



**17 January 2024**

<b>Title</b>	School Transport Policy 2024-2025
<b>Purpose of the report</b>	To make a decision
<b>Report status</b>	Public report
<b>Report author</b>	Brian Grady, Director of Education
<b>Lead Councillor</b>	Cllr Ruth McEwan
<b>Corporate priority</b>	Thriving Communities
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. That ACE Committee agree to consult on School Transport policy clarification, as follows: <ul style="list-style-type: none"> <li>• Travel assistance entitlement means an offer of a bus pass or school bus at a pickup point, with an expectation for active travel as part of a child's healthy development;</li> <li>• Clarification of the exceptional circumstances and appropriate evidence required to access any exceptional additional support in addition to travel assistance;</li> <li>• That parents are liable for costs incurred by Brighter Futures for Children on behalf of Reading Borough Council if children do not access travel assistance provided;</li> <li>• That students are not entitled to travel assistance post-16 except in appropriately evidenced exceptional circumstances.</li> </ul> </li> <li>2. That ACE Committee delegate the format and process of consultation to the Executive Director, Children's Services, in consultation with the Lead Councillor for Children's Services and the Lead Councillor for Education and Public Health.</li> </ol>

## **1. Executive Summary**

- 1.1. Parents are responsible for ensuring their child attends school. This means they must take all the action necessary to enable their child to attend school. For most parents, this includes making arrangements for their child to travel to and from school. The Statutory Guidance makes clear that Local Authorities must make arrangements, free-of-charge, for eligible children to travel to school.
- 1.2. Brighter Futures for Children, on behalf of Reading Borough Council, are wanting to support more children to engage in active travel, as part of a fulfilling childhood helping young people develop and move towards independence, and to reduce journeys to school by car, by working with families, schools, local communities and transport planners to encourage students to walk or cycle to school or, where this is not feasible, to encourage greater use of public transport.
- 1.3. School Transport has been a significant budget and growth pressure in Reading for the past two years. Local Authorities across England are experiencing continued demand and cost pressures regarding school transport and local pressures are in line with these national increases in demand and cost increases. These include continued increases in

numbers of children with SEND, leading to an increase in the number of children needing transport assistance to school, including children needing to go further afield to be provided with an appropriate education placement. These demand and growth pressures mean action needs to be taken to make savings across the School Transport budget.

- 1.4. To help deliver savings and to promote the most active and independent forms of travel, increasing and promoting independence for young people on their journey to adulthood and independent living, in line with the Council's policies and strategic aims to promote independence, it is proposed to consult on the School Transport Policy for 2024, with changes aiming to clarify language and promoting the most active travel for Reading pupils.

## **2. Policy Context**

- 2.1. As set out in HM Government's Department for Education (DfE) Statutory Guidance: *Travel to school for children of compulsory school age* (updated June 2023), parents are responsible for ensuring their child attends school. This means they must take all the action necessary to enable their child to attend school. For most parents, this includes making arrangements for their child to travel to and from school. The Statutory Guidance makes clear that Local Authorities must make arrangements, free-of-charge, for eligible children to travel to school.
- 2.2. A child is deemed eligible if they are of compulsory school age, attend their nearest suitable school and: live more than the statutory walking distance from that school; or could not reasonably be expected to walk to that school because of their special educational needs, disability or mobility problem, or would not be able to walk to that school in reasonable safety, even if they were accompanied by their parent.
- 2.3. As well as these legal obligations, the Statutory Guidance confirms that Local Authorities are able to make discretionary arrangements to fund wider school transport. Such arrangements were agreed by Reading Borough Council and last ratified at Reading Borough Council Adult Social Care, Children's Services and Education Committee in October 2020, including the following arrangements:
  - 2.3.1. Provision for children beyond statutory school age (post 16)
  - 2.3.2. Supporting the most vulnerable children access schools through taxi transportation rather than a personal budget or bus routes.
  - 2.3.3. Chiltern Edge School transport.
- 2.4. Policy clarifications and changes have been informed by national benchmarking and practice, including through the joint work of the Association of Directors of Environment, Planning and Transport and the Association of Directors of Children's Services.

## **3. Travel assistance entitlement**

- 3.1. Policy language has been clarified to focus on how BffC on behalf of Reading Borough Council will provide travel assistance to school where there is clear statutory eligibility, and the criteria applied to determine eligibility.
- 3.2. The policy language confirms that travel assistance for almost all children will be enabled through the provision of bus passes and/ or access to school buses with local pick up points.
- 3.3. A number of operational changes are being tested this academic year to enable this policy clarification to be successful, including the reintroduction of bus transport routes with drop off points to promote independent travel.
- 3.4. A clearer focus on assisting more active travel and personal transport budgets are proposed to combine to both meet children's current needs whilst also encouraging greater independence.

- 3.5. As reported to ACE Committee in the School Place Planning Strategy 2023-2028, the development of more local provision for children with SEND, including through Additionally Resourced Provisions designed to create more inclusive mainstream options for children with SEND, will ensure that more children with SEND are able to walk and cycle to an appropriate local school place.

#### **4. Post 16 transport**

- 4.1. Statutory school age begins with the start of term following a pupil's 5th birthday and ends on the last Friday in June in the academic year in which they turn 16.
- 4.2. Under national legislation, students are required to be in education, employment or training until their 18th birthday. This could involve mixing full-time work with study, following an apprenticeship, continuing full-time in school or college, or combining part time training with volunteering. There has not, however, been any change to statutory school age which ends at the end of the academic year in which the student turns 16
- 4.3. Under the current law, there is no automatic entitlement to travel assistance or to another educational setting once a student is 16 and over. However, the Company is required to facilitate the attendance of all those of sixth form age i.e. those students in school years 12- 14 who started their programme of learning before their 19th birthday. This may involve travel assistance, but the Company does not need to provide this assistance free of charge. Responsibility for attendance lies with the student and their parents/carers.
- 4.4. Post 16 travel is currently being provided for approximately 100 young people at an annual cost of £320,470. Travel is provided to students attending Reading College, Newbury College, Henley College, New Meaning/Bucks College, UTC and Berkshire College of Agriculture. The updated Policy clarifies that BfFC on behalf of Reading Borough Council will confirm arrangements for post 16 assistance in an annual Post-16 Transport Policy Statement by 31 May each year. The consultation will propose confirming that the arrangements for assistance from academic year 2024/2025 will remove a presumption of funding for travel, to providing support to access travel funded by the family or the student. The process of decision making (if the policy is adopted) will be needs-led, through the statutory annual review for each individual young person – with personalised plans developed on an individual basis.

#### **5. Contribution to Strategic Aims**

- 5.1. The Council's new Corporate Plan has established three themes for the years 2022/25. These themes are:
- Healthy Environment
  - Thriving Communities
  - Inclusive Economy
- 5.2. These themes are underpinned by "Our Foundations" explaining the ways we work at the Council:
- People first
  - Digital transformation
  - Building self-reliance
  - Getting the best value
  - Collaborating with others
- 5.3. Full details of the Council's Corporate Plan and the projects which will deliver these priorities are published on the [Council's website](#). These priorities and the Corporate Plan demonstrate how the Council meets its legal obligation to be efficient, effective and economical.
- 5.4. More active travel for young people will support the Corporate Plan theme of Thriving Communities. In addition, any reduction in road traffic will support the Council's actions

in response to the Climate Emergency and the ambitions set out in our Corporate Plan under Healthy Environment.

## 6. Environmental and Climate Implications

- 6.1. The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).
- 6.2. The model of prioritising active travel and school transport through buses will encourage reduced emissions. The proposed policy changes will promote Reading children to attend local schools within walking distance, which will have a further positive impact on the Climate Emergency, reducing transport emissions in and around Reading.

## 7. Community Engagement

- 7.1. Statutory Guidance sets out what Local Authorities should do when consulting on school transport arrangements. This guidance is quoted below.
- 7.2. *“Local Authorities should consult locally with: schools whose pupils will be affected by the proposed changes, parents whose children will (or may) be affected by the proposed changes, and those whose children may be affected in the future – for example, because they live in the catchment area of, or attend the feeder school of, a school affected by the proposed changes; and the local Parent Carer Forum.*
- 7.3. *Consultation should last for at least 28 working days during term time.*
- 7.4. *Local Authorities should give careful consideration to the impact proposed changes to their policy will have on parents’ choice of school, the financial impact the changes will have on affected families, paying particular attention to the potential impact of any changes on children from low-income families and the impact the changes will have on people with protected characteristics.*
- 7.5. *Wherever possible, local authorities should phase in changes so that children who begin attending a school under one set of travel arrangements continue to benefit from those arrangements until they leave that school”.*
- 7.6. Engagement with Reading Buses has been undertaken ahead of the formal consultation, to establish whether a publicly available bus service could be provided to mitigate the risk of the removal of dedicated school buses to Chiltern Edge. The proposed consultation on policy changes is being planned with Reading Buses advising on potential routes, to inform Councillor decisions.
- 7.7. Statutory Guidance requires a 28-day consultation period in term time. The proposed timeline would therefore be undertaken across January – March 2024, with any implementation of policy changes from September 2024. If agreed by Committee, the proposed timeline for consultation and implementation of the revised policy is as follows:

<b>Milestone</b>	<b>Timescale</b>
Decision by ACE Committee to proceed with statutory consultation	16 January 2024
Commencement of statutory consultation period	17 January 2024
Closing date of statutory consultation period	16 February 2024 (to account for half term and comply with the requirement for a 28 day consultation)
Review of feedback from consultation period	19 February-1March 2024

Confirmation of final proposals published for Committee decision	13 March 2024
ACE Committee consideration of final proposals	20 March 2024

7.8. Dedicated engagement sessions on the consultation will be held with Reading Families Forum and Special United, Reading’s forum for children and young people with Special Educational Needs and Disability.

7.9. The consultation will include impact monitoring proposals, so that Councillors could be assured that at any point any newly adopted Policy could be amended if there was deemed to be an adverse impact on disadvantaged families, pupils with protected characteristics or any other at risk group.

## 8. Equality Implications

8.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2. It is anticipated that an Equality Impact Assessment (EIA) is relevant to the decision, and will be completed, so that we can evidence any differential impact in particular for children with a disability, but also parents with any of the protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (gender) or sexual orientation.

8.3. The consultation will identify families where a pupil is eligible for Free School Meals and pay particular attention to the need to mitigate pressure on families currently exacerbated by the cost of living crisis – through mitigations such as a means tested approach for some families to received support, and negotiate ongoing public transport access through Reading Buses and other public transport providers.

## 9. Other Relevant Considerations

9.1. Impact on Public Health outcomes will be modelled as a result of more children being supported to travel actively and more children with SEND being able to walk and cycle to an appropriate local school place.

## 10. Legal Implications

10.1. Statutory guidance refers to the legislation governing travel to school for children of compulsory school age, in particular:

- Section 508A of the Education Act 1996: sustainable travel to school;
- Section 508B of and Schedule 35B to the Education Act 1996: travel arrangements for eligible children;
- Section 508C of the Education Act 1996: travel arrangements for other children;
- The School Information (England) Regulations 2008: publication of information about travel arrangements.

## 11. Financial Implications

11.1. The proposals being considered are anticipated to make budget savings. The savings analysis undertaken so far will be further informed by the consultation process. In

addition to Policy changes supporting current resource management plans, the following areas of Policy are anticipated to make savings.

- 11.2. Post 16 travel is currently being provided for approximately 100 young people at an annual cost of £320,470. Travel is provided to students attending Reading College, Newbury College, Henley College, New Meaning/Bucks College, UTC and Berkshire College of Agriculture. The updated Policy would expect to see this funding reduce over a phased period. An initial review of young people's needs and EHCPs has identified 50 young people whose arrangement would be reviewed in the next academic year under this proposed policy change. It is not anticipated that the full current budget cost would be saved as individual needs-led budgets are still expected to be required for a number of young people. Further work is being done on potential budget savings.

## **12. Timetable for Implementation**

- 12.1. Statutory Guidance requires a 28-day consultation period in term time. The proposed timeline would therefore be undertaken across January – March 2024, with any implementation of policy changes from September 2024.
- 12.2. Implementation is proposed from September 2024. A more detailed implementation timetable will be informed by dialogue with Reading Buses. The contract terms for the current bus contract, which is in place until 2025, include a three-month termination clause.

## **13. Background Papers**

- 13.1. There are none.

## **Appendices**

1. School Transport Policy 2024-25 DRAFT: subject to consultation.