



Neath Port Talbot
Castell-nedd Port Talbot
County Borough Council Cyngor Bwrdeistref Sirol

Home to School Travel Review

Consultation Document

Date of issue: **Monday 5th December 2016**

Action required: Responses by **Monday 16th January 2017**

This document is available in alternative formats upon request

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Background

All councils in Wales continue to be affected by significant reductions to their funding as a result of the austerity measures put in place by the UK Government. To deal with this budget gap the Council is reviewing all services and considering options to reduce expenditure and / or increase income by reconfiguring, cutting or reducing the services the Council provides. In terms of home to school travel arrangements the Council must consider if it can continue to provide travel assistance beyond what it is required to do so under its statutory obligations.

The purpose of the Home to School Travel Policy is to provide an efficient and effective mechanism for pupils to access learning whilst complying with the statutory duties of the Learner Travel Measure 2008, the relevant areas of the Equality Act 2010 and having due regard to the statutory guidance provided by the Welsh Government in the Learner Travel Statutory Provision and Operational Guidance June 2014.

The Council's home to school travel arrangements affect many pupils and their families who reside within the county borough. The cost of this provision amounts to around £5.8M. The Council must ensure that it provides best value for money for all of its services and provisions. In so doing, the Council must take into account the efficient and effective use its financial resources.

Equally, the Council celebrates diversity and respects parents' preferences to seek Voluntary Aided (Faith) education or Welsh-medium education for their children. In so doing, the Council must take into account the efficient and effective use of its financial resources.

The Council currently provides home to school travel arrangements for approximately **3,270 mainstream pupils** each day through the provision of more than **133 routes** and the issuing of public transport season tickets. In addition the service provides transport for approximately **625 pupils** with additional learning needs/special educational needs daily on **212 contracted vehicles.**

The Council's current policy came into effect on 1st September 2014. Since 2014 the financial pressures on the Council have not been alleviated. However, the Council's management of re-tendering processes has ensured that transport routes are now delivered in a cost-effective

manner. Also, its policy of developing in-house provision to meet the needs of as many pupils as possible has resulted in the reduction of out of county placements and associated transport costs. Furthermore, the provisional settlement from Welsh Government has provided additional funding of £46k for home to school transport in the Council's budget for 2017/18.

The financial table below shows the cost of providing home to school travel assistance. The table shows the cost for the 2015/2016 academic year.

Financial Information 2015/16

2015-16	Total Gross Expenditure
Primary Education - In County	£698,381.09
Primary Education - Out of County	£64,853.09
Secondary Education - In County	£ 1,863,815.12
Secondary Education - Out of County	£ 322,854.43
Special Educational Needs - In County	£ 2,190,668.80
Special Educational Needs - Out of County	£ 255,886.61
Special Educational Needs Post 16 - In County	£ 165,200.99
Special Educational Needs Post 16 - Out of County	£ 64,358.24
Post 16 - Out of County	£ 15,471.50
Transport Delivery	£ 116,217.22
TOTAL COST	£ 5,757,707.09

Home to school travel falls into two categories, **statutory** and **discretionary**.

The Council’s statutory requirement - Legislation prescribes that for those pupils/students who are eligible for home to school travel arrangements this must be provided free of charge.

The Council’s discretion – For those pupils/students who do not qualify for free home to school travel arrangements the Council has discretionary powers to provide assistance. Assistance may be by paying all or part of the pupil/student’s reasonable travelling expenses.

The most cost effective and suitable mode of transport is used, assessment of the suitable mode of transport will depend on the needs of the pupil. The type of transport offered can include:

- a. travel pass for use on public transport i.e. local service bus or rail
- b. a parent consenting to use their car in return for a mileage allowance
- c. a place on a private contract service i.e. school bus/coach, minibus, taxi
- d. a cycle allowance

When considering its home to school travel arrangements, the Council needs to pay due regard to the Welsh Government's Active Travel Action Plan for Wales and the Active Travel (Wales) Act 2013. The action plan aims to address congestion and encourage people to walk and cycle more often. The Welsh Government estimates that one in five cars on the road at 8:50am on a weekday is doing the school run. Congestion in towns is therefore a serious issue. The Active Travel Action Plan sets out the actions that the Welsh Government and its partners will take to encourage more people to walk and cycle for more journeys. It is hoped that this will not only improve the health of our young people, but also improve the health and well-being of those who live and work in the area.

The Council's current policy came into effect on 1st September 2014, at the same point that the policy was approved, a commitment to review in 2 years was given. Following this commitment, the Home to School Travel Policy has been reviewed and the Council through consultation is seeking the views of stakeholders on the proposed changes.

An important part of the process, when considering any change, is to gauge the views of key stakeholders. The purpose of this consultation document is to outline the **proposed** changes, under a **proposed** new policy. This document has been prepared to provide all stakeholders with information about the review of the existing Home to School Travel Policy 2014 and allow all stakeholders the opportunity to have their say before the Council makes any decisions on the **proposed** changes. All responses received during the consultation period will be considered when the Council makes its final decision.

To assist stakeholders, a glossary of terms has been produced and is available under Appendix A.

Current Situation

The Council offers entitlement to home to school travel arrangements via a **statutory offer** (the arrangements the Council needs to make by law to enable free travel for those who are entitled) or a **discretionary offer** (the arrangements made by the Council due to choice rather than a requirement).

At present Neath Port Talbot County Borough Council has a legal responsibility for making free travel to and from school available for:

- all children receiving primary education (aged 5-11) living **two miles** or further from home to their nearest suitable school
- all children receiving secondary education (aged 11-16) living **three miles** or further from home to their nearest suitable school
- all pupils who cannot walk to school because of special education needs, disability or where there are no suitable/available walking route available, even if the distance is less than those stated above
- all pupils who are a Looked After Child by Neath Port Talbot County Borough Council
- all pupils who live within the walking distance of their nearest suitable school but the walking route has been deemed unavailable because it is unsafe
- pupils who attend an inclusion centre or assessment centre if it is considered necessary for their needs and is not within the recognised walking distance for their age and ability

There are currently no requirements to provide free home to school travel arrangements for pupils who:

- are not of statutory school age - this includes nursery aged children as well as post 16 students
- are by parental choice, attending a Voluntary Aided (Faith), where the school is not the nearest suitable school
- are by parental choice, attending a Welsh Medium school, where the school is not the nearest suitable school

However, at present the Council provides travel on a discretionary basis for:

- post 16 students – at a cost of £100 per student per academic year
- pupils aged 5-16 years attending a Welsh Medium school - free even where the school is not the nearest suitable school, under the Learner Travel (Wales) Measure 2008 requirement to promote access to education and training through the medium of Welsh

The Council under the existing Home to School Travel Policy does not provide travel on a discretionary basis for:

- pupils attending a Voluntary Aided (Faith) school unless it is the nearest suitable provision and the distance criteria are met or there is no suitable/available walking route.
- pupils attending a school other than their nearest suitable school where parents have exercised their right to express a preference for their child to attend a particular school.

For those pupils who are not eligible for free home to school travel arrangements under the Council's statutory duty, the Council also offers the following on a discretionary basis:

- the purchase of spare seats – on occasion a vehicle contracted for home to school travel arrangements may have spare capacity. The spare seat is offered for sale and parents/carers may purchase the spare seat for the sum of £260 per academic year. Spare seats are offered on a termly basis, however, the arrangement will cease if a pupil with entitlement to free home to school travel requires the seat.

The Proposal

It is proposed that if the changes go ahead the new Home to School Travel Policy will be introduced as at 1st September 2017.

Following a review of the Home to School Travel Policy 2014, it is proposed that the policy is amended to provide free home to school travel for some pupils under the Council's discretionary arrangements. The proposed new policy is attached under Appendix B.

The following provides details of what is being proposed:

Statutory home to school travel

There is no change to the arrangements under this proposal.

Those children of compulsory school age who attend **their nearest suitable** school and who meet the distance criteria will continue to be eligible for free home to school travel.

Those children who attend their nearest suitable school but where there is no safe walking route, regardless of distance, will continue to be eligible for free home to school travel.

The Council decides which school is a learner's nearest suitable school on the basis of the education or training provided being suitable with regard to the age, ability and aptitudes of the learner and any learning difficulties he or she may have.

Discretionary home to school travel

It is proposed to provide free home to school transport on a discretionary basis for:

- pupils attending Voluntary Aided (Faith) schools which are not their nearest suitable school, if attending the nearest suitable school according to their denominational preference.

Pupils attending Welsh-medium provision

There is no change to the arrangements under this proposal.

Under discretionary arrangements pupils attending Welsh-medium schools will continue to receive free home to school transport, if attending the nearest suitable school according to their language preference.

Post 16

There is no change to the arrangements under this proposal.

Under discretionary arrangements, pupils aged 16-19 years may purchase a seat on existing home to school travel routes. These seats may be purchased for the cost of £100. However, the Council will assess whether an establishment provides a reasonable range of courses suitable to the abilities, aptitudes and requirements of an individual learner. Transport will only be provided to an educational establishment which is not the nearest if, in the judgement of the Council, there is a considerable variation between the learner's course and the course on offer at the nearest establishment.

Nursery

There is no change to the arrangements under this proposal.

Under discretionary arrangements, children of nursery age may purchase a spare seat on existing home to school travel routes. These seats may be purchased for the cost of £260.

It should be noted that discretionary seats can be withdrawn, if the space on the route is needed for children who are eligible for free school travel.

Pupils with Special Educational Needs (SEN)

There is no change to the arrangements under this proposal.

Children with special educational needs will not automatically be entitled to free home to school travel. If a child with special educational need, disability or mobility issue lives within the walking distance of their nearest suitable school but has special needs that mean they cannot reasonably be expected to walk, even if accompanied, to school then free home to school travel will be offered.

Looked After Children (LAC)

There is no change to the arrangements under this proposal.

A Looked After Child will not automatically be entitled to free home to school travel if they are attending their nearest suitable school and they do not meet the distance criteria. However, in determining the most suitable school, the child is placed according to their individual needs. This ensures minimum disruption and continuity in education. When considering the child's need, this may mean that their most suitable school may not be their nearest. In this circumstance, the Council has a statutory duty to provide free home to school travel.

In exercising its discretionary powers the Council will consider the imperative to secure the most cost-effective means of providing transport. The Council will also take into account the existence of current routes and the availability of seats.

Purchase of spare seats

There is no change to the arrangements under this proposal.

A spare seat on existing home to school travel routes may be purchased by pupils who are not eligible for free home to school travel but live along an operating route. These seats may be purchased for the cost of £260.

It should be noted that discretionary seats can be withdrawn, if the space on the route is needed for children who are eligible for free school travel.

Appealing against a home to school travel decision

There is no proposed change to the current appeals process for appealing against a home to school travel decision. If an application for free home to school travel is refused the parent/carer may challenge the decision on the grounds that either it is thought that the policy has been incorrectly applied or because there are exceptional circumstances.

What will it will mean if the changes go ahead

The following table shows examples of what the proposed changes will mean:

	Current Arrangement	Arrangement if change goes ahead
Post 16 student (English-medium)	Student A Attends Neath Port Talbot Group College Pays £100 per academic year	no change
Post 16 student (Welsh-medium)	Student B Attends YG Ystalyfera Pays £100 per academic year	no change
Post 16 student (Faith)	Student C Attends St Joseph's RC School & 6 th Form Pays £100 per academic year	no change
Secondary pupil (English-medium)	Pupil A Attends English-medium secondary which is their nearest suitable school but they live over 3 miles from the school Free Home to School Travel Pupil B Attends English-medium secondary but it is not their nearest suitable secondary education provision, admission is via a preferred placement Pays £260 per academic year for spare seat	no change no change
Secondary pupil (Welsh-medium)	Pupil C Attends YG Ystalyfera which is their nearest suitable school but they live over 3 miles from the school Free Home to School Travel Pupil D Attends YG Ystalyfera but it is not their nearest suitable secondary education provision Free Home to School Travel but is their nearest suitable school for Welsh-medium secondary provision	no change no change

<p>Secondary pupil (Faith)</p>	<p>Pupil E Attends St Joseph's RC School & 6th Form which is their nearest suitable school but they live over 3 miles from the school Free Home to School Travel</p> <p>Pupil F Attends St Joseph's RC School & 6th Form but it is not their nearest suitable secondary education provision Pays £260 per academic year for spare seat</p>	<p>no change</p> <p>Free Home to School Travel</p>
<p>Primary pupil (English-medium)</p>	<p>Pupil A Attends English-medium primary which is their nearest suitable school but they live over 2 miles from the school Free Home to School Travel</p> <p>Pupil B Attends English-medium primary but it is not their nearest suitable primary education provision, admission is via a preferred placement Pays £260 per academic year for spare seat</p>	<p>no change</p> <p>no change</p>
<p>Primary pupil (Welsh-medium)</p>	<p>Pupil C Attends Welsh-medium primary which is their nearest suitable school but they live over 2 miles from the school Free Home to School Travel</p> <p>Pupil D Attends Welsh-medium primary but it is not their nearest suitable primary education provision, (this may be an English-medium primary school) but is their nearest Welsh-medium primary Free Home to School Travel</p>	<p>no change</p> <p>no change</p>
<p>Primary pupil (Faith)</p>	<p>Pupil E Attends Faith primary which is their nearest suitable school but they live over 2 miles from the school</p>	<p>no change</p>

	<p>Free Home to School Travel</p> <p>Pupil F</p> <p>Attends Faith primary but it is not their nearest suitable primary education provision, (this may be a non-faith primary school) but is their nearest Faith primary</p> <p>Pays £260 per academic year for spare seat</p>	Free Home to School Travel
<p>Nursery pupil (English-medium)</p>	<p>Pupil A</p> <p>Attends English-medium nursery provision within English-medium primary which is either their nearest suitable school or a preferred placement</p> <p>Pays £260 per academic year</p>	no change
<p>Nursery pupil (Welsh-medium)</p>	<p>Pupil B</p> <p>Attends Welsh-medium nursery provision within Welsh-medium primary which is their nearest suitable school or a preferred placement</p> <p>Pays £260 per academic year</p>	no change
<p>Nursery pupil (Faith)</p>	<p>Pupil C</p> <p>Attends Faith nursery provision within Faith primary which is their nearest suitable school or a preferred placement</p> <p>Pays £260 per academic year</p>	no change
<p>Looked After Child</p>	Free Home to School Travel to most suitable school (even if this may not be the nearest)	no change
<p>Pupils/Students with Special Educational Needs (SEN)</p>	Free Home to School Transport if the pupil/student is attending their most suitable specialist provision (and due to their disability they are unable to walk, if their most suitable provision is under the distance criteria)	no change

Equality Impact Assessment

The Equality Act 2010 requires public bodies to “pay due regard to the need to: Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and foster good relations between persons who share relevant protected characteristics and persons who do not share it.”

An Equality Impact Assessment has been carried out; so that the Council can demonstrate that it has discharged its duty under the Act.

The Screening exercise has provided an opportunity for consideration of any potential impact in relation to the protected characteristics as laid out in the Equality Act 2010 using existing and relevant national and local data currently available.

The screening has identified a mostly high and/or medium impact in relation to the following Protected Characteristics: age, race, religion or belief, Welsh language. High impact is defined by the Screening Form Guidance as developed by the local authority as: the group is likely to be highly affected by the initiative; medium impact is defined as: the initiative is likely to affect the group in some way.

Using the formula as detailed in the Screening Form and the associated Guidance the outcome of the Screening exercise using the data and evidence has identified that the proposal/review of the policy is a High Priority in relation to the potential and as such there is a need to undertake a full equality impact assessment in relation to the proposed review of the Home to School Travel Policy to establish the actual impact so that the local authority is in a position to pay due regard to the General Duty of the Equality Act 2010.

The Consultation Process

What you say matters so the Council is consulting with all key stakeholders to hear their views. Consultation will run for a period of 6 weeks. Following the conclusion of the consultation period all comments received will be presented to the Council’s Cabinet for their decision. The

Council’s Cabinet will meet and at this meeting councillors will take the views expressed into account before making any decision. If Cabinet decides to implement the proposal, unchanged, the new Home to School Travel Policy will come into effect on the **1st September 2017**. If Cabinet decides not to go ahead with the proposal, it may be that an alternative proposal may be sought.

The timetable below sets out what will happen and when it will happen:

What	When
Consultation begins	Monday 5 th December 2016
Consultation ends	Monday 16 th January 2017
Proposed implementation date for new policy	1 st September 2017

How to respond

The purpose of this consultation document is to provide information and to invite views on the Council’s proposal for future home to school travel arrangements.

Consultation will take place during the period-

Monday 5th December 2016 to Monday 16th January 2017

Any responses received after the above date will not be considered

Comments on the proposal may be submitted to the following e-mail:

schooltravelconsultation@npt.gov.uk

For those who prefer to submit their response by way of written letter, these should be sent to the following address:

**Mr Christopher Millis, Head of Participation,
Education Leisure and Lifelong Learning, Civic Centre, Port Talbot, SA13 1PJ**

For those consultees who wish to take the opportunity to ask questions about the proposal, consultation meetings will be held. The following events have been arranged:

When	Where
9am – 11 am Thursday 15 th December 2016	Neath Civic Centre Room C
11am – 1pm Friday 16 th December 2016	Port Talbot Civic Centre Rooms 1 & 2

Related documentation

Learner Travel (Wales) Measure 2008

The Learner Travel Statutory Provision and Operational Guidance 2014

The Active Travel Action Plan

NPT Home to School Travel Policy 2014

NPT Home to School Travel Policy 2017

NPT Admissions Policy

NPT Home to School Travel Appeals Process

Appendix A - Glossary and Additional Information

Statutory home to school travel – This means the Council must, by law, provide free home to school transport to these pupils.

Discretionary home to school travel – This means that the Council is not, by law, required to offer this home to school transport but may choose to do so.

Compulsory school age – A child's age on 1 September determines the point of entry into the relevant stage of education. Education is compulsory beginning with the term following the child's fifth birthday and ceases if they have attained the age of 16 on the prescribed school leaving date, or before the next school year, which is the last Friday in June.

Nearest suitable school – As defined by the Learner Travel (Wales) Measure 2008, the nearest suitable school is the school where the education or training provided is suitable having regard for the age, ability and aptitudes of the learner and any learning difficulties he or she may have.

Safe Walking Route – Assessment of a safe walking route using “Assessment of Walked Routes to School Guidelines” published by Road Safety GB which identifies hazards and the assessment of risk of walked routes to school.

Special Educational Needs (SEN) – Children have a Statement of Special Educational Needs if they have severe learning, behavioural or physical difficulties that affect their ability to learn.

Looked After Children (LAC) – A Looked After Child is a child in the care of the local authority, or who is provided with accommodation by a local authority under the child care responsibilities of a local authority's social services.

Preferred Placement – Parents and learners may express a preference for a particular school, a particular type of language provision or faith school, but the Measure does not confer on those parents and learners any rights to free transport to their preferred school and or location, unless that school is determined by the local authority to be the learner's nearest suitable school and the learner meets the distance criteria.

Appendix B – Home to School Travel Policy 2017