

**Report to the Deputy Leader of the County Council and the Cabinet Member  
for Children, Young People and Schools**  
**Report submitted by: Director of Children's Services**  
**Date: 30 May 2017 and 1 June 2017**

**Part I**

Electoral Divisions affected:  
All

**Consultation on the revision of the mainstream Home to School Transport  
Policy 2018-2019**

(Appendices 'A', 'B' and 'C' refer)

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**Executive Summary**

There is a legal requirement that the County Council publishes a Home to School Transport Policy in accordance with the Education School Information Regulations 2008 (Regulation 8.) The regulation requires that local authorities publish all relevant information no later than six weeks before the closing date for secondary school applications which is 31 October each year.

In November 2015, there was a Council decision to withdraw the current transport subsidy for pupils attending a faith school where there is a nearer school to their home. A consultation took place in the Spring Term 2016 and the results are included within the report. The decision was taken not to remove the subsidy from September 2017.

This decision is urgent and cannot await the next meeting of the Cabinet on 15<sup>th</sup> June 2017, the reason for this is that the consultation period must commence before the next meeting of the Cabinet in order for it to be completed before school summer holidays commence in July 2017.

**Recommendation**

The Deputy Leader of the County Council and the Cabinet Member for Children, Young People and Schools is recommended to agree to undertake a further public consultation on a proposal to cease the provision of discretionary denominational transport subsidies with effect from 1 September 2018 for all pupils commencing at primary or secondary school.

This decision should be implemented immediately for the purposes of Standing Order 34(3) as any delay could adversely affect the execution of the County Council's responsibilities. The reason for this the further consultation period must commence as soon as possible in order to be completed before school summer holidays commence in July 2017.

## **Background and Advice**

The Council is required by law to meet the cost of home to school transport for pupils aged eight years of age or over where they attend their nearest school and this school is over three miles from home. The distance is two miles for pupils under eight unless pupils are unable to walk due to a disability or the route is unsuitable. Prior to September 2011, the Council exercised discretion and granted free transport to those pupils who attended the nearest faith school, provided they met the distance criterion and had been admitted to the school on denominational grounds. As a result of reductions in Council budgets from September 2011, parents of pupils in these circumstances were required to make a contributory charge. The parental contribution increases annually by RPI plus 5%

It is not envisaged that the removal of the denominational assistance with travel costs will have a significant financial impact on most parents. The financial contribution that is required from parents for the academic year 2017/18 is £575.00 per child. Season ticket prices for the next academic year are £578.00 for pupils travelling between 3 and 8 miles and £410 for pupils travelling 3 miles or less. Those most disadvantaged, therefore, are the parents of pupils travelling over 8 miles to school who will have to purchase a season ticket that will cost £730.00.

For low income families, there is free transport if a pupil attends one of their three nearest schools. For the assistance to be awarded the school must be between 2 and 6 miles away from the child's home. There also remains a statutory entitlement to transport assistance for families on low income where the child attends the nearest faith school, if the school is between 2 and 15 miles from home.

Since the financial contribution was introduced in September 2011, the proportion of pupils applying for the assistance, of the total number that are entitled, has dropped significantly. For example, there were 579 Year 7 pupils assessed as eligible from September 2017 but only 280 pupils applied for the denominational travel passes.

## **Consultation**

An item was posted via the school portal on 22 February 2016. Views and comments were sought from all maintained Lancashire schools and academies, parents and any other interested parties. Schools were asked to publicise the consultation and a note was provided, with suggested wording, for schools to use on their web sites and in any newsletters and bulletins to parents.

Respondents were asked to comment on the following question:

"How will the funding to subsidise home to school transport for pupils who attend their nearest faith school but live closer to an available non-faith school ceasing impact on you?"

Schools, academies and parents were asked to either respond on line via the Council's website or for those without access to the internet, a postal address was given.

The consultation closed on 10 April 2016 and the results are set out in Appendix B.

### **Summary of Consultations responses**

There are currently 1688 pupils in receipt of denominational transport assistance. There were 221 responses to the online consultation.

Approximately 15 % of the responses supported the removal of the subsidy with comments suggesting that some respondents felt the help with travel costs to faith schools was unfair.

The majority of the comments received expressed concern at the removal of the subsidy and could be broadly categorised under the following areas:

- concerns about additional costs.
- parental rights in respect of accessing faith schools.
- capacity concerns regarding over / under subscription of schools.
- issues with bus services.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

The biggest issue relating to the removal of denominational transport assistance is the possible removal of subsidised bus services to faith schools. Parents seek admission to schools based not only on preference but also with consideration to accessibility. Where faith schools are situated in urban centres then they are often well served by public transport, as well as school bus services. Pupils attending the more rural faith schools tend to rely heavily on school transport.

### **Financial**

In November 2015, there was a Council decision to withdraw the current transport subsidy for pupils attending a faith school where there is a nearer school to their home. The decision was taken in order to achieve budget savings of £283,000 in 2016/17 and £141,000 in 2017/18 and it was originally planned to withdraw the subsidy from 1<sup>st</sup> September 2016. It is now proposed that the provision of discretionary denominational transport subsidies will cease from 1<sup>st</sup> September 2018 for all pupils commencing at primary or secondary school, and that the changes are phased-in so that children who started school under one set of transport arrangements continue to benefit from them until they either conclude their education

at that school or choose to move to another school. The previously agreed policy has therefore been revised to reflect the decision to remove support for denominational transport. The original savings are not achievable in the way originally planned because the current transport subsidy will cease from 1<sup>st</sup> September 2018, however, potential for mitigating the impact of this is currently being reviewed, and savings arising from the revised policy will be monitored as it takes effect.

## **Equality and Cohesion**

An Equality Impact Assessment was undertaken when the intention to consider the removal of the denominational transport subsidy was initially proposed. There is the potential for the County Council to be challenged either generally under the Equality Act 2010 or specifically the Public Sector Equality Duty which arises from this proposal and its association with the religion or belief protected characteristic. Even though there have been arrangements in place for almost 5 years which required a contribution towards travel costs for children attending a denominational school which is not their nearest available school, the proposal to extend this so that no financial assistance would be available to children in this criteria may be challenged as discriminating because of their religion or belief. Although mitigation measures are now proposed which will ensure that the measure is phased in and will not impact on a pupil already at a particular school, the potential for challenge still exists from those considering selecting a faith school for their child to attend from 1 September 2018 onwards. Careful consideration of the attached Equality Analysis where this concern is explained more fully may assist in fulfilling the "due regard" requirements of the Public Sector Equality Duty in relation to this proposal. Appendix 'C'

## **List of Background Papers**

Paper	Date	Contact/Tel
Home to School Transport Policy 2018/2019	Amended May 2017.	Debbie Ormerod 01772 531878
Home to School Transport Consultation. (Final tables and chart)	18 April 16	Debbie Ormerod 01772 531878
Equality Analysis Toolkit	June 16	Jeanette Binns 01772 533516

Reason for inclusion in Part II, if appropriate

N/A