

Committee: **Executive Committee**

Date of meeting: **25th September 2019**

Report Subject: **Home to School and Post 16 Transport Policy 2019/20: Approval and Publication (by October 1st 2019)**

Portfolio Holder: **Education and Learning Portfolio – Cllr. Joanne Collins**

Report Submitted by: **Corporate Director Education – Lynette Jones**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
18.08.19	27.8.19	11.09.19			11.9.19	25.9.19		

1. Purpose of the Report

1.1 The purpose of the report is to seek Executive Committee approval for the revised Blaenau Gwent Home to School and Post 16 Transport Policy covering the 2020/21 academic session. The policy requires adoption and publication by October 1st 2019.

2. Scope and Background

2.1 Councils have a duty to publish their home to school and post 16 transport policies in accordance with section 12(5) of the Learner Travel (Wales) Measure 2008 (“the Measure”), and the Learner Travel Information (Wales) Regulations 2009 (the “Regulations”). The Council’s policy must be made available by the 1st October proceeding the academic year to which the policy relates. Under the Regulations and the Welsh Government’s Learner Travel Statutory Provision and Operational Guidance 2014 (the “Guidance”) the information must be made available:-

- a. on the Council’s website;
- b. to parents on request;
- c. public libraries; and,
- d. distributed to parents of pupils who are in the final year of school and may transfer to another school or educational establishment.

2.2 The current policy was published on 1st October 2018. The Council are more generous in respect of home to school transport entitlement, than the Welsh Government statutory limits. The Council offer a non-statutory travel grant for post 16 learners of £150.

2.3 The policy has been reviewed by the Education Transformation, Inclusion and Transport teams, along with representatives of Children’s Services (please

refer to Appendix 1 for the revised draft document). The following revisions/additions have been proposed and are noted in red within the appended policy document:

- The date has been amended to reflect the academic year to which the policy applies (the academic year proceeding the year within which the policy is published).
- The periodical review information on page 5 and throughout the document, has been updated, to provide further clarity on the reason for review being undertaken and changes to the pupil(s) transport requirements.
- Section 4.0 'Additional Learning Needs (ALN)' has been updated. This section now reflects latest procedures, which have been informed by learning from this policy year. It also provides a greater degree of clarity around the processes and associated timeframes for parents/carers.
- Section 5.0 'Transportation of Children Looked After (CLA)' has been updated, again, as per learning from this policy year, and in order to provide a greater degree of clarity around the process and associated timeframes for pupils, carers, services etc. There is also a greater deal of clarity around the responsibilities of the directorates and services involved.
- Section 6.0 'How to Apply for Home to School Transport'. This section has been updated to reflect the online application process and additional option via the Contact Centre. The Council no longer accepts paper applications.
- Section 8.1 'Change of Address – Transport Arrangements' has been updated in line with learning from a recent appeal. The update clarifies expectations upon the Council and the parent, in situations whereby a move has taken place after the autumn half-term, whereby the pupils in secondary education entered year 10 at the start of the academic year.
- Section 8.3 title has been updated to reflect 'Managed Move' pupils also, in line with the procedure implemented via the Education Welfare Service;
- Former references to the SEN team have been amended to the ALN team, as per localised and regional developments aligned to the forthcoming ALN Bill.
- A section has been added to cover 'ALN Transport Issues and Exclusions' in line with learning from the last academic year. A number of issues have been noted in relation to the suitability of transport for Pen y Cwm Special School pupils in particular; whereby emergent behavioural and medical issues have resulted in health and safety concerns. This section seeks to ensure consistency for all pupils, whilst taking account of 'need' and 'safety'.

3. Options for Recommendation

- 3.1 CLT considered the report along with the associated policy document and endorsed it with minor amendments which have been incorporated.
- 3.2 This report will be considered by the Education and Learning Scrutiny Committee on 11th September 2019 and any comments / recommendations will be verbally reported to the Executive Committee.

3.3 **Option 1:** Executive Committee considers and approves the Home to School and Post 16 Transport Policy 2020/21 (Appendix 1) for adoption and publication by 1st October 2019.

Option 2: Executive Committee considers the Home to School and Post 16 Transport Policy 2020/21 (Appendix 1), and provides any comments in line with the adoption and publication timeline - 1st October 2019.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

4.1 Education is a priority in the Council's Corporate Plan of which the Home to School Post 16 Transport Policy is an essential component. In addition, implementation of the policy will contribute to the Council's Medium Term Financial Strategy (MTFS). The proposed policy is fully compliant with section 12(5) of the Learner Travel (Wales) Measure 2008 ("the Measure"), and the Learner Travel Information (Wales) Regulations 2009 (the "Regulations").

4.2 The Welsh Government's Learner Travel Statutory Provision and Operational Guidance 2014 (the "Guidance") requires that the Council's policy must be made available by the 1st October, the year proceeding the academic year to which the policy applies.

5. **Implications Against Each Option**

5.1 The Council has a statutory responsibility to determine and publish the Blaenau Gwent Home to School and Post 16 Transport Policy by 1st October 2019, for the 2020/21 academic session. Any changes made to the policy should take account of the following:

- Learner Travel (Wales) Measure 2008 ("the Measure")
- Learner Travel Information (Wales) Regulations 2009 (the "Regulations")
- Learner Travel Statutory Provision and Operational Guidance 2014 (the "Guidance")
- Welsh Government School Admissions and Admissions Appeal Code's (2013)
- Blaenau Gwent Welsh in Education Strategic Plan (2017-20)
- School Standards and Organisation (Wales) Act (2013)

5.2 Therefore, if the policy does not progress within the programmed timeframe, the Council will not be compliant with section 12(5) of the Learner Travel (Wales) Measure 2008 ("the Measure"), and the Learner Travel Information (Wales) Regulations 2009 (the "Regulations"). In addition, the Council would fail to take account of the most recent developments relating to key areas of dependency on a local, regional and national basis; i.e. developments aligned to the draft Welsh Government Additional Learning Needs Act, Code and associated regulations, along with the Blaenau Gwent admission policy

developments. The results of which may negatively impact upon both service users in terms of service and satisfaction, and services in terms of operational issues and budgetary constraints.

5.1 *Impact on Budget (short and long term impact)*

5.1.1 The Home to School Transport budget is approximately £1.8m, and the Post 16 budget is approximately £176,000 per annum. Blaenau Gwent Home to School and Post 16 Transport Policy was last reviewed in September 2018 and adopted in October 2018 for implementation in 2019/20 academic session.

5.1.2 The forecasted spend for 2019/20 is £1,938,261 (inclusive of staff salaries). The policy seeks to ensure that there is an appropriate framework to aid delivery; therefore, reducing the risk of overspend relating to issue management etc.

5.2 *Risk including Mitigating Actions*

5.2.1 The risk of not taking the policy forward within the specified timeframe, is that the Council will not be compliant with their statutory duty in respect of home to school transport. In addition, the policy which would therefore be applicable, would be outdated, which could negatively impact upon service delivery, service user experience and ultimately spend. The mitigation for this is to ensure that the policy is adopted and published within the required timeframe.

5.3 *Legal*

5.3.1 The Council have a statutory duty to comply with Welsh Government legislation in line with the administration and review of statutory home to school transport policy arrangements.

5.3.2 Following approval, the policy will be translated into Welsh to meet the requirements of the Welsh Language Standards from the Welsh Language (Wales) Measure 2011.

5.4 *Human Resources*

5.4.1 The policy document and associated procedures have been developed by Education, and the Transport team, in partnership with the Social Services. The Education Transformation Manager and Transport Officer monitor implementation of the policy, and undertake annual reviews in order to inform future policy development.

5.4.2 Transport Service delivery is undertaken by a dedicated team who sit within Community Services, Highways and Development, in partnership with Education and Social Services.

5.4.2 Education Directorate Management Team, along with Wider Corporate Leadership Team, have a key role in ensuring that the policy is effectively delivered across service areas.

6. Supporting Evidence

6.1 **Performance Information and Data**

The Council currently provides free Home to School Transport for approximately 1,323 mainstream pupils each day, via more than 30 established routes. Transport is also provided for approximately 90 pupils via season tickets for public service vehicles. The Council also provides transport for approximately 250 Additional Learning Needs (ALN) pupils on a daily basis. In addition, Council also provides 800 students with assisted transport in the form of a travel grant.

- 6.1.1 A detailed public consultation took place in 2018/19, whereby over 1,200 people took part in the formal consultation exercise, including over 400 face-to-face interactions.

6.2 **Expected outcome for the public**

The policy has been revised to ensure improved service user clarity in relation to roles, responsibilities, expectations and awareness. The revision also takes account of key local, regional and national policy and legislative developments. It is therefore anticipated, that increased levels of customer satisfaction will be realised, along with improved operational delivery.

6.3 **Involvement (consultation, engagement, participation)**

The policy underwent extensive consultation throughout the summer period 2018, the outcome of which has aided the annual review process, with the distance limits set to remain for the tenure of the current political administration.

6.4 **Thinking for the Long term (forward planning)**

The policy will cover home to school and post 16 transport provision for the 2020/21 academic session. The document takes account of key policy and legislative changes set to take place, with annual reviews programmed for the foreseeable future.

6.5 **Preventative focus**

The policy will support the Council to carry out effective home to school and post 16 transport arrangements; whilst mitigating the risk of service and service user conflict, along with complaints and appeals relating to policy gaps and issues.

6.6 **Collaboration / partnership working**

Key management and operational staff across the Council are involved in a detailed review of the document on an annual basis i.e. Education, Social Services and Procurement, along with Community Services, Highways and Development. The review process seeks to ensure compliance with Welsh Government legislation, and ensure that key local, regional, and national policy developments are accounted for, whilst also taking on board learning from the previous academic year.

6.7 ***Integration(across service areas)***

The policy is cross-cutting in the sense that it impacts upon Education, Community Services, Highways and Development, Procurement and Children's Services; therefore, service area involvement is key to effective policy implementation.

6.8 ***EqlA (screening and identifying if full impact assessment is needed)***

An EqlA impact assessment has been carried out, which determines that there is no adverse impact upon any of the protected characteristics.

7. **Monitoring Arrangements**

7.1 The Blaenau Gwent Home to School and Post 16 Transport Policy is reviewed on an annual basis in line with lessons learned, key policy, strategy and legislative reviews/developments.

8. **Background Documents / Electronic Links**

Appendix 1 – Draft Home to School and Post 16 Transport Policy 2020/21



Home to School and
Post 16 Transport Pol

REF: HTSPSTP.192