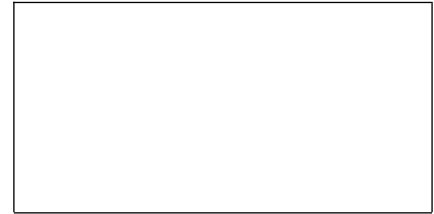


**Calderdale MBC**

**Wards Affected      All**

**Cabinet                      11<sup>th</sup> March 2024**



## **Home to School Transport Policy**

### **Report of the Director for Public Services**

#### **1. Purpose of Report**

- 1.1 The Council is required to ensure its Home to School Transport Policy is kept up to date and is aligned with national guidance, and so a period of consultation on a proposed policy (Appendix 1) has taken place over the last couple of months.
- 1.2 This report sets out the feedback received and invites Cabinet to finalise the proposed policy, prior to submission to full Council for formal approval.
- 1.3 The Home to School Transport Policy provides the criteria for eligibility to receive free transport assistance to pupils of a statutory school age (5 – 16). The eligibility criteria has not changed, and the proposed policy provides more clarity where the criteria becomes complex. It is important to have a policy that is robust and less open to interpretation.

#### **2. Need for a decision**

- 2.1 The Home to School Transport Policy requires Cabinet consideration prior to adoption by the Council.

#### **3. Recommendation**

- 3.1 It is recommended that Cabinet consider the responses received to the consultation on the proposed policy, in order to present a final version to full Council for adoption.

## 4. Background

- 4.1 Local Authorities have a statutory duty (Sect 508B Education Act 1996) to provide free home to school transport assistance to facilitate the attendance at school of eligible children resident in their area.
- 4.2 The Department for Education (DfE) produced statutory guidance (Appendix 2) for local authorities in June 2023 and this is reflected in the Council's proposed Home to School Transport Policy.
- 4.3 There are no legislation changes for free home to school transport assistance and the proposed Home to School Transport Policy continues to follow the statutory guidance.
- 4.4 A child / young person is eligible for free transport assistance if they are of compulsory school age and fall within one of the following categories:
  - Statutory walking distance (2 or 3 mile rule)
  - Special educational needs or a disability (SEND), or mobility problems.
  - Unsafe walking route
  - Extended rights (low income families).

The statutory walking distances are prescribed by section 444(5) of the Education Act 1996. A child under the age of 8 is eligible for free travel to their nearest suitable school if it is more than 2 miles from their home. A child aged 8 years or over is eligible for free travel to their nearest school if it is more than 3 miles from their home. More details on statutory walking distances can be found in Appendix 2 (para 9 – 12, Page 11)

- 4.5 The Council assess all applications from parents/carers and assigns all eligible pupils with appropriate transport assistance, which will be the most economical option that is suitable for the child. Differing transport options include:
  - A place on a dedicated school bus service (commissioned by WYCA)
  - A free bus pass to travel on any public bus service in West Yorkshire
  - A place on an internal core run provided by Transport Services (SEND Pupils)
  - Independent Travel Training and then subsequent issue of a bus pass
  - A taxi (with or without an accompanying Passenger Attendant).
  - A personal transport budget, to cover parental expense in arranging their own transport.
- 4.6 An internal audit of Transport Services was carried out in 2023 and a recommendation from the Audit Report (which was reviewed by the Audit Committee in September 2023) was to formally review the Home to School Transport Policy.
- 4.7 As part of this process, it was specifically recommended that the proposed policy should include agreement with the SEN Team in CYPS to place children with an Education, Health and Care Plan in the nearest school to home that can

meet needs or for the parent to provide their own transport if their preferred school is not the closest (that can meet needs).

- 4.8 The new policy must be published for the admissions preferencing period (12 Sept 24 to 31 October 24) to allow parents to make an informed decision on what schools to preference, especially where transport is an important factor in their decision.
- 4.9 The proposed policy will therefore take effect for the academic year 2025/26.
- 4.10 The proposed policy compliments the wider Council strategy to provide more special school places within the Calderdale boundary and therefore reduce the distance pupils travel to their nearest school and the additional costs to transport to schools outside Calderdale.

## **5. Options considered**

- 5.1 Maintain the existing policy, issued in 2014. This option is not recommended as it is out of date and not reflective of current circumstances, and the DfE have requested that local authorities update their policies at the soonest opportunity.
- 5.2 Review and update the current Home to School Transport Policy, in line with the latest statutory guidance. This is the recommended option.

## **6. Financial implications**

- 6.1 The transport budget is under severe pressure year on year, largely due to fact that the service is required by law to meet the needs of a growing number of pupils with an Education, Health and Care Plan. The Home to School Transport budget for 2023/24 is £5,297,944 and is currently projected to overspend by £699,814.
- 6.2 The proposed policy is designed to ensure that these needs are met in the most cost-effective manner possible by providing transport to the nearest school that can meet the child's specific needs, and which has an available place.
- 6.3 There is an increasing financial risk to the Council with the growing number of pupils receiving Education, Health and Care Plans that names the school outside of Calderdale and a considerable distance from home. The Council's depot has no additional space to increase the fleet of vehicles, therefore the usage of external transport providers and taxis is increasing. This is a national trend affecting Council's across the UK and the costs are significant.

## **7. Legal Implications**

- 7.1 There are no legal implications relating to the implementation of the proposed policy, as this has been prepared in line with the guidance issued by the DfE.
- 7.2 There is an Appeals Process in place for parents/carers who are dissatisfied with the council's application of the Home to Schools Transport Policy.

## **8. Human Resources and Organisation Development Implications**

- 8.1 As demands on the service have increased over recent years, the workforce has necessarily increased but there are recruitment and retention issues with lower paid, split-shift roles, such as Drivers and Passenger Assistants which the service has sought to address through some innovative approaches, including collaboration with other services to create multi-functional full-time roles.

## **9. Consultation**

- 9.1 Consultation has taken place in line with relevant legislation.
- 9.2 The consultation period ran from 4 December 2023 until 26 January 2024, with an extended time frame to allow for the Christmas period.
- 9.3 All consultations responses were invited by emailing [school.transport@calderdale.gov.uk](mailto:school.transport@calderdale.gov.uk)
- 9.4 The consultation was publicised to:
- 9.4.1 Neighbouring local authorities, including Kirklees, Bradford, Leeds, Wakefield, Oldham, Rochdale and Lancashire.
  - 9.4.2 West Yorkshire Combined Authority.
  - 9.4.3 All primary schools within Calderdale (mainstream and special)
  - 9.4.4 All secondary schools within Calderdale (mainstream and special)
  - 9.4.5 Independent schools, within and outside the Calderdale boundary, where transport assistance is provided for current pupils.
  - 9.4.6 Other education provisions, within and outside the Calderdale boundary, where transport assistance is provided for current pupils.
  - 9.4.7 Colleagues within CMBC Children's Services and Unique Ways (Parent Forum).
  - 9.4.8 The consultation has also been publicised on Calderdale's website [www.calderdale.gov.uk/hometoschooltransport](http://www.calderdale.gov.uk/hometoschooltransport).
  - 9.4.9 Parents/carers of Calderdale children who currently receive transport assistance were all directed to Calderdale's web page to view the consultation documents (via ParentMail – electronic messaging facility)
- 9.5 A total of 16 responses have been received. The comments provided from the consultation are set out at Appendix 3.

## **10. Environment, Health and Economic Implications**

- 10.1 An important and innovative way of the Council meeting its statutory obligation by offering free transport assistance to eligible pupils is the Independent Travel Training programme.

- 10.2 The team of Independent Travel Trainers work with pupils across Calderdale in both Special and mainstream school settings. The work includes teaching pupils' important life skills of using public transport independently and offers a major step towards independent living. Many pupils who have worked with the Independent Travel Trainers have gone on to full time employment which has made a valuable contribution to building independence and enriching their lives.
- 10.3 The proposed policy encourages parents to preference the nearest school (that can meet the needs of the child) to their home. This will reduce the need for transport in many cases or will reduce the journey time in the majority of cases. This provides a positive impact on the climate by offering a reduction in harmful Nitrogen Oxide (NOx) and Carbon Dioxide (CO2) emissions.
- 10.4 The reduction in transport should also contribute towards easing traffic congestion and the promotion of the use of public transport for pupils who are able to provides a more sustainable travel strategy for school transport.

## **11. Equality and Diversity**

- 11.1 A full Equality Impact Assessment has been carried out and is included with the report (Appendix 4).

## **12. Summary**

- 12.1 Following the updated statutory guidance being issued by the DfE, Calderdale's Home to School Transport Policy has been reviewed and updated.
- 12.2 The proposed policy has then been the subject of widespread consultation.
- 12.3 The overall aim has been to provide a clear and transparent policy which reflects national guidance.
- 12.4 Approval for this policy to be implemented in time for the 2025/26 academic year is now being sought.
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**For further information on this report, contact:**

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**The documents used in the preparation of this report are:**

1. DfE Guidance
2. Current Home to School Policy

**The documents are available for inspection at:**

Battinson Road Depot, Halifax