

## Council

3 November 2015

### Home to School Transport – Specialist Nursery Provision

#### Recommendation

That Council considers the call-in and decides either to take no action or to make recommendations to Leader/Cabinet.

#### 1.0 Background

On 8 October 2015, the Children and Young People OSC (C&YP OSC) held an extraordinary meeting to consider the outcome of the consultation on Home to School Transport and the proposals for the future. The Committee had before them the report that was being considered by Cabinet later that day. After considering the contents of the report, the Committee agreed the following recommendations to the Cabinet meeting:

(1) That the Children and Young People Overview and Scrutiny Committee are opposed to recommendations 11, 17 and 19 as outlined in agenda item 2 and that a further review is undertaken in relation to Specialist Nursery transport provision.

(2) The Children and Young People Overview and Scrutiny Committee wish to place on record their regret at having to consider the recommendations outlined in the report.

#### 2.0 Cabinet Consideration

Cabinet considered the recommendations, alongside the report setting out the recommendations for changes to the Council's Home to School Transport policy, and agreed to delete recommendations 17, 18 and 19, but decided to retain recommendation 11. A copy of the Cabinet minute is attached at **Appendix A**. The report considered by Cabinet and the Committee is available on the Council website.

#### 3.0 Call-In to Overview and Scrutiny Committee

On 13 October, the Cabinet decision *“That with immediate effect transport to Specialist Nursery Provision is no longer available to new applicants”* (Recommendation 11) was called-in by Councillors Sara Doughty, Mary

Webb, Dave Parsons and John Whitehouse. The reasons for the call-in were given as:

*“A review of this nursery provision is underway but has not been completed. A change of emphasis from provision in specialist nurseries to the provision of specialist transport in a local nursery situation is clearly implied but has not been determined. The decision to withdraw free transport with immediate effect to new participants pre-empts the findings of the review, added to which no assurance could be given that the needs of all children requiring specialist support could be met through the period of the review and beyond.”*

#### **4.0 Outcome of the Overview and Scrutiny Committee consideration**

The Committee met on 22 October and agreed to make the following recommendations to Council:

That Council considers:

- (1) Whether transport to Specialist Nursery provision be no longer available to new applicants with immediate effect.
- (2) Whether the same transport assessment criteria applied to school age children should also be applied to pre-school children.
- (3) Whether a decision on the withdrawal of transport to Specialist Nursery provision should be deferred, pending consideration of alternative means of delivering the service.
- (4) The potential impact on Specialist Nurseries should transport provision be withdrawn.

The Council is invited to consider these points and whether it wishes to make any recommendations back to Cabinet.

#### **5.0 Options open to Council**

The options open to Council are to either take no action (in which case the decision of Cabinet takes immediate effect) or refer the matter back to the Leader/Cabinet for consideration.

#### **Background papers**

None.

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## County Council 3<sup>rd</sup> November 2015

### Extract of Minutes from Cabinet Meeting 8 October 2015

#### **2. Home to School Transport – Outcome of Consultation**

Councillor Colin Hayfield (Portfolio Holder for Education and Learning) introduced this item explaining that the report before members was the result of an extensive and successful consultation exercise. That exercise had demonstrated a broad spread of balanced opinion concerning the proposed changes to school transport arrangements.

Councillor Dave Parsons (Chair of the Children and Young People Overview and Scrutiny Committee) informed the extraordinary meeting of the outcome from the meeting held earlier on 8 October of the Children and Young People Overview and Scrutiny Committee. The recommendations of the committee were:

1. That the Children and Young People Overview and Scrutiny Committee are opposed to recommendations 11, 17 and 19 as outlined in agenda 2 and that a further review is undertaken in relation to specialist nursery transport provision.
2. The Children and Young People Overview and Scrutiny Committee wish to place on record their regret at having to consider the recommendations outlined in the report.

In response to this Councillor Hayfield presented a revision to the recommendations. He suggested that in the light of the observations of the Overview and Scrutiny Committee recommendations 17, 18 and 19 should be removed from the recommendations. (By removing recommendation 17, number 18 becomes superfluous).

With regards to arrangements for Faith Schools and Grammar Schools Councillor Hayfield agreed that these should be the same. In addition he confirmed that any new arrangements for charging for access to schools will apply to new intakes only. Pupils currently in years 7 to 11 will not be affected.

Councillor Hayfield proceeded to summarise the key components of the report addressing such areas as vacant seats and post 16 transport, walking routes to schools, direct payments, transport to special schools, transport for nursery provision, exam year move transport, emergency address change transport, medical transport for 16 to 19 year olds and respite transport.

Councillor Richard Chattaway (Deputy Leader of the Labour Group) noted that the savings that could be realised by the proposed service changes were 35% of the total transport savings required. As further cuts will be required Cabinet was asked where these might come from. In response the meeting was informed that there are few places remaining where significant savings can be made. In addition, for the budget and agreed savings agreed by Council to implemented more work is required across the organisation. The review of home to school transport is one component of that work.

Cabinet was informed that in the light of evolving service models and parental choice specialist nursery provision is continuously under review. This forms part of the Vulnerable Learners Strategy. In response it was suggested by other members that no changes should be made to transport arrangements for pupils at specialist nurseries until that review has been completed. Members were assured by the Portfolio Holder that all children will continue to receive the education and support they require.

In the light of uncertainties over the number of children requiring transport to specialist nursery provision the savings target of £290,000 for 2017/18 was challenged. In response to this the meeting was reminded that the Council was part way through a four year savings plan.

The budget is based on assumptions, is reviewed constantly and will change in the light of fluctuations in demand and costs. Members raised concerns over how budget deficits will be managed in the future. Slippage needs to be avoided and it will not be possible to continue drawing on reserves.

### **Resolved**

(Note – for the sakes on continuity where recommendations 17 18 and 19 have been deleted their numbering has been retained).

That Cabinet agrees to the following changes to the Council's Home to School Transport Policy.

- 1) That from September 2016 new applications for free transport to grammar schools are assessed against the statutory eligibility criteria. Free transport to a grammar school would only be available if it was the nearest school to home with spaces and other relevant criteria were met – such as the distance from home to school.
- 2) That students currently in receipt of free transport to a grammar school continue to do so until the end of Year 11 or until there is a change in circumstance, such as a house move. At this point their application would be reassessed against the statutory eligibility criteria.
- 3) That from September 2016 the annual charge under the Council's Vacant Seats scheme for students living more than three miles from school increases from £660 to £750 (an increase of twenty three pence per passenger journey).

- 4) That from September 2016 the annual charge under the Council's Vacant Seats scheme for students living less than three miles from school increases from £330 to £375 (an increase of twelve pence per passenger journey).
- 5) That from September 2016 the annual charge under the Council's Post 16 Transport scheme increases from £660 to £750 (an increase of twenty three pence per passenger journey).
- 6) That the fifty percent discount for low-income families currently available under the Vacant Seats / Post 16 Transport schemes is retained.
- 7) That the charges associated with the Vacant Seats / Post16 Transport schemes increase each year based on the Council's annual income inflation rate.
- 8) That with immediate effect the revised process for assessing the safety of walking routes is used to re-assess all walking routes to / from schools and pick-up points currently considered to be unsafe, and that the same process is used to assess all new applications for transport on dangerous route grounds. Where a route is reclassified as safe, free transport will continue to be provided until the end of the academic year the reclassification is determined. The revised process is included in Appendix A as part of the report considered by Cabinet on 11 June 2015.
- 9) That from 02 November 2015 the rate paid to parents transporting 'eligible' children to / from school or pick-up / drop-off points is increased to forty pence per mile where financially viable to the Council.
- 10) That pupils with a Statement of Special Educational Needs or an Education Health and Care Plan, who do not meet one of the other statutory criteria for free transport, such as distance, will be subject to an assessment to determine whether or not it is reasonable for them to make their own way to and from school. Where the Council considers following assessment that a child requires transport in order to access their educational provision, free transport will be provided. An assessment process will be drawn up in consultation with parents, Headteachers and other professionals. The revised policy would then apply to new applicants and/or students moving from Key Stage 2 to Key Stage 3.
- 11) That with immediate effect transport to Specialist Nursery Provision is no longer available to new applicants.
- 12) That students currently in receipt of transport to Specialist Nursery Provision continue to receive such support until they transfer to Reception. At this point eligibility for transport would be assessed against the statutory eligibility criteria.

- 13) That with immediate effect Exam Year Move Transport is no longer available to new applicants.
- 14) That students currently in receipt of Exam Year Move Transport continue to receive such support until the end of Year 11 or until there is a change in circumstance, such as a house move. At this point a fresh application would need to be reassessed against the statutory eligibility criteria.
- 15) That with immediate effect the automatic entitlement to Emergency Address Change Transport is no longer available to new applicants but the Council retains the discretion to offer free transport through its appeals process.
- 16) That students currently in receipt of Emergency Address Change Transport continue to receive such support until the end of the period for which transport was originally granted.
- 17) Deleted
- 18) Deleted
- 19) Deleted
- 20) That where parents wish to and are able to transport their child to / from respite care and it is financially viable to the Council, that a direct payment in line with the proposed rate of forty pence per mile (for one return journey per day) is available.
- 21) That the Strategic Director for People or officers nominated by him have via the appeals process the power to authorise the provision of free or assisted transport and / or waive any charges in whole or in part in exceptional circumstances.