

## Home to School Transport Policy

### Report of Consultation

#### Approach

1. The consultation on the council's proposals to change its Home to School Transport Policy took place between 4 November 2013 and 14 January 2014. By law consultations on changes to have to last for at least 28 working days. Oxfordshire County Council's consultation lasted for 58 days of which 42 were school term days.
2. The consultation process was launched in the media, on the county council website, via digital channels and direct communications to stakeholders. The consultation consisted of documents were placed on the County Council's public website and were accessible through the online Consultation Portal. Links to the documents were sent to all state funded schools in Oxfordshire as well as to neighbouring local authorities, the Oxford Diocese, the Archdiocese of Birmingham, district councils in Oxfordshire, and parish councils within Oxfordshire.
3. The consultation was publicised online, via press releases, through adverts placed in local newspapers and posters sent to libraries and town and parish councils. In addition two letters were posted to 8,400 families that had one or more children either in receipt of free or concessionary transport to inform them of the consultation.
4. Background materials to support this consultation were published on the Consultation Portal. This included a series of maps and a set of frequently asked questions, which were periodically updated throughout the consultation period. The Council provided channels through which people could ask questions or request hard copy documents. In addition, the Council hosted ten public meetings between 11 November and 11 December 2013. These meetings provided interested parties with an opportunity to hear a presentation from the Council and to ask questions of Council representatives.
5. Overall there were 2,543 responses to the consultation. The breakdown of responses is as follows:
  - Postal responses: 402 (including letters and hard copy questionnaires)
  - Email responses ([transport.consultation@oxfordshire.gov.uk](mailto:transport.consultation@oxfordshire.gov.uk)): 225
  - Online consultation portal responses: 1,916
6. A copy of the full consultation document is attached at the end of this document. An analysis of the consultation responses has been under taken and this will be published on the county council website on the Home to School Transport consultation portal record ([www.oxfordshire.gov.uk/consultation](http://www.oxfordshire.gov.uk/consultation)).

### **Headlines from the consultation responses**

- A clear majority of those who commented on the proposals to 'change' the schools to which free transport is provided were opposed to the options presented and to the suggested dates put forward for implementation
- A clear majority of those who commented on the proposals to 'change' the Concessionary Fares Scheme with the Home to School Transport Policy were opposed to the options presented
- A majority of those who commented on the proposal to remove references to collaborative learning transport should be removed from the Home to School Transport Policy agreed with this change.

### **Emerging themes from the consultation**

A summary of the most frequently mentioned themes (200+ mentions) from the consultation responses (online and hard copy questionnaires) is summarised in the bullet point list below. Officers have considered each theme and provided a response to the issues raised.

- Use just catchment not nearest for free transport
- Disadvantage rural families
- Ignoring links with current feeder primary schools
- Safety concerns
- Continue free/reduced transport for Post-16 when compulsory
- More traffic and congestion on roads/ environmental impact
- Ignoring Catchment areas
- Disadvantage low income families
- Undermining parental/ child choice
- Do not think savings are accurate
- Frozen or reduced fares for catchment students
- Will split families that currently have children at school
- Split villages/communities
- Define Transport Areas
- Disruptive/Detrimental to children's education

A full list of the themes identified by the consultation and the officer response will be published as part of the consultation analysis on the consultation portal.

**Theme: Use just catchment not nearest**

Officer response:

This would be unlawful as it would not be compliant with the statutory requirement that free transport be provided to the 'nearest available school' where either it is over the statutory walking distance or there is no safe walking route. The Council currently operates a 'nearest plus catchment' home to school transport policy as it is possible to be more generous, but not less, than the statutory minimum.

**Theme: Disadvantage rural families**

Officer response:

Home to school transport is a predominantly rural phenomenon with relatively few children from urban areas having any entitlement to this. It is therefore inevitable that any changes to the provision of home to school transport will impact predominantly upon rural areas. It needs to be borne in mind a 'nearest school' policy would only affect those rural families where this is not also the catchment school. The current situation is that of c.10,000 children receiving free transport, for c.70% of them this is to their nearest school.

**Theme: Ignoring links with current feeder primary schools**

Officer response:

The benefits of primary and secondary schools working together are acknowledged although there are already numerous examples where children attending a particular primary school transfer to a number of secondary schools. Feeder relationships are not immutable and these do change over time in response to circumstances, including changes in patterns of parental 'choice' and an assessment of the benefits to be derived from new partnership arrangements. We already have an example of an 'umbrella trust' of five primary schools which straddle two long standing existing school partnerships.

**Theme: Safety of children**

Officer response:

No children will be required to undertake an unsafe journey to school. If they attend their nearest (qualifying) school, and it is over the statutory walking distance, free home to school transport will be provided. If the nearest school is under the statutory walking distance, but there is no safe walking route, free home to school transport will be provided. All home to school transport has to comply with all relevant road vehicle safety requirements

If a child attends a school to which there is no entitlement to free transport it remains the parents' responsibility to ensure, insofar as they are able, that the journey to and from school is undertaken in a safe manner.

**Theme: Continue free/reduced transport for Post-16 when compulsory**

Officer response:

Attending schools after the age of 16 is not compulsory. What is compulsory is continuing to participate in education or employment linked with education or training. There is no national entitlement to free transport for post-16 students participating in education.

**Theme: More cars and congestion on roads/ environmental impact**

Officer response:

If, as predicted, many parents continue to 'choose' to send their children to schools to which there is no entitlement to free transport, it is possible that there will be an increase in car journeys; this was predicted when it was proposed that the Council cease to provide free transport from Bicester to Blessed George Napier Catholic School (granted on faith grounds). However, in response to the decision so to do, parents and the school worked with officers to procure alternative collective transport funded by the parents.

The Council is committed to working with parents and schools in order to identify and put in place alternative sustainable home to school transport arrangements, including assistance with procuring coaches and collaborating with public bus companies to improve services. The Council can't force parents to not use their cars for the 'school run' but if parents are interested in alternatives the Council will be an enthusiastic partner.

**Theme: Ignoring Catchment areas**

Officer response:

Catchment areas will not be affected by any of the proposed changes to the home to school transport policy, and will continue to perform their primary purpose of determining which children will be prioritised for admission to schools when they are oversubscribed. Some schools already attract significant numbers of children from out of their catchment area e.g. Burford (28%), Didcot Girls' (29%), Bartholomew (34%), Gillotts (29%) [first allocations for 2013], not all of whom attend feeder primary schools.

The majority of secondary schools' catchment areas are no longer determined by the Council as academies (including University Technical Colleges and Free Schools) set their own admissions arrangements. Under the current home to school transport policy an academy can confer an entitlement to free transport over as wide an area as it wishes to set as its catchment area; that for the Didcot UTC will cover the whole of southern Oxfordshire stretching from Thame to Faringdon and Oxford to Sonning Common.

**Theme: Disadvantage to low income families**

Officer response:

The lowest income families, those (currently) in receipt of Free School Meals, will continue to benefit from the 'extended rights to free transport' which provides free travel to any of the three nearest schools between two and six miles from home; the savings modelling published on the Council's website assumes that FSM pupils will continue to attend more distant catchment schools, so reducing the potential savings.

The families likely to be most affected by a 'nearest school' policy are those just above the eligibility threshold for FSM, for whom the cost of transport to enable their children to attend a more distant catchment school may be unaffordable. In the same way as the Council waives concessionary fares for low income families, it would be possible for groups of parents or schools which make alternative collective transport arrangements, to implement schemes which waive part of the cost for those who would otherwise be unable to afford to pay for transport.

For post-16 pupils there are the hardship funds operated by schools and colleges (for which they receive funding) and these can be used to subsidise transport where this is a barrier to accessing education.

**Theme: Undermining parental choice**

Officer response:

Despite much promotion of the 'choice agenda', the legal position is that parents cannot *choose* a school, only express *preferences*. Where a school has fewer applications than places available, all preferences can be met, in effect allowing parents to choose this school. However, where there are more applications than places available these are rationed through the application of the school's admission rules, including whether or not the child lives in the catchment area.

It is and will remain the case that whatever the Council's home to school transport policy, some parents will be constrained as to which schools they can express preferences for. This is particularly so for those whose incomes are marginally above the threshold for Free School Meals and who therefore do not benefit from the 'extended rights to free transport'. At present under 4% (c.3,000 out of over 80,000 attending Oxfordshire Schools) of children receive free transport to other than their nearest school, the majority of them qualifying under 'catchment school'. It is less well-off families in similar circumstances in the future, whose children start school in September 2015 and subsequently, who may find their preferences constrained.

**Theme: Do not think savings are accurate**

Officer response:

The precise savings will depend upon how parents react to any policy changes and the extent to which the provision of free transport will influence their 'choice' of school; hence the £1 - 2 million range.

**Theme: Frozen reduced fares for catchment students**

Officer response:

This would not deliver the anticipated savings and would increase administrative costs as it would create additional charging rates.

**Theme: Will split families that currently have children at school**

Officer response:

It is possible that a minority of the families that currently have children receiving free transport, might have children going to more than one school if they choose to send their younger child(ren) to their nearest school. Of the 10,000 or so mainstream children in receipt of free transport, about 3,000 don't attend their nearest school. Although affected families might prefer it if their children attended the same secondary school (by definition, if they are a mix of primary and secondary ages, they already attend different schools), if the schools in question are over the statutory walking distance, free transport will be provided to both.

**Theme: Split villages**

Officer response:

The issue of 'split villages' was raised repeatedly during the consultation and the main concerns were:

It could divide small communities which for many years have seen nearly all their children transfer to the same secondary school

It would disrupt the strong links that village primary schools have built up with their feeder secondary schools

It would cost more to transport children from one end of a village in one direction and the other end in the opposite direction

For most villages a significant number of dwellings have the existing catchment school as the nearest school. It would be possible, for these villages, to provide free transport to the catchment school for the rest of the village. To turn this into a policy it would be important that 'split village' is clearly defined, for instance by setting a minimum proportion of dwellings need to have the catchment school as their nearest one.



**Theme: Define Transport Areas**

Officer response:

It would be possible to define 'transport areas', but if these were coterminous with current catchment areas, current entitlements to free transport and the associated costs to the Council would, at least in the short term, be frozen i.e. they wouldn't deliver savings. Transport areas would have to be kept constantly under review and could be subject to annual changes as new schools come into existence as each would need a defined 'travel area'. It would, almost certainly, be unlawful (and therefore be vulnerable to expensive legal challenge) to treat new schools differently from those which currently exist.

**Disruptive/Detrimental to children's education**

Officer response:

It is proposed that the changes to the entitlements to free home to school transport be phased in so that no child currently in receipt of this will be affected. There is therefore no need for any child's education to be disrupted.

Consultation Document