

## **Purpose of Consultation**

Essex County Council (ECC) faces an unprecedented financial challenge. Reduced funding from central government, together with the impact of inflation and increasing demands for services, means the council needs to save around £215m by 2016-17. This is on top of the £365m already saved over the previous three years. Achieving this will require us to take tough decisions on what ECC does, how we do it and what must stop doing.

Home to School Transport is a highly contentious area of County Council business. Our current expenditure in this area tops £25 million. There is a requirement to make efficiency savings in this area over the coming 3 financial years both to assist Essex in meeting the demands of a diminishing budget and to mitigate further pressures in this area caused by increasing demand and a general increase in the cost of transporting children to and from school.

As you will be aware, the local authority has a number of statutory duties under which it must provide free home to school transport to qualifying students who meet the relevant criteria contained within the 1944 Education Act and extended in the 2006 Education and Inspections Act. We have made the decision in the past to extend the support of home to school transport to a wider group under what we term as our 'discretionary policies'; that is where we choose to provide more than we are required by statute. However, as a result of significant financial challenges similar to those facing many local authorities we have had to undertake a full review of the discretionary elements of our policy.

This consultation on the future provision of home to school transport will start on 16<sup>th</sup> September and will run until the last school day before half term, Friday 25<sup>th</sup> October.

Following the completion of the consultation a report will be written and submitted to Cabinet in December making recommendations on the future provision of home to school transport. No decision has been taken on the way forward at this time – the consultation is being carried out to inform that decision and future policy.

Any changes that are agreed will be implemented from September 2014 or September 2015 and will not affect students receiving transport at their current school. Any changes made will be phased in over a number of years, only affecting students who commence at primary, secondary, sixth forms or colleges from September 2014 onwards where they knew about these changes prior to the timetable for selecting the school to which they will move. This means for example that for pupils moving to Year 7, any changes could not take place until September 2015.

We understand that any proposal to make changes to home to school transport will cause concern for many stakeholders across the county but public consultation is the first stage in the process and we urge you to take part in the consultation.

Our transport policy should be simple, fair and transparent. The changes proposed are a significant change to the support provided going forward. They do propose a reduction in the amount of support currently offered in this area.

The options listed below are to amend the current home to school transport policies to meet current demands and the challenges of a changing school market, i.e. the increase in the number of academies and free schools and the freedom schools now have to set their own hours, terms times and catchments, alongside an unprecedented financial challenge for all local authorities across the country.

## **Our proposals**

### **1. Catchment Areas/Joint Catchments**

The current transport policy in place does not address 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 certain amount of risk financially if academies were to widen their catchment areas 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 for community schools 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 proposal is to ensure our policy is fair, consistent and equitable across the county.

We are therefore proposing 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. This would enable parents to determine their entitlement to transport at the point they apply for a school place.

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 affect by this proposal include the Five Parishes of Brentwood (Doddinghurst, Blackmore, Hook End, Stondon Massey and Kelevdon Hatch) and Ongar where all families in this district receive transport to a number of schools. This was agreed following the closure of Ongar Secondary School in the 1980's and has never been reviewed. Other schools with a joint catchment area include Thurstable/Plume, Thurstable/Thomas Lord Audley, Honywood/Stamway, King John/Appleton and Swayne Park/Fitzwilliam.

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.

## **2. Available Walking Routes**

A number of routes in Essex are currently considered as unavailable to be walked and, despite falling under the distance criteria children have historically been provided with home to school transport in these areas. A number of re-inspections of those routes have taken place and as a result we have found 3 routes in the County that are now considered available to be walked and as a result children are no longer entitled to receive free home to school transport. It is 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.

## **3. Selective on Benefit**

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

## **4. Transport provided under exceptional circumstances**

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.

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| £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

## **5. Deadline for Applications under discretionary policies**

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 1<sup>st</sup> March until 30<sup>th</sup> September for new starters which then reopens on 1<sup>st</sup> January to close again on 31<sup>st</sup> January in each academic year.

For students already started in their respective schools the application windows would be as follows: 1<sup>st</sup> July – 30<sup>th</sup> September to commence transport in each new academic year and then 1<sup>st</sup> January – 31<sup>st</sup> 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.

## **6. Post 16 Transport**

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 31<sup>st</sup> 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 per student per year for the support of students from low income families.

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 for students of this age group, whilst also considering the significant financial pressure the county council is under to make efficiencies to ease pressure in this budget area. The options listed seek to continue to provide:

- Access to Post 16 Education for all young people in Essex
- Promotion and support of choice amongst our Post 16 learners

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

**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 allowed. 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.

**v. Transport arrangements**

It is proposed that we would only provide transport on existing public or contract services. Families would be expected to facilitate their child's attendance at the nearest existing pick up point for the existing service to their home address, regardless of the distance.

We will not be responding to individual comments or queries but all submissions will be used to inform the final report to cabinet in December. You can submit comments by completing the questionnaire or by emailing [school.transportconsultation@essex.gov.uk](mailto:school.transportconsultation@essex.gov.uk)