

Committee: **Cabinet**

Date of meeting: **4th October 2023**

Report Subject: **Home to School and Post 16 Transport Policy Review 2024 – 2025**

Portfolio Holder: **Cllr Sue Edmunds, Cabinet Member People and Education**

Report Submitted by: **Interim Corporate Director of Education – Luisa Munro Morris
Service Manager for Education Transformation and Business Change – Joanne Watts**

| Reporting Pathway | | | | | | | | |
|-----------------------------|---------------------------|--------------------------|-----------------|-------------------------------|--------------------|----------|---------|----------------------|
| Directorate Management Team | Corporate Leadership Team | Portfolio Holder / Chair | Audit Committee | Democratic Services Committee | Scrutiny Committee | Cabinet | Council | Other (please state) |
| ✓ | 31.8.23 | 07.10.23 | | | 19.09.23 | 04.10.23 | | |

1. Purpose of the Report

- 1.1 The purpose of the report is to seek the views of Cabinet, in relation to the review of Blaenau Gwent Home to School and Post 16 Transport Policy for the 2024/25 academic session. The Council is required to adopt and publish the policy document by 1st October 2023.

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 preceding 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 2022, for implementation from September 2023 for the 2023/24 academic session. Blaenau Gwent Council provide free transport for children attending their nearest suitable school, where the distance from home to school is over the specified walking distance detailed below:

- more than 1.5 miles from home for children aged under 8 years
- more than 2 miles from home for children aged 8 years and over

Blaenau Gwent County Borough Council is more generous in respect of home to school transport entitlement than the Welsh Government statutory limits. The recommended Learner travel Measure guidance is 3 miles for secondary school age pupils and 2 miles for primary school pupils, this costs the Authority approximately an additional £385,000 annually. The Council also offers a non-statutory travel grant for Post 16 learners of £150, this costs the Authority approximately £68,000 annually.

- 2.3 The policy has been reviewed by the Education Transformation, Inclusion and Transport teams (please refer to **Appendix 1** for the revised draft document). The changes and additions are detailed in red within the appended policy document. A summary of the changes/additions is as follows:
- 2.4
- 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);
 - Section 3.0 'Who qualifies: The Main Criteria – has been updated to allow an element of LA discretion on distance limits up to approximately 0.1mile in exceptional circumstances and when would be considered to be in the learner's best interests;
 - Section 4.0 'Additional Learning Needs' - has been updated in line with the latest ALN reform developments and learning from the current policy year;
 - Section 7 'Discretionary Welsh Medium Nursery Transport' has been amended to accommodate the further primary provision at Ysgol Gymraeg Tredegar
 - Section 8.11 'Pupils Under 16 years Attending Vocational Training Provision' has been updated to clarify the policy in relation to ALN pupils
 - Section 9.0 'Post 16 Travel' has been updated to clarify the policy in relation to ALN pupils
 - Section 10.2 has been amended to 'Extreme Weather' from its previous categorisation of 'Severe weather'
 - Section 11 'Glossary of Terms' has been updated to incorporate the Vulnerable Learner Panel

3. **Options for Recommendation**

3.1 The People Scrutiny Committee on 19th September 2023, recommended Option 1 to Cabinet.

3.2 **Option 1:** That Cabinet considers and approves the Home to School and Post 16 Transport Policy 2024/25 (**Appendix 1**).

Option 2: That Cabinet considers the Home to School and Post 16 Transport Policy 2024/25 (**Appendix 1**) and suggests any amendments to be incorporated prior to approval.

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

- 4.1 Education is a strategic priority for the Council and key to achieving the outcomes within the Council's Corporate Plan. Home to School Post 16 Transport Policy is an essential component of Education and seeks to ensure equality of access to education settings throughout the borough. In addition, implementation of the policy will contribute to the Council's Medium Term Financial Strategy (MTFS).
- 4.2 The revised 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").
- 4.3 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 preceding the academic year to which the policy applies.

5. **Implications Against Each Option**

- 5.0.1 The Council has a statutory responsibility to determine and publish the Blaenau Gwent Home to School and Post 16 Transport Policy by 1st October 2023, for the 2024/25 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 (2022-32)
- School Standards and Organisation (Wales) Act (2013)

- 5.0.2 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 recent developments relating to key areas of dependency on a local, regional and national basis; i.e. developments aligned to the 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 policy seeks to ensure that there is an appropriate framework to aid delivery of the services. The Home to School Transport budget out-turn

position for 2022/23 was £2.7m (after the use of £450,000 of funding from reserves) against a budget of £2.2m.

5.1.2 The Home to School Transport budget is approximately £3.3m for 2023/24, this is following the award of a £682,000 cost pressure in the budget setting process in relation to the uplift in contract prices awarded to contractors as a result of the fuel crisis. The Council received a number of requests from operators for an increase in the historical contractual rates as a result of the fuel crisis. This was agreed to ensure continuity of the home to school transport service.

5.2 ***Risk including Mitigating Actions***

5.2.1 If the policy is not taken forward within the specified timeframe, there is a risk that the Council will not be compliant with their statutory duty in respect of home to school transport. Therefore, the policy has been reviewed and is being taken via the Council's political processes within the required timeframe, to ensure that the publication date of 1.10.23 can be met.

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 the Education and Environment Directorates, in partnership with Social Services. The Service Manager for Education Transformation and Business Change and Transport Officer monitor implementation of the policy and undertake annual reviews in order to inform future policy development.

5.4.2 Transport service operations are undertaken by a dedicated team who sit within Community Services - Highways and Development. The team work closely with Education who hold budgetary responsibility for the service and manage policy development and review processes, along with Social Services who review and determine transport arrangements for their clients and families – particularly Children Looked After (CLA) in consultation with the aforementioned directorates.

5.4.3 The Education Directorate Management Team along with Wider Corporate Leadership Team, have a key role to play in ensuring that the policy is effectively implemented and reviewed in accordance with relevant strategy, policy and regulatory frameworks.

5.5 ***Health and Safety***

5.5.1 There are no direct implications of this report, all health and safety issues raised as part of the operation of the Home to School Transport service are

discussed with Corporate Health and Safety colleagues as and when they arise.

6. **Supporting Evidence**

6.1 ***Performance Information and Data***

- 6.1.1 The Council currently operates home to school transport provision for both mainstream pupils, and pupils with Additional Learning Needs (ALN) attending special schools and resource bases, via contracted providers. There are currently 30 providers contracted to deliver home school transport for 1,594 pupils, across 96 established routes.

We procure and monitor 30 operators providing transport for 94 contracts. This includes mainstream, Welsh-medium, faith education and specialist provision for ALN

We transport to: 19 schools within Blaenau Gwent, Blaenau Gwent Learning Zone (Ebbw Vale Campus - Post 16) and 8 out of county schools
Over 1600 school pupils use Home to School transport:

Over 270 ALN pupils

Over 1300 mainstream pupils

We provide support for over 550 Post 16 students living in Blaenau Gwent, they are provided with a discounted bus ticket or travel grant.

The provision of home to school transport changes on a frequent basis in line with demand and new applicants especially in respect of Additional Learning Needs pupils.

6.2 ***Expected outcome for the public***

- 6.2.1 The policy has been reviewed in order to ensure that there is service user clarity in relation to roles, responsibilities, expectations, and awareness. The review process also takes account of key local, regional, and national policy and legislative developments. It is therefore anticipated that the existing high levels of client and customer satisfaction will continue, along with improved operational delivery.

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

- 6.3.1 The policy underwent extensive consultation throughout the summer period 2018, the outcome of which has aided the annual review process in subsequent years.

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

- 6.4.1 The policy will cover home to school and post 16 transport provisions for the 2024/25 academic session. The document takes account of key policy and legislative requirements, and annual reviews will continue to be programmed for the foreseeable future taking on learning from previous years.

6.5 ***Preventative focus***

- 6.5.1 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***

6.6.1 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 session.

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

6.7.1 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 ***Decarbonisation and Reducing Carbon Emissions***

6.8.1 Home to school and post 16 transport will be considered in line with the readiness assessment process, to inform development and delivery of the BGCBC Decarbonisation Plan.

6.9. ***Integrated Impact Assessment***

6.9.1 A full EqIA was undertaken and presented in line with the statutory consultation in 2018. Subsequently, annual screening assessments are carried out, which determine that there is no adverse impact upon any of the protected characteristics, and a positive impact upon disability, with specialist and bespoke transport arrangements in place for learners whose needs warrant it. In addition, EqIA screening is undertaken on a case by case basis as required. The policy seeks to ensure equality of access to education for Blaenau Gwent learners. Please refer to **Appendix 2** for the completed impact assessment. The policy aims to secure equality of access based upon distance and need in respect of pupils and students with ALN. Therefore, the impact overall is neutral.

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.

Background Documents /Electronic Links

- **Appendix 1 – Revised Policy 2024/25**
- **Appendix 2 – Socio-economic Duty Impact Assessment**