

Hertfordshire Faith School Transport Public Consultation

Report

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1. INTRODUCTION

1.1 Background

Hertfordshire County Council (HCC) currently provides free school transport to pupils attending their nearest faith school if it is over the statutory distance and in accordance with their parents' belief. The County Council is proposing to end this service from September 2007 although the provision of free school transport under the statutory requirement would remain. The County Council will, therefore, continue to provide free transport for pupils for whom the local authority is unable to provide a place at a suitable school, or one involving a safe route to walk, within three miles of the pupil's home (two miles for under eight year olds).

The County Council wished to consult with stakeholders about the proposal and part of this consultation was a series of eleven public meetings in May – June 2006, ten of which were facilitated by Accent. Prior to the meetings the Council had already had some pre-consultation with Anglican, Catholic and Jewish faith group leaders. They had also prepared and issued an information leaflet providing details of the proposal, inviting comments and a list of the schedule of meetings inviting interested parties to call the Council to register a place if they wished to attend. A copy of the leaflet was posted on the County Council website and 95,000 copies were sent to the parents/guardians of pupils at the appropriate schools.

1.2 Accent's Role

In order to provide an independent moderator for the public consultation meetings the County Council commissioned Accent to facilitate the meetings and provide a summary report of the issues raised. Accent was not involved in the design of the consultation leaflet or any other part of the consultation process. Accent's role, therefore, was purely facilitating at the meetings and preparing this summary report.

2. PUBLIC MEETINGS

2.1 Introduction

A series of seven public meetings were originally scheduled to be facilitated by Accent but due to increased demand an additional three meetings were held. The eleventh meeting was not facilitated by Accent and details of that meeting, therefore, are not included in this summary report. In order to provide the best opportunity for as many people as possible in the audience to speak the audience numbers for each meeting was set at a maximum of 100 attendees. The County Council provided a telephone booking service for registering to attend and attendance at each meeting ranged from 18 to over 100 people.

Each meeting was scheduled to start at 7.30pm and to last for two hours. The schedule for the ten meetings was as follows:

Table 1: Schedule of Public Meetings

	Date	School
1	Tuesday 2 May	Marlborough School, St Albans
2	Monday 8 May	Hertswood School, Borehamwood
3	Wednesday 10 May	Rickmansworth School
4	Thursday 11 May	Hemel Hempstead School
5	Monday 15 May	Bishop Stortford High
6	Tuesday 16 May	The Broxbourne School
7	Wednesday 17 May	John Henry Newman School, Stevenage
8	Thursday 25 May	John Henry Newman School, Stevenage
9	Monday 5 June	John Henry Newman School, Stevenage
10	Tuesday 6 June	Nicholas Breakspear School, St Albans

It was stressed at the meetings that with the number of attendees it would not necessarily be possible for everyone to speak. The audience was also invited to feed back any further comments on a feedback form provided at the meeting. These forms were collected by Accent so that any additional issues not raised in the meetings could be included in the reporting process. The meetings were all tape recorded by Hertfordshire County Council and the transcripts have been posted on their website.

Further comments e-mailed to the Council or HCC questionnaires returned from those receiving the information leaflet do not fall within Accent's remit so are not included in this summary.

2.2 Facilitation

At each meeting a Council officer made a brief presentation of the proposals and up to four Council officers were in attendance to answer technical questions. Details of panel members who attended each meeting are included in the transcripts. A member of the Accent team led the meetings and was responsible for ensuring that as many members of the audience as possible had an opportunity to speak and that the meeting was kept on the subject. Two members of the Accent team facilitated the series: Beryl Wall and Teresa McGarry.

3. KEY ISSUES

3.1 Introduction

This report provides a summary of the issues raised at the public meetings for consideration by the County Council as part of the consultation process.

At the majority of the meetings there appeared to be a predominance of members from the Roman Catholic community. At all meetings there was a mix of parents, teachers and school governors. Other members of the audience at some of the meetings, who identified their role when speaking, included representatives from the Diocese of Westminster, former pupils and local Councillors. At each of the meetings the mood was very much against the proposals with very few people openly supporting the proposals.

A range of topics was discussed and many of the same issues were raised at each of the meetings. At some of the meetings members of the audience read out statements in support of their points of view. Please note that for reporting purposes we have not reproduced the full text of questions and answers. Instead we summarise the issues raised and the reader is referred to the transcripts provided by Hertfordshire County Council for the full verbatim questions, statements and responses.

Comments made on the feedback forms predominantly reinforced the issues raised in the meetings but any additional issues not covered in the meetings are incorporated in this summary.

A summary of the issues raised, grouped according to theme, is provided in the following sections. It does not include discussion of the circumstances relating to individual pupils or families, as there are other more appropriate channels for this.

3.2 Economics

A number of questions were raised about the potential savings that would be derived from the proposals:

The estimated amount to be saved was questioned:

- Is it £3.4m or £2.4m?
- If the savings are £400,000 per year, on average, over six years, six times £400,000 is £2.4 million?
- If this is going to save £400,000 per year, is it worth it?
- Is it a coincidence that the Highways Department has a deficit of £3.4m?
- What proportion of the schools education budget does £3.4 million represent?

The responses from the panel were:

- The cost is £3.4m. The Council estimates a saving of between £400,000 or £500,000 a year cumulatively over six years, so around £2.5 to £3 million. The £3.4 million is because there will be a proportion of people who are still provided with private transport and it is possible that Members may decide to put some of the money back into support for siblings etc.
- It is not an insignificant saving.
- It is a coincidence that the Highways Department has a deficit of £3.4m. The two are not related. All the money saved will be put back into education. It will not go to the Highways Department.
- The saving represents 0.45% of the education budget.

Members of the audience were keen to point out the financial contribution made by parents to the schools:

- Faith schools pay 10% of all Capital. A parent specified that Catholic parents contribute £2.1 million to the cost of children's schools – and considering the other faith schools also this must arrive at an amount similar to £3.4million.
- Roman Catholic schools provide the buildings and the teaching material and do not receive any money from Herts. The parents contribute. If the Roman Catholic schools closed, Herts would not be able to afford the resources that are currently provided.

A point was also made that over the years the Diocese has worked with the County to close schools and amalgamate schools where it was felt this was necessary. The view was that the County has made savings with these closures that far outweigh the £3.4m to be saved.

Questions were raised about what would happen to the money saved from transport, what factors were taken into account in calculating the savings and what alternatives have been considered:

- Where will the £3.4m go?
- Are parents able to pay for places on buses that are currently being used to transport children to faith schools?
- If all bus routes currently in existence continue, where do the savings come from?
- Who decides how much the bus costs?
- How much do assisted places cost?

- If faith schools close other school places will need to be provided. There are also new housing developments being built so there will be new families moving into the area. How much does it cost to build a school to accommodate these children?
- What alternative proposals have Herts Council considered in order to save money?
- Savings should be made by amalgamating non-faith schools that are failing.
- What are the savings if siblings are provided with free transport and if low income families are provided with free transport?

The responses from the panel were:

- These are savings. They would expect to put some of the money towards child transport.
- The Council will look into the option of parents paying for places on the buses. Herts decide the cost of the bus in discussion with the bus operator.
- Eventually smaller vehicles would be used. Income comes from the fares.
- Assisted places cost about £100-184 per child per term. The assisted places scheme is currently oversubscribed.
- The Council does not currently anticipate building new schools. These proposals relate only to withdrawing the provision of free transport for some children.
- The proposals are part of a wide range of savings packages. If the transport savings are not made the Council would have to increase the savings made by other services eg in SEN, in the music service etc.
- The County Council has a three-year programme of reviews to look at school reorganisation.
- Estimates will be provided of how much it would cost to continue to provide transport to, for example, siblings and for low income families based on certain qualifying criteria.

Questions were raised about precedents in other areas:

- Under 16s in London are being given free travel.
- What other authorities are considering, or have implemented, the same proposals?

The panel responded:

- The Council does not have the same resources as Transport for London.

- Essex and Luton have already implemented them and the Council believe Northampton has also. Other authorities were mentioned to provide a context for the proposals.

The original reason for providing the free transport to faith schools was questioned:

- Why was free transport provided in the first place if it not a statutory requirement?

The panel responded:

- The original decision to provide faith transport was taken before panel members were in post.

The following points were also made:

- Need to think about the long-term effects on school education and members of society – look outside immediate costs.
- There will be cost due to the disruption of pupils
- Will there be a cost saving to non-faith schools.
- How much of an increase in council tax would be needed to accommodate a £3.4 million saving.
- Are feeder counties also withdrawing free transport.
- What is the cost of providing taxis for children with special needs?
- Is the council being forced to make cuts by central government?
- What is the average distance to a faith and a non-faith school – it was perceived that if pupils were distributed equally then the distance to faith schools would be longer.
- What level of cost would be incurred by the Council if the proposals were legally challenged - would they outweigh the savings?
- A request was made for a full cost analysis to assess the consequential costs of removing free transport on the environment, pollution, congestion, damage to roads and increased rates of accidents.

3.3 Equality

The issue of equality was a major concern. While many did not consider there was equality in the current situation they considered the proposals to be unfair. The main issues raised related to the right to choose a faith school and access to the school of choice.

- Should parents have the right to choose a faith school?

- Is the proposal about equality or saving money?
- There is not always a Roman Catholic school nearby and sometimes the nearest non-faith school is a specialist school but local children can't get in because they are not good enough at maths etc. It is not equal.

The panel responded:

- Parents have the right to express a preference. That is not being changed but lots of children do not get into the school of their choice.
 - The primary objective is to save money. The second objective is to level the 'playing field'. Currently, children who attend faith schools are being given preferential treatment and we want to treat all children the same.
- It will never be completely equal but the Council are trying to make it more so.

One person spoke in favour of the proposal:

- For some parents getting their child into, for example, the best science school could be on a par with choosing a faith school. It is unfair that children's travel to faith schools was subsidised while travel to a specialist school of choice was not.

Additional points raised included:

- Proposals are anti-faith and discriminatory.
- For some parents the catholic nature of the school is as important as the academic ability of the school.
- Should be encouraging parents to send their children to go to faith schools, not making it more difficult.
- Faith school children have special needs and it is unfair to discriminate.
- Clarification was requested on what was meant by a 'suitable school'.
- Some children may be picked on when on the bus because of their faith/school uniform.

3.4 Environmental and Safety Concerns

Questions were raised about what consideration had there been of the impact on the environment if the transport was withdrawn.

- A consequence of the proposals is that there will be more cars on the road, longer journeys to school and therefore more pollution, more petrol used, more money spent on road maintenance.

- Have you looked into the impacts in terms of traffic congestion?
- Can the existing bus infrastructure be used?
- Should we stop signing the school travel plans?
- As the places on the buses reduce, there will be fewer buses, which will impact on everyone including those who currently pay fares.
- Are the walking routes safe?

The panel responded:

- The Council realises there may be an impact on the environment.
- There is likely to be an impact on traffic but it is difficult to model. They have not discussed this yet with Highways.
- The Council will look into the potential to use the existing bus infrastructure.
- They can't say 'stop signing the travel plans' because that would pre-empt the outcome of the consultation and no decision has been taken yet.
- The buses will be kept running initially and capacity will be reviewed.
- There is a definition of a safe route and they must meet certain criteria. If a parent thinks a route is unsafe they should let the County Council know and that route will be audited.

One respondent wrote in to say they support proposals:

- HCC proposals would support green travel – why should public money be used to subsidise those whose parents have chosen a denominational option?

Some questioned whether consideration had been given to the impact on residents around the schools as potentially there would be more traffic and parking problems:

- Have you also consulted with local residents around schools, there will be more cars parked and congestion on surrounding roads?
- Will you extend the consultation to residents?

The panel responded:

- The Council has not yet consulted with the residents around the schools. They are looking at consulting with residents but may limit this to schools where there is likely to be a greater impact.

3.5 Hardship

The impact of the proposals was considered to be greater for some sectors of the community. In particular:

- poorer families
 - traveller community
 - those who cannot be classified as low income but who, nevertheless, will struggle to meet the cost of transport
 - families with siblings attending different schools.
- How many families will be affected by change to their travel arrangements?
 - What about low income families? Some will not be able to go to the school of their choice.
 - Have you considered the traveller community?
 - Has a formal assessment been made of the impact of the proposals eg taking into account parental income, siblings attending same or different schools etc.?

The panel responded:

- The Council has looked at the potential number of families affected but there are no certain figures.
- It will have a financial impact on some people but not all children get to attend the school of choice. They recognise that some people will be disadvantaged by the proposals and may have to review the support offered by the Council.
- The Council has talked to the traveller community and do propose to have further discussions with them and with other groups.
- They have considered the potential impacts but it will depend on what is actually agreed. There will be a possible effect on low income families, siblings are another key issue. There will be an assisted places scheme for the spare seats on transport. They will draw this to the attention of Members.

Other point raised include:

- Concerns were raised about parents making an informed choice about school preference, including siblings attending the same school. This also relates to parents having already accepted a nursery place at a school with a view to the child attending the linked primary school.
- Parents working hours will be affected if they have to drive their children to school. They may have to change jobs or take on extra jobs.

- There was a request for clarification of how allocation of assisted places on the buses will be made – currently it is felt that priority goes to older children and so choice might be limited.
- There was a query over whether the transport would be withdrawn if a family moved home.
- Potential long distances will be involved in taking children to school. For parents catering for the transport needs of all their children, possibly in different parts of the county, means they may need to be in two places at once.
- Middle income families will also be affected.

3.6 Impact on the Schools and on Faith

The potential impact on the schools were considered to include:

- although faith schools are currently oversubscribed, this was expected to change significantly if free transport is withdrawn
- potential falling rolls may cause schools to close
- parents choose the school because of the catholic ethos
- concerns were raised over protecting the ‘ethos’ of the school and ensuring that faith schools remain ‘viable’
- several noted that Catholic/faith schools have good academic attainment record and this was beneficial to Herts County Council
- the nature of faith schools will change.
- If transport is withdrawn children will have to move to schools nearer to home. This will have a serious impact on the school as pupil numbers will fall.
- Do you think the school is over-subscribed at present because of the transport provision?
- Do you envisage that any schools will have to close as a result of these measures?
- Will funding of the school from the Diocese be removed/diminished if the majority of children are not catholic?
- What percentage of children in Hertfordshire goes to faith schools?
- How many children in faith schools travel further than three miles?
- Who will provide faith education to children?
- There may be surplus places in other schools but if the catholic nature of the school changes what will happen to the ethos of the school?

The panel responded:

- There will be a possible impact on school rolls but faith schools are very over-subscribed at present. They do not believe schools are oversubscribed as a result of the transport provision or that removing transport will mean the schools will become undersubscribed.
- They do not envisage that schools will close as a result of withdrawing transport but they do not know. The Council very much values the contribution faith schools make to education in Herts in terms of standards, teaching staff etc.
- 15% of children attend faith school and around 1,000 - 2,000 travel more than three miles.
- It may destroy the ethos of the schools and members need to think about this.

It was stated that there was the onus on Catholic parents to educate their children in a catholic school and that the school was at the centre of the faith community.

- It is a moral imperative that my children attend a Roman Catholic school.
- The school is the very heart of our Catholic faith community. Destroy the school and you destroy primary education.

Concerns were also raised that the proposal undermines the strong relationship between the Council and the faith community.

- Our fear is that there is an anti-faith agenda behind this proposal. If it does go through, the relationship (with HCC) will be damaged.
- This is doing enormous damage to the relationship between the faith schools (Roman Catholic, Jewish and Anglican) and Herts CC.

The panel responded:

- There is no apparent evidence of such an anti-faith, or anti-Catholic, agenda in the County Council. It would be very regrettable if that relationship were damaged in any way. All the Council are doing is withdrawing a non-statutory subsidy.

Further points were noted:

- Society is seen as moving towards secularism and some felt that the proposal would lead to a 'watering down of Catholicism'.
- The proposal is an attack on all faith children and families.
- The schools were built and developed over many years of hard work by parents and children.
- Build another catholic school so pupils do not have to travel so far.

- Some guarantees had been given previously with regard to the provision of free transport when a school had closed.
- School attendance will be based on being able to afford it. This is social selection.
- Parents choose certain schools because of the catholic ethos.
- Not enough consideration has been given to the impact on Catholic secondary schools.

3.7 Legality

References were made at a number of the meetings with regard to statutory requirements, the Education Bill and Human Rights Act.

- The Education Bill states: *“A local education authority in England must have regard, amongst other things, in exercising any of their travel functions in relation to or in connection with the travel of a person or persons to or from a school, institution or other place, to any wish of a parent of such a person for him to be provided with education or training at a particular school, institution or other place where that wish is based on the parent’s religion or belief.”*
- It is the human right of every child to attend a faith school. It is in the Human Rights Act.
- Under the Education Act 1996, free transport to faith schools is a statutory requirement.

The panel responded:

- It will be important to see what elements of the Bill are taken forward when it becomes an Act. The Council does not anticipate anything changing but when it is enacted they will take account of it.
- They are not taking away the possibility of attending a faith school. Faith schools are currently oversubscribed so currently not everyone is able to attend.
- The Council’s legal advice is that free transport to faith schools is not a statutory requirement. The current proposals are purely in relation to non-statutory transport provision. All statutory needs are met.

A further question was raised:

- When a similar proposal was put forward some years ago it was judged at the time to be illegal. What change in legislation has there been since then, that makes it legal now?

The panel agreed that there have been no changes to legislation and they had taken legal advice. They will refer the point back to counsel.

3.8 Consultation process

A range of comments were made with regard to the consultation process:

- other people consulted
- insufficient notification of the consultation process
- phone lines for booking places at the meetings not working
- insufficient consultation leaflets issued
- questions in the consultation leaflet
- duration of consultation period not long enough
- duration of meetings.

Questions and points raised relating to involvement in the consultation process included:

- Have you consulted with senior faith representatives?
- The consultation process does not allow enough people to make their points.
- Publicity of the consultation process has been poor. Not enough time to read and review documents.
- Some schools only received 10 copies of the leaflet.
- Will letters all be included in the consultation or is it just response to the leaflets?
- The telephone number to book places at the public meetings was not working.
- Not enough time was allowed to speak at the meetings and not enough people had the opportunity to speak.
- The decision has already been made.

The panel responded:

- They have spoken to senior colleagues in the Church of England, the Jewish leaders and also Catholic leaders. Their views are similar to those that are coming out of the public consultation.
- There are no statutory consultation arrangements in place for transport. The decision has not already been made. They are consulting with over 90,000 parents, holding ten public evenings, providing information on the website, taking into account all letters and e-mails and going through the political process.
- Fewer copies of the leaflet were sent to secondary schools because they were only intended for senior management, governors etc.

- There was an initial problem with the courier company who did not get the consultation forms out in time. Three additional public meetings were arranged.
- All responses however they are received will be included in the consultation.
- There were some problems with the telephone booking system and the Council has taken this up with the company providing the service.
- The venues were booked for a specific time. With audiences of 100 or more it is not possible for everyone to have an opportunity to speak but additional channels have been made available for responding.

There was widespread criticism of the questions on the Consultation leaflet.

- The first question on the leaflet is a leading question. (*Do you think it is right that all pupils and families in the county should be treated on an equal basis and all be subject to the same statutory requirements where school transport is concerned?*).
- Who is responsible for it?

The panel responded:

- The leaflet and the questions were designed by the County Council and subject to legal advice. They do not believe it is misleading because at present children who attend faith schools are getting preferential treatment. What the Council is saying is that all children should be treated the same.

The next stages of the consultation were discussed.

- At the meeting on 18 July will Members be presented with a range of options including this proposal?
- Should this decision be made at Full Council, not just at Cabinet?
- Are Councillors who have children who go to faith schools allowed to vote on the proposals?
- Will Anglicans and Catholics be given the right to speak at the council meeting?

The panel responded:

- It is not possible to give a guarantee about what will be the agenda for a specific meeting.
- Our understanding at present is that the decision does not need to be made by Full Council but if this were to change then it would go to Council.
- There are protocols for County Council members participating in a decision that they have an interest in. That is something governed by both standing orders of the County Council and the law.

- Representatives can speak at the meeting but this need to be confirmed. Anyone with a petition can speak.

Other points raised included:

- It was felt insensitive that attendees were made to attend an unfamiliar venue and not their own school
- The final vote in the consultation process is in the school holidays
- There was also a concern over the time-scale post-consultation permitting parents to make a decision regarding schools
- Consultation too late – it won't be settled by September
- How much is the consultation costing?
- What studies have the Council undertaken which lead them to deciding on this course of action?
- Many questions were given vague or unsubstantiated answers in the meetings.
- Insufficient financial data on anticipated savings was given at the meetings.
- Why was there no decision maker there from County Council at the meetings?

3.9 Summary and Conclusions

As part of the consultation process regarding the proposed withdrawal of non-statutory free transport for pupils attending faith schools Hertfordshire County Council arranged a series of ten public consultation meetings. These meetings were facilitated by Accent, an independent market research company.

At each of the meetings the mood was very much against the proposals with very few people openly supporting the proposals.

The key issues to arise from the public consultation meetings were:

- Clarification of the savings that will arise as a result of the withdrawal of the free transport was called for. This included details of what factors were taken into account in calculating the savings, estimates of the cost for of continuing to provide transport to, for example, siblings and low income families and what alternatives had been considered.
- The financial contribution to education in the County provided by parents and schools should be taken into consideration.

- Concerns were raised over whether schools would close as a result of the withdrawal of the free transport.
- The issue of equality was a major concern. The proposals were considered to be unfair. The main issues raised related to the right to choose a faith school and access to the school of choice.
- Questions were raised about what consideration had there been of the impact on the environment, the impact on residents around the schools and if consideration had been given to safe walking routes to schools.
- The impact of the proposals was considered to be greater for some sectors of the community; in particular, poorer families, traveller community, larger families and those with siblings attending different schools.
- There were strong feelings from the catholic community that the proposal would lead to school closures, would destroy the catholic ethos of schools and was an attack on the catholic faith.
- Concerns were also raised that the proposal undermines the strong relationship between the Council and the faith community.
- References were made at a number of the meetings with regard to statutory requirements, the Education Bill and Human Rights Act.
- A range of comments and criticisms were made with regard to the consultation process. In particular, the consultation exercise was not considered to be broad enough, the timescale was considered to be too short and the questions in the consultation leaflet were considered to be leading questions. Requests were also made for clarification of the next stages of the consultation process.

These issues together with those raised through other parts of the consultation process should be taken into account by Hertfordshire County Council in making their decision on whether or not to withdraw free faith school transport.