



EDUCATION FOR LIFE SCRUTINY COMMITTEE - 7TH JULY 2015

**SUBJECT: CAERPHILLY COUNTY BOROUGH EDUCATION TRANSPORT MTFP
2015/18 – ITEMS FOR CONSIDERATION**

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To consider Medium Term Financial Plan (MTFP) options from Caerphilly County Borough Education Transport service following the previous report to Scrutiny Committee on 20 May 2014.

2. SUMMARY

- 2.1 This report considers the County Borough Education Transport Service's review options in assisting the Local Authority to meet its obligations in respect of the 2015/18 MTFP to achieve a 20% general reduction in overall spend.
- 2.2 The range of discretionary home to school and college transport services is reproduced in Appendix 1 of the report, together with an approximate estimated savings amount. These were considered in detail at the Special Scrutiny Committee 19 June 2014 and on 20 May 2014.
- 2.3 At Scrutiny on 20 May, Members agreed to receive further information on ET1 (post-16 mainstream), ET2 (review of walking distances), and ET11 (review of hazardous routes – negligible or low risk).
- 2.4 Any changes made to education transport policy are covered by the Learner Travel (Wales) Measure 2008 that states that a local authority must agree and publish the information before 1 October of the year preceding the start of the academic year they will apply from.

3. LINKS TO STRATEGY

- 3.1 The work of the Education Transport Service contributes to a number of the Council's key strategic priority areas and plans including 'Caerphilly Delivers: The Single Integrated Plan 2013-2017', in particular with respect to:
- **Prosperous Caerphilly** – supporting local people to improve their employment opportunities and compete for work.
 - **Learning Caerphilly** – providing access to a range of resource, facilities, and services that underpin basic skill development, qualification attainment, and access to materials that support improved educational achievement among residents of all ages.

4. THE REPORT

- 4.1 Members acknowledged that the Council has one of the most generous discretionary transport policies for home to school and college transport in Wales and most authorities have reduced, or are in the process of reviewing, their provision in the difficult current financial climate.

Consultation

- 4.2 Whilst the Learner Travel Wales Measure and the revised operational guidance issued in June 2014 makes it clear that if a local authority decides to change or remove the discretionary transport provision it provides, it must publish the information before 1 October of the year preceding the academic year in which the changes will come into force, neither is prescriptive about the process local authorities must follow.
- 4.3 It is apparent from recent legal challenges and in some cases, full judicial reviews against Councils over changes proposed or confirmed with regards to discretionary services, that Councils have adopted wider and more formal consultation processes, as lack of proper and effective consultation has been a critical factor in challenge or review. It is proposed that the options to remove / revise discretionary policy within the county borough follow a timetable that allows for meaningful consultation and feedback from parents, pupils, schools and other stakeholders. To do this effectively, it is recommended that options are developed during the autumn term, with a view to full consultation taking place during the spring term 2016, with any initial changes introduced from September 2017, requiring formal confirmation of revised policy to be published before 1 October 2016.

Charging

- 4.4 The position across the 22 LAs in Wales is mixed in relation to charging, varying from 50p - £3.50 per day, with many LAs providing a travel grant to partially offset costs as an alternative.

Post-16 Transport (ET1)

- 4.5 Members supported the introduction of a fixed parental contribution for all post-16 students (option iv example within the Scrutiny report of 20 May – potential saving of 500k per annum based on £180 charge per student per year) on the basis that officers have consideration for hardship and low income families and consider alternatives for this. This represents a saving of around 50% of the cost of current post-16 provision.
- 4.6 Education Maintenance Allowance (EMA) is a financial scheme applicable to students and those undertaking unpaid work-based learning in Wales, Scotland and Northern Ireland and aged between sixteen and nineteen whose parents have a certain level of taxable income. It applies to those doing, or applying to do, at least 12 hours of guided learning on further education courses in school sixth forms, sixth form colleges and Further Education colleges. The weekly payment for the scheme is £30, paid every 2 weeks directly to the student. This is payable if:
- household income is £20,817 or less if the student is the only young person in the household; or
 - household income is £23,077 or less if there are any additional young people eligible for child benefit in the household.
- 4.7 If any parental contribution was reduced for low income families, this would reduce the savings possible and hence directly impact upon the MTFP target reductions.
- 4.8 If no concession is given in lieu of receipt of EMAs, a £1 daily charge would generate income of circa 500k p.a., £1.50 per day = 750k p.a. and £2 per day = £1m etc., based on the 2800 pupils currently travelling.

4.9 In addition to the proposal to charge, post-16 policy would be aligned to any changes in distance for secondary pupils aged 11 to 16, so the discretionary 2 mile limit would revert to the statutory 3 mile limit. In addition, the following would be proposed:

- Cap the upper age limit – the current policy provides for transport until the end of a student’s chosen course, providing the student was under the age of 19 at the commencement of the course. In some cases, this means a student who has reached the age of 22 is still in receipt of free transport. It is proposed to align the policy with that of most other Council’s and end the provision at the end of the academic year in which the student reaches their 19th birthday.
- Introduce a cap on overall transport costs of £500 per student (less agreed annual charge). This would apply to students travelling to courses outside the county borough, where transport costs can exceed £500 per academic year. The balance to be paid to the student in the form of a travel grant in lieu of the authority making arrangements on a student’s behalf.

Statutory Walking Distances (ET2)

4.10 Members agreed on 20 May to support the recommend of increasing the statutory walking distances to 2 miles (Primary) and 3 miles (Secondary).

4.11 Examples of the potential geographic areas affected by this change are as follows:

Primary Schools	
YG Cwm Gwyddon, Abercarn	Newbridge, Panside and Pontywaun
YG Trelyn, Pengam	Cefn Fforest, Highfields and Libanus Road
YG Bro Allta, Ystrad Mynach	Cefn Hengoed (south of Bryn Siriol)
Ysgol y Lawnt, Rhymney	Abertysswg / Pontlottyn
St Helens Primary, Caerphilly	Lon y Llyn, Mill Road, Nantgarw Road, St Martin’s Road, Watford Estate
Secondary Schools	
Cwmcarn High School	Crosskeys, , Risca, Pontymister, Wattsville
Lewis Boys School	Cefn Hengoed, Cwm Calon, Gelligaer, Penybryn
Pontllanfraith Comprehensive	Cwmfelinfach, Ynysddu
Rhymney Comprehensive	Butetown, Rhymney
Risca Comprehensive	Crosskeys, Risca
YG Cwm Rhymni	Bargoed, Blackwood, Cefn Hengoed, Gelligaer
Post 16	
Coleg Gwent, Crosskeys	Abercarn, Pontymister, Ty Sign
Ystrad Mynach College	Cefn Hengoed, Gelligaer, Llanbradach, Pontllanfraith

NB. Within the areas listed, some parts may qualify depending on cut off distance. Additional schools / areas may be affected depending on review / assessment of available walking route. The list should not be considered exhaustive.

4.12 In relation to a move towards statutory distances, there are 2 options which would be considered :

- remove discretionary provision in its entirety; or
- make an appropriate daily charge.

4.13 Under the 1st option, the Council would be obliged to retain provision for existing pupils in the relevant phase of education, so the savings would have a long lead time before they were realised.

- 4.14 Should a charging option be considered, the table below illustrates the various options and the corresponding income levels based on various reductions for Free School Meals (FSM) students.

Charge per day	Total Income at FSM Charges of								
	£ -	£ 0.25	£ 0.50	£ 0.75	£ 1.00	£ 1.25	£ 1.50	£ 1.75	£ 2.00
£	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
1.00	166	177	188	198	209	-	-	-	-
1.25	208	219	229	240	251	261	-	-	-
1.50	250	260	271	282	292	303	314	-	-
1.75	291	302	312	323	334	344	355	366	-
2.00	333	343	354	365	375	386	397	407	418

- 4.15 It is recommended to propose an option to introduce a daily charge of £1.50 with full concession for FSM students which would generate an estimated income of £250k per annum (around 7% of current budget).

Provision of Transport to Faith Schools (ET7).

- 4.16 Members resolved on 20 May to unanimously support the recommendation to continue to maintain the existing service. Since the meeting, Swansea Council has received the outcome to a judicial review that its decision to cease free school transport for many faith school pupils amounted to indirect discrimination.

Hazardous Walking Routes (negligible or low risk) (ET11)

- 4.17 Members supported re-assessing the routes as below:

<u>Route</u>	<u>Assessment</u>
• The Rise, Llanbradach to Coed y Brain Primary	Negligible
• Llanfach to Abercarn Primary	Negligible
• Wattsville to Cwmfelinfach Primary	Negligible
• Hollybush to Markham Primary	Negligible
• The Rise to Lewis Girls Comprehensive	Low
• Croespenmaen to Rhiw Syr Dafydd Primary	Low
• Pwyllypant to Coed y Brain Primary	Low
• Penybryn to Lewis Girls Comprehensive	Low

- 4.18 Local authorities are under a legal duty to assess the travel needs of learners who walk to school. In Wales, the guidance was reviewed and revised by the Minister and published in June 2014.
- 4.19 Local Authority responsibility is to identify whether a walked route is available and to identify risks / put in place mitigation where appropriate. This involves working in partnership with organisations / agencies to complete risk assessments which address identified problems and consulting children and young people via other organisations / bodies.
- 4.20 Parental responsibility is to decide at what age it would be appropriate for their child to walk unaccompanied to school. In the event of a child not being eligible to receive free transport and having to walk to school, it will be for parents to make suitable travel arrangements for their children between home and school.

4.21 The new Guidance prescribes two main provisions:

- A risk assessment in relation to physical / traffic risks and takes account of footway standard, traffic volumes, accident statistics, the availability of safe crossing points and lighting.
- The second relates to 'Social Danger', which the guidance states is 'open to different interpretations and is subjective', but in this context, the commonest interpretations provided by children and young peoples include: stranger danger; danger(s) posed by paedophiles; dangers posed by criminals (muggers, thieves); anti-social behaviour (the presence of bullies, alcoholics or drug addicts) and physical manifestations, such as discarded needles or places where drug abuse / misuse takes place. It also confirms that children can perceive dangers, even if none exist and confirms it is important that local authorities determine whether perceived danger is supported by any evidence.

4.22 The review of low / negligible routes will be undertaken during the next academic year, and will follow the new guidance. The process for assessment will be developed with relevant parties and will be undertaken consistently and fed back to Scrutiny Committee for consideration. The potential saving in this area is £91k.

5. EQUALITIES IMPLICATIONS

5.1 Equality Impact Assessments will be produced as part of the next stage in the formal review process. Where required the detailed Equality Impact Assessments undertaken will form part of subsequent reports to Members for their information and consideration.

6. FINANCIAL IMPLICATIONS

6.1 The financial implications of each review area considered as part of this report have been noted where known.

6.2 Based upon a general reduction of 20%, the MTFP notionally provides for a £1.3million reduction.

7. PERSONNEL IMPLICATIONS

7.1 There are no direct personnel implications.

8. CONSULTATIONS

8.1 The views of all consultees listed have been incorporated in this report.

9. RECOMMENDATIONS

9.1 It is proposed that the recommended way forward be to consult on proposals to achieve the following estimated annual savings:

	.£'000
• Post-16 (daily charge of £1.50 with no concessions)	753
• Statutory distances (daily charge of £1.50 will full concessions for FSM students)	250
• Hazardous routes (low or negligible risk) up to	91

9.2 Members were previously advised of a £250,000 saving to the base budget as a result of new mainstream contracts from January 2015. The net effect of all of these proposals would result in an annual saving of £1.3m in line with the MTFP.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 To enable Education for Life Scrutiny Members to duly consider the County Borough Education Transport Service's review options in assisting the Local Authority to meet its obligations in respect of the 2015/18 Medium Term Financial Plan.

11. STATUTORY POWER

- 11.1 1996 Education Act.
- 11.2 Learner Travel (Wales) Measure 2008.

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Appendices:

Appendix 1: List of Discretionary Services