

Report

Cabinet Member for Education and Skills

Part 1

Date: 31 July 2020

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 2020/21 academic year

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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 that 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 charging 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. The same decision, to suspend planned increases, has since been agreed for each year since 2015. As a result, the level of charges remain unchanged since this date and there has been no further reduction in the subsidy.

Proposal **To agree that the current level of charges should be maintained for the 2020/21 academic year.**

Action by Chief Education Officer with the Head of City Services

Timetable Implementation from September 2020

This report was prepared after consultation with:

- Corporate Management Team
- Education Senior Management Team
- 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 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. The Council's budget savings proposals for the 2020/21 financial year included removal of this Post-16 travel grant. This was not taken forward for implementation however, and thus the grant will remain available to eligible students from September 2020. 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. This superseded a previous decision 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. Similar reports in the following four years (2016, 2017, 2018 and 2019) agreed to maintain the cost agreed in 2015 up to and including the end of the 2019/20 academic year.

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 Bus Pass is reviewed annually and is currently £350 per pupil per academic year. As a result, and despite the intentions of the 2015 report, the cost charged to the parents of eligible post-16 students for home to school transport does not align; the parental contribution is currently £350 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 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.**

September 2020

Newport Transport has not yet confirmed whether the cost of the annual Youth Bus Pass will increase from September 2020, although as the most recent increase was only implemented in January 2020, this seems unlikely. The parents of these pupils are likely therefore 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, three secondary schools in Newport are not fully accessible via Newport's local bus network – Bassaleg School, Caerleon Comprehensive School and St Joseph's RC High School. In addition, post-16 Welsh-medium education is currently not available in Newport and these students are required to travel out-of-county on contracted services to either Ysgol Gyfun Gwynllyw (Torfaen), Ysgol Gyfun Cwm Rhymni (Caerphilly) or Ysgol Gyfun Gymraeg Bro Edern (Cardiff). The Head of City Services has estimated that currently the average cost of a seat on the contracted provision to these schools is as follows (to note contract arrangements for September 2020 are still to be finalised):

School Name	Average Cost
Bassaleg School	£837
Caerleon Comprehensive School	£930
St Joseph's RC High	£930
Ysgol Gyfun Gwynllyw (Torfaen)	£2,079
Ysgol Gyfun Cwm Rhymni (Caerphilly)	£4,433*
Ysgol Gyfun Gymraeg Bro Edern (Cardiff)	£3,736*

**These services are operated by taxi provision as the nearest available school to the home address.*

It is not either fair or feasible to levy varying parental contributions dependent on which of these schools a child attends, and thus a standard contribution for contracted provision needs to be agreed. To note however, any failure to fully recover these costs will increase the Council’s financial commitment to an already subsidised service.

To note, that due to the ongoing Covid-19 pandemic there is as yet no confirmation of how schools will operate from September 2020. This may have an impact on the Post-16 Travel Grant and the associated parental contributions. This will therefore be reviewed as appropriate as and when the position regarding September 2020 becomes clearer.

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

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

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 be positive for 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. Whilst this will reduce the Council's subsidy in relation to this service, parents and pupils will likely perceive it negatively. This would 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 six 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 should therefore remain at £370 for the 2020/2021 academic year, resulting in the charge for concessionary seats being set of £520 per annum.

Comments of the Head of City Services

The preferred option of maintaining the current level of parental contributions is supported at this time. 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. We may also have to take into account any changes required on vehicle size for the coming year due to Covid-19 restrictions where capacity issues will need to be taken into account.

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 2019/20 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. 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 has been taken to maintain this level of charges over the past four 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 as from September 2020, 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 reasonable, as this maintains the current position and is consistent with the position adopted over the last four years. 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.

Local issues

This is a Citywide proposal but specifically affects families of Newport-resident children who live in the catchment areas for Bassaleg School, Caerleon Comprehensive School and St Joseph's RC High School and those accessing Welsh-medium education.

Comments of non-Executive Members

Cllr G. Berry:

I support the proposal to agree that the current level of charges should be maintained for the 2020/21 academic year.

Scrutiny Committees

None

Equalities Impact Assessment

The Equality Act 2010 contains a Public Sector Equality Duty, which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better-informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. A Fairness & Equality Impact Assessment (FEIA) has been developed to support this proposal.

Children and Families (Wales) Measure

This relates to a discretionary service rather a statutory function, and aims to maintain current levels of parental contributions rather than impose the increase prescribed in a report to a previous Cabinet Member for Education & Young People in June 2013. This is considered positive for children and families.

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 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 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. **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 the 2020/21 financial year 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.**

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.

Consultation

None directly, although removal of the Post-16 Travel Grant was included in the Council’s budget proposals for the 2020/21 financial year.

Background Papers

None

Dated: July 2020