

Report

Cabinet Member for Education & Skills

Part 1

Date: 17 July 2017

Item No: 02

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 2017/18 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 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.

Proposal **To suspend the further price increase planned for September 2017 and therefore maintain the current level of charges.**

Action by Chief Education Officer with the Head of Streetscene

Timetable Implementation from September 2017

This report was prepared after consultation with:

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

- Chief Education Officer
- Head of Streetscene
- Head of Law and Regulation
- Head of Human Resources
- 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. A similar report in June 2016 agreed to maintain these costs for the 16/17 academic year.

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 2017

The provision of local bus school services is currently in the process of being re-tendered for September 2017. As a result therefore no information is available to support the potential cost of an annual season ticket.

Notwithstanding this however, the actual cost of travelling on contracted provision is more than the cost of a current season ticket. Currently, there are four secondary schools served by the local bus network – Bassaleg School, Caerleon Comprehensive School, St Joseph's RC High School and Ysgol Gyfun Gwynllyw.

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

- Bassaleg - £450
- Caerleon - £660
- St Joseph's - £1200
- Gwynllyw - £600

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 that 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 Streetscene
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 Streetscene

* 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 2009

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.

Comments of the Head of Streetscene

The Option 1 proposal is supported as it will bring continuity to the Policy when policies change at short notice it can create confusion between parents and officers and increase the amount of administration to carry out the change. As current contract costs will remain for this financial year there will be no detrimental effect on budgets. The charge is very much aligned with other authorities concessionary policies and any increase may also decrease revenue as fewer pupils will be able to afford the cost. It also shows a level of support for post 16 pupils where no statutory duty to provide any transport exists within the Welsh Government Learner travel measure.

Comments of Chief Financial Officer

The proposal is to maintain the current charging mechanism for Post 16 transport as it has been since September 2017. The original increases in costs have not been built into budgets as increased income since the decision not to implement further increase in charges, and has continued to be the case while the appetite no to increase charges is maintained.

The proposal is supported, as the recovery cost is above what should be charged since the last retender of the contracts, and the season ticket price fell by £50. The recovery is obviously based on take up of the transport, and therefore increasing charges substantially could have a negative impact of those taking up the travel options as it is pupil demand led.

As budgets have not anticipated any further increases in income, there should be no financial adverse impact to the service budgets.

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. 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 last year to maintain the current level of charges. However, the subsequent re-tendering of the contracted bus service led to a reduction in the costs of the season tickets for the local network services during the current school year, which meant that the concessionary charges remained higher than the equivalent season tickets. That contract is currently being re-tendered as from September 2017, although the likelihood is that the season ticket costs 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 two years. 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

As required this proposal has considered all five aspects of the sustainable development principle of the Well-being of Future Generations (Wales) Act. In addition a Fairness and Equality Impact Assessment (FEIA) has been completed to assess the potential fairness and equality impacts that could result from this decision.

From an HR perspective there are no staffing implications as a result of this proposal.

Equalities Impact Assessment

See FEIA attached

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. **There was no consultation with users due to this being a discretionary function, 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: 17 July 2017

Fairness and Equalities Impact Assessments F&EIAs (2015)

This form presents evidence that equalities, Welsh language and fairness have been considered when taking policy and service delivery decisions in Newport City Council.

Our Equalities focus is taken from the Equalities Act 2010: we consider the nine protected equalities characteristics- age, gender reassignment, disability, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation.

Under the General Equality Duty we have a duty to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations

across the nine protected characteristics.

Under the Welsh Language Measure 2011 the Welsh language cannot be treated any less favourably than the English language

In Newport we focus on Fairness through the following themes: Health, Poverty, Skills and Work, Domestic Abuse and Tackling Area Based Deprivation.

Service Area	Head of Service	Person responsible for the Assessment:	Date of Assessment
Education	James Harris	Jodi Pontin	13 th June 2017

1. What is the policy/ service being assessed?

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.

2. What is the purpose of the policy/ service change?

To suspend the further price increase planned for September 2017 and therefore maintain the current level of charges.

3. Protected Characteristics

Protected Characteristic	Who are the customers/service users/ potential service users?	If we take this decision what is the potential impact? The impact may be either positive or negative Explain how people may be affected and give the evidence for this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who is responsible?	Timeframe to review
Age	Pupils seeking post-16 education in a school	Pupils accessing post-16 studies in a school	This is seen as a positive rather than adverse impact and would	Education Business	September 2017

	based environment	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	be communicated to service users at the earliest opportunity	Manager / Integrated Transport Unit Manager	
Gender reassignment	Not applicable				
Disability	Pupils seeking post-16 education in a school based environment	All pupils eligible for assistance will be treated equitably and required to pay the same level of parental contribution towards travel costs	This is seen as a positive rather than adverse impact and would be communicated to service users at the earliest opportunity	Education Business Manager / Integrated Transport Unit Manager	September 2017
Marriage/Civil Partnership	Not applicable				
Pregnancy and Maternity	Not applicable				
Race	Pupils seeking post-16 education in a school based environment	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	This is seen as a positive rather than adverse impact and would be communicated to service users at the earliest opportunity	Education Business Manager / Integrated Transport Unit Manager	September 2017

		towards actual travel costs regardless of whether they use a contracted vehicle service or access the local bus network			
Religion/belief (or the absence of)	Pupils seeking post-16 education in a faith based school environment	All pupils eligible for assistance will be treated equitably and required to pay the same level of parental contribution towards travel costs	This is seen as a positive rather than adverse impact and would be communicated to service users at the earliest opportunity	Education Business Manager / Integrated Transport Unit Manager	September 2017
Sex	Pupils seeking post-16 education in a school based environment	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	This is seen as a positive rather than adverse impact and would be communicated to service users at the earliest opportunity	Education Business Manager / Integrated Transport Unit Manager	September 2017
Sexual Orientation	Not applicable				
Welsh language	Pupils seeking post-16 education in a Welsh-medium school	All pupils eligible for assistance will be treated equitably and required to pay the	This is seen as a positive rather than adverse impact and would be communicated to service users at the earliest opportunity	Education Business Manager / School	September 2017

		same level of parental contribution towards travel costs		Admissions Manager / Integrated Transport Unit Manager	
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4. Who has the service consulted regarding the proposed change? When should new consultation take place?

NB: It is essential that service users and other interested parties are involved in the planning process at the earliest opportunity. Consultation at an initial stage should be along broad themes. It is appropriate to ask what services are valued, how services could be changed and or what could be done differently. This feedback should then inform your business case proposals and the F&EIA. When specific proposals have been drawn up, they too will need to be consulted upon. All stakeholders and their views need to be represented.

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.

5. What evidence/ data has been used to complete this F&EIA (This will include local and national guidance)

- The Council's Home to School Transport policies;
- Feedback from officers and complaints from service users.

6. How will the relevant groups be advised of the changes and the F&EIA?

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.

7. How will the policy/ practice make Newport more or less fair in relation to:

- Health Inequalities
- Child Poverty
- Skills and Work
- Tackling Domestic Violence
- Alcohol and Substance misuse
- Homelessness
- Armed Forces Veterans

Maintaining the current level of parental contribution and not imposing any further increase for the 2017/18 academic year will reduce the prospect of additional financial hardship on individual families. That is to say the cost will be £370 per pupil over the course of the academic year.

8. How will the service / policy affect local areas of the city?

Will it have a positive or negative impact in terms of fairness and addressing local area deprivation (you will need to use spatial data available through the Newport Profile and specific Ward Profiles to address this question)?

Not applicable – this proposal is City wide and is an extension of the current arrangements.

9. In summary, how does the changed service /policy promote good community relations (cohesion)?

Not applicable

10. In summary, how does the changed service /policy promote equality?

The amended charging mechanism implemented from September 2014 ensured that all post-16 students across the City were treated equitably in accessing education. In order to achieve this equity however, the parental contribution payable in respect of students accessing contracted vehicle services was increased from £45 per annum to £347 per annum. This increase was viewed negatively by parents, and the Council faced significant difficulties and challenges at the point of implementation. It is key however to note that all Post-16 students are now required to pay the same contribution and thus equity exists across the City.

Despite this increase, contracted services continue to be subsidised and the June 2013 report recommended further gradual steps

to remove this subsidy by September 2017. This would commence in September 2015 when parental contributions in respect of contracted service should increase to £400 per annum.

This would however cause further inequality across the City with students using the local bus network continuing to pay the lower amount.

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 2017.

11. In summary, how does the changed service /policy eliminate discrimination?

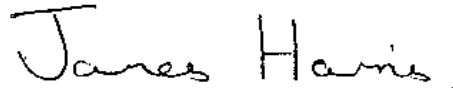
All children eligible for a travel grant will now pay the same level of parental contribution towards travel costs regardless of where they live and which school they attend.

Completed by/ Date:



13th June 2017

Signed off by/ Date:



13th June 2017