

Cabinet

10 September 2020

Home to School Transport Policy

Recommendation

That Cabinet endorses the following revision to the Home to School Transport policy:

- The definition of a pupil's qualifying school is altered to mean *either the **closest qualifying school** to the pupil's home address, with places available, that provides education appropriate to the age, ability and aptitude of the pupil and takes in account any special educational needs that pupil may have, or the **priority area school in which the pupil resides***. This change would be implemented from publication of the Home to School Transport Policy

1. Executive Summary

- 1.1 There is no universal entitlement to free travel for every learner to and from any educational establishment. Parents have a legal duty to make necessary arrangements to ensure that pupils of compulsory school age receive full time education and, if registered at a school, that they attend regularly.
- 1.2 The local authority is required to provide transport assistance to children resident within the administrative area of Warwickshire County Council who are entitled under the law and the home to school transport policy. The criteria for eligibility are contained in section 3 of the draft policy in Appendix 1.
- 1.3 Warwickshire County Council is proposing a single change to the definition of a pupil's Qualifying School (contained in paragraph 2.3 of the draft policy in Appendix 1). In all other material aspects, the policy remains unchanged.
- 1.4 In January 2018, as part of addressing non-statutory duties, Cabinet endorsed a number of changes to the home to school transport policy including the current definition of a pupil's qualifying school, removing priority area school from the criteria.
- 1.5 At the moment, a pupil's qualifying school is defined by Warwickshire County Council to mean only the pupil's closest school to home with a space available for the pupil by the shortest available route (this will be a driving route if the journey is over the statutory walking distance or a walking route if the journey is less than the statutory walking distance). This may not be the priority area

school (sometimes referred to as 'catchment school') but will be the one physically closest to the student's home address.

- 1.6 Following a review of this change in the definition of nearest qualifying school, it is proposed to change the definition to reintroduce the priority area school. A number of factors contributed to the decision to propose the change to definition of a pupil's qualifying school:
 - 1.6.1 The revision to the definition in January 2018 was part of addressing non-statutory duties, wide priority areas and the removal in some instances of priority areas altogether. The County Council recognise that the number of schools removing priority areas remains small and that within the wide, largely rural, priority areas the revision created a divide in transport assistance eligibility within certain localities and villages where the nearest school can differ by marginal distances.
 - 1.6.2 By not aligning with priority areas, the current definition has also distanced itself from the school admissions process consequently creating confusion and can prove complex to understand for parents and carers when making a school place application with one priority school and multiple nearer schools.
- 1.7 Therefore, it is proposed to change the definition of qualifying school for a pupil to mean either the closest qualifying school (see paragraph 2.2 of the draft policy) to the pupil's home address, with places available, that provides education appropriate to the age, ability, and aptitude of the pupil and takes into account any special educational needs that the pupil may have, or the priority area school in which the pupil resides. This means that some children will have two qualifying schools.
- 1.8 The calculation of the qualifying school for a pupil who has gained a place at a selective school will remain unchanged and will include non-selective comprehensive schools which provide schooling for those of all ability levels. As such transport to selective schools will only be provided if it is the closest qualifying school to the child's home, taking into account all relevant secondary schools. The distance from home to school will also need to exceed the relevant statutory walking distance.
- 1.9 Similarly, the calculation of qualifying school for a pupil who has gained a place at a faith school remains unchanged and will include non-faith schools which provide schooling for those of all faiths. As such transport to faith schools will only be provided if it is the closest qualifying school to the child's home, taking into account all relevant schools. The exception to this will be when the pupil is of secondary school age and qualifies under the extended eligibility criteria (see section 3.3). The distance from home to school will also need to exceed the relevant statutory walking distance.
- 1.10 Where changes are proposed to the local policy on transport arrangements, Local Authorities are required to consult on these changes for at least 28 working days during term time.

- 1.11 A public consultation took place between Monday 8th June and Friday 17th July 2020 using WCC's consultation platform and social media to communicate the consultation with the various stakeholders. Consultation documentation is provided in Appendix 2.
- 1.12 418 responses were received during the consultation period. A summary of the responses is provided in Appendix 3.
- 1.13 Respondents were asked to the extent to which they agreed or disagreed with the proposal. 67% of respondents agreed or strongly agreed with the proposed change, 26% disagreed or strongly disagreed, and 7% neither agreed nor disagreed with the proposal.
- 1.14 Analysis of the open-ended responses to the questions that allowed the opportunity to provide further comments about the proposal identified a number of key themes. Almost a third of respondents who provided comment indicated that this change would have a positive impact on pupils and families, providing a fairer approach and more choice for families. A number of respondents also mentioned the proposal benefiting those whose nearest school is not their priority area school and having a positive impact on rural communities. Some respondents (10%) felt that the policy would still disadvantage those pupils that attend selective education and similarly, a number of respondents felt that the policy change would still disadvantage those families wanting to attend a faith-based school. A number of respondents, the majority of who disagreed with the proposed change, felt that transport should be free to whichever school a pupil chooses to attend to support parental choice and provision that is best suited to the individual pupil.

2. Financial Implications

- 2.1 The Medium-Term Financial Strategy (MTFS) proposed an additional £7.6million to the Home to Transport revenue budget by 2024/25. This includes an additional £2.037million in 2020/21 in order to address estimated growth and balance the budget.
- 2.2 With the current home to school transport policy still in a transition stage the transport network is predominantly operating on the previous definition of a pupil's qualifying school (which included priority area). Therefore, the operational impact of altering the definition (for example to reintroduce the catchment area school) is expected to be minor.
- 2.3 The MTFS outlines proposed savings of £0.279m for 2020/21 increasing by a further £0.295m in 2021/22, with a further £0.399m by 2024/25. It is not anticipated that the proposed change to the definition of a pupil's qualifying school will have an impact on these efficiency savings.
- 2.4 It should be noted that the service is currently reviewing, as part of the MTFS refresh, both the additional allocations and efficiency savings which are

subject to revision and will form part of the overall Council MTFS refresh to be approved by Council in February 2021.

- 2.5 The January 2018 Cabinet report recommending a number of policy changes, including the change to the current definition of nearest qualifying school. Estimated savings were attached to these policy changes. Therefore, a reversal of the policy decision to change the definition of nearest qualifying school will result in the service being unable to achieve the estimated saving of between £31,000 and £44,000 which was based on assumptions surrounding potential additional income from paid transport (ie those that were eligible under the previous policy taking up the option of paid transport where available). If there is a resulting overspend from this proposed policy change further areas for potential savings will be explored.
- 2.6 It should also be noted that the 2018 policy change to the definition of a pupil's qualifying school significantly increased the number of transport appeals received by WCC. If the policy was to continue with the current definition additional officer capacity within the Education Transport Team would need to be sought, together with the associated additional revenue expenditure, in order to process the transport appeals within the stipulated time frames.

3. Environmental Implications

- 3.1 Including the priority area school (often the preferred school of choice), within the nearest qualifying school criteria could increase the eligibility for transport assistance in certain areas but at the same time provide the option of a more sustainable mode of transport. Retaining the current definition could lend itself to an increase in the number of individual cars used to transport learners to the school of choice where transport assistance is not available.

4. Supporting Information

None

5. Timescales associated with the decision and next steps

- 5.1 It is intended that the proposed change would be implemented for new transport applications from publication of the revised Home to School Transport Policy

Appendices

1. Appendix 1 – Draft Home to School Transport Policy
2. Appendix 2 - Consultation Documentation
3. Appendix 3 – Summary of responses to consultation

Background Papers

1. Equality Impact Assessment

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The report was circulated to the following members prior to publication:

Local Member(s): N/A

Other members: Councillors Hayfield, Dahmash, P.Williams, C Davies and Skinner