

**Children and Young People
Overview and Scrutiny Committee**

6th January 2015

Home to School Transport: Update on Review of Provision

Recommendations

That the Children and Young People Overview and Scrutiny Committee:

1. Notes the Council's legal obligations to provide home to school transport;
2. Notes and comments on the non - statutory elements of home to school transport provision which could be revised or withdrawn;
3. Notes the indicative savings which could be made by withdrawing the various elements.

1.0 Background

- 1.1 The Council's legal obligations for home to school transport are set out in the Education Act 1996 (as amended by the Education and Inspections Act 2006) and accompanying statutory guidance. The Council is required to have regard to this guidance.
- 1.2 Free home to school transport must be provided to all students attending their nearest qualifying school where the distance from home to school by the shortest available walking route exceeds:
 1. Two miles for children under the age of 8 years; and
 2. Three miles for children aged 8 – 16.
- 1.3 Where a student is considered to be from a low income family, free home to school transport must be provided:
 1. To primary school children aged 8 – 11 attending the nearest qualifying school, if more than two miles from their home by the shortest available walking route;

2. To secondary school children aged 11 – 16 attending one of the three nearest qualifying schools, if more than two miles from their home by the shortest available walking route but not more than 6 miles by motorised route; and

3. To secondary school children aged 11 – 16 attending the nearest qualifying school which accords with the parents' religion or belief, if more than two miles from their home by the shortest available walking route but not more than 15 miles by motorised route.

- 1.4 Free home to school transport must also be provided for students living within the statutory walking distance but who cannot reasonably be expected to walk to school because of special educational needs, disability or mobility problems.
- 1.5 The Council currently provides a range of home to school transport in accordance with the statutory guidance outlined above. However, some non-statutory transport is also provided. In order to ensure the maximum possible level of savings, changes will need to be made to both the Council's mainstream and SEN transport policies; reducing non-statutory transport and minimising the cost of transport which is required to be provided.
- 1.6 In the One Organisation Plan, savings were allocated as follows:

Summary of transport budgets	Total Budget	DSG Budget	Core Budget	Savings
SEN Transport	£4,919,438		£4,919,438	£1,500,000
Transport Admin	£174,449	£30,613	£143,836	
Mainstream Transport	£7,622,025		£7,622,025	£4,800,000
LAC Transport	£1,003,019		£1,003,019	
Crossing Patrols	£379,588		£379,588	
Total E&L	£14,098,519	£30,613	£14,067,906	£6,300,000

- 1.7 Cabinet subsequently decided to remove crossing patrols from the savings plan and the savings target was reduced to £6,300K.
- 1.8 At the time of the creation of the Education and Learning Business Unit, it was agreed that the budget of £1,003,019 for Looked After Children (LAC) transport would transfer to the Safeguarding Business Unit in the People Group as the social workers who agreed the transport were best placed to make decisions and savings. The saving of £600,000 allocated to LAC transport was also transferred. As a result of this change, the Education and Learning saving is £5,700,000.
- 1.9 For the purpose of this report mainstream transport includes transport to schools for students aged 4-16 with a legal entitlement to assistance and students travelling to school under the Vacant Seats Scheme. It also includes transport to schools and colleges for students aged 16-19, respite transport, and transport for students aged 16-25 with SEN / LDD.

2.0 Savings made in 2014/15

2.1 Amendments to the existing transport network.

2.2 Transport Operations has continued to look at all operational savings opportunities on the current home to school transport network. Work on the current phase of savings has now been completed which has reduced costs by a little over £500,000. This has been carried out as follows:-

1. Revising, retendering and auctioning twenty mainstream school transport routes. This has resulted in some longer journeys for students but these remain within recommended guidelines and were successfully introduced on 2 June 2014. This will result in full year savings of £181,000.
2. Closure of the in house home to school transport service "School Links". Due to increasingly competitive prices in the private sector, this service was no longer cost effective and was subsequently withdrawn at the end of the summer term. This required five compulsory redundancies and the bus services being transferred back into the private sector. This will result in full year savings of £200,000.
3. Around 150 students with special needs, including some looked children were transferred from taxis to larger vehicles, thus reducing overall demand. New and revised services were introduced over the spring term. This will result in a full year saving of £121,000.

2.3 It should be noted that although these savings have been achieved; they have been offset by increased demand.

3.0 Non-statutory transport

3.1 The Local Authority provides a range of transport which is not statutory. Officers have analysed this transport to consider whether it could cease to provide this transport and whether there are potential savings to be made.

3.2 Transport to grammar schools.

1. Under the current transport policy, for students resident in the Eastern and Southern areas of Warwickshire, successful in obtaining a place in a selective school, this may be considered the nearest qualifying school. This additional qualification could be removed. A proportion of students would continue to be entitled to transport. However, if all non-entitled students purchased a vacant seat, this would result in a saving of approximately £280,000 per annum.

3.3 Exam year move transport.

1. Students moving address in Years 10 or 11 currently have transport provided to their current school. Following consultation, the policy could be revised to remove this entitlement. The change would apply to new applicants with immediate effect. Maximum eventual savings would be £45,000 per annum.

3.4 Emergency address change transport.

1. Students moving address for short periods of time due to circumstances beyond their control could no longer continue to receive free transport. Following consultation the revised policy would apply to new applicants with immediate effect. This transport has the potential to be very expensive and this change in policy would ensure there is no future expenditure.

3.5 Review of charging policy.

1. The Council currently charges £660 per annum for Post 16 and Vacant Seats. The charge could be increased from £660 - £700. The reduced rate Vacant Seats charge (students travelling less than three miles) could increase from £330 to £350. The low-income family subsidy for Vacant Seats / Post 16 transport (currently provides a 50% discount) could be removed.
2. Following consultation the revised charges would apply to all applications for transport from September 2015. Based on current traveller numbers total full year savings would be approximately £150,000 per annum from mainstream transport.
3. One local County Council has recently agreed a five year phased increase (5% per year) in the cost of Vacant Seats, ensuring that parents understand that the cost will be rising on an annual basis. This approach could be applied in Warwickshire.

3.6 Review of dangerous routes.

1. A revised policy has now been produced to assess the safety of walking routes to schools / pick-up points. A pilot group of eight routes currently considered dangerous have been reviewed by the Transport and Highways team in order to assess the new policy.
2. Once finalised and following consultation the policy could be used to assess all new applications for transport on dangerous route grounds. It could also be retrospectively applied to all routes currently considered dangerous. The Transport and Highways Team would be commissioned to carry out these assessments.

3. Capital funding has been allocated to help meet the Council's responsibility to provide safe routes to schools. The effective use of this funding would be the key determiner in generating additional savings.
4. Total savings are very difficult to predict as each route would need to be individually considered. However, based on estimates from the pilot, an investment of approximately £3,700,000 would enable transport savings of approximately £500,000 per annum.

3.7 16-19 medical transport.

1. Students attending post 16 provision could no longer qualify for free transport due to short or long-term medical conditions. For some students support may still be available if they have Education, Health and Social Care Plans or are under the Council's 16-25 transport policy.
2. Following consultation the revised policy could apply to all new applicants with immediate effect. Dedicated transport costs for the current year are around £10,000 with the change in policy ensuring there is no future expenditure.

3.8 Respite transport.

1. There are currently 90 pupils receiving transport for short term respite at a cost of £100,000 per annum. This is provided to students with Statements of Special Educational Needs but is funded from the mainstream transport budget.
2. This is a complex subject with the transport issues of disabled children and young people already considered during consultation held in the summer of 2013 regarding the Integrated Disability Service. The report to Cabinet on 12 September 2013 proposed that transport to short break activities would no longer be provided unless there were exceptional circumstances. However, families accessing residential provision would be exempt from the changes.
3. A decision to cease respite transport would seem to be at odds with the decision already taken by Cabinet.

3.9 Specialist Nursery Provision

1. The Local Authority provides transport for pupils attending Nursery classes at maintained special schools. There are currently 55 pupils receiving transport on this basis.
2. This transport is provided at the beginning and end of the school day and may, in some circumstances, be shared with other pupils. However, attendance is for half days so this transport is also required at lunchtimes for the end of the morning session and start of the afternoon session.

3. The provision of nursery transport is not statutory and could be withdrawn for new applicants following consultation, saving approximately £260,000 per annum. However, it should be noted that this transport may be (although not always) provided for some of Warwickshire's most vulnerable children and that special schools have concerns about the viability of their nurseries if this change comes into effect.

3.10 Special School Transport

1. Pupils with a statement of special educational needs attending mainstream schools are considered against the usual home to school transport policy and only receive transport when they meet the agreed criteria.
2. All pupils attending a special school receive free transport regardless of the distance from home or their assessed need.
3. Warwickshire's policy is not in line with most neighbouring Local Authorities who assess students attending special schools in the same way as other pupils.
4. It is recognised that it will not be appropriate for all pupils attending special schools to travel independently, but often, as the student moves through secondary school, developing independence is a specific objective for pupils.
5. The Council could implement a revised policy for new applicants and / or for pupils moving from Key Stage 2 to Key Stage 3 (i.e. primary to secondary). The maximum total savings available would be approximately £600,000.

4.0 Personalised Travel Allowances

- 4.1 A number of local authorities have promoted the use of personalised travel allowances to provide flexibility for parents in how their children get to and from school, with a mileage rate being paid termly in advance. Travel allowances already form part of the Council's transport policy but no fixed rate is listed.
- 4.2 The cost of taxis is significant. For example, the 39 highest costing single occupancy taxis to special schools cost approximately £600,000 per year.
- 4.3 Where it would be financially advantageous to the Council, parents with children travelling on high cost, single or dual occupancy taxis could be offered the option of a personal budget to make their own arrangements for their children's transport to and from school. The Council could actively promote this option; including writing to all parents and asking if they would be willing to consider transporting their child to school. An increased rate of 40 pence per mile could be more attractive to parents than the current rate of 25 pence per mile.

- 4.4 It should be noted that parents of children who already receive a travel allowance of 25 pence per mile would also need to be offered the higher rate with the additional cost taken into account.
- 4.5 If the response from parents were positive enough to achieve savings the new and revised allowances could be paid from September 2015 or before.
- 4.6 Total savings are difficult to calculate as they would be dependent on the response from parents. However, previous estimates have identified that if 33% of the parents with a child travelling on one of 50 most expensive single or dual occupancy taxis accepted a travel allowance the total savings would be around £120,000 from mainstream transport. A similar calculation for the high cost users of SEN transport means that the total potential saving could be £500,000.

5.0 Savings Shortfall

- 5.1 The mainstream and SEN transport savings identified and quantified in this report and based on policy changes total £1,943,000. These are broken down as follows:

Proposal	Savings
Exam year move	£45,000
Review of charging policy	£150,000
Review of dangerous routes	£500,000
16 – 19 medical transport	£10,000
Respite transport	£100,000
Grammar School transport	£280,000
Ending special school nursery transport	£260,000
Applying transport policies to special schools	£600,000
Total	£1,945,000

- 5.2 In addition, it is possible that savings from the promotion of personal travel allowances at a higher rate could amount to a further £500,000.

6.0 Additional Proposals

- 6.1 Development of Resource Base provision

1. Warwickshire County Council has issued statements of SEN for a higher than average proportion of students – currently 3.3% of all pupils have statements compared with 2.8% nationally. The number and proportion of Statements has increased steeply in the past few years. The rate of increase is three times faster than statistical neighbours. As a result, the number of students in receipt of special needs transport has risen sharply.
2. Warwickshire has comparable levels of special school places to statistical neighbours in terms of the proportion of pupils placed in these settings.

However there are currently major challenges in making placements in special schools due to lack of space and lack of ability to accommodate pupils with complex needs.

3. WCC has very little designated specialist provision or SEN units attached to mainstream schools (0.57%). This is in stark contrast to the national average (5.75% of all pupils with statements with SEN are placed in this type of provision nationally) or the Statistical Neighbour average (6.9%).
4. As a result of the higher than average number of students with statements and lower than average levels of provision, of those pupils with Statements of SEN a significantly higher than average proportion are placed with high-cost, non-maintained Independent Specialist Providers (ISPs). In January 2014, there were 259 students placed in ISPs, compared to 127 in January 2010.
5. The vast majority of these students qualify for SEN transport and transport to ISPs, many of which are located at some distance from the student's home, makes up a significant proportion of the highest cost transport.
6. The development of resource base provision on mainstream school sites, whether managed by the mainstream school or as satellite provision from a special school, would reduce the need for out of county placements and would enable students to be placed in appropriate provision closer to their home.
7. These proposals would be in line with the actions proposed to reduce the overspend on the Dedicated Schools Grant.

6.2 Deploying appropriate commissioning support

1. In order to make significant further savings to mainstream transport, it may be necessary to focus on provision. This includes the place planning work which is currently being developed through the Sufficiency Strategy, but also includes a review of the match between sufficiency of school places and transport needs; and the relationship between priority areas and transport entitlement.
2. It is also possible that there are further approaches to reducing transport costs which have been successfully implemented by other Local Authorities, particularly those outside the West Midlands.
3. There is not currently sufficient capacity or expertise to explore these options in depth. It is proposed, therefore, to engage a specialist Educational Commissioner to carry out detailed research and analysis.

7.0 Implementation Timescales

7.1 There are a range of approaches to the implementation of the potential changes to policy outlined above. The associated timescales are summarised below.

1. All changes could be introduced with effect from 1 September 2015 for new and existing users. In this case, 7/12 savings could be achieved in 2015/16 and full year savings from 2016. However, it is likely that there would be a challenge to the implementation on this timescale as parents made school choices on the existing policies and a further year group will have done so ahead of consultation.
2. Changes could be introduced for new users in 2015 (or 2016) and for existing users at transfer points. If this policy is adopted, the full effect of changes will only come into effect in five years time.
3. Changes could be phased in so that children who start under a set of transport arrangements continue to benefit from them until they either conclude their education or choose to move to another school. In this case, the full effect of savings may not be felt for at least ten years.
4. Changes could be introduced for new users only. In this case, the full effect of savings will not be felt for at least ten years and some changes may not be completed until 2028.

8.0 Impact on equality

8.1 Should any of the proposed changes outlined above be approved for consultation the existing Equality Impact Assessment will be updated to ensure that the Council continues to comply with its equality duties.

Background Papers:

None

Appendices:

None

	Name	Contact Information
Report author	Nigel Minns	nigelminns@warwickshire.gov.uk 01926 742588
Head of Service	Nigel Minns	nigelminns@warwickshire.gov.uk 01926 742588
Strategic Director	Monica Fogarty	monicafogarty@warwickshire.gov.uk 01926 412514
Portfolio Holder	Cllr Colin Hayfield	cllrhayfield@warwickshire.gov.uk