

Division(s): Chalgrove & Watlington, Wallingford and Benson & Cholsey
--

CABINET MEMBER FOR CHILDREN, EDUCATION & FAMILIES – 09 MARCH 2013

HOME TO SCHOOL TRANSPORT FOR RAF BENSON

Report by Director for Children's Services

Introduction

1. The legal basis for providing home to school transport is set out in sections 508A, 508B, 508C, 508D and 509AD and Schedule 35B of the Education Act 1996 (as amended by Part 6 of the Education and Inspections Act 2006) and where appropriate the Equality Act and English and European case law.
2. In addition, local authorities are under a statutory duty to have regard to the Guidance on Home to School Travel and Transport issued by the Department for Education in July 2014. A copy of this guidance has been placed in the Members' Lounge together with copies of all responses to the consultation.
3. The decision to review the impact of the new Home to School Transport Policy on families living at RAF Benson was taken following representations from RAF Benson, RAF Benson School and Icknield Community College. This resulted in a decision to consult upon a proposal to provide free travel to children living at RAF Benson to Icknield Community College due to capacity issues in that area. It is also proposed that this arrangement should be annually reviewed to ensure that if the capacity issue is resolved the free travel can be ended for those starting at the school.

Proposed changes to the Home to School Transport Policy

4. Local authorities are required to consult upon any proposed changes to the published Home to School Transport Policy and a consultation of this kind must last at least 28 days. Oxfordshire's consultation opened on 12 January 2015 and ended on 27 February 2015. This means that the consultation lasted for 47 days. Updated information on the consultation will be submitted as an addendum to this report on 9 March 2015.
5. The proposal was placed on the County Council's public website and was accessible through the Consultation Portal. Links to the documents were sent to the three state funded schools that were likely to be affected in Oxfordshire and letters were posted to all families with children at RAF Benson School outlining the proposal.
6. At the time of writing there have been 19 on-line responses all of which are in favour of the proposal, including one from the Chair of Governors of RAF Benson Primary School and one from the Leadership Team & Governors of

CMDCEF5

7. Icknield Community College. In addition we have had 15 paper responses to the consultation and one letter, and, as with the on-line responses, all of them have been in favour of the proposal. An updated record of responses to the consultation will be submitted on 9 March 2015.
8. The Chair of Governors at RAF Benson Community Primary School stated:

“.... I would like to thank the Council for taking this pragmatic approach to providing school transport for children who live at RAF Benson. There is no doubt that the initial proposal has caused much angst among parents and this common sense solution is welcomed by all and I thoroughly support the proposal and would like to thank Neil Darlington for attending a recent meeting at the school to brief us on the proposal.”
9. The Leadership Team & Governors of Icknield Community College stated that:

“We, the Leadership Team and Governors of Icknield Community College, fully support this proposal. We have an excellent relationship with RAF Benson Primary School and we are pleased that OCC have taken steps to enable this relationship to continue with no cost to parents or students. Thank you.”
10. The Headteacher of Wallingford School stated that:

“Wallingford School is happy with the proposal and keen to help make the process of applying for a school place as easy as possible for those living at the base.”
11. A summary of the results of the consultation can be found in Annex 1
12. Copies of the responses have been placed in the Members’ Lounge.
13. If the proposal is agreed the new arrangement would apply for entry from September 2016 onwards.
14. Currently the admissions arrangements for Wallingford School give priority to those living within the designated area of the school and RAF Benson is outside the designated area. Evidence from 2014 and 2015 together with demographic projections for 2016 onwards suggests that children living at RAF Benson are highly unlikely to obtain places at Wallingford School even though this is the closest school to their address, given the demand from within the designated/catchment area. In addition, if the admission arrangements were changed to ensure that children from RAF Benson could have a reasonable expectation of obtaining a place at Wallingford School this could only be achieved by displacing other children who currently live within the designated area. This in turn could be expected to lead to the need for expenditure on additional Home to School Transport routes.

CMDCEF5

15. RAF Benson lies within the designated/catchment area of Icknield Community College which is the second closest school to this location. This is the school that most children from RAF Benson will attend on secondary transfer. In addition in all but a few cases Icknield Community College will be the closest school to their address with an available place. This in turn means that these children will receive free travel to Icknield Community College.
16. Under the present policy to be certain that free transport will be provided to Icknield Community College parents have to list Wallingford School as their first preference and hope that a place is not made available which would mean their children would receive free transport to Icknield Community College because this school would then be the nearest school with an available place.
17. Under this proposal parents could list Icknield Community College as a first preference and feel safe in the knowledge that free transport will be provided from RAF Benson. They would not be required to name Wallingford School as a first preference while really wishing to send their son/daughter to Icknield Community College and having to wait to see if Wallingford School fills from its designated area before a place is offered at Icknield Community College along with free school transport on the basis of it being the nearest available school with a place.
18. This year 8 children from RAF Benson have obtained a place at Wallingford School for entry in September 2015. All of these children are eligible for free transport to Wallingford School (the nearest secondary school to RAF Benson). In addition, 23 children from RAF Benson are eligible for free transport to Icknield Community College because it is the nearest school to their address with an available place. Both Icknield Community College and Wallingford School have filled all available places. Only 1 child from RAF Benson will not be eligible for free transport and that child will not be attending either Icknield Community College or Wallingford School.
19. It is proposed that the need for free travel from RAF Benson to Icknield Community College should be reviewed on an annual basis. The reasons for this annual review are:
 1. Wallingford School is an academy and therefore the County Council is not responsible for the school's admission arrangements and these arrangements could be changed. If the admission arrangements for Wallingford School were altered so that children from RAF Benson could reasonably be expected to obtain places at Wallingford School there would be no need for free travel from RAF Benson to Icknield Community College. However, unless there is an increase in the school's capacity this could be expected to lead to a number of children within the school's current designated area being placed in an alternative school. This in turn would have potential implications for expenditure on home to school transport. In these circumstances it would not be equitable to continue to provide free travel for "new starters" from RAF Benson to Icknield Community College.

2. If the capacity of Wallingford School is increased to the point that the children from RAF Benson could reasonably be expected to obtain places at that school there would be no need for free travel from RAF Benson to Icknield Community College. In these circumstances it would not be equitable to continue to provide free travel for “new starters” from RAF Benson to Icknield Community College.
20. The responses received from Icknield Community College, Wallingford School and RAF Benson School were all in favour of the proposal as were all other responses.
21. It is not anticipated that there would be any increase in the number of children receiving free travel to school given the capacity issue at Wallingford School.
22. The position of families who live at RAF Benson, and which is described in paragraphs 13 to 20, is unique in Oxfordshire. Therefore in legal terms this justifies considering an annually reviewable departure from the current home to school transport policy.

Carbon Reduction

23. The proposal should not lead to an increase in the Council’s carbon footprint.

Financial and Staff Implications

24. There are no staffing implications.
25. There are no likely cost implications given that it is not anticipated that there will be any increase in the number of children receiving free travel to school given the capacity issue at Wallingford School.

RECOMMENDATIONS

26. **The Cabinet Member for Children, Education & families is RECOMMENDED to adopt the following proposals:**
 - (a) **to provide free travel for those of statutory school age from RAF Benson to Icknield Community College;**
 - (b) **to review the need for this provision on an annual basis since it concerns capacity and likely demand.**

JIM LEIVERS

Director for Children’s Services

Background papers: Home to School Transport and Travel Guidance July 2014,
Department for Education

Contact Officer: Neil Darlington, Admissions and Transport Services Manager
February 2015