

AGENDA SUPPLEMENT

Decision Session - Executive Member for Children, Young People and Education

Item 4: Free Discretionary Transport to Tadcaster Grammar School – written representation received

To: Councillor Webb

Date: Tuesday, 6 February 2024

Time: 10.00 am

Venue: The Thornton Room - Ground Floor, West Offices (G039)

The Agenda for the above meeting was published on **Monday, 29 January 2024**. The following written representation has been received in regard to item 3 of the agenda, Public Participation, for consideration of the following agenda item:

4. Free Discretionary Transport to Tadcaster Grammar School (Pages 1 - 8)

The Executive Member is asked to take a decision about phased removal of free discretionary transport to Tadcaster Grammar School following the public consultation on the proposal.

Written representations in respect of items on this agenda were submitted to Democratic Services by **5.00 pm on Friday, 2 February 2024**.

This agenda supplement was published on **Friday, 2 February 2024**.

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31st January 2024

By email:

To. <reece.williams@york.gov.uk>

Dear Cllr Webb,

Re: The future of free discretionary transport to Tadcaster Grammar School (“TGS”)

We are writing on behalf of the Trustees of The STAR Multi-Academy Trust, with regard to the above matter. This letter is submitted in advance of, and for consideration at, the forthcoming Decision Session (Executive Member for Children, Young People and Education) on Tuesday, 6th February 2024.

We have read the ‘Decision Report: Free Discretionary Transport to Tadcaster Grammar School’ published on 29th January 2024 (hereafter referred to as ‘the decision report’).

The purpose of this letter is to restate the Trust’s position (including TGS), as previously elucidated in the communications to yourself from both the Trust (27th October & 30th November 2023), and separately from Tadcaster Grammar School (18th December 2023). It will also elaborate on the reasoning for our statement of position, referring in part to our ongoing concerns about the consultation and decision-making process since this issue was made public in January 2023.

Our Position

The Trust understands the financial constraints under which the City of York Council needs to operate, as well as the necessity to consider longer term legacy issues such as this. However, our position remains that we do not, and cannot, support the removal of the discretionary transport arrangement either now, or in the future.

A. Background

As you will be aware, for many years there has been such transport in place to facilitate a joint catchment area within City of York, and specifically the villages of Bishopthorpe, Copmanthorpe, Acaster Malbis, Askham Richard and Askham Bryan, with TGS named as a ‘catchment school.’ We are exceptionally proud to be of service to the families in these communities and highly value our shared and long history of providing high quality education and care to many generations of families. This situation pre-dates the establishment of the unitary arrangement of the City of York in 1996.

CEO: Ian Yapp B.Sc. (Hons)

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Currently TGS welcomes approximately 45 Year 7 students each academic year from this area who access the school by discretionary transport provided by York City Council. Around 225 students in total are currently being served by discretionary transport to TGS as their preferred school. We also welcome a significant number of sixth form students from this locality. In future academic years, this demand will not reduce, not least as the school has the reputation of being a highly inclusive and successful place of education and care, with an excellent record for student outcomes and a growing Sixth Form.

Since January 2023 when the proposal was first made public, staff of Tadcaster Grammar School and the Trust have sought to further connect and engage with the locality at every opportunity to assess their thoughts and feelings about the proposal to remove discretionary transport. You and your CYC team had a very cursory exposure to this during the public consultation meeting at Copmanthorpe Primary School.

Overwhelmingly, parents, students and the wider community are dismayed by the prospect of the current transport arrangement being removed, especially as they believe the rationale for this, beyond accountancy issues, is convoluted and ill-considered. The views expressed by members of the localities affected in the decision report strongly support the view that a full viability report should have been made public in advance of the consultation exercise, not afterwards as was the case.

B. Commentary on the assumptions the consultation was, and final decision will be, predicated upon.

Our view remains that there are multiple areas for consideration that should have formed part of your management processes, before going into the public domain. For example, as we expressed to you back in October 2023, the following issues, *inter alia*, remain unanswered:

- Are there any proposals to increase the PAN or measured capacity at any York secondary school? Neither a publicly available consultation to change any York secondary school's admissions policy *nor a mitigation strategy to cover the implementation period* was tabled to form any part of the consultation. We are not aware of any costed and timelined proposals or plans to increase the PAN or measured capacity at any York secondary school. Significant capital build in York secondary schools to increase capacity for Year 7 intake has not taken place recently, nor are we aware of any plans to do so. It would be a false assumption that York secondary schools could increase physical capacity to accommodate an increase in student numbers in a timely manner. Therefore, the view that York schools could 'build their way out of' the problem caused by increasing school rolls is erroneous.
- We are not aware of any intention for the City of York to change the catchment area of any of its schools. Tadcaster Grammar School has no immediate intentions to change its catchment area. However, it was suggested at the public consultation meeting that CYC was intending to change the wording of their admission policy from 'nearest catchment school' to 'nearest suitable school'. This was new information which members of the public were not aware of. This had not been shared, and had only been intimated under questioning at the pre-meeting between the Trust and the CYC. This was also not detailed in the on-line public consultation. This is a serious concern and illustrates a lack of full transparency by CYC.

Furthermore:

- If students need to be transported across York, will any financial savings actually be realised?
- The stated assumption that in the last few years more parents have applied for secondary schools in their York catchment school as presented in the first edition of the public consultation survey was incorrect, as applications from the York area for entry to Tadcaster Grammar School over recent years have not declined.
- At the public consultation meeting it was suggested by the CYC representatives present that it was believed that parents would pick up the cost of transport, as this had been the case when discretionary transport had been removed for children opting for faith schools. However, we would like to remind CYC again that if a faith school is the nearest catchment school, and a child lives outside the walking to school limit, they are still afforded free transport to school.

C. Commentary on the methodology used for the consultation and evidence gathering to inform the final decision on this matter.

A social media post in January 2023, shared by an elected member, caused significant concern with our existing school families in the area. Indeed, this was the initial way that we found out about the public consultation. We were then obliged to write to these families to offer an assurance, with no lead from the council. This illustrates insensitive handling by the council concerning this matter.

As already stated, the consultation was launched *in advance* of a full impact assessment. As such, it has caused, and continues to cause, widespread and undue concern amongst the many families within the Bishopthorpe, Copmanthorpe, Acaster Malbis, Askham Richard and Askham Bryan area whose children attend TGS, or who wish to in the future. At the public consultation meeting on 28th November 2023, this was a consistent theme in the responses from the parents and carers; their concern that no effective modelling had taken place by CYC, and the absence of this and an associated commentary from the consultation materials. This is reinforced by parents' and stakeholder views in the decision report. We believe this illustrates a lack of full transparency by CYC.

The primary schools in the locality had not been informed about the remit of this consultation by CYC, beyond asking them to distribute the consultation publicity materials. As such, primary school governors, leaders and staff were, and still are, unable to counsel concerned parents, relatives and children in an informed manner. We still continue to receive expressions of distress in the locality about the impact on families who have recently submitted an application for TGS for both the children joining the school in September 2024, and other younger members of families who would follow their siblings in subsequent academic years.

The design of the survey tool which was used to collect the views of stakeholders and the public was significantly limited in terms of the reliability and validity of the results it was likely to yield. For example, students were unable to make a full response to the questions, most of which do not survey their immediate thoughts about the consultation. School staff and members of the public are limited in the responses they could make by the survey tool design. This point was reinforced after speaking with numerous members of the audience at the public consultation meeting when stakeholders commented to

the STAR MAT staff present that the on-line survey tool was severely limited by design. Furthermore, during our face to face meeting with you on 18th December 2023, we raised these concerns and you replied that CYC did not have sufficient resources to design, administer and interpret a higher quality survey which would meet minimum requirements for achieving results which were reliable and valid, due to resourcing issues. We noted then that this was simply not sufficient, and suggest that it is indicative of the significant shortcomings in the recently closed public consultation. The survey instrument used was not fit for purpose.

At the public consultation meeting it was stated by the presenters from CYC that the STAR MAT had been asked to offer options for transport if the discretionary arrangement was removed. This has not happened. This assertion was challenged by the Trust staff present, but the audience would have assumed that the Trust or school had not made a response to an approach by CYC.

You will be aware that all of the above points, and many others concerning the nature of the consultation, were areas of concern from the stakeholders who attended the public consultation meeting. The 55 minute public consultation meeting and generic details available on the CYC website were insufficient to address the level of concern that has been raised.

D. Commentary on the ramifications for the communities which will be affected if discretionary transport is removed.

Again, we would particularly like to focus on the issues of social justice, as in reducing and eradicating disadvantage, and supporting social mobility, to allow children and families to escape disadvantage. In addition, we would like to emphasise the outstanding service and commitment Tadcaster Grammar School and the STAR MAT offers families in the locality impacted in relation to these societal constraints, especially those who are most vulnerable. I hope this resonates with you in relation to one of the five Labour Party missions for Britain, *'Breaking Down Barriers to Opportunity'*.

We already know that many families in this geographical area will not have the household income to pay for bus and/or private car transport to Tadcaster Grammar School, and so will effectively be denied their choice of preferred catchment school. Those who can pay, will pay. Those who cannot pay, will have their 'choice' made for them vicariously or involuntarily by proxy. Again, this was a very strong theme from the consultation feedback presented in the decision report. This will widen the gap between the more affluent and less affluent families in York communities and reduce social cohesion. In addition, this does not fit with the STAR MAT culture of inclusivity, as well as TGS's 'family first' approach.

Existing and future residents of the Bishopthorpe, Copmanthorpe, Acaster Malbis, Askham Richard and Askham Bryan area are likely to have based, or will base, their choice to locate there on the assumption of their residence being in the Tadcaster Grammar School catchment area with the associated free transport to the school. This was a strong feature of the feedback from the public consultation meeting at Copmanthorpe Primary School you attended, plus the view held by the CPS local governing body (amongst other concerns) at this school. The feedback from the public published in the decision report also comprehensively supports this view.

Existing families with a child, or children, at TGS may face the decision, financial and/or otherwise, to send younger children to another secondary school leading to siblings of secondary age being educated in two, or more, different secondary schools. Whilst the decision report proposes some minor mitigation in this instance, this is time limited and over time will still impact on families when younger siblings leave primary school. Cohesion in the family will undoubtedly be severely negatively impacted as a result and this will clearly bring additional costs to families. This is especially relevant to families in the local authority/housing association accommodation whose budgets would have no flexibility to absorb transport costs.

Children with SEND (with an EHCP already in place, or pending approval) and/or CLA, whose families or carers elect to send them to TGS will be unable to follow their peer groups from Year 6 into Year 7, despite CYC funding transport for these individual students. This will have a significant impact on the social and emotional aspects of the education and care for these students.

Removal of the current transport funding will significantly increase the use of private vehicles to get to TGS and, indeed, York schools. This goes counter to the City of York Council *Climate Change Strategy: at the heart of our recovery*. In addition, congestion on local roads will increase with the associated enhanced risk of accidents, especially those involving pedestrians. Furthermore, if option 2 in the decision report is chosen, CYC would need to cover the costs incurred by the requirement to provide safe walking routes to the nearest bus stop for transport to school.

A net reduction of students on the TGS roll, even a small number, caused by the removal of discretionary transport would also mean the provision the school provides would have to be reduced significantly, severely impacting the school's ability to deliver the optimum education and care to *all* students.

Details of the long-term sustainability of the existing bus service to school, considering the impact of its viability with a reduction in passenger numbers (paying and non-paying), have not been considered fully in the decision report. This consideration now has added importance as we understand the current provider is in the process of a change of ownership and it, or any potential competitors, may not see the routes as profitable and reduce or remove their service. You are aware that there is no viable or realistic public bus service which serves the school from the affected locality.

Most importantly, Tadcaster Grammar School has a long record of providing the highest quality education and care for the most vulnerable students in and beyond the area which will be affected by any change in transport arrangements. As access to services such as CAMHS, children's social care, SEND services and even access to food banks, and many more community resources, has been severely reduced due to the long shadow of the pandemic, plus more overt and recent financial and service cuts, the school has always provided security and stability to all families, especially the most vulnerable. This level of need is currently rising, and will only continue to heighten. Please could we request that you reflect carefully on whether York schools currently offer such high quality provision, or are planning to do so, after considering appropriate quantitative evidence sources.

In conclusion

The STAR MAT does not, and cannot, support the removal of the current discretionary transport arrangement now, or at any time in the future.

We are concerned that the costings presented in the decision report are not comprehensive and do not integrate the full financial implications for the council if option 2 is adopted, and so do not provide a sound factual basis upon which to base a decision.

Most importantly, the decision report, and the preferred proposal published therein, in no way references or acknowledges the strength of feeling in the communities which may be affected, beyond annexing the feedback from parents and other stakeholders.

We also note that:

- In your email to Mr Ian Yapp [Monday 30th October 2023, 08:35], “following the consultation a detailed evaluation paper will be written by officers early in the new year to inform my decision on whether to proceed with the proposal. This will fully address the details you have requested including the timeline, costed implications and impact assessment”. We suggest that the decision report only considers very selective financial mitigations for the loss of discretionary transport in response to our concerns, as presented in Option 2. Were other financial mitigation models considered? For example:

A ‘tapering off’ charging structure for students who would not qualify for a full remission of transport costs

Academic year	Year 7	Year 8	Year 9	Year 10	Year 11
2025/26	Parents pay 20% of costs	FREE	FREE	FREE	FREE
2026/27	Parents pay 40% of costs	Parents pay 40% of costs	FREE	FREE	FREE
2027/28	Parents pay 60% of costs	Parents pay 60% of costs	Parents pay 60% of costs	FREE	FREE
2028/29	Parents pay all costs	Parents pay all costs	Parents pay all costs	Parents pay all costs	FREE
2029/30	Parents pay all costs	Parents pay all costs	Parents pay all costs	Parents pay all costs	Parents pay all costs

- The potential cost savings for CYC (page 17, para. 49 in the decision report) are modest in Year 1 & 2, especially under Option 2 conditions. However, the decision report makes no mention of other costs and overheads which would be associated with Option 2, e.g. additional student appeals, costs associated with contract changes, the cost of the current consultation etc. Such additional costs would cause the savings as presented in the decision report to be negligible.
- The strength of feeling from the communities affected, which is documented in the decision report, simply has not been reflected by the proposal for CYC to adopt option 2, nor has any reasoned response or mitigation been put forward regarding the concerns raised in the consultation.

We request that:

- An informed decision regarding this matter clearly cannot be made at this time. As a minimum we recommend that you consider delaying the decision pending full modelling, including alternatives to proposals in the decision report, including additional impact assessments, and that the final decision be passed to a full council forum as the impact of this decision will have ramifications across all areas of council responsibility.

We also again seek assurances that:

- The STAR MAT and Tadcaster Grammar School are fully involved in all discussions and decision making, at whatever level, with regard to this issue;
- If, ultimately, the decision is indeed made to draw down the discretionary transport arrangement from 2025, CYC is able to guarantee that a bus service would still run *to meet demand*, for both non-paying *and* paying passengers, for at least the period academic year 2025/26 to 2029/30 inclusive.

We sent this letter to Mr Reece Williams (Democratic Services Officer, CYC) on 31st January 2024, and requested that he acknowledged receipt of this letter by return email immediately, verifying that it will be presented as supporting evidence in pre-release material and actually at the forthcoming Decision Session (Executive Member for Children, Young People and Education) on Tuesday, 6th February 2024 which will be attended by representatives of the The STAR Multi-Academy Trust. We have registered to speak at this meeting.

Yours sincerely,

Ian Yapp

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