

Meeting: CABINET – 2nd June 2015

Title of report: RETURN TO STATUTORY PROVISION IN SCHOOL TRANSPORT

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes – this will have a significant effect on two or more wards
Is it in the Council's Forward Plan?	It is included in the CSR Budget proposals
Is it eligible for “call in” by Scrutiny?	Yes
Date signed off by <u>Director</u> & name	Jacqui Gedman - 20 May 2015
Is it signed off by the Director of Resources?	David Smith - 14 May 2015
Is it signed off by the Assistant Director - Legal & Governance?	Julie Muscroft - 21 May 2015
Cabinet member portfolio	Cllr Graham Turner

Electoral [wards](#) affected: All

Ward councillors consulted: Cabinet Meeting – 27th January 2015

Public or private: Public

1. Purpose of report

This report seeks to provide a summary of the first phase public consultation on the return to statutory provision in school transport. This consultation invited views on the proposal to remove from the council's Policy for Home to School Transport Arrangements, the provision of transport assistance where children travel to a school chosen because of a parent's or a child's religion or belief.

The report also seeks to show the possible impacts that removing this assistance will have on school admissions and relevant local transport networks.

2. Key points

- 2.1 Kirklees Council currently provides transport assistance to 456 pupils choosing to travel to a school based on religion or belief.

- 2.2 Neighbouring authorities have previously implemented a removal of transport based on a parent's or child's religion or belief with support from a majority of the public. Removal therefore would place us in line with those authorities.
- 2.3 The total cost for this assistance is £116k per annum.
- 2.4 The public consultation attracted 926 responses from interested parties and residents in Kirklees.
- 2.5 72% of everyone that took part agreed that the council should end free travel to faith schools.
- 2.6 22% of everyone that took part disagreed that the council should end free travel to faith schools.
- 2.7 83% of Kirklees residents agreed that the council should end free travel to faith schools.
- 2.8 Returning to a statutory provision will remove the risk of requests for transport provision in the future from people of other religions and beliefs.
- 2.9 Home to School Transport has a budget savings target of £455k in 2015/16.
- 2.10 The total indicative saving is £111k per annum.¹
- 2.11 The Council's duties and legal responsibilities, with regard to school transport are helpfully summarised in statutory guidance issued by the Secretary of State. The Council is required to have regard to this guidance in formulating its policies. The Guidance is annexed to this report. Cabinet Members should particularly have regard to paragraphs 38-42, which deal with religion and belief. Section 509AD of the Education Act 1996, requires local authorities to have regard to religion or belief in exercise of its functions; and so this is something that the Council must take into account in deciding what arrangements to make. That is not to say that the Council is legally required to make any prescribed arrangements for travel to faith schools (save in a small range of very specific circumstances, that would be 'built in' to any new policy).

3. Implications for the Council

3.1 Implications for School Admissions

- 3.1.1 An analysis is currently being conducted by the School Organisation & Planning Team in order to produce a list of the nearest schools with available places for the 456 children currently in receipt of transport assistance to faith schools. This will demonstrate the possible impact

¹ initially this figure will be less if a phased removal is implemented

on school admissions in the event parents decide to remove their child from their current school.

- 3.1.2 Data to show the distance each child would have to travel to his/her nearest school with an available place will form part of the analysis.
- 3.1.3 The results of this analysis will enable us to calculate what percentage of the indicative savings can be realised (as some children may still be eligible under distance).

3.2 Implications for the Transport Network

- 3.2.1 The West Yorkshire Combined Authority (WYCA – formerly known as Metro) has confirmed that the removal of transport assistance to pupils attending schools based on their religion or belief will not have any impact on the transport network provision.
- 3.2.2 The network would be retained (subject to the usual efficiency savings) and the only difference would be that pupils would be required to pay a fare.
- 3.2.3 The K3 statutory bus to St John Fisher will become a socially necessary route funded by the WYCA.

3.3 Implications for faith schools

- 3.3.1 It is impossible to say what percentage of parents of the 456 pupils will choose to move their child to the nearest qualifying, available school, and therefore the impact on attendance to the relevant faith schools is inestimable.

3.4 Other implications

- 3.4.1 Early indications show that most of the 456 pupils will fall under the qualifying distance and will therefore not be entitled to transport support in the future, thus realising the majority of the £111k savings.

4. Consultees and their opinions

This report is presented to Cabinet for information and discussion. It has been prepared consequent to the following consultations:

- Public consultation (2nd February 2015 – 2nd April 2015)
- Mandy Cameron, Deputy Assistant Director, Learning and Skills
- Gill Ellis, Assistant Director, Children and Young People and follows
- Cabinet meeting of 27th January 2015.

5. Next steps

Cabinet members are invited to approve one of the following management actions:

- 5.1 Make no change to the Policy for Home to School Transport Arrangements and continue to provide transport assistance to current and new children that travel to a school chosen based on a parent's or a child's religion or belief.
- 5.2 Phased removal (1): Implement a year-by-year phased removal of transport assistance based on a parent's or a child's religion or belief beginning in September 2016. The majority of savings would be realised in the first five years but the full effect would take 12 years.
- 5.3 Phased removal (2): Implement a year-by-year phased removal of transport assistance based on a parent's or a child's religion or belief beginning in September 2016 and remove transport assistance when a child changes school. All of the savings would be realised in the first five years.
- 5.4 Remove the provision of all transport assistance to current children that travel to a school chosen because of a parent's or a child's religion or belief from September 2016 (the whole of the £111k saving would be realised in academic year 2016/17).

6. Officer recommendations and reasons

That the next steps in this report are considered for a decision.

7. Cabinet portfolio holder recommendation

Cllr Graham Turner, notes the results of the consultation and recommends to Cabinet, 5.4 as a method of implementation.

8. Contact officer and relevant papers

Officers:

Michael Bunting – Passenger Transport Manager – Physical Resources and Procurement (PRP)

Papers:

Kirklees Council's Policy for home to school transport arrangements for 2014-2015

The stat guidance is at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/331654/Home_to_school_travel_and_transport_statutory_guidance.pdf

9. Assistant Director responsible

Joanne Bartholomew, Assistant Director – PRP

Gill Ellis, Assistant Director – Children and Young People - Learning