

Report

Cabinet Member for Education and Skills

Part 1

Date: 6 August 2019

Item: 1

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 2019/20 academic year

Author Education Business Manager

Ward All

Summary A decision by a previous Cabinet Member for Education & Young People in June 2013 approved implementation of an amended charging mechanism for Post-16 Transport Costs on contracted services on a phased approach which would achieve full removal of the existing subsidy by September 2017.

This decision was implemented in September 2014 when the parental contribution in respect of this provision was increased from £45 per annum to £347 per annum in line with the same costs charged to students using the local bus network. Further increases were due in September 2015, September 2016 and September 2017 to achieve full removal of the subsidy.

However in June 2015, a decision was made to suspend the proposed September 2015 increase and instead amend the sharing mechanism to align the additional top-up fee with the cost of a season ticket on the local bus network, setting the fee at £370 per academic year.

In 2016, the same decision was made to suspend the planned increase for September 2016, maintaining the current level of charges. This would not reduce the subsidy but maintain the current position. The costs charged to all students using contracted services would remain equal. This decision was also agreed for 2017 and 2018.

Proposal To suspend the further price increase planned for September 2019 and therefore maintain the current level of charges.

Action by Chief Education Officer with the Head of City Services

Timetable Implementation from September 2019

This report was prepared after consultation with:

- Chief Executive
- Strategic Director - People
- Strategic Director - Places

- Chief Education Officer
- Head of City Services
- Head of Law and Regulation
- Head of People and Business Change
- 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 or not to make such provision and the 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 report in June 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 in June 2016, June 2017 and June 2018 agreed to maintain these costs for the 16/17, 17/18 and 18/19 academic year.

This superseded a previous decision taken in June 2013 to increase the fee to £400 from September 2015, and make further increases to £500 and £600 in September 2016 and September 2017 respectively.

Following the 2015 decision, the Council re-tendered local bus network school transport provision. The successful provider, NAT, levied the cost of an annual season ticket at £470 which, when offset by the discretionary travel grant, set the cost to parents at £320 per pupil. In September 2017 the provision was re-tendered back to Newport Transport. The cost of a Youth Service Bus Pass is reviewed annually and is currently £320 per pupil per academic year.

As a result, despite the intentions of the original report, the cost charged to the parents of eligible post-16 students for home to school transport has not been aligned in recent years and is currently £320 for children using the local bus network and £370 for those on contracted provision.

As an aside, the Council is able to offer the sale of vacant seats on contracted services on a concessionary basis. These seats are offered 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.**

September 2019

The local bus network provider has confirmed that they have not yet taken a decision on whether to increase the cost of an annual season ticket in September 2018. It seems unlikely however that any increase would be set at more than £50 per pupil, and therefore the parents of these pupils will be asked for a smaller contribution than those using contracted provision.

Notwithstanding this however, the actual cost of travelling on contracted provision is more than the cost of a season ticket. Currently, there are four secondary schools not served by the local bus network – Bassaleg School, Caerleon Comprehensive School, St Joseph's RC High School and Ysgol Gyfun Gwynllyw.

The Head of City Services has estimated that the average cost of a seat on the contracted provision to these schools is as follows:

- Bassaleg - £740
- Caerleon - £845
- St Joseph's - £805
- Gwynllyw - £1665

It would not be feasible to levy varying parental contributions dependent on which of these schools a child attends, and thus a standard contribution for contracted provision must be agreed. It should be

noted however than any failure to fully recover these costs will increase the Council's financial commitment to an already subsidised service.

Financial Summary

A further reduction in the Post-16 Home to School Transport subsidy has not been included within current budgets, although an inflationary increase has been included on income lines within budgets at 4%. Maintaining the existing charges will not however accrue any further savings and therefore the current level of subsidy will remain.

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect?	Who is 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

Newport City Council Post-16 Home to School Transport Policy
 Newport City Council Home to School Transport
 Newport City Council School Admissions Policy
 Learner Travel (Wales) Measure Guidance 2014
 Welsh Government Statutory School Admissions Code
 Wellbeing of Future Generations Act, 2015

Options Available

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 align with those charged on the local bus network. This will no doubt be received positively by parents and pupils but will increase the Council's subsidy on this discretionary service and will likely result in a budget pressure.

Option 3: To increase the contribution to £400 per year as per the deferred recommendation from the June 2013 report. This will reduce the Council's subsidy in relation to this service but will likely be received negatively by parents and pupils. It could also increase the disparity between pupils using the local bus network and contracted provision, and in some circumstances could lead to allegations of the Council profit making from the pupils and parents.

Option 4: To implement different charging mechanisms for each of the four schools using contracted services. This would have the effect of fully removing the subsidy but would lead to confusion for officers and parents. This would be negatively received and 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. Any further increase to the current level of parental contributions will result in additional disparity between students using the local bus network and contracted services, and possibly profit, and thus lead to complaints and negative publicity for the Council. The fee charged to the parents of eligible post-16 students using contracted services will therefore remain at £370 for the 2019/2020 academic year, resulting in the charge for concessionary seats being set of £520 per annum.

Comments of Chief Financial Officer

The preferred option of maintaining the current level of parental contributions would not impact adversely on the budgets nor would it reduce the levels of subsidy. The income element of the budget was over achieved in 2018/19 which helped offset an overall overspend so consideration ought to be given moving forward to developing a model for 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 duty and 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, and the same decision was taken to maintain this level of charges over the past three years. However, the re-tendering of the contracted bus service over this period has resulted in a reduction in the costs of the season tickets for the local network services, which has meant that the concessionary charges have remained higher than the equivalent season tickets during this period. The local service provider has not made any decision yet regarding the season ticket costs as from September 2019, although the likelihood is that they will remain lower than the concessionary charges. There are a range of charging options available to the Council for the forthcoming academic year. The recommendation that the current top-up fees for concessionary travel should remain fixed at £370 is considered to be reasonable, as this maintains the current position and is consistent with the position adopted over the last three years. The FEIA 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 and Business Change

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 whilst 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 wider wellbeing benefits to the individual, wider society and economy. 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.

Comments of the Head of City Services

The preferred option of maintaining the current level of parental contributions is supported at this time, as the income element is achieving above the current budget level. Increasing charges in future years may not achieve more income due to a lower take up of places. Future charging structures should be considered in line with any changes in post 16 Education Policy. These charges are also similar to neighbouring authority's charges on post 16 provision.

Children and Families (Wales) Measure

The proposal aims to maintain current levels of parental contributions rather than impose the increase prescribed in a report to the previous Cabinet Member for Education & Young People in June 2013. It is anticipated therefore that this will be viewed and received positively. This relates to a discretionary service rather a statutory function. There is no requirement for additional consultation perceived.

Wellbeing of Future Generations (Wales) Act 2015

Report writers need to indicate how they have considered the five things public bodies need to think about to show they have applied the sustainable development principle put into place by the Act. You will need to demonstrate you have considered the following:

- 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 to undertake post 16 education. 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 subsidise 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 **A FEIA has been prepared to consider the impact on groups with protected characteristics. This proposal supports the “A more equal Wales” and “A globally responsible Wales” 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. **Due to this being a discretionary function to which we will be maintaining the current charge, there is no need for consultation at this time. However, a Fairness and Equalities Impact assessment has been carried out and is available to support this decision.**

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Background Papers

None

Dated: 6 August 2019

Fairness and Equalities Impact Assessment (FEIA)

Version 3.6 May 2017

The purpose of this assessment is to provide balanced information to support decision making and to promote better ways of working in line with equalities (Equalities Act 2010), Welsh language promotion (The Welsh Language (Wales) Measure 2011), sustainable development (Wellbeing of Future Generations (Wales) Act 2015), and the four parameters of debate about fairness identified by the Newport Fairness Commission (NFC Full Report to Council 2013).

Completed by: Ceri Gibbons

Role: Education Business manager

Head of Service: Sarah Morgan

Date: 08/05/19

I confirm that the above Head of Service has agreed the content of this assessment

Yes / No

When you complete this FEIA, it is your responsibility to submit it to
impact.assessment@newport.gov.uk

1. Name and description of the policy / proposal being assessed. Outline the policy's purpose.

Home to School Transport Policy. - Post 16 Transport.

A decision by a previous Cabinet Member for Education & Young People in June 2013 approved implementation of an amended charging mechanism for Post-16 Transport Costs on contracted services on a phased approach which would achieve full removal of the existing subsidy by September 2017.

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However in June 2015, a decision was made to suspend the proposed September 2015 increase and instead amend the sharing mechanism to align the additional top-up fee with the cost of a season ticket on the local bus network, setting the fee at £370 per academic year.

In 2016 the same decision was made to suspend the planned increase for September 2016, maintaining the current level of charges. This would not reduce the subsidy but maintain the current position. The costs charged to all students using contracted services would remain equal. This decision was also agreed for 2017 and 2018.

2. Outline how you have/ will involve stakeholders who will be affected by the policy/proposal

The proposed change will be subject to a formal report to the Cabinet Member for Education & Skills and thus will be taken through the Council's agreed democratic process.
Once the outcome is confirmed, service users will be advised as appropriate by the Integrated Transport Unit Manager.

3. What information/evidence do you have on stakeholders? e.g. views, needs, service usage etc. Please include all the evidence you consider relevant.





The proposal aims to maintain current levels of parental contributions rather than impose the increase prescribed in a report to the previous Cabinet Member for Education & Young People in June 2013. It is anticipated therefore that this will be viewed and received positively. This relates to a discretionary service rather a statutory function. There is no requirement for consultation perceived.


4. Equalities and Welsh language impact

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pupils accessing post-16 studies in a school environment who are eligible for a discretionary travel grant will be required to pay the same level of parental contribution towards actual travel costs regardless of whether they use a contracted vehicle service or access the local bus network.
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All pupils eligible for assistance will be treated equitably and required to pay the same level of parental contribution towards travel costs.
Gender reassignment/ transgender	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not applicable

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
Marriage or civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not applicable
Pregnancy or maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not applicable
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pupils accessing post-16 studies in a school environment who are eligible for a discretionary travel grant will be required to pay the same level of parental contribution towards actual travel costs regardless of whether they use a contracted vehicle service or access the local bus network.
Religion or Belief or non-belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All pupils eligible for assistance will be treated equitably and required to pay the same level of parental contribution towards travel costs
Sex/ Gender Identity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pupils accessing post-16 studies in a school environment who are eligible for a discretionary travel grant will be required to pay the same level of parental contribution towards actual travel costs regardless of whether they use a contracted vehicle service or access the local bus network
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not applicable
Welsh Language	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	At present, pupils seeking Welsh-medium post-16 provision can only access this outside the city, generally via a contracted service. Retaining the current position in relation to travel assistance ensures that parity is achieved between both Welsh and English medium pupils

5 How has your proposal embedded and prioritised the sustainable development principle in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Long Term</p> <p>Balancing short term need with long term needs</p>	<p>The provision of post 16 transport is not a statutory function but the Council maintains this discretionary award to support pupils to undertake post 16 education. 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.</p>
 <p>Collaboration</p> <p>Working together to deliver objectives</p>	<p>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.</p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>Due to this being a discretionary function to which we will be maintaining the current charge, there is no need for consultation at this time.</p>
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>Providing partially subsidised transport to ensure students can access appropriate education and gain skills which will mean they have better life chances</p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>This proposal supports the “A more equal Wales” and “A globally responsible Wales” 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”</p> <p>This proposal promotes equality by maintaining the same level of contribution across the City rather than applying an increase for some students from September 2019. There is no discrimination or breach of equalities duties.</p>

6 Will the proposal/policy have a disproportionate impact on a specific geographical area of Newport?

There will be no disproportionate impact on a specific area. All children eligible for a travel grant will now pay the same level of parental contribution towards travel costs regardless of where they live and which school they attend.

7 How does the proposal/policy relate to the parameters of debate about Fairness identified by the Newport Fairness Commission

Maintaining the current parental contributions would mean that the costs charged to all students using contracted services remain equal.

8 Taking this assessment as a whole, what could be done to mitigate any negative impacts of your policy and better contribute to positive impacts?

Not applicable

9 Monitoring, evaluating and reviewing

The impact of maintaining the grant will be monitored by the Passenger Transport Team and Education.

10 Involvement

How will people be advised of the changes and of the FEIA?

The proposed change will be subject to a formal report to the Cabinet Member for Education & Young People and thus will be taken through the Council's agreed democratic process. Once the outcome is confirmed, service users will be advised as appropriate by the Integrated Transport Unit Manager.

11 Summary of Impact (for inclusion in any report)

Equality Act 2010 AND Welsh Language

There is no discrimination or breach of equalities duties. All communities would have an equal outcome.

Welsh language is not affected by the policy as Welsh Medium pupils will be treated in the same way as English Medium pupils.

This proposal therefore promotes equality by maintaining the same level of contribution across the City rather than applying an increase for some students from September 2019.

Wellbeing of Future Generations (Wales) Act 2015

Young people entitled to transport and their families will not be affected by the decision to maintain the current parental contributions.