

Public Document Pack

Gareth Owens LL.B Barrister/Bargyfreithiwr
Head of Legal and Democratic Services
Pennaeth Gwasanaethau Cyfreithiol a Democraataidd



To: Cllr Ian Roberts (Chairman)

CS/NG

Councillors: Marion Bateman, Amanda Bragg,
Adele Davies-Cooke, Ian Dunbar, Ron Hampson,
Stella Jones, Colin Legg, Phil Lightfoot,
Dave Mackie, Nancy Matthews, Ann Minshull,
Paul Shotton, Nigel Steele-Mortimer and
David Williams

31 May 2013

Maureen Potter 01352 702322
maureen.potter@flintshire.gov.uk

**Carole Burgess, David Hytch, Mrs. R. Price,
Rebecca Stark and Stephanie Williams**

Dear Sir / Madam

A meeting of the **LIFELONG LEARNING OVERVIEW & SCRUTINY COMMITTEE**
will be held in the **DELYN COMMITTEE ROOM, COUNTY HALL, MOLD CH7 6NA**
on **THURSDAY, 6TH JUNE, 2013** at **2.00 PM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

AGENDA

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING
DECLARATIONS)**

County Hall, Mold. CH7 6NA
Tel. 01352 702400 DX 708591 Mold 4
www.flintshire.gov.uk
Neuadd y Sir, Yr Wyddgrug. CH7 6NR
Ffôn 01352 702400 DX 708591 Mold 4
www.siryfflint.gov.uk

The Council welcomes correspondence in Welsh or English
Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

3 **CONSIDERATION OF A MATTER REFERRED TO THE COMMITTEE
PURSUANT TO THE CALL IN ARRANGEMENTS** (Pages 1 - 4)

A decision of the Cabinet meeting on 21 May 2013 relating to Home to School Transport Policy Changes – Denominational Transport has been called in. Attached is a copy of the procedure for dealing with a called in item.

4 **HOME TO SCHOOL TRANSPORT POLICY CHANGES -
DENOMINATIONAL TRANSPORT** (Pages 5 - 28)

Report of Director of Lifelong Learning - Cabinet Member for Education

To assist Members, the following documents are attached:-

- Copy of the report of the Director of Lifelong Learning – Home to School Transport Policy Changes – Denominational Transport
- Copy of the Record of Decision
- Copy of the Call In Notice

FLINTSHIRE COUNTY COUNCIL

OVERVIEW & SCRUTINY

CALL-IN ARRANGEMENTS

1. Background

The arrangements for calling in a decision are to be found in paragraph 16 of the Overview & Scrutiny Procedure Rules contained within the Council's Constitution. The legal authority is derived from section 21 (3) of the Local Government Act 2000. This note summarises the provisions in the Constitution.

2. Decision of the Cabinet

When a decision is made by the Cabinet, the Democracy & Governance Manager publishes a record of those decisions within two days of them being made. Copies are available at County Hall, and are sent to all Members of the County Council.

The decision record bears the date on which it was published and specifies that the decision will come into force, and may then be implemented on the expiry of five working days after the publication of the decision, unless it is called in within 5 working days after the publication of the decision

3. Calling in a Decision

If the Democracy & Governance Manager receives a request from the Chair or at least four members of the Council, (for the avoidance of doubt such a request should be in writing, giving the reason for the call-in, and signed by all parties) the Democracy & Governance Manager will notify the decision taker of the call-in, and then arrange a meeting of the Committee within seven working days of the decision to call-in. (The last working day before Christmas and the three working days between Christmas and New Year will not be counted as working days for the purposes of this paragraph).

4. The Call-in Meeting

By their nature, call-in meetings will be held at short notice (i.e. within seven working days of the call-in decision) and the only item of business to be transacted would normally be to deal with the call-in. However, from time to time it is expedient to consider a call in at a meeting which has already been convened.

It is suggested that the procedure outlined below be used at such a meeting.

5. Procedure for a Call-in Meeting

- (i) The decision makers who have been invited to the meeting (usually the relevant Cabinet Member(s) and/or Director(s)) should be invited to sit at the committee table at the start of the meeting, as should any initiators of the call in who are not already members of the committee.
- (ii) The Chairman will invite the Member Engagement Manager to briefly outline the call-in procedure for Members of the Committee, explaining the time constraints within the Constitution. The Officer should also outline the ideal procedure, set out below, for an Overview & Scrutiny Committee to deal with a call-in meeting.
- (iii) The Chairman will then invite the initiators of the call-in (those who have signed the letter) to explain and clarify their reasons for calling in the decision. This can be by means of a spokesman, or by several Members contributing.
- (iv) The decision makers will then have the opportunity to respond to the issues raised by those initiating the call-in and provide further information if they believe that it will assist the committee's understanding of the decision.
- (v) The Chairman will then invite questions from Members, and the decision-makers and call-in initiators will be invited to answer the questions.
- (vi) At the end of Members' questions, the Chairman will ask the initiators of the call-in and the decision makers to sum up their respective cases.
- (vii) The Chairman will then invite the Member Engagement Manager to explain the Committee's options for decision contained in the Constitution. The decision should include one of the four options given below, which are contained in the Constitution.

Option 1

If, having considered the decision, the Overview & Scrutiny Committee is satisfied with the explanation which it has received, it will indicate as such, in order for the decision to be implemented.

Option 2

If, having considered the decision, the Overview & Scrutiny Committee is 'no longer concerned', having received the explanations, but is not minded to indicate that it is 'satisfied with the explanation', then it is in order for the Committee to resolve that 'the explanation be accepted but not endorsed by the Overview & Scrutiny Committee'.

Option 3

If, having considered the decision, the Overview & Scrutiny Committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns. If referred to the decision maker then the decision maker shall then reconsider, at the earliest scheduled meeting, amending the decision or not, before adopting a final decision.

Option 4

If, having considered the decision, the Overview & Scrutiny Committee is still concerned about it, then it may refer the matter to full Council. If referred to full Council, the Council shall meet to consider the referral within 10 working days unless there is a scheduled meeting of the full Council at which the matter may be considered within the expiry of a further 5 working days.

Note:

If either Option 1 or Option 2 is decided upon, the Cabinet decision can be implemented after the Overview & Scrutiny meeting. If either Option 3 or 4 is decided upon, the Cabinet decision cannot be implemented after the Overview & Scrutiny meeting until it has received further consideration by either the Cabinet or Council.

- (viii) The Committee will then discuss the matter and following debate, reach a decision.

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CABINET**

DATE: **TUESDAY, 21 MAY 2013**

REPORT BY: **DIRECTOR OF LIFELONG LEARNING**

SUBJECT: **HOME TO SCHOOL TRANSPORT POLICY CHANGES
- DENOMINATIONAL TRANSPORT**

1.00 PURPOSE OF REPORT

1.01 To consider the outcome of the consultation on proposed changes to the discretionary denominational home to school transport policy.

2.00 BACKGROUND

2.01 In November 2012 Cabinet agreed to commission consultation regarding two discretionary aspects of the school transport policy, namely post 16 and transport to denominational schools. The policy review has identified changes intended to produce a fair, equitable and sustainable transport policy.

2.02 The consultation was carried out from 1 March to 12 April 2013. A copy of all the responses received has been placed in the Members' Library.

2.03 The outcome of the consultation on proposed changes to the post 16 Transport policy was considered by Cabinet on 23 April 2013 when it was agreed that the policy be amended to reduce the number of sites to which free transport is to be provided from September 2013.

2.04 This report considers the outcome of the consultation in relation to proposed changes to the discretionary denominational school transport policy.

3.00 CONSIDERATIONS

3.01 Proposed changes

Free transport is provided under the existing policy for pupils to attend their nearest denominational school, subject to meeting the distance criteria (2 miles for primary and 3 miles for secondary). The proposed change would result in free transport being stopped for pupils who are not of the same denomination as the school, starting with new admissions in September 2014. Since denominational schools are "aided" schools and therefore have responsibility for their own

admissions, consultation with individual schools would take place to confirm the admission criteria under which pupils are admitted. Suitable evidence of adherence to the faith of the school, for example a baptismal certificate or a letter from a priest may be requested to support an application for free transport. For clarification, the proposed wording to the revised policy is:

“Free transport will be provided for pupils of statutory school age to the nearest voluntary aided school where admission to the school is on denominational grounds, subject to the distance criteria. Consultation with individual schools will take place to confirm the admission criteria under which pupils are admitted. Suitable evidence of adherence to the faith of the school such as a baptismal certificate or a letter from a priest may be requested.”

3.02 Transport Policies in other Local Authorities

The transport policies of several Welsh Local Authorities and many in England either restrict free transport to denominational schools or do not provide it at all. Examples include Neath & Port Talbot where a recent policy change now means that free transport will be provided to a denominational school only if it is the nearest school to home (i.e. not for faith reasons), and Pembrokeshire where transport is provided up to a maximum of 8 miles only if admission is based on faith grounds as evidenced by a supporting letter from a priest. In addition, Ceredigion and Torfaen local authorities only provide transport to denominational schools if suitable evidence of faith is provided. Cheshire and Chester West do not provide free transport to denominational schools except for pupils from low income families who live between 2 and 15 miles from the school.

3.03 Consultation

Following the Cabinet decision in November 2012 a range of strategies were implemented to maximise participation in the consultation exercise. This included extensive advertising on the Council's web site and the use of paper and electronic questionnaires as well as individual letters targeted at those stakeholders likely to be affected. Letters were sent to parents of pupils currently in Years 5 and 11, as these are the cohorts likely to be affected first by any discretionary policy changes. Consultation was also targeted at all headteachers and colleges including those out of county. Articles appeared in the local and national press and on TV news, therefore the proposals have been widely broadcast.

A total of 638 responses were received during the consultation period.

The responses to the questionnaire were as follows:

How strongly do you agree with the proposed changes to

denominational transport?

Strongly Agree	14 responses – 2.2%
Tend to Agree	14 responses – 2.2%
Neither Agree or Disagree	25 responses – 3.9%
Tend to Disagree	35 responses – 5.5%
Strongly Disagree	542 responses – 85%

A high proportion of the responses disagreed with the proposed changes to discretionary entitlement to transport. However the reasons for opposition were divided with some opposing all provision of transport to denominational schools (except where they happen to be the nearest school) and those wishing to retain entitlement for all irrespective of their faith.

3.04 Issues raised during consultation

(a) The proposals are discriminatory on the basis that they unfairly target admissions to Church schools and discriminate between children who are of the faith of the school and those who are not.

Response

Nothing in the consultation contravenes Article 2 of the European Convention on Human Rights or any legislation on unlawful discrimination. Article 2 of the First Protocol guarantees a right of access to education. The Article also requires all schools to respect parents' beliefs. It does not confer an entitlement to transport.

Section 9 of the Education Act 1996 places a general duty on local authorities to have regard to the general principle that pupils are to be educated in accordance with the wishes of their parents' in so far as that is compatible with the "provision of efficient instruction and training and with the avoidance of unreasonable public expenditure".

It should be noted that in Flintshire, along with Welsh medium schools, voluntary aided schools are the only schools which currently benefit from discretionary school transport which results in the provision of free transport to schools which are not necessarily the nearest to a pupils' home address. However, the provision of free transport to Welsh-medium schools is based on the legal status of access to those schools, in contrast to the discretionary basis for denominational transport. Faith schools' own admissions policies make it clear that in cases where they are oversubscribed, preference will be given to those of that denomination.

(b) Asking for evidence such as a baptismal certificate or a letter from a Priest is intrusive.

Response

The Admissions Policies for Voluntary Aided schools in the County, as agreed by their governing bodies, clearly state that the use of a baptism certificate or supporting letter is required if the application for admission is being made under certain criteria (for example baptised Catholic children not attending Catholic Primary Schools and children of other Christian Denominations). The local authority is not proposing evidence other than these examples already used by the denominational schools in approving pupil admissions, to support an application for free transport.

(c) Cost of travel may affect choice of school

Response

This is already the case. Most children attend their nearest school to which free transport is provided (subject to the distance criteria). Our existing policy and proposed policies are very generous, giving discretionary provision to those of that faith free of charge even though other schools are nearer. That is not the case for other pupils. The Education Maintenance Allowance (EMA) is available to help with education costs for families on low income. Students can be awarded up to £30 per week, depending on household income (£23,078 or less per annum) and the number of dependent children.

(d) The proposal would limit choice for example for non-Catholic students to attend catholic schools and Church in Wales students wishing to access a faith-based education.

Response

The local authority is not the admissions authority for voluntary aided schools. The admissions authority is the governing body of the individual school and the local authority is not aware of any planned changes to their Policies. The impact on choice and future admissions is difficult to assess since families and students choose educational providers based on a variety of factors and individual circumstances. Parents will continue to be able to express their preferences for all schools as part of the admissions process. If parents are strongly in favour of such an education they will take responsibility for transport.

(e) Why is transport to Welsh medium schools not included in the review

Response

As already mentioned, the provision of free transport to Welsh-medium schools is based on the legal status of access to those schools, which places an obligation for Local Authorities to ensure transport is provided equally in accordance with the Local Authority

Transport Policy in contrast to the discretionary basis for denominational transport.

(f) St Richard Gwyn was built for the benefit of the wider Flintshire community. Numbers on roll would be affected.

Response

The impact on choice and future admissions is difficult to assess since families and students choose educational providers based on a variety of factors and individual circumstances. Parents will continue to be able to express their preferences for schools as part of the admissions process. Numbers would be dependent on parental preferences for secondary education. Admissions to school are not dependent on discretionary transport provision, as it is not the local authority's statutory responsibility to transport children involved to school and not the local authority's role to fill places at one school at the expense of others. Free transport will still be provided for Catholic children to St Richard Gwyn from the whole of Flintshire.

(g) Why should pupils have to pay to attend a school of their choice?

Response

They do currently if it is not their nearest school and they are not accessing a Welsh medium or denominational school. Local authorities have a responsibility to set out the discretionary circumstances under which transport will be provided above the statutory level of provision. The policy review has identified proposed changes intended to produce a fair, equitable and sustainable transport policy.

Parents who elect to send their children to a community school have to bear the cost if the preferred school is not the nearest. It is with the aim of being equitable that the proposed changes have been put forward in order to be fair to all concerned. The suggested evidence criteria for assessing free entitlement are the same as those published in the schools current admission policies.

(h) Concerns expressed about length and timing of consultation

Response

The level and quality of responses to the consultation demonstrate that the process was effective in enabling all participants to access information and have the opportunity to respond. Whilst it is recognised that the school Easter holidays fell during the last 2 weeks of the consultation, this did not prevent many people from submitting responses either electronically or in writing. Late responses received after the deadline were accepted.

After being brought to the Council's attention that the questionnaire was not easily accessible on the County Council's website, arrangements were made immediately to ensure that publication was more prominent on the home page, including a picture of a yellow school bus to draw readers' attention to the consultation area.

(i) Buses would have to run anyway and they would be half empty

Response

It is not intended to operate an open ended scheme for pupils who may not be entitled under a revised policy as this would incur administrative and enforcement costs. Smaller vehicles would be used at the earliest opportunity, therefore saving money. However, temporary places may be offered under the County Council's paid spaces scheme.

(j) Oppose the provision of transport to faith schools

Response

Although some local authorities have agreed to discontinue discretionary free transport to faith schools, Flintshire County Council is seeking to act reasonably in proposing to maintain transport for currently eligible pupils and in future for those pupils who can provide suitable evidence of adherence to the faith of the school and meet distance criteria.

In order to clarify these and other queries raised, the Frequently Asked Questions (FAQ) produced alongside the consultation has been updated and included as an appendix. A copy has also been placed in the Members' Library and on the Council's website.

4.00 RECOMMENDATIONS

4.01 That the proposed changes to the Home to school transport policy as detailed in paragraph 3.01 be approved.

5.00 FINANCIAL IMPLICATIONS

5.01 It is estimated that savings of £70k part year from September to April could be achieved by reducing entitlement to free school transport to denominational schools with a "phased" approach, rising to £100k in a full academic year. These figures (£70k part year rising to £100k full year) are built in to the Council's forward projection of savings in the MTFP. Existing pupils/students registered at a school would still benefit, but new admissions would be subject to the changes. It is difficult to fully identify accurately the consequences of a change in policy as this is dependent upon parental/student preference, where

students live, etc.

6.00 ANTI POVERTY IMPACT

6.01 To help with education costs, the Education Maintenance Allowance is available to support families on low income.

7.00 ENVIRONMENTAL IMPACT

7.01 The proposals are likely to result in a small reduction in school contract vehicles.

8.00 EQUALITIES IMPACT

8.01 An Equality Impact Assessment (EIA) has been completed in respect of the proposed changes to the transport policy. This has been updated to reflect the results of the consultation exercise. A copy has been placed in the Members' Library. ,

9.00 PERSONNEL IMPLICATIONS

9.01 If changes to the policy are agreed, this will result in additional work to check eligibility when pupils apply for school transport at the start of primary and secondary school. It is anticipated that this can be contained within existing resources.

10.00 CONSULTATION REQUIRED

10.01 Full consultation must be carried out prior to any changes in policy being agreed, to involve all stakeholders likely to be affected by any change: schools, parents, pupils, diocesan authorities.

11.00 CONSULTATION UNDERTAKEN

11.01 Consultation took place from 1 March to 12 April 2013.

12.00 APPENDICES

12.01 1. Consultation document.
2. Frequently asked Questions document.

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985 **BACKGROUND DOCUMENTS**

Consultation on Proposed Changes to Home to School Transport
1 March – 12 April 2013

Contact Officer: Ian Budd

Telephone: 01352 704010
Email: ian.budd@flintshire.gov.uk



**CONSULTATION ON
PROPOSED CHANGES TO
HOME TO SCHOOL TRANSPORT**

1 March – 12 April 2013

Flintshire County Council
Lifelong Learning Directorate
County Hall
Mold
CH7 6ND

If you require this document in another language or format please contact us on 01352 704187 or email: TransportPolicyReview@flintshire.gov.uk

CONSULTATION ON PROPOSED CHANGES TO HOME TO SCHOOL TRANSPORT

Why is the Council Consulting on Changes?

Like all councils, Flintshire County Council is under considerable pressure to make savings on its public spending.

As a result, the Council has had to look at every aspect of its work, especially where it is not compulsory for us to provide services and to consider how they can be delivered more efficiently and cost effectively.

It is proposed that the school transport policy is reviewed and a public consultation is carried out on two discretionary aspects of the policy, namely post 16 transport and transport to denominational schools. The Council recognises the value and role of faith based education and the proposed changes are intended to produce a fair, equitable and sustainable transport policy.

The Current Policy

Generally parents and carers are responsible, in law, for making arrangements for their children's attendance at school. This means that when deciding which school to apply for a place at, they have to decide whether they need transport and then organise provision themselves.

Councils are required, by law, to provide assistance for those pupils who are eligible.

Statutory transport provision

The Council provides free transport for children of compulsory school age (i.e. 5 – 16 years) when

- a child receiving primary education lives over 2 miles from the nearest appropriate school; and
- a child receiving secondary education lives over 3 miles from the nearest appropriate school.

In addition, the Council provides free transport for pupils of compulsory school age where

- a learner is registered at their local school and is unable to walk to school due to a route which the Council has assessed as hazardous;
- a learner is registered at their local school or the most appropriate school to meet their special educational needs and those needs prevent them from achieving independent travel or walking the statutory distance safely accompanied by an adult and
- a learner requires transport on medical grounds and no suitable public transport exists.

The Council also provides additional discretionary assistance where

- a learner attends the nearest Welsh medium school or
- a learner whose parents are in receipt of Income Support or Working Tax credit, resides more than 2.5 miles from the nearest appropriate school.

What are the proposed changes?

The discretionary services that the Council is proposing to change are:

- **Transport to Faith Schools** – free transport is currently provided for pupils to attend their nearest denominational school. The school must be over the statutory walking distance.
- **Post 16 transport** – free transport is currently provided for young people aged 16 years and over, living in Flintshire who are in full time education and who live over 3 miles from the nearest educational establishment offering the courses they wish to study.

The Proposals (Case for Change)

The Council is seeking your views on the following two proposals:

Proposal 1- Transport to denominational schools	From September 2014 , to no longer provide free denominational transport for pupils whose admission is not based on faith grounds. Consultation with individual schools would take place to confirm the admission criteria under which pupils are admitted, starting with new admissions in September 2014. Suitable evidence of adherence to the faith of the school such as a baptismal certificate or a letter from a priest may be requested.
Proposal 2 – Post 16 Transport	From September 2013 , to provide free transport to students aged 16 and under 19, attending a first course of full time study at a school or college. This is subject to meeting the 3 mile distance criteria and also providing the student is attending the nearest educational establishment offering the courses they wish to study. Free transport will be provided to the following sites <u>only</u> : All Secondary School sites within Flintshire Blessed Edward Jones Catholic High School, Chester Catholic High School, Deeside College sites at Connah's Quay, Northop and Llysfasi (for land based courses only), Prestatyn High School, St Brigid's School, Ysgol Glan Clwyd. For clarification, a full list of sites is listed at the end of this document.

The implementation of the proposals may result in dedicated buses to schools/colleges being withdrawn.

What the Council would continue to provide should the proposals be implemented

Transport would continue to be provided for those pupils living over 2 miles (primary) or 3 miles (secondary) for whom the denominational school is their nearest school, in accordance with statutory provision.

What Happens Now?

The following are key dates in the consultation and decision making process.

Consultation Period begins (6 Weeks)	1 March 2013
Consultation Period Ends	12 April 2013
Report to Flintshire County Council's Cabinet for final decision	23 April 2013
Publication of revised policy	May 2013
Implementation of changes	Post 16 -September 2013 Denominational - September 2014

How do I tell you my views?

These changes, if implemented, would be likely to affect many Flintshire County Council families. In order for us to understand better how these proposals would affect you, please forward your views by completing the attached questionnaire.

A frequently asked questions (FAQs) and Equality Impact Assessment form are available on our website to accompany this document. Alternatively, hard copies can be requested by emailing TransportPolicyReview@flintshire.gov.uk

The consultation will take place between 1 March 2013 and 12 April 2013. During this time we would like to hear your views.

You can take part either by:

- Completing the online consultation questionnaire at:

www.flintshire.gov.uk/transportpolicyreview

- Completing a paper copy of the questionnaire and returning it to the address below:

*Transport Policy Review
Lifelong Learning Directorate
Flintshire County Council
County Hall
Mold
CH7 6ND*

- Emailing any comments/forms to;

TransportPolicyReview@flintshire.gov.uk

The Decision

All of the consultation responses will be assessed and put together into a report for the Flintshire County Council Cabinet to consider at its meeting on the 23 April 2013 at County Hall, Mold.

Thank You

Thank you for taking the time to respond to this consultation. Your response will be considered in full. We will not be responding directly to your feedback, but we will be producing a summary at the end of the process. This will be available on our website *www.flintshire.gov.uk* by 23 April 2013.

PROPOSED LIST OF SITES TO WHICH TRANSPORT WILL BE PROVIDED FOR POST 16 STUDENTS

CASTELL ALUN HIGH SCHOOL
CONNAH'S QUAY HIGH SCHOOL
ELFED HIGH SCHOOL
FLINT HIGH SCHOOL
HAWARDEN HIGH SCHOOL
HOLYWELL HIGH SCHOOL
JOHN SUMMER'S HIGH SCHOOL
MOLD ALUN HIGH SCHOOL
ST RICHARD GWYN HIGH SCHOOL
YSGOL MAES GARMON
YSGOL MAES HYFRYD

BLESSED EDWARD JONES CATHOLIC HIGH SCHOOL, RHYL
CHESTER CATHOLIC HIGH SCHOOL
DEESIDE COLLEGE SITES AT CONNAH'S QUAY, NORTHOP and LLYSFASI (Land Based Courses only)
PRESTATYN HIGH SCHOOL
ST BRIGID'S SCHOOL, DENBIGH
YSGOL GLAN CLWYD, ST ASAPH

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APPENDIX 2

CONSULTATION ON PROPOSED CHANGES TO HOME TO SCHOOL TRANSPORT

Frequently Asked Questions and supplementary information in response to consultation feedback on post 16 transport policy changes.

Summary of Questions

1. What are the proposed changes?
2. Why are the changes required?
3. Is Flintshire the only local authority proposing such changes?
4. Who will be affected?
5. When would the proposed changes be implemented?
6. Who is being consulted with on the proposed changes?
7. If the proposals are agreed, what would the Council continue to provide?
8. What steps has the Council taken to ensure the proposals are fair?
9. How can I get involved with the consultation or find out more?
10. What happens next?

Supplementary information in response to consultation feedback on post 16 transport policy changes

Summary of questions

11. Which sites will no longer be included for post 16 transport purposes?
12. My son has medical needs – will transport be provided when he reaches 16 years of age and wishes to continue full time education?
13. My daughter is in Year 11 at St Richard Gwyn – will she receive free transport to attend the 6th form there?

14. I will not be able to afford to send my son to 6th form if transport is not provided.

15. The proposal for post 16 transport is unfair as those living 1 or 2 miles away will have to walk or pay for transport.

16. Students should be able to choose any school.

1. What are the proposed changes?

Proposal 1- Transport to denominational schools	From September 2014 , to no longer provide free denominational transport for pupils whose admission is not based on faith grounds. Consultation with individual schools would take place to confirm the admission criteria under which pupils are admitted, starting with new admissions in September 2014. Suitable evidence of adherence to the faith of the school such as a baptismal certificate or a letter from a priest may be requested.
Proposal 2 – Post 16 Transport	From September 2013 , to provide free transport to students aged 16 and under 19, attending a first course of full time study at a school or college. This is subject to meeting the 3 mile distance criteria and also providing the student is attending the nearest educational establishment offering the courses they wish to study. Free transport will be provided to the following sites <u>only</u> : All Secondary School sites within Flintshire Blessed Edward Jones Catholic High School, Chester Catholic High School, Deeside College sites at Connah’s Quay, Northop and Llysfasi (for land based courses only), Prestatyn High School, St Brigid’s School, Ysgol Glan Clwyd.

2. Why are the changes required?

The Council recognises the value and role of post 16 providers and a faith based education. The policy review has identified changes intended to produce a fair, equitable and sustainable transport policy.

3. Is Flintshire the only local authority proposing such changes?

No. An increasing number of Councils have or are in the process of reviewing their home to school transport policies.

4. Who will be affected?

Those students accessing the following services may be affected by the proposals:

Denominational transport

Students who attend their nearest denominational school are currently eligible for free transport. Under the proposals, those students whose admission is based on faith grounds and can provide evidence will be provided with free transport. For students who are unable to provide such evidence, free transport will not be provided.

Post 16 transport

Currently Flintshire Council provides free transport to students resident in the County, living over 3 miles from the nearest educational establishment offering the courses they wish to study. It is proposed that this part of the policy remains unchanged. However, under the proposals, free transport will be provided to designated sites only – these have been listed in section 1 above.

5. When would the proposed changes be implemented?

The proposed implementation date for changes to denominational transport is September 2014 for new admissions, so this would be phased in for new entrants as they start primary or secondary school (ie Reception or Year 7). For post 16 transport, it is proposed that the changes are implemented for new post 16 admissions from September 2013. For students who started their courses in September 2012, free transport will continue to be provided until the end of the academic year 2014.

6. Who is being consulted with on the proposed changes?

This is an open consultation and everybody is welcome to comment on the proposals.

All the consultation material is available on the Council's website.

The Council has specifically consulted with the following groups:

- Headteachers of all Flintshire primary and secondary schools
- The Diocesan authorities
- Colleges

- Parents of Year 5 and Year 11 pupils
- Councillors
- Neighbouring authorities
- Transport providers
- Young people

7. If the proposals are agreed, what would the Council continue to provide?

Councils are required to provide free transport for eligible pupils under certain circumstances:

- a child receiving primary education living over 2 miles from the nearest appropriate school; and
- a child receiving secondary education living over 3 miles from the nearest appropriate school.

Transport will also be provided on the following grounds:

- where a learner is registered at their local school and is unable to walk to school due to a route which the Council has assessed as hazardous.
- where a learner is registered at their local school or the most appropriate school to meet their special educational needs and those needs prevent them from achieving independent travel or walking the statutory distance safely accompanied by an adult and
- where a learner who requires transport on medical grounds and no suitable public transport exists.

The Council also provides additional discretionary assistance where

- a learner attends the nearest Welsh medium school or
- a learner whose parents are in receipt of Income Support or Working Tax credit, resides more than 2.5 miles from the nearest appropriate school.

8. What steps has the Council taken to ensure the proposals are fair?

The Council is keen to understand the impact these proposals may have on families and young people. An Equality Impact Assessment has been carried out and this has helped us to see what the impact might be. An equality monitoring section forms part of the questionnaire to collect relevant information and will continue to help the Council identify any issues.

9. How can I get involved with the consultation or find out more?

In order for us to understand better how these proposals would affect you, please forward your views by:

- Completing the online consultation questionnaire at:

www.flintshire.gov.uk/transportpolicyreview

- Completing a paper copy of the questionnaire and returning it to the address below:

*Transport Policy Review
Lifelong Learning Directorate
Flintshire County Council
County Hall
Mold
CH7 6ND*

- Emailing any comments/forms to:

TransportPolicyReview@flintshire.gov.uk

10. What happens next?

Once the consultation period closes on 12 April, a complete analysis of the responses will be prepared by the Council for a report that will be considered by the Flintshire County Council Cabinet at a meeting on 23 April 2013. At this meeting, the Cabinet will consider whether to:

- Proceed with the proposals
- Proceed with any amendments to the proposals as a result of the consultation feedback, or
- Not to proceed with the proposals.

Supplementary information in response to consultation feedback on post 16 transport policy changes.

11. Which sites will no longer be included for post 16 transport purposes?

Under the original proposals, transport would no longer be provided to educational sites in Conwy, Cheshire West and Chester, Cheshire East, Lancashire and Yale College, Wrexham. As a result of the consultation and the implications of no longer providing transport to Yale were reconsidered and Cabinet is being recommended to continue transport to this site where it is the nearest provider.

12. My son has medical needs – will transport be provided when he reaches 16 years of age and wishes to continue full time education?

Yes, any pupil currently receiving transport on medical grounds will continue to be entitled under this provision.

13. My daughter is in Year 11 at St Richard Gwyn – will she receive free transport to attend the 6th form there?

Yes, if this is the nearest suitable provider and over 3 miles from home.

14. I will not be able to afford to send my son to 6th form if transport is not provided.

The local authority will continue to provide transport to the nearest suitable provider of a course if it is over 3 miles from home. It is not currently a requirement for the local authority to transport to alternative providers.

The Education Maintenance Allowance (EMA) is also available to help with education costs for families on low income. Students can be awarded up to £30 per week, depending on household income (£23,078 or less per annum) and the number of dependent children.

15. The proposal for post 16 transport is unfair as those living 1 or 2 miles away will have to walk or pay for transport.

This is also the case under the existing policy.

16. Students should be able to choose any school.

Students will continue to be able to choose where they wish to study and the local authority supports access to post 16 education by providing transport to the nearest suitable provider of a course if it is above 3 miles.

FLINTSHIRE COUNTY COUNCIL

CABINET RECORD OF DECISION

DATE OF MEETING: **21 MAY 2013** **AGENDA ITEM NO. 8**

REPORT OF: **Director of Lifelong Learning**

SUBJECT: **HOME TO SCHOOL TRANSPORT POLICY
CHANGES - DENOMINATIONAL TRANSPORT**

RECOMMENDATIONS OF REPORT: That the proposed changes to the Home to school transport policy as detailed in paragraph 3.01 be approved.

DECISION: As detailed in the recommendation.

REASON FOR DECISION: As in the report.

CONSULTATION REQUIRED: Full consultation must be carried out prior to any changes in policy being agreed, to involve all stakeholders likely to be affected by any change: schools, parents, pupils, diocesan authorities.

CONSULTATION UNDERTAKEN: Consultation took place from 1 March to 12 April 2013.

FINANCIAL IMPLICATIONS: It is estimated that savings of £70k part year from September to April could be achieved by reducing entitlement to free school transport to denominational schools with a “phased” approach, rising to £100k in a full academic year. These figures (£70k part year rising to £100k full year) are built in to the Council’s forward projection of savings in the MTFP. Existing pupils/students registered at a school would still benefit, but new admissions would be subject to the changes. It is difficult to fully identify accurately the consequences of a change in policy as this is dependent upon parental/student preference, where students live, etc.

DECLARATIONS OF INTEREST: Councillor R. C. Bithell and Councillor C.

M. Jones.

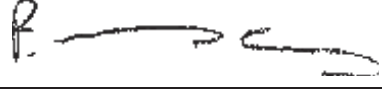
DISPENSATIONS

None.

DATE PUBLISHED:

22 May 2013

SIGNED

A handwritten signature in black ink, appearing to be 'P. Jones', written over a horizontal line.

(Proper Officer)

Insert date here. 29th May 2013

To Democracy & Governance Manager

We, the undersigned, wish to call in the following decision of the Cabinet:

Date of Cabinet meeting: TUESDAY, 21st May 2013

Report title: HOME TO SCHOOL TRANSPORT POLICY CHANGES
- DENOMINATIONAL TRANSPORT

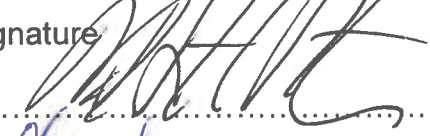
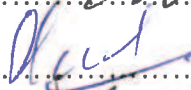

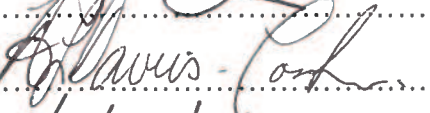
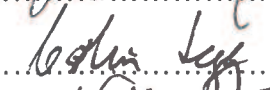
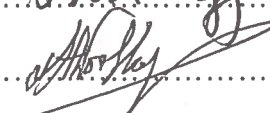
Record of Decision number: REGD NO 2854

Reason(s) for call in: REPORT TO CABINET IGNORED

THE SCRUTINY DECISION OF THE TRUCK, DID NOT PROPERLY TAKE INTO ACCOUNT THE MASSIVE HOSTILE RESPONSE FROM THE PUBLIC CONSULTATION AND IS DEPRIVING FUTURE FUNDRAISING SCHOOL CHILDREN OF THE RIGHT TO FREE TRANSPORT TO GRANGE SCHOOLS

In initiating this call in, we recognise that it will be regarded as a gross discourtesy to the committee if members who have requested the call in do not attend the meeting of the committee without contacting the Member Engagement Manager to explain their reasons.

We understand that the call in meeting will be held within 7 working days of this call in notice being received and accepted.

- | Signature | Printed name |
|--|-------------------------------|
| 1.  | <u>NICKY STEELE - POLITEK</u> |
| 2.  | <u>DAVE MACKIE</u> |
| 3.  | <u>HILARY ISHERWOOD</u> |
| 4.  | <u>AILEEN DAVIKS-COICE</u> |
| 5.  | <u>COLIN LEGG</u> |
| 6.  | <u>DONALD WOOLLEY</u> |
| 7. | |
| 8. | |

Call in Notice received 29/5 2013 Accepted 29/5 2013

Signed  Democracy & Governance Manager

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