

CONSULTATION SUMMARY
HOME TO SCHOOL TRANSPORT

July 2015

1. Background

- 1.1. Parents are legally responsible for making sure that their children get to and from school at the appropriate times each day. This includes a parent making appropriate arrangements for their child where the parent has working commitments at the relevant times in the school day.
- 1.2. West Berkshire Council's Home to School Transport Policy sets out the circumstances in which it will provide free transport to children and young people travelling to school or college. It relates to West Berkshire residents of statutory school age (from the term following 5th birthday to the end of Year 11).
- 1.3. West Berkshire Council's post-16 Transport Statement sets out how the Council will meet the requirements of the statutory guidance for post-16 pupils.
- 1.4. Local Authorities are required by law to provide help for some pupils but may also provide help for others on a discretionary basis, such as through the Fare Payer Scheme.
- 1.5. The Council reviews its Home to School Transport Policy, post-16 Transport Statement and Fare Payer Scheme annually and is required to consult on proposed changes. This consultation includes the Home to School Transport Policy 2015/16 as the Council is re-consulting on this policy following clarification amendments.
- 1.6. The changes are outlined in Appendix A.

2. Consultation Process

- 2.1. The consultation was initially available on the West Berkshire Council website between 8th June 2015 and 10th July 2015.
- 2.2. The Consultation documentation was circulated to all Headteachers in West Berkshire maintained schools and academies on 3rd June 2015.
- 2.3. The Consultation documentation was sent to all Councillors on 21 May 2015.
- 2.4. Using the routine method of communication with parents, a letter was provided for the schools to cascade to parents, to alert parents about the consultation and encourage them to respond. Schools were asked to send this out on 3rd June 2015.
- 2.5. The consultation featured in the Newbury Weekly News on 4th June 2015, encouraging residents to respond.
- 2.6. Respondents were asked for their views on the proposed changes.
- 2.7. Following feedback that a few schools had experienced email issues around the start of the consultation period, the documentation was re-sent to schools with a further request for them to cascade to parents if they had not already done so. This reminder was sent on 22 June 2015. The closing date for the consultation was extended to 17th July 2015 to allow more time for responses.
- 2.8. In responses to initial feedback, Frequently Asked Questions (FAQs) were produced and added to the consultation portal. The FAQs were also circulated to schools on 25 June 2015 for cascade to parents.

3. Analysis of Responses

3.1. The majority of responses were received via the Consultation Survey.

3.2. Responses which included comments on the proposals were received from:

The Downs	102
Chieveley	9
Curridge	12
Hermitage	2
Newbury Academy Trust	6
Other schools	6
Other	8
Total no. of responses	145

3.3. Where indicated, the respondents identified themselves as:

Parent currently receiving transport	66
School	18
Governor	12
Parish Council	2
Local Authority	3
Sub-total	101

3.4. A letter was received from the Management Committee of the Pupil Referral Units in relation to the changes for Pupils attending a Pupil Referral Unit.

3.5. Councillor Docherty replied through the survey form in relation to the Appeals process for children in temporary housing.

3.6. 127 out of 145 respondents accessed the survey to comment on the proposal in Section 6 to remove free entitlement and introduce a fee for discretionary transport for secondary pupils to the catchment school (unless this is the nearest school) from 2016/17.

3.7. 42 emails were received about the proposal in Section 6, including emails from Curridge Residents' Association, Hermitage Governing Body and Councillors Cole, Bale and Jones.

3.8. A petition was received from the Curridge Primary School PTA objecting to the proposal. The petition had 162 signatures. Please note that some of those who have signed the petition may also have responded via the consultation survey form.

4. Consultation Responses 2015/16 Policy

- 4.1. The definition of an *Available route* was expanded to provide more information on what is considered. There was one response asking for clarification about a particular route.
- 4.2. In relation to Pupils attending a Pupil Referral Unit, the content was updated to reflect current practice. There was one comment from The Council's Transport Team, with suggestions for minor amendments to the wording for clarity. ***In response to this comment, the wording in the policy will be amended.***
- 4.3. In relation to Pupils permanently excluded from school, the content was updated to reflect current practice. There were no comments for this question.
- 4.4. In relation to post-16 students with a statement of Special Educational Needs, the content was updated in the light of the SEND reforms. There were no comments for this question.
- 4.5. In relation to children with a Statement of Special Education Needs/EHC Plan, the content was updated in the light of the SEND reforms. There were no comments for this question.
- 4.6. A comment was received with regard to the speed of decisions in relation to temporary housing. The Lead Councillor for Children was concerned that the process for managing Exceptional Circumstances using the Appeals Process could impact on Looked After Children and those children who may be on the edge of care. The response noted that *"If they are re-homed on a temporary basis and it is in their best interest to remain at their existing school then an appeal process that will take 40+ working days to secure transport costs to that school is not going to work."*
- 4.7. The timescale for the Appeals process is congruent with the recommendations in the national guidance, which also notes *"the timings are recommended and not compulsory. We envisage that many appeals will be dealt with much sooner than these timings, particularly those which have a time pressure, whilst complex cases may take longer"*. In practice, the majority of appeals are dealt with much more quickly than the recommended timescales. ***In response to this comment, the process for responding to urgent need in relation to temporary re-housing will be reviewed and the wording in the policy will be amended.***
- 4.8. One comment noted that the policy is not clear about the position for children of separated or divorced parents who live in two households. This is also a matter which has been raised with the Education Service directly by other families during the consultation. ***In response to this comment, the policy wording will be amended to include clarity on this scenario.***

5. Consultation Responses 2016/17 Policy

- 5.1. For the analysis about the proposal to remove free entitlement to discretionary transport to the catchment schools from 2016/17, see section 6. There were no other comments in relation to the 2016/17 policy.
- 5.2. The 2016/17 policy mirrors the 2015/16 policy. Aside from the proposal in Section 6, any changes as a result of the consultation to the 2015/16 policy will also feature in the 2016/17 policy.

6. Consultation Responses – Removal of Free Entitlement to Discretionary Transport to Catchment School

Rationale for Proposal

- 6.1. The 2016/17 Policy included a proposal to remove the free entitlement of discretionary transport to the catchment school.
- 6.2. Parents are legally responsible for making sure that their children get to and from school at the appropriate times each day. This includes a parent making appropriate arrangements for their child where the parent has working commitments at the relevant times in the school day.
- 6.3. There is statutory transport guidance which the Local Authority must comply with and this only requires free transport to the nearest school (subject to other criteria such as distance). The national guidance does not use the admission catchment as a measure of entitlement.
- 6.4. The Council currently provides the statutory entitlement to nearest school and the discretionary entitlement to catchment school at no cost to families. The consultation made the public aware that the current policy on home to school transport includes support on a discretionary basis for some communities. This is at a significant cost to the council at a time of reducing financial resources.
- 6.5. The Council's use of catchment for transport entitlement is a discretionary element of our provision. The national transport guidance is quite clear that discretionary elements can be charged for. Therefore, the Council is not obliged to provide catchment transport at no cost.
- 6.6. The scale of budget reductions means that the Council needs to prioritise statutory functions, and consider whether it can continue to provide discretionary services, such as those elements of Home to School Transport.

6.7. Home to School Transport budgets have been reduced year on year for the last 4 years, primarily through robust procurement and the streamlining of routes and resources. The ability to continue to make savings on Home to School Transport without impacting on families is now exhausted.

BUDGETS	2012/2013	2013/2014	2014/2015	2015/2016
Mainstream	£1,843,610	£1,762,280	£1,664,610	£1,605,120
Special Educational Needs	£1,791,670	£1,632,610	£1,581,170	£1,497,950
Pupil Referral Units	£271,600	£286,030	£277,340	£269,190
Total	£3,906,880	£3,680,920	£3,523,120	£3,372,260

6.8. For 2016/17 and beyond, future savings would need to be made through the reduction of discretionary elements of the policy, whilst maintaining a robust procurement process for transport provision. The requirement to deliver a further £150,000 savings in 2016/17 is the driver for the proposal, and it is noted that any change to entitlement will impact on some families.

6.9. The introduction of a fee towards the cost of discretionary support would generate income of £57k p.a. for the Council if parents elected to continue to use the guaranteed places on the school bus. This would be generated from Fare Payer income from parents, at the subsidised rate of £250 per year, which is equal to £1.32 per school day.

6.10. If parents elected to make alternative arrangements, savings could be achieved by reviewing and rationalising bus routes and minimising provision to match demand. This could deliver up to £90k savings p.a.

6.11. The full financial impact of this proposal would not be received until after the phasing-in period, although there would be some impact from September 2016 onwards.

6.12. Based on existing students, it was estimated that the proposal would affect the following numbers of students at any one time, out of a total cohort of 11500 secondary students:

School	Students affected
The Downs	225
Theale Green	78
The Willink	28
Kennet	16
St. Bartholomew's	7
Trinity	36
Total	390

- 6.13. It should be noted that savings must be made and, therefore, it was necessary to bring forward proposals for consultation. The continuation of current expenditure on Home to School Transport was not an option.
- 6.14. Other Local Authorities have withdrawn some or all aspects of discretionary transport due to the financial imperative, and, in some cases, have also removed the subsidy on Fare Payer prices. Examples include Warrington, Essex, Herefordshire, Rochdale, Oxford and Cornwall.
- 6.15. The Council has endeavoured to bring forward proportionate proposals, impacting fewer families, with a view to retaining discretionary provision where possible. The Council has also taken mitigating steps being mindful of the impact on the families that would be affected.

The Detailed Proposal

- 6.16. The proposal is to remove free entitlement and introduce a fee for discretionary transport to the catchment school for new applications which take effect from September 2016. The proposal includes a guarantee of a place on the school bus for the nearest or catchment school, subject to the payment of a fee if a family do not qualify for free transport. A family may prefer to use the school bus and or, alternatively, a family may choose to make other arrangements. It would be for the family to decide what works best for them.
- 6.17. The proposal took account of the following considerations to mitigate the impact on affected families who may wish to continue to use the school bus, but would be required to pay a fee:
- **Guaranteed seat on the bus** – subject to applying on time and making either the full payment or the first payment in an instalment plan by the relevant deadlines.
 - **Reduced Fee** – A new rate for nearest or catchment school was proposed, which for 2016/17 would be £250 per year. This is an equivalent to £1.32 per school day. It should also be noted, whilst that the actual cost of a seat on the bus varies by route, the Fare Payer fees are already subsidised by the Council and therefore the flat rate fee represents a significant cost reduction compared to the actual cost.
 - **Flat Rate Fee** It does not matter how far the child lives away from the school, the fee is the same. This reduces the cost of using the bus compared to the old banding rate, where some distances, especially to rural schools, would have attracted a fee of £430 p.a. or £800 p.a. (2014/15 rates, depending on distance).
 - **Ability to pay in** up to 6 instalments to spread the cost.
 - **Low Income** – the statutory provision is different for those families that meet the national low income criteria, and families would be entitled to free transport to the 3 nearest schools between 2 and 6 miles from their house. This would usually include the catchment school and they would qualify for free transport.
 - **Appeal process**, where Exceptional Circumstances could be considered.

- 6.18. The proposal included up to 4 years protection for students who are receiving free transport before the implementation date of the change (proposed for September 2016). Current secondary students who receive transport will continue to be entitled to free transport on their existing route until the end of Year 11. If the proposal goes ahead, it will be phased in from September 2016 for all new transport applications - new students when they start secondary education or existing students if they change their secondary school route.
- 6.19. The finally determined Policy would be published in September 2015 ensuring that parents can access transport information before making their secondary school choices for September 2016.

Consultation Process

- 6.20. The responses from residents objected to the proposal.
- 6.21. The vast majority of responses were from the villages which feed The Downs school, especially Curridge, Chieveley and Hermitage. This included a petition from Curridge Primary School PTA and responses from Curridge Residents Association, Hermitage School Governing Body, and Chieveley Parish Council.
- 6.22. As feedback began to come in about this proposal, it was clear from a substantial number of the initial responses that the details of mitigation added to the Fare Payer Scheme had not been understood.
- 6.23. It appeared that the initial letter to parents was not clear enough, and this led to some misunderstanding. Respondents focused on one phrase in the letter which said *a place is not guaranteed, subject to availability*. On reflection, this would have been better worded if it had said *a place is guaranteed (provided the application was made on time and the fee paid)*.
- 6.24. There was confusion about guarantee of a place on the bus, the cost of a place on the bus and the notion that the Council was removing the buses completely, which could affect traffic congestion and parking and the environment and would disadvantage working parents and those who don't drive.
- 6.25. The Fare Payer Scheme document that was within the original consultation documents did explain the detail of the guarantee – *"Pupil/Student Guarantee - Where the pupil/student is attending their nearest or catchment school, they are guaranteed a place on an existing school bus route provided by West Berkshire Council"*. Where a respondent contacted the Council about this point, they were reassured.
- 6.26. To address the misunderstandings more widely and provide clarity for parents, Frequently Asked Questions (FAQs) and maps were added to the consultation web page. The additional information was also circulated to Headteachers on 25 June 2015 for onward cascade to parents.

- 6.27. The FAQs clarified the position about the guarantee and the flat rate fee, and explained the mitigation measures in more detail.
- 6.28. Despite this further action, misconceptions persisted throughout the remaining 3 weeks of the consultation period.
- 6.29. Some consultation responses demonstrated that the respondents had not looked at the documentation that was provided and had relied on the limited information in the initial letter, hearsay and discussion within the community to judge the proposal. This was evidenced by parents quoting Fare Payer fee rates which did not match what was proposed, for example.
- 6.30. The Education Service will undertake a post-consultation review to inform future Home to School Transport consultations.
- 6.31. Therefore, when considering the consultation responses, **it is important to ascertain which issues relate to the proposal which was actually made, and which issues are resolved through making the points of the proposal clearer.**

Themes from the Consultation

- 6.32. There were 5 main themes from the responses:
1. Respondents did not understand why the Admissions process uses *catchment* school and the Transport proposal uses *nearest* school. Some suggested that, if transport entitlement is changing, catchment areas should change too.
 2. Respondents had misunderstood and thought that there would not be a guaranteed space on the school bus.
 3. The cost of a Fare Payer place would place a financial strain on families
 4. The cost of a Fare Payer place would be a burden on families on lower incomes.
 5. There would be traffic congestion if parents used their cars to transport their children, with a risk of accidents. Lack of parking at the Downs school if parents transported children themselves.
- 6.33. Some respondents were also concerned about:
- Working parents and the potential impact on their domestic arrangements.
 - Rural families are disproportionately affected and respondents felt this was discriminatory.
 - The proposal will “split” villages based on transport entitlement and this will impact on community cohesion/spirit.
 - Parents would have to choose a school which has transport, rather than the school which provides the best education for their child.
- 6.34. Example quotes from the responses and the Council’s reply in relation all of these themes are available at Appendix B – Key Themes: You said, we responded. An Equalities Impact Assessment is available at Appendix C.

Appendix 1

Transport Consultation – summary of changes

Clarification and Amendments - 2015/16 Home to School Transport Policy

In response to queries from parents, the Council has amended the wording of the policy to provide more clarity:

- Parent's responsibilities – these are now highlighted throughout the policy for ease of reference.
- The information that is required to allow us to consider applications for transport under the *temporary medical condition* or *parental disability* clauses is now explained (page 5)
- The definition of an *Available route* has been expanded to provide more information on what is considered (section 8)
- In relation to *Appeals* (section 18), the content has been updated to provide a clearer explanation of the grounds for an Appeal and to explain the process where we need to ask for additional evidence.
- In relation to *Complaints* (section 19), the content has been updated to provide a clearer explanation of when a representation from a parent is a complaint and when it is an Appeal.

These changes do not affect entitlement.

Amendments have been made:

- In relation to *Pupils attending a Pupil Referral Unit*, the content has been updated to reflect current practice. (Page 6)
- In relation to *Pupils permanently excluded from school*, the content has been updated to reflect current practice. (Page 6)
- In relation to *post-16 students with a statement of Special Educational Needs*, the content has been updated in the light of the SEND reforms. (page 9-10)
- In relation to *children with a Statement of Special Education Needs/EHC Plan*, the content has been updated in the light of the SEND reforms (pages 6, 9-10, 14-15)

Change of Entitlement - 2016/17 Home to School Transport Policy

- The Council proposes to remove the discretionary criteria to provide transport for secondary students to their catchment school

Changes to the Fare Payer Scheme

- Changes to the banding structure in response to the proposal for nearest and catchment school
- Discount for siblings is reduced from 20% to 10%.

Appendix 2 – Key Themes – You said, we responded...

The table below provides a summary of the points made by residents in response to the consultation, together with a comment on each issue.

Theme	You said...	We responded...
<p>Catchment School versus Nearest School</p>	<p>Why does the Admissions process uses <i>catchment</i> school and the Transport proposal uses <i>nearest</i> school?</p> <p>You said: <i>“As a proposal, this is counter-intuitive, as in these instances a family would have to choose to select a catchment school without transport or a non-catchment school with transport”</i> <i>“If the student is in catchment, then they should have an automatic right to free transport”</i></p>	<p>The Admissions Code is the statutory guidance that covers how admission to schools operates. Catchment areas are a mechanism for managing oversubscription for school places at a school during the admission process. We use catchment areas in West Berkshire. Catchment areas also create ‘partnerships’ of secondary and ‘feeder’ primary schools, which enhance learning opportunities and aid transition.</p> <p>The Statutory guidance for Transport requires Local Authorities to provide transport to the <i>nearest</i> school. Catchment is not used in transport legislation. However for some students the nearest and the catchment schools are the same.</p> <p>These are two different bodies of legislation about two different processes. Whilst parent’s choice of school may be affected by transport to the school, the national requirements keep the two matters quite separate.</p> <p>Our use of catchment for transport is a discretionary element of our provision at the moment and the transport guidance is quite clear that discretionary elements can be charged for. Therefore, the Council is not obliged to provide catchment transport at no cost.</p> <p>The Council will continue to meet its statutory obligations, including where extended rights to transport exist, such as for low income families.</p> <p>There is no legal entitlement to transport to a catchment school.</p> <p>There is no intention to alter admissions catchment areas.</p>

Theme	You said...	We responded...
Fare Payer Scheme	<p>There would not be a guaranteed space on the school bus</p> <p>You said: <i>“Paying is not ideal, but not being guaranteed a place on the bus to our catchment school is not acceptable”</i> <i>“At a minimum, places on the bus must be guaranteed for those of us in this situation”</i> <i>“I would pay a contribution to the bus fare but I feel that not being able to guarantee a place on the bus is ridiculous”</i> <i>“It is not the cost I am objecting to, it is the provision of transportation”</i> <i>“What happens if parents do not drive?”</i></p>	<p>The Fare Payer Scheme includes a guarantee of a seat on the school bus to your nearest or catchment school. This means that, if you do not qualify for free transport, your child will be guaranteed a seat. This benefits working parents and parents without their own transportation, for example.</p> <p>However, parents are required to apply on time (during the application window) and pay the fee (either the full payment or the first instalment of an agreed repayment schedule before the pass is issued).</p> <p>The guarantee does not apply to late applications or where there is non-payment.</p> <p>As a result of the consultation, we have updated the wording of the Fare Payer Scheme to make this point clear.</p>
Fare Payer Scheme	<p>The cost of a Fare Payer place would place a financial strain on families.</p> <p>You said: <i>“£440 per year x 2”</i> <i>“£400 per year for my child”</i> <i>“£450 extra on the school bus”</i> <i>“having two children will cost the parent £855 per year”</i> <i>“just short of £1000 per year for 2 children”</i> <i>“It is unfair to penalise families based on their location”</i></p>	<p>We have introduced a new subsidised flat rate fee for nearest or catchment school, which for 2016/17 is £250 per year. This is an equivalent to £1.32 per school day. It does not matter how far you are away from the school, the fee is the same. This reduces the cost of using the bus compared to the old banding rate, where some distances, especially to rural schools, would have attracted a fee of £430 per year or £800 per year (2014/15 rates). Therefore, the Council has provided a greater subsidy on the Fare Payer place than in previous years to mitigate the impact of this change. This is especially of benefit to rural communities.</p> <p>You can choose to pay in one lump sum at the beginning or in up to 6 monthly instalments. Either the full payment or the first instalment of an agreed repayment schedule must be made before the pass is issued.</p>

Theme	You said...	We responded...
Fare Payer Scheme	<p>The cost of a fare Payer place would be a burden on families on lower incomes</p> <p>You said: <i>“As a single parent on a tight budget, I can’t afford it”</i> <i>“The associated cost will be an additional burden on our household”</i> <i>“Removing free transport will put financial pressure on some families”</i></p>	<p>If you are in receipt of free school meals or the maximum working tax credit without any deductions, you should check your entitlement with the Transport Officer on 01635 519777. If you meet the national low income criteria, you would still be entitled to free transport to the 3 nearest schools between 2 and 6 miles from your house. This would usually include your catchment school.</p> <p>If you are not entitled to free transport, you can arrange a payment plan to spread the cost over 6 months.</p> <p>Where there are Exceptional Circumstances, these can also be considered under the Policy.</p>
Congestion on roads	<p>There would be traffic congestion if parents used their cars to transport their children, with a risk of accidents.</p> <p>You said: <i>“From an environmental perspective, it is much better to have one bus taking all the children than 20 or 30 individual cars driving the same route each day.”</i> <i>“Traffic issues will arise”</i> <i>“Increased traffic flow on small rural roads”</i> <i>“Risk of accidents on the roads with increased traffic”</i></p>	<p>At this stage, we cannot be sure what arrangements parents may choose to put in place. Parents may choose to transport their child themselves or may choose to continue to use the school bus and pay a Fare Payer fee.</p> <p>If the latter proves to be the case, any environmental impact would be substantially mitigated as the transport will continue to operate and parents have the option to access a guaranteed space on the bus for their child.</p> <p>Many responses were concerned about the lack of parking at The Downs school and the traffic issues which may arise journeying to that school.</p> <p>It would be for each family to decide what works best for their family.</p>

Theme	You said...	We responded...
Working Parents	<p>I have to go to work and this change could be inconvenient for me.</p> <p>You said: <i>“Many working families have set up their domestic lives on the basis that they can rely on transport for their children”</i> <i>“This will put more pressure on hard working parents, either financially or the logistics of taking your child to school before work”.</i></p>	<p>Parents are legally responsible for making sure that their children get to and from school at the appropriate times each day. This includes a parent making appropriate arrangements for their child where the parent has working commitments at the relevant times in the school day.</p> <p>The proposal includes a guarantee of a place on the school bus for the nearest or catchment school, subject to the payment of a fee. This was included as we knew that many families would not want their domestic arrangements to change and relied on the bus as part of their family life.</p> <p>You may prefer to continue using the school bus, which would address the practicalities, but this will attract a subsidised cost of £250 per year (price correct for 2016/17), which can be paid in instalments.</p> <p>Alternatively, you may choose to make other arrangements for some or all of your children, if you did not wish to use the Fare Paying Scheme. It would be for you to decide what works best for your family.</p>
Rural Families	<p>The impact of this proposal on rural families is discriminatory and rural families are disproportionately affected.</p> <p>You said: <i>“It is unfair to penalise families based on their location”</i> <i>“The Commission of Rural Communities...report [2012] into the barriers to education, employment and training for young people in rural areas...concluded that rural families are significantly more reliant than their urban counterparts on subsidised and public transport when attending schools and colleges”</i></p>	<p>The proposal affects 6 out of 10 secondary schools in West Berkshire. The most heavily affected is The Downs school. The impact here is matched by the high number of responses from the Downs catchment area (85% of responses).</p> <p>The Council provides free transport to a large number of secondary pupils on a discretionary basis. However it does not provide free transport to all secondary children. Therefore implementation of the proposal will mean that secondary children are only provided with transport assistance when there is a legal obligation to do so, which means that the policy will be fairer overall for all communities.</p> <p>The proposal recognises that parents need reliable transport and retains a guaranteed place on the school bus. This would require parents to make a contribution to the subsidised cost of transport if they are no longer eligible. It would be for you to decide what arrangements works best for your family.</p>

Theme	You said...	We responded...
Village communities	<p>The proposal will “split” villages and affect community cohesion</p> <p>You said: <i>“Families in some villages will be divided as to whether their children receive free transportation or not, possible reducing social and community cohesion”</i> <i>“Another blow for the rural community”</i> <i>“Could be divisive”</i> <i>“Destroying local community spirit”</i></p>	<p>Applications for transport are confidential. Regardless of the whether the bus pass is issued for a child with free entitlement, a child from a low income family or a Fare Payer seat, the bus pass looks the same. Therefore, it would not be possible to identify who has paid and who has not by the bus pass.</p> <p>The drawing of any line, whether a catchment line or a direct measurement of distance, would always have some families who are placed close to a line who may feel disadvantaged. The current entitlement to free transport is based on distance from the school, and the concept of entitlement being determined by a dividing line operates in this example as well. Some families qualify for free transport because the distance is greater than 3 miles, but those at 2.9 miles would have to pay for a Fare Payer place on the school bus. Sometimes the difference between qualifying and not qualifying is merely metres, but there have to be eligibility criteria applied to transport entitlement.</p> <p>Following the requirements of the Transport legislation, therefore, is a fair way to apply the Policy.</p>
Parental Choice of School	<p>Parents would have to choose a school which has transport, rather than the school which provides the best education for their child.</p> <p>You said: <i>“Parents and students will make decisions based on financial considerations not which is the best school...educationally”</i> <i>“I don’t want to be forced into a school choice on the basis of cost of transport”</i></p>	<p>The decision to apply for a place at a particular school is one of parental preference. The Council has no legal obligation to meet the travel cost associated with this decision if the child could have accessed a place at a nearer school from home. To ensure fairness and consistency, any changes discretionary support should apply to all pupils.</p> <p>Parents can express a preference for any school regardless of whether their child has attended a partner primary to a particular secondary school.</p> <p>These issues have always existed when parents choose secondary provision, hence not all parents opt for their nearest or catchment area schools.</p>

Appendix 3- Equality Impact Assessment Template

Name of item being assessed:	Home to School Discretionary Transport to Catchment School	
Owner of item being assessed:	Caroline Corcoran	
Name of assessor:	Caroline Corcoran	
Date of assessment:	13/7/2015	
<p>1 What are the main aims of the item?</p> <p>To review the feedback from the consultation on the Home to School Transport Policy. The Policy included a proposed change for September 2016 which would remove free discretionary transport to catchment schools for secondary students. The scale of budget reductions means that the Council needs to prioritise statutory functions, and therefore, the proposal includes a fee for access to this discretionary transport provision.</p>		
<p>2 What are the results of your research?</p> <p>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.</p> <p>(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)</p>		
Group Affected	What might be the effect?	Information to support this.
Age	<p>This policy applies to all children of Home to School Transport Age and provides statutory and discretionary transport provision – Positive Effect.</p> <p>The proposal in the Policy for 2016/17 to remove free transport to catchment schools will affect some secondary school pupils and their families. To continue to access the bus the families would be required to pay a fee, initially set at £250 per year. Alternatively, a family could make alternative arrangements – Negative Effect.</p> <p>The proposal to remove free transport to catchment school for primary pupils was not included.</p>	<p>The transport provision in the policy meets the LA's statutory duties under the statutory guidance. The policy also includes some discretionary provision to support families.</p>

Group Affected	What might be the effect?	Information to support this.
Disability: including children with special educational needs	This policy has specific entitlement to transport for children with Special Educational Needs and Disabilities and also in relation to parents who cannot accompany their children due to temporary or permanent illness of disability – Positive Effect.	The transport provision in the policy meets the LA's statutory duties under the statutory guidance. The policy also includes some discretionary provision to support families.
Gender Reassignment	No impact	Gender is not a distinguishing factor in the application process or the allocation of school transport.
Marriage and Civil Partnership	Feedback from families has indicated that there are families where the split is exactly 50:50, and that the Council's position in relation to this should be spelled out in the Policy.	Where parents are separated or divorced, our policy is to provide transport from the home address where the child spends the majority of their time
Pregnancy and Maternity	No impact	Pregnancy and maternity are not distinguishing factors in the application process or the allocation of school transport.
Race	No impact	Race is not a distinguishing factor in the application process or the allocation of school transport.
Religion or Belief	No impact	Religion or beliefs are not distinguishing factors in the application process or the allocation of school transport.
Sex	No impact	Sex is not a distinguishing factor in the application process or the allocation of school transport.
Sexual Orientation	No impact	Sexual Orientation is not a distinguishing factor in the application process or the allocation of school transport.

Group Affected	What might be the effect?	Information to support this.
Socio-economic factors: Impact on low income families	<p>The proposal in the Policy for 2016/17 to remove free transport to catchment schools will affect some secondary school pupils and their families. In the case of low income families, there are extended entitlements in the policy, in line with statutory guidance, and this would usually include the catchment school (based on distance). Low income families attending their catchment school are likely to continue to be entitled to free transport. Positive Impact.</p>	<p>The transport provision in the policy meets the LA's statutory duties under the statutory guidance. Statutory provision is different for those families that meet the national low income criteria, and families would be entitled to free transport to the 3 nearest schools between 2 and 6 miles from their house.</p>
Socio-economic factors: Financial impact on families	<p>The proposal in the Policy for 2016/17 to remove free transport to catchment schools will affect some secondary school pupils and their families. Some families may have income above the national low income criteria but would still be negatively affected by the requirement to pay a fee to use the school bus.</p> <p>Parents have expressed their desire for a guaranteed place on the school bus, as this suits their domestic arrangements.</p> <p>Parents have the option of making other arrangements for their child if this better suits their domestic arrangements.</p>	<p>The Fare Payer Scheme outlines the cost of accessing a place on the school bus.</p>

Group Affected	What might be the effect?	Information to support this.
Rural families	<p>Respondents felt that the impact of the proposal on rural families was discriminatory as rural families are disproportionately affected.</p> <p>The proposal affects 6 out of 10 secondary schools in West Berkshire. The most heavily affected is The Downs school. The impact here is matched by the high number of responses from the Downs catchment area (85% of responses).</p>	<p>The Council provides free transport to a large number of secondary pupils on a discretionary basis. However it does not provide free transport to all secondary children. Therefore implementation of the proposal will mean that secondary children are only provided with transport assistance when there is a legal obligation to do so, which means that the policy will be fairer overall for all communities.</p> <p>The proposal recognises that parents need reliable transport and retains a guaranteed place on the school bus. This would require parents to make a contribution to the subsidised cost of transport if they are no longer eligible.</p>

Further Comments relating to the item:

The proposal in relation to the removal of free transport for secondary students to their catchment school took account of the following considerations to mitigate the impact on affected families who may wish to continue to use the school bus, but would be required to pay a fee:

- **Guaranteed seat on the bus** – subject to applying on time and making either the full payment or the first payment in an instalment plan by the relevant deadlines.
- **Reduced Fee** – A new rate for nearest or catchment school was proposed, which for 2016/17 would be £250 per year. This is an equivalent to £1.32 per school day. It should also be noted, whilst that the actual cost of a seat on the bus varies by route, the Fare Payer fees are already subsidised by the Council and therefore the flat rate fee represents a significant cost reduction compared to the actual cost.
- **Flat Rate Fee** It does not matter how far the child lives away from the school, the fee is the same. This reduces the cost of using the bus compared to the old banding rate, where some distances, especially to rural schools, would have attracted a fee of £430 p.a. or £800 p.a. (2014/15 rates, depending on distance).
- **Ability to pay in instalments** – families are able to pay the fee in up to 6 instalments to spread the cost.
- **Low Income** – the statutory provision is different for those families that meet the national low income criteria, and families would be entitled to free transport to the 3 nearest schools between 2 and 6 miles from their house. This would usually include your catchment school and they would qualify for free transport.
- **Appeal process**, where Exceptional Circumstances could be considered.
- **Up to 4 years protection for students who are receiving free transport** before the implementation date of the change (proposed for September 2016). Current secondary students who receive transport will continue to be entitled to free transport on their existing route until the end of Year 11.

3 What actions will be taken to address any negative effects?

Action	Owner	By When?	Outcome
Feedback indicated that the policy is not clear about the position for children of separated or divorced parents who live in two households.	Caroline Corcoran	August 2015	The policy wording will be amended to include clarity on this scenario.
Feedback indicated that there needed to be more clarity on how the Appeals process would work in relation to temporary re-housing.	Caroline Corcoran	August 2015	The policy wording will be reviewed to ensure that there is clarity between the standard timescales for appeals and how urgent cases are managed.

Action	Owner	By When?	Outcome
<p>There was significant feedback objecting to the proposal to remove free entitlement for transport to catchment schools for secondary students.</p> <p>The proposal ready included a range of mitigation measures outlined on page 22.</p>	Caroline Corcoran	August 2015	The feedback summarised in the Consultation Report will be scrutinised and further mitigating measures will be considered.
<p>4 What was the final outcome and why was this agreed?</p> <p>The feedback summarised in the Consultation Report will be scrutinised and further mitigating measures will be considered. A formal report with options will be brought through the corporate Executive cycle, for Councillors to determine the final Policy.</p>			
<p>5 What arrangements have you put in place to monitor the impact of this decision?</p> <p>The Council consults on its Home to School Transport Policy each year, and therefore there is an annual opportunity to review and amend the Policy. For example, the Policy for the academic year 2017/18 (starting September 2017) will be consulted upon in 2016 and will be published by the Council by September 2016.</p>			
<p>6 What date is the Equality Impact Assessment due for Review?</p> <p>An Equality Impact Assessment is completed each year as part of the annual review of the Policy and consultation process.</p>			
Signed: Caroline Corcoran		Date: 21/7/2015	

Appendix 4-6

- Email responses
- Letter responses
- Survey Monkey responses

Other Consultation documentation:

- Home to School Transport Policy 2015/16 and 2016/17
- Post 16 Transport Statement 2016/17
- Fare Payer Scheme 2016/17
- Summary of Changes
- FAQs
- Letter for Parents
- Letter for Primary Heads
- Letter for Secondary Heads