



Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

### **Education Skills and Culture Cabinet Board**

**6<sup>th</sup> June 2019**

#### **Report of the Head of Participation – Mr Chris Millis**

#### **Matter for Decision**

#### **Wards Affected:**

All Wards

#### **Report Title:**

Draft Home to School Travel Policy 2020

#### **Purpose of the Report:**

To inform Members of the proposed new Home to School Travel Policy 2020 and to seek approval to undertake a public consultation exercise in respect of this proposed policy.

#### **Executive Summary:**

The proposed 2020 policy updates and revises the existing Home to School Travel Policy 2017, which is attached as **Appendix 1**. It is proposed that the draft Neath Port Talbot Home to School Travel Policy 2020 be consulted upon to obtain the views of stakeholders prior to the proposed implementation date in September 2020 (the start of the new 2020/2021 academic year).

The Learner Travel Information (Wales) Regulations 2009 requires the Council to publish and make available information on travel arrangements and that the information must be made available by the 1<sup>st</sup> October preceding the academic year to which the information relates. Therefore, it is proposed that consultation will be for eight weeks from Monday 10<sup>th</sup> June 2019 until Sunday 4<sup>th</sup> August 2019 and that the matter is referred back to Members for decision following the analysis of responses received during the consultation period. If it is decided that the policy will be implemented, it will be published on the 1<sup>st</sup> October 2019 for implementation the following academic year (September 2020). A consultation document is attached as **Appendix 2**.

The proposed 2020 policy provides additional detail and explanation to the current 2017 policy and it is hoped that these details will provide parents/carers with a clear understanding of what is eligible and what is not eligible when considering an application for home to school travel assistance.

The new proposed policy provides free home to school travel for those pupils who are eligible under statutory requirements. For those pupils who do not meet the criteria for free school transport, the Council can, under its discretionary powers, as outlined in Section 6 of the Learner Travel Measure provide free home to school travel for pupils attending both Voluntary Aided (Faith) education and Welsh medium education. This policy continues to provide discretionary transport for those pupils, of compulsory school age, attending Welsh medium and Voluntary Aided (Faith) education as per arrangements under the current 2017 policy. Under the proposed new policy, the Council will continue to provide free non-statutory travel to those pupils who meet the distance criteria and are attending either their nearest Welsh-medium school or their nearest Voluntary Aided (Faith) school.

The proposed new policy continues to provide eligibility criteria for home to school travel assistance for those pupils/students with a statement of special educational need/additional learning need following and subject to an assessment of their need.

### **Changes introduced by the proposed new Home to School Travel Policy 2020:**

**Pupils who have dual residence** – Some pupils reside at more than one address due to the fact that they live with both parents/carers but separately

at different addresses (e.g. because parents are separated). The proposed 2020 policy states that although it will consider the two home addresses, only travel assistance to the nearest suitable school will be offered when considering either address, provided the distance criteria is met. There will be no absolute entitlement from multiple addresses. Further, if all family members have moved from the family home but the pupil remains at the local school to the original family home but both new addresses for each parent/carer are now further away from that school and another school becomes the nearest, then no travel assistance will be offered for either address on the grounds that neither qualify.

**Post 16 young people with Additional Learning Needs/Special Educational Needs** - The proposed new policy states that those young people who have previously held a statement of educational needs and who may have previously attended a specialist provision but who **do not** transfer to a post 16 specialist provision will not be eligible for home to school travel assistance.

**Increase in cost of a spare seat** - It is proposed that the charge for a spare seat will be the same for all pupils/students across all age groups (under the current policy nursery, primary and secondary aged pupils pay **£260** per academic and post 16 pupils paid a lower amount of **£100** per academic year). In addition, the 2020 policy proposes to increase the charge of a spare seat. It is proposed that the charge is increased to **£390** per academic year. This represents a payment of £130 per term (£2 per day / £1 per trip - based on a 195 school day academic year).

This means an increase of **£65** per academic year for nursery and **£130** increase for compulsory school aged pupils (with pro rata for half day nursery sessions). The most significant increase is for post 16 students where the increase is **£290** per academic year.

Annual charges across an academic year for purchase of a spare seat

	Nursery	Primary	Secondary	Post 16
Current charge	£260 (£130 pro rata)	£260	£260	£100
Proposed charge	£390 (£195 pro rata)	£390	£390	£390
<b>Increased cost</b>	<b>£65</b>	<b>£130</b>	<b>£130</b>	<b>£290</b>

Post 16 students are able to purchase a Student Pass with First Cymru, which equates to £3.25 per day (£633.75 per year based on 195 school days per academic year). Post 16 students may also be entitled to apply for an Education Maintenance Allowance (EMA) through Student Finance Wales and could be eligible for an award of £30 per week following a financial assessment.

The increase in cost is to bring the charge in line with other bordering Councils. Charges by other Councils are:

Swansea - £425 per annum or £460 per annum if paid for over 10 months

Bridgend - £380 (from September 2019)

Powys - £390 for under 16's and £525 for over 16's.

It should be noted that a spare seat will still be withdrawn, if the space on the route is needed for a pupil who is eligible for free school travel.

**Use of Motability Scheme vehicles** - The 2020 policy makes reference to "Motability Scheme" vehicles and states that if a learner is the recipient of the relevant allowance to qualify for the "Motability Scheme" and the parent/carer obtains a vehicle through the "Motability Scheme", then the Council expects that the vehicle be used for the benefit of the learner and that the vehicle is utilised to take the learner to and from school. In some cases, the Council may offer assistance with travel to and from school. In these circumstances, each case will be considered on its own merit and where applicable a parental mileage allowance will be offered.

**Types of travel assistance offered** - The proposed policy sets out what types of travel assistance may be offered. This means that the offer of a particular type of travel assistance will not be an absolute entitlement if following a review a more cost effective method is found.

The proposed policy confirms that single occupancy vehicles will not be provided unless in very exceptional circumstances. This is because a single occupancy vehicle is not always the best and most cost effective type of travel assistance available.

In addition, the proposed 2020 policy confirms that learners/students who have successfully completed their independent travel training will be expected to travel to and from their place of learning independently e.g. by pass for a public bus.

**Introduction of a two-stage appeal process** – The 2020 policy makes a change to the current appeals’ process and introduces a “two-stage” process. Stage one is a review by the Council’s Transport Group and if the appellant wishes to move to stage two of the process, this will involve review by an appeal panel.

**Encouraging on-line applications** - The Council promotes the SWITCH campaign ‘do it online’. The 2020 policy makes reference to the fact that applications for home to school travel assistance should be made online.

### **Background:**

Neath Port Talbot’s current Home to School Travel Policy has been in operation since September 2017. The Home to School Travel Policy 2017 reflects the home to school travel duties and requirements that fall to the Council by virtue of the Education Act 1996; The Learner Travel (Wales) Measure 2008; The Learner Travel Statutory Provision and Operational Guidance 2014; The Learner Travel Information (Wales) Regulations 2009 and the All Wales Travel Behaviour Code.

The draft 2020 policy reflects the duties and requirements that fall to the Council but stakeholders are provided with more detail about what constitutes eligibility (either statutory or discretionary) under the policy and what does not.

The draft policy will need to be consulted upon in order to receive feedback from stakeholders prior to the implementation of a final policy in September 2020.

The proposed new policy will impact on the strategic and operational elements of home to school travel arrangements.

### **Financial Impacts:**

The proposed 2020 policy ensures the best use of public resources when determining eligibility for home to school transport and considering what types of travel assistance may be offered.

The proposed new policy also ensures the best management of the Home to School Transport Budget by ensuring the most cost effective type of travel assistance is offered and that only those pupils or young people with eligibility are offered assistance to and from school.

The new Home to School Policy 2020 has been developed on the basis of the Directorate's budgetary savings for 2019/2020.

#### Financial Information 2018/2019 - Home to School Travel costs

<b>2018-2019</b>	<b>Actual Expenditure</b>
Primary Education - In County	£889,692
Primary Education - Out of County	£ 67,402
Secondary Education - In County	£ 1,655,636
Secondary Education - Out of County	£250,524
Special Educational Needs - In County	£ 2,926,793
Special Educational Needs - Out of County	£130,626
Special Educational Needs Post 16 - In County	£ 208,521
Special Educational Needs Post 16 - Out of County	£20,212
Post 16 - Out of County	£ 1,783
Post 16 - In County	£ 5,859
Transport Service Delivery	£29,766
<b>TOTAL COST</b>	<b>£6,186,815</b>

## **Integrated Impact Assessment:**

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage impact assessment has indicated that a more in-depth assessment was required

An overview of the first stage impact assessment has been included below in summary form only and it is essential that Members read the Integrated Impact Assessment, which is attached to the report at **Appendix 3**, for the purposes of the meeting.

The first stage impact assessment concludes that a full Integrated Impact Assessment should be undertaken following the conclusion of the consultation exercise.

## **Valleys Communities Impacts:**

There are no implications.

## **Workforce Impacts:**

There are no implications.

## **Legal Impacts:**

The new proposed policy will discharge the duties and requirements that fall to the Council by virtue of the Education Act 1996; The Learner Travel (Wales) Measure 2008; The Learner Travel Statutory Provision and Operational Guidance 2014; The Learner Travel Information (Wales) Regulations 2009 and the All Wales Travel Behaviour Code.

The Learner Travel Information (Wales) Regulations 2009 dictate that the information i.e. the new Home to School Travel Policy 2020 must be made available by the 1<sup>st</sup> October preceding the academic year to which the information (the policy) relates.

### **Risk Management Impacts:**

Failure to provide adequate Home to School Transport service is a risk logged on the Directorate's operational risk register. One of the mitigating factors to manage this risk is to have relevant policies and procedures in place.

The proposed new policy updates and revises the current home to school travel policy.

### **Consultation:**

The new proposed policy will be subject to external consultation. There are no statutory requirements for public consultation in respect of changes to the Council's Home to School Travel policy.

It is proposed that the public consultation exercise will be for eight weeks from Monday 10<sup>th</sup> June 2019 until Sunday 4<sup>th</sup> August 2019.

### **Recommendations:**

It is recommended that Members grant permission to undertake public consultation on the new proposed home to school travel policy 2020.

It is proposed that the public consultation exercise will be for eight weeks from Monday 10<sup>th</sup> June 2019 until Sunday 4<sup>th</sup> August 2019.

### **Reasons for Proposed Decision:**

This report is for information for Cabinet Board members to determine if they will provide their permission for officers to consult with stakeholders on the draft Home to School Travel Policy 2020.

### **Implementation of Decision:**

The decision is proposed for implementation after the three day call in period.

## **Appendices:**

Appendix 1 – Draft Home to School Travel Policy 2020

Appendix 2 – Consultation Document

Appendix 3 – First Stage Integrated Impact Assessment

## **List of Background Papers:**

Home to School Travel Policy 2017

The Learner Travel Statutory Provision and Operational Guidance 2014

The Learner Travel Information (Wales) Regulations 2009

The Learner Travel (Wales) Measure 2008

The All Wales Travel Behaviour Code

The Education Act 1996

## **Officer Contact:**

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