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|---------------------------------|-------------------------------------|--|
| Cabinet Member                  | <input checked="" type="checkbox"/> | Cllr John Burton   |
| Other Cabinet Members consulted | <input checked="" type="checkbox"/> | Cllr Izzi Seccombe   |
| Chief Executive                 | <input type="checkbox"/>            | .....  |
| Legal                           | <input checked="" type="checkbox"/> | Richard Freeth – “fine”  |
| Finance                         | <input checked="" type="checkbox"/> | David Clarke, Strategic Director of Resources – no comments to make  |
| Other Strategic Directors       | <input checked="" type="checkbox"/> | – Marion Davis, Strategic Director for Children, Young People and Families<br>– David Carter, Strategic Director for Performance and Development<br>– John Deegan, Strategic Director of Environment and Economy |
| District Councils               | <input type="checkbox"/>            | .....  |
| Health Authority                | <input type="checkbox"/>            | .....  |
| Police                          | <input type="checkbox"/>            | .....  |
| Other Bodies/Individuals        | <input checked="" type="checkbox"/> | Chris Smart  |

**FINAL DECISION**

**YES**

**SUGGESTED NEXT STEPS:**

Details to be specified

- |   |                          |       |
|---|--------------------------|-------|
| Further consideration by this Committee | <input type="checkbox"/> | ..... |
| To Council                              | <input type="checkbox"/> | ..... |
| To Cabinet                              | <input type="checkbox"/> | ..... |
| To an O & S Committee                   | <input type="checkbox"/> | ..... |
| To an Area Committee                    | <input type="checkbox"/> | ..... |
| Further Consultation                    | <input type="checkbox"/> | ..... |

**Cabinet – 15 June 2006**

**Transport to denominational schools**

**Report of the Chair – Children, Young People & Families  
Overview and Scrutiny Committee**

**Recommendation of the Children, Young People & Families Overview  
and Scrutiny Committee:**

That the Cabinet agree to introduce a charge for transport to denominational schools for future pupils who do not practice the faith of the school attended unless the school is the nearest appropriate school to the parental home, the new policy to be phased in from September 2007.

**1. Views of the Children, Young People & Families Overview and  
Scrutiny Committee**

1.1 The Children, Young People & Families Overview and Scrutiny Committee considered the report of the Chair of the Task and Finish Group – Home to School Transport outlining the Group's recommendations for transport to denominational schools.

1.2 Councillor John Wells noted that in looking at transport to denominational schools, the overriding principle for the Group had again been fairness.

1.3 During the ensuing discussion the following points were highlighted:

1. The current criteria to receive transport to denominational schools was merely attendance at a denominational school.
2. Denominational schools set admission criteria and children had to fulfil these to attend a denominational school. This information was provided to the Local Authority who liaised with schools on admissions.
3. The Committee noted the response to the consultation received from the Catholic Archdiocese and Rev Terry Hum confirmed that from a Catholic school perspective the broad recommendation covering all faiths was appropriate, and that point 3.11 below clearly outlined the criteria for Catholic schools.
4. There were currently only Catholic and Church of England faith schools in Warwickshire but this may change in the future and the new policy would cover all faiths.

5. The County Council would no longer be obligated to provide transport for children to attend schools that were not their own faith.
  6. While the terms of reference for the Group included looking at costs, they were also tasked to consider fairness and equity and it was noted that the current system favoured faith schools.
  7. Children already receiving assistance would be safeguarded.
- 1.4 Following discussion around the meaning of “practising the faith”, and noting that Paragraph 3.11 below provided clarity on this issue, the Committee voted 12 for and 1 against, to recommend to the Cabinet that they agree the recommendation of the Home to School Transport Task and Finish Group to introduce a charge for transport to denominational schools for future pupils who do not practice the faith of the school attended unless the school is the nearest appropriate school to the parental home, the new policy to be phased in from September 2007.

## **2. Background**

- 2.1 The Learning Overview and Scrutiny Committee agreed to review Home to School and College Transport following a request made by Cabinet on 24 June 2004.
- 2.2 Following the elections in May 2005 a revised Task and Finish Group, with new membership, was set up by the Children and Young People Overview and Scrutiny Committee to take forward the work on Home to School Transport, concentrating specifically on:
- The policy on providing school transport for children attending denominational schools
  - The policy on transport for non-entitled pupils including those using contributory and concessionary school transport.
- NB** It was also agreed that the Terms of Reference for the group did not extend to consideration of the policy on SEN school transport.
- 2.3 The Group’s membership comprised: Cllr Wells (Chair), Cllr Whitehouse, Cllr Timms and School Governor, Chris Smart. Officer support was provided by Nick Williams and Kevin McGovern throughout the exercise.
- 2.4 On 15 December 2005 the results of the consultation and the subsequent recommendations for policy revision made by the Task and Finish Group set up to concentrate on Home to College Transport were presented to the Children and Young People Overview and Scrutiny Committee and subsequently forwarded to Cabinet for approval.
- 2.5 This report brings together the second element of the original review and presents the recommendations of the Task and Finish Group relating to Home to School Transport and more specifically the provision of transport for non-entitled pupils.

### **3. Transport to denominational schools**

- 3.1 Section 509(4) of the Education Act 1996 sets out matters which Authorities should have regard to when deciding whether or not to make arrangements for transport to denominational schools. These include the wish of the parent for a child to be provided with education or training at a school or institution in which the religious education provided is that of the religion or denomination to which his/her parent adheres.
- 3.2 The Council policy is that children attending a denominational school may receive free transport on religious grounds even though there may be a non-denominational school nearer home. Transport provision on denominational grounds is usually only given for journeys of a maximum of six miles for pupils under eight and ten miles for children aged eight and over.
- 3.3 There is currently no check as to the commitment of a family to a particular faith. Free transport is granted if the child obtains a place at a denominational school and lives more than two or three miles away.
- 3.4 With transport costs escalating over recent years, a number of Local Authorities now make a charge for children attending a denominational school if there is a non-denominational school nearer home. Warwickshire is one of only a few authorities not asking for certification by a minister of religion that the family applying for assistance with transport actually do practise the faith of the denominational school. In many other Authorities assistance, whether free or fare-paying, will not be considered until proof of faith has been received.
- 3.5 This may be viewed as an anomaly. At present, pupils could be receiving free transport on denominational grounds even though there may be a non-denominational school nearer to their home and the family concerned may not actually follow the faith of the school.
- 3.6 There are currently 1,685 pupils receiving free transport to denominational schools. 1,173 of these pupils attend Warwickshire secondary schools, 248 attend Warwickshire primary schools and the remainder attend denominational schools maintained by other authorities.
- 3.7 Officers have contacted 24 shire authorities in England requesting details of their policies on transport to denominational schools. It is apparent that in comparison to other authorities, Warwickshire's policy is generous. Two authorities, Cambridge and Devon, require a financial contribution from the parent and most others will only assist if the child/family are practising members of the particular faith.
- 3.8 A consultation paper was sent out in January 2006 proposing to introduce a charge for transport to denominational schools for pupils who do not practise the faith of the school attended unless the school is the nearest appropriate school to the parental home. Pupils attending the school whose faith is confirmed by a minister of religion or other appropriate person (as identified

by the particular authority, e.g. Diocesan Schools Commission) would continue to travel free.

- 3.9 Members considered the responses. There were particular concerns raised by some Catholic schools and a detailed response from the Archdiocese of Birmingham. In order to bring more equity to the system, e.g. to treat parental preference for a denominational school the same as that for a Community or Foundation school, Members suggest that the proposed changes are adopted and phased in from September 2007.
- 3.10 Members noted the response of the Archdiocese of Birmingham which proposed that rather than establishing criteria demonstrating 'practice' of faith the focus should be on whether a child has been baptised into a faith.
- 3.11 The Task and Finish Group therefore proposed that the current policy of providing transport to denominational schools be changed so that provision is given only if a child is practising the faith of the school they are attending. For Catholic schools 'practising' will be regarded as being baptised into the Catholic faith. Similar criteria would be adopted for other faith schools in agreement with the appropriate bodies.

CLLR RICHARD GRANT  
Chair – Children, Young People & Families  
Overview and Scrutiny Committee

Shire Hall  
Warwick

25 May 2006