

Divisions Affected – ALL

CABINET
23 MAY 2023
HOME TO SCHOOL TRANSPORT REPORT

Report by Kevin Gordon, Director for Children’s Services,
Bill Cotton, Corporate Director for Environment and Place

RECOMMENDATION

1. The Cabinet is recommended to approve the approaches presented in paragraph 7.

Executive Summary

2. The provision of Home to School Transport for eligible children is a statutory duty for local authorities. The Council determines its policy that applies to providing home to school transport for children of compulsory school age and also its Post 16 transport policy statement that applies to young people of sixth form age.
3. In February 2022 the authority set up a Home to School Transport Working Group to review OCC’s School Transport policies and to make recommendations to People’s Overview and Scrutiny Committee. The Committee received that report on 30 March 2023 and they in turn provided a report for Cabinet’s consideration on 18 April 2023, ([Public Pack](#))[Agenda Document for Cabinet, 18/04/2023 14:00 \(oxfordshire.gov.uk\)](#) pages 43 – 64. This report considers in detail each recommendation.

Introduction

4. On 17 February 2022, the People Overview & Scrutiny Committee established a working group with the following terms of reference
 - (a) to consider the Home to School Transport Policy and the options for any changes to the policy;
 - (b) to consider the impact on carbon emissions;
 - (c) to consider the equalities implications; and
 - (d) to agree a report and recommendations to the Cabinet for submission to the People Overview & Scrutiny Committee for endorsement.
5. The result of an extensive piece of work over a series of meetings was a report received by Cabinet on 18 April that makes 9 recommendations as detailed by the Working Group and 2 further recommendations that arose during the Scrutiny Committee’s discussion of the topic.
6. Annex A below details each of the recommendations. Each recommendation receives a comment based on the topics Finance/Costs, Legality, Carbon Impact and Deliverability.
7. The recommendations are as follows;

Recommendation 1: The Council engage with schools regarding whether there are circumstances in which they would consider providing home to school transport for pupils entitled under the Home to School Transport policy.	Accepted
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Recommendation 2: Home to School Transport only be provided for post-16 students at the beginning and end of a school day where that delivers financial efficiency.	Accepted
Amendment 2B; Budgets to remain the same for travel to after school clubs (ASC) and respite care, with the Service ensuring that budgets are not overspent.	Accepted
Recommendation 3: The Council pilot adjusting a small number of Home to School Transport routes to fill as many unfilled spare seats as practicable.	Accepted
Recommendation 4: The Council's Home to School Transport Policy be amended so that spare seat prices are commensurate with the cost of providing them, including through the introduction of further price bands which better align with the costs of different routes.	Policy change, Members decision
Amendment 4B: That a moratorium on changes to the Spare Seats Scheme is set up swiftly to allow time for the Council to address outstanding issues.	Not accepted
Recommendation 5: The Council reassess Home to School Transport entitlement when a child begins to receive the majority of their tuition at a different site of a split-site school to that in relation to which their transport entitlement was originally assessed. The entitlement to be re-evaluated when they move to the second site or at the start of their tuition, taking both sites into consideration and planning accordingly.	Accepted subject to legal advice
Recommendation 6: The Council look at possible exceptions and transitional arrangements to provide spare seats to children if a new school has become the nearest available, but one or more siblings attend the previously nearest school.	Part Accepted
Recommendation 7: That walking route safety assessments are regularly and consistently reassessed where circumstances may have changed, ensuring councillors are consulted (i.e. at localities meetings) and that data on assessments is made publicly available. Route safety assessments should also consider both short and long term weather conditions.	Partial acceptance
Recommendation 8: The Council to explore investing to save in supporting independent travel by increasing the budget, exploring delivery models and recruiting more independent travel trainers.	Accepted
Recommendation 9: Feedback from transport eligibility appeals to be used to improve digital capabilities (communications, guidance and data collection) and to improve outcomes.	Accepted

Financial Implications

8. The Budget for the Home to School Transport service is £29.8m for 2023/24 including an increase of £3.5m (13.3% increase) to address both increased demand and escalating cost pressures.
9. Review of the period since COVID shows an underlying volatility in the Home to School Transport service which has suffered an overspend of £1.7m in the year just ended, 2022/23. This was despite an increase in the budget of £2.2m from 2021/22.
10. While the MTFP forecast anticipates that the volatility in the market will begin to show signs of settling by 2024/25 it is too early to give a confident view that the underlying pressures in the Home to School Transport sector will follow this expectation. The service is monitoring activity and spend very closely to ensure that the investment of an additional £5.7m in budget provision (£2.2m

(9.1%) for 2022/23 and £3.5m (13.3%) for 2023/24) has completely addressed the pressures. The recommendations present potential opportunity to further mitigate against the pressures.

11. In this respect, the clarification of policy and proposed changes to practice set out in the recommendations highlight some opportunities to stabilise and possibly generate cost savings. They also highlight flag up some potential additional costs. The table below provides a summary of the indicative savings and costs together with a preliminary view of the potential financial risk in terms of realisability.

12. While the table highlights a potential indicative saving of over £1m the financial implications of introducing a ‘full cost’ charge set out in recommendation 4 present a high risk in terms of realisability given:

- i. The scale of potential increase (c43%) risks reduction in numbers and income
- ii. Unintended consequence of a full-cost to price spiral

Recommendation	Cost / (Saving) £'m	Financial Implication and Potential Risk (RAG)
Recommendation 1: Transport for pupils entitled.		
Recommendation 2: Transport post-16 students at start and end of day.	-£0.325	Based on efficiencies across 4 colleges
Amendment 2B; Budgets remain for after school clubs & respite care		
Recommendation 3: Pilot to fill as many unfilled spare seats as practicable.		
Recommendation 4: Set spare seat prices based on the 'full cost'	-£0.800	High risk of loss of income given potential scale of increase and likelihood of significant reduction in numbers
Amendment 4B: Moratorium on Spare Seats to address outstanding issues.	£0.360	High risk of additional cost
Recommendation 5: Reassess entitlement for students at different site of a split-site school		Some additional cost TBC
Recommendation 6: Spare seat exception / transition where a new school is nearest available		Some additional cost TBC
Recommendation 7: Walking route safety assessments	-£0.325	Based on potential of 10 current routes made safer to walk
Recommendation 8: Explore invest to save for independent travel		Invest to Save - £0.3m. Potential saving TBC
Recommendation 9: Feedback of eligibility appeals to improve digital capabilities and improve outcomes.		
Total	-£1.090	

Comments checked by:

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Legal Implications

13. Each of the recommendations which are set out in paragraph 7 of the report have been considered for legal implications, which are summarised accordingly in the tables shown in Annex A.

Comments checked by:

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Equality & Inclusion Implications

14. The service responses to each recommendation to the provision of the home to school transport services, where they have been accepted, will develop the existing provision which meets all equality and inclusion requirements. Recommendation 4 requires a full review of current policy and if taken forward will require a statutory consultation. A full equality impact of the proposals will be carried out at that point.

Sustainability Implications

15. The changes in provision where the recommendations have been accepted do not have an impact for sustainability.

Risk Management

16. The changes in provision where the recommendations have been accepted have low risks and will be managed as part of ongoing, business as usual risk assessments that apply for all home to school transport provision.

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May 2023

Annex A

Recommendation 1: The Council engage with schools regarding whether there are circumstances in which they would consider providing home to school transport for pupils entitled under the Home to School Transport policy.

	Impact Domain	Comments
1	Financial savings/costs	Some school run transport is in use. This has merit and will be possible in some cases and maybe cheaper than contracted transport. Impossible to predict savings but there might be a benefit in beginning a programme to develop schemes of this sort
2	Fit with Legal and national guidelines	Yes
3	Potential / predicted carbon impact	None saved unless school run contracts enabled more pupils to travel together in which case there will be a positive carbon impact.
4	Deliverability and timescales	Needs an at least 18-month lead time and will need additional resource to develop the programme. Before any launch a review of possible schemes would be required as well as a 'toe in the water' to assess likely school interest.

Conclusion and response: recommendation accepted, school run transport can be cost effective and has benefits for children and families. Directors of E&P and CS to identify if resources can be diverted in 23/24 or alternatively form a growth bid for 24/25 to grow this provision.

Recommendation 2: Home to School Transport only be provided for post-16 students at the beginning and end of a school day where that delivers financial efficiency.

	Impact Domain	Comments					
		This does create efficiencies. OCC have begun working with Activate and looked for efficiencies if students timetable 'match' transport schedules.					
			Current provision (routes)	Potential provision (routes)	Current cost year	Potential costs	Savings per year
1	Financial savings/costs	Oxford City College	9	5	£372,083	£187,480	£184,246
		Abingdon College	5	5	£238,602	£173,934	£64668

		Witney College	6	6	£179,588	£126,730	£52,858
		Banbury College	3	3	£115,900	£92,416	£23,484
						Total	£325,256
		The table indicates maximum savings across the four Activate locations. Not all will be possible as not all students will be able to share even though their geographical locations suggest they could travel together.					
2	Fit with Legal and national guidelines	Yes, but is routinely challenged by settings and parents as students with SEN are usually supervised during any waiting times.					
3	Potential / predicted carbon impact	Should increase grouped transport arrangements and so have a positive carbon impact. A 'pilot' is proposed with Activate in September.					
4	Deliverability and timescales	It can be in place for September 2023 and rolled out as appropriate in future.					

Conclusion and response: recommendation accepted in full. Work is currently taking place with Activate.

Amendment 2B; Budgets to remain the same for travel to after school clubs (ASC) and respite care, with the Service ensuring that budgets are not overspent.

	Impact Domain	Comments
1	Financial savings/costs	None. This budget area has been overspending its £75k allocation. There is now a new process for determining eligibility and that will lead to better oversight and management of the budget.
2	Fit with Legal and national guidelines	No legal obligation for free travel to/from after school clubs or respite care but this is provided to supplement support packages and transport is provided to those families that could not access ASCs without OCC transport.
3	Potential / predicted carbon impact	None
4	Deliverability and timescales	Immediate - The Children with Disabilities Team now have oversight of the application of eligibility decisions to ensure equity and alignment with other packages of support the council is providing to children with disabilities.

Conclusion and response: recommendation accepted.

Recommendation 3: The Council pilot adjusting a small number of Home to School Transport routes to fill as many unfilled spare seats as practicable.

	Impact Domain	Comments
1	Financial savings/costs	<p>It would need a clear 'policy framework' to provide parameters and priorities if rolled out further around the County. Typical considerations would be;</p> <ul style="list-style-type: none"> I. maximum route variation by distance/time? II. prioritise applicants based on something similar to spare seats scheme but recognise geographic group efficiencies and give low priority when a child can use an easily accessible public transport route. III. Consideration and allowance to increase the size of the vehicle in certain circumstances <p>Some concerns about 'fairness', and how to access those beyond currently using the spare seat scheme who would be just as entitled.</p> <p>A Pilot would probably work but is it scalable without challenge and financial risk.</p> <p>This will lead to additional costs if introduced with the current spare seat charges. The cost to purchase a seat is at least £6 per day. The spare seat charge recoups £4.20 per day.</p>
2	Fit with Legal and national guidelines	Yes, the authority would need to change policy and could create this type of service using discretionary powers.
3	Potential / predicted carbon impact	More grouped contracted transport so carbon savings can be made by comparing to parent journeys.
4	Deliverability and timescales	If policy issues can be overcome and there is operator capacity then possible for September 23.

Conclusion and response: recommendation accepted if workable policy framework developed. Suggested Pilot consists of two contracts where a vehicle's route can be changed and extended to enable children to purchase spare seats and maximise use of spare capacity.

Recommendation 4: The Council's Home to School Transport Policy be amended so that spare seat prices are commensurate with the cost of providing them, including through the introduction of further price bands which better align with the costs of different routes

	Impact Domain	Comments
1	Financial savings/costs	A detailed piece of work utilising current costs indicates that the two tier of charges would increase to £1663 and £870 respectively. 'Full cost recovery' relies on all pupils travelling and paying, if numbers drop off the price should go up. The impact on the HtST budget could be significant if all families using spare seats still purchased the more expensive seats. The income could increase from £0.5m to £1.3m
2	Fit with Legal and national guidelines	Yes
3	Potential / predicted carbon impact	None
4	Deliverability and timescales	September 24 following required policy changes

Conclusion and response: recommendation needs to be considered by Members and if approved will need to be subject to consultation and decision making processes. Charges for spare seats went up by 10% in 23/24, Members may want to consider introducing accelerated incremental rises over the next three years which provide a balance between fuller cost recovery and the pressure on family income through the cost of living crisis. As costs of seats rises it will be necessary to introduce a more sophisticated banding system.

Amendment 4B: That a moratorium on changes to the Spare Seats Scheme is set up swiftly to allow time for the Council to address outstanding issues.

	Impact Domain	Comments
1	Financial savings/costs	The modelling indicates that a moratorium that resulted in spare seats being reinstated for September on affected routes would lead to an overall additional cost to the Council of £360k when taking account of the cost of contracting the buses that were due to be taken off routes. The £360k is a net figure after taking account of the income received from selling spare seats on these routes. There are also likely to be challenges from parents whose spare seats have ceased in previous years, to receive equitable treatment of any extra costs incurred by them in not being able to access spare seats.

2	Fit with Legal and national guidelines	To introduce this moratorium the policy would need to be updated to allow this discretionary provision. It would involve the LA running routes with no eligible children which is more like a public bus service. There are anticipated legal issues around subsidy control.
3	Potential / predicted carbon impact	1yr carbon impact will be dependant on the mitigation measures 5yr Impact likely to be significant as more parents chose to send their children to a school further away from home address as the spare seat scheme is guaranteed
4	Deliverability and timescales	The intention is clearly we have something in place for September 23, that may be challenging and would need to overcome legal difficulties

Conclusion and response: the reduction in spare seats has impacted 235 children. In the case of the main six schools the Transport Team have provided mitigations in four cases so that families have an alternative option for purchasing their child's home to school journey. Intensive work is underway to ensure a solution can be found in the remaining two cases. This recommendation is not approved.

Recommendation 5: The Council reassess Home to School Transport entitlement when a child begins to receive the majority of their tuition at a different site of a split-site school to that in relation to which their transport entitlement was originally assessed. The entitlement to be re-evaluated when they move to the second site or at the start of their tuition, taking both sites into consideration and planning accordingly.

	Impact Domain	Comments
1	Financial savings/costs	OCC only has two split site schools where HTST is provided. This change would lead to some additional transport eligibility with some additional costs.
2	Fit with Legal and national guidelines	This would need to be checked, careful assessment of the current and proposed approach to measuring the home to school route is needed
3	Potential / predicted carbon impact	Some small amounts of additional transport could be needed which will increase carbon impact.
4	Deliverability and timescales	Sep-24 to be able to changes transport policy although impact involves only 2 schools

Conclusion and response: agreement in principle, there are some further legal issues being worked through to ensure the Council is legally compliant if introducing this change.

Recommendation 6: The Council look at possible exceptions and transitional arrangements to provide spare seats to children if a new school has become the nearest available, but one or more siblings attend the previously nearest school.

	Impact Domain	Comments
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1	Financial savings/costs	Some additional transport eligibility would arise but difficult to gauge the cost if siblings only transport were to arise following the building of a new school.
2	Fit with Legal and national guidelines	This would be additional, discretionary provision and may be very difficult to introduce with equity and fairness.
3	Potential / predicted carbon impact	Some small amounts of additional transport over time.
4	Deliverability and timescales	September 2024 if policy changes are possible.

Conclusion and response: part accepted for secondary schools only as this is the group the recommendation is aimed at. This can only apply from its introduction going forward and cannot be applied retrospectively. In the event of a new secondary school opening Council will commit to considering the implementation of this policy change however the impact on pupil place planning and the feasibility of the new school is likely to be a key consideration.

Recommendation 7: That walking route safety assessments are regularly and consistently reassessed where circumstances may have changed, ensuring councillors are consulted (i.e. at localities meetings) and that data on assessments is made publicly available. Route safety assessments should also consider both short and long term weather conditions.

	Impact Domain	Comments
1	Financial savings/costs	<p>Currently safe to routes are assessed on a limited ad hoc basis, moving to a more regular annual or bi-annual basis would cost approximately £35k for 1FTE if this could be successfully recruited to which is doubtful, if not consultancy support would need to be procured as is likely to be in the order of £800per assessment</p> <p>Costs may increase if previously safe routes are assessed as unsafe, but if a route goes from unsafe to safe costs would decrease.</p> <p>It is not clear how many currently safe routes could be assessed as unsafe but there are about 10 routes where they may move from unsafe to safe, subject to any appeal, and could potentially generate savings of up to £325k.</p>

2	Fit with Legal and national guidelines	There is a clear national legal and policy framework provided by the Road Safety GB manual. It should be noted this guidance and our assessment assesses if the route is safe for young children accompanied, as necessary, by an adult. There is no guideline for considering weather, the GB road safety element covers 'availability' of routes which the assessor must take into account when coming to an overall decision
3	Potential / predicted carbon impact	When a previously unsafe route becomes safe in principle children can now walk, and do walk, to and from school. When a previously safe route becomes unsafe contracted transport would be introduced. The carbon impact measure would relate to the change in the mode of travel measured against use of parental cars.
4	Deliverability and timescales	The move away from using the Road Safety GB published guidance would take until at least September 2024 to develop an alternative assessment method

Conclusion: accept the premise of regular and consistent reassessment but not the bespoke guidance

Recommendation 8: The Council to explore investing to save in supporting independent travel by increasing the budget, exploring delivery models and recruiting more independent travel trainers.

Impact Domain	Comments												
1 Financial savings/costs	<p>Funding is being provided of £300k for two years to deliver more ITT. Savings from a scheme that is delivering independent travellers is difficult to calculate but in their lifetime transport support from OCC can be reduced. The proposal is to target the following numbers of travellers;</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Number of projected trainees</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>16*</td> </tr> <tr> <td>2</td> <td>20</td> </tr> <tr> <td>3</td> <td>25</td> </tr> <tr> <td>4</td> <td>30</td> </tr> <tr> <td>5</td> <td>30</td> </tr> </tbody> </table> <p>The average cost per passenger journey for SEN transport currently stands at £78 per student per day which equates to £13,300 per academic year so there are savings that may</p>	Year	Number of projected trainees	1	16*	2	20	3	25	4	30	5	30
Year	Number of projected trainees												
1	16*												
2	20												
3	25												
4	30												
5	30												

		be realised. However, each case would need to be assessed as reducing by one travelled child may not reduce the number of vehicles being used.
2	Fit with Legal and national guidelines	Yes
3	Potential / predicted carbon impact	For each ITT pupil you could be reducing the carbon cost of a vehicle. However, the pupils that can travel independently are often on grouped transport and therefore the impact may be carbon neutral.
4	Deliverability and timescales	Budget has been made available in 23/24, the Business case is prepared for moving from the current model to the new better resourced ITT programme copying Best Practice.

Conclusion and response: accept

Recommendation 9: Feedback from transport eligibility appeals to be used to improve digital capabilities (communications, guidance and data collection) and to improve outcomes.

	Impact Domain	Comments
1	Financial savings/costs	None.
2	Fit with Legal and national guidelines	Yes
3	Potential / predicted carbon impact 1yr, 5 yr	None
4	Deliverability and timescales	From existing resources as part of the Council's digital presence programme.

Conclusion and response: accept