

Report to Joint Scrutiny Committee on Proposals to Sustain the delivery of Post School/College Transport.

1.0 Introduction and Background

1.1 The County Council approved its three year budget strategy on 24th February 2015. The strategy included a proposal relating to Post Sixteen School Transport. County Council made the following resolution:

The Budget Strategy for 2015/16 be adopted subject to the following amendments:-

that it be agreed to continue with a Home to School College Transport Service (Proposal rank 22) with the introduction of a charge, which would be introduced on a phased basis over a number of years. Any children on free school meals to be exempt and children currently at Pantycelyn school also to be exempt.

1.2 Members will be aware of the significant financial challenge facing the authority currently and for the foreseeable future and the budget strategy was therefore subject to wider public consultation. The consultation exercise referred to

“Charging/removal of support or discretionary post-16 transport service from 1st September 2016. The decision is subject to statutory consultation. Other Local Authorities across wales already charge or are considering a charge. Transport will still be available for post 16, but pupils will have to pay.”

1.3 The feedback from the consultation showed that there was support for the proposal with the average index score of 0.28. It was ranked 22nd from the 52 proposals included within the budget strategy. Overall 19.5% of respondents strongly agreed with the proposal, a further 33.8% agreed , 17.4% neither agreed nor disagreed , 13.2 % disagreed and 16% strongly disagreed with the proposal.

1.4 The key themes to emerge from the budget strategy consultation are set out below:

- Reasonable proposal as further education is not mandatory. College users should bear some of the cost in order to maintain the service.
- Saving necessary to protect front-line services
- Encourages younger people to manage money responsibly
- Urban/rural divide and imbalance: adverse impact on rural residents
- Proposal impacts the most vulnerable in society and restricts social mobility
- Proposal will increase young people classified as NEET (Not in Education, Employment or Training) and hinder their prosperity
- Mitigation - greater use of e-learning; means test to support pupils from low-income families; charge minimal fee to maintain participation; introduce tapered charge over 3 years; support young drivers' schemes; implement cycle hire scheme; combine with public bus routes
- Other relevant information:

- Youth Council – concern that this will constrain take-up of further education opportunities and force students to select courses that do not suit their career path (as may not be offered within nearest college)
- Councillor engagement: A balance of views against the proposal (budget seminar). The validity of the proposal was questioned, given the views of the School Transport Member Focus Group against its implementation (scrutiny).

2.0 Future Service Delivery.

2.1 Post Sixteen transport is a non statutory service that the Council to date has chosen to provide free of charge. Given the outcome of the consultation exercise and the resolution made by Council, the Authority has therefore developed a proposal that will seek to sustain the post sixteen transport service in future years.

2.2 The proposal has been developed following discussions with Coleg sir Gar, the Local Education Authority and the Environment Department. All parties recognise that transport is an enabler that supports access to education where pupils and students reside over a three mile walking distance to school/college. The distance is defined in the Learner Travel Wales Measure as the distance where pupils/students of statutory school age qualify for free school transport. There is no statutory duty to provide free school transport or those pupils aged sixteen and over who continue their studies in mainstream further education or training.

2.3 The number of students in receipt of mainstream transport in the sector is set out in Table One below:

Mainstream:

Education Provider	Number of Students
Coleg SirGar	1,888
Other Colleges	96
Schools	901
Total	2,885

2.4 Throughout the discussion with the Colleges and the Local education Authority, there has been a strong desire from all parties to secure continued provision if possible. All parties understand the importance of the service and have therefore explored ways that the service can continue to be provided at a reasonable charge.

2.5 Options have been developed into a proposal for charging that will proceed to formal consultation in the forthcoming weeks. The specific proposals are summarised below:

2.6 Subject to the outcome of the consultation, the charge will be introduced on a phased basis so that from September 2016 learners commencing their first year as a post 16 student will be required to pay a contribution towards transport costs, the charge is expected to be between £200 and £250 per learner and will be payable in advance of a Travel Pass being issued. The charge equates to circa £5.78 to £7 per

week. In the 2017/18 academic year the charge will apply to all post 16 learners in school or college. No charge will be made for learners who can prove that they are eligible for free school meals.

2.7 Members may wish to note that: the Welsh Government has financial support available to cover/contribute to the transport costs of those in post-16 education. The Education Maintenance Allowance (EMA) was introduced as a financial incentive for young people from low-income households to remain in full-time education or training beyond compulsory education. It is available to learners who attend school or college. The Welsh Government's Assembly Learning Grant (ALG) is available to learners aged 19 or over who are in Further Education. The Welsh Government also provides support for those students facing hardship through the Financial Contingency Fund (FCF) which is distributed to further and higher education institutions in Wales.

3.0 Consultation

3.1 The level of charge to be applied will be determined following the outcome of the formal consultation process. The consultation will run from the end of September through to October. The results of the consultation process will be collated and analysed for a report to be considered by Executive Board and County Council to make the formal change to policy. An equalities Impact Assessment is included at appendix A. The EIA will be updated at each stage of the consultation process.

3.2 The consultation plan includes :

- Notification to pupils , students and parents via schools and colleges.
- Drop in sessions at secondary schools and colleges
- Website based survey on the County council and the AMDRO website.
- Information at Libraries.
- The use of Social Media and the press.
- Members newsletter.

4.0 Conclusion

4.1 Members are asked to note progress and offer comments, as part of the formal consultation process.

Initial Equalities Impact Assessment Template

Department: Technical Services	Completed by (lead): Alwyn Evans, Passenger Transport Manager	Date of initial assessment: November 2013 Revision Dates: May 2014; June 2015;
Area to be assessed: (i.e. name of policy, function, procedure, practice or a financial decision)	Financial savings: £0 2015/16; £65,000 2016/17; £412,000 2017/18. Discretionary provision of transport in the post-16 sector.	
Is this existing or new function/policy, procedure, practice or decision?	Changes to existing policy	
What evidence has been used to inform the assessment and policy? (please list only)		
Budget Budget Consultation 2013/14; Budget Consultation 2014/15; Policy Consultation to be undertaken September – October 2015		

1. Describe the aims, objectives or purpose of the proposed function/policy, practice, procedure or decision and who is intended to benefit.	<p>Charging / removal of support for discretionary post-16 transport service from 1st September 2016. The decision is subject to statutory consultation which results in efficiencies for the part of the year only in 16/17.</p> <p>There is a varied approach to this discretionary service throughout Wales, with eight of the twenty two Local Authorities charging for the post 16 transport service. The charges imposed by these Local Authorities range from £60 - £380, with thirteen Welsh Local Authorities stating that they are revising their current arrangements.</p> <p>The proposal for charging is acceptable under legislation which allows charging for post 16 travel, The Learner Travel Operational Guidance 2009, Section 2.23 states:</p> <p>'When the Local Authority uses its discretion in making learner travel arrangements (under section 6), a charge can be made for</p>
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		these arrangements. For learners who are not of compulsory school age, there is no restriction on charging. With regard to children of compulsory school age, charging must be in accordance with sections 455 and 456 of the Education Act 1996 (as amended by section 22 of the Measure). The means to charge, or pay all or part of a learner’s travel expenses, provides flexibility for local authorities to put in place travel arrangements that exceed the statutory requirements set by sections 3 and 4 of the Measure’.			
The Public Sector Equality Duty requires the Council to have “due regard” to the need to:- (1) eliminate unlawful discrimination, harassment and victimisation; (2) advance equality of opportunity between different groups; and (3) foster good relations between different groups (see guidance notes)		2. What is the level of impact on each group/ protected characteristics in terms of the three aims of the duty? Please indicate high (H) medium (M), low (L), no effect (N) for each.	3. Identify the risk or positive effect that could result for each of the group/protected characteristics?		4. If there is a disproportionately negative impact what mitigating factors have you considered?
			Risks	Positive effects	
characteristics	Age	(1) N (2) M (3) N	Services are used by post-16 students and there is a risk that there would be no transport available to their chosen school/college. Further consultation will be undertaken with the students during September 2015 to identify any potential issues.		Transport provision is not a statutory requirement. Other LAs across Wales already charge or are considering a charge or removal of the service.
	Disability	(1) N (2) N (3) N	Potential Impact on SEN transport will be evaluated during the	N/A	Potential to exempt SEN students from a charge. Further Legal input

			consultation process.		is being obtained.
Gender reassignment	(1) N (2) N (3) N		There is no impact in terms of gender reassignment as the proposal makes no differentiation to the right to join the scheme, transport provided or charging for the service based on gender reassignment. There is no data available for 16+ students of gender reassignment.	N/A	N/A
Race	(1) N (2) N (3) N		The proposal makes no differentiation on the basis of race. There are no barriers based on racial differences to entitlement to join the scheme, the proposed charging policy or the type of transport provided. All students wishing to join the 16+ travel scheme are treated equally as above. In this way the policy promotes racial equality and eliminates discrimination.	N/A	N/A
Religion/Belief	(1) N (2) N (3) N		No differentiation is made to the right to	N/A	N/A

		join the scheme, transport provided or the charging system based on the grounds of religion or belief including a lack of belief.		
Pregnancy and maternity	(1) N (2) N (3) N	No differentiation is made to the right to join the scheme, transport provided or the charging system based on the grounds of pregnancy and maternity.	N/A	N/A
Sexual Orientation	(1) N (2) N (3) N	No differentiation is made to the right to join the scheme, transport provided or the charging system based on the grounds of sexual orientation.	N/A	N/A
Sex	(1) N (2) N (3) N	No differentiation is made to the right to join the scheme, transport provided or the charging system based on the grounds of sex.	N/A	N/A
Welsh language	(1) N (2) N (3) N	No differentiation is made to the right to join the scheme, transport provided or the charging system based on the grounds	N/A	N/A

			of Welsh Language.		
	Any other area	(1) N (2) M (3) N	Students from families with a low income may be affected, but those who meet the free school meals criteria will be exempt from the proposed charge.	N/A	Students and their families should be made aware of available grants and support for school and college transport.

<p>5. Has there been any consultation/engagement with the appropriate protected characteristics?</p>	<p>YES {/}</p>	<p>NO</p>
	<p>The public consultation undertaken in 2013/14 resulted in 50.3% of respondents supporting this proposal, with 34.8% in disagreement – this response was further supported in the latest budget consultation (14/15), with 53% in support of either removal or charging for the service, with 29% in disagreement. Following the 2013/14 consultation, some respondents stated that the proposal would have a negative impact on those unable to pay and those in rural areas, given lack of suitable alternatives; while others said that it will affect participation rates. Some respondents felt that it must not be allowed to affect Welsh medium provision. It was suggested that if a charging option was to be introduced that it should be means tested to ensure low income families would not be disproportionately affected. The majority of these views were repeated during the 2014/15 consultation also.</p> <p>During 2014/15 respondents also noted their concern in relation to urban/rural divide and the potential for the increase in the number of young people classified as NEET (Not in Education or Training). Some comments received in support of the proposal included the benefit of encouraging young people to manage money responsibly; the saving was necessary to protect front line services and college users should bear some of the costs in order to maintain the service. The Youth Council raised concerns in relation to the proposal resulting in the constraint of take-up of further education opportunities and force students to select courses that do not suit their career path (as may not be offered within nearest college).</p> <p>Further statutory consultation will be undertaken during September 2015, to include a wide range</p>	

of stakeholders:

- All post-16 institutions where we currently send learners;
- All Carmarthenshire secondary schools;
- Future post-16 students;
- Learners and parents of learners;
- School staff and Governors (through provision of drop-in sessions at each of the sites);
- Neighbouring Local Authorities of which some learners could be affected.

The consultation and engagement process will include options for completing a questionnaire online, by post or in person at a drop-in session. A drop-in session will be held at each of the County's secondary schools and colleges and will be open for anyone to attend. The consultation will be widely promoted through local press, literature to all schools and colleges (approximately 17,000 postcards) the Council's website, primary school web sites and social media.

6. What action(s) will you take to reduce any disproportionately negative impact, if any?

We will promote the different grants that are available to some students, such as, students of low income families are eligible for EMA (Education Maintenance Allowance) which is intended to "help with the costs of further education".

Any charge will be introduced on a phased approach to impose minimum impact.

The fee proposed is a flat rate in order to avoid penalising those in rural areas with greater distances to travel and less alternatives.

The proposed fee has been kept as low as possible and is cheaper than equivalent public transport even for the shortest journeys

Those students that are eligible for free school meals will be exempt from the charge.

We will encourage operators to offer and develop public transport options where possible. The withdrawal of free transport may have a beneficial effect by encouraging growth of the public transport network with subsequent benefits to all members of the community.

7. Procurement

Following collation of evidence for this assessment, are there any procurement implications to the activity, proposal, service.

Please take the findings of this assessment into your procurement plan. Contact the corporate procurement unit for further advice. N/A

8. Human resources
Following collation of evidence for this assessment, are there any Human resource implications to the activity, proposal or service? N/A

9. Based on the information in sections 2 and 6, should this function/policy/procedure/practice or a decision proceed to Detailed Impact Assessment? (recommended if one or more H under section 2)	YES	NO
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Approved by: Head of Service	S G Pilliner	Date: 7 th September,2015
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