

Individual Decision

The attached reports will be taken as
Individual Portfolio Member Decisions on:

Thursday, 23rd May, 2013

Ref:	Title	Portfolio Member	Page No.
ID2661	West Berkshire Council Community Learning and Skills Plan	Councillor Irene Neill	1 - 28
ID2662	Home to School Transport Policy for 2013/2014 and 2014/2015	Councillor Irene Neill	29 - 80



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Individual Executive Member Decision

Title of Report:	West Berkshire Council Community Learning and Skills Plan
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	23 May 2013
Forward Plan Ref:	ID2661

Purpose of Report: The purpose of the report is to set the strategic direction for Community Learning in West Berkshire for 2013/14 academic year, to confirm its links to other local plans and to confirm the Council's role in commissioning, co-ordinating and supporting members of the West Berkshire Community Learning Partnership to deliver formal and nonformal learning in West Berkshire.

Recommended Action: Approval of the plan.

Reason for decision to be taken: This is a non statutory plan. The Community Learning Team seek approval for the plan so that organisations who will apply to become subcontractors can be informed about the aims of the service, the actions that need to be taken to ensure the realignment of the provision to meet the requirements of the Council, The Skills Funding Agency and the Ofsted Inspectorate and the priority groups of learners that need to be attracted to the provision.

Other options considered: None

Key background documentation: BIS (2011) New Challenges , New Chances FE and Skills System Reform Plan: Building a world class system
LSIS (2012) A guide to making the most of the Adult Skills Budget
SFA (2013) Funding Rules 2013/14 – Version 2
BIS (April 2013) Rigour and Responsiveness in Skills
SFA (March 2013) A New Streamlined Funding System for Adult Skills
SFA (February 2013) Community Learning 2013/14 Information for Community Learning Providers
NIACE (Dec 2012) Community Learning in Rural Areas

Portfolio Member Details	
Name & Telephone No.:	Councillor Irene Neill - Tel (0118) 971 2671
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Contact Officer Details	
Name:	Sara Hanson
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Implications

Policy:	None
Financial:	None. The Council has received confirmation of its allocation for Community Learning and Skills in its Skills Funding Agency Final Funding Statement 2013/14 . For Adult Skills it will receive £57,660 from August 2013 to March 2014 and £37,551 from April 14 to July 2014 (Total £95, 211) For Community Learning it will receive £267,545 from August 2013 to March 2014 and £133,772 from April 2014 to July 2014 (Total £401,317)
Personnel:	None
Legal/Procurement:	Discussions are ongoing with legal and procurement to finalise arrangements for using the Council's procurement portal to promote the opportunities to bid for funding to deliver the provision
Property:	None
Risk Management:	None

Is this item relevant to equality?	Please tick relevant boxes	
	Yes	No
Does the policy affect service users, employees or the wider community and:		
• Is it likely to affect people with particular protected characteristics differently?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Is it a major policy, significantly affecting how functions are delivered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Will the policy have a significant impact on how other organisations operate in terms of equality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to an area with known inequalities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)		
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia		<input checked="" type="checkbox"/>
Not relevant to equality		<input type="checkbox"/>

Consultation Responses

Members:

Leader of Council:	Councillor Gordon Lundie contacted No comment received
Overview & Scrutiny Management Commission Chairman:	Councillor Brian Bedwell contacted No comment received
Ward Members:	
Opposition Spokesperson:	Councillor Alan Macro contacted No comment received

Local Stakeholders: West Berkshire Community Learning Partnership approved an outline of the plan at their meeting on 21st March 2013

Officers Consulted: Rachael Wardell, Ian Pearson, Janet Scott, Mair Atkins, Alison Prudden, Pauline Mant, Ann Miemczyk

Trade Union: Not consulted

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
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Supporting Information

1. Background

- 1.1 This Plan is one part of the family of plans which set the priorities for services in West Berkshire.

2. Summary

- 2.1 The plan informs stakeholders of the requirements of the Skills Funding Agency (SFA) which provides the external funding for the Community Learning and Skills Service delivered by the Council. It identifies the key national and local plans and priorities that the plan can contribute to and sets out the aims, actions and outcomes for Community Learning and Skills in West Berkshire during the academic year 2013/14. The plan also lists the strategic challenges faced by the service.

3. Equalities Impact Assessment Outcomes

- 3.1 An equalities impact assessment is attached.

Appendices

Appendix A – Draft West Berkshire Council Community Learning and Skills Plan

Appendix B – Skills Funding Agency Final Funding Statement 2013/14

Appendix C – Equalities Impact Assessment.

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West Berkshire Council

Community Learning and Skills Plan

2013-14

DRAFT

West Berkshire Council Adult and Community Learning and Skills Development Plan 2013/14

This Plan is one part of the family of plans which set the priorities for services in West Berkshire. It builds on a series of Adult Learning Plans – see Appendix 2.

This plan summarises the requirements of the Skills Funding Agency (SFA) that provides the external funding for the Community Learning and Skills Service delivered by the Council, identifies the key plans and priorities that this plan can contribute to and sets out the aims, actions and outcomes for Community Learning and Skills in West Berkshire during the academic year 2013/14. The plan also lists the strategic challenges faced by the service.

A detailed team plan is being developed that will include the responsibility for each action, the timescale for completion and success criteria. This will be monitored by the Principal Adult and Community Learning Officer and the Service Manager.

Context

Key plans, requirements and priorities that set the context for Community Learning and Skills in the district are:

1. National

A. Requirements of Providers directly funded by the Skills Funding Agency

Community Learning and Skills in West Berkshire are funded through a contract with the Skills Funding Agency (SFA) for Community Learning and Adult Skills. The Council is required to:

- Commission, deliver and support a locally determined formal and non formal learning offer that conforms to the objectives set out in New Challenges, New Chances (see Appendix 1)
- Operate in strong local partnerships to ensure their plans and strategies are underpinned by engagement with communities, local authorities, LEAs and other key local stakeholders.
- Operate within the terms and conditions of the SFA funding agreement and the SFA funding rules which state:
 - Providers must have in place a strategy that sets out how they have identified and will deliver a balance of the objectives set out in New Challenges, New Chances

- Providers must show evidence on how they will operate in strong local partnerships to ensure their objectives are underpinned by engagement and consultation with their communities, local authorities, local enterprise partnerships and other key local stakeholders
- Providers must have clear outcomes and appropriate measures capable of evaluation by their community and local stakeholders
- Providers must develop and implement a robust financial strategy that adds to their Community Learning allocation
- Providers must abide by the funding eligibility (including learner eligibility) as set out in the SFA's funding rules

B Policy

Purpose of Community Learning (Extract from Department of Business Innovation and Skills "New Chances, New Challenges" Page 14)

- Maximise access to community learning for adults, bringing new opportunities and improving lives, whatever people's circumstances
- Promote social renewal by bringing local communities together to experience the joy of learning and the pride that comes with achievement
- Maximise the impact of community learning on the social and economic well-being of individuals, families and communities.

Purpose of the Adult Skills Budget

To support flexible and responsive provision for learners aged 19+ without level 2 qualifications or without GCSE English or Maths at grades A* to C. Funding is focussed on qualifications that are part of a regulated framework approved by the Skills Funding Agency.

2. Local

2.1 Berkshire Local Economic Partnership priorities:

- Well being for all who live and work in Berkshire
- Access to 21st Century infrastructure
- Improving employability and closing skills gaps
- A hot house of creativity and innovation creating next generation businesses.

2.2. West Berkshire Partnership, Sustainable Community Strategy "A Breath of Fresh Air" priorities:

- A prosperous West Berkshire
- Healthy individuals and communities

- Safer
- Greener
- Accessible

2.3. Health and Well Being Board priorities

Vision : Adding Years to Life and Life to Years

- Addressing childhood obesity in the Primary School Phase
- Supporting those over 40 years old to address lifestyle choices detrimental to health
- Promoting independence and supporting older people to manage their chronic conditions
- Giving every child the best start in life
- Promoting a vibrant district.

2.4. West Berkshire Council Strategy

Priorities

- Caring for and protecting the vulnerable
- Promoting a vibrant district
- Improving education
- Protecting the environment

Vision and Purpose

- Helping you to help yourself
- Helping you when you cannot help yourself
- Helping you to help one another
- Promoting and acting in the interests of communication, people and businesses of the district

Principles

- Putting people first
- Empowering people and communities
- Living within our means
- Transforming our services to remain affordable and effective
- Doing what is important well.

2,5 West Berkshire Economic Delivery Strategy

Economic objectives:

- Provide effective infrastructure that supports economic growth.

- Encourage inward investment and business retention across all sectors
- Promote West Berkshire as a good location for business, leisure and life.
- Actively support sustainable rejuvenation and regeneration projects in key locations.
- Work with partners to ensure that local skills meet the needs of today's business and work environments.

2.6 Turnaround Families Programme

The ambitions for this programme are:

- To turnaround:
 - service delivery – to help services to better meet the needs of local high need families
 - the lives of 145 families who positively engage with the programme
 - how we pay for and deliver efficient services with less money
- To enhance current local provision of services and encourage new action, basing decisions on evidence of what works
- To offer both challenge and support to families and service providers.

3. West Berkshire Community Learning and Skills Plan

3.1 Aims and Actions:

3.1.1 **Aim** *To provide strategic leadership in consultation with members of the West Berkshire Community Learning Partnership (WBCLP) to ensure that delivery of community learning and skills provision in the district is innovative, well co-ordinated, strategic and responsive to local needs.*

Actions

- Ensure regular productive meetings of the WBCLP to bring together key providers and relevant local agencies and services.
- Ensure partners have opportunities to network, to learn about each other's services and exchange good practice
- Ensure partners are consulted on a strategy to deliver the Objectives in New Challenges New Chances (appendix 1).

- Review and baseline 2012/13 activity and determine a strategy for growth to generate investment or achieve efficiencies to add to the community learning allocation
- Ensure all members of the Partnership are aware of the new processes to become subcontractors, any new funding opportunities, any new SFA Funding rules and new requirements for teaching qualifications in FE.
- Identify opportunities to join and support other Community Learning Trusts
- Keep Elected Members informed and seek their agreement on any proposals
- Keep the Skills Funding Agency informed and monitor the developing approach to monitoring providers more closely.
- Monitor the SFA's developing approach to the possibility that providers can issue small grants to support specific activities
- Develop a series of pound plus indicators to evidence how the Partnership is adding to the allocation in order to achieve the objectives
- Develop a robust funding strategy that adds to the Community Learning allocation
- Develop systems to track progression of learners from Community Learning and ASB provision.
- Evaluate the role of the West Berkshire Community Learning Partnership in light of the development of the Community Learning Trust pilots
- Identify additional funding opportunities and make applications as appropriate

3.1.2 **Aim** *To commission, deliver and support a locally determined formal and non formal community learning offer that conforms to the objectives set out in New Challenges , New Chances (see Appendix 1)*

Actions

- Deliver the 2013 /14 Community Learning and the new Adult Skills budget contract agreed with the Skills Funding Agency ensuring most public funding is invested for the benefit of disadvantaged learners.
- Prioritise internal Council providers, including schools, in the bidding process to deliver Community Learning
- Commission small voluntary and community group providers, including academies to deliver short Community Learning programmes for less than £50,000 to disadvantaged groups through the Community Education Fund procedure and bid evaluation by the Community Education Fund Panel.

- Commission national providers, FE colleges, training organisations and voluntary and community groups to deliver a Community Learning universal offer and targeted provision to disadvantaged groups through individual negotiation for contracts of over £50,000.
- Support a personal and community learning programme for learners in residential homes and day centres

3.1.3 **Aim** *To commission, deliver and support a locally determined flexible programme of Skills Funding Agency supported qualification courses either classroom based or by distance learning for learners with low levels of skills or without level 2 qualifications in English and Maths and unemployed learners on active benefits*

Actions

- Invite FE Colleges, national providers and training organisations to develop a new programme of qualifications to be funded by the Council's allocation from the Adult Skills Budget programme, ensuring funding eligibility and criteria are complied with and commission them to deliver agreed programmes

3.1.4 **Aim** *To ensure the delivery of a high quality, accessible, safe, varied adult and community learning programme for adults and families across the district.*

Actions

- To focus learning on personal needs through the continuing development of individual learning plans
- To support the development of Neighbourhood Learning Centres across the district
- Provide an information and signposting service for adult learners who live and /or work in West Berkshire
- Promote the wider benefits of adult learning across the district
- Widen participation in adult learning through targeted provision to people who are disadvantaged and least likely to participate, including in rural areas and people on low incomes with low skills.
- Continue to develop the Community Learning and Skills workforce
- Continue to develop Children's Centres as hubs for adult and family learning with a focus on employability skills for adults
- Extend the fee and concessions policy until 31st July 2014. See Appendix 4
- Improve the governance of the work of the WBC ACL Team by requesting the scrutiny of the Adult Learning Plan and the Self Assessment Report from the Policy Reference Group.
- Revive the Quality Improvement Group to ensure the Ofsted Inspectors suggestions for improvement are put in place.

- Deliver the outcomes listed in the Community Learning and Skills Post Inspection and Quality Improvement Action Plan as approved by the Policy Reference Group.
- Consult with Adult Social Care over the possibility of putting the Keeping Active programme out to tender in order to enhance the curriculum offer through the greater use of volunteers
- Develop opportunities to support families on the Turnaround Families programme, in particular focussing on supporting unemployed adults.

3.3 Priority Groups

To ensure that public funding is focussed on people that are disadvantaged and least likely to participate, the Council will welcome bids to deliver community learning and skills from organisations that prioritise delivery to:

- People with low levels of literacy and numeracy
- People with low levels of skills
- People who are unemployed
- People who live in rural areas
- People who live in areas with low participation in learning
- Older people
- Parents who need help to support their children in school
- People from ethnic minorities who need support to access learning
- People with disabilities
- People with learning difficulties
- Ex- offenders and probation clients
- People recovering from mental illness
- People with or recovering from drug or alcohol dependency

3.4 OUTCOMES

1. The Service realigns the organisation, governance and delivery of its provision service in order to meet the demands of the Council, the Skills Funding Agency and the Ofsted Inspectorate. .
2. A varied programme of Community Learning and Qualification courses delivered in Colleges, Schools, Children’s Centres, Neighbourhood Learning Centres and other community venues across the district
3. Skills Funding Agency Data and Financial requirements are met.

4. Accredited and non accredited achievement records for learners are in place
5. Key performance indicators for learner numbers and percentages from priority groups are achieved. (See Appendix 3)
6. The ACL workforce meets statutory requirements around safeguarding and teaching qualifications
- 7 The Annual Tutor Forum, an opportunity to update partners and tutors and to network and share good practice, takes place
- 8 The Annual Learner Awards celebration takes place.
- 9 Quarterly Meetings with the SFA Relationship Team take place

STRATEGIC CHALLENGES

- Reduced central support from the Skills Funding Agency and their new approach to minimum standards which judges the provider not specific provision.
- Reduced national support with the closure of LSIS which supported the Council with funds for training and support for quality improvement
- Uncertainty about the role of the developing FE Guild and the possibility that providers will be able to aspire to achieve chartered status.
- Changes in the Skills Funding Agency's funding methodology, in particular that of Adult Skills
- Simplification in the funding of qualifications which has reduced the number that qualify for funding
- The cuts in public services and their effects.
- The decisions following the 26th June 2013 Comprehensive Spending Review
- Applying the lessons of the Community Learning Trust pilots
- The probability that the geographical allocation of Community Learning and Skills funds will change over time.
- The changing focus of inspection following the revision of the Common Inspection Framework
- Commissioning and supporting providers to deliver programmes funded by the Adult Skills Budget for the first time. This budget is paid on outcomes instead of a block grant.
- Changing relationships with partners as restructures take place.
- Understanding the role of the Thames Valley local economic partnership in the context of community learning.

Appendix 1

New Challenges, New Chances

Objectives

- Focus public funding on people who are disadvantaged and least likely to participate, including in rural areas, on low incomes and with low skills
- Collect fee income from people who can afford to pay and use where possible, to extend provision to those who cannot
- Widen participation and transform people's destinies by supporting progression relevant to personal circumstances, for example:
 - Improved confidence and willingness to engage in learning
 - Acquisition of skills preparing people for training, employment or self-employment
 - Improved digital, financial literacy and/or communication skills
 - Parent/carers better equipped to support and encourage their children's learning
 - Improved/ maintained health and/or social well being.
- Develop stronger communities, with more self-sufficient, connected and proactive citizens, leading to:
 - Increased volunteering, civic engagement and social integration
 - Reduced costs on welfare, health and anti social behaviour
 - Increased online learning and self organised learning
 - The lives of our most troubled families being turned around.
- Commission, deliver and support learning in ways that contribute directly to these objectives including:
 - Bringing together people from all backgrounds, cultures and income groups, including people who can /cannot afford to pay.
 - Using effective local partnerships to bring together key providers and relevant local agencies and services
 - Devolving planning and accountability to neighbourhood / parish level, with local people involved in decisions about the learning offer
 - Involving volunteers and Voluntary and Community Sector groups, shifting long term, blocked classes into learning clubs, growing self organised learning groups and encouraging employers to support informal learning in the workplace.
 - Supporting the wide use of online information and learning resources
 - Minimising overheads, bureaucracy and administration.

Appendix 2

Background to planning for Community Learning and Skills in West Berkshire

This plan builds on the success of the following published academic year plans:

- the 2 year Adult and Community Learning Development Plan 2008/09 – 2009/10
- the 3 year Strategic Adult and Community Learning Development Plan 2005/06- 2007/08 approved on 9th June 2005
- the 2006 update to the Development Plan 2006/07 - 2008/09
- the 2007 update to the Development Plan 2007/08
- the 2008-09 -2009-10 Adult and Community Learning Strategic plan
- the 2010/11 refresh of the Adult and Community Learning Plan.

The above plans were the basis for receiving grant funding from the Learning and Skills Council until the end of the funding safeguard for Adult Safeguarded Learning in 2010/11. In April 2010 the Learning and Skills Council was disbanded and its funding function was transferred to the Department of Business Innovation and Skills' Skills Funding Agency. The Skills Funding Agency did not require a plan so the previous plan (2008/09 – 2009/10) was refreshed until the coalition government made the decisions about the reform of Community Learning.

Internal Adult and Community team plans were produced for 2011/12 and 2012/13

For 2013/14 The Skills Funding Agency do not require plans that they will sign off. They will look for evidence that the requirements set out in their Funding rules and policy objectives have been met.

The Head of Education, Communities Directorate, West Berkshire Council is responsible for this plan. The contact for matters relating to this plan is:

Sara Hanson
Principal Adult and Community Learning Officer
West Berkshire Council
Avonbank House
West Street
Newbury
RG14 1BZ

Tel: 01635 519792

Email: shanson@westberks.gov.uk

Appendix 3

Key Performance Indicator	All Provision			Notes
	2011/12 Baseline		2013 /14 Target	
	Number	%		
Responsiveness				
Total Enrolments	2782	100%		
Total Learners	2145	100%	2100	Lower target because of 9% reduction in FFS funding , extra quality demands following Ofsted Inspection
Total GLHs	31947	100%		
New learners	1728	81%		
Learners from areas of low participation in education ****	704	33%	33%	3% increase in target as team has invested in centres in these areas
Learners from areas of deprivation **	571	27%	27%	
Learners from rural areas	436	20%	22%	
Learners on courses at Children's Centres			100	New Target
% enrolments per 1000 adult population	24	2%		
% re enrolment rate	637	23%		
Courses that run in rural areas	42	13%	20%	Need to rebuild provision in rural areas but cannot achieve previous target of 26%
Total number of courses	317	100%		
Effectiveness - outcomes for learners				
Learners Retention		94.86%	90-94%	
Learner Achievement		99.28%		
Learner Success		94.18%		
Learner Attendance		87.96%	87-88%	
Learner Satisfaction		100.00%		
Learners gaining accreditation	34	1.60%		
Learners who feel safe		99.59%	100%	
Planned Progression ?	192	29%		
Actual Progression ?				
Quality of Provision				
Tutors observed	44			
Lessons graded 1	11			
Lessons Graded 2	29			
Lessons Graded 3	1			

Lessons Graded 4	0			
Number of developmental observations	3			
Project / Course visit reports completed				All providers have minuted monitoring meetings
Learner evaluations received				
Number of tutors				
Number of qualified tutors				
WBC new tutors completing induction training			100%	New Target
Tutors attending the Tutor Forum				
Finance				
Cost per learner	£220.78	N/A		
Cost per enrolment	£170.23	N/A		
Average class size	9	N/A		
Equality and Diversity - Learner profile				
Male learners	797	37%	36%	Increase in target because of change in curriculum
Learners with learning difficulties and/or disabilities	455	21%	20%	4% increase in target because we always exceed target
Learners aged over 60 on Community Learning courses	442	21%	25%	Previous target was 26% of total but curriculum change means that over 60s will only be attracted to Community Learning courses
Learners aged over 75	145	7%	7%	Yes
Learners from ethnic minority groups *	264	12%	8%	Reduce from 10% because of forecasts of outward migration of ethnic minorities from West Berkshire
Unemployed Learners	N/A	N/A		No baseline yet
Learners on concessionary fees in receipt of benefits ***	22	1%	2%	Fees still high even with 50% discount
Learners on concessionary fees aged 60+	155	7%		
*Ethnic Minority = Total less 'White British' & 'Not known/not provided' Not known = about 2%				
**Wards = Calcot, Clay Hill, Greenham, Lambourn Valley, Speen, St Johns, Thatcham North & Victoria				
***Those learners in receipt of benefits who receive discounted course fees				
(Wards with more than 43% of individuals who have less than a level 2 qualification - from Stats on Maps)				

Appendix 4

West Berkshire Council Fee Policy on Adult & Community Learning Provision 2013-14

Fees

West Berkshire Council delegates responsibility for the setting of adult education fees to subcontracted providers, who retain fee income to support the provision made and to make provision for learners who cannot afford to pay..

Subcontracted providers are required to negotiate any fee increase with the Council.

Fee Concessions

Under current West Berkshire Council policy (as reflected in the provider's community learning and skills contract) all providers must offer a reduction on the hourly fees charged to students from disadvantaged groups as specified below. To support providers in offering concessions and to ensure providers are not financially penalised West Berkshire Council will reimburse the provider for any lost fee income caused.

30% Reduction

- resident in West Berkshire and aged 60 or over;

50% Reduction

- in receipt of a Jobseekers Allowance;
- in receipt of active benefits such as , ESA income – based, Income Support, Housing Benefit , Council Tax Benefit .
- in receipt of Pensions Credit Guarantee

- In receipt of a Disability Allowance, or if you are a registered carer for someone with a Disability Allowance and are attending the same course.

3) Learner Support - Discretionary Support Arrangements

As the Council contracts out its community learning, it is at provider's discretion whether a learner is eligible for funding to support child-care, travel and other costs. The Council takes no policy-line on this; however it would prove administratively impractical to offer hardship grants at a distance from the actual provision.

Newbury College has a Hardship and Access Fund that all learners can apply to for assistance with fees, transport, additional costs for their course e.g. equipment and materials and for registered childcare.

In addition the Council puts aside an agreed sum each year for learner support at Newbury College for learners on Community Learning funded courses.

Applications for learner support must be made by subcontractors by completing the attached form.

The Council also offers childcare support to smaller subcontractors secured which will enable adults from priority groups to engage in learning.

Additionally, it is Council policy that no fee shall be charged to adults with learning difficulties and/or disabilities attending a discrete adult education class supported by Council funding.

Appendix 5

References

BIS (2011) New Challenges , New Chances FE and Skills System Reform Plan: Building a world class system

LSIS (2012) A guide to making the most of the Adult Skills Budget

SFA (2013) Funding Rules 2013/14 – Version 2

BIS (April 2013) Rigour and Responsiveness in Skills

SFA (March 2013) A New Streamlined Funding System for Adult Skills

SFA (February 2013) Community Learning 2013/14 Information for Community Learning Providers

NIACE (Dec 2012) Community Learning in Rural Areas

Skills Funding Agency Final Funding Statement 2013/2014



Provider Name
WEST BERKSHIRE COUNCIL

UPIN
110206

UKPRN
10007398

a 2011/2012 Adult Skills Budget Funded £99,622 Includes Adult Skills Budget, Additional Learning Support and Formal First Step

Adult Skills Budget Baseline Used

b 2012/2013 Allocation or Maximum Contract Value (MCV)* £99,622 Baseline used is 2012/2013 Allocation or adjusted 2012/2013 Allocation for grant providers, post-quarter 2 MCV for private providers

b(i) of which minimum Adult Apprenticeships £0

24+ Advanced Learning Loans Baseline Used

c 2011/2012 Loans type delivery as at Period 12** £0 Baseline used is loans-type delivery in R14 ILR data

Participation Funding

Adult Skills Budget

d 2013/2014 Adult Skills Budget* £95,211

d (i) of which minimum Adult Apprenticeships £0

e August 2013 to March 2014 £57,660 Budget for August 2013 to March 2014

f April 2014 to July 2014 £37,551 Budget for April 2014 to July 2014

24+ Advanced Learning Loans Facility

g 2013/2014 24+ Advanced Learning Loans Facility £0

h August 2013 to March 2014 £0 Budget for August 2013 to March 2014

i April 2014 to July 2014 £0 Budget for April 2014 to July 2014

* Inclusive of Additional Learning Support

** Loans type delivery shows Skills Funding Agency funded starts (Adults Skills Budget) on Level 3 or Level 4 provision amongst learners aged 24+

Skills Funding Agency Final Funding Statement 2013/2014



16-18 Apprenticeships

j	2012/2013 16-18 Apprenticeships	£0	Baseline used is post-quarter 2 MCV
k	2013/2014 16-18 Apprenticeships Allocation	£0	
l	August 2013 to March 2014	£0	Budget for August 2013 to March 2014
m	April 2014 to July 2014	£0	Budget for April 2014 to July 2014

Community Learning

n	2012/2013 Community Learning	£401,177	Baseline used is 2012/2013 allocation
o	2013/2014 Community Learning Allocation	£401,317	
p	August 2013 to March 2014	£267,545	Budget for August 2013 to March 2014
q	April 2014 to July 2014	£133,772	Budget for April 2014 to July 2014

Support Funds

Discretionary Learner Support

r	2012/2013 Discretionary Learner Support	£0	Baseline used is 2012/2013 allocation at 01 August 2012
s	2013/2014 Discretionary Learner Support Allocation	£0	
t	August 2013 to March 2014	£0	Budget for August 2013 to March 2014
u	April 2014 to July 2014	£0	Budget for April 2014 to July 2014

24+ Advanced Learning Loans Bursary

v	2013/2014 24+ Advanced Learning Loans Bursary	£0	
w	August 2013 to March 2014	£0	Budget for August 2013 to March 2014
x	April 2014 to July 2014	£0	Budget for April 2014 to July 2014

Notes for Final Funding Statement 2013/2014

Although this is intended to be your final funding allocation for the Adult Skills Budget (including Additional Learning Support), Other Participation and Support Funding for the 2013/2014 contract year, please note that it may be subject to change. The Statement does not create any legal obligation enforceable against the Chief Executive of Skills Funding to pay the amount shown.

A nationally consistent method has been used to calculate the allocations and maximum contract values for providers for the 2013/2014 contract year. Please refer to the covering letter for detail (available on the Agency's website and issued with this statement).

24+ Advanced Learning Loans

This Funding Statement provides your final Loans Facility (Facility) and Bursary allocation for 24+ Advanced Learning Loans (Loans) for the 2013/2014 contract year. The Facility gives an indication of the funding which could be available for the delivery of education and training covered by Loans; actual funding is dependent on the Loans approved by the Student Loans Company (SLC). The Bursary allocation is an indication of the level of funding the Agency will provide so you can support Loans funded learners in the 2013/2014 contract year. Please note that these amounts may be subject to change and therefore the Statement does not create any legal obligation enforceable against the Chief Executive of Skills Funding to pay the amounts shown.

This Statement confirms the baseline that the Agency has used to calculate the values for the Loans Facility and Bursary allocation. The baseline is calculated using data on the delivery of Loans type activity in the 2011/2012 contract year, based on the R14 ILR return.

Further information on the methodology applied to calculate the Loans Facility and Bursary is provided in the Loans question and answer document.

Due Diligence Assurance Gateway to enter the Register of Training Organisations

All organisations that receive, or wish to receive funding to deliver Education and Vocational Training Services, will need to apply to enter the Register of Training Organisations by completing and passing the Due Diligence Assurance Gateway. The Chief Executive also expects that all subcontractors with an aggregate contract value of £100,000 to enter the Register.

All organisations that appear on the published Register of Training Organisations are eligible to receive funding from the Chief Executive or be invited to apply for any new procurement opportunities. Providers that are not on the Register will not be eligible to receive funding from the Chief Executive. Once approved to enter the Register the provider is not guaranteed a contract; it merely allows us to invite them to tender in the future.

The Agency publishes those providers who have successfully passed the Due Diligence Process and have been entered on the Register here:-

<http://skillsfundingagency.bis.gov.uk/providers/programmes/register>

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Equality Impact Assessment – Stage One

Name of item being assessed:	Delivery of the Skills Funding Agency contract for adult and community learning - update paper
Version and release date of item (if applicable):	Item for Individual decision
Owner of item being assessed:	Sara Hanson
Name of assessor:	Sara Hanson
Date of assessment:	Update 3 rd May 2013

1. What are the main aims of the item?
<p>This plan summarises the requirements of the Skills Funding Agency (SFA) that provides the external funding for the Community Learning and Skills Service delivered by the Council, identifies the key plans and priorities that this plan can contribute to and sets out the aims, actions and outcomes for Community Learning and Skills in West Berkshire during the academic year 2013/14. The plan also lists the strategic challenges faced by the service.</p>

2. Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation)		
Group Affected	What might be the effect?	Information to support this.
Age	None	The funding supports adults aged over 19 and families. The Council will continue to offer a 30% concession to people aged over 60 years who live in West Berkshire.
Disability	None	The Council ensures that all courses take place in accessible venues and that adaptive equipment is available and extra support can be applied for if transport or extra help in the classroom is needed
Gender	None	Men are underrepresented, generally, in community learning, however by encouraging providers to target men, a greater proportion attend classes in West Berkshire than nationally. Tutors

		have had equalities training and are aware of issues facing people of transgender.
People with family responsibilities	None	Crèche facilities are made available when relevant and courses held at times when working parents can attend.
People living in rural areas	None	Providers are requested to hold classes in rural areas whenever a viable group can be achieved. There are Community Learning Team supported neighbourhood learning centres and community rooms throughout the district and the team has upgraded many venues to ensure they are suitable for adult learning. Support for help with transport to classes can be applied for.
People with low or fixed incomes	None	The Council will continue to offer 50% concession to those on active benefits and free courses to priority groups and unemployed learners.
Race	None	There is no evidence that learners are disadvantaged because of their race.
Religion or Belief	None	There is no evidence that learners are disadvantaged because of their religion. Efforts are made to ensure that classes do not take place on religious holidays.
Sexual Orientation	None	There is no evidence that learners are disadvantaged because of their sexual orientation.
Further comments relating to the item:		

Individual Executive Member Decision

Title of Report:	Home to School Transport Policy for 2013/2014 and 2014/2015
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	23 May 2013
Forward Plan Ref:	ID2662

Purpose of Report: To determine the policy for entitlement to home to school transport.

Recommended Action: To approve the Home to School Transport policy for 2013/2014 and 2014/2015.

Reason for decision to be taken: It is a statutory requirement that any change to the policy is consulted upon and formally approved.

Other options considered: None

Key background documentation: None

Portfolio Member Details	
Name & Telephone No.:	Councillor Irene Neill - Tel (0118) 971 2671
E-mail Address:	ineill@westberks.gov.uk

Contact Officer Details	
Name:	Caroline Corcoran
Job Title:	Service Manager (Access, Planning, Governance and Trading)
Tel. No.:	01635 519030
E-mail Address:	ccorcoran@westberks.gov.uk

Implications

Policy: None

Financial: The savings for the next 3 years are £300k in 2013/2014, £200K in 2014/2015, and £200k in 2015/16

Personnel: None

Legal/Procurement: Education Services review the policy, which is consulted upon and approved by Members. Under a Service Level Agreement, the actual procurement is undertaken by Transport Services in accordance with the corporate procurement rules.

Property: None

Risk Management: Implementation is key to future council savings. Transport will be minimised to reduce costs.

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Is it a major policy, significantly affecting how functions are delivered?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Will the policy have a significant impact on how other organisations operate in terms of equality?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to an area with known inequalities?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Not relevant to equality		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Consultation Responses

Members:

Leader of Council: Gordon Lundie contacted – no response received

Overview & Scrutiny Management Commission Chairman: Brian Bedwell contacted – no response received

Ward Members: N/a

Opposition Spokesperson: Alan Macro contacted - no response received

Local Stakeholders: N/a

Officers Consulted: N/a

Trade Union: N/a

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
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Supporting Information

1. Background

- 1.1 The Home to School Transport budget must deliver considerable savings for the next 3 years (£300k in 2013/2014, £200K in 2014/2015, and £200k in 2015/16). Papers have been presented to Members with regard to the Home to School Transport savings requirements and the action plan to achieve the savings has been approved.
- 1.2 The policy for 2013/14 and 2014/15 has been reviewed and updated to minimise transport provision to the statutory minimum, with the exception of some provision for transport to the catchment school and transport for post-16 SEN pupils in specific circumstances. This wholesale revision of the policy has been conducted in partnership with colleagues in Education, Transport and Legal, and also takes account of the latest cases which have been reviewed by the Local Government Ombudsman. The same policy applies to both academic years.
- 1.3 The Local Government Ombudsman has been clear that there is no obligation on Councils to provide home to school transport for any reasons other than those covered by statute, and the restriction of and/or removal of provision to the minimum level is reasonable.
- 1.4 Where transport provision changes and this affects families, the Education Service will work with the Safer Modes of Transport team to engage the community and encourage safe and appropriate alternatives e.g. walking buses, cycle training.

2. Consultation

- 2.1 A public consultation on the revised policy has taken place. There were 14 responses within the timeframe.
- 2.2 Most responses were generic stating how parents rely on transport and are hoping that their entitlement will not change. However, the responses did not include any specific comments about the policy. Where parents have asked specific questions in relation to their circumstances, individual responses have been given.
- 2.3 One lengthy response, with photographs, commented on a walking route designated as unsafe, and was concerned that the Council might re-designate this route as a safe walking route. This is not relevant to the policy, and a full response has been provided.
- 2.4 Where relevant and applicable, any points of clarification have been incorporated into the final policy.
- 2.5 There were no substantial objections raised during the consultation period.

3. Equalities Impact Assessment Outcomes

- 3.1 There is no decision to be made and therefore no Equality Impact Assessment has been undertaken.

4. Conclusion

- 4.1 It is recommended that the Home to School Transport policies for 2013/2014 and 2014/2015 are approved.

Appendices

Appendix A – Home to School Transport Policy 2013/2014

Appendix B – Home to School Transport Policy 2014/2015

Appendix C – Consultation Responses (as Appendix C contains personal details of respondents to the consultation, this will only be provided as Part II information in line with the Data Protection Act 1998)

Home to School Transport Policy 2013/2014

1. Introduction

This policy sets out who is eligible for free transport to and from school, and applies to West Berkshire residents only.

Transport is only provided at the beginning and end of the normal school day. Transport is not provided for:

- Journeys during the course of the day
- Journeys to a work placement
- After school activities
- Induction/open day/interview visits
- Medical and dental appointments
- Parent/Carer attendance at school
- Respite Care
- Exchange students

A parents' guide to the policy gives information about how the policy operates and practical information such as how to apply for transport. This will be primarily available on the Council web-site, but hard copies may be obtained on request. The Guide and associated "Frequently Asked Questions" are kept under regular review so the latest version should always be consulted when considering transport entitlement. The Guide does not form part of the policy.

Admission and Transport policies are separate and not directly linked. This reflects the national legislation. Eligibility for a place at a school is not affected by this transport policy and obtaining a place at a school does not bring with it any entitlement to transport, even if a pupil is attending their catchment school.

The policy may change before a pupil completes their time at school. The Council recognises that it is good practice for changes to be phased in and whilst the Council will endeavour to do this, it is not guaranteed, and entitlement may be subject to change, depending on specific circumstances.

The pupil's circumstances may change during their time at school, and this could also affect eligibility, e.g. moving house or school, no longer qualifying under low income, no longer qualifying under distance as age changes (see section 3). The Council may also take steps to create safe walking routes.

Admission choices should not be made on the assumption that the same transport eligibility rules will apply throughout a child's education.

If a child does not qualify for transport under the provisions in this policy, parents may wish to explore the Council's scheme for farepayer places on school transport. This discretionary scheme is not an entitlement and is often over-subscribed. Places may also be withdrawn in certain circumstances. Parents are strongly advised to read the rules of Farepayer Scheme before applying for a farepayer place.

2. The Statutory Entitlement

Parents are responsible for making sure that their children get to and from school at the appropriate times each day.

West Berkshire provides the statutory entitlement which is summarised in the table in section 3. It is based upon distance and/or special circumstances (Special Needs or Disability; Low income; Safety of walking route). Eligibility is usually determined at the point of admission with some exceptions e.g. the development of a disability or entering a low income category.

Qualifying School

The legislation about Home to School Transport says that a *qualifying school* is a school which provides education appropriate to the age, ability and aptitude of the child, and any special educational needs that the child may have. Most schools in West Berkshire fit the criteria of *qualifying school*. To be a qualifying school, the schools must be:

- a community, foundation or voluntary mainstream school, or
- an academy, or
- a community, foundation or non-maintained special school, or
- a maintained nursery school, or
- pupil referral unit

Independent schools can only be a qualifying school in relation to a child with a statement of Special Educational Needs, only if the school is named in the child's statement or it is the nearest of two or more schools named in the statement.

Any other type of school which is not listed above, including other West Berkshire independent schools, is NOT a qualifying school.

There is no legislative entitlement to transport to a particular type e.g. by gender, faith, structure [academy, maintained, free school] or catchment.

The entitlements are set out in the 1996 Education Act and 2006 Education and Inspections Act.

If parents choose to send their child to a school which is not the nearest qualifying school, free transport will not be provided by the Council, unless it fits any of the discretionary transport described in section 4. Parents will be responsible for arrangements and costs.

3. Free Transport – as defined in Law

The *nearest qualifying school* is: The nearest school to the pupil’s home address, that the pupil is eligible to attend, that can provide a suitable education and with places available during the normal admission cycle.

Free transport is defined in 5 categories, explained in the table below:

- Distance
- Low Income
- Safety of route (including parental disability)
- Statement of Special Educational Needs (in certain circumstances)
- Temporary medical condition
- Pupil Referral Units and permanently excluded pupils

The Council also offers some discretionary transport, see section 4, for:

- Catchment School
- Exceptional Circumstances
- Post-16 students with a statement of Special Educational Needs who qualify due to low income, distance and type of course.

<p>From: the term starting 1st January, 1st April or 1st September following the child’s 5th birthday</p> <p>To: 7 years old.</p>	<p>Distance</p> <p>Free transport to the <i>nearest qualifying school</i>, if it is more than 2 miles walking distance from home.</p>
<p>From: the child’s 8th birthday</p> <p>To: the last school day in the academic school year in which their 16th birthday falls.</p>	<p>Distance</p> <p>Free transport to the <i>nearest qualifying school</i>, if it is more than 3 miles walking distance from home.</p>
<p>From the child’s 8th birthday</p> <p>To 10 years old.</p>	<p>Low income</p> <p>Free transport to the <i>nearest qualifying school</i>, if it is more than 2 miles walking distance from home. To qualify, the child must be entitled to free school meals or whose family is in receipt of maximum working tax credit (i.e. with no deductions due to income)</p>
<p>From the child’s 11th birthday</p> <p>To: the last school day in the academic school year in which their 16th birthday falls.</p>	<p>Low income</p> <p>Free transport to one of the three <i>nearest qualifying schools</i>, if it is between 2 and 6 miles walking distance away, or to the school preferred by reason of a parent’s religion or belief which is between 2 and 15 miles away from the home address, travelling by road. To qualify, the child must be entitled to free school meals or whose family is in receipt of maximum working tax credit (i.e. with no deductions due to income)</p>

<p>Pupils living within the statutory walking distance but who are unable to walk in safety to school because of the nature of the route</p>	<p>Safety of walking route Free transport to the <i>nearest qualifying school</i>, where the pupil lives within the statutory walking distance from school and where, due to the nature of the route, they are unable to walk in reasonable safety even when accompanied by an appropriate adult.</p>
<p>The parents' disability prevents them from accompanying the child along a walking route, which is considered safe for a child who is accompanied</p>	<p>Safety of walking route and parental disability Where a walking route is considered to be safe for a child who is accompanied, but the parents' disability prevents them from walking the route, free transport will be provided to the <i>nearest qualifying school</i>, where the pupil lives within the statutory walking distance from school. Transport will be provided if the application is supported in writing by their GP and/or Consultant.</p>
<p>Pupils with a statement of Special Educational Needs or disability problems attending a <i>mainstream</i> school</p>	<p>Special Educational Needs – mainstream school Free transport to the <i>nearest qualifying school</i>, if it is more than 2 miles or 3 miles walking distance from home (see distance rules above re child's age on page 3). Also, free transport to the <i>nearest qualifying school</i>, where the pupil lives within the statutory walking distance from school and where due to their special needs or disability they are unable to walk to school even when accompanied by an appropriate adult.</p>
<p>Pupils with a statement of Special Educational Needs or disability problems attending a <i>special</i> school</p>	<p>Special Educational Needs – resourced or special school Transport provision will be provided as written in the SEN Statement. Free transport to the <i>nearest qualifying resourced school or special school</i>, where the pupil lives within the statutory walking distance from school and where due to their special needs or disability they are unable to walk to school even when accompanied by an appropriate adult.</p>
<p>Pupils with a temporary medical condition</p>	<p>Temporary Medical Condition A child may develop a temporary medical condition which prevents them making their own way to school, even if accompanied by an appropriate adult. Transport will be provided if the application is supported in writing by the GP and/or Consultant. Appropriate transport will be provided for a limited period based on the medical information available, and then reviewed taking account of any new medical information</p>

<p>Pupils attending a Pupil Referral Unit</p>	<p>Pupil Referral Unit Transport to the Pupil Referral Unit for those pupils who are not attending mainstream schools will be provided at the start and the end of teaching sessions only.</p> <p>Transport may be withdrawn from pupils who regularly fail to attend the PRU – responsibility for attendance will then pass to parent/carers.</p> <p>Parents/carers must be aware that if the child requires transport to and from the Pupil Referral Unit at any other time, it is the parent’s responsibility (including exclusions).</p>
<p>Pupils permanently excluded from school</p>	<p>Permanently excluded pupils A pupil permanently excluded from a school will be provided with assistance to the new school, provided it is both the <i>nearest qualifying school</i>, as agreed with the Access and Inclusion Team, and meets the distance requirements (see distance rules above re child’s age on page 3).</p> <p>Exceptional arrangements may be made if the pupil attends a Pupil Referral Unit or similar establishment, and these may include assistance with part-time attendance at other educational establishments as required by the pupil’s particular needs.</p>

4. Transport Provided at the Discretion of the Council

The Council has extended its transport provision to include other circumstances where transport is not required by Law. These are:

- Catchment School
- Exceptional Circumstances
- Post-16 students with a statement of Special Educational Needs
- Post-16 students

a. Catchment School

The Council recognises that parents may also wish to choose the local catchment school for their child. The catchment area for a West Berkshire school is the same as used in the Admissions application process and can be checked on the Council website here:

<http://www.westberks.gov.uk/index.aspx?articleid=21374>

Where the applicant lives in the catchment area of a maintained school e.g. Community or Voluntary Controlled school, located in West Berkshire, and they meet the requirements in terms of the walking distance or safety of route, the Council will provide free transport.

Where the applicant lives in the catchment area of an Academy, Foundation school, Voluntary Aided school or Free school, located in West Berkshire, and they meet the requirements in terms of the walking distance or safety of route, the Council will provide free transport, *except* where the catchment area overlaps with a maintained school.

Where there is an overlap, the maintained school catchment area would take priority and the Council would only provide transport to the maintained school.

The Council will not provide free transport for a catchment school where the school site is outside of West Berkshire. For example, where a Hampshire or Oxfordshire school has a catchment area which also includes a portion of West Berkshire.

b. Exceptional Circumstances

The Council may take exceptional circumstances into consideration for a very short limited period of time and **only** until a formal appeal can be heard. There is **no automatic entitlement**, and the phrase “exceptional circumstances” primarily refers to the circumstances of the pupil rather than those of the parent. Parental work commitments or having children in more than one school is not deemed “exceptional”, and the decision of the Council is final in relation to consideration of exceptional circumstances.

c. Post-16 students with a Statement of Special Educational Needs

The Council provides travel assistance for post 16 students with SEN (who have a Statement or had a Statement when at school) where young people are remaining in education, in line with the transport entitlement policy for children with Statements under the age of 16. That is, the school/college must be outside the statutory walking distance of 3 miles or, if it is within the statutory walking distance, due to their special needs or disability, the student is unable to walk even when accompanied by an appropriate adult.

This provision will not, however, be free of charge. The post-16 student would pay to access the scheme at the prevailing rate. Families who are on a low income will be exempt from the charge. To qualify the family must be in receipt of maximum working tax credit (i.e. with no deductions due to income) or the young person should be entitled to free school meals.

In the majority of cases, travel assistance will take the form of a bus or train pass. Other means of transport will only be offered if the young person is not able to travel independently and is not suitable for independent travel training.

Transport assistance will not be afforded after the end of the academic year in which the young person's 19th birthday falls.

d. Post 16-Students

The Council does not provide travel assistance for those students who are 16 years and older and are remaining in Further Education, although there is a Council discretionary fare payer scheme which post-16 pupils may be able to access.

Places are very limited and will be allocated on a first-come-first-served basis, and applications must be made via the online form. The application window opens in June. Applications received from that date will be ranked in order of application, by a unique identification number, and places will be offered in order of application.

5. Independent Travel Training for children with a statement of Special Educational Needs

All children with a Statement of Special Educational Needs aged 11 years or above who qualify for free transport will be considered for independent travel training (ITT). If a child is considered by the Council to have the potential to travel to school independently, either walking or using a bus or train, they will undergo an assessment of suitability for ITT and, if deemed suitable, will be provided with an intensive programme of travel training with a travel trainer. If they complete the programme successfully, they will be provided with a bus or train pass, as appropriate.

Transport by other means such as minibus or taxi will only be provided if a child is considered unsuitable for travel training or if they have been unable to complete the travel training course successfully.

A review of transport entitlement and provision will be carried out at each child's annual review. Children allocated transport by taxi or minibus at primary school age will be expected to undertake independent travel training at secondary school age in cases where the child is considered to have the potential to achieve independent travel to school.

6. Measuring the *nearest qualifying school*

The *nearest qualifying school* is measured on a computerised GIS mapping system in a straight line between the GIS point of the home address and GIS point of the school.

7. Measuring the *walking distance*

The *walking distance* measured is the shortest available route from the GIS point at the child's home address to the nearest approved entry point to the school site. The distance will be measured on a computerised GIS mapping system. The route measured may include footpaths, bridleways and other permitted paths as well as recognised roads.

Where a school has more than one site, the Council will measure to each of the sites where compulsory school education is provided. This would mean, for example, that a 6th form site would be excluded. If the child qualified for transport to any of the sites which deliver compulsory school education, transport would be granted for the entirety of the compulsory school education at that school, regardless of which site they were being educated on in any specific year.

For low income entitlement, the 6 mile and 15 mile distance is measured as the travelling distance by road taking account of appropriate vehicular access.

8. Determining an available route

The courts have defined an 'available route' as one *“along which a child accompanied as necessary can walk with reasonable safety to school. It does not fail to qualify as 'available' because of dangers which would arise if the child is unaccompanied.”*

In rural areas, safe walking routes may include crossing fields, wooded areas and public parks. Rights of Way will normally be considered available at all times as well as Permitted Paths. Off road walking will not be considered unavailable because of lack of lighting, isolation of route, temporary unavailability (e.g. due to seasonal flooding) or proximity of any residences, hazards, livestock etc.

The Council will undertake appropriate risk assessments which will include a review of public availability and walking the route with appropriate Officers and Councillors. The Council has the final decision on whether a route is safe.

The Council will consider, in line with its general transport provision and duty to promote sustainable travel across West Berkshire¹, the provision of safe walking routes, and building of footpaths, cycling paths and crossings as more cost effective alternatives to providing free transport. This may result in the withdrawal of transport, where safe walking routes are subsequently established.

9. Type of Transport

As required by law², the Council will either provide or pay for free transport by the most economic means, for pupils resident in West Berkshire, who meet the above criteria. Transport could be:

- School Bus (where necessary supplemented by other methods as appropriate)
- Public Transport – Bus or train season ticket on public transport for the child
- A place in a taxi or minibus where there is no public or other transport available. This would normally be shared with other children and even if not shared initially could become shared over time.
- A mileage allowance where this is more economical than a taxi based upon the home to school distance and only where there is no public or other transport available. A mileage allowance would only be paid for the portion of the journey where the child is in the vehicle.

The Council determines the mode of transport and normally only one mode of transport is provided.

¹ Sustainable Home to School Transport <http://www.westberks.gov.uk/index.aspx?articleid=15948>

² Sections 508A and 508D of the Education Act 1996, and sections 508A, 508B, 508C, 509AD, and Schedule 35B of the Act which were inserted by Part 6 of the Education and Inspections Act 2006.

10. The Journey

The Council will determine the boarding and alighting points for the journey. Pupils are expected to walk to and from home to meet their transport. The pick-up point will not normally be more than one mile away from the home address. Journey times will not usually exceed 45 minutes for primary pupils and 75 minutes for secondary pupils.

The parent is responsible for the safety of the child in getting to and from the pick-up point, and whilst they are waiting for transport or leaving transport at either end of the day.

11. Poor Behaviour on School Transport

The Council operates a zero tolerance approach to poor behaviour on school transport. Behaviour which endangers other pupils, the driver and other passengers and other road users will not be tolerated. The Council's Home to School Transport Behaviour Policy provides more information³.

The Council will work in partnership with schools to promote good behaviour on school transport through a range of initiatives. The Council will work with the headteacher of a school, to ensure appropriate sanctions are in place for poor behaviour. Sanctions may range from:

- Warning in relation to misbehaviour
- Exclusion from the bus for a temporary period
- Permanent exclusion from the bus for more serious or persistent misbehaviour

12. Transport provided in Error or Subject to Change

Where free or discretionary transport has been provided in error, or where material changes have been made to the route to school, provision may be withdrawn. Six weeks notice will be provided to allow alternative arrangements to be put in place by the parents.

13. Further Information

For information on how to apply for free home to school transport, or to access the Parents' Guide including frequently asked questions, please refer to the Transport pages on the Council's website.

<http://www.westberks.gov.uk/index.aspx?articleid=23652>

³ West Berkshire Council Home to School Transport Behaviour Policy is available on the West Berkshire website <http://www.westberks.gov.uk/CHttpHandler.ashx?id=28294&p=0>

14. Appeals

The Council's policy regarding eligibility to transport assistance is based on the DfE Home to school Travel and Transport Guidance:

<https://www.education.gov.uk/publications/standard/publicationdetail/page1/D/FES-00373-2007>

The Council will maintain an appeal process regarding eligibility decisions made under this policy, and information about this will be available on the Council's website.

Where an application for transport has been refused, the applicant has the right to appeal the decision, using the Transport Appeal Panel process. The complaints process should not be used in relation to a refused application, as the Appeals process takes precedence.

Where an application has been considered by the Transport Appeal Panel, there is no right to use the complaints process with regard to the decision made. The complaints process has no jurisdiction over the Appeals process.

If you feel that the Appeals process has not been administered correctly, this aspect can be processed through the Council's corporate complaints process. The complaints process will only look at whether or not the Appeals process was administered correctly. It cannot re-consider the decision made by the Appeals process.

The Local Government Ombudsman will be prepared to consider complaints about the administration of the Appeals process once this has been considered through the Council's complaints process, but the LGO does not have the jurisdiction to overrule a decision made by the Appeals process if the LGO finds that the process was correctly administered.

If you believe that the Council's policy for providing help with school transport is not objective, clear and fair, comments can be directed to the Council about the policy. These comments will be considered in the next consultation round on the policy.

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Home to School Transport Policy 2014/2015

1. Introduction

This policy sets out who is eligible for free transport to and from school, and applies to West Berkshire residents only.

Transport is only provided at the beginning and end of the normal school day. Transport is not provided for:

- Journeys during the course of the day
- Journeys to a work placement
- After school activities
- Induction/open day/interview visits
- Medical and dental appointments
- Parent/Carer attendance at school
- Respite Care
- Exchange students

A parents' guide to the policy gives information about how the policy operates and practical information such as how to apply for transport. This will be primarily available on the Council web-site, but hard copies may be obtained on request. The Guide and associated "Frequently Asked Questions" are kept under regular review so the latest version should always be consulted when considering transport entitlement. The Guide does not form part of the policy.

Admission and Transport policies are separate and not directly linked. This reflects the national legislation. Eligibility for a place at a school is not affected by this transport policy and obtaining a place at a school does not bring with it any entitlement to transport, even if a pupil is attending their catchment school.

The policy may change before a pupil completes their time at school. The Council recognises that it is good practice for changes to be phased in and whilst the Council will endeavour to do this, it is not guaranteed, and entitlement may be subject to change, depending on specific circumstances.

The pupil's circumstances may change during their time at school, and this could also affect eligibility, e.g. moving house or school, no longer qualifying under low income, no longer qualifying under distance as age changes (see section 3). The Council may also take steps to create safe walking routes.

Admission choices should not be made on the assumption that the same transport eligibility rules will apply throughout a child's education.

If a child does not qualify for transport under the provisions in this policy, parents may wish to explore the Council's scheme for farepayer places on school transport. This discretionary scheme is not an entitlement and is often over-subscribed. Places may also be withdrawn in certain circumstances. Parents are strongly advised to read the rules of Farepayer Scheme before applying for a farepayer place.

2. The Statutory Entitlement

Parents are responsible for making sure that their children get to and from school at the appropriate times each day.

West Berkshire provides the statutory entitlement which is summarised in the table in section 3. It is based upon distance and/or special circumstances (Special Needs or Disability; Low income; Safety of walking route). Eligibility is usually determined at the point of admission with some exceptions e.g. the development of a disability or entering a low income category.

Qualifying School

The legislation about Home to School Transport says that a *qualifying school* is a school which provides education appropriate to the age, ability and aptitude of the child, and any special educational needs that the child may have. Most schools in West Berkshire fit the criteria of *qualifying school*. To be a qualifying school, the schools must be:

- a community, foundation or voluntary mainstream school, or
- an academy, or
- a community, foundation or non-maintained special school, or
- a maintained nursery school, or
- pupil referral unit

Independent schools can only be a qualifying school in relation to a child with a statement of Special Educational Needs, only if the school is named in the child's statement or it is the nearest of two or more schools named in the statement.

Any other type of school which is not listed above, including other West Berkshire independent schools, is NOT a qualifying school.

There is no legislative entitlement to transport to a particular type e.g. by gender, faith, structure [academy, maintained, free school] or catchment.

The entitlements are set out in the 1996 Education Act and 2006 Education and Inspections Act.

If parents choose to send their child to a school which is not the nearest qualifying school, free transport will not be provided by the Council, unless it fits any of the discretionary transport described in section 4. Parents will be responsible for arrangements and costs.

3. Free Transport – as defined in Law

The *nearest qualifying school* is: The nearest school to the pupil’s home address, that the pupil is eligible to attend, that can provide a suitable education and with places available during the normal admission cycle.

Free transport is defined in 5 categories, explained in the table below:

- Distance
- Low Income
- Safety of route (including parental disability)
- Statement of Special Educational Needs (in certain circumstances)
- Temporary medical condition
- Pupil Referral Units and permanently excluded pupils

The Council also offers some discretionary transport, see section 4, for:

- Catchment School
- Exceptional Circumstances
- Post-16 students with a statement of Special Educational Needs who qualify due to low income, distance and type of course.

From: the term starting 1st January, 1st April or 1st September following the child’s 5th birthday To: 7 years old.	Distance Free transport to the <i>nearest qualifying school</i> , if it is more than 2 miles walking distance from home.
From: the child’s 8 th birthday To: the last school day in the academic school year in which their 16 th birthday falls.	Distance Free transport to the <i>nearest qualifying school</i> , if it is more than 3 miles walking distance from home.
From the child’s 8 th birthday To 10 years old.	Low income Free transport to the <i>nearest qualifying school</i> , if it is more than 2 miles walking distance from home. To qualify, the child must be entitled to free school meals or whose family is in receipt of maximum working tax credit (i.e. with no deductions due to income)
From the child’s 11 th birthday To: the last school day in the academic school year in which their 16 th birthday falls.	Low income Free transport to one of the three <i>nearest qualifying schools</i> , if it is between 2 and 6 miles walking distance away, or to the school preferred by reason of a parent’s religion or belief which is between 2 and 15 miles away from the home address, travelling by road. To qualify, the child must be entitled to free school meals or whose family is in receipt of maximum working tax credit (i.e. with no deductions due to income)

<p>Pupils living within the statutory walking distance but who are unable to walk in safety to school because of the nature of the route</p>	<p>Safety of walking route Free transport to the <i>nearest qualifying school</i>, where the pupil lives within the statutory walking distance from school and where, due to the nature of the route, they are unable to walk in reasonable safety even when accompanied by an appropriate adult.</p>
<p>The parents' disability prevents them from accompanying the child along a walking route, which is considered safe for a child who is accompanied</p>	<p>Safety of walking route and parental disability Where a walking route is considered to be safe for a child who is accompanied, but the parents' disability prevents them from walking the route, free transport will be provided to the <i>nearest qualifying school</i>, where the pupil lives within the statutory walking distance from school. Transport will be provided if the application is supported in writing by their GP and/or Consultant.</p>
<p>Pupils with a statement of Special Educational Needs or disability problems attending a <i>mainstream</i> school</p>	<p>Special Educational Needs – mainstream school Free transport to the <i>nearest qualifying school</i>, if it is more than 2 miles or 3 miles walking distance from home (see distance rules above re child's age on page 3). Also, free transport to the <i>nearest qualifying school</i>, where the pupil lives within the statutory walking distance from school and where due to their special needs or disability they are unable to walk to school even when accompanied by an appropriate adult.</p>
<p>Pupils with a statement of Special Educational Needs or disability problems attending a <i>special</i> school</p>	<p>Special Educational Needs – resourced or special school Transport provision will be provided as written in the SEN Statement. Free transport to the <i>nearest qualifying resourced school or special school</i>, where the pupil lives within the statutory walking distance from school and where due to their special needs or disability they are unable to walk to school even when accompanied by an appropriate adult.</p>
<p>Pupils with a temporary medical condition</p>	<p>Temporary Medical Condition A child may develop a temporary medical condition which prevents them making their own way to school, even if accompanied by an appropriate adult. Transport will be provided if the application is supported in writing by the GP and/or Consultant. Appropriate transport will be provided for a limited period based on the medical information available, and then reviewed taking account of any new medical information</p>

<p>Pupils attending a Pupil Referral Unit</p>	<p>Pupil Referral Unit Transport to the Pupil Referral Unit for those pupils who are not attending mainstream schools will be provided at the start and the end of teaching sessions only.</p> <p>Transport may be withdrawn from pupils who regularly fail to attend the PRU – responsibility for attendance will then pass to parent/carers.</p> <p>Parents/carers must be aware that if the child requires transport to and from the Pupil Referral Unit at any other time, it is the parent’s responsibility (including exclusions).</p>
<p>Pupils permanently excluded from school</p>	<p>Permanently excluded pupils A pupil permanently excluded from a school will be provided with assistance to the new school, provided it is both the <i>nearest qualifying school</i>, as agreed with the Access and Inclusion Team, and meets the distance requirements (see distance rules above re child’s age on page 3).</p> <p>Exceptional arrangements may be made if the pupil attends a Pupil Referral Unit or similar establishment, and these may include assistance with part-time attendance at other educational establishments as required by the pupil’s particular needs.</p>

4. Transport Provided at the Discretion of the Council

The Council has extended its transport provision to include other circumstances where transport is not required by Law. These are:

- Catchment School
- Exceptional Circumstances
- Post-16 students with a statement of Special Educational Needs
- Post-16 students

a. Catchment School

The Council recognises that parents may also wish to choose the local catchment school for their child. The catchment area for a West Berkshire school is the same as used in the Admissions application process and can be checked on the Council website here:

<http://www.westberks.gov.uk/index.aspx?articleid=21374>

Where the applicant lives in the catchment area of a maintained school e.g. Community or Voluntary Controlled school, located in West Berkshire, and they meet the requirements in terms of the walking distance or safety of route, the Council will provide free transport.

Where the applicant lives in the catchment area of an Academy, Foundation school, Voluntary Aided school or Free school, located in West Berkshire, and they meet the requirements in terms of the walking distance or safety of route, the Council will provide free transport, *except* where the catchment area overlaps with a maintained school.

Where there is an overlap, the maintained school catchment area would take priority and the Council would only provide transport to the maintained school.

The Council will not provide free transport for a catchment school where the school site is outside of West Berkshire. For example, where a Hampshire or Oxfordshire school has a catchment area which also includes a portion of West Berkshire.

b. Exceptional Circumstances

The Council may take exceptional circumstances into consideration for a very short limited period of time and **only** until a formal appeal can be heard. There is **no automatic entitlement**, and the phrase “exceptional circumstances” primarily refers to the circumstances of the pupil rather than those of the parent. Parental work commitments or having children in more than one school is not deemed “exceptional”, and the decision of the Council is final in relation to consideration of exceptional circumstances.

c. Post-16 students with a Statement of Special Educational Needs

The Council provides travel assistance for post 16 students with SEN (who have a Statement or had a Statement when at school) where young people are remaining in education, in line with the transport entitlement policy for children with Statements under the age of 16. That is, the school/college must be outside the statutory walking distance of 3 miles or, if it is within the statutory walking distance, due to their special needs or disability, the student is unable to walk even when accompanied by an appropriate adult.

This provision will not, however, be free of charge. The post-16 student would pay to access the scheme at the prevailing rate. Families who are on a low income will be exempt from the charge. To qualify the family must be in receipt of maximum working tax credit (i.e. with no deductions due to income) or the young person should be entitled to free school meals.

In the majority of cases, travel assistance will take the form of a bus or train pass. Other means of transport will only be offered if the young person is not able to travel independently and is not suitable for independent travel training.

Transport assistance will not be afforded after the end of the academic year in which the young person's 19th birthday falls.

d. Post 16-Students

The Council does not provide travel assistance for those students who are 16 years and older and are remaining in Further Education, although there is a Council discretionary fare payer scheme which post-16 pupils may be able to access

Places are very limited and will be allocated on a first-come-first-served basis, and applications must be made via the online form. The application window will open in June. Applications received from that date will be ranked in order of application, by a unique identification number, and places will be offered in order of application.

5. Independent Travel Training for children with a statement of Special Educational Needs

All children with a Statement of Special Educational Needs aged 11 years or above who qualify for free transport will be considered for independent travel training (ITT). If a child is considered by the Council to have the potential to travel to school independently, either walking or using a bus or train, they will undergo an assessment of suitability for ITT and, if deemed suitable, will be provided with an intensive programme of travel training with a travel trainer. If they complete the programme successfully, they will be provided with a bus or train pass, as appropriate.

Transport by other means such as minibus or taxi will only be provided if a child is considered unsuitable for travel training or if they have been unable to complete the travel training course successfully.

A review of transport entitlement and provision will be carried out at each child's annual review. Children allocated transport by taxi or minibus at primary school age will be expected to undertake independent travel training at secondary school age in cases where the child is considered to have the potential to achieve independent travel to school.

6. Measuring the *nearest qualifying school*

The *nearest qualifying school* is measured on a computerised GIS mapping system in a straight line between the GIS point of the home address and GIS point of the school.

7. Measuring the *walking distance*

The *walking distance* measured is the shortest available route from the GIS point at the child's home address to the nearest approved entry point to the school site. The distance will be measured on a computerised GIS mapping system. The route measured may include footpaths, bridleways and other permitted paths as well as recognised roads.

Where a school has more than one site, the Council will measure to each of the sites where compulsory school education is provided. This would mean, for example, that a 6th form site would be excluded. If the child qualified for transport to any of the sites which deliver compulsory school education, transport would be granted for the entirety of the compulsory school education at that school, regardless of which site they were being educated on in any specific year.

For low income entitlement, the 6 mile and 15 mile distance is measured as the travelling distance by road taking account of appropriate vehicular access.

8. Determining an available route

The courts have defined an 'available route' as one "*along which a child accompanied as necessary can walk with reasonable safety to school. It does not fail to qualify as 'available' because of dangers which would arise if the child is unaccompanied.*"

In rural areas, safe walking routes may include crossing fields, wooded areas and public parks. Rights of Way will normally be considered available at all times as well as Permitted Paths. Off road walking will not be considered unavailable because of lack of lighting, isolation of route, temporary unavailability (e.g. due to seasonal flooding) or proximity of any residences, hazards, livestock etc.

The Council will undertake appropriate risk assessments which will include a review of public availability and walking the route with appropriate Officers and Councillors. The Council has the final decision on whether a route is safe.

The Council will consider, in line with its general transport provision and duty to promote sustainable travel across West Berkshire¹, the provision of safe walking routes, and building of footpaths, cycling paths and crossings as more cost effective alternatives to providing free transport. This may result in the withdrawal of transport, where safe walking routes are subsequently established.

9. Type of Transport

As required by law², the Council will either provide or pay for free transport by the most economic means, for pupils resident in West Berkshire, who meet the above criteria. Transport could be:

- School Bus (where necessary supplemented by other methods as appropriate)
- Public Transport – Bus or train season ticket on public transport for the child
- A place in a taxi or minibus where there is no public or other transport available. This would normally be shared with other children and even if not shared initially could become shared over time.
- A mileage allowance where this is more economical than a taxi based upon the home to school distance and only where there is no public or other transport available. A mileage allowance would only be paid for the portion of the journey where the child is in the vehicle.

The Council determines the mode of transport and normally only one mode of transport is provided.

¹ Sustainable Home to School Transport <http://www.westberks.gov.uk/index.aspx?articleid=15948>

² Sections 508A and 508D of the Education Act 1996, and sections 508A, 508B, 508C, 509AD, and Schedule 35B of the Act which were inserted by Part 6 of the Education and Inspections Act 2006.

10. The Journey

The Council will determine the boarding and alighting points for the journey. Pupils are expected to walk to and from home to meet their transport. The pick-up point will not normally be more than one mile away from the home address. Journey times will not usually exceed 45 minutes for primary pupils and 75 minutes for secondary pupils.

The parent is responsible for the safety of the child in getting to and from the pick-up point, and whilst they are waiting for transport or leaving transport at either end of the day.

11. Poor Behaviour on School Transport

The Council operates a zero tolerance approach to poor behaviour on school transport. Behaviour which endangers other pupils, the driver and other passengers and other road users will not be tolerated. The Council's Home to School Transport Behaviour Policy provides more information³.

The Council will work in partnership with schools to promote good behaviour on school transport through a range of initiatives. The Council will work with the headteacher of a school, to ensure appropriate sanctions are in place for poor behaviour. Sanctions may range from:

- Warning in relation to misbehaviour
- Exclusion from the bus for a temporary period
- Permanent exclusion from the bus for more serious or persistent misbehaviour

12. Transport provided in Error or Subject to Change

Where free or discretionary transport has been provided in error, or where material changes have been made to the route to school, provision may be withdrawn. Six weeks notice will be provided to allow alternative arrangements to be put in place by the parents.

13. Further Information

For information on how to apply for free home to school transport, or to access the Parents' Guide including frequently asked questions, please refer to the Transport pages on the Council's website.

<http://www.westberks.gov.uk/index.aspx?articleid=23652>

³ West Berkshire Council Home to School Transport Behaviour Policy is available on the West Berkshire website <http://www.westberks.gov.uk/CHttpHandler.ashx?id=28294&p=0>

14. Appeals

The Council's policy regarding eligibility to transport assistance is based on the DfE Home to school Travel and Transport Guidance:

<https://www.education.gov.uk/publications/standard/publicationdetail/page1/D/FES-00373-2007>

The Council will maintain an appeal process regarding eligibility decisions made under this policy, and information about this will be available on the Council's website.

Where an application for transport has been refused, the applicant has the right to appeal the decision, using the Transport Appeal Panel process. The complaints process should not be used in relation to a refused application, as the Appeals process takes precedence.

Where an application has been considered by the Transport Appeal Panel, there is no right to use the complaints process with regard to the decision made. The complaints process has no jurisdiction over the Appeals process.

If you feel that the Appeals process has not been administered correctly, this aspect can be processed through the Council's corporate complaints process. The complaints process will only look at whether or not the Appeals process was administered correctly. It cannot re-consider the decision made by the Appeals process.

The Local Government Ombudsman will be prepared to consider complaints about the administration of the Appeals process once this has been considered through the Council's complaints process, but the LGO does not have the jurisdiction to overrule a decision made by the Appeals process if the LGO finds that the process was correctly administered.

If you believe that the Council's policy for providing help with school transport is not objective, clear and fair, comments can be directed to the Council about the policy. These comments will be considered in the next consultation round on the policy.

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