

AGENDA SUPPLEMENT (3)

Meeting: DENOMINATIONAL HOME-TO-SCHOOL TRANSPORT
- RAPID SCRUTINY EXERCISE

Place: Council Chamber - Council Offices, Monkton Park, Chippenham

Date: Thursday 8 September 2011

Time: 6.30 pm

The Agenda for the above meeting was published on 31 August 2011. This supplement includes some information that was not included in the original agenda (details below).

Please direct any enquiries on this Agenda to Henry Powell (01225 718052), of Democratic and Members' Services, County Hall, Bythesea Road, Trowbridge, direct line or email

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This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

4. Public Participation

- Statement from St Patrick's Primary School, Corsham
- Statement from Lena Pheby
- Questions from Father Jean-Patrice Coulon, Parish Priest, Our Lady, the Immaculate Conception, Devizes
- Statement from Michael Stevenson, Chair of Governors at St Augustine's Catholic College

5. Denominational Home-to-School Transport

Doc C - Additional information - Appendix 2d - Catholic Schools – Numbers on Role (2011).

This also includes figures around the number of families who received assistance for more than one child in 2010/11.

Doc C – Additional information #2

This includes:

- Estimated savings from a “cost increase” option; and
- A revised version of the transport provisions and budgets table included on page 34 of the Agenda pack.

Wiltshire Council

**Denominational Home-to-School Transport – rapid scrutiny exercise
(Children’s Services Select Committee)**

8th September 2011

Public Participation

Statement from St Patrick’s Primary School, Corsham

The Governing Body & Parents of St Patrick’s Primary School in Corsham retain great reservations about the 3 proposals in place for the removal or phasing out of subsidized transport. At the meeting on 8th August held with Cabinet Members and the Head of the Council, it became very apparent that the options laid on the table were not negotiable and indeed that this is a pre-determined decision. We were told point blank the travel budget was needed elsewhere in the council.

Governing Body Representatives and Heads at this meeting made it clear that we were willing to raise parental contributions with inflation, we made it clear that the schools were not equipped or had trained travel experts to take over all transport arrangements. We also informed the Cabinet that one school could ultimately face closure if it lost all of the pupils using current transport.

The Rapid Scrutiny Exercise has supplied requested information in the Agenda Pack about the possible displacement of approximately 450 existing pupils using denominational transport. This information that has been supplied is based on assumption and supposition by the Admissions and Schools department; no definitive figures have been reached as neither schools or parents have been asked which children will have to definitely leave their existing schools as a result of what appears to be pre-determined cuts.

We asked why the Admission Forum had not been involved in this matter in the first place as the numbers that may well have to move schools could be very large and that the issue should fall under their remit of Fair Access and Fair Protocol. The report states:

Admissions Forum has not been involved in discussions or decisions to do with the departmental transport issue that has arisen.

We were informed last Thursday in the report that issues would be raised in the Admissions Forum meeting held just last Friday 2nd September – the next day. This does not seem an example of due process, and we hold that they should have been involved from the start of this process. The report states:

Until the actual numbers and individuals are known the Admission Team is unable to gauge the difficulties that might ensue in re-allocating places.

Furthermore, the issue of traffic and road problems in the Agenda Pack do not take into consideration the following issues; St Patrick's Primary School pupils cannot use suggested alternative public transport as it does not exist and many are too young to use it if it did exist. In the report, for some unknown reason, in the worst case scenario when no transport would be available, just 8 cars would somehow manage to transport over 30 children from Melksham to Corsham.

Additionally, there a glaring assumption given for all existing pupils that car sharing will become a large proportion of transport; this is a large rural county and the majority of parents work, and many also work in towns where their children do not attend their current school. It is a physical impossibility to deliver a child for example, to Trowbridge for school at 8.45am, and then be at ones desk in Swindon or Bath by 9am. The Report states:

It is not possible to give meaningful estimates of detailed traffic impacts....

St Patrick's School could lose up to 30% of its pupils from this proposal going ahead. This would financially cripple us, result in the loss of staff and ultimately endanger the whole viability of the school. The loss of just 15 less pupils equates to the removal of one teacher alone. The report states:

It is not possible to be definitive in relation to the impact on a particular school in terms of a drop in the number on roll; much would depend on the exact number.

The information in the Report repeatedly states that it is difficult to pinpoint exact figures, costs and implications that the removal of denominational subsidized transport will result in. The knock-on effects are unfathomed. I would hope that this committee can recognize this and move to reject the proposals as they stand. The withdrawal of subsidized transport could result in the demise of some very good schools in this county, as it will prevent present and future children of the school's faith attending them. I really hope that this committee can see that the whole proposal has been clumsy from day one; no due process, no effective consultation, no meaningful costings, which all supports our supposition of a pre-determined decision. This proposal should not be voted on by Cabinet next week in its current unfit state.

Thank you for your time and for working on this Rapid Scrutiny Exercise.

Statement from Lena Pheby

I am emailing regarding the proposals of the council regarding transport to and from school for Catholic children in the Corsham area for the Parishes of ST Patrick's , St.Anthony's Melksham and St. John's Parish Trowbridge. For Children attending St. Patrick's school and St. Augustine's and St. Gregory's school Bath. Yet again I feel children are being discriminated against because of their Catholic faith. If not then

why not review the whole policy for all school transport including both faith and state schools?

Many families will struggle to meet the costs of fares and lose their freedom of choice to opt to send their child to a faith school.

I believed this Government's initiatives were about giving parents choice about their child's education and bring about change and raise the abilities of all children.

Whilst I believe there should be a cost involved for all children traveling to school, I feel this is only fair and just if costings were made to all children whatever faith and school they attend including State schools. With special attention to those who live outside the 10 mile radius of the child's school making additional costs to the fare to be adjusted suitably.

Is it fair that children who choose to attend a State School not in their given area to receive free fares on transport i.e. Children from Whitley traveling to Corsham for Corsham Secondary School when they have a new State of the Art Secondary School, Melksham Community Oak?

If the council looked at all school transport users including state and faith schools and reviewed the fare system for all there would be greater savings.

Secondly I have a disabled child attending St. Augustine's who can get a free bus pass to travel within Wiltshire but is not entitled to travel on a school bus from Corsham to Trowbridge from Whitley as we are out of catchment . However she is able to travel on this service if there is a seat at a cost of £225 a term, a significantly higher cost than a child who lives in Whitley traveling to St. Augustine's school. However if as suggested by the LA she went to Abbeyfield School in Chippenham (out of catchment, I may add) she would have been given free transport. To me this is discrimination again not only of our Catholic faith but also discrimination against the Disabled Child. Does this not affect her RIGHTS.

I have chosen to send her to St Augustine's as her older brother attends there also and because of the excellent Pastoral care that St. Augustine's give. Whilst my daughter has Complex chronic cardiac problems I feel it is necessary for her to be happy at a school which was as much her choice as mine when life for her poses many other difficulties.

Cutting transport to our Catholic schools deprives our children of a firm, fair, secure and moral education which is lacking in our society today. I work for the NHS in safeguarding children from very troubled backgrounds and it is our ethos to put children first. This is at the very least I would expect the council to do. As you drive pass County Hall in Trowbridge there are very visual boards displayed by the council explaining how much money is being plunged into services for the community, to "nurture" our community, Putting children's needs first. Improving education, the development of children's services and improving transport etc to name but a few. To cut transport to our faith schools will affect the "nurturing" of our children, with its Christian beliefs and moral teachings, affect the league tables for which St Augustine's and St Gregory's have excellent exams results which Wiltshire are very

happy to publish and it will impinge on the environment as many more parents other than myself will opt to take their child to school and collect as they simply will not accept the extortionate fares that have been suggested. This indeed will lead to congestion at the schools involved on which the roads are already congested at school times at the beginning and end of the school day. And too in this current economic climate families will struggle to meet costs.

I would ask you please to encourage them and urge them to look at the many responses that have already been sent.

Thank you

Lena Pheby

Questions from Father Jean-Patrice Coulon, Parish Priest, Our Lady, the Immaculate Conception, Devizes

1. As the Parish Priest of the Catholic Parish of Devizes, I am very concerned about the proposal of Wiltshire Council to take away subsidised transport for children going to faith schools. Many children from Devizes go to St. Augustine's Catholic College in Trowbridge because there is no Catholic secondary school in the local area. It has already been noted that Local Authorities are not legally obliged to provide school transport on the basis of "religion or belief". However, the document "Home to School Travel and Transport Guidance" acts as an interpretation of the Education Act 1996 which states in Section 509 that Local Authorities must "have regard" to the wish of parents to educate their children at a school of their religion or belief. It is stated in Paragraph 131 that "Whilst under the European Convention on Human Rights (ECHR), parents do not enjoy any right to have their children educated at a faith or a secular school, or to have transport arrangements made by their local authority to and from any such school, the Secretary of State hopes that local authorities will continue to think it right not to disturb well established arrangements, some of which have been associated with local agreements or understandings about the siting of such schools." Furthermore, the following Paragraph states "The Secretary of State continues to attach importance to the opportunity that many parents have to choose a school or college in accordance with their religious or philosophical beliefs, and believes that wherever possible, local authorities should ensure that transport arrangements support the religious or philosophical preference parents express." It should thus be quite clear that there are persuasive arguments for retaining subsidised transport for faith schools.

The Report from the Department for Neighbourhood and Planning indicates that one of the Equalities Impacts of the Council's proposal is the restriction of the ability to choose a school of the faith to which the family adheres. This is discussed in Paragraph 14, but in a wholly inadequate way. The Report states that "*Although it can be argued that the ability to choose a school that allows a*

child to grow up with the values of the faith to which the family adheres is not the same as choosing a preferred school on educational grounds, there are others who would argue that it is not fair that some groups receive funding to support their choice of school, while others do not.” This blatantly ignores the 2007 DCSF Guidance which quite clearly states that educational preference does not qualify as a “religion or belief” enjoying the above protection of the Secretary of State (Paragraph 126). It is disreputable to play off one group in society against another in order to make an argument that one group which happens to be a minority might be receiving an unfair payment.

Furthermore, the arrangements for transport to St. Augustine’s were the result of an historic agreement between the Council in its form in that day when the school was built in the 1960s so replacing several smaller local Catholic secondary schools. Finally, St. Augustine’s as with certain other faith schools in Wiltshire is a Voluntary Aided School, meaning that the faith community picks up the costs of 10% of building and maintenance costs, as well as owning the land, which is thus not incurred by the Council. It could be argued that the Council could use that money saved to provide transport.

Would the Task Group please not restrict itself in its discussions to the strictly legal argument, but please also consider the moral arguments put above in their recommendations to Cabinet?

2. In the additional information provided for the Task Group, it is stated on Page 34 that there is provision for assisted transport for students who move away from their local school to remain at the same school to complete their course. This argument could also be applied for students who would have to leave their faith school to go their local school through not being able to afford the transport. This was not initially respected by the Council when it simply said that all subsidy would be cut for all, bar post-16 and those on low income. It has now respected this in the proposed Option 2 which would give a subsidy for those who are now in Year 10 so that they can complete their GCSE exams next year. However, this should be extended to those who are now in Year 9 as they will have to choose their options for their GCSE exams. It would be highly detrimental if they were in one school when choosing their options, and then in another when actually starting their two-year GCSE courses.

Given this, and also the nature of the arguments put forward for retaining the subsidy, would the Task Group recommend to Cabinet that Option 3 should be the starting point for discussion, rather than Option 2?

3. In the recent meeting between Cabinet Councillors and Council Officers with members of the faith schools community, it was stated that individual schools would be better able to run school transport than the Council. This is surely dubious when the number of students receiving subsidy (395) makes up less than 4% of the total number of students receiving home to school transport (10,372). The Department for Education has commenced a review of efficiency and practice of all statutory home to school transport within the

country. It is stated that the “Government wants local authorities to share best practice and ensure they have processes and systems in place that provide value for money and contribute to the reduction of bureaucracy.”

Please would the Council indicate how they have contributed to this Review? Furthermore, would the Task Group consider recommending to Cabinet that this proposal to end subsidised transport for faith schools be postponed until the results of the Government Review are published later this year? If cost savings can be achieved within the whole area of statutory home to school transport as a result of shared best practice across the country, it may well be possible to safeguard the discretionary portion too, given that it represents less than 5% of the total.

4. The Department for Education has announced that it has allocated funds for extended rights to free travel and the general duty to promote sustainable travel, paid via the Local Services Support Grant (LSSG). The general allowance is given as £38.049 million for 2011-12 and £47.206 million for 2012-13, of which Wiltshire Council will receive £603,165 in the first year and £748,325 in the second. In speaking to Sheila Bowlby at the Department, it would seem that “extended rights” applies to children from families of low income. How many children in Wiltshire would actually benefit from this funding – that is to say, those children who do not already receive free transport by virtue of living more than three miles away from their designated school?

This grant is indicated by the Department as not being ring-fenced, hence with no terms and conditions attached to its deployment, and so being able to be used for “locally-identified priorities” of the Local Authority. It has been shown both in the initial report of the Department for Neighbourhood and Planning, and also the additional information provided to the Task Group that this proposal would not promote sustainable travel. It would also have other detrimental impacts. Would the Task Group please consider recommending to Cabinet that the provision of subsidised transport for faith schools does represent a local priority and hence using if possible this grant to continue funding transport as before?

Father Jean-Patrice Coulon MSFS
Parish Priest
Our Lady, the Immaculate Conception, Devizes

Statement from Michael Stevenson, Chair of Governors at St Augustine’s Catholic College

My name is Michael Stevenson and I am the Chair of Governors at St. Augustine’s Catholic College where I currently have two children attending. Having addressed the Children’s Select Committee previously I would like to reiterate my initial

statement made on the 4th August 2011 and add the following – which this time will be completed within 3 minutes.

I would like to thank the Council for the opportunities offered to us to discuss the Denominational Transport subsidy for Faith Schools but I have to admit the more facts I am given the more I have come to the conclusion that there is a real possibility Faith Schools are being discriminated against either directly or indirectly. I have come to this conclusion for a number of reasons:

1. The reduction in the Council's overall transport budget is 12% - [Meeting of Westbury Area Board, Thursday, 7th April, 2011 7.00 pm \(Item 12.\)](#) – and yet it is proposed to cut our budget by 100%.
2. The Post 16 Transport Scheme subsidy currently costs £1.2Million and is not to be cut at all. Yet if it was reduced by 12% and the Denominational Transport Subsidy was cut by 12% the savings made would be almost sufficient to cover the transport deficit. A statement in the paper prepared by Cllr Dick Tonge says, and I quote, '*It was considered that the other major area of discretionary education transport spending, the Post16 Transport Scheme, that provides assistance for students attending sixth forms and FE colleges, should be retained owing to its importance in providing access to further education for young people.*' I would like to ask this Rapid Scrutiny Committee to seek clarification on what grounds this decision was made considering the education of ALL children should be paramount.
3. The introduction of Options 2&3 by the Transport Department includes a requirement for schools to take on the organisation of their transport – it is almost a case of you won't win but if you do we will make it as difficult as possible for you! Yet Wiltshire Council Transport Department organises non discretionary transport dealing with all Bus Companies in the County using an annual budget in excess of £11M.
4. '*Improving life chances for children and young people is an important goal for individuals and for Wiltshire's and the nation's economy.*' This is a statement made in Wiltshire's Financial Plan 2011 and yet 450 children within our community are to be disadvantaged if the subsidy is withdrawn.

In light of the above I would therefore ask the Select Committee to investigate the possibility that the Transport Department is directly or indirectly discriminating against Faith Schools. To ensure this can be done properly I further ask that the final decision to cut the Denominational Transport budget be delayed until the investigation is complete.

Finally would the Committee please note that no educational arguments have been advanced whatsoever to justify the considerable disruption to children's lives if the partial subsidy for Denominational Transport is cut in the manner proposed by the Transport Department.

Thank you for your time.

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Catholic Schools in Wiltshire - Numbers on Role

School Name Primary	NOR R	NOR Yr1	NOR Yr2	NOR Yr3	NOR Yr4	NOR Yr5	NOR Yr6	Total NOR
Christ The King Catholic School - Amesbury	37	41	48	40	37	29	35	267
Saint Edmund's R C Primary School - Calne	25	28	29	30	30	26	25	193
St George's Catholic Primary - Warminster	11	20	7	14	12	20	22	106
St John's Catholic School - Trowbridge	37	40	39	43	45	44	44	292
St Osmund's Catholic Primary - Salisbury	30	30	30	28	32	30	30	210
St Patrick's Catholic Primary School - Corsham	29	29	29	30	30	26	27	200
Wardour Catholic primary School - Salisbury	19	20	10	18	14	12	11	104
St Joseph's Catholic Primary - Devizes	29	30	30	24	30	30	29	202
St Joseph's Catholic Primary - Malmesbury	20	18	19	18	30	12	15	132
St Mary's R C School - Chippenham	43	39	38	41	45	32	35	273

School Name Secondary	NOR Yr7	NOR Yr8	NOR Yr9	NOR Yr10	NOR Yr11	Total NOR
St Augustine's Catholic School and Technology College - Trowbridge	150	149	157	157	146	759
St Joseph's Catholic School - Salisbury	100	86	73	85	74	418

Number of families who received assistance for more than one child

In 2010/11 the number of families who received assistance for more than one child was 106. There were 232 children from these families. 55 of these students are of sixth form age or above in September 2011 and so may no longer be claiming.

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**Denominational Home-to-School Transport – rapid scrutiny exercise
(Children’s Services Select Committee)**

8th September 2011

Additional Information provided for the rapid scrutiny meeting (#2)

1. Estimated savings from “cost increase” option

The following is an estimate of the savings that would be generated by an increase in the charges for denominational transport by 10% and 20%. These include an estimate of the extra income generated by the increase, offset by a reduction in income if the increase results in a reduction in the number of children travelling.

	10% increase	20% increase	
1. Extra income (£)	16,600	33,200	<i>Assume 10% / 20% of the estimated total income expected in 2013/14</i>
2. Less reduced income if takeup reduced by 2.5%	4,600	5,000	<i>2.5% x total no of pupils (450) x average charge at new rate (£372 + 10% or 20%)</i>
3. Overall saving if takeup reduced by 2.5%	12,000	28,200	<i>= Line 1 less line 2</i>
4. Less reduced income if takeup reduced by 5%	9,200	10,000	<i>5% x total no of pupils (450) x average charge at new rate (£372 + 10% or 20%)</i>
5. Overall saving if takeup reduced by 5%	7,400	23,200	<i>= Line 1 less line 4</i>
6. Less reduced income if takeup reduced by 7.5%	13,800	15,100	<i>7.5% x total no of pupils (450) x average charge at new rate (£372 + 10% or 20%)</i>
7. Overall saving if takeup reduced by 7.5%	2,800	18,100	<i>= Line 1 less line 6</i>

2. Revised version of transport provisions and budgets table

(Section 6 of Additional Information report – page 34 of the Agenda)

Includes net as well as gross cost, and with some corrections.

Note:

- All figures are for 2011/12 financial / academic year
- Pupil numbers may increase further as a result of late applications

	Gross cost (£m)	Net cost (£m)	No. students
<i>Mainstream home to school</i>			
Under 16 (excl. denominational)	7.12	7.00	7754
Denominational	0.35	0.21	396
Post 16	1.73	1.14	1446
<i>SEN</i>	4.40	4.40	760