

**AGENDA MANAGEMENT SHEET**

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

**Date of Committee** 18<sup>th</sup> May 2006

**Report Title** Report of Task and Finish Group – Home to School Transport – Transport to denominational schools

**Summary** Following consultation, the Committee is asked to consider the recommendation of the Task and Finish Group to introduce in certain circumstances a charge for transport to denominational schools, to be phased in from September 2007.

**For further information please contact:**

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**Would the recommended decision be contrary to the Budget and Policy Framework? [please identify relevant plan/budget provision]** No

**Background papers**

- Cabinet report and minutes 24.6.04
- Learning Overview and Scrutiny Committee reports 23.9.04 and 10.3.05
- Consultation document
- Responses to the consultation document

**CONSULTATION ALREADY UNDERTAKEN:-** Details to be specified

- Other Committees  .....
- Local Member(s)  .....
- Other Elected Members  Cllr Helen McCarthy

Cllr Richard Grant – “the O&S Committee need to scrutinise this report and pass any comments to Cabinet”

Cllr Jill Dill-Russell – no comments to make

Cllr John Whitehouse – comments incorporated

- Cabinet Member  Cllr John Burton
- Other Cabinet Members consulted  Cllr Izzi Seccombe  
Cllr Peter Fowler
- Chief Executive  .....
- Legal  Richard Freeth – “fine”
- Finance  .....
- Other Strategic Directors  Marion Davis, Strategic Director for Children, Young People and Families  
David Carter, Strategic Director of Performance and Development  
John Deegan, Strategic Director of Environment and Economy
- District Councils  .....
- Health Authority  .....
- Police  .....
- Other Bodies/Individuals  Elected Members, Warwickshire denominational schools, Diocesan Education Authorities, Warwickshire Governors Forum and neighbouring Local Authorities

**FINAL DECISION** **NO**

**SUGGESTED NEXT STEPS:**

Details to be specified

- Further consideration by this Committee  .....
- To Council  .....
- To Cabinet  June 2006
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  .....

## Children and Young People Overview and Scrutiny Committee – 18<sup>th</sup> May 2006

### Transport to denominational schools

#### Report of the Chair of the Home to School Transport Task and Finish Group

##### **Recommendation:**

That the Committee recommend that Cabinet agree the following recommendation of the Home to School Transport Task and Finish Group:

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, the new policy to be phased in from September 2007.

#### **1. Background**

- 1.1 The Learning Overview and Scrutiny Committee agreed to review Home to School and College Transport following a request made by Cabinet on 24<sup>th</sup> June 2004.
  - 1.2 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.
- 1.3 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.
  - 1.4 On 15<sup>th</sup> 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.

- 1.5 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.

## **2. Transport to denominational schools**

- 2.1 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.
- 2.2 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.
- 2.3 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.
- 2.4 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.
- 2.5 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.
- 2.6 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.
- 2.7 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. A summary of the policies of other authorities is attached at **Appendix A**.

- 2.8 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.
- 2.9 A copy of the consultation document and summary of responses are attached as **Appendices B and C**.
- 2.10 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.
- 2.11 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.
- 2.12 The Task and Finish Group therefore propose 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. As an example, a definition of a 'baptised Catholic', which could be used for determining the eligibility for provision of transport to Catholic schools, is attached at **Appendix D**.

### **3. Recommendation**

That the Committee endorses the following recommendation of the Home to School Transport Task and Finish Group:

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, the new policy to be phased in from September 2007.

County Councillor JOHN WELLS  
Chair of Home to School Transport Task and Finish Group  
Shire Hall  
Warwick

4<sup>th</sup> May 2006

## FREE TRANSPORT TO CHURCH SCHOOLS

### SUMMARY OF OTHER AUTHORITIES' POLICIES

COUNTY COUNCIL	Policy
<b>Bedfordshire</b>	<p>Transport is provided to the nearest religious or voluntary aided denominational school provided that relevant religious and distance criteria are met, irrespective of whether or not the school is within Bedfordshire. Transport is provided only to the nearest denominational school, provided it is beyond the statutory walking distance. Unless that school is full to capacity. Admission to the denominational school must be evidenced by confirmation on the application form, which the head teacher will confirm the denominational admission to the school. They must also provide written evidence of their parents' adherence to the faith. A written letter of approval from the Priest, Vicar, Rabbi etc. All applications are subject to the statutory walking distance of 2 miles for children under 8 years of age and 3 miles for pupils over 8 years of age measured by the shortest walking distance. There are further policies that relate to Bedford and Dunstable/Houghton Regis. These only cover RC pupils and the corresponding RC schools in the area. These policies state that, transport is provided to the nearest school provided it is outside the statutory walking distance.</p>
<b>Buckinghamshire</b>	<p>Currently do not require proof of a child belonging to a particular faith. Each Roman Catholic School within the County has an 'Agreed Travel Area' from within which pupils have an entitlement to transport. This is subject to the statutory walking distances. Where any family that is not covered by an Agreed Travel Area, the parents may ask for their cases to be considered. Regarding CofE Aided Schools, transport provided is only for entitled pupils living within their catchment area.</p>
<b>Cambridgeshire</b>	<p>Assistance towards transport in Cambridgeshire applies to denominational schools except CofE voluntary aided primary schools. Cambridgeshire's policy requires parental contribution of £31 per term. To qualify the following criteria must be met: i) The pupil must be a practicing Baptist member and have a written statement from the Minister of Religion; ii) The pupil must live within the area where Cambridgeshire is the LEA; iii) The denominational school is the one nearest to the pupils home address measured by the shortest walking distance iv) Existing transport can be used; v) The child is at least in the school year in which he/she attains his/her fifth birthday, and; vi) The journey time from home to school can be covered within the statutory time constraints, i.e. 1¼ hours for secondary school children and ¾ hours for primary children;</p> <p>The home to school walking distances must be beyond the statutory limit, as does the journey time. The governing bodies of the denominational schools may arrange their own travel arrangements, which the LEA will assist with the cost. Eligible pupils will only receive help with transport cost upon receipt of a parental contribution unless; i) The parents are in receipt of Income Support, Income Based Jobseekers or a health exemption certificate under Working Families Tax Credit; ii) There is more than one child in the family paying a contribution to the cost of</p>

	denominational transport or post-16 transport. The parents will be asked to pay the higher of the two contributions where a denominational school and the other attends their nearest appropriate post-16 centre.
<b>Cornwall</b>	<p>Cornwall CC has regard to the wishes of the parent for education at a school in which religious education is that of the religion or denomination to which the parents adhere. Every request for transport on denominational grounds is considered by officers against the following criteria: i) That parents can demonstrate that they belong to, and actively support, a church relevant to the denominational school in question; ii) The distance of the denominational school from home; iii) Anticipated cost of transport to the denominational school iv) Greater weight is given to a child who has involuntarily had to move from their original home address and whose parents wish their child to remain at the denominational school that the child was already attending Officers are authorised to make decisions where: i) The child is attending the nearest denominational school ii) Parents can demonstrate i) above iii) The distance from home to school is more than the statutory distance (available by the shortest walking route) iv) For a child attending a secondary school it is within a radius of five miles of their home v) For a child attending a secondary school it is within a radius of 10 miles of their home vi) The school to which the transport is requested was the parents' choice for admission purposes. If the above criteria are met officers authorised to offer i) transport on a contracted vehicle ii) a season ticket for public transport, or; iii) up to £2.50 a day to assist with transport costs. Depending on which of the above three options is most economical and taking into account the a e of the child and his/her ability to travel independently.</p>
<b>Cumbria</b>	<p>Can provide assistance where adherence to the particular faith can be demonstrated and the following circumstances are satisfied:</p> <p>Adherence to the relevant denomination can be demonstrated. Your child is attending the nearest such school and it is no more than eight miles away in the case of a primary school and fifteen for a secondary school. Your child is aged under eight and you live more than two miles from school or aged eight and you live more than three miles away, measured by the shortest walking route. Cumbria County Council stress that it is the parents responsibility, not the LEA, for the child's transport to the school. Where assistance is given it is limited to one of the following: i) A permit to travel by public service or as a free concessionary rider on a vehicle hired by the LEA for children it has a responsibility to provide travel for; ii) The payment of a parental grant. Cumbria also state that the capacity and routes of the LEA's private hire vehicles are tailored towards pupils for whom the LEA has responsibility to provide transport. If parents are given a concessionary place on denominational grounds, it may not always be available and maybe withdrawn a short notice.</p>
<b>Devon</b>	<p>The LEA considers that transport to denominational schools is not normally necessary but will consider the particular circumstances of each case and decide whether free transport should be provided. This will usually be provided by offering places on the already existing transport network in return for a parental contribution. To be eligible the child must be admitted the school for denominational reasons. The pupil must live within the area and live beyond the statutory walking distance. If any family simultaneously has three or more children in full-time education at denominational schools, the contribution will be required in respect of the</p>

	two eldest children. Half the standard contribution will be remitted in respect of the third child and the whole contribution shall be remitted in respect of the fourth and any other child. The contribution is waved where the family is in receipt of certain state benefits.
<b>Dorset</b>	At Dorset help is given if the child attends a denominational school. Provided that they live between the following mileages; Age 4-7, minimum 2 miles, maximum 5 miles; Age 8-10, minimum 3 miles, maximum 5 miles; Age 11-15 minimum 3 miles maximum 10 miles.
<b>Durham</b>	Durham County Council's Policy is as follows: Free travel is available to pupils of compulsory school age to the nearest suitable Voluntary Aided (Church) Schools for pupils whose parents adhere to that particular faith and who are offered a place at such school and where that school is more than 2 miles from the parental home using the shortest available walking route. Parents adhering to the faith is defined as: to the Roman Catholic faith where at least one parent and the pupil are baptised Roman Catholics; and, to the Anglican faith where at least one parent is a confirmed Anglican and the pupil is a baptised Anglican. Durham County Council does not provide free transport to church schools where the parents do not belong to that faith; free transport is only provided to the nearest community school (provided the pupil lives beyond the walking distance).
<b>Essex</b>	Essex County Council do not provide free transport for pupils attending denominational schools who do not practice the faith of that school.
<b>Gloucestershire</b>	Transport is only provided to Catholic secondary schools and only to Catholic children who attend. They ask for confirmation that the pupils are baptised Catholics.
<b>Hertfordshire</b>	The local authority will provide free transport for all children attending there nearest maintained faith school if they have a place there in line with their parents' beliefs. Provided the walking distance and/or travelling time is over the statutory maximum. The following conditions also apply: i) For CofE schools the child must be baptised into the CofE faith or the parents must be on the parish electoral role. ii) For Roman Catholic schools, the child must be baptised as a Roman Catholic. For Jewish schools the parents must be a member of a synagogue community.
<b>Kent</b>	Kent's policy draws a distinction between religious and denominational education. The Council will provide free transport provided the school is of the same denomination to which the either parent adheres. Yet also requires a certificate from the appropriate authority confirming that the child regularly attends the place of worship. However free transport is not provided if the school is within the same religion but not the same denomination. This requirement maybe reconsidered if the circumstances render it necessary. Kent's policy also states that free transport to religious schools of the same or different denomination, outside of the County is not available unless the circumstances require it.
<b>Lancashire</b>	The County Council's transport policy reflects parental choice of school on grounds of the particular religion. In the case of RC pupils, the RC school serving the parish where the pupils live will be considered the nearest suitable school. In the case of pupils wishing to attend a CofE school, denominational considerations are taken onto account if the school applied for serves the area of the pupil's home address. If the parents of Non-Roman Catholics primary pupils opt for a more distant County Primary school when there is a CofE Primary school nearer to



	<p>their home, the nearest suitable school will be taken as the CofE school for the purpose of assessing eligibility for travelling expenses. In establishing denominational reasons for the choice of school evidence may be sought from the Head teacher that a place was offered on denominational grounds.</p>
<b>Leicestershire</b>	<p>Leicestershire provide free transport to denominational schools provided: i) the choice of school is made on bona fide grounds, and; ii) the school is either the nearest CE school (for CE children) or the nearest RC school (for RC children) designated by the LEA for the child's home address, and iii) the distance from home to school is more than 3 miles for secondary pupils or more than two miles for primary age pupils.</p>
<b>Lincolnshire</b>	<p>In Lincolnshire if the pupil is attending a church aided school the local authority may help with the transport arrangements. In either of the following ways: pupils may be eligible for a place on existing transport or the children may get help with private transport costs through an allowance for each mile they travel. There is a requirement that the home to school transport form be signed by the Minister of Religion confirming that the parent(s) (it does not specify one or both) must sign the form confirming that they regularly attend the place of worship.</p>
<b>Northumberland</b>	<p>Free transport is provided to the nearest catchment school provided the pupil lives beyond the relevant walking distance. Northumberland C.C. does not provide free transport to pupils who do not belong to the appropriate faith.</p>
<b>Nottinghamshire</b>	<p>LEA will pay for denominational transport to the appropriate denominational catchment school applying the statutory walking distances. If the child is in the catchment of more than one appropriate denominational school the LEA will provide transport to the nearer or nearest of such schools. In Nottinghamshire the VA of a denominational school determines its own catchment area and whether or not a pupil is eligible for a place. The school, not the LEA, then certifies whether a pupil has been offered a place on denominational grounds when the parents apply for full or assisted transport. The LEA will also provide free transport for children attending denominational schools other than on denominational grounds; provided it is within the same catchment area and within the statutory walking distance. This is generally the case for VA CofE schools that usually have a local catchment area as well as a denominational catchment. In all other cases the school will treat as a preference school and the LEA will not pay.</p>
<b>Oxfordshire</b>	<p>May assist with travelling expenses for those parents whose children are allocated places at the appropriate Aided School on bona fide denominational grounds, as long as the children's homes are located, by the nearest walking route:</p> <ul style="list-style-type: none"> <li>a) more than 2 miles but less than 6 miles from the school for children under 8 years of age.</li> <li>b) more than 3 miles but less than 10 miles for children 8 years and over.</li> </ul> <p>Applications should be made to the Transport Section as soon as possible after a school place has been allocated.</p> <p>Exception to the above rule is granted to Roman Catholic pupils attending the Blessed George Napier School, Banbury, who live more than 10 miles away in certain Parishes.</p>

<b>Shropshire</b>	<p>Pre-requisite for considering entitlement is that the pupil is attending at the nearest appropriate denominational school where the religious education provided is significantly different from that provided in community schools and is of the religion or denomination to which at least one parent adheres. This is also subject to walking distances:</p> <ul style="list-style-type: none"> <li>i) for primary schools the distance between the parents home and the school is between 2 and 6 miles;</li> <li>ii) for secondary schools the walking distance is between the parents' home and the school is between 3 and 16 miles.</li> </ul> <p>Assistance is given from the outer 16 mile limit for pupils transferring from a denominational primary school catchment area which is within the 16 mile limit whilst the pupil's residence is within the 16 mile limit. In this instance the parents will be required to meet the cost of transport to the outer limit of 16 miles. Any application for transport will be considered on its merits. Applicants granted free transport will have free school transport Provided from a reasonable distance from their home.</p>
<b>Somerset</b>	<p>Free transport may be allowed where the parents' wish for their child to be educated at a school where the religious education is that of their faith. Provided that: i) Transport to the denominational school is the nearest suitable school ii) The school is beyond the statutory walking distance, iii) Confirmation is provided that the family adheres to the professed faith, iv) Journey times do not exceed 45 minutes for a child up to age 11 and 75 minutes for a child aged 11 and over. Assistance will only be given in the form of a seat on a school run scheme or mileage allowance. However Somerset's standard parental contribution towards transport costs is still payable. Unless the family is in receipt of Income Support or Income Based Jobseekers' Allowance.</p>
<b>Staffordshire</b>	<p>Staffordshire provide transport to schools that have special denominational catchment areas provided a parent adheres to the faith concerned, This is normally evidence by the fact that the child has been baptised into the Roman Catholic faith. Under exception circumstances non-Catholic children from a recognised R.C. feeder school may be provided with transport where they have attended that school throughout their primary years. The only exception to the requirement that the child has been baptised is that the where the child has come through the Roman Catholic primary system. However where the child is transferring to secondary education they will need to provide evidence to demonstrate their adherence.</p>
<b>Suffolk</b>	<p>Suffolk's policy similar to DCC.</p>
<b>Surrey</b>	<p>Free Transport is provided if the school is a voluntary-aided church school. The parent(s) or pupil must regularly attend services at the CofE or Roman Catholic Church (appropriate to their faith). Their minister of religion must sign the application form. The school must also be the nearest school of the appropriate religion to the home address (with possible exception due to parish links). If the nearest church aided school is over 6 miles away for primary schools and 10 miles away for secondary schools then free transport cannot be guaranteed. However applications will be considered individually, depending on cost.</p>
<b>Warwickshire</b>	<p>The Council's policy is as follows; 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</p>

	<p>on denominational grounds is usually given for journeys of a maximum of six miles for pupils under 8 and 10 miles for children aged 8 and over. Only difference with Durham's policy is the issue of evidence of religious beliefs. As the Authority does not undertake any formal checking of those grounds indicated on the application form by parents.</p>
<b>West Sussex</b>	<p>Help with travelling costs are available provided the child lives two to three miles (depending on age) or more away from the church school, the journey time is less than 1¼ hours and at least one parent must be a member of the same religion. However, help may also be available, if the authority is satisfied that the pupil has been admitted to that school for genuine religious reasons.</p>
<b>Worcestershire</b>	<p>Worcestershire County Council will provide either free transport or assistance with transport costs, provided the following conditions are met: i) that the parent or pupil adheres to the religion or denomination, and; ii) the application for assistance is supported by proof either of baptism in the faith or verification by the Parish Priest or local Vicar that the parent(s) adhere to the religion in question, and iii) that the pupil live in excess of the statutory walking distance and is attending the nearest denominational school. It is unlikely that free transport will be considered necessary where the child lives within the statutory walking distance non-denominational school. However the Authority will offer some assistance towards the transport costs. This will be in the form of a bus/train pass, travel permit on Authority's contract service or in some cases where there is no other form of transport a known transport allowance. It is a condition however that all parents must pay a contribution towards the overall transport costs.</p>

## CONSULTATION PAPER

### TRANSPORT TO DENOMINATIONAL SCHOOLS

#### Proposal

The Children and Young People Overview and Scrutiny Committee have established a Task and Finish Group to review the policies relating to home to school transport. At their meeting in September Members considered the current policy regarding children attending Denominational schools. Members examined at the policies operated by other authorities and considered the current policy adopted in Warwickshire against the increasing cost of home to school transport. Consequently Members agreed that the Authority should carry out a consultation exercise seeking views on proposed new arrangements.

There are currently in excess of 1500 pupils receiving free transport to denominational schools. Sometimes these schools are not the nearest school to the home and not all pupils in receipt of free transport actually practice the faith of the school attended as free transport is provided to all who attend. It is not possible to identify precisely which of these pupils would not qualify for free transport should a stricter approach be taken. However, it is likely that at least one third (500) of the pupils are not practising members of the faith. Members have asked officers to carry out a consultation exercise on the following proposal:

**It is proposed to introduce a charge for transport to denominational schools for pupils who do not practice 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 priest, vicar or other appropriate person (as identified by the particular authority, eg. Diocesan Schools Commission) to continue to travel free.**

#### Background

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 parent adheres.

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 6 miles for pupils under 8 and 10 miles for children aged 8 and over.

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 2/3 miles away.

Transport costs for pupils attending school have escalated over recent years to a current cost of c£6m. A number of LEAs now make a charge for children attending a denominational school if there is a non-denominational school nearer home. Warwickshire is only one of a few Authorities not asking for certification by a Priest or Vicar that the family applying for assistance with transport actually do practice 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.

It is important that applications for assistance with transport are treated equally. 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.

## **Current Position in Warwickshire**

There are currently in excess of 1500 pupils receiving free transport to denominational schools. Over 1,000 of these pupils attend Warwickshire secondary schools, some 150 attend Warwickshire primary schools and the remainder attend denominational schools maintained by other Authorities.

## **Other Authorities**

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 practicing members of the particular faith.

## **When would the changes take effect ?**

If agreed the changes would take effect from September 2007 for pupils starting at a Denominational school. Existing travellers would continue to receive free transport and the new policy would be phased in year on year.

## **What are your views ?**

This consultation paper is being sent to all Elected Members, Denominational schools, Diocesan Education Authorities, Warwickshire Governors Forum and neighbouring Local Authorities. Please send your comments to:

Kelly Templeton  
Education Department  
22 Northgate Street  
Warwick  
CV34 4SP

**By Friday 24<sup>th</sup> February 2006.**

### Members Task and Finish Group – Home to School Transport

#### TRANSPORT TO DENOMINATIONAL SCHOOLS

Members will recall that a consultation exercise has been carried out in line with recommendations made at previous meetings regarding Transport to Denominational Schools.

A consultation paper has been sent to all Elected Members, Denominational schools, Diocesan Education Authorities, Warwickshire Governors Forum and neighbouring Local Authorities. The closing date for responses is 24<sup>th</sup> February.

There have been 17 responses to the consultation exercise and a summary is given below:

##### **Archdiocese of Birmingham**

Lengthy, detailed response.

Recommend that Members delay any decision pending possible legislative change.

Suggested clarification of eligibility. 'Adherence' to faith suggested (detailed definition given).

Possible 'solution' identified based on baptism – as used for admission criteria.

##### **Diocesan Board of Education**

Parents should have been consulted.

Suggestions as to replacing 'faith' with 'family commitment'.

Proposal could favour financially advantaged families.

Need to set out when proposal would become effective.

Financial issues regarding role of the clergy.

##### **St Thomas More Catholic School, Nuneaton (Headteacher)**

Headteacher has serious concerns about the proposal and feels it should not proceed.

Headteacher feels proposal is ill-considered and inopportune.

Considers that the proposed criterion is arbitrary and prone to subjective interpretation.

Headteacher feels the document contains insufficient information and is vague and imprecise.

**Dunchurch Boughton CE School, Rugby (Chair of Governors)**

Proposal is discriminatory – free transport will still be available to selective schools.

Question as to what savings might be achieved.

LA should be clear that if closure of Bishop Wulstan proceeds, it will not be affected by this proposal.

**Trinity Catholic School, Leamington (Headteacher)**

Serious concerns about the proposals. Strongly disagrees.

Feel that ‘practising’ the faith an inappropriate criteria – a baptised catholic may return to the faith through the education available at Trinity School.

**St Gregory’s Catholic Primary School, Stratford (Headteacher)**

Proposal seems fair but considers that it will have an impact on intake to the school.

**St Mary’s Catholic Primary School, Henley (Headteacher)**

Proposal seems unfair and seriously undermines parental choice.

Choice of Denominational school should not be affected by ability to pay.

Could impact on intake to school.

**St Joseph’s Catholic Junior School, Nuneaton (Headteacher)**

Lack of transport for non-catholic pupils would affect parental choice.

Bus serving the school may become ‘non-viable’ leading to traffic congestion.

Issues re ‘practising’ catholics and those attending Mass in other parishes.

**Bishop Wulstan Catholic School (Headteacher)**

Proposal not clear but gives concerns.

Insufficient information re costs.

Unclear as to how establish ‘practising faith’.

Lack of transport for non-catholic pupils would affect parental choice.

Considers that a ‘more informed’ paper should be produced.

**St Benedict’s Catholic High School (Headteacher)**

Support comments from Archdiocese of Birmingham.

Consultation ill prepared and rushed.

**Harris School**

Parents should have been consulted.

Should be parents **and/or** pupils who choose.

Proof of faith/church attendance is not a reliable way to determine entitlement. Will lead to inconsistencies in interpretation.

Insufficient information for an appeal to be heard.

Potential discrimination against minority faiths.

What of a child who ‘finds’ faith after Year 7?

Question as to what savings might be achieved.



**Donald Hannah, Governors Forum**

Recognises the complexities involved.  
Concerned that proposal would discriminate between children attending the same school. 'On balance would recommend leaving the situation as it is'.

**Claire Sangster, Governors Forum**

Does not feel that pupils who do not practise the faith should receive free or subsidised transport unless the school is the nearest to their home.  
Suggests a phased process of financial contribution.

**County Councillor David Booth**

No objection to the proposal.  
Consideration should be given to only funding free transport to the closest appropriate faith school.

**County Councillor Nina Knapman**

Seems sensible to introduce a charge.  
Question as to what savings might be achieved.  
Suggest should be an appeal process.

**County Councillor George Atkinson**

Difficult to identify the number of pupils concerned.  
Query re management impact and cost savings.

**County Councillor Marion Haywood**

Agree with proposal to introduce a charge.

### DEFINITION OF A 'BAPTISED CATHOLIC'

#### (For use in the Criteria of Admission to Catholic Schools in the Archdiocese of Birmingham)

*To establish clarity, consistency and fairness in the application of Criteria of Admission in Catholic Schools in accordance with the Trust Deed of the Archdiocese of Birmingham, it is necessary to define the description of a 'Baptised Catholic' for the benefit of parents who are making applications and for governors who formulate and apply the criteria for admissions.*

A 'Baptised Catholic' is one who:

- Has been baptised into full communion (Cf. *Catechism of the Catholic Church, 837*) with the Catholic Church by the Rites of Baptism of one of the various ritual Churches in communication with the See of Rome (i.e. Latin Rite, Byzantine Rite, Coptic, Syriac, etc, Cf. *Catechism of the Catholic Church, 1203*). Written evidence of this baptism can be obtained by recourse to the Baptismal Registers of the church in which the baptism took place (Cf. *Code of Canon Law, 877 and 878*).

Or

- Has been validly baptised in a separated ecclesial community and subsequently received into full communion with the Catholic Church by the *Right of Reception of Baptised Christians into the Full Communion of the Catholic Church*. Written evidence of their baptism and reception into full communion with the Catholic Church can be obtained by recourse to the Register of Receptions, or in some cases, a sub-section of the Baptismal Registers of the church in which the *Rite of Reception* took place (Cf. *Rite of Christian Initiation, 399*).

#### **WRITTEN EVIDENCE OF BAPTISM**

The Governing bodies of Catholic schools will require written evidence in the form of a Certificate of Baptism or Certificate of Reception before applications for school places can be considered for categories of 'Baptised Catholics'. A Certificate of Baptism or Reception is to include: the full name, date of birth, date of baptism or reception, and parent(s) name(s). The certificate must also show that it is copied from the records kept by the place of baptism or reception.

Those who would have difficulty obtaining written evidence of baptism for a good reason, may still be considered as baptised Catholics but only after they have been referred to their parish priest who, after consulting the Vicar General, will decide how the question of baptism is to be resolved and how written evidence is to be produced in accordance with the law of the Church.

Those who would be considered to have good reason for not obtaining written evidence would include those who cannot contact the place of baptism due to persecution or fear, the destruction of the church and the original records, or where baptism was administered validly but not in the Parish church where records are kept.

Governors may request extra supporting evidence when the written documents that are produced do not clarify the fact that a person was baptised or received into the Catholic Church (i.e. where the name and address of the Church is not on the certificate or where the name of the Church does not state whether it is a Catholic Church or not).

Admission Policies should state the requirement of written evidence of Baptism or Reception for the category of 'Baptised Catholic'. The policy should also state that those who face difficulties in producing written evidence of baptism should contact their Parish Priest.