

Report of: Chief Officer, Partnership Development and Business Support

Report to: Outer North East Community Committee – Alwoodley, Harewood and Wetherby

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Children’s Transport Policy

Purpose of report

1. The purpose of this report is to brief members of the Outer North East Community Committee on issues relating the policy for home to school transport assistance and the implementation of that policy. This includes background information detailing changes that were approved by Executive Board in 2013 and information about the impact of those changes.

Main issues

2. The Council’s Executive Board of July 2013 was presented with recommendations to approve a number of changes to the Children’s Transport Home to School and Home to College Transport Policy. It was resolved that the following specific recommendations be approved:-

2.1.1 Statutory provision

Approval be given to a fundamental remodelling of all statutory provision where it is safe to do so. This would take place following individual assessment of need. There is no intention to make any immediate changes to how statutory services are provided without proper assessment and, where appropriate, liaison with affected parties. Some of the proposed changes, which would continue to meet the Council’s statutory obligations, would include:

- a) Introducing more independent travel training opportunities

- b) Replacing, wherever possible, the current automatic provision of taxis with a pass to enable free travel on public transport
- c) Introducing a wider partnership approach to providing transport services
- d) Developing a more flexible approach in partnership with parents/carers

2.1.2 Discretionary provision - post 16 SEN home to school/college

- a) Agree that the proposed provisions of the new Children & Families Bill should be kept under review and any implications taken into account in the implementation of a new policy.
- b) Agree to the principle that in the first instance parents/carers not eligible for statutory support should be expected to organise and fund the transporting of their own children to school or college.
- c) Agree to support the proposal that the delivery of statutory low level need should continue to be re-modelled with the appropriate use of independent travel training, and, in order to be more efficient and cost effective, review the delivery method of all intermediate and complex needs transport provision over the next twelve months.
- d) Agree that for those post 16-19 SEN students already attending school/college (including those due to start in September 2013) the current offer would remain in place for a further academic year (2013/14).
- e) Agree **in principle** that following a detailed assessment by Children's Services, where it is deemed not possible for the parent or carer to transport their child/young person to school/college, and the provision of a taxi or similar is the only safe, cost-effective and appropriate way of transporting the child/young person, the authority would provide a personalised means-tested budget towards the cost of transportation.
- f) Agree that this budget should be provided on a means-tested basis only from September 2017 but phased in over a three year transitional period from September 2014 for all existing recipients. At this stage it is proposed that the budget could reasonably be set at a maximum of up to £5,000 per annum for all new means-tested applicants once the policy is approved, but this figure, and any proposed transitional arrangements, would first need to be considered and agreed by Executive Board.
- g) Agree that further detailed work should take place during 2013/14 in order to develop an implementation plan and establish robust eligibility criteria. It would be unwise for Executive Board to formally approve the changes to this part of the policy at this stage without detailed planning as it may lead to unintended consequences. Until Executive Board approval, therefore, this aspect of the new policy would remain as it is currently described in the current policy.
- h) Agree that the future proposals should continue to be developed and reported back to Executive Board with the relevant detail. The proposed model has

been initially budgeted; the indications are that savings in the region of **£1,250,000** in 2014/15 rising cumulatively to **£2,000,000** in 2015/16 and **£2,200,000** in 2016/17 would be achievable against the current spend of **£2,600,000**.

- i) Agree to preserve the current offer for existing students and new September entrants for a further year. This will allow the necessary planning to take place and also enable further discussion with service leads and strategic partners on the most sensible way of implementing any proposed changes.
- j) Agree that independent travel training would continue to be available during that time, including access to a valid pass for travel on public transport across West Yorkshire, paid for by the local authority.

2.1.3 Discretionary provision - faith transport

- a) Agree to provide discretionary transport for a further two years, until 31st August 2015, for all those currently receiving 100% support.
- b) Agree that from 1st September 2015 all discretionary transport provided solely on the basis of religion or belief, would be withdrawn.
- c) Agree that from 1st October 2013 new applicants, who do not meet the requirements of the new policy for local authority support, will only, be eligible to travel on the relevant service on a parent-to-pay basis. They would be advised to obtain a Young Person's PhotoCard (often referred to as a half-fare pass).

2.1.4 Discretionary provision - post 16 mainstream home to school/college

- a) Agree to continue to fund post 16 mainstream discretionary transport for a further two years, until 31st August 2015, for students who enrol on either a one or two year course for the academic year 2013/14.
- b) Agree that new applicants from 1st October 2013 would be recommended to obtain a Scholar's PhotoCard (often referred to as a half-fare fare pass) in order to travel on regular service provision at a discounted rate.
- c) Agree that from 1st September 2015 all post 16 discretionary mainstream free transport would be withdrawn.

2.1.5 Discretionary provision - not the nearest school

- a) Agree to provide discretionary transport for a further two years, until 31st August 2015, for all those currently receiving 100% support.
- b) Agree that from 1st September 2015 all discretionary free transport provided, if it is not the nearest qualifying school, would be withdrawn.
- c) Agree that from 1st October 2013 new applicants, who do not meet the requirements of the new policy for local authority support, will only, be eligible to travel on the relevant service on a parent-to-pay basis. They would be

advised to obtain a Young Person's PhotoCard (often referred to as a half-fare pass).

3. Some degree of additional assistance has been retained, as required by law, for less well-off families who can provide evidence of meeting specific 'low means' criteria.
4. The approved recommendations as detailed in paragraphs 2.1.1 to 2.1.5 above must be applied consistently across the city, and have collectively delivered a significant reduction in discretionary spending. It is important that the approved recommendations are viewed in their entirety and in the context of reducing discretionary spending across a range of policy provisions, as this illustrates how it is not possible to establish how each & every family has been affected.
5. Where we are directly contacted with such specific information it is possible to look into individual cases, and this has occurred in respect of families in Bardsey and East Keswick. However, there are barriers to establishing the precise impact on every family in the wider area as the process would involve a number of steps including one or more (or in some cases, all) of the following:
 - Identifying every child at every address in a specified area
 - Identify which school each child attends
 - Review the admissions records for each child to establish whether or not a place was available at the nearest qualifying school and whether the parents preferred such a place
 - A review of the Further Education (FE) settings and choices of all FE students in the area and establish whether nearer colleges had similar offers
 - Conduct a manual assessment of journey length for each child using appropriate software (the WYCA uses Travel Manager / GIS software under licence as these are able to pinpoint journey start/finish with precision, even in cases where local knowledge is needed to identify start / finish points. Use of Google Maps, AA routefinder etc is unreliable because they generally default to the quickest route, rather than the shortest, and do not allow for mixed road / footpath journeys)
 - In the cases of children attending faith schools we would need to establish whether that attendance is specifically on the basis of religion or faith via information that would need to be supplied by parents
6. However, whilst it is the case that it isn't possible to evaluate the direct impact on each and every family in the ONE area, it is understood that withdrawal of '*discretionary provision – not the nearest school*' appears to have affected families living in the Bardsey/East Keswick area the most. In simple terms, this element of the policy now only affords assistance to children attending a school more than three miles away if there isn't a nearer school with available places (although as highlighted earlier extended rights exist for families who meet low means criteria). This knowledge has been gathered through a range of methods including:
 - Requests for reviews of refusal to award assistance
 - Attendance at a community meeting in East Keswick
 - Requests for appeals against a refusal to award assistance
 - Representations from ward members
 - Representations from Boston Spa High School

7. Impact of Changes

- 7.1 Notwithstanding the complexity of detailing the impact on each & every family affected, through data received from West Yorkshire Combined Authority some useful narrative can be provided, and is itemised in the following paragraphs.
- 7.2 During the academic year 2014/15, (the most current data available) the number of pupils living in Harewood ward who would have received transport assistance under the previous policy but would not do so now is estimated to be approximately 350.
- 7.3 The number of pupils in Harewood ward who continue to receive assistance in the current academic year under the new policy is 98 pupils in Years 7 to 11 inclusive. Of those 98, 20 receive local authority funding to Garforth Academy from North Aberford under Section 3.6 of current policy
- 7.4 In Bardsey and East Keswick during the academic year 2014/15, 63 Year 7 to Year 10 pupils were granted free travel; 52 of those no longer qualify in the current academic year and the local authority continues to fund 11. We also know that families living in Bramhope, Old Bramhope, Arthington, Harewood Village, Harewood Estate, Scarcroft, Thorner and Shadwell may also be affected in a similar way.
- 7.5 As was highlighted earlier in this report that it isn't possible to identify in granular detail each and every pupil who might be affected, it is similarly not possible to identify in granular detail how each and every school might be affected by the changes. However, the places and schools attended by pupils who make up the majority of those most likely to be affected are:
 - A. Harewood Village – nearest qualifying school (NQS) for Year 10+ is Allerton High c4.6 miles, for younger pupils it's Leeds Jewish Free School c4.4 miles. A small number attend Wetherby High c6.3, but many attend more distant schools particularly Rossett.
 - B. Shadwell – NQS for most is Allerton Grange c2.9 miles, **most** children attend more distant schools, particularly Rossett.
 - C. Thorner – NQS for most is Leeds East Academy c3.7, most attend Boston Spa more than 5 miles away or more distant schools. No pupils would qualify even on extended rights for low income families as other nearer schools include DYCA and John Smeaton.
 - D. East Keswick/ Bardsey/ East Rigton – NQS is Wetherby High, but more children attend Boston Spa and only qualify for free travel under extended rights.
 - E. Scarcroft – NQS is Leeds East c4.0, most attend Boston Spa c6.0; no qualifiers even under extended rights for low income families as other nearer schools include Allerton Grange and John Smeaton.

7.6 Other schools in the area where there may be implications are:

- Tadcaster Grammar School
- St Aidan's CE High School Harrogate
- Garforth Academy
- St Joseph's Catholic Primary
- St John Fisher Catholic High School Harrogate
- Abbey Grange CE High School
- Corpus Christi Catholic College

7.7 The main known impact on families no longer eligible for transport assistance is the need for them to now pay for transport from home to school. The cost of this is £9.50 per week, which permits transport across West Yorkshire for seven days (rather than being limited solely to free school services as before). For pupils whose schools are served by First the cost of a weekly pass is £7.50. Eleven families unsuccessfully appealed against the withdrawal of assistance and 13 families who had previously received assistance but were no longer eligible either didn't apply for assistance or didn't appeal.

7.8 In respect of the reduction in discretionary spending achieved through the package of policy change, demographic growth and the changing nature of school place availability (and the choices made by parents) prevents a precise calculation. However, the number of school cards issued across the city gives a good indication of the value of the changes. In the academic year 2012/13 (the last year of 'full eligibility' under the previous policy), a total of approximately 8,500 free boarding cards, school passes etc were issued. The most recent available data indicates that during the current academic year this number will have reduced to approximately 1,250. A precise figure for the arising cost reduction cannot be provided, but it is conservatively estimated to be in excess of £2m, as planned.

7.9 Savings arising through limiting assistance to the nearest school over three miles are included within this figure. It was estimated in the report to the July 2013 Executive Board that this specific area of policy change would reduce spending from £150k in 2012/13 to £30k in 2015/16. Information available today indicates that this was based on an expected reduction in the number of miles travelled at that time by all pupils in receipt of free school passes; a triennial survey by Metro is conducted to assess the total distance travelled, which is then used to determine the cost to the council of each school pass that is awarded. A reduction in the combined length of all the journeys made by all children across Leeds in receipt of assistance would therefore result in a lower cost per card. It is therefore the case that whilst some families would continue to be eligible for transport assistance if they chose a different school which is still over three miles away, the collective journey lengths around the city would reduce and therefore deliver a reduction in spending. Advice from Metro is that this also results in greater efficiency in the deployment of vehicles, realising further savings.

7.10 The implementation of the policy is continually reviewed to ensure consistent application, and research & investigations take place whenever possible inconsistencies are identified. Similarly, wherever cost-effective, common-sense solutions can be implemented they are done so

7.11 An unintended consequence of restricting assistance to the nearest school over three miles was that for a small number of families their nearest school over three miles was outside Leeds. This did not recognise parents' potential wishes to secure a school place in the authority where they have electoral voice and pay their council tax. A

small number of families in New Micklefield (whose nearest school is Sherburn HS) and Aberford (whose nearest school is Tadcaster Grammar) were affected. Following review the policy was amended to support attendance to the nearest qualifying school in Leeds. As the cost of providing a free bus pass to a school outside the authority is higher than within the county, any child opting to attend the nearest qualifying school in Leeds would result in a cash saving to the authority. In addition to extending choice to families, therefore, this was a cost efficient amendment to policy

8. Communication

- 8.1 Prior to implementation the changes were extensively communicated. This included a letter being sent to parents along with their transport assistance renewal form prior to the changes being phased in over a two year period. This was provided in order to ensure that every family potentially affected would have time to plan ahead for the changes. In addition, a separate email was sent to every school head teacher advising them of the changes with a view to them helping the authority to communicate information as widely as possible through the local channels available to them.

9. Options

- 9.1 Representations have been received from members of the Bardsey and East Keswick communities in a local community centre, assisted by Cllr Robinson, in respect of amending the way the policy is implemented and the period of phasing the changes. No viable options have been identified to ameliorate the impact on families in the area without resulting in families in the area being unfairly advantaged in comparison to families elsewhere in the city.

10. Corporate considerations

a. Consultation and engagement

The policy proposals that were approved in July 2013 were subject to a full public consultation. Prior to implementation the changes were extensively communicated. This included a letter being sent to parents along with their transport assistance renewal form prior to the changes being phased in over a two year period. This was provided in order to ensure that every family potentially affected would have time to plan ahead for the changes. In addition, a separate email was sent to every school head teacher advising them of the changes with a view to them helping the authority to communicate information as widely as possible through the local channels available to them.

b. Equality and diversity / cohesion and integration

The policy proposals that were approved in July 2013 were subject to a full equality impact assessment

c. Council policies and city priorities

The implementation of the policy has achieved the intended outcome of delivering a substantial reduction in discretionary spending, thus ensuring money is spent wisely.

11. Conclusion

- 11.1 The July 2013 Executive approved a number of policy changes that resulted in a significant reduction in spending on discretionary transport assistance. The changes resulted in the phased removal, over a period of two years, of assistance that had historically been provided. This included assistance for children attending post-16 mainstream education, children attending faith schools and children who travelled to schools over three miles away when there were nearer schools at which assistance would still be provided.
- 11.2 Additional 'extended rights' have been retained for less well-off families who can provide evidence of low means.
- 11.3 The policy changes have resulted in a significant reduction in discretionary spending, conservatively estimated at over £2m. In respect of limiting transport assistance to the nearest school over three miles away, original estimates based on the data available at the time (prior to the 2012/13 academic year) forecast a reduction of £120k in discretionary spending.
- 11.4 It has emerged that families in Bardsey and East Keswick feel the effects of this change in a most pronounced way. This is because for a number of families the difference in distance between the nearest school over three miles and the next nearest school over three miles is marginal – in some case just tenths of a mile. It is unfortunate that a group of families live 'just on the wrong side of the line', but it is a requirement that the policy must be applied correctly meaning these families must now fund the home-to-school transport costs which were previously funded on a discretionary basis by the Council. It is not possible to make a concession for a small number of families without risking a domino effect across the neighbourhood and the inconsistent treatment of other citizens.
- 11.5 It is recognised that the provision of transport assistance in a city like Leeds is complex, and there are occasions when it can appear illogical, especially to families living in outlying areas or communities where the nearest schools are relatively more distant than for most other people. When changes are introduced rigorous consultation takes place and great care is taken to communicate them. It is imperative that the transport policy is consistently applied to ensure all families are treated fairly. The policy is continually reviewed and wherever cost-effective, common-sense solutions to issues that are raised can be implemented they are done so. Similarly, wherever inconsistency is identified steps are taken to put this right. Detailed consideration has been given to the policy implementation as it applies in Bardsey and East Keswick, and it has been determined to date that the policy must be applied consistently and fairly to other communities and families. However, should new proposals be put forward they would be given fresh consideration.

12. Recommendations

- 12.1 That Outer North East Community Committee notes the content of this discussion paper.