

Agenda



Delegated Decisions - Deputy Leader/Education and Early Years

Date: Wednesday, 19 July 2023

To: Councillors D Davies

Item		Wards Affected
1	<u>Post-16 Home to School Transport Costs</u> (Pages 3 - 8)	All Wards

Contact: Anne Jenkins, Governance Team Leader,
Tel: 01633 656656 Email: Democratic.services@newport.gov.uk
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Report

Cabinet Member for Education and Early Years

Part 1

Date: 19 July 2023

Subject Post-16 Home to School Transport Costs

Purpose To confirm the charging mechanism for Post-16 Home to School Transport Costs and concessionary transport for the 2023/24 academic year

Author Education Business Manager

Ward All

Summary In June 2015, a decision was taken by the then Cabinet Member for Education & Young People to suspend a proposed increase to the charges for Post-16 Transport Costs on contracted services and instead set the fee at £370 per academic year in line with the cost of a season ticket on the local bus network.

Since this date, an annual report has been brought forward to consider charges for the forthcoming academic year, although no increases have been levied. As a result, the level of charges remain unchanged since June 2015, and consequently there has been no reduction in the subsidy paid by the Council for this service.

Proposal To confirm that the charges for the 2023/24 academic year should be maintained in line with those applied for the 2022/23 academic year.

Action by Chief Education Officer with the Head of Infrastructure

Timetable Implementation from September 2023

This report was prepared after consultation with:

- Corporate Management Team
- Education Senior Management Team
- Head of Infrastructure
- Head of Law and Regulation
- Head of People, Policy and Transformation
- Head of Finance

Signed

Background

The provision of Post-16 Home to School Transport is not a statutory responsibility, and Local Authorities have discretion to consider whether to make such provision, and if so, to what value. This Council's current discretionary policy provides an annual travel grant of £150 to those students who meet the eligibility criteria for this assistance. Parental contributions are required to meet the remainder of the annual travel costs.

A decision in 2015 approved amending the charging mechanism for Post-16 Home to School Transport costs so that all students were required to make the same financial contribution, regardless of whether they were using the local bus network or a contracted vehicle. As a result, the parental contribution for September 2015 was set at £370 per eligible child to correspond with the top-up fee charged by Newport Transport for an annual season ticket. Similar reports have been presented every year since, with annual decisions taken to maintain the cost agreed in 2015 up to and including the end of this current academic year. Since this date however, the cost of a Post-16 season ticket via Newport Transport has changed significantly and now known as a Youth Passport card to be used in conjunction with Welsh Government's MyTravelPass, is currently much reduced at £350 per learner per academic year. Whilst this is due to increase to £399 from September 2023, the net cost to parents after applying the Post-16 travel grant equates to £249 per annum.

Notwithstanding this, the actual cost of travelling on contracted provision is more than the current parental contribution for either type of provision. Currently, there are four secondary schools in Newport that are not fully accessible to pupils via Newport's local bus network depending on their residential address – Bassaleg School, Caerleon Comprehensive School, St Joseph's RC High School and Ysgol Gyfun Gwent Is Coed. In addition, transport is also being provided to a small number of pupils attending St Telio's Church in Wales School in Cardiff as their nearest available school. The Head of Infrastructure has estimated that currently the average cost of a seat on the contracted provision to these schools is as follows:

School Name	Average Cost
Bassaleg School	£854
Caerleon Comprehensive School	£1,055
St Joseph's RC High School	£1,928
Ysgol Gyfun Gwent Is Coed	£1,004.50
St Teilo's CIW School	£2,612.50

It would be difficult to levy varying parental contributions dependent on which of these schools a child attends, and thus a standard contribution for contracted provision has been agreed in previous years. To note however, the failure to fully recover these costs has historically and will continue to increase the Council's financial commitment to an already subsidised service.

As an aside, the Council is able to offer the sale of vacant seats on contracted services on a concessionary basis. These seats are available for sale from September each year, on a first-come first-served basis, but can be withdrawn at short notice if they are subsequently required for a qualifying pupil. **The cost of these concessionary seats is aligned with the full cost of post-16 travel, and currently therefore is fixed at £520 per annum.**

Financial Summary (Revenue only)

The home to school charging policy allows for parents to contribute to the cost of provision. A further reduction in the Post-16 Home to School Transport subsidy was not anticipated when setting the 2023-24 budget; therefore the existing charges will not accrue any further savings and the current level of subsidy will remain. However, no increase in charges has been approved since 2015, despite cost pressures increasing, particularly in relation to fuel prices, rising operator costs and increased demands for transport across all sectors (most specifically specialist provision in the primary sector).

Risks

It is important to identify and manage any project or scheme's exposure to risk and have in place controls to deal with those risks.

Risk Title / Description	Risk Impact score of Risk if it occurs* (H/M/L)	Risk Probability of risk occurring (H/M/L)	Risk Mitigation Action(s) What is the Council doing or what has it done to avoid the risk or reduce its effect?	Risk Owner Officer(s) responsible for dealing with the risk?
The Council could be accused of failing to treat all students equitably	M	M	Even though the charges imposed on parents of students using contracted services might be slightly higher than those incurred by pupils using the local bus network, the Council is still subsidising the actual cost of provision thus reducing hardship on families	Chief Education Officer / Head of City Services
The Council continues to subsidise the actual costs of this discretionary service	L	H	A reduction in the subsidy level has not been built into the current budget	Chief Education Officer / Head of Finance
Complaints from parents over the cost levied for concessionary seats	L	M	There is no obligation on the Council to provide transport assistance to children who do not qualify for assistance under the terms of the agreed Home to School Transport policy	Chief Education Officer / Head of City Services

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

Wellbeing of Future Generations (Wales) Act 2015
Corporate Plan
Education Service Plan
Welsh in Education Strategic Plan
Learner Travel (Wales) Measure 2014
Post-16 Home to School Transport Policy

Options Available and Considered

Option 1: To maintain the current parental contributions of £370 per child. This will not reduce the subsidy but will maintain the current position. Under this scenario, the costs charged to all students using contracted services remain equal.

Option 2: To reduce the parental contributions in respect of contracted services to £249 per annum to align with those charged on the local bus network. This will increase the Council's subsidy on this discretionary service and will likely result in an additional budget pressure.

Option 3: To increase the parental contribution fee. This will reduce the Council's subsidy in relation to this service, but might be perceived negatively by as it will increase the disparity between pupils using the local bus network and contracted provision.

Option 4: To implement different charging mechanisms for each of the five schools using contracted services. This will fully remove the subsidy but could lead to confusion for officers and parents and would likely be difficult to administer.

Preferred Option and Why

The preferred option is Option 1. Whilst this will result in the current level of subsidy being maintained, a reduction has not been built into the MTFP and therefore this action would not result in additional pressures on the Council budget. If this is approved, the fee charged to the parents of eligible post-16 students using contracted services would therefore remain at £370 for the 2023/2024 academic year, resulting in the charge for concessionary seats being set of £520 per annum.

Comments of the Head of Infrastructure

There is clearly a disparity between the cost of transport to each of the various schools and all of these individual costs are significantly higher than the current standard parental contribution rate, which in turn results in differing levels of subsidy being provided by the Council. Given the fact that Post 16 Home to School Transport is a non-statutory service being delivered and that industry prices continue to rise markedly, the Council will need to carefully consider the impact of the continued delivery of this service without any fee increases factored in. The cost of transport provision is something which is monitored closely and the mechanism for parental contribution will need to be reviewed moving forward, accepting the arguments for fairness and demand elasticity.

Comments of Chief Financial Officer

The secondary transport provision reported an underspend of circa £17k in 2022/23, which would suggest there is capacity to maintain the current level of charge and absorb any cost increases in relation to, for example, fuel. However, this underspend was more than offset by an overall overspend on other aspects of the home to school transport provision.

Therefore, it is important to note that the preferred option of maintaining the current level of parental contributions could impact adversely on the budgets in 2023/24 if pressures continue to be high in relation to fuel costs, demand and operator costs. If this issue should materialise, it will be necessary for the service area to take mitigating action in order to absorb the costs from within their wider revenue budget.

In addition, the proposal not to reduce the subsidy provided will not result in any savings accruing, which could potentially contribute towards the Council's medium term budget gap. Therefore, consideration should be given moving forward to developing alternative subsidy models, ideally with an ultimate aim of full cost recovery.

Comments of Monitoring Officer

The Council has no statutory duty to provide Post-16 Home to School Transport and, therefore, has a discretion to determine the extent to which this should be provided and any costs to be charged. However, as with all discretionary powers, the Council must act reasonably and consistently, having regard to all relevant considerations and, in particular, its public sector equality and socio-economic duties, the well-being objectives and ways of working. The Council has continued to pay a standard £150 travel grant to all eligible post-16 pupils and charges are imposed for the cost of concessionary seats on contracted services. Previously, the Cabinet Member had decided to remove the Council subsidy altogether for these discretionary services and increase the charges on a phased basis. This was superseded in June 2015, when it was decided to bring the discretionary charges into line with the costs of a season ticket on the local bus services. However, the costs of the season tickets or Youth Passports used in conjunction with Welsh Government's MyTravel Pass on the local network services, remain lower than the concessionary charges. Therefore, despite the original decision, it has not been possible to align the transport costs and parental contributions remain higher for the concessionary travel costs. For that reason, there has been no increase in the level of parental contribution since that time and the Council has continued to subsidise the costs of the service. The recommendation that the current top-up fees for concessionary travel should again remain fixed at £370 is considered to reasonable, as this maintains the current position and is consistent with the position adopted since 2015. The EIA confirms the fairness of the proposal and the fact that there is no discrimination or breach of equalities duties. The service will continue to be subsidised by the Council and all parents continue to pay the same level of fees for concessionary seats.

Comments of Head of People, Policy and Transformation

The subsidy for post-16 home to school transport is discretionary, and the preferred option seeks to support post-16 learners to access education across the city, by maintaining the subsidy at the same level as 2015. This would avoid an increase in the difference in the cost of using Council contracted services compared to users of the local bus network, which would have potential implications outlined in the fairness and equalities impact assessment. To address this means balancing the financial pressures on the Council with the costs faced by parents.

As the report notes, post-16 education plays a major part in skills development and employability, which have wellbeing benefits to the individual, wider society, and the economy. The proposed option seeks to reflect the importance the Council attaches to supporting post-16 learners and their families. Further to this, the Wellbeing Plan for Newport has highlighted the importance of having sustainable travel options and support for the use of public transport will help to reduce vehicle emissions and reduce congestion.

There are no human resources implications in this report.

Scrutiny Committees

Not applicable

Fairness and Equality Impact Assessment:

- **Wellbeing of Future Generation (Wales) Act**
- **Equality Act 2010**
- **Socio-economic Duty**
- **Welsh Language (Wales) Measure 2011**

The council has a number of legislative responsibilities to assess the impact of any strategic decision, proposal or policy on people that may experience disadvantage or inequality. A Fairness & Equality Impact Assessment (FEIA) was developed in relation to the previous report (July 2020) but has not been repeated for this decision as no changes are proposed. The FEIA is attached as a Background Paper.

Post-16 Transport is a discretionary service rather a statutory function, and this proposal aims to maintain current levels of parental contributions rather than impose any increases. This is considered positive for children and families. Given this, further stakeholder engagement has not been sought at this time. The final decision will be shared with service users by the Head of City Services. This decision will specifically affect post-16 learners, so pupils aged between 16 and 18 years. Under these arrangements, the travel grant will continue to be paid at £150 per annum to all eligible pupils, and those who travel to school via a contracted service will face no increase in current parental contribution costs. The use of contracted services particularly applies to pupils attending faith-based and Welsh-medium schools, and therefore they will benefit positively from this decision and ensure parity with pupils attending English-medium community maintained schools.

The proposal supports the sustainable development principle and 5 ways of working set out in the Wellbeing of Future Generations Act (2015) as follows:

- Long term: the importance of balancing short- term needs with the need to safeguard the ability to also meet long – term needs. **The provision of post-16 transport is not a statutory function, but the Council maintains this discretionary award to support pupils in undertaking post-16 education courses. Any changes to this service could have a short-term effect and a long-term impact on the sustainability of post-16 education across the city. Continuing to provide a partially subsidised transport function for post-16 students enables young people to gain access to appropriate education and skills to support their long term future.**
- Prevention: How acting to prevent problems occurring or getting worse may help us meet our objectives. **Providing partially subsidised transport to ensure students can access appropriate education and gain skills which will mean they have better life chances.**

- Integration: Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies. **This proposal supports the “A more equal Wales”, “A globally responsible Wales” and “A Wales of vibrant culture and thriving Welsh Language” Well-being Goals and has no adverse effect on any of the other Well-being Goals. In addition this proposal supports the Newport City Council Well-being Objective “To improve skills, educational outcomes and employment opportunities”**
- Collaboration: have you considered how acting in collaboration with any other person, or any other part of our organisation could help meet our wellbeing objectives. **Collaboration is undertaken with the local bus network where possible. Where this is not possible, tenders are offered under a framework agreement to local suppliers.**
- Involvement: The importance of involving people with an interest in achieving the wellbeing goals, and ensuring that those people reflect the diversity of the City we serve. **The Council’s budget savings proposals for financial year 2020/21 included removal of this Post-16 travel grant. This proposal generated significant feedback from stakeholders that was considered in determining not to implement the proposed change. No further changes have been proposed in relation to subsequent years.**

Crime and Disorder Act 1998

Not applicable

Consultation

None

Background Papers

FEIA (July 2020)

Dated: 19 July 2023