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Committee: **Lead Member for Children & Families**

Date: **12 July 2011**

Title of Report: **Review of discretionary transport – Peacehaven to Tideway School**

By: **Director of Children’s Services**

Purpose of Report: To inform the Lead Member of the outcomes of the consultation on the proposal.

Recommendation:

The Lead Member is recommended to agree to implement the proposal from September 2011

1. Financial Appraisal

1.1 The Home to School Transport budget was £11,420,600 in 2011/11 and is £10,177,000 in 2011/12 which is £1,261,600 less than in 2010/11. This budget comes from the Children’s Services Authority funding rather than through Dedicated Schools Grant (DSG) and, until 2010/11 this budget has for many years shown a considerable overspend. The required savings on the Children’s Services Department for 2011/12 mean that it is imperative that all areas of discretionary policy are reviewed.

1.2 This proposal follows on from the review of the discretionary transport policy to denominational schools in 2010 and the remaining two routes from Etchingham and Hurst Green to Uplands Community College and East Chiltonington to Chailey Secondary School on 8 June 2011. The estimated savings of the proposal to remove the discretionary transport provision to Tideway School would be £22,230 in the first year, £15,219 in the second year and £2,052 in the third year making an overall saving of £39,501 over the next three financial years.

2. Supporting information

2.1 The County Council provides free home to school transport for eligible pupils of statutory school age in accordance with Section 508B of the 1996 Education Act. In addition, the Council has, for a number of years, used its discretion to provide assistance for a small number of pupils who do not qualify under the strict eligibility criteria shown in Annex 1.

2.2 Consultation took place between 18 March 2011 and 16 May 2011 on the proposal to remove the discretionary transport currently provided to children travelling from the Peacehaven area to Tideway School in September 2011 for pupils entering Year 8 to Year 10. It was proposed that children entering Year 11 would continue to receive discretionary travel support until they had completed their GCSE courses at the end of the 2011/12 academic year. However, the consultation document contained an error and this was not discovered until the consultation closed. On legal advice, letters were sent to the 57 individual families with children currently receiving discretionary support on this route as a further consultation exercise. This consultation closed on 1 July 2011 and a copy of the letter and response form is attached as Annex 2.

Consultation responses

2.3 The total number of responses was 17, and all strongly disagreed with the proposal. In addition, eight parents sent in emails or letters and one letter was received from the Headteacher of Tideway School. The consultation responses have been made available in full for the Lead Member and County Councillors.

2.4 Themes included in the responses were as follows:

- The proposal would lead to a high financial cost to families
- Parents had made the decision for their children to attend Tideway School in the context of free transport being provided
- Concern about the safety of children having to walk to school if their parents cannot afford bus fare
- Parents had understood that the transport was an entitlement, not discretionary
- Parents queried the availability of places at Peacehaven Community School if they cannot afford the bus fare to Tideway
- If parents choose to drive rather than pay for the bus, this would lead to increased congestion and danger at school gates
- There were queries raised as to why only Y10s would continue to get help as the disruption could occur for all year groups
- Two families report having transferred to Tideway due to their child having experienced bullying at Peacehaven Community School
- For some Tideway was not choice but the only option as Peacehaven Community School did not have enough places

2.5 If the current discretionary provision is removed, there would be a higher cost for families, but it would be the same as for other families throughout the County. The rise in cost would then ensure consistency when applying the policy across all areas of the County. With regard to safety, the route from the Peacehaven area to Tideway School is not designated as 'unsafe' and parents have a duty to ensure their children attend school. The pupils in receipt of discretionary support have been receiving this as a direct result of the County Council's decision to provide it at the time of the Wealden transport review in 2004. It has never been an entitlement for these children as they would not qualify under the statutory legal criteria. The Lead Member is recommended to approve retaining discretionary support for those pupils currently in Y10 until the end of the 2011/12 academic year as these specific pupils are currently part way through their GCSE courses. This reasoning does not apply to other year groups. Current availability at Peacehaven Community School is shown in 2.7 below. Details of the affected pupils' secondary school preferences will be made available to the Lead Member and Councillors at the meeting on 12 July 2011.

2.6 If the proposal is agreed, parents would be responsible for getting their child to school. All of the children live less than the 3 miles walking distance from Tideway School. Currently charges on the Brighton and Hove bus service are £9 per child per week travelling from stops between Saltdean and Slindon Avenue, Peacehaven and £8 per week per child travelling from all stops east of Slindon Avenue, Peacehaven.

2.7 If the Lead Member decides that discretionary provision from the Peacehaven area to Tideway should cease, there will be 32 children affected. Of these, 18 are currently Year 7, 5 are currently Year 8 and 9 are Year 9. Should they wish to transfer schools, the places currently available at Peacehaven Community School are 17 in current Year 8. There are no places available in current Year 7 or Year 9.

2.8 If any of the affected children are from families designated as 'low income', they can apply for help with the cost of home to school transport. In order to qualify as a low income family, the child must be eligible for free school meals or the family must be in receipt of the maximum level of Working Tax Credit. In addition, the child must be attending one of their three nearest schools from where they live, and the school must be more than two miles but less than six miles from home.

3 Conclusion and Reason for Recommendations

3.1 The current application of discretionary transport is inequitable and costly to the Council within the context of overall budget reductions and the Lead Member is recommended to agree to the following proposal:

- a. Free discretionary transport would be provided for all young people entering Year 11 in September 2011 until the end of that school year.
- b. Free discretionary transport would cease for all other children from September 2011.

MATT DUNKLEY

Director of Children's Services

Contact Officer: Sheila Locke, Head of Admissions and Transport

Tel: 01273 335771

Local Members: Councillor Livings, Councillor Howson (Peacehaven & Telscombe Towns)

Background Documents: DCSF Home to School Transport Guidance, 2007

Statutory Home to School Transport

A child of statutory school age is provided with free home to school transport if:

- he has special educational needs, disability or mobility problems such that he is unable to walk to school;
- he cannot reasonably be expected to walk because of the nature of the route to school;
- he lives outside walking distance and no suitable alternative arrangements have been made for him;
- pupils who are aged 8 to 11 years are from low income families, and they go to their nearest qualifying school, and live more than two miles away; and
- pupils who are aged 11 to 16 years old from a low income family, and they go to either:
 - * any one of their three nearest qualifying schools, and the school is between two and six miles away from their home address; or
 - * the nearest qualifying school preferred by their parents on the grounds of religion or belief, and the school is between two and 15 miles away from their home address.

Date 31st May 2011

when responding please contact
Tracy Mander 01273 482967

Dear Parent/carer

Discretionary Home to School Transport Consultation

I am writing further to the recent public consultation regarding proposed changes to Discretionary Home to School Transport.

It has come to our attention that the information in the consultation booklet regarding the Peacehaven to Tideway route contained a printing error. We are therefore extending the opportunity for you to respond to the consultation.

The proposal is as follows:

Peacehaven area to Tideway Community Secondary School:

We are proposing to cease all discretionary transport. This would be implemented by:

- a. free discretionary transport would be provided for all young people entering Year 11 in September 2011 until the end of that school year.
- b. free discretionary transport would cease for all other children from September 2011.

Please see the attached separate sheet for you to provide your views on this proposal.

Please return your completed questionnaire in the prepaid envelope provided by 1st July 2011.

A report regarding the proposal will be considered by the Lead Member for Children's Service on 12th July. If the proposed changes are agreed they will be implemented from the start of the school year in September 2011.

Yours faithfully



Sheila Locke
Head of Admissions and Transport

Enc

Q2. Are you a...? Please select all that apply

- Parent/carer or a pupil living in East Sussex receiving discretionary transport assistance
- Parent/carer or pupil living in East Sussex not receiving discretionary transport assistance
- A member of staff or governor of an East Sussex school
- Other

Please provide details :

Q3. What is your postcode?

About you

You do not have to complete this section of the survey but it helps us if you do. We collect this information to ensure that we are seeking the views of everyone in our community and to demonstrate that we are complying with relevant diversity and equalities legislation.

Any responses you give will be treated in the strictest confidence.

Q4. Are you.....? **Male** **Female** **Prefer not to say**

Q5. Is your gender identity the same as the gender you were assigned at birth?

Yes **No** **Prefer not to say**

Q6. Which of these age groups do you belong to? Please select one option

<input type="checkbox"/>	Under 18	<input type="checkbox"/>	25 to 34	<input type="checkbox"/>	45 to 54	<input type="checkbox"/>	60 to 64	<input type="checkbox"/>	75+
<input type="checkbox"/>	18 to 24	<input type="checkbox"/>	35 to 44	<input type="checkbox"/>	55 to 59	<input type="checkbox"/>	65 to 74	<input type="checkbox"/>	Prefer not to say

The Disability Discrimination Act (DDA) describes a person disabled if they have a longstanding physical or mental condition that has lasted or is likely to last at least 12 months; and this condition has a substantial adverse effect on their ability to carry out normal day to day activities. People with some conditions (cancer, multiple sclerosis and HIV/AIDS, for example) are considered to be disabled from the point that they are diagnosed.

Q7. Do you consider yourself to be disabled as set out in the DDA? Please select one option

Yes **No** **Prefer not to say**

Q8. If you answered yes to Q8, please tell us the type of impairment that applies to you. You may have more than one type of impairment, so please select all that apply. If none of these apply to you please select other and write in the type of impairment you have.

<input type="checkbox"/>	Physical impairment	<input type="checkbox"/>	Mental health condition
<input type="checkbox"/>	Sensory impairment (hearing and sight)	<input type="checkbox"/>	Learning disability
<input type="checkbox"/>	Long standing illness or health condition, such as cancer HIV, heart disease, diabetes or epilepsy	<input type="checkbox"/>	Prefer not to say
<input type="checkbox"/>	Other (please specify)		

Q9: To which of these ethnic groups do you feel you belong? (source: 2001 census) Please select one option

White		Mixed		Asian or Asian British		Black or Black British	
<input type="checkbox"/>	British	<input type="checkbox"/>	White & Black Caribbean	<input type="checkbox"/>	Indian	<input type="checkbox"/>	Caribbean
<input type="checkbox"/>	Irish	<input type="checkbox"/>	White & Black African	<input type="checkbox"/>	Pakistani	<input type="checkbox"/>	African
<input type="checkbox"/>	Gypsy/Roma	<input type="checkbox"/>	White & Asian	<input type="checkbox"/>	Bangladeshi	<input type="checkbox"/>	
<input type="checkbox"/>	Irish Traveller	<input type="checkbox"/>		<input type="checkbox"/>	Chinese	<input type="checkbox"/>	Prefer not to say
Other Ethnic Group If your ethnic group was not specified in the list, please describe your ethnic group:							

Q10. Do you regard yourself as belonging to any particular religion or belief? Please select one option

Yes No Prefer not to say

Q11. If you answered yes to Q11 which one? Please select one option

<input type="checkbox"/>	Christian	<input type="checkbox"/>	Hindu	<input type="checkbox"/>	Muslim
<input type="checkbox"/>	Buddhist	<input type="checkbox"/>	Jewish	<input type="checkbox"/>	Sikh
<input type="checkbox"/>	Any other religion or belief (please specify)				

Q12. Are you...? Please select one option

<input type="checkbox"/>	Bi/Bisexual	<input type="checkbox"/>	Gay woman/Lesbian	<input type="checkbox"/>	Other
<input type="checkbox"/>	Heterosexual/Straight	<input type="checkbox"/>	Gay Man	<input type="checkbox"/>	Prefer not to say