

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Lead Member for Children's Services
Date:	28 January 2011
Title:	Home to School Transport Policy 2012
Reference:	2432
Report From:	Director of Children's Services

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1. Executive Summary

- 1.1. The purpose of this paper is to inform the Executive Lead Member on the details of the proposed Home to School Transport policy, to specify changes from the previous policy and to seek permission to consult.
- 1.2. This report seeks permission to consult on a proposed new County Council Home to School Transport (HTST) policy. The existing policy was written in 2000 and updated to incorporate the new denominational school transport policy, changes to transport entitlement introduced by the Education and Inspections Act 2006 for children in receipt of free school meals and guidance issued by the then Department for Children Schools and Families (DCSF). It is proposed that the Authority consults on a new HTST policy that meets the statutory duties of the Authority and that all discretionary provision is, subject to the consultation, ended.
- 1.3. In the process of reviewing the policy the following have been considered;
- The legislative framework and statutory guidance that determine Home to School Transport provision.
 - All discretionary and mandatory elements of the existing policy. It is proposed that the future policy, written in the context of high spending on Home to School Transport and the need to manage that spending effectively, only contains those elements that are statutory.
 - Proposals that would lead to a change in entitlement.

2. Contextual information

- 2.1. The Education Act 1996 (as amended) imposes a duty on Local Authorities (LAs) to facilitate the attendance of children at schools and to ensure no parent can have a defence to a prosecution for non-attendance simply because the LA has not made suitable arrangements for transport to and from school.
- 2.2. The Education and Inspections Act 2006 created new duties on the County Council to provide free transport for pupils in receipt of free school meals or if their families are receiving the maximum level of Working Tax Credit.
- 2.3. Guidance has been issued by Central Government, particularly *Home to School Travel and Transport Guidance (2007)* and *2010 Post-16 Transport Guidance (March 2010)*, that informs policy. The proposed policy draws on elements of Hampshire's current policy where it is appropriate to do so and takes full account of the Local Authority's statutory duties.
- 2.4. In the last financial year approximately 12 000 mainstream and special educational needs pupils were transported at a cost of just over £24 million to the County Council. Spending on Home to School Transport (HTST) has increased significantly since the last policy changes were approved in 2007. The legislation requires that transport is provided free to 'entitled' pupils. Expenditure is 'demand led'. Although numbers in the secondary phase will reduce in the coming three academic years, this does not necessarily lead to savings. In addition numbers joining the primary phase have increased and this is forecast to continue during the same time period. Managing the HTST service to meet the individual needs of all entitled pupils is a major undertaking for the County Council.

3. Outline of Proposals being Consulted Upon

- 3.1. That the Executive Lead Member for Children's Services approve consultation on the proposed Home to School Transport policy.
- 3.2. That the Executive Lead Member receives a report on the outcome of the consultation at a future meeting with a view to the new policy being implemented with effect from September 2012.

4. Consultation details

- 4.1. The Local Authority is seeking comments on the proposed policy and on each of the following elements that are detailed below and in attached appendices.
- 4.2. The proposed policy is provided in Appendix A. In line with the detail of the consultation it contains no discretionary features and some proposed changes. The proposed statement for providing transport assistance for Post 16 students is provided in Appendix B.

Discretionary elements

- 4.3. The County Council's September 2000 HTST policy included some elements that provide for assistance with transport where the Authority is not required by legislation to provide any assistance.
- 4.4. Those elements are specified in Appendix C. Each element has an associated proposal for its removal and some detail around current expenditure and likely savings.
- 4.5. For ease of presentation it is proposed that the Authority place all features of entitlement for Post 16 students in its 'Post 16 Transport Policy Statement'. However, as there are proposed changes within the service for post 16 students these are included in Appendix C and Appendix D.

Proposed changes

- 4.6. Some changes are proposed for the sake of clarification. They confirm, rather than change, the Authority's position in providing assistance.
- 4.7. Appendix D presents a list of the substantive changes (deletion or addition to the policy) and a brief description of the likely effective change.

Other efficiency savings

- 4.8. The Authority is undertaking a programme of efficiency savings. In the HTST service these include:
 - A new framework for procuring the operators and vehicles that provide the service.
 - Reconsidering and where possible rationalising, existing routes to schools so that the most effective and efficient service including, where appropriate, escorts for children, is provided.
 - Where road and route conditions have changed, a review of routes that have been previously assessed as unsafe by the County Council's Regulatory Panel B. These may be reclassified by the Authority as a safe walking route for a child accompanied by an adult.

5. Consultation

- 5.1. Should consultations be authorised, it is proposed that the County Council consult all interested parties, including parents, pupils, school governors, Dioceses and neighbouring Local Authorities on the proposals as set out in Appendices A, B, C and D.

6. Recommendation(s)

- 6.1. It is proposed that the Authority consults on the proposed new policy with a view to a new policy being effective from September 2012.
- 6.2. A report on the consultation will be brought to a future meeting of the Executive Lead Member.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	yes
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	no
Corporate Improvement plan link number (if appropriate):	
OR	
This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:	
<i>NB: Only complete this section if you have not completed any of the Corporate Strategy tick boxes above. If it is not applicable, please delete.</i>	

NB: If the 'Other significant links' section below is not applicable, please delete it.

Other Significant Links

Links to previous Member decisions:		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Direct links to specific legislation or Government Directives		
<u>Title</u>	<u>Date</u>	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

1.1. No adverse impact in regard to race, culture, gender or disability arising from this report has been identified. However, to ensure that the Home to School Transport service does provide the best possible service for entitled children and that when applying, the Authority is able to take proper account of the best interests of all children an equality impact assessment will be undertaken.

2. Impact on Crime and Disorder:

2.1. None

3. Climate Change:

a) How does what is being proposed impact on our carbon footprint / energy consumption?

If following consultation there is some withdrawal of existing Home to School Transport provision then it is possible that there will be more parental car journeys to school that are a direct result of the change in policy. The overall impact is very difficult to determine as pupils currently access a transport service and in future the mode of transport may change with an associated change in carbon footprint.

b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

The County Council has an existing, and is developing a future, Local Travel Plan. Pupils' journeys to school and students' travel to college are considered in the Plan. The Plan takes account of national guidance and describes the County Council's travel policies.