

**HERTFORDSHIRE COUNTY COUNCIL
CABINET
MONDAY 28 JANUARY 2002 AT 2.00 P.M.**

Agenda Item No.

9

HOME TO SCHOOL TRANSPORT

Report of the Director of Children, Schools and Families

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Executive Member : Robert Gordon

1. Purpose of the Report

To inform the Cabinet of the possible implications of the recommendations of the Resources Panel on 10 January regarding the review of the Home to School Transport Policy as follows:

- a) to authorise consultation on all the propositions detailed in the report
- b) to consider advice from the Executive Member for Children, Schools and Families as to the nature and scope of the consultation
- c) to introduce any consequential changes to home to school transport policy with effect from September 2003.

2. Summary

- 2.1. The report draws together the various transport policies into a single framework and suggests the following policy options :-

Policy	Proposal
Statutory	
Statutory walking distance	Proposed policy modification
Safety	Improvement of policy application
Transport to denominational schools	Proposed policy modification
Special educational needs	Proposed policy modification

Discretionary	
Community policy	Proposal to phase out
Assisted transport to denominational schools	Proposal to phase out
Medical grounds	Proposed policy modification
Extreme social circumstances	Proposed policy modification
Examination year	No change
Exceptions	Consolidation of existing policies
Siblings	New policy
Assisted travel scheme	Proposed policy modification
Escort provision	Proposed criteria
Post 16	
SEN students aged over 16	Consolidation of existing practice
Transport for students aged 16-18	No change
Consortium travel arrangements	Proposed policy framework

- 2.2. The report proposes a “Children’s Transport Policy” and a “Post 16 Transport Policy” which:
- ensure a consistent approach to entitlement
 - harmonise the current home to school or college and SEN transport policies;
 - align with the principles for transport policy;
 - specify the lines of accountability for ensuring consistent policy application;
- 2.3. The proposal to phase out the community policy and introduce arrangements based on safety will affect the following communities :-
- Cuffley
 - Knebworth
 - Little Wymondley
 - South Oxhey
- 2.4. The proposal to phase out assisted denominational transport will affect children who are not of the faith and who attend denominational schools, particularly Townsend and Nicholas Breakspear Schools

2.5. The proposals as a whole offer the prospect of savings of the order of £483k per annum after 5 years arising from:

	£
Policy modification concerning children written-in to a non-denominational school beyond the statutory walking distance	214,487
Improvement of policy application on assessment of safety of routes	(3,000)
Alignment of mainstream and SEN transport policy	144,816
Phasing out of Community transport policy	104,168
Phasing out of Assisted transport policy to denominational schools for children not of the faith	22,414

3. Conclusions

- 3.1. The Cabinet is asked to authorise consultation on the proposals continued in the report.
- 3.2. The Cabinet is asked to authorise that the consultation paper should be sent to parents to children in Years 3, 4 and 5.

1 Background

1.1 Mainstream and SEN transport policy has been built up over a number of years in response to changes in legislation, admission rules and school provision. This has resulted in a complex, highly tailored transport policy that lacks coherence. The Education Committee resolved at the meeting on 14 July 2000 that the home to school transport policy be reviewed. The Student Services Panel duly considered a report on home to school and SEN transport at the meeting on 13 March 2001 which:

- provided the Panel with an overview of the home to school or college transport policy of the LEA, including transport for those with a statement of special educational needs;
- summarised issues arising from the overview of transport policy;
- sought the Panel's views on a set of underpinning principles which should inform the next stage of the transport review;
- outlined the timetable for taking this review forward to public consultation.

1.2 The Student Services Panel:

- agreed a set of underpinning principles to guide the next stage of the review;
- considered the timetable for consulting on changes to current transport policy;
- agreed the establishment of a Transport Policy Working Group to look at policy options and report back to the next meeting of the Student Services Panel.

1.3 A Transport Policy Working Group was subsequently established which comprised the following Members.

Conservative Group	:	D Hills, R Smith, J Taunton.
Labour/Liberal Democrat Group:		T Kent, T Ambrose.
Substitute	:	D Billing.

The Transport Policy Working Group met on 3 April 2001 and considered a set of policy options drawn up in accordance with the principles agreed by the Student Services Panel. A draft "Children's Transport Policy" and a "Post 16 Transport Policy" was then developed in the light of discussions at this meeting. This was considered at a second meeting of the Group held on 12 April 2001.

1.4 The Student Services Panel reviewed the policy options developed by the Transport Policy Working Group at the meeting on 25 April 2001 and agreed that:

- further modelling work be carried out to establish precisely the impact of the policy options on individual institutions;
- the scope of the Group be extended to include the development of policy options on escort provision and 16-18 consortia travel.

1.5 The following sections report the substance and outcome of discussions by the Transport Policy Working Group on the matters set out below:

- the underpinning principles for developing transport policy;
- a draft “Children’s Transport Policy”;
- a draft “Post 16 Transport Policy”;
- alignment of transport and admissions policies;
- a revised timetable for public consultation which aligns with the secondary admissions consultation process.

2. Underpinning Transport Principles

The Working Group reviewed the policy options against the underpinning transport principles as revised by the Panel and set out below.

- Legal** - the policy must be grounded in and comply with relevant legislative requirements
- Safe** - children and young people must be transported safely and securely
- Child-centred** - transport provision must enable continuity of education provision and allow children to arrive at their destination free of stress, able to take full advantage of the education and training provided, and support achievement for all
- Fair** - transport must be provided on a fair and equitable basis
- Green** - transport policy must support the authority’s environmental policies as far as possible
- Clear and transparent** - transport policy must be clear and simple to understand and operate
- Efficient** - transport policy must be operable in a way which minimises costs in order to maximise the money available to spend directly on children’s education.

3 Children's Transport Policy

- 3.1 The Transport Policy Working Group considered the rationale for and impact of any change and these were reported to the Resources Panel on 10th January. The Working Group also made suggestions concerning the way in which the transport policy should be applied in order to address the inconsistencies and anomalies in the application of current transport policy reported previously to the Panel.
- 3.2 Appendix 1 relates to transport arrangements made in accordance with the statutory framework. Appendix 2 covers those made at the discretion of the Authority. The two main changes proposed are :-
- (a) To phase out the present community policy and introduce arrangements based on the safety of routes. This will particularly affect Cuffley, Knebworth, Little Wymondley and South Oxhey
 - (b) To phase out assisted denominational transport to children who are not of the faith. This will particularly affect Townsend and Nicholas Breakspear schools

4. Criteria for Provision of Escorts

- 4.1 The Panel extended the brief of the Working Group to oversee the development of criteria for escort provision as part of the 'Children's Transport Policy'. A policy framework has been developed by the Working Group and is set out below. It includes criteria for escort provision.
- 4.2 The following criteria were proposed for the provision of escorts :-

Children's special needs

Where the child's special needs determine that there is a need for an escort. This support is likely to be forthcoming where a child falls into a certain category of need and would encompass children in public care.

Group size

Escorts will be provided when a group of primary aged children (5-11 years) are travelling together and the total number of passengers exceeds 8.

Age range

Where primary age pupils are travelling on the same vehicle as secondary school children.

Specific other conditions

Consideration should be given in the following circumstances and a risk assessment should determine whether an escort should be provided. The risk assessment would consider the health, safety or welfare of the child or children. Identified conditions would include:-

- Where the length of the journey exceeds the maximum recommended acceptable time for travelling (over 45 miles for children up to 8 and 75 minutes for children aged 8 or over).
- To support reintegration – where a child is being reintegrated back into school (to cover permanently excluded child, or school refuser type)
- To support behavioural management strategies
- Where a driver is separated from the passengers in a separate enclosed cab, or where a double decker bus is the standard provision
- In the event of a lower school closing, consideration will be given to providing an escort on buses or coaches provided to transport pupils to alternative schools for the period of one term following the closure.

5. Summary of Children’s Transport Policy

The Working Group compared the current home to school and SEN transport policies against the underpinning principles and made a series of proposals in Appendices 1 and 2 for continuing with, modifying or phasing out certain policies within the framework of an overarching Children’s Transport Policy. This policy framework:

- brings together the home to school and SEN transport policies;
- aligns with the underpinning principles for transport policy;
- specifies the lines of accountability to help ensure consistent application of each policy;
- offers the prospect of savings in the order of £460k per annum after 5 years for spending directly on children’s education.

6. Post 16 Transport Policy

The Working Group also considered the post 16 transport policy using the same approach as that adopted in the review of home to school and SEN transport. The Working Group felt that the current policy should not be amended as it has only recently been approved and implemented. Further details are attached as Appendix 3.

7. Consortia travel policy

- 7.1 The Panel extended the brief of the Working Group to enable it to oversee development of a consortia travel policy as part of the ‘Post 16 Transport Policy’. The authority has, for several years, been committed to supporting collaborative arrangements involving students moving between institutions to enable them to access courses which would otherwise not be available to them. The current

arrangements are summarised below.

- The absence of a policy framework has led to a practice of “we pay as you go”. There are no restrictions on the type and frequency of transport used and no guidelines about how the arrangements might operate.
- A variety of arrangements have been put in place to meet local needs (taxis, contacts with bus companies, reimbursement for use of school minibuses).
- Significant variations in the unit cost of transporting students, ranging from £23 and £47 per student journey based on available information.

7.2 It is clear from collaborative groups’ plans that the movement of students between institutions will grow by upwards of 20% per annum for the next years. It is important, therefore, that policy and procedures are developed that support collaborative practice, provide value for money and enable the authority to improve the planning and control of its budget in this area.

7.3 Progress on developing the policy has been limited by a lack of detailed information on all schools’ consortia travel arrangements, plans and requirements. This information is currently being collected from schools. The intention is to use this information to model the policy options along the lines used throughout this report.

8. Summary of post 16 transport policy

The Working Group has compared current post 16 mainstream and SEN policies and suggested some consolidation between the two. Further work needs to be carried out to develop a consortia travel policy

A copy of a draft “Post 16 Transport Policy” arising from adoption of the policy proposals is attached at Appendix 2.

9. Alignment of Transport and Admissions policies

The Working Party considered the scope for aligning transport and admissions policies. It was concluded that:

- the admission rules for secondary schools should be consistent with transport routes where priority is given to communities for a particular school;
- the measurement of routes should also reflect the actual routes followed, in order to address the concerns expressed by parents in rural areas;
- children should not have to make long journeys to school where there was an appropriate local school within walking distance. This was with particular regard to children who had not secured a ranked school.

It was concluded that these views should be made known to Resources Panel.

10. Consultation Timetable

The timetable for action leading to public consultation is set out below and is based on the Secondary Admissions Review process.

Jan 28	Cabinet discussion to agree statutory consultation process
Feb 1	Consultation begins
Feb/Mar	Public meetings
Mar 15	Consultation ends
April	Resources Panel considers consultation
May 20	Cabinet agrees final proposals

11. Financial Implications

Adoption of the proposed Children's Transport Policy will provide the opportunity to redirect resulting revenue savings of the order of £460k per annum after five years to spend directly on children's education.

If you wish to know more about the issues referred to in this report please contact Nick Powley on 01992 555933

CHILDREN’S TRANSPORT POLICY – STATUTORY ENTITLEMENT

Policy	Policy Detail	Policy Application
<p>1. Nearest school</p>	<p>Free transport will be provided for all children attending their nearest suitable school where the distance from home to school is over the statutory walking distance.</p>	<ul style="list-style-type: none"> • For children under 8, the statutory walking distance is two miles or more as measured by the shortest designated route. • For children aged 8 or over, the statutory walking distance is three miles or more as measured by the shortest designated route. • For the purposes of determining eligibility, the shortest designated route will be measured using a computerised mapping system. • A designated route is available if a child, accompanied as necessary, can walk along it with reasonable safety to school. It does not fail to qualify as a designated route because of dangers which arise if the child is unaccompanied. • Where children have been written in to a school which is beyond the statutory walking distance, free transport will only be provided in cases where the parents expressed a preference for their nearest non-denominational school.

Policy	Policy Detail	Policy Application
2. Safety	Free transport will be provided for all children attending their nearest suitable school which is less than the statutory walking distance where it is considered unsafe for the child, accompanied as necessary, to walk along it with reasonable safety.	<ul style="list-style-type: none"> • Identification of hazards and the assessment of risk of walked routes to school shall be carried out in accordance with the guidance issued by LAROSA. • Routes shall be considered safe unless they can be demonstrated to be hazardous against one or more of the following criteria: <ul style="list-style-type: none"> - inadequate footway, road width, weight of traffic, step-offs, visibility, specific unsafe points • Assessments shall be carried out by the School Admissions and Transport Development Officer in consultation with the Road Safety Unit. • Assessment shall be made annually, or more frequently as required (e.g. due to new development or temporary obstruction such as flooding).
3. Denominational schools	<p>Free transport is provided for all children attending their nearest maintained religious or voluntary aided denominational school providing religious education in accordance with the parent's beliefs which is:</p> <ul style="list-style-type: none"> • more than 2 miles from home with a journey of less than 8 miles or 45 minutes for children aged under 8; • more than 3 miles from home with a journey of less than 15 miles or 75 minutes for children aged 8 or over. 	<ul style="list-style-type: none"> • Currently provided for, but not restricted to: <ul style="list-style-type: none"> - Church of England schools, if the child is baptised into the Church of England; - Roman Catholic schools, if the child is baptised into the Roman Catholic Church; - Jewish schools, if the family is a member of the synagogue community. • The statutory walking distance will be measured as the shortest designated route according to the computerised mapping system. Journey times will be measured according to published timetables. • The authority shall take all reasonable steps to ensure that journey times do not exceed the relevant quality standard. Where it is not possible to satisfy this quality standard, by re-routing vehicles or providing additional transport for example, free transport will not be provided.

Policy	Policy Detail	Policy Application
<p>4. Special Educational Needs</p>	<p>Free transport will be provided where:</p> <ul style="list-style-type: none"> • the child’s statement of special educational needs specifies the need for free transport. • the appropriate day provision which meets the identified special educational needs of the child is more than two miles from home for a child aged under 8 or three miles from home for a child aged 8 or over; 	<ul style="list-style-type: none"> • Each child’s special need for free home to school transport will be considered individually by the appropriate SEN Assessment Officer and decisions made by the Prioritisation Panel. Exceptional cases will be determined by the Pupil Services Manager. • Except in very exceptional cases (discretionary), only children whose special need for transport is written into their statement will be eligible. • A decision on the level of need will be taken during the statutory assessment process. • When considering the child’s need for special transport, the following factors will be taken into account: <ul style="list-style-type: none"> - the walk to school must not cause the child undue fatigue or discomfort; - the walk can be carried out in a reasonable time; - the walk will not result in the child being unable to benefit from the education provided; - the child’s degree of sensory/communication/cognitive difficulty is not such that their ability to respond to instructions and communicate with others is so impaired that they would be unlikely to walk safely, even if accompanied by an adult; - in the case of emotional and behavioural difficulties, the child is unlikely to attend school without the provision of free transport. • Children with special educational needs will be encouraged to be as independent as possible and should therefore use public transport where this is considered to be a factor in developing these skills.

<u>Policy</u>	Policy Detail	Policy Application
<p>4. Special Educational Needs (cont.)</p>	<ul style="list-style-type: none"> the appropriate residential provision which meets the identified special educational needs of the child is more than two miles from home for a child aged under 8 or three miles from home for a child aged 8 or over; 	<ul style="list-style-type: none"> The provision of all free transport arrangements, including entitlement to claim petrol allowance, will be reviewed and recorded annually. In the case of residential placements, the free transport provided for each boarding arrangement is as follows: <ul style="list-style-type: none"> Weekly and fortnightly boarding <ul style="list-style-type: none"> children are entitled to free transport to and from school on a weekly or fortnightly basis during term times. Their parents are entitled to 1 visit per year for the purpose of the annual review Termly boarding <ul style="list-style-type: none"> children who return home for half-term holidays are entitled to free transport for 12 journeys and a maximum of 4 visits per year. The journeys include the start and end of each term and half terms. Parents may claim for 1 additional visit per term, plus the annual review; those children who do not return home at half-term are entitled to 6 journeys and a maximum of 6 visits per year, including the annual review. 52 week boarding <ul style="list-style-type: none"> children are entitled to free transport for a total of 8 journeys or visits per year, including the annual review.

Policy	Policy Detail	Policy Application
<p>2. Social circumstances</p>	<p>Free transport may be provided for children in cases where extreme social circumstances would otherwise prevent the child from attending school.</p> <p>These cases include:</p> <ul style="list-style-type: none"> • where a family of the child attending a school is temporarily re-housed due to domestic violence or due to circumstances such as flooding or fire; • where the child’s family is living in temporary bed and breakfast accommodation following repossession; • where a child is allocated a place at a school on long term social grounds; • pre-school children with significant special educational needs, but without statements, who wish to attend parent and toddler groups and opportunity classes. 	<ul style="list-style-type: none"> • All requests for assistance will be considered on their individual merits by the Pupil Services Manager in consultation with the Student Services Manager (in respect of mainstream cases) or the SEN Assessment Officer (in SEN cases). • All requests will be supported by appropriate evidence, including the support of the school or other educational institution. • Any assistance will be provided on a time-limited basis which shall be determined at the time of application. • Any requests for continued assistance beyond the agreed period shall be reviewed by the Pupil Services Manager in the light of prevailing circumstances (in respect of mainstream cases) or the SEN Assessment Officer (in SEN cases).

Policy	Policy Detail	Policy Application
3. Examination Year	<p>Free transport will be provided for children in years 10 to 13 who:</p> <ul style="list-style-type: none"> • have moved house, live more than three miles from their school and are in an examination year; • move into Hertfordshire during an examination year but wish to remain at their existing out-county school. 	<ul style="list-style-type: none"> • All requests for assistance will be considered by the Pupil Services Manager.
4. Sibling	<p>A sibling will be provided with free transport to a school attended by elder brothers or sisters who are receiving free transport in any of the above cases.</p>	
5. Exceptions 5.1 Permanently Excluded pupils	<p>Free transport will be provided for pupils who have been permanently excluded from school for whom transport is required for attendance at a new school or Education Support Centre.</p>	<ul style="list-style-type: none"> • Eligibility for free transport will be determined by the Pupil Services Manager in consultation with the Head of the Education Support Centre.

Policy	Policy Detail	Policy Application
<p>Exceptions (cont)</p> <p>5.2 Children in public care</p> <p>5.3 Integration and Transition</p> <p>5.4 Respite care</p>	<p>Free transport will be provided for children in public care to the end of the academic year or public examination course, whichever is the longer. After this, free transport will generally be provided for journeys beyond the statutory walking distance up to a maximum of 8 miles for children under 8 and 15 miles for children aged 8 or over.</p> <p>Free transport may be provided for pupils with a statement of special educational needs attending special schools to support their integration into mainstream schools or transition into post 16 education, and to those at risk of permanent exclusion attending an Education Support Centre.</p> <p>Free transport will be provided from school to a county council respite centre for those children who are provided with respite care on social grounds.</p>	<ul style="list-style-type: none"> • Given the vulnerable nature of this group, exceptional cases will arise. Decisions on these children will be made by the School Admissions and Transport Development Officer in consultation with the Corporate Parenting Officer. • All requests for assistance will be considered by the Pupil Services Manager in consultation with the SEN Assessment Officer or the Head of the Education support Centre as appropriate. • Assistance will only be provided where there are clear learning objectives and targets which are set out in the pupil's individual education plan, statement or statement review. • Any assistance will be provided on a time-limited basis which shall be determined when the application is considered. • Any requests for assistance beyond the agreed period shall be reviewed by the Pupil Services Manager in consultation with the SEN Assessment Officer or the Head of the Education support Centre as appropriate. • Eligibility will be determined by the Care Group Manager

Policy	Policy Detail	Policy Application
<p>6. Assisted Travel Scheme</p>	<p>Assisted transport to all schools may be provided where spare seats are available are available on vehicles which the LEA already provides for free transport.</p>	<ul style="list-style-type: none"> • Assistance is normally offered for the school year starting in September, or on a termly basis at other times. • All spare seats are allocated in the following order of priority: <ul style="list-style-type: none"> - to pupils with a statement of special educational needs; - to children from areas where there are no other public transport services; - to children whose parents are in receipt of a qualifying benefit; - remaining seats are given to those children living furthest away. <p>A charge is levied for assisted travel according to distance. The charges are updated annually.</p> <ul style="list-style-type: none"> • Free travel is provided for children of parents who are in receipt of a qualifying benefit.

POST 16 TRAVEL POLICY

Policy	Policy Detail	Policy Application
<p>1. 16-18</p>	<p>A full time school or college student aged 16-18 years may receive assistance with home to school transport in the following ways:</p> <ul style="list-style-type: none"> □ They may purchase a SaverCard from the County Council which entitles them to half fare on public bus services to any school or college in Hertfordshire; □ They may purchase a bus pass to travel on an education route if there is not a public bus route on which to use a SaverCard and the distance between home and school or college is 3 miles or more. □ They may purchase a train pass if there is not a public bus route available on which to use a SaverCard or an education route, and the distance between home and school or college is 3 miles or more. □ In exceptional circumstances, they may receive a bus or train pass under the conditions described above to travel to a school or college over 3 miles from their home which is outside the county. 	<ul style="list-style-type: none"> • A SaverCard, which currently costs £5, can be used on public bus services at all times of the day, on any day of the week and over any distance (i.e. more or less than 3 miles). • This currently costs £110 a term if the distance to be travelled is between 3 and 4.99 miles and £144 if it is 5 miles or over. • Students travelling by train would be expected to attend the nearest school or college which offers the required course or one that is broadly similar. <p>The exceptional circumstances are:</p> <ul style="list-style-type: none"> • where a school or college outside the county is nearer than the school or college in Hertfordshire which offers the required course or one that is broadly similar; • where there is not a course at a school or college in Hertfordshire which offers the required course or one that is broadly similar.

Policy	Policy Detail	Policy Application
<p>1. 16-18 (cont.)</p>	<p>A student whose family is in receipt of a qualifying benefit may receive assistance with home to school or college transport in the following ways:</p> <ul style="list-style-type: none"> □ They may apply for a free SaverCard. □ They may apply for a free bus pass to travel on a local bus service to any course at a school or college in Hertfordshire which is within 3 to 15 miles of home. □ They may apply for a free bus pass to travel on an education route if the distance between home and school or college is 3 miles or more. □ They may apply for a free train pass if there is not a public bus route or an education route available, and the distance between home and school or college is 3 miles or more. 	<p>The qualifying benefits are:</p> <ul style="list-style-type: none"> • Income support or Income-based Jobseeker’s Allowance; • Working families Tax Credit; • Housing Benefit; • Council tax Benefit (not including single adult rebate). • Disabled Person’s Tax Credit. <ul style="list-style-type: none"> • Students travelling by train would be expected to attend the nearest school or college which offers the required course or one that is broadly similar.

Policy	Policy Detail	Policy Application
<p>2. SEN Post 16</p> <p>2.1 Part time students</p> <p>2.2 Students aged over 19</p>	<p>Free transport may be provided for students with very exceptional special educational needs who wish to attend part time courses at the nearest college offering a suitable course.</p> <p>Students with exceptional special educational needs may be provided with free transport to the nearest college offering a suitable course for the purposes of continuing education progression.</p>	<ul style="list-style-type: none"> • For part time students and students over 19, all requests for assistance will be considered by the SEN Operations Manager in consultation with the Careers Adviser. • All requests will be supported by appropriate evidence. • Any assistance will be provided on a time-limited basis which shall be determined when the application is considered. • Any requests for assistance beyond the agreed period shall be reviewed by the SEN Operations Manager in consultation with the Careers Adviser.