings as intended during the formal 12 week consultation. However, meetings with the Bridgend Youth Council have since been held to seek their views.

3.50. The Council engaged with schools to request that they explain the proposals to school council members on the Local Authority's behalf. Given the complexity of the Learner Travel policy, and the changes proposed, it was considered reasonable to ask schools to explain the policy to the school council members with a view that they discuss the proposals with their peers and encourage feedback either via the school, or individually via the consultation questionnaire. Officers of the Council were not considered at the time to be best placed or qualified to engage with pupils, especially those in primary schools.

3.51. At all events the three proposals were clearly presented using plain English following on from the consultation document which was written in such a way to allow a good understanding of the proposals by a child of age 9. The questions asked in respect of each proposal were not 'closed' e.g. yes/no type questions, but 'open' questions about the effect of the proposals on individual pupils and their families and how might the Local Authority help them as individuals if the proposal was implemented. This improved on the original learner travel policy consultation held between December 2013 and January 2014, which had a large number of proposals that were technically complicated with closed questions.

3.52. Follow-up consultation

3.53. The Council continuously strives to ensure that the voices of all stakeholders are heard. However, after the formal consultation concluded in December 2014 it was clear that there was not enough assurance that the Council had fully engaged with pupils as neither the Bridgend Youth Council or School Councils had had an opportunity to have their voices heard and discuss any issues with representatives of the Local Authority. Therefore, as a result of this deficiency, officers held 11 pupil engagement workshops on a school cluster basis, using secondary schools as venues during March and April 2015. The events were introduced to ensure that School Council representatives from all BCBC schools and the Bridgend Youth Council could provide qualitative feedback on the proposals to support the overall

consultation. In total, there were 94 attendees over the 11 engagement workshops, (please see Appendix 6, Section 8.1 for a breakdown of attendees).

3.54. Consultation Document

3.55. The consultation document (see Appendix 3) identified three proposals predicated on the basis of the need for the Local Authority to find savings to support cuts to its budget to 2017. The three aforementioned proposals identified in paragraph 3.28 formed the basis of the consultation document and the accompanying public survey as follows:-

PROPOSAL 1

To increase the distance required for free transport between a pupil's home and their school, to match the distance required by law (including Welsh and religious schools).

PROPOSAL 2

To charge the full cost of a school bus pass for pupils who do not receive free school transport.

PROPOSAL 3

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

3.56. The accompanying survey was made up of the following three sections:-

Section one - This section requested detail of the respondent's characteristics.

Section two - This section included five qualitative questions regarding the proposals and what would be the potential impact be on individual respondents and their families would be if the proposals were implemented.

Section three - This section featured the standard equalities questions suggested by Welsh Government.

3.57. Conformity of the Consultation with National and Local Guidance

3.58. Guidance received from the Children's Commissioner for Wales

3.59. In January 2014 the Children's Commissioner for Wales wrote to Bridgend County Borough Council's Corporate Director - Children encouraging her to ensure that pupils are engaged with, so that they are fully able to exercise their Article 12 right as outlined in the UNCRC.

3.60. Article 12 identifies that children have the right to say what they think should happen and have their opinions taken into account. The convention encourages adults to listen to the opinions of children and involve them in decision-making processes. However, the convention recognises that the level of a child's participation in decisions must be appropriate to the child's level of maturity. Children's ability to form and express their opinions develops with age. Given the proposals were as important to primary age learners as those in secondary schools, it was considered

important that support from schools would be needed to articulate the proposals to all pupils in a way that they would understand. This would then support their attendance at the public engagement sessions, allowing them as individuals to respond to the consultation if they so choose, with the support from parents, carers, guardians and school staff.

3.61. Conformity with BCBC's Consultation and Engagement Guidelines

The Council's own consultation and engagement toolkit (Appendix 4) was adopted in August 2014 and provides a framework from which the Local Authority has developed its approach to all public consultations. The consultation followed this guidance and was delivered using all of the resources available at the time. The community engagement events arranged were attended by officers of the Council, senior managers and the Corporate Director for Children, giving the opportunity for all residents to engage with those leading on the proposals. All documentation was written in clear English and alternative formats were available on request including large print and braille etc. A letter outlining the consultation and inviting views on the proposals was sent to every child in Bridgend County Borough. The survey was made available electronically and at all libraries, and received a range of promotional support including the front two pages of the local paper and via social media i.e. Facebook and Twitter (Appendix 3). Twitter activity spanned from the 29th September 2014 to 16th December 2014 and included 32 Tweets and retweets. Facebook activity spanned 29th September 2014 to 16th October 2014 with only 2 comments received during that period.

3.62. Conformity with the National Principles for Public Engagement in Wales

3.63. The National Principles for Public Engagement in Wales (Appendix 5) are aimed at all Public Service organisations across Wales. They aim to sit above any specific standards that may already be in place. They aim to offer a consistent approach and good standard for public engagement. However, they are principles rather than standards. The Council's own Consultation and Engagement Guidelines conform to the national principles.

3.64. One of the key decisions outlined in the National Principles is whether a particular decision or service change require a consultation or engagement process and whether such a consultation or engagement will make a difference? If the answer is no, then the principles state there is no point in doing it.

3.65. Cabinet will recall that it was from both the strength of public opinion in respect of the original consultation on the proposed changes to the Council's Learner Travel Policy in January 2014 and as a result of the launch of the consultation on the new Learner Travel Statutory Provision and Operational Guidance that heavily influenced a decision to stop the consultation so the Local Authority could re-evaluate the likely impact of the proposals. The more recent consultation has therefore been heavily influenced by the public responses to the original consultation of December 2013 to January 2014. This has not just been in the refinement of the proposals put forward, but also in respect of the consultation approach, with a number of different opportunities for the public to engage, provide feedback on the proposals and influence the decision making process.

- 3.66. There has also been a real opportunity for the public to engage with Local Authority officers at the public engagement sessions and there was good attendance at some of the events with a number of staff, pupils and parents attending to ask questions on the proposals and to express their opinions. Pupils were also encouraged to respond to the consultation with support from schools explaining how important their contribution was to the consultation exercise, and that they could influence any decision in respect of the policy.
- 3.67. The primary focus of Local Authority officers in respect of the consultation was that the proposal was clear and easy to understand and that feedback on the proposal was considered as a real opportunity to influence policy. As well as allowing for a full 12 week consultation, officers also allowed for significant lead-in time to the policy implementation with a full 2 years from the beginning of the consultation period in September 2014 to the implementation of the policy in September 2016. Furthermore, Local Authority officers have been confident that the most appropriate mechanism to engage with the public at that time was being used.
- 3.68. The Local Authority engaged in writing with a number of organisations including all schools in the County Borough, Bridgend College, councillors, regional AMs, local MPs, the First Minister, town and community councils, neighbouring councils, Estyn, school governors, the Church in Wales, head teachers and all Local Service Board members, including the Police. Furthermore, the Local Authority met with and discussed the proposal with the Director of schools for the Archdiocese of Cardiff and the Diocese of Llandaff, and took into consideration the concerns raised on behalf of the Church in Wales and Roman Catholic Church.
- 3.69. The consultation was jargon free, appropriate and understandable across a wide range of audiences. Information was made available in a variety of formats including in Welsh and only relevant information was presented, which was pertinent to the proposals.
- 3.70. There was a full range of opportunities to engage, in particular the public engagement events held specifically in respect of the proposals. These were also complimented by several other public engagement events arranged by the Local Authority in respect of general Medium Term Financial Strategy (MTFS) savings which were held in general, at the same time.
- 3.71. The Local Authority determined not to hold prescriptive public meetings as it was considered at the outset of the consultation for these to be unhelpful, not always offering parity of engagement for all those attending. This was based on past experience of similar consultations.
- 3.72. The open format of the engagement events helped participating members of the public to understand the proposals presented and to give as many attendees as possible the opportunity to engage fully and feel able to ask questions.
- 3.73. The Local Authority considered the engagement events not just to be about getting people's views on specific issues, but also to attempt to make engagement a positive experience for participants in terms of building skills, knowledge and confidence to engage and to improve the general understanding of the proposals and their possible impact for individuals and communities.

3.74. As the Local Authority is always happy to consider its approach based on feedback from stakeholders, it has listened to the views of individuals and by way of follow-up activity a number of officer meetings with school council representatives and the Bridgend Youth Council have since been held.

3.75. **Conformity to the National Children and Young People's Participation Standards for Wales**

3.76. 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. The standards promote the participation of children and young people in making decisions, planning and reviewing any action that will affect them.

3.77. The seven standards are as follows:-

- 1) **Information** – *should be easy for children and young people to understand*
- 2) **It's Your Choice** - *enough information and time to make an informed choice*
- 3) **No Discrimination** - *every child and young person has the same chance to participate.*
- 4) **Respect** - *Your opinion will be taken seriously*
- 5) **You get something out of it** - *You will enjoy the experience*
- 6) **Feedback** - *You will find out what difference your opinion has made*
- 7) **Improving how we work** - *Adults will ask you how they can improve how they work*

3.78. The Local Authority asked children and young people to take part in the consultation and the information presented easy for them to understand. Although the Local Authority was not able to talk to children and young people from school councils and Bridgend Youth Forum at the outset of the consultation, we have since met with them and have included their comments in the findings of the consultation.

3.79. The Local Authority ensured that through the consultation that children and young people knew what they were being asked to engage in.

3.80. The Local Authority ensured that all young people from all backgrounds were able to access relevant information and that it was appropriately presented. Children and young people were treated with equal status as adults, especially given that the proposals, if implemented, would impact upon them as individuals.

3.81. Children and young people's views on what was proposed were requested and what children and young people said recorded to ensure that there were a variety of channels of communication and opportunities available, so that children and young people could provide their views with confidence.

3.82. In the consultation meetings the attendance and engagement by children and young people was welcomed, valued and respected and each question and query was responded to independently.

3.83. The consultation report has been published to coincide with this Cabinet report (see Appendix 6).

3.84. The Local Authority will revisit our approach to engaging with young people and learn lessons from this consultation to ensure there are opportunities for the voices of our young people to continue to be heard in respect of future proposals.

3.85. As mentioned in paragraph 3.52, we have revisited our approach to engaging with the school Council and Youth Council to ensure their voices have been heard.

3.86. Conformity with the Bridgend County Children and Young Person's Charter

3.87. The Bridgend County Children and Young Person's Charter (Appendix 7) 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. The full Equalities Impact Assessment (EIA) which accompanies this Cabinet report (Appendix 8), contains a summary of all 42 articles in the UNCRC and 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. BCBC's Engagement Team reviews relevant data as part of its ongoing monitoring process.

3.88. 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 BCBC to examine how a decision has been justified and how the Council would mitigate against the impact (in the same way as any other protected group).

3.89. This will be discussed later in this report.

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

3.91. Paragraph 12 of the Children and Families (Wales) Measure 2010 (Appendix 9) 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.

3.92. In this respect there have been a number of opportunities, in particular the Community engagement events relating to the proposed changes to the Learner Travel policy detailed in paragraph 3.47 and through the separate Community engagement events relating to our Medium term Financial Strategy (MTFS) held at the end of 2014.

3.93. All of the Learner Travel engagement events were held in schools and to coincide with the end of the school day (apart from the event in Bridgend College) to ensure good opportunity for attendance by pupils. The Council engaged with schools to encourage pupils to feedback on the proposals. Furthermore, as discussed in paragraph 3.52, we have re-engaged with the Bridgend Youth Council and the school councils to provide further opportunity for engagement and opportunity to influence the decision on the proposals.

3.94. Conformity with the Rights of Children and Young Persons (Wales) Measure 2011

3.95. This Measure of the National Assembly for Wales makes provision for and in connection with giving further effect in Wales to the rights and obligations set out in the United Nations Convention on the Rights of the Child.

3.96. Article 2 is of particular relevance and sets out the following:

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

3.97. The United Nations Convention on the Rights of the Child is discussed in further detail in the Full Equality Impact Assessment which can be found in Appendix 8, Page 28.

4. CURRENT SITUATION

4.1. Summary of the Consultation Responses

4.2. A full consultation report has been prepared (see Appendix 6). The consultation responses have been analysed in respect of each of the three proposals as follows.

PROPOSAL 1

To increase the distance required for free transport between a pupil's home and their school, to match the distance required by law (including Welsh and religious schools).

- Pupils in primary schools living **2 miles** or further from home to their nearest suitable school would receive free transport.
(N.B The current provision for primary schools is 1.5 miles.)
- Pupils in secondary (comprehensive) schools living **3 miles** or further from home to their nearest suitable school would receive free transport.
(N.B The current provision for secondary schools is 2 miles.)
- Pupils in religious and Welsh language schools living **2 miles** or further for primary schools and **3 miles** or further for secondary schools would receive free transport **regardless** of whether the school is the nearest suitable school.
- Only when a child begins school full-time or changes their school, will the new change apply.
- If a child is already in receipt of free home to school transport at a school and their brother or sister starts their full-time education at that school whilst their brother or sister is there, they too will receive free transport until they also change school.

4.3. There were four main issues that have been extrapolated from the responses for this proposal.

- i. The walking distance to school for those no longer eligible for free transport
- ii. The cost to those no longer eligible for free transport
- iii. The impact on Welsh Medium education
- iv. Road/pedestrian safety

4.4. The walking distance to school for those no longer eligible for free transport

4.5. 61 per cent of the respondents had some form of concern in respect of the proposal, with some even stating that the current distances of 1.5 miles and 2 miles were already too far to walk. Alternatively 34% of all respondents stated that this proposal would have little/no impact on either themselves or their families. Of the respondents who currently receive free transport, 65% of these concluded it would have little/no impact as many live over the 2 miles for primary and 3 miles for secondary anyway). Pupils attending the Maesteg (4 attendees) and Brynteg (six attendees) pupil engagement workshop took a very pragmatic approach and said that if the proposals were introduced a new “norm” would quickly be established particularly as those already in receipt would not be affected.

4.6. The cost to those no longer eligible for free transport

4.7. The main issue identified was regarding the cost implications that this proposal could have for families, especially larger families and those on low incomes /receipt of benefits. 14% of respondents felt that the current eligibility criteria should remain for pupils from households with a low income or in receipt of certain benefits. 16% of respondents raised a concern around cost of the proposed place on a bus in general.

4.8. The impact on Welsh Medium education

4.9. Responses focused on the impact that the proposal would have on Welsh-medium education, especially secondary education, with the potential of parents/pupils not choosing to continue with welsh-medium education after primary school if they could more easily access English medium secondary education. Cabinet will know that Bridgend only has one Welsh medium secondary school (Ysgol Gyfun Gymraeg Llangynwyd (YGGL) in Maesteg. The Maesteg area was mentioned by 13% of respondents as being at particular risk of this happening as many pupils living in the area around Maesteg Comprehensive school are currently eligible for free transport to YGGL under the current 2 mile eligibility criteria, but would not likely be eligible under the proposed 3 mile eligibility criteria or if transport for post-16 learners was removed under proposal 3. The concern raised focused on a shift from Welsh medium education to English medium education if this proposal was implemented.

PROPOSAL 2

To charge the full cost of a school bus pass for pupils who do not receive free school transport.

4.10. The consultation asked for people’s views and comments about charging the actual cost for a seat on a school bus.

4.11. When setting the budget for 2013/14 full Council agreed to increase the charge to £270 per annum for both primary and secondary school pupils. However this equates to £1.42 per day and at the time was well below the actual cost of a seat as identified in the Table 4 below.

Table 4: The actual cost of a paying place on BCBC school buses 2013-14

| | |
|--|----------------|
| Cost of primary school transport provision per primary school pupil | £756.41 |
| Total number of operating days 1 st April to 31 st March | 190 |
| Cost per day | £3.98 |
| Cost of secondary school transport provision per secondary school pupil | £646.98 |
| Total number of operating days 1 st April to 31 st March | 190 |
| Cost per day | £3.41 |

4.12. There were three main issues identified in the responses to this proposal from the consultation as follows:-

- i. Paying places would be too expensive
- ii. The impact on parents lifestyle/working hours
- iii. Impact on safety and attendance

4.13. Paying places would be too expensive

4.14. The first and most common issue raised (35%) was that the proposed cost identified in the consultation document (see table 11 below) was too expensive in comparison with the current subsidised cost and larger families and those on low income would be particularly affected by this large increase in cost.

4.15. This was mentioned by both parents and pupils with both suggesting some form of subsidy (particularly for more vulnerable families) should be retained, and the option to pay in instalments to spread the cost over the year should be introduced. Some pupils suggested the cost should only apply to post-16 pupils, or that the cost should vary depending on the distance travelled.

4.16. Both pupils and parents had strong feelings that any demand for a paying place should be met by the local authority, although some pupils also stated that the introduction of a higher charge would simply result in less places on existing routes being bought resulting in seats remaining empty on buses. Only 2% of respondents identified that they currently pay for their place on an existing service/route.

4.17. The impact on parents lifestyle working hours

4.18. The third issue raised was in respect of the impact on lifestyle/working hours. 13% of respondents stated that the proposal would have an impact on their lifestyle/working hours as they felt they would need to change their existing travelling routes/times in order to facilitate taking their children to school.

4.19. Impact on safety and attendance

4.20. The final issue was around the potential impact the proposal could have on pupils with concerns raised about attendance and safety with walking distances being too far. The combined total of responses around these areas was 19% of respondents. Even though no pupils referenced these issues in the pupil engagement sessions. they did highlight the fact that people felt strongly that if parents/pupils were willing to pay for school transport then it should generally be available for them.

4.21. Overall the feeling from both pupils and parents was that even though in principle they agreed with charging the full cost for a seat, they felt that the indicative costs of £3.98 for primary school transport and £3.41 for secondary school transport were unrealistic and that the local authority should look to make additional efficiencies to the service to bring the overall cost down.

PROPOSAL 3

To stop providing free transport for learners aged 16 or over who go to school or college.

4.22. There were two main issues identified in the responses to this proposal.

- i. Impact on choices in respect of further education, in particular:-
 - cost
 - availability of infrastructure/public transport services
- ii. The impact on faith based and welsh medium education.

4.23. This proposal, overall, provoked the largest variety of responses with 79% of respondents having referenced some form of concern and/or disagreement with the proposal.

4.24. Of the responses received, 20% felt that the introduction of this proposal would not just have a detrimental impact on pupils and parents, but on communities as a whole and 8% of respondents also felt that it would affect their quality of life.

4.25. Impact on the choices in respect of further education

4.26. The biggest concern for pupils was the cost implications this proposal would have and how they would balance studying and part-time work if they had to pay for transport.

4.27. One pupil stated that as they were not in full time employment they should still be regarded as pupils, receiving equality with all other pupils attending the school regardless of their age. Pupils strongly believed that they should receive some form of subsidised travel and that this would be a positive investment in their future. However almost all of the attendees who received education maintenance allowance (EMA), which can be used to help towards travel costs, said they did not use all the EMA for the purposes in which it was received.

4.28. The issue of cost was also highlighted by consultation respondents with 19% stating that the cost would affect the number of pupils continuing with post-16 education.

4.29. Pupils who were currently in post-16 education or in Year 11 felt that the introduction of the proposal wouldn't have changed their decision to continue with education as those who were interested in sixth form/college saw further education as a necessity and alternatives would have to be made in order for them to continue their education. This was also highlighted by 18% of consultation responses who felt this proposal would have little/no impact. However, pupils did raise concerns that for those who were at risk of becoming NEET this could be an additional barrier to continuing with

education and that even those who saw the benefits of continuing with post-16 education, this proposal would have a detrimental impact on their attendance as if they were traveling in for one lesson only, they would be more tempted to miss the class entirely.

4.30. Pupils also raised similar issues regarding the insufficiency of public transport in the area (also raised by 2% of consultation respondents), the potential negative impact the change will have on their life outside of school, the danger the additional traffic may have on their schools as well as questioning how sufficient the current school facilities are in supporting the introduction of the proposal e.g. Locker spaces, coat drying areas and facilities to support cycling to and from school.

4.31. The impact on faith based and Welsh medium education

4.32. Specific issues were raised around the impact this proposal would have on Archbishop McGrath High School (13% of respondents) and YGGL (9% of respondents) due to the large catchment areas that they serve.

4.33. The main concern for parents and pupils at Archbishop McGrath was that the cost and (depending where a pupil lived) the difficulty of accessing the school through public transport would mean that continuing post-16 education in a faith based school would not be a viable option for many pupils/parents and this would ultimately affect the sustainability of 6th form provision in the school.

4.34. With regards to YGGL there were concerns raised not just about the sustainability of the 6th form but of the school as a whole. Concerns were raised by consultation respondents, affiliates of the school and pupils of the school that due to the geographical location of the school and the large area it serves public transport would not be a viable option even if the cost was palatable. Additional concerns were raised that parents/pupils would potentially opt-out of a welsh-medium education much earlier (after key stage 2) or decide against it altogether as it would be very difficult for pupils to transfer to an English-medium education post-16 after receiving all of their schooling to-date through the medium of Welsh.

4.35. If the proposal was passed, one respondent alternative was to host certain lessons for YGGL sixth form at a more central location, particularly those that are currently conducted alongside Ysgol Llanhari. More generally for all further education establishments, one head teacher at a customer engagement event suggested a potential reform of post-16 education for students to minimise the necessity of travel.

4.36. Response by RhAG

4.37. In December 2014 Rhieni dros Addysg Gymraeg (RhAG) Parents for Welsh medium education, provided a 30 page report which outlined the result of a survey conducted by RhAG which, although not part of the Local Authority's formal consultation on the proposed changes to its Learner Travel Policy, nevertheless provides important ancillary information in respect of the proposals. It should be noted however, that the Local Authority cannot provide assurance as to the robustness or authenticity of the responses. The full RhAG report provided to the Council can be found at Appendix 11.

4.38. Main Findings of the survey identified by RhAG

1. There continues to be a very strong desire among the pupils to remain at Llangynwyd to access Welsh medium education at 16+ years of age.
2. Parents' response to the actual cost means that post-16 education will not be viable at Ysgol Gyfun Gymraeg Llangynwyd. Only 11% would definitely enrol with 9% stating they are less likely to attend.
3. The provision of effective transport is crucial to ensure the equality of access to Welsh medium education, as the school is such a long distance from the homes of the majority of pupils. Equality is not ensured as the percentage paying large sums for Welsh medium education is far greater than the percentage who would need to pay a similar charge in order to access English medium education post-16.
4. This proposal will make a Welsh language education accessible only to those who can afford the additional costs. At a time where every attempt is being made to dispel the belief that the Welsh language is elitist this proposal will further support that belief.
5. Parents have a general anxiety that the education of their children will suffer.
6. Parents are anxious over their financial situation which would mean that they are not able to afford school transport.
7. Ysgol Gyfun Gymraeg Llangynwyd is different to Bridgend College, and to other schools within the Borough (with the exception of Archbishop McGrath), as approx. 72% of pupils live more than 3 miles from school.
8. Ysgol Gyfun Gymraeg Llangynwyd 's situation is unique in Bridgend as nearly 90% of students depend on a bus to come to school.
9. Ysgol Gyfun Gymraeg Llangynwyd does not benefit from a regular public bus service, which is in complete contrast to Bridgend College, therefore the vast majority of pupils depend on the transport provided. In addition most pupils pass at least 2 English medium secondary schools on their journey.

4.39. Conclusions identified by RhAG

1. Charging actual travel costs for post-16 school transport to Ysgol Gyfun Gymraeg Llangynwyd is likely to end viable post-16 provision.
2. Charging for post-16 transport will have a disproportionate and unreasonable impact on those who choose Welsh medium education within the County Borough. This change will affect nearly 8 in 10 students at Ysgol Gyfun Gymraeg Llangynwyd.
3. The transport charge will affect those on low incomes more than most, and will mean that those from disadvantaged backgrounds will not be able to remain in Welsh medium education.
4. As English medium education post-16 is more accessible to most students, charging actual transport costs to access Welsh medium education places Welsh medium education at a distinct disadvantage.
5. Bridgend County Borough Council has not researched the impact of transport fees on Welsh medium education post-16 or on Welsh medium education generally as these changes will have an adverse effect on parents choosing Welsh medium education for their children at Nursery and Primary school level. The Equality Impact Assessment for the school produced by Capita in August

2014 only addresses the effects of Proposal 1 – to increase the distance required for free transport. The report anticipates that the additional traffic likely to be caused by this proposal will cause “higher likelihood of increased congestion in the vicinity of the school gate. However, the surrounding environment is predominantly residential with good infrastructure links for walking and cycling”. If this is the consensus for the 83 pupils affected – what would the impact assessment state for the additional post-16 students?

6. It is clear from the comments made by parents that should post-16 school transport funding be withdrawn they would not have chosen Welsh medium education in the first instance. The effect on future Welsh medium take up is potentially the most worrying impact of this proposal.
7. The Welsh-medium Education Strategy places equality of opportunity as one of its central planks:
“Equality of opportunity is a cross-cutting theme integral to this Strategy and all policies of the Welsh Assembly Government [...] Welsh-medium education should reflect the composition of the Welsh population as a whole, and should be available to, and accessed by, all communities, including those characterised by disadvantage and ethnic diversity. We will expect our partners, providers and stakeholders to recognise this principle and make it a reality.”²
8. Section 10 of the Learner Travel Measure (Wales) 2008³ places a duty on Local Authorities to provide transport to school with the aim of ‘promoting Welsh medium education’ when exercising functions under the Measure. This proposal will have the opposite effect and has the potential to be detrimental towards Welsh-medium education.
9. Welsh-medium Education Strategy (WMES) reiterates this stipulating that local authorities should ‘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) 2008.’⁴
10. Furthermore the WMES highlights linguistic progression as one of its cornerstones and states the need to ‘improve linguistic progression as a national, regional and local authority priority in all phases of education and training.’⁵
11. Indeed the implementation of this policy could possibly bring in to question the ability of the Local Authority to fulfil its statutory requirements in relation to the Learning and Skills (Wales) Measure 2009, by undermining the sustainability of the 6th form in terms of pupils, staffing and provision of the post-14 curriculum within the school.
12. The Impact Reports commissioned or carried out by BCBC refer to the Active Travel (Wales) Act 2013 which aims to encourage more people to walk and cycle more often cannot be the priority in the case of Ysgol Gyfun Gymrag Llangynwyd due to the size of the catchment area.
13. There is, therefore, a clear indication of considerable concern in respect of the potential impact on Welsh medium education should the proposal be adopted.
14. The final issue raised as a result of the consultation focused on the potential impact this proposal could have on pupil education. Concerns were raised by 5% of consultation respondents around the impact the proposal could have on

² Welsh-medium Education Strategy, Welsh Assembly Government, April 2010, p.12 Information Document Number: 083/2010

³ Learner Travel Measure (Wales) 2008, Welsh Assembly Government

⁴ WMES, Strategic Objective 1.9, p.14

⁵ WMES, Strategic Objective 3.1, p.16

pupils' school attendance, particularly those who are at risk of becoming NEET (Not in Education or Employment).

4.40 Response by the Children and Young People's (CYP) Scrutiny Committee

- 4.41 An update on the proposals and consultation responses went to CYP Scrutiny Committee on February 17th 2015. Scrutiny made numerous observations regarding the consultation which resulted in further consultation taking place (Please see paragraph 3.53).
- 4.42 In addition Scrutiny identified they would act as consultees and provided the following observations and recommendations to be considered.
- a) Members generally supported proposal one; to change the distance required for free transport to the statutory minimum.
 - b) Members supported the set up of the advisory board on Safe Routes to School in order to address issues around safety to children associated with proposal one.
 - c) The Committee expressed concerns over the high figure stated for the charge of a bus pass under proposal two. This, alongside the proposal to remove all post-16 transport could significantly impact upon post-16 learners. It is therefore recommended that if proposal two is approved some form of subsidy be introduced for post-16 pupils that would tie in with proposal one.
 - d) Members noted the option of a 'hardship fund', but queried the figure of £30k, where this figure had been derived from and what criteria will be set against this hardship fund. Members recommend that Cabinet consider whether this figure is suitable and would meet the needs of 'alleviating the impact on learners', as stated in the report, and whether there is flexibility in this figure should the need prove to be greater.
 - e) Members expressed strong concern over the rationale for removing Post-16 transport due to the fact that it is only if these places are then taken up under a charging policy that any financial savings can be realised. Given the high figure proposed for these paid places Members questioned the likelihood of their take up and thus the achievability of these savings, particularly if no subsidy was put in place.
 - f) Given the uncertainty around the achievability of the financial savings resulting from options two and three, and in order to minimise the impact on Post-16 Learners the Committee recommend that no decision on Post-16 school transport is made until the full implication of the Welsh Government Transport Discount Scheme is revealed and reconsidered alongside all related evidence highlighted above in points 1-8.

4.43 Possible Mitigation

- 4.44 Members will be minded to note that there are a range of possible mitigations that the Local Authority can put in place to address the concerns that have been outlined in the public consultation in relation to all three proposals (see Appendix 12). Furthermore, there is a range of national and local strategies in place to support some of the issues raised. For example, in respect of the issue raised under proposal one, i.e. increase to statutory distances, the Active Travel (Wales) Act 2014 would form the national context in relation to active travel and this would be

supported by the Council's own Local Transport plan amongst other key strategic documents. The Council could then look to provide specific proposals to address some of the overarching concerns raised in respect of walking distance for pupils, by for example, reviewing its safe routes to school.

4.45 Alternative Policy Options

4.46 A full range of alternative options were discounted prior to the consultation and these are identified in Appendix 14. These were either discounted on the basis of not offering significant enough savings, or that they would impact more negatively on learners and their families than the current proposals.

4.47 Evaluation of issues raised

PROPOSAL 1

To increase the distance required for free transport between a pupil's home and their school, to match the distance required by law (including Welsh and religious schools).

4.48 It is possible that the proposal could have a detrimental impact on some families personal finances if they lose free transport but choose to pay for their child's continued home to school transport, especially if this proposal is adopted alongside proposal 2 (increasing the cost of a paying place to the actual cost.)

4.49 There may be scenarios (see Appendix 10 for examples) where secondary school pupils living up to 2.9 miles away from their nearest suitable school and primary school pupils living up to 1.9 miles away, who may also not have access to private transport, or be unable to fund the cost of daily transport, would be required to walk up to 6 miles daily (a journey to and from school). Therefore, due to the enhanced rights of pupils with siblings already attending school eligible for free transport, there are likely to be some significant inequalities with other pupils of the same age without siblings living at the same distance from their nearest suitable school, or potentially at a greater distance. In some scenarios, it is possible for some families on a low income with an only child to lose their entitlement to free transport in September 2016 at the point of transition (see Table 8) but other more affluent families to retain their provision under the sibling rule.

4.50 It is important to remember, however, that the statutory distances of 2 miles for primary school children and 3 miles for secondary school children are laid down in legislation i.e. the Learner Travel (Wales) Measure 2008. BCBC has provided over the statutory minimum for many years, together with many Local Authorities in Wales (see Table 2 at paragraph 3.18).

4.51 The consultation clearly indicates concern in respect of Welsh medium Secondary education, in particular Bridgend's only Welsh medium secondary school i.e. Ysgol Gyfun Gymraeg Llangynwyd (YGGL). As it is located in the north of the County Borough, any alteration to the free transport distance from two miles to three miles as well as the potential impact of proposal three to withdraw free transport for post-16 pupils (currently provided beyond 2 miles) may have a more significant impact on these pupils.

4.52 Table 5 below identifies the current main towns travelled by pupils attending YGGL. As can be seen from the table, 59% of pupils attending YGGL attend from the Bridgend town, valleys and southern coast areas with 30% attending from Maesteg.

Table 5: Location of pupils attending Ysgol Gyfun Gymraeg Llangynwyd (as at May 2015) – all ages.

| TOWN | Pupils | % Pupils |
|---------------------------------------|------------|---------------|
| Bridgend Town | 120 | 19.8% |
| Valleys area, Ogmere and Southerndown | 165 | 27.2% |
| Cornelly, Kenfig and Pyle | 71 | 11.7% |
| Maesteg | 183 | 30.2% |
| Ewenny, Pencoed, Blackmill | 34 | 5.6% |
| Porthcawl | 21 | 3.5% |
| Talbot Green and Llantrisant | 3 | 0.5% |
| Cymmer, Bryn | 9 | 1.5% |
| Total | 606 | 100.0% |

4.53 Table 6 below shows the distances travelled by pupils attending YGGL. As can be seen from the table, 73% of pupils already travel over 3 miles.

Table 6: Distance of all pupils from Ysgol Gyfun Gymraeg Llangynwyd (as at May 2015)

| Distance | No. Pupils (all ages) | % total pupils |
|-----------------------|-----------------------|----------------|
| Between 2 and 3 miles | 180 | 18.5% |
| less than 2 miles | 83 | 8.5% |
| more than 3 miles | 709 | 72.9% |
| Grand Total | 972 | 100.0% |

4.54 Furthermore, in respect of Post-16 pupils, Table 7 below identifies a similar picture with 69% of Post-16 pupils traveling more than 3 miles.

Table 7: Distance of Post-16 pupils from Ysgol Gyfun Gymraeg Llangynwyd (as at May 2015)

| Distance | No. Post-16 Pupils | % total Post-16 pupils |
|-----------------------|--------------------|------------------------|
| Between 2 and 3 miles | 16 | 12.1% |
| less than 2 miles | 25 | 18.9% |
| more than 3 miles | 91 | 68.9% |
| Grand Total | 132 | 100.0% |

4.55 It should however be noted that the cohorts and therefore the location of pupils will likely differ to some extent from year to year.

- 4.56 Concerns were raised over the impact the proposal would have on individual pupils but also on the sustainability of Welsh medium secondary education in Bridgend in general. This category accounted for 13% of responses in the initial consultation and was also a major concern of parents and both primary and secondary pupils who attended the pupil engagement event at YGGL.
- 4.57 There is also now far more complexity around the ability of the Local Authority to meet the savings previously identified in the MTFs during the 2016/17 to 2017/18 period in particular, as the proposal introduces greater complexity around the rights of pupils with siblings and the fact that those pupils currently eligible for free transport of statutory school age, will continue to receive this until they change school. Therefore the overall savings on an annual basis and over the period of the MTFs to 2017/18 will be reduced by the support to families the proposal provides.
- 4.58 Learners who are currently in year 5 and who commence their year 6 education in September 2015 (last year of primary education) will be the first to experience the impact of the policy change when they transition to secondary education in September 2016. Table 8 below identifies that there are currently just under 1500 year 7 pupils currently on roll in Bridgend schools. Of these approximately 33% have siblings currently in primary schools who would retain the right to free transport under the sibling element of the current proposal if their sibling currently is in the same secondary school that they will transition to.

Table 8: Current year 7 pupils with siblings in Bridgend Secondary Schools

| | No. of yr. 7 pupils (Jan. 2015) | No. of yr. 7 pupils with siblings (Jan. 2015) | No. of siblings in feeder primary schools in yrs. 2-6 | No. of yr. 5 pupils eligible for free transport in Sept 16 | Percentage of current year 7 pupils with eligible siblings |
|---------------------------|--|--|--|---|---|
| ARCHBISHOP MCGRATH | 116 | 36 | 45 | 16 | 31.0% |
| BRYNTEG COMP. | 211 | 71 | 86 | 17 | 33.6% |
| BRYNTIRION COMP. | 163 | 51 | 59 | 16 | 31.3% |
| C C Y DDERWEN | 231 | 78 | 92 | 19 | 33.8% |
| CYNFFIG COMP. | 128 | 45 | 60 | 15 | 35.2% |
| MAESTEG COMP. | 181 | 60 | 85 | 8 | 33.1% |
| PENCOED COMP. | 162 | 43 | 51 | 10 | 26.5% |
| PORTHCAWL COMP. | 191 | 66 | 71 | 21 | 34.6% |
| YGG LLANGYNWYD | 114 | 47 | 60 | 15 | 41.2% |
| TOTAL | 1497 | 497 | 609 | 137 | 33.2% |

- 4.59 It is important to note that the impact of the proposal, if implemented, would be spread over a period of at least 5 years (pupils in primary school with siblings currently in year 7-11). Of these, 137 pupils will transition from primary to secondary education in September 2016 (current yr. 5 pupils) as eligible siblings, and of these, only an estimated 46 pupils (based on 33.2% identified in Table 8 above) are likely to be eligible for free transport across all our secondary schools (as pupils living beyond 3 miles).

4.60 It is extremely difficult to undertake the same analysis within primary schools as the data available to us to determine the impact of the 'sibling' element of the policy i.e. non-school age pupils who will enter year 1 at the age of 5 in September 2016, is limited. Many yet to be conceived children may retain free transport provision under the sibling rule if they start in the same primary school (including nursery) if their sibling is already there and in receipt of free home to school transport.

4.61 Nevertheless, Table 9 below identifies the impact of the proposal on primary school pupils within the primary schools that have home to school transport service.

Table 9: Impact on primary school pupils after implementation of the policy

| School | Pupils living less than 1.5 miles from school | Pupils living between 1.5 and 2 miles from school | Pupils living more than 2 miles from school | No pupils (yr. 1) between 1.5 & 2 miles (no longer eligible for free transport after implementation of proposal) |
|--|---|---|---|--|
| St Mary's & St Patrick's Primary Catholic School | 172 | 20 | 29 | 1 |
| St Roberts R.C. Primary School | 112 | 19 | 31 | 1 |
| St Mary's R.C. (Bridgend) Primary School | 94 | 73 | 75 | 6 |
| Ogmore Vale Primary School | 220 | 14 | 75 | 1 |
| Ysgol Y Ferch O'r Sger Corneli | 150 | 26 | 45 | 3 |
| Ysgol Gynradd Gymraeg Cynwyd Sant | 170 | 32 | 67 | 5 |
| Ysgol Gynradd Gymraeg Cwm Garw | 81 | 1 | 60 | 0 |
| Coety Primary School | 23 | 101 | 58 | 9 |
| Ysgol Gymraeg Bro Ogwr | 90 | 70 | 232 | 0 |
| Archdeacon John Lewis Primary | 115 | 5 | 42 | 2 |
| Total | 1227 | 361 | 714 | 28 |

4.62 As can be seen from the above table, if the policy was to be implemented without the sibling protection, then 361 pupils who currently reside between 1.5 and 2 miles would lose their entitlement to free transport. However, with the sibling protection inherent in the policy the figures are much smaller. Only those pupils entering year 1 in September 2016 would be affected. On this basis just 28 pupils (based on the 2014-15 academic year's data) would be impacted by the proposal.

4.63 The level of protection for pupils currently in receipt of free transport means that the number of pupils initially impacted by the proposal are very low, and therefore the savings identified against primary schools would be low over the next few years until protection ends. However the council notes the importance of supporting families to prepare for the full impact of the savings to be made.

4.64 Year on year the savings would increase until the sibling protection ends.

4.65 Highways/pedestrian safety

4.66 In respect of highway safety, Cabinet will recall from the Cabinet report in September 2014, that Capita was commissioned by the Authority to undertake the expert work around highway safety, carbon footprint and safe routes to school in mid-2014. They based their findings on a 'worst case' scenario, which is considered to be where all learners who would lose their entitlement to free transport (if statutory minimum distances are introduced) are transported to school individually by car. Capita produced an overall summary report and an individual report for each affected school in the County Borough.

4.67 The route assessment, school gate assessment and air quality reviews were specific to each school. Therefore individual reports were prepared to highlight the barriers and issues which affect current users as well as any future increase in pupils. The individual reports identified the following key findings:-

- i. There were certain routes that were not currently suitable for walking and cycling. This was highlighted by the gap survey undertaken by Capita which looked at key crossing points on routes to schools. However whether it would affect individual pupils would depend on the location that they live in, in relation to the identified routes.
- ii. The collision data was considered for the last 3 years within a 3 mile radius of the school and only taking into account those under 18 and at the start and finish of the school day. From the information obtained, it was considered that taking into account the number of pupils affected and the collisions recorded, there would be a possible increase of 2 additional collisions per annum across all the primary schools and 2.8 possible additional collisions across all secondary schools. This equates to 0.3 collisions for both primary and secondary being serious, and the remaining 1.7 collisions for primary and 2.5 collisions for secondary being slight.
- iii. Investigations were also carried out into the current congestion that occurs at the school gate and the potential future problems associated with extra traffic. From observations and local knowledge it was found that the majority of schools currently have congestion issues outside the school gate in the morning and at evening pick up times. Any further increase in pupil numbers being ferried to school by car would likely exacerbate these problems.
- iv. The results of the Air Quality assessment outside schools indicated that as a result of the extra traffic that may be generated as per the worse-case scenario, there are likely to be the following increase in pollutants:-

Table 10: Contribution of additional journeys to local air quality pollutants per annum as the worst case scenario.

| | Predicted annual Co² increase (Tonnes)* | % contribution to permitted Nitrogen Dioxide threshold | % contribution to permitted Particulate Matter (PM¹⁰) threshold |
|--------------------------|---|---|---|
| Primary schools | 104 | 0.93% | 0.18% |
| Secondary schools | 581 | 3.10% | 0.70% |

*An average car produces 138g/km of CO² and a typical UK household produces approximately 5 tonnes of CO² per annum.

(source: *The Distribution of Household CO² Emissions in Great Britain*, Joseph Rowntree Foundation, March 2013.)

PROPOSAL 2

To charge the full cost of a school bus pass for pupils who do not receive free school transport.

4.68 At the time of the consultation in September 2014 the cost of a paying place as identified in Table 4 above was based on 2013/14 data. Since then the Council have made significant efficiencies in retendering its home to school bus contracts. Table 11 below identifies the current cost of a paying place should the charge be introduced in the 2015/16 financial year. However, it must be noted that the proposals would not come into force until September 2016 and therefore further efficiencies would be sought in the home to school transport bus contracts to keep costs as low as possible.

Table 11: The actual cost of a paying place on BCBC school buses 2014-15

| | |
|--|----------------|
| Cost of primary school transport provision per primary school pupil | £522.60 |
| Total number of operating days 1 st April to 31 st March | 190 |
| Cost per day | £2.75 |
| Cost of secondary school transport provision per secondary school pupil | £431.20 |
| Total number of operating days 1 st April to 31 st March | 190 |
| Cost per day | £2.27 |

4.69 Currently only 48 pupils have a “paying place” on secondary school transport (see Table 12 below) as there are limited surplus places and on some routes there are waiting lists for these places. Table 12 below illustrates the difference in cost between the actual and currently charged cost of the paying places currently being used, if the proposed increase was introduced for the 48 pupils currently in receipt of a paying place.

Table 12: Charging difference between actual and currently charged cost of a paying place (at the rate identified in consultation document)

| | |
|--|-----------|
| Number of current surplus places being utilised | 48 |
| Actual cost to BCBC of surplus places per annum | £31,055 |
| Current charge for these places | £12,960 |
| Benefit to the Council of full cost recovery | £18,095 |

4.70 If this proposal was implemented on its own it would not generate significant savings unless all the available surplus places generated by proposal one (see paragraph 4.1 onwards) and proposal 3 were offered and utilised. However, if the places are held open and offered to pupils, the Local Authority would not be able to make savings against proposal one, as the savings under this proposal are predicated against a reduction in the number of vehicles across all routes and the change of service from larger to smaller vehicles e.g. coaches to minibuses.

4.71 If seats are offered as paying places, they need to be available, and therefore service operators would need to retain their existing capacity on their current services. This would need to be paid for by the Council and these seats could then be offered to pupils. Therefore, there needs to be availability on the buses at the outset of the offer of the paying place and assurances from parent/pupils of take-up. Any 'gaps' in this take-up would not be recoverable by the Local Authority as the service, regardless of take-up would need to be paid for in full.

Table 13: The actual cost of BCBC school bus contracts 2014-15 (Secondary school)

| School | No. of pupils (post-16) | No. of post-16 pupils currently in receipt of free transport | Percentage of all post-16 pupils currently in receipt of free transport | Daily cost of bus contract to school (all ages) | Annual cost of contract (190 days) all ages |
|------------------------------------|--------------------------------|---|--|--|--|
| Archbishop Mcgrath Catholic School | 152 | 123 | 81% | £1,703 | £323,551.00 |
| Brynteg School | 446 | 131 | 29% | £767 | £145,730.00 |
| Bryntirion Comprehensive | 204 | 0 | 0% | £0 | £0 |
| Coleg Cymunedol Y Dderwen | 173 | 96 | 55% | £1,859 | £353,115.00 |
| Cynffig Comprehensive | 107 | 31 | 29% | £588 | £111,720.00 |
| Maesteg Comprehensive School | 208 | 61 | 29% | £800 | £152,000.00 |
| Pencoed School | 146 | 9 | 6% | £124 | £23,560.00 |
| Porthcawl Comprehensive | 343 | 30 | 9% | £510 | £96,900.00 |
| Ysgol Gyfun Gymraeg | 122 | 105 | 86% | £1,717 | £326,230.00 |

| School | No. of pupils (post-16) | No. of post-16 pupils currently in receipt of free transport | Percentage of all post-16 pupils currently in receipt of free transport | Daily cost of bus contract to school (all ages) | Annual cost of contract (190 days) all ages |
|--------------------|-------------------------|--|---|---|---|
| Llangynwyd | | | | | |
| GRAND TOTAL | 1901 | 586 | 31% | £8,067 | £1,532,806 |

4.72 There is potential for financial receipt to cover the cost of the places on bus services if implemented in conjunction with one or both of the other current proposals i.e. proposal 1 and 3.

4.73 Table 14 below identifies the potential availability of paying places as a direct result of both post-16 pupils losing their entitlement to free transport from September 2016 in secondary schools and year 7 pupils not eligible at transition from primary to secondary education.

Table 14: The potential financial receipt from offering available paying places based on full cost recovery (based on 2014-15 data)

| Row Labels | No. Pupils eligible for home to school transport 2014/15 | No. Pupils eligible for home to school transport post implementation of policy (based on 2015/16 data) | Potential number of paying places | Daily receipt from paying places | Annual receipt from paying places (based on 190 days) |
|------------------------------------|--|--|-----------------------------------|----------------------------------|---|
| Archbishop Mcgrath Catholic School | 614 | 469 | 145 | £329 | £62,539 |
| Brynteg Comprehensive School | 439 | 283 | 156 | £354 | £67,283 |
| Coleg Cymunedol Y Dderwen | 956 | 718 | 238 | £540 | £102,649 |
| Cynffig Comprehensive | 238 | 212 | 26 | £59 | £11,214 |
| Maesteg Comprehensive School | 365 | 294 | 71 | £161 | £30,622 |
| Pencoed Comprehensive School | 74 | 69 | 5 | £11 | £2,157 |
| Porthcawl Comprehensive | 153 | 119 | 34 | £77 | £14,664 |
| Tonyrefail Comprehensive | 56 | 34 | 22 | £50 | £9,489 |
| Ysgol Gyfan Gymraeg Llangynwyd | 604 | 522 | 82 | £186 | £35,367 |
| GRAND TOTAL | 3559 | 2785 | 774 | £1,757 | £333,826 |

PROPOSAL 3

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

4.74 Response to issues raised

- 4.75 The savings to the Local Authority relating to the secondary schools of removing post-16 provision is more complicated and has already been covered under proposal 1 (paragraph **Error! Reference source not found.**) as post-16 learners use the same buses as pupils of statutory school age.
- 4.76 Table 15 below however, identifies the current numbers of Post-16 learners attending Bridgend College and the cost of the overall service to the Local Authority.
- 4.77 Other concerns focussed on child safety and general worries that the proposed distances (an additional 0.5 miles for primary school pupils and an additional 1 mile for secondary school pupils) were too far to walk and that the proposals would lead to more cars in and around school gates which would cause safety issues for children.
- 4.78 Pupils raised the question that if the proposals came into effect there would need to be work done to the current infrastructure around schools to ensure pupil safety and then would the cost of undertaking this work negate any potential savings that the policy change would realise?
- 4.79 The weather also played a large part in pupil responses with the winter months being highlighted as a particular concern. Many pupils also raised the issue of the public transport infrastructure being insufficient to enable pupils to get to school easily/on-time with multiple journeys having to be taken in some instances and that this would impact on pupil productivity and ultimately pupil achievement.
- 4.80 In order to mitigate against some of these issues pupils suggested that facilities in schools would need to change such as suitable locker spaces for heavy bags and coat hangers for wet clothes. Better facilities for bikes such as racks and CCTV were also suggested as measures that would help to facilitate any changes. Pupils also suggested that rather than changing the eligibility criteria, better monitoring of existing pass usage should take place to ensure that a) passes are only issued to those who intend using them and b) that if passes are not sufficiently being used they should be withdrawn.
- i. 20% of respondents were concerned that the proposal might impact negatively on local communities, although responses were not explicit in why this would be.
 - ii. Respondents indicated their concern that post-16 attendance maybe negatively impacted by the proposal and the impact therefore on increasing the population of those not in education, employment or training (NEET).
 - iii. Respondents indicated that there could potentially be a negative impact on attendance at the only Welsh Medium secondary school i.e. YGGL if post-16 transport provision was to be removed.
 - iv. That some respondents commented that the current physical infrastructure, specifically the current public service bus routes, do not support easy access for all learners across the county borough, especially those attending further education establishments.

- v. 19% stated that the cost of having to pay for their own transport to and from school and college, may deter pupils from accessing further education.
- vi. In relation to both Archbishop McGrath High School and YGG Llangynwyd respondents felt that they might be disproportionately affected if the proposal were to be introduced due to their large catchment areas and uniqueness in being the only secondary Welsh Medium and secondary Church schools in the county borough.
- vii. Qualitative responses indicated that parents and pupils may choose to attend the local English medium secondary at transition from primary to secondary (years 6-7), as studying in Welsh medium primary and secondary schools would be complicated by the potential in moving schools for further education if the sixth form at YGGL no longer becomes viable. Respondents have stated this could in fact have an impact on the pupil's academic performance.

4.81 At the community engagement workshop in YGG Llangynwyd, attendees including RhAG and the headteacher identified the risk to the sustainability of the only Welsh Medium Secondary school in Bridgend if free transport was to be removed, in particular to post-16 education. The main risk outlined was that parents might determine that given that their child would not be receiving free transport at Post-16 to a school not centrally located in Bridgend and therefore relatively isolated in the North of the County Borough, parents may in light of any decision to withdraw free transport, may more likely consider a geographically closer English medium secondary school before looking at the option of Welsh medium education.

4.82 The savings to the Local Authority relating to the secondary schools of removing post-16 provision is more complicated and has already been covered under proposal 1 (paragraph 4.1 onwards) as post-16 learners use the same buses as pupils of statutory school age.

4.83 Table 15 below, however, identifies the current numbers of Post-16 learners attending Bridgend College and the cost of the overall service to the Local Authority.

Table 15 – Current cost of providing free transport to Post-16 Learners in Bridgend College

| Bridgend College location | No. of post-16 learners currently eligible of free transport | Annual cost of passes |
|---------------------------|--|-----------------------|
| BRIDGEND | 394 | £146,422 |
| PENCOED | 262 | £97,658 |
| Total | 656 | £244,080 |

4.84 Therefore, by removing the passes, the Local Authority would make an immediate saving of £244,080.

4.85 Impact of the proposal on Welsh medium education

4.86 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.

4.87 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”.

4.88 This vision is supported by 6 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”.

4.89 The strategic aims and key outcomes set out in the Welsh Medium Education Strategy (WMES) form a large part of 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’

4.90 This vision informs not just the WESP, but also Bridgend’s Single Integrated Partnership Plan, its Strategy for School Modernisation, its Inclusion Strategy and its Transformation Plans for 14-19 educational provision.

4.91 The vision is underpinned by commitments to:

- ensure that Welsh-medium education is available to all children of pre-school age and above whose parents / carers wish them to receive their education through the medium of Welsh, and this within reasonable travelling distance from children's homes;
- ensure a developing continuum from Welsh-medium primary education through to Welsh-medium secondary education, so that pupils who have received their primary education through the medium of Welsh will be able to attend a Welsh-medium secondary school and progress accordingly into further and higher education and training;

4.92 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. It also clearly states that this discretionary element is under review and the plan has been written with this in mind.

- 4.93 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.
- 4.94 The original 6 proposals identified in paragraph 3.26 were not supportive of Welsh medium education. Proposal one aims to better support Welsh medium education as the policy allows a pupil to choose any Welsh medium school regardless of where it is in the County Borough within the distance criteria. Nevertheless, strength of public opinion identifies that under the current proposal 13 per cent of respondents are concerned that this may still cause pupils to change from a Welsh speaking school to an English speaking school.
- 4.95 This is an important consideration in respect of any school, not least Ysgol Gyfun Gymrag Llangynwyd (YGGL) as it is the only Welsh medium secondary school in the County Borough of Bridgend and there is likely to be some impact of the policy on the sustainability of the school should it be implemented. See Table 5 for the geographic location of pupils at the school.
- 4.96 Table 16 above identifies that only 29% of the pupils attending YGGL are local to Maesteg, with the vast majority (71%) 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.
- 4.97 In light of this, Cabinet would need to carefully consider whether 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 would not be met by this proposal nor would its 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.
- 4.98 Cabinet are also being asked to consider the report titled “Strategic Review into the Development and Rationalisation of the Curriculum and Estate Provision of Primary, Secondary and Post-16 Education” If approved, this strategic review will build on the findings of the Schools Task Group, and will deliver an options appraisal making recommendations that can be presented to Cabinet and consulted on following the statutory code. This review will include determining options for Post-16 provision in the future. It is therefore important to understand the impact of any changes to the current Post-16 travel arrangements in line with the outcome of the strategic review and therefore we would recommend that Cabinet do not make a decision to change current Post-16 travel arrangements and this will be considered during the strategic review.

4.99 Currently Post-16 transport is provided free if a pupil/student lives 2 or more miles from their place of study which is in line with the arrangements for secondary school pupils. We recommend that this alignment is maintained and that if statutory minimum distances are introduced that they apply to Post-16 pupils as well as secondary pupils.

4.100 Impact of the proposal on voluntary aided/religious education

4.101 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'.

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

4.103 The original 6 proposals identified in paragraph 3.26 were not supportive of voluntary aided education as there is no statutory duty in the Learner Travel (Wales) Measure 2008 to provide free transport for learners who by parental preference, attend a Voluntary Aided (VA) school, where the school is not the nearest available school.

4.104 Therefore the Local Authority has since revised its proposal to ensure that faith based education in Bridgend is protected beyond that identified in the Learner Travel (Wales) Measure 2008 and the policy therefore now allows a pupil to choose any voluntary aided school regardless of where it is in the County Borough within the new distance criteria.

4.105 Nevertheless 13 per cent of respondents believed that religious schools could be impacted by the proposal to remove free home to school transport for post-16 learners.

4.106 Many local authorities in Wales are reviewing their provision of learner transport to post-16s (see Table 1). Those that have changed their policies have not had time to monitor what (if any) impact the change has had on many of the issues either identified by consultees or based on supposition i.e.

- i. Discouragement of post-16 learners from continuing in further education;
- ii. The impact on school rolls;
- iii. Inequality of English medium, Welsh Medium and faith based learning;
- iv. The impact on the numbers of NEETs.

4.107 A Dcsf report 2010 ('Barriers to participation in education') interviewed over 3,000 young people and asked their views on what issues would impact on their decision to continue in education. As part of that report young people cited transport as a potential barrier for not continuing in education. This is particularly the case for young people who reside in rural communities. However, crucially it found that 'it

only stops a minority (4%) from doing what they want to do after leaving school' (*P6 Barriers to participation in education 2010* www.dcsf.gov.uk/research)

4.108 To put this in perspective one quarter of young people (25%) in the same report said that having to pay rent to their parents is a constraint when deciding whether to undertake post-16 education.

4.109 The report identified that only 30% of young people go to school or college on foot. 40% used public transport and the rest had lifts, used mopeds, cars or taxis.

4.110 81% of young people interviewed for the report stated that they find it easy to work out the times of buses and trains. 92% reported feeling confident using public transport and 92% reported feeling safe when doing so indicating that this would not be a barrier. Only 2% of young people reported that lack of availability of public transport had stopped them doing what they wanted to do post-16 and while 10% reported that it had been problematic, they also reported having successfully coped with it.

4.111 Wales is delivering the Active Travel (Wales) Act 2013 which is considered to be a world first. The act aims to encourage more people to walk and cycle more safely and more often. The Active Travel Action Plan explains how we and our partners are supporting walking and cycling in Wales.

4.112 The key objectives are to:

- improve the health and well-being of Wales through increased physical activity
- improve the local environment for walkers and cyclists
- encourage sustainable travel to combat climate change
- increase levels of walking and cycling through promotion
- ensure that walking and cycling are prioritised in policies, guidance and funding

4.113 In Scotland, walking to school contributes to the national physical activity indicator.

4.114 The school run is a major source of congestion during the morning peak, with as many as one in five cars on the road taking children to school. A survey by Sustrans found that half of those who drove their children to school lived less than a mile away. In addition, childhood obesity is at record levels while school transport budgets are facing an unprecedented squeeze.

4.115 As identified in paragraph 4.9.3 Cabinet is also being asked to consider the report titled "Strategic Review into the Development and Rationalisation of the Curriculum and Estate Provision of Primary, Secondary and Post-16 Education" and the impact of that report also applies here.

4.116 Currently Post-16 transport is provided free if a pupil/student lives 2 or more miles from their place of study which is in line with the arrangements for secondary school pupils. We recommend that this alignment is maintained and that if statutory minimum distances are introduced that they apply to Post-16 pupils as well as secondary pupils.

4.117 Local Transport policy

4.118 In January 2015, the Council submitted its draft Local Transport Plan (LTP) to the Welsh Government for approval. The LTP covers the Bridgend County Borough geographical area and sets out the Council's priorities for transport investment over the next 15 years. The schemes included within the LTP represent those currently identified by the Council. However, any additional schemes identified that will support the vision of the LTP will be considered for inclusion in future versions.

4.119 The primary focus of the LTP is to address issues relating to local transport and how it can facilitate economic growth. The LTP recognises that a change to the learner travel distance criteria is a key issue for many residents, and is one that will affect local transport movements and travel choice. To mitigate some of the potential negative effects of these changes, the LTP includes proposals to improve active travel networks to facilitate walking and cycling to schools, which will also contribute to satisfying some of the Council's duties under the Active Travel (Wales) Act. In addition, the Council will encourage the development and adoption of School Travel Plans (STPs) and Community Access Plans (CAPs) to promote the use of alternatives to the car for the school run.

4.120 Survey conducted by the Welsh Language Commissioner regarding transport for post-16 learners attending Welsh-medium or bilingual education.

4.121 Due to the volume of requests for advice the Welsh Language Commissioner had received regarding transport for post-16 learners attending Welsh-medium or bilingual education, the Commissioner decided to collect evidence on post-16 learners and associated local transport arrangements.

4.122 On 2nd April 2015 a letter was sent to all local authority Directors of Education in Wales, asking them to complete a survey on transport arrangements for post-16 learners. Questions were included about:

- the current arrangements and any fees charged
- the number and percentage of post-16 learners attending Welsh-medium or bilingual education
- revisions of the arrangements and any Welsh language impact assessment

4.123 By the end of July, 21 of 22 authorities had responded. The exception was Carmarthenshire Council.

4.124 The report is provided at Appendix 2, however the main findings are included below.

1. In terms of learners' transport costs there is a wide variety not only between the authorities providing free transport and those providing transport for free, but also between the amounts that different authorities charge, with the highest fee being over six times higher than the lowest.
2. Of those post-16 learners attending Welsh-medium or bilingual education, 50% or more rely on transport, in the case of the majority of authorities who responded to the survey.

3. Not all authorities who responded to the survey were able to provide information on the post-16 learners who rely on transport, the cost of the provision to the authority or the likely number of learners in the future.
4. Over half the authorities are revising their arrangements or considering doing so, and over a quarter intend to introduce changes during the next two academic years.
5. The way in which authorities assess the impact of policy changes on the Welsh language lacks consistency. As a result of this, and the lack of detail referred to above, it is unclear whether every authority recognises the long-term implications of changes to transport arrangements for Welsh-medium and bilingual education.

5. Effect upon Policy Framework & Procedure Rules

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

6. Equality Impact Assessment

- 6.1. The Equality Act 2010 (the "Equality Act") sets out the specific public sector equality duties applicable to the Council as a local authority in Wales.
- 6.2. The Equality Act challenges public organisations to know how age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion/belief, sex, and sexual orientation (deemed "protected characteristics") describe the experiences of local communities, both individually and collectively.
- 6.3. Thinking about the relationship between these protected characteristics explains the difficulties and opportunities arising from the diversity of local areas. They serve as a reminder that the consequences of difference on effective service delivery cannot be avoided either for the provider or the user.
- 6.4. The Equality Act states that the local authority must, in the exercise of its functions, have due regard to the need to:-
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.5. The Equality Act states that having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:-
 - remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

6.6. In addition to the general duty the Council must:-

- assess the likely impact of proposed policies and practices on its ability to comply with the general duty;
- assess the impact of any policy which is being reviewed and of any proposed revision;
- publish reports of the assessments where they show a substantial impact (or likely impact) on an authority's ability to meet the general duty; and
- monitor the impact of policies and practices on its ability to meet that duty.

6.7. In accordance with the duties that the Equality Act places on local authorities an Equality Impact Assessment (EIA) has been prepared and is attached as Appendix 8.

6.8. The EIA should be read in conjunction with the Consultation report (Appendix 6).

The EIA considers the potential impact of the Proposal on the designated protected groups and identifies any existing mitigation or that which can be put in place

6.9. Both the consultation report and the EIA highlight the following:-

- (a) Pupils and affiliates of Ysgol Gyfun Gymraeg Llangynwyd feel that the proposals will disproportionately impact on Welsh Medium Education (and the Welsh language as a whole) particularly at Secondary and Post-16 level, as there is only one Welsh Medium Secondary School in the county borough.

The Welsh language has official status in Wales which means that it should not be treated less favourably than the English language. Please see section 4.81 which details in full the local authority's duties with regards to the Welsh Language as well as the EIA which also addresses this issue (Appendix 8).

- (b) Pupils and affiliates of Archbishop Mcgrath Catholic High School feel that the proposals will disproportionately impact on faith based education, particularly at Secondary and Post-16 level, as there is only one faith based secondary school in the county borough. Please see the EIA (Appendix 8) for further detail.

6.10. Although not raised in either the consultation or the EIA, officers have also paid particular attention to ensure that Bridgend's Black Minority Ethnic (BME) learners and communities will not be unfairly disadvantaged by the proposals.

6.11. An analysis of pupil data showed that ethnic learners account for 4.8% of pupils in Bridgend. Archbishop McGrath Catholic High School has the highest percentage of ethnic pupils (14%) which equates to 107 pupils.

6.12. When this data was interrogated further it showed that the BME pupils at this school would not be disproportionately affected by the proposals.

6.13. The full EIA has since been prepared and is included in Appendix 8.

6.14. Consideration in respect of Black and Minority Ethnic (BME) groups

6.15. The Local Authority has paid particular attention to identify whether any of the proposals would disadvantage Bridgend's Black Minority Ethnic (BME) learners.

6.16. For the purposes of this evaluation we have used the characteristics highlighted in *Mandla v Dowell Lee*, (House of Lords, 1983) to define an ethnic group and have looked at groups with the following features:-

- a long shared history which the group feels distinguishes it from other groups and the memory of which it keeps alive;
- its own cultural tradition including family and social manners, often but not necessarily associated with religion;
- a common, perhaps distant, geographical origin;
- a common language and literature.

6.17. The consultation survey response form included equalities information (using the equalities questions suggested by Welsh Government) and we asked respondents to disclose their ethnic group.

6.18. Of the 725 responses to the survey, 236 respondents disclosed their ethnicity (33% of the respondents).

6.19. Table 16 below shows the breakdown of these responses. Please note that people could tick as many groups as they felt applied to them and therefore the total number of responses per ethnic group (259) is higher than the total number of responses regarding ethnicity overall (236).

Table 16: Ethnicity of respondents to consultation

| What is your ethnic group? | No. of responses | Percentage of responses | ONS data |
|---------------------------------------|------------------|-------------------------|----------|
| White | 239 | 92.3% | 97.7% |
| Mixed/multiple ethnic groups | 4 | 1.5% | 0.7% |
| Asian/Asian British | 12 | 4.6% | 1.1% |
| Black/African/Caribbean/black British | 3 | 1.2% | 0.1% |
| Other ethnic groups | 1 | 0.4% | 0.2% |
| | 259 | 100% | |

6.20. As Table 16 shows, in comparison to Office of National Statistics data (ONS) 2011 on Bridgend County Borough as a national statistic, we have an "over-representative" sample for all groups except for the "white" ethnic group. No respondents stated that the proposals would specifically impact them because of their ethnic group and this is shown in the Equality Impact Assessment (please see Appendix 8) The only issue concerning race/ethnicity that was raised during the consultation process was around the impact the proposals would have on the Welsh language and the impact the proposals would have on Welsh medium education and pupils attending Welsh medium schools.

6.21. The Local Authority has also analysed ethnicity rates across all secondary schools in the County Borough using the Pupil Level Annual School Census (PLASC) returns from January 2015. Overall Bridgend County Borough has a very low percentage of

ethnic pupils with 4.8% being determined as non “white-British”. Table 17 below shows the percentage of “White British” pupils compared with all other ethnic groups.

Table 17: Ethnicity of pupils in Bridgend secondary schools

| School | ‘White – British’ | Other | Cohort | Ethnic % |
|--------------------|-------------------|------------|-------------|-------------|
| Archbishop McGrath | 659 | 107 | 766 | 14.0% |
| Brynteg | 1523 | 134 | 1657 | 8.1% |
| Bryntirion | 984 | 57 | 1041 | 5.5% |
| Y Dderwen | 1282 | 24 | 1306 | 1.8% |
| Cynffig | 645 | 17 | 662 | 2.6% |
| Maesteg | 1083 | 18 | 1101 | 1.6% |
| Pencoed | 858 | 26 | 884 | 2.9% |
| Porthcawl | 1358 | 63 | 1421 | 4.4% |
| YGG Llangynwyd | 600 | 7 | 607 | 1.2% |
| OVERALL | 8992 | 453 | 9445 | 4.8% |

6.22. As the table shows Archbishop McGrath High School has the highest percentage of ethnic learners (14%) with Brynteg having the second highest percentage (8.1%). Both these schools have a wide and diverse range of learners, however, when we interrogated the data further it showed that Archbishop McGrath has two main ethnic communities with Filipino (25 pupils) and Polish (20 pupils) pupils accounting for 42% of the School’s ethnic pupils. Out of the current cohort of Filipino pupils we have cross-checked addresses and know that of this cohort a slight majority (55%) of pupils live in postcodes that will be affected if the proposals are introduced. None of this cohort will directly be affected as those who already receive free transport will continue to do so, however, if any of the cohort have siblings in primary school they may also receive enhanced eligibility if they start secondary school whilst their elder sibling is still there. Of this cohort there are 7 Filipino pupils who have younger siblings in primary school. Of these 7 pupils, 4 pupils would retain eligibility at the enhanced 2 mile threshold (3 live below the current 2 mile threshold and would never have qualified for free school transport). Of the current cohort of polish pupils only 5 pupils live in postcodes that would be affected by the proposed changes. None of this cohort of polish pupils has younger siblings currently in primary school that would start secondary school whilst their elder sibling was still there, thus none of this cohort would retain the sibling protection in respect of the policy.

6.23. Welsh Young Persons Discounted Travel (WYPDT) Scheme and Educational maintenance allowance

6.24. At the end of September 2014 the Welsh Government announced that in September 2015 it would invest £5m to introduce discounted travel on public transport for 16 to 18 year olds travelling to and from training and work in 2015-16. A further £9.75million in 2016-17.

6.25. Funded by the Welsh Government and developed in partnership with the bus industry and local authorities, the new Welsh Young Persons Discounted Travel (WYPDT) Scheme has been designed to help young people travel more cheaply and covers all of their bus journeys.

6.26. Young people 16 to 18 years old will be able to register their interest for the new WYPDT Scheme Card to enable them to receive one third discounted fares on all local buses and Traws Cymru journeys throughout Wales from 1st September 2015.

6.27. This scheme is in addition to Education Maintenance Allowance (EMA) where eligible (means tested) 16 to 18 year olds living in Wales, who want to continue their education after school leaving age can obtain £30 a week, paid every two weeks.

7. Financial Implications

7.1. The cessation of the original consultation in January 2014 has meant that the original savings identified for 2015/16 could no longer be realised and the MTFs for the Children's Directorate has therefore been re-profiled as shown in Table 2.

7.2. If not approved by cabinet, the failure to realise these savings would have a significant impact on the Children's Directorate capacity to deliver the total savings identified in the MTFs, and equivalent savings would therefore have to be found from our critical and key core services from within the Directorate.

7.3. Table 23 identifies the current savings identified in relation to proposals 1, 2 and 3. However, as the table illustrates, the total savings are unlikely to be met in the same timescale indicated in the MTFs as these were based on the previous proposals outlined in the report to Cabinet on 17th September 2013.

7.4. There is now far more complexity around the ability of the Local Authority to meet the savings previously identified in the MTFs during the 2016/17 to 2017/18 period as the proposal introduces greater complexity around the rights of pupils with siblings and the fact that those pupils currently eligible for free transport of statutory school age, will continue to receive this until they change school.

7.5. For secondary schools the following analysis in Table 18 below shows that the proposed support for families through the inclusion of sibling protection, will mean that savings will be made on an incremental basis over a number of years. The Local Authority anticipates that by 2023 the majority of the savings would be made and these have been spread evenly over the period 2016-2023. Table 19 shows the potential savings if only proposal 1 were to be introduced.

Table 18: Savings in respect of Secondary school bus contracts 2016 to 2023 (Proposals 1 and 3)

| Secondary school | 2016 Saving | 2017 Saving | 2018 Saving | 2019 Saving | 2020 Saving | 2021 Saving | 2022 Saving | 2023 Saving | Final Saving |
|------------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------|
| Archbishop McGrath Catholic School | £0 | £13,979 | £13,979 | £13,979 | £13,979 | £13,979 | £13,979 | £13,976 | £97,850 |
| Brynteg Comprehensive School | £72,865 | £10,409 | £10,409 | £10,409 | £10,409 | £10,409 | £10,409 | £10,411 | £145,730 |
| Coleg Cymunedol Y Dderwen | £125,230 | £3,900 | £3,900 | £3,900 | £3,900 | £3,900 | £3,900 | £3,826 | £152,456 |
| Cynffig Comprehensive | £43,700 | £9,717 | £9,717 | £9,717 | £9,717 | £9,717 | £9,717 | £9,718 | £111,720 |
| Maesteg Comprehensive School | £19,000 | £16,286 | £16,286 | £16,286 | £16,286 | £16,286 | £16,286 | £16,284 | £133,000 |

| | | | | | | | | | |
|--------------------------------|-----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|-----------------|
| Pencoed Comprehensive School | £0 | £2,199 | £2,199 | £2,199 | £2,199 | £2,199 | £2,199 | £2,196 | £15,390 |
| Porthcawl Comprehensive | £48,450 | £6,921 | £6,921 | £6,921 | £6,921 | £6,921 | £6,921 | £6,924 | £96,900 |
| Ysgol Gyfan Gymraeg Llangynwyd | £17,100 | £3,257 | £3,257 | £3,257 | £3,257 | £3,257 | £3,257 | £3,258 | £39,900 |
| Total | £326,345 | £66,668 | £66,668 | £66,668 | £66,668 | £66,668 | £66,668 | £66,593 | £792,946 |

Table 19: Savings in respect of Secondary school bus contracts 2016 to 2023 (Proposal 1)

| Secondary school | 2016 Saving | 2017 Saving | 2018 Saving | 2019 Saving | 2020 Saving | 2021 Saving | 2022 Saving | 2023 Saving | Final Saving |
|------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|-----------------|
| Archbishop McGrath Catholic School | £0 | £7,111 | £7,111 | £7,111 | £7,111 | £7,111 | £7,111 | £7,114 | £49,780 |
| Brynteg Comprehensive School | £18,216 | £18,216 | £18,216 | £18,216 | £18,216 | £18,216 | £18,216 | £18,218 | £145,730 |
| Coleg Cymunedol y Dderwen | £3,562 | £3,562 | £3,562 | £3,562 | £3,562 | £3,562 | £3,562 | £3,566 | £28,500 |
| Cynffig Comprehensive School | £13,965 | £13,965 | £13,965 | £13,965 | £13,965 | £13,965 | £13,965 | £13,965 | £111,720 |
| Maesteg Comprehensive School | £14,250 | £14,250 | £14,250 | £14,250 | £14,250 | £14,250 | £14,250 | £14,250 | £114,000 |
| Pencoed Comprehensive School | £0 | £1,682 | £1,682 | £1,682 | £1,682 | £1,682 | £1,682 | £1,688 | £11,780 |
| Porthcawl Comprehensive School | £12,112 | £12,112 | £12,112 | £12,112 | £12,112 | £12,112 | £12,112 | £12,116 | £96,900 |
| Ysgol Gyfun Gymraeg Llangynwyd | £4,987 | £4,987 | £4,987 | £4,987 | £4,987 | £4,987 | £4,987 | £4,991 | £39,900 |
| Total | £67,092 | £75,885 | £75,885 | £75,885 | £75,885 | £75,885 | £75,885 | £75,908 | £598,310 |

7.6. We can identify all pupils in our primary schools although the numbers and spread of their siblings who are likely to enter primary education in September in 2016 is not robust enough to include in any detailed analysis. There is potential for yet unborn children to still be eligible if their siblings are eligible for free transport in September 2016. Nevertheless, based on the data of current pupils and utilising a standard figure of 33% of pupils having siblings in secondary school (see paragraph 1.3 above). Table 20 below identifies the small numbers of primary school pupils who would no longer be eligible for school transport in each affected primary school.

Table 20: Number of primary age pupils no longer eligible for free transport post implementation of proposal 1

| Primary School | No. pupils less than 1.5 miles | No. pupils 1.5 - 2 miles | No. pupils more than 2 miles | No pupils (yr 1) between 1.5 & 2 miles (no longer eligible for free transport after implementation of proposal) |
|--|--------------------------------|--------------------------|------------------------------|---|
| St Mary's & St Patrick's Primary Catholic School | 172 | 20 | 29 | 1 |
| St Roberts R.C. Primary School | 112 | 19 | 31 | 1 |

| | | | | |
|--|-------------|------------|------------|-----------|
| St Mary's R.C. (Bridgend) Primary School | 94 | 73 | 75 | 6 |
| Ogmore Vale Primary School | 220 | 14 | 75 | 1 |
| Ysgol Y Ferch O'r Sger Corneli | 150 | 26 | 45 | 3 |
| Ysgol Gynradd Gymraeg Cynwyd Sant | 170 | 32 | 67 | 5 |
| Ysgol Gynradd Gymraeg Cwm Garw | 81 | 1 | 60 | 0 |
| Coety Primary School | 23 | 101 | 58 | 9 |
| Ysgol Gymraeg Bro Ogwr | 90 | 70 | 232 | 0 |
| Archdeacon John Lewis Primary | 115 | 5 | 42 | 2 |
| Total | 1227 | 361 | 714 | 28 |

7.7. For primary schools therefore the policy to move from the current 1.5 miles to 2 miles, will make final savings at year 7 as identified in Table 21 below. This is because of the support for families through sibling protection offered by the policy. The Local Authority would therefore take a dynamic review each year to ensure that the contracts and available transport are not above that which will be necessary to meet the current eligibility of pupils. This approach would be duplicated for contracts to the secondary schools in Bridgend.

Table 21: Savings in respect of Primary school bus contracts 2016 to 2023

| Primary School | No. pupils in September 2016 no longer eligible for free transport | Potential saving at September 2016 | No. pupils in September 2023 no longer eligible for free transport | Potential saving September at 2023 |
|--|--|------------------------------------|--|------------------------------------|
| St Mary's & St Patrick's Primary Catholic School | 1 | £0 | 20 | £8,000 |
| St Roberts R.C. Primary School | 1 | £0 | 19 | £0 |
| St Mary's R.C. (Bridgend) Primary School | 6 | £0 | 73 | £41,990 |
| Ogmore Vale Primary School | 1 | £0 | 14 | £0 |
| Ysgol Y Ferch O'r Sger Corneli | 3 | £0 | 26 | £24,130 |
| Ysgol Gynradd Gymraeg Cynwyd Sant | 5 | £0 | 32 | £53,960 |
| Ysgol Gynradd Gymraeg Cwm Garw | 0 | £0 | 1 | £0 |
| Coety Primary School | 9 | £0 | 101 | £0 |
| Ysgol Gymraeg Bro Ogwr | 0 | £0 | 70 | £50,160 |
| Archdeacon John Lewis Primary | 2 | £0 | 5 | £0 |
| Total | 28 | 0 | 361 | £178,240 |

7.8. For Post-16 pupils the savings are split between places currently occupied by pupils on secondary school buses and those in receipt of public service passes. The proposed removal of public service passes (Table 15) offer an immediate saving of £244,000 from September 2016. However, the savings for 6th form pupils is associated with the wider savings around bus services to the secondary schools in the County Borough (see Table 22 above).

7.9. Furthermore, if the full savings identified above are made through a reduction in contracts and the sizes of buses, this will limit the Local Authority's ability to offer paying places on contracted services so a decision would need to be made on an

operational basis whether to continue to operate buses and contracts if the demand for paying places is insufficient to warrant the continued investment from the Local Authority. It is therefore important to note that the cost of the full service would need to be met i.e. all paying places would need to be taken-up by pupils for the service to be cost neutral to the Local Authority.

7.10. Therefore Table 22 below identifies the first year savings as a result of the implementation of proposals 1,2 and 3 i.e., 2016 and the year 2023 when the vast majority of savings are expected to have been made.

Table 22: Summary of recurrent annual savings in respect of all proposals 2016 and 2023

| Saving | 2016/17 | 2023/24 |
|---|-----------------|-------------------|
| Proposal 1: Minimum Statutory Distance (Primary & Secondary) | £67,092 | £776,550 |
| Proposal 2: Full cost recovery – paying places | £18,095 | £18,095 |
| Proposal 3: Remove Post-16 School & College | £503,333 | £438,716 |
| Total for all proposals | £588,520 | £1,233,361 |

8. Recommendations

8.1. It is recommended that Cabinet:-

1. Approve the changes to the current Learner Travel Policy to bring it in line with minimum statutory requirements, realising savings of £67,092 in 2016/17 rising to £776,550 by 2023/24. This would mean that the qualifying distance for free primary school transport would change from 1.5 miles to 2 miles and the qualifying distance for free secondary transport would change from 2 miles to 3 miles. This will also apply to Welsh-medium and voluntary aided schools and will include Post-16 students. Pupils who currently receive free transport will maintain their entitlement until they transition to the next stage of their education. The change in policy will also include support for families through ensuring siblings attending the same school will receive the same level of transport entitlement. If a child maintains free transport at the lower threshold of 1.5/2miles then any sibling starting the same school whilst the elder sibling is still there will also receive the same entitlement. The policy will be introduced in September 2016.
2. Approve the cost of a paying place at £1.90 per day for all school pupils (including post-16 students) which is £361 per annum, rather than full cost recovery. This equates to an increase of 33.7%, realising £4,367. The increase to the cost of a paying place will be introduced from September 2016 and will be reviewed on an annual basis.
3. In line with current proposals regarding the strategic review of the school curriculum and estate, it is recommended that no decision is made regarding proposal 3 (to withdraw free post-16 transport to school and college students), leaving an estimated budget shortfall of £529,000 for 2016/17.

Directorate Chief Officer's Name: Deborah McMillan

Directorate Chief Officer's Job Title: Corporate Director, Education and Transformation

1st September 2015

Contact Officer: Robin Davies
Group Manager, Business Strategy and Performance

Telephone: (01656) 754881

E-mail: robin.davies@bridgend.gov.uk

Appendix 1: Learner Travel (Wales) Measure 2008

Appendix 2: Survey of Transport for post-16 learners attending Welsh medium or bi-lingual education

Appendix 3: Learner Travel Consultation document

Appendix 4: BCBC's Consultation and Engagement Guidelines and Toolkit

Appendix 5: The National Principles for Public Engagement in Wales

Appendix 6: Learner Travel Review Consultation report

Appendix 7: Bridgend County Children and Young Person's Charter

Appendix 8: Full Equalities Impact Assessment

Appendix 9: Children and Families (Wales) Measure 2010

Appendix 10: Learner Travel Scenario Table

Appendix 11: RhAG consultation response (full version)

Appendix 12: Consultation main risks and associated strategy

Appendix 13: Rights of Children and Young Persons (Wales) Measure 2011

Appendix 14: Alternative policy options

Background documents

Cabinet Report, 17th September 2013, Learner Transport Policy

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

Cabinet report, 10th December 2013, Learner Transport Policy

Report to the Children and Young People Overview and Scrutiny Committee, 2nd September 2014, Learner Travel Policy

Cabinet report, 16th September 2014, Learner Travel Policy

Report to the Children and Young People Overview and Scrutiny Committee, 17th February 2015, Learner Travel Policy

