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**REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS**  
**DATE: 13 June 2007**

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**SUBJECT: Amendments to Home to School Transport Policy**

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## **EXECUTIVE SUMMARY**

### **Purpose of this Report**

- 1 To seek the agreement of the Executive Board for the acceptance and approval of amendments to the Home to School Transport Policy in accordance with the Education & Inspections Act 2006

### **Background**

- 2 The existing policy requires amendment in order to comply with recently introduced legislation, the Education & Inspections Act 2006. The attached report identifies the required amendments.
- 3 Legislation requires that the new policy attached be published in the 2008-2009 "Starting School in Leeds" admissions booklets. In order to meet this deadline the major changes in this new policy have been restricted to those required to ensure compliance with the new Act.

### **Recommendation**

- 4 Executive Board is asked to :
  1. Note the contents of this report
  2. Approve the revised policy for implementation

Agenda Item:

Originator: Allan Hudson

Telephone: 2475593

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## REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

EXECUTIVE BOARD: 13 June 2007

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**SUBJECT: Amendments to Home to School Transport Policy**

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### Electoral Wards Affected:

Ward Members consulted  
(referred to in report)

### Specific Implications For:

Equality & Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call-in

Not Eligible for Call-in  
(Details contained in the Report)

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### 1.0 PURPOSE OF THIS REPORT

1.1 To seek the agreement of the Executive Board for the acceptance and approval of amendments to the scope and terms of the Home to School Transport Policy

### 2.0 BACKGROUND INFORMATION

2.1 Executive Board approved the current Home to School Transport Policy for implementation on the 01/01/07. The policy now requires further amendment in order to meet the new legislative demands contained in the Education & Inspections Act 2006.

### 3.0 MAIN ISSUES

3.1 The Education & Inspections Act 2006 impacts on the provisions Local Authorities must make for eligible pupils home to school travel in a number of ways. These are detailed below. The Act is designed to complement the availability of choice of schools to parents, particularly families on low incomes where the cost of home to school transport is perceived to be a barrier to some in exercising their right to preference more distant schools.

The right to preference a school for reasons of religion or belief is further expanded

in the Act and accordingly the policy has been amended to reflect these changes.

The existing policy is attached to this report as Appendix 1 and the revised policy is similarly attached as Appendix 2.

### 3.2 Summary of Amendments Resulting from the Education & Inspections Act

- Children aged 8 to 16 who are in receipt of free school meals or whose families are in receipt of maximum working tax credit will receive free transport where the distance between home and school is greater than 2 miles. In addition, Home to School Transport will be extended for children in this group to one of their choice of the three nearest qualifying schools if this is more than 2 but less than 6 miles from their permanent home address.

For those not in receipt of these benefits, the qualifying distance for free travel will remain set as being over 3 miles to the nearest appropriate school.

All children aged 5 to 8 attending qualifying schools will continue to receive free home to school travel where the distance between home and school is more than 2 miles.

- The conditions which determine eligibility to free travel to qualifying religious schools have been amalgamated to form a common eligibility criterion. This criterion matches that found in the guidance published by the DfES for children attending schools for reasons of their parents' religion or belief or non-belief. The new policy similarly clarifies the definition of religion or belief in accordance with the same guidance. The maximum distance that would be considered to be eligible for free travel to a qualifying religious school is 15 miles in accordance with the new Act.

Following a consultation exercise with the Diocesan Authorities agreement has been reached that decisions on the free transport eligibility of children attending schools for reasons of religion or belief will be linked to the reasons given by parents on their Common Preference Form. This approach is consistent with the spirit of the Education & Inspections Act.

- Children whose parent is disabled and unable to accompany them to school where the nature of the route requires such accompaniment in order to be considered safe, will be entitled to seek assistance.

### 4.0 **IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE**

4.1 The revised policy has been up-dated in line with new legislation. Previously agreed discretionary elements have been retained in the policy.

4.2 The effect of the changes will see the enhancements contained in the Education & Inspections Act 2006 introduced across the Leeds District

### 5.0 **LEGAL AND RESOURCE IMPLICATIONS**

#### 5.1 Financial Implications

The additional cost of providing transport resulting from the introduction of the Education & Inspection Act and extending the means tested enhancements to 16-

19 year olds has been included in budget estimates. DfES grant funding has been announced to cover costs arising from new statutory duties but detailed allocations to individual Authorities is awaited.

5.2 Statutory Implications

The amendments made to the existing policy comply with statutes. Further developmental work is currently being undertaken in relation to Special Educational Needs transport provisions. Further revisions in this respect, will be brought to the Board's attention in the future for consideration of their inclusion in this policy.

There is a further legal requirement to publish the policy. In order that parents can fully consider the implications of the policy, as part of their decision making process and make a fully informed preference for a particular school, it is intended that the policy be included in the 2008-2009 "Starting School in Leeds booklets" which will be produced in June 2007.

5.3 Equality Implications

The proposals contained in the report comply with all equal opportunities legislation.

6.0 **CONCLUSIONS**

6.1 The existing Home to School Transport Policy requires amendment in order to bring incorporate the legislative demands and new duties contained in the Education and Inspections Act 2006. The policy amendments attached as Appendix 2 satisfies this requirement.

7.0 **RECOMMENDATIONS**

Members are asked to:

1. Note the contents of this report
2. Approve the revised policy in Appendix 2 for implementation.