

		AGENDA ITEM 4
<u>Home to School Transport Consultation</u>		PAF/13/13
Committee:	People and Families Scrutiny Committee	
Date:	5 December 2013	
<u>Outstanding Items</u>		
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Home to School Transport

Overview

Our current expenditure on home to school transport is circa £25 million. To support the delivery of our home to school transport policies, over £10 million of this money is spent in facilitating access to schools for those with a statement of SEN. Maintaining expenditure at this level in the current financial climate is difficult and we therefore have to look at where efficiencies can be made. We must look at the possibility of reducing support in the areas we exercise our discretion. This is particularly pertinent in order to mitigate pressures in this area caused by increasing demand, the general cost of transporting children to and from school, and budgetary constraints.

Our current forecast spend on home to school transport for the 2013/14 financial year is £25.5 million. The 13/14 budget for this service is £24.1 million. This equates to a £1.4 million overspend currently forecast in this area. The 12/13 end of year position was a £3.8 million overspend against a budget of £23.2 million. Our transport policy should be simple, fair and transparent.

A number of options were proposed to PLT in July for consideration which in turn would be used as a base for the public consultation. These were:

- Removal of provision of transport to catchment area schools and use nearest school only
- Removal of transport on routes now considered available to be walked, accompanied as necessary
- Removal of provision for low income families attending Selective (Grammar) schools
- Reduce offer for transport provided in what we consider exceptional circumstance
- Complete removal of assistance for Post 16 students
- Charge low income families for post 16 transport assistance
- Withdrawal of taxis for post 16 student – use of existing routes only
- Introduce deadline for application

Details in regards to options background, feedback, risks and benefits is set out in this report.

Consultation

The consultation document is provided in Appendix 1.

The Home to School Transport consultation opened on 16th September and lasted for 6 weeks closing on 25th October, as published. Prior to it starting there was an extensive set of communications to MPs, county councillors, district councils and schools. Our communications began over a month before the start date as we wanted to ensure this was engaging the key stakeholders early on in the process.

Our communication plan was carried out in full. Schools were kept informed throughout the process – this included an email during August (GCSE/A Level results time) informing them a consultation would be starting in September. We then contacted them again during week of 9th September, a week before the consultation started, to inform them of the details of the consultation, including areas affected. We then emailed directly to them on the day the consultation opened and in weeks 1, 3, 5 and 6 via Education Essex encouraging them to respond and to communicate with parents via web mail, newsletters etc. Some schools put a direct link to the consultation on their web pages. We also set up a specific email address to filter consultation responses and on all of our email auto responses for Education Transport and Awards a link to the consultation appeared.

Two press releases were issued on the consultation and information was displayed on the ECC website. The consultation attracted significant local media coverage with Councillor Gooding being interviewed on BBC Essex and many newspapers covered the consultation in depth. It has been noted that several enquiries have been received from Tendring and Brentwood newspapers and articles have appeared within those throughout the consultation.

We have also worked together with officers undertaking the local bus consultation and have had joint meetings with those affected including bus companies and have sent information out directly to Parish Councils. Posters were also on display in Essex libraries.

As well as the 1500 people who viewed and/or responded through the online consultation portal, we have also received over 70 emails directly to the consultation inbox many of which are from residents, headteachers and Parish Councils from across the County. People were asked to provide some information about themselves, including their postcode. The postcodes provided cover the majority of the County, including some out of County postcodes in our bordering authorities, see appendix 2 for a map showing locations of those that provided this information.

Appendix 3 provides a high level summary of the responses received.

Highlights from the consultation

On each of the proposals above the public were asked to state whether they agreed or disagreed with the proposals. Of the responses received the proposals with the highest proportion of people disagreeing with them were the withdrawal of the use of catchment areas and the withdrawal of support to those low income families who are offered support to attend grammar schools in the County (both had 15% in agreement and 72% disagreeing – the rest stated these proposals would not affect them).

The information shown below is a breakdown of each proposal and provides an overview of its risks and benefits and the response received from the consultation.

Option: Removal of the use of catchment area schools to determine entitlement - use nearest school

Proposal

Number of students potentially affected - 3870

Estimated savings through withdrawal - £500,000

The use of catchment areas in determining entitlement to transport assistance is discretionary element of our current policy. It does not address recent changes in legislation which allow schools, who set their own admission criteria, to define their own catchment areas and thus leaves the council with a risk financially if these areas were to widen at a time when Essex County Council (ECC) faces an unprecedented financial challenge. It could also be argued the council's current use of catchment areas as a determining element of the assessment of entitlement to transport support is unfair and inconsistent across the county. Some families benefit from transport to up to 4 schools from their home address, others may only receive the option of transport to 1 school. This change will help us ensure our policy is fair, consistent and equitable across the county.

We would like to remove the reference to catchment areas in our home to school transport policies and to provide transport only to the nearest school to the child's home address, measured using the shortest available walking route, where the statutory distance criteria are met.

Furthermore we propose to remove the use of Joint Catchment Areas – instead only supporting children to attend the nearest school to their home address where a joint admission catchment is present or an historical arrangement has been in place over a

number of years. Areas affected by the this proposal include the Five Parishes of Brentwood (Doddington, Blackmore, Hook End, Stondon Massey and Kelevdon Hatch) and Ongar where all families in this district receive transport to a number of schools. Provision of transport to more than one school from these areas was agreed following the closure of Ongar Secondary School in the 1980's and has never been reviewed. We are currently spending in excess of £1 million (12% of secondary school transport spend) on transporting 1135 students (9% of entitled secondary age students) to schools in this area (£4.75 per pupil per day). This would be significantly reduced if we only provided transport to the nearest school. Other schools with a joint catchment area include Thurstable/Plume, Thurstable/Thomas Lord Audley, Honywood/Stamway, King John/Appleton and Swayne Park/Fitzwilliam.

If agreed this policy would affect new starters at primary and secondary schools from September 2015. Any students already qualifying for transport at 1st September 2015 would continue to receive it until their current school phase ended or they left that school.

Benefits

The benefits of implementing this change would include

- Parents will be able to determine at the point of school admission whether they would be entitled to transport.
- ECC will be able to bulk assess full year groups of children and express entitlement at the time of school place offer. This will improve service for the customer and decrease administration resource required to process applications.
- This will also create financial efficiencies. At March 2012 we were transporting 3870 students to a school which was their catchment for school admission but was not their nearest school. The schools children are receiving transport assistance to range from being the 2nd nearest to their home address, to the 26th nearest in one case. The cost of providing transport to these pupils is £2.9 million. We would not save this whole amount but we would expect to see efficiencies between £500K and £1 million on both contract prices and administration efficiencies

Risks

The risks of implementing this change would include:

- Effect on applications for admissions in certain areas of the County i.e. schools with joint catchment areas, schools with special arrangements owing to school closures such as Five Parishes and Ongar
- Risk of increased traffic flow and congestion around schools affected where parents choose to transport their own children to schools
- There would potentially be an increase in spend in this area during the phasing in of this policy due to the potential of transporting children to more than one school in an area i.e. the catchment school for those with an existing entitlement and the nearest school for those qualifying post September 2015

To mitigate the implication of this decision, should it be taken following consultation, we would work closely with bus operators to try and ensure that commercial networks are available to those that wish to utilise transport to school at the full cost to their family and to establish networks of transport in each area of the County to strengthen public transport availability.

Response from Consultation

Of the responses received in this area, 15% agreed with the proposal and 72% disagreed. There were 183 comments made on this proposal through the consultation portal (appendix 2) and a further 14 letters direct from schools opposing the proposals. The main themes were as follows:

- the impact on school admissions – including the availability of space at the nearest school as oppose to the catchment, particularly with the forecast increase in cohort size over the coming years
- withdrawal of parental choice
- increase car use, congestion and environmental impact
- cost increase – requirement to pay for your own school transport at a time when cost of living is increasing
- the affect on families with one child entitled to assistance now with another who would start post September 2015 and not receive an entitlement
- Impact on Low Income Families
- Lack of alternatives available (i.e. public transport routes as oppose to dedicated school transport)
- Impact on rural communities – broader spread of schools
- Could academies assist in transport costs if they chose to change their catchments to stop this policy change?

Option: Unavailable Walking Routes

Proposal

Number of students potentially affected - 172

Maximum savings through withdrawal - £156,000

A number of routes in Essex are currently considered as unavailable to be walked. This means, if the child does not reside the required distance for their age group from home to school by the shortest walking route but the route is not available to be walked, accompanied as necessary, transport must be provided. A number of re-inspections of those routes where a large number of children are transport has taken place and as a result we identified 3 routes in the County that should potentially be considered available to be walked and as a result children would no longer qualify for free home to school transport. It was therefore proposed to remove transport from those affected commencing September 2014 in a phased approach. The schools affected by these proposals are as follows - Bromfords School, Grange Primary School, Helena Romanes School, Dunmow St Mary's Primary School and Forest Hall School (formerly Mountfitchet School). As part of work, our Member Routes Appeal panel was convened and reviewed these routes during the consultation period at the key times of day.

Benefits

- Potential increase in public transport network in the areas affected due to operators selling seats commercially to parents and opening up their routes to the wider public
- Increase numbers of children walking and cycling to school thus benefitting their health and wellbeing overall

Risks

- Risk of increased traffic flow and congestion around schools affected where parents choose to transport their own children to school

Response from Consultation

Of the responses received in this area, 22% agreed with the proposal and 29% disagreed with 49% stating they 'don't know'. There were 102 comments made on this proposal through the consultation portal (appendix 2). The main themes were as follows:

- Impact of phased reduction if families have one sibling entitled to transport and one not
- Cost of travel
- Potential for bullying and safety consideration of children walking to and from school
- Routine checking of the routes is required to ensure they remain safe
- Many representations specific to issues in Barnston Village
- Traffic (speed, volume etc)

Extension

Following the financial outturn forecast position for period 6 it was necessary to look at further areas of work in this area to reduce our spend further. Officers have made the decision to reinspect all of our current unavailable routes to ensure no changes to the routes have occurred since decisions were taken. This work has now commenced. This further programme of work is outside of the remit of this consultation but will be completed over a period of 12 months from October 2013.

Option: Selective on Benefit

Proposal

Number of students potentially affected - 97

Estimated savings through withdrawal - £109,000

We currently provide transport to students attending grammar schools in and around Essex where the family are in receipt of qualifying benefits and the distance criteria are met. No other authority offers this provision. Examples of the journeys currently funded include Chigwell to Chelmsford, Dunmow to Colchester, Burnham on Crouch to Chelmsford, Southminster to Southend. It is therefore proposed to withdraw the provision of transport to low income families attending Selective Schools from September 2015 on a phased basis

Benefits

- Brings our policy in line with our statistical neighbours – we are the only authority currently providing entitlement to transport assistance to this group of students.
- There are currently 97 students qualifying for assistance under this policy, costing £109,000 per annum in transport costs. If withdrawn this would be phased out and the total saving achieved over 5 financial years from 2015/16.

Risks

- Potentially limiting opportunity for pupils from low income families obtaining a place in a selective school from attending and achieving their education potential

Response

Of the responses received in this area, 15% agreed with the proposal and 72% disagreed. There were 145 comments made on this proposal through the consultation portal (appendix 2) plus representation from MP's and schools relating to the impact this would have on low income families. The main themes were as follows:

- Reduction in opportunity for students from low income families to achieve their potential
- Decrease in social mobility
- Potential for a two tier education system where low income families are forced to attend local school
- Added burden on finances of low income families
- Lack of opportunity and support for low income families
- Not inclusive
- Selective schools are for gifted children, regardless of financial situation
- Penalising bright children from low income families
- Finance should not influence who can and cannot attend a selective school

Option: Transport provided under exceptional circumstances

Proposal

Number of students potentially affected – up to 500

Estimated savings through withdrawal - £100,000

We currently provide transport in a number of circumstances to a broad range of families using our discretion to award in exceptional circumstances. In all cases there is no statutory entitlement for transport. Transport provided will be usually be in the form of a taxi. We are therefore proposing to add a means tested assessment as part of this process. Where families earn in excess of the allowances currently made for the provision of child benefit, transport support would not be provided even in exceptional circumstances. Families whose cases for transport to be provided are agreed, earning below the threshold for the provision of child benefit would receive a contribution towards the cost of transport on a sliding scale based on their income.

£16,190 and below –	fuel reimbursement at 45p per mile or equivalent transport on existing contract vehicle/public transport ticket
£16,190 – £30,000 -	fuel reimbursement at 45p per mile or a payment of £250 per term towards the cost of transport
£30,000 – £42,475 -	fuel reimbursement at 45p per mile or a payment of £150 per term towards the cost of transport
£42,475 and above –	£0 contribution

Benefits

- Clear criteria based on finances of the family where an exception applies, allowing self assessment and preventing applications being made where no transport would be provided
- Continues to support low income families when circumstances happen which are outside of their control
- Provides support in a more flexible way for families

Risks

- Adding a means tested element to this policy means we would only support low income families
- The introduction of a sliding scale of entitlement based on income would mean some residents sit slightly above thresholds for support

Response

Of the responses received in this area, 35% agreed with the proposal and 53% disagreed. There were 117 comments made on this proposal through the consultation portal (appendix 2). The main themes were as follows:

- Because you earn more doesn't mean you have more disposable income
- Sound proposal based on total income
- Administration involved – would this process cost more than just providing transport?
- Child benefit qualification system is unfair
- Income is frozen or decreasing in most circumstances – how will families afford this?
- Number of dependents should be accounted for
- Should change the proposal to support low income families only

Option: Deadline for Applications under discretionary policies

Proposal

Number of students potentially affected - 396

Savings through withdrawal - £150,000

We currently operate an application window for applications made under our discretionary transport policies covering the whole academic year. We therefore propose the implementation of an application window that is open from 1st March until

30th September for new starters which then reopens on 1st January to close again on 31st January in each academic year.

For students already started in their respective schools the application windows would be as follows: 1st July – 30th September to commence transport in each new academic year and then 1st January – 31st January. We would no longer accept applications for discretionary elements of the policy during the summer term. Applications made outside of these windows would be held and considered during the relevant timeframe. This will enable the council to make administrative savings.

Benefits

- Improving ability to forecast application numbers throughout financial year and therefore have better control over our cost base
- Management of workload and reduction in administration time across the teams involved in delivering transport services
- Reduction in costs over the year in the provision of transport under our discretionary policies

For illustration, in the 2012/13 academic year, for Post 16 Transport alone, 396 applications were received between 30th December and 1st January and 31st January and 31st March.

Risks

- Communication strategy will need to be clear so people do not miss deadlines where support is required
- Those that miss the set deadline for application will not receive transport until the next window opens, regardless of their entitlement
- Families where needs/situation changes may be disadvantaged if their application cannot be considered outside of the application timeframe
- Increase in complaints received by County Council

Responses

Of the responses received in this area, 24% agreed with the proposal and 45% disagreed. There were 57 comments made on this proposal through the consultation portal (appendix 2). The main themes were as follows:

- Lack of flexibility
- Seems reasonable
- Process needs to be VERY clear to all involved
- Discriminates against pupils moving throughout the year
- Issue for families where there circumstances change instantly, without expectation – waiting to be able to apply would affect these families

Option: Post 16 Transport

Proposal

Number of students potentially affected if withdrawn completely - 2800

Estimated savings through complete withdrawal - £3,000,000

Number of students potentially affected if policies amended but not withdrawn – 2000
Estimated savings through amending policy - £1,500,000

The duty placed on local authorities around the provision of transport to post 16 students requires a transport policy statement to be prepared and published in each year, by 31st May, disclosing the provision being made by the LA for this group. The LA has a discretion which it can use to offer financial assistance towards a person's reasonable travel expenses.

It is important to note that since 2011 colleges and schools have access to a large bursary (replacement for EMA following removal in 2010) of up to £1200 that can be allocated to vulnerable students to support their learning.

We have investigated the approach of other authorities. Many authorities are now choosing to remove or significantly reduce their offer for post 16 learners, many authorities now choose to charge low income families for their transport assistance.

The options listed below seek to continue to make some provision for this group to support access to education.

We are proposing that from September 2014 we only consider any application for home to school transport assistance for a person of sixth form age on its merits, but assistance would be provided where the following circumstances apply.

i. Low income families

Provide transport assistance to qualifying low income families only but with a 50% contribution towards the full cost of transport on existing public/contract transport routes in the County – recommended contribution 50% of current average cost per student (£4.79 per day) £450 per annum

ii. Statemented SEN students

The student has a statement of SEN and is attending the school named within their statements as the nearest appropriate school for their post 16 education – public transport will be promoted for this group and travel training referrals will be made for all students with the expectation they will be assessed for suitability for training by the end of the first term of post 16 education. A charge for transport will be made on a sliding scale based on the income of the family at the time of application.

iii. Students with SEN who are no longer statemented

Those students who had a statement of SEN in year 11 who will be attending a school or college to continue their education and require additional support to do so. Support will be provided in the form of a grant which will be on a sliding scale based on income. All applications will be considered based on the evidence provided to support the claim at the time of application

iv. Other Students

Other students will be able to purchase transport from the Local Authority but this will be at full cost recovery and only on existing contract or public transport routes, in place at the time of application, where capacity allows. This will not include the operation of bespoke transport or individual taxis.

Families would be able to take advantage of the bulk purchasing power of the County Council and pay a reduced rate for transport on existing services.

What are our neighbours offering?

<i>Authority</i>	<i>Low Income?</i>	<i>SEN</i>	<i>Others</i>
<i>Hertfordshire</i>	<i>No</i>	<i>Yes</i>	<i>Discount card negotiated with public transport companies</i>
<i>Suffolk</i>	<i>£170 per term</i>	<i>£170 per term</i>	<i>£170 per term</i>
<i>Thurrock</i>	<i>Yes</i>	<i>Yes</i>	<i>Full cost recovery on existing services. Students in rural areas considered individually based on circumstances and access to network</i>
<i>Southend</i>	<i>£490 per year</i>	<i>£490 per year</i>	<i>No – but Octopus Card and other discounted schemes available</i>

Benefits

- Clear policy for the provision of transport for learners
- Ability for all to take advantage of lower public transport costs through County Council bulk purchasing power, not just those who currently qualify for assistance.
- Encourage consideration of suitability of course for the learner
- Reduction in cost for Local Authority in delivering the service

Risks

- Impact on future skills in County if access to education is limited
- Impact on ability of post 16 students to access further education
- Do colleges have the financial resource within their budgets to provide transport assistance to students
- There is evidence that participation decreases in year 13. Any cuts in travel assistance may exasperate this particularly when taking into consideration *Raising the Participation Age* (RPA). If subsidised travel wasn't available there could be a tendency for students to select unsuitable courses on the premise of affordable travel which would in all probability lead to higher dropout rates.
- Participation rates in Essex are currently second lowest in the East of England.
- We need to consider the impact made to the local labour needs of particular districts, without assisted travel the lack of trained recruits could cause some companies to relocate out of Essex.
- Potential for an increase in those considered NEET in this age group

- The suggestion would be to charge up to 50% of the overall charge/full cost recovery – this may place a barrier in accessing education to students from low income families
- Door to door service no longer provided – may discourage attendance
- Ability of local bus services to support access to education
- Ability of families to support access to education (drop off/pick up at base or station etc)
- Potential increase in administration costs owing to an increase in number of families, who currently would not qualify for assistance, wishing to purchase tickets from us
- Increase in congestion around public transport hubs at peak times

Responses

Of the responses received in this area, 19% agreed with the proposal and 71% disagreed. There were 137 comments made on this proposal through the consultation portal (appendix 2). It was noted there was no formal responses received from Colleges on this issue despite engaging with the Federation of Essex Colleges (FEDEC) prior to the commencing of the consultation. The main themes were as follows:

- Potential for increased congestion at peak times of day
- Discriminates against those in rural areas
- Consideration of RPA and requirement for learner to remain in education, employment or training
- Should be assisting children to remain in learning, not restricting them
- Lack of public transport available
- Removal of choice for learners

Many of the comments received were around the implications of the Raising of Participation whereby students have to remain in education until they are 17 currently and from 2015 until they are 18. The government have been clear that they do not intend to extend the statutory duties around the provision of transport for pre 16 learners to those in post 16 Education. The provision of post 16 transport remains at the discretion of the individual local authority. Many have chosen to remove assistance in full to make the maximum financial saving. Our proposals do not withdraw support completely but limit it to those who have been identified as most in need of support in accessing post 16 learning.

Finance Comments

This report provides the Scrutiny Committee with background around the different types of statutory and discretionary Home to School Transport services that the Council currently provides.

In the overview section on page 1, the report highlights the growing pressures on this budget as a result of increasing demand and the difficulties encountered in mitigating general transportation cost pressures.

At a time where the Council is exploring all opportunities to effectively respond to the significant budget reductions it faces, the Home to School Transport Service has identified and consulted on a series of potential changes to the discretionary service provision it currently offers

The feedback from this consultation, including comments from this scrutiny committee, will feed into into a subsequent Cabinet paper that will make recommendations on the future provision of this Service. A full financial appraisal of the potential savings from these recommendations will be built into the Cabinet report.

If Cabinet decide not to take forward some or any of the options proposed, then the service may need to look to alternate ways of addressing the financial pressures that it will continue to face.