

Executive Members for Children's Services and Advisory Panel

21 January 2008

Report of the Director of Learning, Culture and Children's Services

Home to School Transport Policy 2008/09

Summary

1. To seek approval for a revised home to school transport policy that will come into operation from 1 September 2008. The policy reflects the new statutory responsibilities placed on Local Authorities as a result of the Education and Inspections Act 2006.

Background

2. Section 508B of the Education Act 1996 deals with the duty on local authorities to make such travel arrangements as they consider necessary to facilitate attendance at school for eligible children. The Education and Inspection Act 2006 places additional responsibilities on local authorities and extends the right to free transport for a new group of 'eligible children'.
3. The proposed revised Home to School Transport Policy (Annex A), incorporates the new legislation and the recent guidance issued by the DCSF.

Options

Option 1 – to approve the revised transport policy at Annex A

Option 2 – members to propose changes to the revised policy at Annex A.

Analysis

4. The new statutory requirements incorporated within the proposed revised policy include:
 - The provision that children aged eight, but under age 11 from low income families must have travel arrangements made where they live more than two miles from their nearest qualifying school (Part A paragraph 4.2).
 - The provision that children of compulsory school age who are 11 or over from low income families must have travel arrangements

made to one of their three nearest qualifying schools, where they live more than two miles, but not more than six miles from that school (Part A paragraph 4.4).

- Extensions to the right to free transport for all children from low income groups of compulsory school age who are 11 or over in two ways – to a choice of schools within six miles of the child’s home, and to the nearest school preferred by reason of a parent’s religion or belief up to a maximum of 15 miles from the child’s home (Part C paragraph 2.2).
5. The City of York Council has, in the past, used a discretionary power to provide free transport for all pupils who attend a school for denominational (religious) reasons, provided the school is the nearest one for the appropriate faith, and the school is beyond the appropriate distance for the pupils age (more than two miles from a primary school or three miles from a secondary school). The proposed revised policy assumes that the Council will maintain this discretionary provision.
 6. The revised policy also takes account of the new guidance particularly around the eligibility criteria and appropriate transport arrangements for pupils requiring special arrangements (usually pupils with special educational needs), and the removal of free transport for pupils who demonstrate persistent poor behaviour whilst using the transport. It also provides clarification around the review of decisions when applications for transport assistance are refused.
 7. The new Act also places a general duty on local authorities to promote the use of sustainable travel and transport. There are four main elements to the duty:
 - An assessment of the travel and transport needs of children, and young people within the authority’s area;
 - An audit of the sustainable travel and transport infrastructure within the authority that may be used when travelling to and from, or between schools/institutions;
 - A strategy to develop the sustainable travel and transport infrastructure within the authority so that travel and transport needs of children and young people are better catered for;
 - The promotion of sustainable travel and transport modes on the journey to, from, and between schools and other institutions.
 8. The authority has received a small grant from the DCSF to begin the work as set out in paragraph 7 above. Colleagues from City Strategy have been commissioned to undertake the assessment and audit and once this is completed a sustainable travel strategy will be developed. The authority has a responsibility to promote sustainable transport and to reduce the dependency on parents transporting their own children to school. This will include consideration of extending transport provision to more pupils, which may include introducing a small charge for those pupils who do not qualify for free transport.

9. A member of the Review Panel has requested that the Council should also consider offering free transport to pupils who attend a school outside of their catchment area, who do not have a safe walking route to that school, but where there is an existing bus service in operation provided by the local authority. It is proposed to consider this request in more detail in preparing the transport strategy described above.

Corporate Priorities

This report and its Annex contribute to the following corporate priorities:

- Increase the use of public and other environmentally friendly modes of transport.
- Improve our focus on the needs of customers and residents in designing and providing services.
- Improve the life chances of the most disadvantaged and disaffected children, young people and families in the City.

Implications

Financial

	2008/09	2009/10	2010/11
	£	£	£
Sustainable Travel to School	12,566	12,566	12,566
Extended Rights to Free Travel	20,911	35,489	50,066
	<u>33,477</u>	<u>48,055</u>	<u>62,632</u>

10. The costs related to the general duty to promote sustainable travel and transport as outlined in paragraph 6 are expected to be contained within the available grant.
11. The extended offer of free transport to some parents on low income will increase the cost of home to school transport, although it is difficult to assess to what extent due to the unknown impact of parental choice. However, it is not expected that the additional costs will be higher than the available grant.

Human Resources

12. There are no HR implications contained within this report

Equalities

13. There are no equalities issues contained within this report although the proposed revised policy clearly seeks to improve access to free transport for children from low income groups.

Legal

14. The Education and Inspections Act 2006 places a statutory requirement on local authority's to provide free transport to three new groups of pupils as set out in paragraph 4.

Crime and Disorder

15. There are no crime and disorder implications contained within this report

Information Technology (IT)

16. There are no IT implications contained within this report

Property

17. There are no property implications contained within this report

Risk Management

18. There are no high level risks associated with this report. Financial risks associated with implementation of the revised policy will be minimised by careful monitoring and by the proposed future report to EMAP.

Recommendations

19. That the Advisory Panel advise the Executive Member:
 - 1) To approve the Home to School Transport Policy as set out in Annex A of this report.
 - 2) To note that the authority is required to develop a strategy that promotes a sustainable travel and transport infrastructure meeting the needs of children and young people (paragraph 6 and 7 above). Progress will be reported to EMAP later this year.

Reason; to implement new statutory duties arising from the Education and Inspections Act (2006)

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Specialist Implications Officer(s)

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Wards Affected:

All

For further information please contact the author of the report

Annexes

Annex A: Proposed Home to School Transport Policy 2008/09