

DEPUTY LEADER AND CABINET MEMBER FOR HIGHWAYS, STREETSCENE AND BROADBAND - COUNCILLOR JOHN THOMSON

HIGHWAYS AND TRANSPORT SERVICE

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REFERENCE: HSB-44-14

PROPOSED CHANGES TO EDUCATION TRANSPORT FOR POST-16 STUDENTS, GRAMMAR SCHOOL PUPILS, AND THE 'CONTINUITY TRANSPORT' POLICY

Purpose of Report

In order to achieve the saving target approved in setting the 2014/15 budget, to decide whether to increase the student charge for post-16 education transport; introduce a charge for transport to grammar schools; and withdraw assistance for 'continuity transport'.

Consultation

A public consultation was carried out during September and October 2014 to ascertain the views of those affected, and to help assess the impact of the proposals. Letters were sent to the headteachers / principals and chair of governors of affected schools and colleges, and to the three Dioceses, and a fact sheet and questionnaire were made available through the consultation pages on the Council's website. Schools and colleges were encouraged to draw this to the attention of parents and students. The consultation was further publicised by means of a press release, which was widely reported, and a copy of the consultation documents was circulated to all Wiltshire Council Members. There was a good rate of response to the consultation with 305 replies received. A summary of the outcome is attached as **Appendix 1**, and some of the main findings are referred to in the report below.

Options Considered

The following options have been considered:

- (i) Before the current proposals were developed and as part of the review of discretionary education transport that was included in the 2014-15 Financial Plan, the option was considered of seeking to reduce the Council's expenditure on post-16 and grammar school transport by asking the schools and colleges to make a contribution. A letter was sent seeking the views of the schools and colleges on this proposal, but the response was clear that due to their own funding pressures this was an option that they were not able to agree to.
- (ii) The option of withdrawing all assistance for post-16 and grammar school transport (as has already happened in some other local authorities) was also considered. However, as this would have potentially led to the complete withdrawal of some transport services, leaving students with no transport to school or college, it was considered preferable to increase or impose charges rather than withdraw assistance altogether.
- (iii) Having considered the responses to the consultation, a change has been made to the proposals (as detailed in the main report) such that post-16 students attending the grammar schools will be subject to the normal post-16 scheme eligibility criteria and charges rather than the higher charge that will apply for grammar school transport.

- (iv) A number of other options were suggested by respondents to the consultation, and these are noted and commented on in **Appendix 1**. Many involved making the savings instead in other areas of council activity, and some others (for example the suggestion of 'spreading the burden' by imposing a smaller charge on all children who currently receive free home to school transport) would not be permitted by law. There were, however, some suggested amendments that could be considered as ways of mitigating the impacts of the proposals that are referred to in the main report. These are listed below as options for the Cabinet Member to consider when making his decision:
- (v) Post-16 transport - to introduce either a lesser increase in the full rate charge, or an intermediate charge between the full rate and lower rate. This would, however, either reduce the overall saving that would be achieved, or mean that the full rate or lower rate charges would have to be further increased to pay for a reduced 'middle rate' charge.
- (vi) Grammar school transport – either to reduce the proposed charge; or offer a reduced rate charge for pupils from low income families; or special charging arrangements for families with more than one child paying the charge. However, any of these would reduce the saving that would be achieved and would also possibly lead to challenge from those attending parental choice schools elsewhere in the county, for whom the Council does not give any assistance with transport costs even for those on low incomes (except for children who meet the criteria for statutory free transport under the 'extended provisions' of the Education Act, which continues to apply to all schools including the grammar schools).
- (vii) Continuity transport - to retain continuity assistance, but only in certain defined circumstances; for example, for low income families and in cases where their move has been due to factors beyond their control. It is not known by how much this might reduce the expected savings, as no information is currently collected from those who apply about family income or the circumstances surrounding the decision to move house. It is also not clear how many of those who might qualify under such a policy would, if the scheme was withdrawn, be able to successfully appeal on the grounds of exceptional circumstances.

Reason for Decision

To achieve financial savings in support of the Council's financial plan.

DECISION MADE

I approve that:

- (i) The full rate charge for post-16 transport will be increased from its current level of £446 to a new rate of £625 a year from September 2015. As at present, this will be payable either as a single amount in advance, or in eight instalments between August and March. It is not proposed to make any increase in the charge for low income families, which will remain at £156 a year. The proposal will also not affect students who require transport on the grounds of special educational needs or disability, to whom the current charges of £446 or £156 a year will continue to apply.
- (ii) The Council will continue to arrange transport for students in years 7 to 11 attending the Salisbury grammar schools, but the cost of doing so will be recovered by making a charge of £676 per annum per student. There will be no reduction in the charge for low income families, but the schools will be encouraged to provide bursaries for individual cases of need. Charges will be phased in starting in September 2015 and will apply only to new pupils starting at the school in September 2015 and each successive year. The charge will be payable either as a single amount in advance, or in eight instalments between August and March. The Council is required by legislation to continue to

provide free transport for pupils up to age 16, either where the grammar school is their nearest available school, or where family income and distance from the school meet the 'extended provisions' criteria in the Education Act (where the child is in receipt of free school meals, or the family receive Working Tax Credit at the maximum level for their case, the Council is required to provide free transport to any one of the three nearest qualifying schools where the distance to the school is between two and six miles from their home).

- (iii) For post-16 students attending the grammar schools the countywide post-16 policy and charges will apply. Although the grammar schools will not be the designated school, all sixth form pupils at the grammar schools who currently receive transport will be eligible for assistance under the post-16 scheme because the cost to the Council of providing transport to the grammar school would be no greater than the cost of providing transport to Salisbury College (the designated FE college for the area). The charges would therefore be as in (i) above; £625 for those paying the full rate, and £156 for those entitled to a reduced rate pass. (This is a change to the original proposal which was that the £676 grammar school charge, with no reduction for low income families, would apply to all pupils at the grammar schools, including those attending the sixth form).
- (iv) The Council will cease accepting new applications for continuity transport with effect from January 2015, although in some cases assistance might still be sought on the grounds of exceptional circumstances.

This decision was published on _____ and will come into force on _____

The following supporting documents are attached:

- Appendix 1 - Summary of consultation responses;
1A - Responses to questionnaire (multiple choice questions)
1B - Summary of main points in responses to questions 8 and 9
(suggested changes to proposals; additional comments)
1C - letter from South Wilts Grammar School for Girls
- Appendix 2 - Equality Analysis
2A - Post-16 transport
2B - Grammar school transport
2C - Continuity transport

The following supporting documents are available from the officer named above:

Consultation responses
Report to CLT on 30 June 2014 (including method for calculating proposed charges)



Date ...29 December 2014.....

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Cllr John Thomson
Deputy Leader and Cabinet Member for Highways,
Streetscene and Broadband

DEPUTY LEADER AND CABINET MEMBER FOR HIGHWAYS, STREETSCENE AND BROADBAND – COUNCILLOR JOHN THOMSON

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PROPOSED CHANGES TO EDUCATION TRANSPORT FOR POST-16 STUDENTS, GRAMMAR SCHOOL PUPILS, AND THE 'CONTINUITY TRANSPORT' POLICY

Purpose of Report

1. In order to achieve the saving target approved in setting the 2014/15 budget, to decide whether to increase the student charge for post-16 education transport; introduce a charge for transport to grammar schools; and withdraw assistance for 'continuity transport'.

Relevance to the Council's Business Plan

2. The financial plan for 2014-2015 identifies savings of £1.205 million from the passenger transport budgets, of which education transport is a part, and further savings from these budgets will also be required in future years.

Background

3. The Council recognises that in a rural county like Wiltshire, where the costs of transport are high and where public transport may not always be available, it is important to make sure that affordable transport is available to enable students to participate in education. However, like all local authorities, Wiltshire Council faces significant financial pressures with reduced funding from central government, increased service demand and inflation. These pressures are likely to increase. In order to deliver the Council's priorities of protecting vulnerable people, boosting the local economy and bringing communities together, savings have to be made elsewhere.
4. In view of this, rather than proposing to withdraw the existing transport provision, the Council is seeking to find a way of reducing its expenditure while allowing the transport to remain in place. It is also seeking to protect low income or vulnerable families, which is why it is not proposed to increase the reduced rate charge for post-16 transport or apply the new charges to students who have special educational needs or disabilities. The ability to pay by instalments is also intended to help ease the financial burden on families.
5. In 2013/14 Wiltshire Council spent £7.8 million on home to school and college transport for 10,000 pupils and students, including 1,800 students aged 16 or over travelling to school sixth form or FE College. This is equivalent to over £4 a day per pupil. The Council is required by law to provide free transport for many of these groups of students, mainly for children aged less than 16 years old who attend their local school and live more than three miles from it. However, in some cases, including post-16, grammar school and 'continuity' transport, the Council provides transport where there is no legal requirement to do so. In these cases the transport is funded entirely from the Council's own budgets, with no additional funding being received from national government.

6. The Council's financial plan for 2014-15 identifies the need to make extensive savings from the passenger transport budget, of which education transport is a large part. This includes a review of all transport which the Council is not required to provide by law. It is estimated that the proposed increase in the post-16 transport charge would result in a saving to the Council of around £100,000 a year with effect from September 2015. The proposed introduction of charges for grammar school transport would save £61,000 in the year commencing September 2015, but rising to around £307,000 a year after five years when the charges have been fully phased in. The withdrawal of continuity transport would save around £15,000 a year.
7. Wiltshire is not the only authority reluctantly having to propose changes to non-statutory education transport, and these proposals would bring the Council into line with many who have already imposed or increased charges for transport, or even ceased to provide assistance. For example, of the eight authorities bordering Wiltshire, five no longer provide any assistance for post-16 transport, except for students with special educational needs or by charging for spare seats on school contract buses where these are available.
8. A public consultation has been carried out during September and October 2014 to ascertain the views of those affected, and to help assess the impact of the proposals. Letters were sent to the headteachers / principals and chair of governors of affected schools and colleges, and to the three Dioceses, and a fact sheet and questionnaire were made available through the consultation pages on the Council's website. Schools and colleges were encouraged to draw this to the attention of parents and students. The consultation was further publicised by means of a press release, which was widely reported, and a copy of the consultation documents was circulated to all Wiltshire Council Members. There was a good rate of response to the consultation with 305 replies received. A summary of the outcome is attached as **Appendix 1**, and some of the main findings are reported in the following paragraphs.

For ease of understanding, the following part of this report is divided into three sections, with the main considerations and implications relating to each of the three proposals considered separately

A - Post 16 education transport

Main Considerations for the Council

9. There is no legal requirement for the Council to provide subsidised transport for students over the age of 16. However, Wiltshire Council recognises that in a mainly rural county affordable transport is important in allowing students to attend school or college. The Council's current scheme provides transport to either the designated school or college, where the student lives more than three miles away. Transport is normally arranged by providing a pass to travel on a public or school bus, but special transport will be arranged if nothing else is available. The average cost of providing transport is £843 per student per year. To help meet the cost, a charge is currently made of £446 a year, with an option to pay by instalments. A reduced rate charge of £156 a year is available for students whose household income is less than £20,819 per annum. These charges provided income to the Council of £472,000 in 2013/14. There are currently around 1,460 post-16 students benefitting from the scheme, of whom 50% are entitled to the reduced rate.

10. Financial savings are required in order to address the budget pressures identified in the Council's financial plan. Wiltshire is not the only authority reluctantly having to propose changes to non-statutory education transport, and these proposals would bring the Council into line with many who have already imposed or increased charges for transport, or even ceased to provide assistance. However, the need to make savings must be assessed against the impact that the proposals would have on students and their families. These impacts are identified below in the paragraphs relating to equalities impacts and environmental and public health implications.
11. Although it is not proposed to withdraw assistance and the scheme would continue to provide a guarantee of transport to the nearest school sixth form or college, and although the proposals would not apply to low income families who qualify for a reduced rate pass, the proposed increase in the full rate charge is significant and would have an impact on many families. It would in particular affect those who are only just above the qualifying threshold for the reduced rate pass.

Safeguarding Implications

12. None identified.

Public Health Implications

13. The proposed increase in the student charge could result in an increase in the number of students travelling by car or motorcycle, which have a higher risk of road traffic incidents than travel by bus, and which would lead to increased emissions and air pollution. Some respondents to the consultation referred to these impacts as a reason for not implementing the proposals.

Environmental and Climate Change Considerations

14. The proposed increase in the student charge could result in an increase in the number of students travelling by car or motorcycle, which would result in increased emissions, air pollution and congestion around schools. Some respondents to the consultation referred to these impacts as a reason for not implementing the proposals.

Equalities Impact of the Proposal

15. An Equality Analysis has been carried out and is attached as **Appendix 2A**, the conclusions of which are as follows:
16. The proposed increase in the full rate charge will have a negative impact on the budgets of families that are affected, and may deter some young people from participating in further education, possibly increasing the numbers who are not in employment, education or training (NEET).
17. Of the 256 respondents to the consultation who said they would be affected by the proposed increase in the full rate charge, 29% said they would suffer significant financial hardship; 54% some hardship; and 17% no real hardship. Some of the comments that were made suggested that the proposals would have a particular impact on middle income families who do not receive any benefits, and also on lower income families just above the threshold for qualifying for a lower rate pass. Some also commented that those living in rural areas would be affected most, as they are more likely to depend on travel by bus, unless they are able to drive or get a lift.

18. Of the affected respondents, 29% said that the proposals would not change their plans for post-16 education. However, 53% said it would make them consider attending a different school or college, and 18% that they might decide not to go to a post-16 school or college at all. Given that it will be a requirement for young people to stay in education or work based training until age 18, it may be that some of these would reconsider their position before making their final choice. However, in some cases this could be at the expense of significant financial hardship for the family. It is significant that by far the most frequent comment (made separately by 31 respondents) was that it is unfair that young people and their families should have to pay for transport to post-16 education now that attendance at school, college or work based training is compulsory.
19. The Council is proposing to increase the charges, despite the above impacts, because of the necessity of making financial savings. It is proposing to mitigate the impacts on low income families by not increasing the charge for those who currently qualify for the reduced rate pass, who account for 50% of those currently in receipt of assistance. In the consultation, 67% agreed that it was right to give greater support to low income families; although 14% disagreed with this statement.
20. The Council is also not proposing to increase the current charges that apply to young people who require transport due to special education needs or disability.
21. To mitigate the impacts further would require a lower increase to be applied; or alternatively to introduce an intermediate charge between the full rate and lower rate. This would, however, either reduce the overall saving that would be achieved, or mean that the full rate or lower rate charges would have to be further increased to pay for a reduced 'middle rate' charge.

B - Grammar school transport

Main Considerations for the Council

22. In most parts of the county, the Council does not fund the provision of transport for children who, as a result of parental choice, attend a secondary school other than the one closest to their home. However, for historic reasons the Council currently provides transport to the two grammar schools in Salisbury from a wide area on the same basis as to local schools in other parts of the county. This is free for pupils up to 16 years of age, and at the normal post-16 charge applies for pupils of 16 and over. This is not a legal requirement and is funded entirely from the Council's own budget. Transport is currently provided for 555 grammar school pupils at a cost to the Council of £366,000 a year.
23. Financial savings are required in order to address the budget pressures identified in the Council's financial plan. Wiltshire is not the only authority reluctantly having to propose changes to non-statutory education transport, and these proposals would bring the Council into line with many who have already imposed or increased charges for non-statutory transport, or even ceased to provide assistance. However, the need to make savings must be assessed against the impact that the proposals would have on students and their families. It is not proposed to withdraw the transport itself, but the introduction of a significant charge would have a financial impact on families and could influence their ability to send their children to the grammar schools. The consultation also identified concerns among many respondents that the proposals discriminate against the two grammar schools and their pupils. These impacts and concerns are reported in the paragraphs below relating to equality impacts.

Safeguarding Implications

24. None identified

Public Health Implications

25. The proposed introduction of a charge for transport could result in an increase in the number of students being taken to school by car, which would lead to increased emissions and air pollution and increase the risk of accidents around the schools. Some respondents to the consultation referred to these as additional reasons why the proposals should not be implemented.

Environmental and Climate Change Considerations

26. The proposed introduction of a charge for transport could result in an increase in the number of students being taken to school by car, which would lead to increased emissions and air pollution. Some respondents to the consultation referred to the environmental impacts as another reason why the proposals should not be implemented.

Equalities Impact of the Proposal

27. An Equality Analysis has been carried out and is attached as **Appendix 2B**, the conclusions of which are as follows:
28. The proposed imposition of a charge for transport will have a negative impact on the budgets of families that are affected, and may deter some parents from sending their children to the grammar schools.
29. Of the 179 respondents to the consultation who said they would be affected by the proposed implementation of a charge, 40% said they would suffer significant financial hardship; 48% some hardship; and 12% no real hardship. 65% said that the proposals would not change their plans to send their children to the grammar schools. However, 35% said it would make them consider choosing a different school or college.
30. The most frequent comments made by respondents were to the effect that the proposals discriminate against grammar school pupils:
- A common response was that the grammar schools should not be treated differently from other state schools, and that it is unfair to charge grammar school pupils for transport unless the same charge also applies either (according to some responses) to other pupils whose parents chose to send them to a school other than the nearest, or (according to other responses) to all pupils receiving council transport. Many respondents appeared to be unaware that elsewhere in the county, no assistance is given to parents who choose to send their children to a school other than the nearest. It would also be unlawful to impose a charge on pupils who attend the nearest available school and are entitled to free transport under the Education Acts.
 - Many others commented that it is unfair to discriminate against pupils who have achieved academically, and some responses suggested that because a selective education system operates in Salisbury, it cannot be seen as simply a matter of parental choice if parents choose to send their children to the grammar school, but that these schools are the 'most suitable' to meet their needs.
 - One respondent suggested that in her children's case the proposals would be discriminatory on the grounds of gender; her daughter's nearest school is Bishop Wordsworth's, but as it does not admit girls she would be denied access to a grammar school education.

31. Many of the comments that were made suggested that the proposals would have a particular impact on low and middle income families, either causing them financial hardship or denying them the opportunity of a grammar school education. Many noted that the proposals would have the greatest impact on families with two or more children of grammar school (or post-16) age. Most considered that the proposal should be dropped, while some suggested that if it did go ahead, there should be a reduced rate charge for children from low income families, or where there was more than one child paying the charge. There were many comments to the effect that a grammar school education should be available to all able children, regardless of family income. Some took the view that it was not equitable to expect the schools to provide assistance through bursaries, as this would reduce the funding they could put into education.
32. Other respondents (including a written response from South Wilts Grammar School for Girls, attached as **Appendix 1C**) suggested that the proposal to charge £676 to students attending the grammar school sixth forms, with no reduction in the charge for students from low income families, would be discriminatory given that the post-16 transport charge that will apply to those attending other establishments under the Council's post-16 transport scheme will be £625 a year, with a substantial reduction for low income families. The reason for the proposed difference was that both are separate schemes - the intention of the grammar school charge is to cover the full cost of providing the transport to these schools, so that (as in other parts of the county) the Council is not subsidising transport to 'parental choice' schools; whereas post-16 transport to the nearest designated school or college will still be subsidised despite the increased charge. However, having considered the responses it is now recommended that the original proposals are amended so that the post-16 scheme applies to the grammar schools in the same way as to other 'parental choice' secondary schools in the county. Although the grammar school would not be the designated sixth form and there would therefore not be an automatic eligibility to assisted transport, all grammar school pupils who would receive transport under the current policy would continue to qualify for assistance under the 'same cost' provision in the Council's post-16 scheme (which states that transport will be provided if the cost to the Council is no greater than the cost of providing transport to either the designated school or the designated FE college for the student's address). If the proposed increase in post-16 charges is approved, grammar school sixth form pupils would therefore be eligible for post-16 assistance at a charge of £625 (full rate) and £156 (reduced rate) if they qualify under the 'same cost' provision. In cases where the cost to the Council of providing transport would be greater than to both the designated school or college, there would (as with parental choice establishments elsewhere in the county) be no entitlement to assistance.
33. The Council is proposing to introduce charges for grammar school transport, despite the above impacts, because of the necessity of making financial savings. However, the following aspects of the proposals are intended to mitigate some of the impacts:
- The Council will continue to make transport arrangements for children attending the grammar schools; the option of withdrawing the transport was considered but rejected.
 - Although it is not proposed that the Council will offer a reduced rate for children from families on low incomes (except for sixth form students to whom the post-16 scheme would now continue to apply), the schools are encouraged to use their powers to pay bursaries to individual students to assist those who might otherwise not be able to choose a grammar school education. This will bring the situation in Salisbury into line with that elsewhere in the county, where the Council will only fund transport to one designated local secondary school, with no assistance given to pupils attending other schools (other than the option of paying for a spare seat on a school transport contract if available).

- Charges will be phased in starting in September 2015 and will apply only to new pupils starting at the school in September 2015 and each successive year.
 - There will be an option to pay the charge in eight instalments between August and March.
 - The Council is required by legislation, and will continue, to provide free transport for pupils up to the age of 16 either where the grammar school is their nearest available school, or where family income and distance from the school meet the 'extended provisions' criteria in the Education Act (where the child is in receipt of free school meals, or the family receive Working Tax Credit at the maximum level for their case, the Council is required to provide free transport to any one of the three nearest qualifying schools where the distance to the school is between two and six miles from their home).
34. If the Council wished to mitigate the impacts further, it would be an option to either reduce the proposed charge; or to introduce a lower rate charge for pupils from low income families, and / or families with more than one child paying the charge. However, this would reduce the saving that would be achieved and would also possibly lead to challenge from those attending parental choice schools elsewhere in the county, for whom the Council does not give any assistance with transport costs even for those on low incomes (except for children who meet the criteria for statutory free transport under the 'extended provisions' of the Education Act, which continues to apply to all schools including the grammar schools).

C - Continuity transport

Main Considerations for the Council

35. Where a pupil who is registered at the school designated for transport entitlement purposes moves out of the area of that school, the Council may provide free transport to the current school if it considers that a change of school is undesirable for educational or vocational reasons. This is not a legal requirement, but is part of the Council's current education transport policy. Transport will normally only be considered where a pupil is already undertaking a particular exam course (e.g. GCSE, A level), if the journey involved is a reasonable one, and the circumstances justify the cost. A maximum cost of £1,500 a year is applied to transport provided under this policy, and in cases where the cost significantly exceeds this, the application is normally refused.
36. In 2013/14 transport was provided under this policy for 52 children at a cost to the Council of £33,000.
37. It is proposed that the Council would cease accepting new applications for continuity transport with effect from January 2015; although in some cases assistance might still be sought on the grounds of exceptional circumstances (the Council has a duty to consider all applications for transport on the basis of their individual circumstances).
38. This would help contribute to the financial savings that are required in order to address the budget pressures identified in the Council's financial plan. However, the need to make savings must be assessed against the impact that the proposals would have on students and their families. These are identified in the paragraphs below relating to equalities impacts.

Safeguarding Implications

39. None identified.

Public Health Implications

40. No significant impacts identified.

Environmental and Climate Change Considerations

41. No significant impacts identified.

Equalities Impact of the Proposal

42. An Equality Analysis has been carried out and is attached as **Appendix 2C**, the conclusions of which are as follows:
43. The current policy is intended to mitigate the adverse impact on a child's education if he or she is made to change school during an important phase in their education (in particular part way through an exam course). Although there are limits on the assistance that is given under the current policy, and relatively few children receive assistance in any given year, it is to be expected that to withdraw assistance could lead to some adverse impact on the education of the particular children affected.
44. However, the Council is obliged under the Education Acts to consider all requests for transport according to their individual circumstances, and it is likely that some of those currently assisted would, if warranted by their particular circumstances, still be awarded free transport.
45. Due to the nature of continuity assistance the consultation did not provide useful feedback from those likely to be affected by the withdrawal of assistance. Although 92 respondents answered the question "if you think you may be affected, please explain what impact this will have on your family", most of the responses were about the post-16 or grammar school transport proposals and only 7 in fact referred to continuity transport. Of these:
- **3** supported the proposal, taking the view that those who move house should pay for their own transport costs.
 - **2** considered that assistance should continue to be given to low income families where a move was forced on the family by financial or housing circumstances.
 - **2** considered that the current policy should be retained, pointing to the enormous impact that a move at a critical time can have on a young person's education and future life chances.
46. Of the 299 respondents who answered the general questions on continuity transport: 53% agreed and 23% disagreed with the statement that the Council should not have to pay for continuity transport where a family chose to move house; while 77% agreed and 9% disagreed with the statement that in exceptional cases where a move is forced onto a family, the Council should continue to pay for continuity transport.
47. It would be an option to revise the proposal so as to retain continuity assistance, but only in certain defined circumstances; for example for low income families and in cases where their move has been due to factors beyond their control. It is not known by how much this might reduce the expected savings, as no information is currently collected

from those who apply about family income or the circumstances surrounding the decision to move house. It is also not clear how many of those who might qualify under such a policy would, if the scheme was withdrawn, be able to successfully appeal on the grounds of exceptional circumstances.

The remaining paragraphs relate to all three of the proposals

Risk Assessment

Risks that may arise if the proposed decision and related work is not taken

48. If the decision to make changes is not taken before the end of December, the period of notice given to parents will be reduced (if it is still proposed to make changes with effect from 1 September 2015), and they will be less able to plan with certainty for the future of their children's education.
49. If it is decided not make a financial saving in this area, or to make a reduced saving, it will be necessary to make correspondingly greater savings in other areas.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

50. The estimated savings that will arise from implementation of the proposals have of necessity been based on best estimates of the impact that they will have on take up, and hence on future income from the charges and the future cost of providing the transport. Similarly, the impact on pupils, students and families can only be assumed until after the event. Numbers travelling, income and costs will continue to be monitored on an annual basis, and, together with feedback received from parents, schools and colleges, will be taken into account when proposing future changes to education transport policy and provision.

Financial Implications

51. The financial plan for 2014-15 identifies the need to make savings of £1.2 million from the passenger transport budget, of which education transport is a large part, and it is expected that further substantial savings will be required in future years. It is estimated that the proposed increase in the post-16 transport charge would result in a saving to the council of around £100,000 a year with effect from September 2015. The proposed introduction of charges for grammar school transport are estimated to save around £61,000 in the year commencing September 2015, rising to around £307,000 a year after five years when the charges have been fully phased in. The withdrawal of continuity transport would save around £15,000 a year after two years. The combined savings in each financial year are therefore estimated as follows:

2014/15 – nil
2015/16 - £115,000
2016/17 - £217,000
2017/18 - £278,000
2018/19 - £339,000
2019/20 - £400,000
2020/21 - £422,000

52. There is inevitably a degree of uncertainty about these estimates as they depend on assumptions about the impact on take up and how this would affect income and costs, as described in paragraph 50 above.

Legal Implications

53. The proposed changes would not result in the Council failing to meet its statutory duties in respect of education transport. The Council can provide support for education transport beyond these statutory duties on a discretionary basis and, as stated in the report, there is a current policy setting out the scope of that discretionary support. Where it is proposed to change such a policy, there is an obligation to consult those who may be affected and to consider the results of such a consultation before making a final decision. A comprehensive consultation exercise has been carried out, as detailed in the report, and this has led to some changes in the recommendations being put forward. The way in which the changes are proposed to be implemented, in terms of phasing, also accords with the government's statutory guidance on school transport.
54. We have also paid due regard to Section 149 of the Public Sector Equality Duty and would draw particular attention to the summaries outlining equality impacts provided for each proposal and to the full Equality Analysis documents for each proposal.

Options Considered

55. The following options have been considered:
- (i) Before the current proposals were developed and as part of the review of discretionary education transport that was included in the 2014-15 Financial Plan, the option was considered of seeking to reduce the Council's expenditure on post-16 and grammar school transport by asking the schools and colleges to make a contribution. A letter was sent seeking the views of the schools and colleges on this proposal, but the response was clear that due to their own funding pressures this was an option that they were not able to agree to.
 - (ii) The option of withdrawing all assistance for post-16 and grammar school transport (as has already happened in some other local authorities) was also considered. However, as this would have potentially led to the complete withdrawal of some transport services, leaving students with no transport to school or college, it was considered preferable to increase or impose charges rather than withdraw assistance altogether.
 - (iii) Having considered the responses to the consultation, a change has been made to the proposals (as detailed earlier in this report) such that post-16 students attending the grammar schools will be subject to the normal post-16 scheme eligibility criteria and charges rather than the higher charge that will apply for grammar school transport.
 - (iv) A number of other options were suggested by respondents to the consultation, and these are noted and commented on in **Appendix 1**. Many involved making the savings instead in other areas of council activity, and some others (for example the suggestion of 'spreading the burden' by imposing a smaller charge on all children who currently receive free home to school transport) would not be permitted by law. There were, however, some suggested amendments that could be considered as ways of mitigating the impacts of the proposals that have been referred to in the previous sections of this report. These are listed again below as options for the Cabinet Member to consider when making his decision:
 - (v) Post-16 transport - to introduce either a lesser increase in the full rate charge, or an intermediate charge between the full rate and lower rate. This would, however, either reduce the overall saving that would be achieved, or mean that the full rate or lower rate charges would have to be further increased to pay for a reduced 'middle rate' charge.

- (vi) Grammar school transport – either to reduce the proposed charge; or offer a reduced rate charge for pupils from low income families; or special charging arrangements for families with more than one child paying the charge. However, any of these would reduce the saving that would be achieved and would also possibly lead to challenge from those attending parental choice schools elsewhere in the county, for whom the Council does not give any assistance with transport costs, even for those on low incomes (except for children who meet the criteria for statutory free transport under the ‘extended provisions’ of the Education Act, which continues to apply to all schools including the grammar schools).
- (vii) Continuity transport - to retain continuity assistance, but only in certain defined circumstances; for example, for low income families and in cases where their move has been due to factors beyond their control. It is not known by how much this might reduce the expected savings, as no information is currently collected from those who apply about family income or the circumstances surrounding the decision to move house. It is also not clear how many of those who might qualify under such a policy would, if the scheme was withdrawn, be able to successfully appeal on the grounds of exceptional circumstances.

Reason for Proposals

56. To achieve financial savings in support of the Council’s financial plan.

Proposals

57. That:

- (i) The full rate charge for post-16 transport will be increased from its current level of £446 to a new rate of £625 a year from September 2015. As at present, this will be payable either as a single amount in advance, or in eight instalments between August and March. It is not proposed to make any increase in the charge for low income families, which will remain at £156 a year. The proposal will also not affect students who require transport on the grounds of special educational needs or disability, to whom the current charges of £446 or £156 a year will continue to apply.
- (ii) The Council will continue to arrange transport for students in years 7 to 11 attending the Salisbury grammar schools, but the cost of doing so will be recovered by making a charge of £676 per annum per student. There will be no reduction in the charge for low income families, but the schools will be encouraged to provide bursaries for individual cases of need. Charges will be phased in starting in September 2015 and will apply only to new pupils starting at the school in September 2015 and each successive year. The charge will be payable either as a single amount in advance, or in eight instalments between August and March. The Council is required by legislation to continue to provide free transport for pupils up to age 16, either where the grammar school is their nearest available school, or where family income and distance from the school meet the ‘extended provisions’ criteria in the Education Act (where the child is in receipt of free school meals, or the family receive Working Tax Credit at the maximum level for their case, the Council is required to provide free transport to any one of the three nearest qualifying schools where the distance to the school is between two and six miles from their home).

- (iii) For post-16 students attending the grammar schools the countywide post-16 policy and charges will apply. Although the grammar schools will not be the designated school, all sixth form pupils at the grammar schools who currently receive transport will be eligible for assistance under the post-16 scheme because the cost to the Council of providing transport to the grammar school would be no greater than the cost of providing transport to Salisbury College (the designated FE college for the area). The charges would therefore be as in (i) above; £625 for those paying the full rate, and £156 for those entitled to a reduced rate pass. (This is a change to the original proposal which was that the £676 grammar school charge, with no reduction for low income families, would apply to all pupils at the grammar schools, including those attending the sixth form).
 - (iv) The Council will cease accepting new applications for continuity transport with effect from January 2015, although in some cases assistance might still be sought on the grounds of exceptional circumstances.
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The following unpublished documents have been relied on in the preparation of this Report:

Consultation responses
Report to CLT on 30 June 2014 (including method for calculating proposed charges)