

# Report

## Cabinet Member for Education and Skills

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### Part 1

Date: 21 March 2022

**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 2022/23 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, with no increases being levied. As a result, the level of charges remain unchanged since June 2015, and as a result there has been no reduction in the subsidy paid by the Council for this service.

**Proposal** To agree that the current level of charges should be maintained for the 2022/23 academic year.

**Action by** Chief Education Officer with the Head of City Services

**Timetable** Implementation from September 2022

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. 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 2015 however, the cost of a Post-16 season ticket via Newport Transport has changed 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. This cost will not be reviewed until July 2022 at the earliest, and may be increased at this point. As a result, and despite the intentions of the original report, currently the cost charged to the parents of eligible post-16 students for home to school transport does not align; the parental contribution is currently £200 for children using the local bus network and £370 for those on contracted provision.

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 five 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, The John Frost School and Ysgol Gymraeg Gwent Is Coed. In addition, transport is also being provided to a small number of pupils attending St Teilo's Church in Wales school in Cardiff as their nearest available school.

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:

School Name	Average Cost
Bassaleg School	£842
Caerleon Comprehensive School	£980
St Joseph's RC High	£1346
Ysgol Gymraeg Gwent Iscoed	£1069
The John Frost High	£2400
St Teilo's	£3325

It is neither fair nor 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.

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)

A further reduction in the Post-16 Home to School Transport subsidy has not been included within current budgets. Maintaining the existing charges will not accrue any further savings and therefore the current level of subsidy will remain.

A budget of £42,213 has been set for Post-16 travel grants in the current financial year, and whilst this is based on a continuation of the current arrangements, as recommended in this report, it is noted that the budget has overspent in recent years. However, given that the Council is unable at this stage to predict how many pupils will apply, and be eligible, for this grant in the 2022/23 academic year, the full impact on this budget cannot be quantified at present

## 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.

<b>Risk Title / Description</b>	<b>Risk Impact score of Risk if it occurs* (H/M/L)</b>	<b>Risk Probability of risk occurring (H/M/L)</b>	<b>Risk Mitigation Action(s)</b> What is the Council doing or what has it done to avoid the risk or reduce its effect?	<b>Risk Owner</b> 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  
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 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 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 parental contribution fee. 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 2022/2023 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 (Option 1) is supported as it maintains the current charging structure and, as no MTFP saving has been placed against this budget, the decision does not create additional pressures on the existing transport budget.

The current/ proposed charging structure is broadly consistent with charges for Post 16 travel provision by our neighbouring authorities.

### **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 is forecast to overachieve in 2021/22 and this forms part of the overall budget which is also predicting an underspend. This position has clearly been influenced by the pandemic, but this does mean that the future is uncertain, it is known that the cost of seats varies between schools and is more than the fee charged 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 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 much 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 be 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 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, by maintaining the subsidy at the same level as for recent years. This would prevent 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 were proposed in relation to 2021/22 or 2022/23.**

## **Crime and Disorder Act 1998**

Not applicable

## **Consultation**

None

## **Background Papers**

FEIA (July 2020)

**Dated: 21 March 2022**