Consultation on the ‘Education Travel Policy’
Cabinet Member(s): Frances Nicholson – Cabinet Member for Children and Families
Division and Local Member(s): All
Lead Officer: Julia Ridge - Head of Vulnerable Learners
Author: Debbie Reed Commissioning - Officer for School Transport
Contact Details: 01823 355804

Summary:
Somerset County Council currently has a comprehensive School Travel Policy which is reviewed every 2 years to ensure compliance with legislation and DfE guidance. During this revision exercise we will be aiming to reduce the size of the document and ensure the policy is clearer and streamlined.

In light of the financial pressures facing the authority, we will also be proposing to remove the final few discretionary elements from the policy.

On grounds of ‘Legitimate Expectation’, policy changes will only affect new pupils starting school for the first time and those children who are changing schools, for example, moving from a primary school to a secondary school.

The Local Authority must consult on changes to its Education Travel Policy and a consultation is planned for 6 weeks in the Autumn term. A further formal decision will be required at that stage in order to approve a revised policy having considered the outcomes of the consultation process with a view to any changes taking effect from September 2018.

Recommendations:
That the Cabinet Member for Children and Families agrees the decision to consult in the Autumn term on a revised Education Travel Policy for the Council to apply from September 2018.
<table>
<thead>
<tr>
<th>Reasons for Recommendations:</th>
<th>The Education Travel Policy is a statutory requirement from the DfE. All changes to the Policy must be consulted on widely within the Local Authority.</th>
</tr>
</thead>
</table>
| Links to Priorities and Impact on Service Plans: | The recommendations link to the following area of the County Plan 2016-2020.  
To provide the information, help and advice you need to make informed choices for you and your family. If you or a member of your family needs help, we want you to be able to find it quickly and easily – and for that information to really help. |
| Consultations and co-production undertaken: | A consultation is planned for the Autumn term 2017. |
| Financial Implications: | There will be financial implications (potential savings) linked to the changes in the Policy but these will not be known prior to the outcomes of the consultation process. |
| Legal Implications: | The recommendations are in accordance with current legislation which gives Local Authorities the ability to offer travel assistance for statutory requirement. |
| HR Implications: | There are no Human Resources issues as part of this report. |
| Risk Implications: | An Impact Assessment has been produced (see Appendix 1) and this will be taken into consideration by the Cabinet Member for Children and Families when making the final decision.  
If we do not go through the consultation process there is a risk that we would continue to deliver discretionary elements of the Policy and not make best use of our resources. |
| Other Implications (including due regard implications): | **Access**  
Children whose additional needs may prevent them from accessing school transport will have bespoke arrangements put in place for them.  

**Equalities Implications**  
The amended Policy will still recognise existing protections for families.  

**Human Rights**  
The Education Travel Policy supports children to attend school, which will enable children to access education and develop and reach their potential.  

**Community Safety Implications**  
There are no Community Safety implications with the changes to the Policy. |
1. Background

1.1. Somerset County Council currently has a comprehensive School Travel Policy which is reviewed every 2 years to ensure compliance with legislation and DfE guidance.

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A summary of the proposed changes is as follows:

1.2. **Provision of Passenger Assistants**
Currently within Transporting Somerset, Passenger Assistants are allocated following a robust Risk Assessment Process. To underline this process we will be making this clearer within the Policy.

1.3 **Split Families**
From September 2018 we will be removing transport entitlement from split-residence families (where a child’s parents live separately).

In future, travel assistance will only be assessed and awarded from the address which is registered with the school as the home address or, prior to admission, the address used on the relevant school admission application form.

1.4 **Travel Assistance on Grounds of Religion or Belief**
From September 2018 travel assistance will be removed for those attending faith schools unless that school is the child’s nearest or catchment school and is over minimum statutory walking distance.

The authority will continue to meet its duty to provide free home to school transport to faith schools for pupils who have extended rights by virtue of being from low income families.
1.5 **Withdrawal of School Transport – Behaviour**
The content relating to the suspension and removal of travel assistance due to behavioural reasons will be amended to provide clear thresholds for imposing sanctions. This will remove any ambiguity and grounds for challenge. This means that the Transport Officers will have authority to implement sanctions within the policy.

1.6 **Low Income**
The content relating to Low Income will be revised to reflect new guidance and ensure policy aligns with the implementation of Universal Credit. This means that the Local Authority will be accepting Universal Credit as a form of low income.

1.7 **Waiting Time on School Premises**
Currently we state that waiting time on school premises is a maximum guideline of 15 minutes for pupils. From September 2018 this will only apply to primary/middle school pupils. This will allow Transporting Somerset to have more flexibility to manage the network fleet more effectively.

1.8 **Late applications for School Admissions**
The policy will be amended to raise awareness of the impact to the school transport budget due to late applicants. If a late application has resulted in the child being placed in a school which is neither their nearest or catchment school and if travel assistance was granted a notice period of ½ term will be applied.

2. **Options considered and reasons for rejecting them**

2.1. No other options will be considered before the consultation process.

3. **Background Papers**

3.1. None at this time.
Equality Impact Assessment Form and Action Table 2015
(Expand the boxes as appropriate, please see guidance
(www.somerset.gov.uk/impactassessment) to assist with completion)

"I shall try to explain what "due regard" means and how the courts interpret it. The courts have made it clear that having due regard is more than having a cursory glance at a document before arriving at a preconceived conclusion. Due regard requires public authorities, in formulating a policy, to give equality considerations the weight which is proportionate in the circumstances, given the potential impact of the policy on equality. It is not a question of box-ticking; it requires the equality impact to be considered rigorously and with an open mind."

Baroness Thornton, March 2010

<table>
<thead>
<tr>
<th>What are you completing the Impact Assessment on (which policy, service, MTFP reference, cluster etc)?</th>
<th>Consultation on the School Transport Policy known as “Education Travel in Somerset”.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Version</td>
<td>3</td>
</tr>
<tr>
<td>Date</td>
<td>27/07/17</td>
</tr>
</tbody>
</table>

Section 1 – Description of what is being impact assessed

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<table>
<thead>
<tr>
<th>Section 2A – People or communities that are <strong>targeted or could be affected</strong> (taking particular note of the Protected Characteristic listed in action table)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Those groups targeted or that could be affected are:</td>
</tr>
<tr>
<td>• Parents and Carers</td>
</tr>
<tr>
<td>• Low income families</td>
</tr>
<tr>
<td>• Single parent families</td>
</tr>
<tr>
<td>• Gypsies and Travellers</td>
</tr>
<tr>
<td>• Faith and Belief</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Section 2B – People who are <strong>delivering</strong> the policy or service</th>
</tr>
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<tbody>
<tr>
<td>Transport Officers, Transporting Somerset and Operators.</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>Section 3 – <strong>Evidence and data</strong> used for the assessment (Attach documents where appropriate)</th>
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</thead>
<tbody>
<tr>
<td>Currently there are approximately 9,200 children accessing school travel in Somerset, of this total 750 children have SEND. This data is obtained from Capita.</td>
</tr>
</tbody>
</table>

The aim of updating the Policy is to comply with current DfE guidance and to ensure clarity of the Policy.
**Section 4 – Conclusions** drawn about the equalities impact (positive or negative) of the proposed change or new service/policy (Please use **prompt sheet** in the guidance for help with what to consider):

The changes to the ‘Education Travel in Somerset’ have been made to provide additional clarity for service users and flexibility for the Local Authority.

The above points summarise the proposed changes and will be consulted on widely in Somerset. A final decision on the proposed policy changes will not be made until the results from the consultation. They may be subject to change so the below impacts may be amended to reflect this.

Changes to Provision of Passenger Assistants will ensure that correct decisions are made based on the child’s needs from the risk assessments carried out by Transport Officers.

Changes for transport entitlement for split families are to ensure that entitlement is calculated correctly to ensure all pupils are treated equally.

Changes for travel assistance on grounds of religion and belief within the policy have been made for new pupils starting school in September 2018. There will be protection in place for children currently accessing the service.

Changes to Withdrawal of School transport due to behaviour will clarify the behaviour protocol and ensure the Transport Officers adhere to Policy.

Low Income changes will ensure that the Local Authority is accepting Universal Credit as evidence of Low Income. It is not detailed in the Policy at present.

Addition of wording regarding late applications for school admissions will highlight the impact on school transport and the importance of being able to plan for bulk admissions. This will not affect school admission appeals.
If you have identified any negative impacts you will need to consider how these can be mitigated to either reduce or remove them. In the table below let us know what mitigation you will take. (Please add rows where needed)

<table>
<thead>
<tr>
<th>Identified issue drawn from your conclusions</th>
<th>Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?</th>
<th>Who is responsible for the actions? When will the action be completed?</th>
<th>How will it be monitored? What is the expected outcome from the action?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Age</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provision of passenger assistants will affect all ages by being able to identify from procedures currently in place, we are ensuring clarity within the policy.</td>
<td>Transport Officers – on-going.</td>
<td></td>
<td>This will continue to be monitored through the risk assessment process.</td>
</tr>
<tr>
<td>Split Families – this may affect all pupils of a statutory school age but will ensure we are not dual funding.</td>
<td>Admission Officers &amp; Transport Officers.</td>
<td></td>
<td>This will be monitored through the transport entitlement process when assessing new/existing pupils for transport entitlement.</td>
</tr>
<tr>
<td>Withdrawal of school transport due to poor behaviour.</td>
<td>Changes to the policy will ensure clarity for parents and Transport Officers to ensure that the behaviour protocol that the Local Authority has in place is implemented correctly.</td>
<td>Admission Officers &amp; Transport Officers.</td>
<td></td>
</tr>
<tr>
<td><strong>Waiting Time on School Premises</strong></td>
<td>Protection will remain in place for pupils attending Primary Schools, First and Middle Schools. Future routes which may exceed our current time limit will be discussed and managed with schools concerned. All pupils are allocated</td>
<td>Transport Officers.</td>
<td>On-going management of routes.</td>
</tr>
<tr>
<td>Currently we state that waiting time on school premises is a maximum guideline of 15 minutes for pupils. From September 2018 this will only apply to primary/middle school pupils. This will allow Transporting Somerset to have more flexibility to manage the network fleet more</td>
<td></td>
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</tbody>
</table>
It should be noted that there are no routes at secondary schools which this will affect. Time limits will be set after consultation to ensure that schools are informed correctly.

**Disability**

**As detailed in Age**

**Gender Reassignment**

**As detailed in Age**

**Marriage and Civil Partnership**

**As detailed in Age**

Apart from issues that may arise from domestic violence, this will still be considered under exceptional home based issues within the policy so this protection will remain in place.

**Pregnancy and Maternity**

**As detailed in Age**

**Race** (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)

**As detailed in Age**

**Religion and Belief**

Travel Assistance on grounds of religion and belief – if we remove entitlement currently offered for families not on low income parents will still have a choice for their school provision but the transport provision may be limited.

Applications will be monitored as assessed during the school admission process. Protections will be put in place for all existing students.

Admission Officers & Transport Officers

**Sex**

**Waiting Time on School Premises**

Currently we state that waiting time on school

Protection will remain in place for pupils attending Primary Schools, First and Middle Schools.

Transport Officers

On-going management of routes.
Premises is a maximum guideline of 15 minutes for pupils. From September 2018 this will only apply to primary/middle school pupils. This will allow Transporting Somerset to have more flexibility to manage the network fleet more effectively. It should be noted that there are no routes at secondary schools which this will affect. Time limits will be set after consultation to ensure that schools are informed correctly.

Future routes which may exceed our current time limit will be discussed and managed with schools concerned. All pupils are allocated timings and details of the bus companies who administer their transport.

### Sexual Orientation

<table>
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<tr>
<th>As detailed in Age</th>
<th>As detailed in Age</th>
<th>As detailed in Age</th>
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### Other (including caring responsibilities, reality, low income, Military Status etc.)

<table>
<thead>
<tr>
<th>As detailed in Age</th>
<th>As detailed in Age</th>
<th>As detailed in Age</th>
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In regards to children from Military Families due regard is taken to ensure that the Local Authority is complying with the military covenant at all times.

**Section 6** - How will the assessment, consultation and outcomes be published and communicated? E.g. reflected in final strategy, published. What steps are in place to review the Impact Assessment

A consultation will be undertaken with parents, students, colleges, schools and the diocese. The Impact Assessment will be reviewed following the consultation period.

All information will be published to Somerset County Council web page.

<table>
<thead>
<tr>
<th>Completed by:</th>
<th>Debbie Reed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td>27/07/17</td>
</tr>
<tr>
<td>Signed off by:</td>
<td>Phil Curd</td>
</tr>
<tr>
<td>Date</td>
<td>27/07/17</td>
</tr>
<tr>
<td>Compliance sign off Date</td>
<td>July 2017</td>
</tr>
<tr>
<td>To be reviewed by: (officer name)</td>
<td>Julia Ridge</td>
</tr>
<tr>
<td>Review date:</td>
<td>January/February 2018 as part of the consultation results.</td>
</tr>
</tbody>
</table>