

## **Consultation on proposed changes affecting new applications to the policy covering travel between home, school and college**

We are seeking your views on proposed changes to the discretionary provision within the Council's Travel Assistance policy. The consultation period will run from 6<sup>th</sup> January 2014 until noon on 13<sup>th</sup> February 2014.

The Council has a duty to provide free travel assistance to pupils of statutory school age who meet certain eligibility criteria and has the discretion to provide assistance in other circumstances. In addition we must assess the travel needs of local students with special educational needs attending post 16 provision and provide travel assistance when deemed necessary.

In making travel arrangements we are required to promote sustainable modes of travel. The Council is in the process of reviewing its current policy to ensure that it meets its duties in full.

The Council wants to make this consultation as thorough and open as possible to ensure that we secure the best outcomes for all concerned. Responses to the consultation will be shared with Councillors as part of the decision making process.

Any changes made to the travel policy as a result of this consultation will be implemented no earlier than October 2014.

Those children already in receipt of travel assistance will continue to receive that assistance unless their circumstances change, they move school or college or the Council feels it necessary to make further policy changes.

### **Summary of the proposed changes to discretionary travel**

| <b>Current:</b>   | <b>Proposed:</b>   |
|---|--|
| Pre-statutory school age children from age 2 to 5 undergoing statutory assessment for a statement of special educational needs, or who already have a statement and who's special needs require the provision of transport will be entitled to free travel assistance to their nearest qualifying school with a place available.  | To remove from the travel policy.  |
| Travel assistance will be awarded on the grounds of religion or belief grounds or lack of religion or belief where the qualifying school is over the statutory walking distances and it is the nearest available school that matches the religion of school applied for.  | To remove from the travel policy. Those children on free school meals will keep the statutory entitlements on faith grounds.               |
| Where parents move house, they must re-apply for travel assistance, based on the new journey. If parents choose to keep their child at their original school, free travel shall continue to be granted, provided that the school is more than the qualifying distance away from the new address and that:<br>the pupil is in his/her last year at the school; or<br>the pupil has started an external examination course before the move took place, and in the opinion of the Headteacher it would be detrimental for the pupil to change schools. | To remove from the travel policy   |
| Children that attend a Pupil Referral Unit, Primary Behaviour Unit or the TRACKS Unit when attending on permanent exclusion, preventative placement, or by allocation will be entitled to free travel assistance irrespective of the distance criteria.   | To remove from the travel policy. Those children attending provision above the statutory distance criteria would still receive assistance. |
| Where a pupil attends a school which is beyond the statutory walking distance from their home measured by the shortest available walking route and which is also the nearest school to their home measured by a straight line free travel will be given even if there is a nearer available   | To remove from the travel policy   |

|  |  |
|--|--|
| school measured by the shortest available walking route. |  |
|--|--|

### **More Information**

More information, on the current policy and the policy for September 2014, can be found on the Council's website at

[http://www.bradford.gov.uk/bmdc/education\\_and\\_skills/schools/school\\_transport/school\\_travel\\_policy.htm](http://www.bradford.gov.uk/bmdc/education_and_skills/schools/school_transport/school_travel_policy.htm)

A frequently asked questions document is available which tries to answer some of the main questions that may occur during the consultation period.

### **What Happens Next**

The consultation finishes at noon on Thursday 13<sup>th</sup> February 2014. All consultation responses will be made available to Councillors who will be making the final decision at an Executive meeting during 2014. The consultation outcome and Members final decision will be published on the Council's website.

Changes to the Travel policies, approved following the consultation process, will be implemented no earlier than October 2014.

**Deadline:** This consultation will end at noon on Thursday 13<sup>th</sup> February 2014.

**Please let us have your completed questionnaires by post or email or by completing the questionnaire on line no later than noon on Thursday 13<sup>th</sup> February 2014**

**Postal address:** School Organisation and Place Planning  
Future House  
Bolling Road  
Bradford  
BD4 7EB

**Email:** [paul.hart@bradford.gov.uk](mailto:paul.hart@bradford.gov.uk)

If you need assistance in understanding or completing any of the consultation documents please email Paul Hart at the above email address.

**Date Issued:** 6<sup>th</sup> January 2014

**Public meetings will be held during the consultation period to allow for public debate on the proposed options. The dates and venues of these meetings will be posted on the consultation website. Please look regularly at the consultation website if you wish to attend.**

# Consultation on proposed changes affecting new applications to the policy covering travel between home, school and college

## CONSULTATION RESPONSE:

This consultation asks for your views on Bradford Council's proposed changes to its discretionary Travel Assistance Policy, the outcomes of which will inform Elected Members decision.

Please read the supporting documentation provided prior to completing this questionnaire.

### Section A. About you:

|   |                  |                            |
|---|------------------|----------------------------|
| Young Person ( )                              | Parent/Carer ( ) | Organisation (insert name) |
| Professional role                             |                  |                            |
| Why is this questionnaire of interest to you? |                  |                            |

### Section B. Changes to the discretionary policy:

1. Do you agree with the following proposed changes to the discretionary provision within the Council's policy covering travel between home, school and college:-
  - a. The removal of assistance for pre-statutory school age children from age 2 to 5 undergoing statutory assessment for a statement of special educational needs, or who already have a statement and who's special needs require the provision of transport.  
Yes  No  Neutral/ Not sure
  - b. The removal of discretionary assistance awarded on the grounds of religion or belief grounds or lack of religion or belief where the qualifying school is over the statutory walking distances and it is the nearest available school that matches the religion of school applied for.  
Yes  No  Neutral/ Not sure
  - b.i. Although assistance may be removed from the Councils policy for new applicants it would be the intention to retain the bus network for faith schools at least until 2016, the end of a tender agreement.

In this event all bus users except those qualifying for travel assistance would be asked to pay the same contribution to travel on the faith bus network. It would not be possible to pay a fare on these buses. The contribution would be the cost of a School Plus Metrocard, currently £370.

Do you agree that parents should contribute to their child's / children's transport costs?

Yes  No  Neutral/ Not sure

- b.i.i. In August 2016 the Council's tender agreements with local bus companies come to an end. This will give the Council an opportunity to look at how it provides the school bus network. The Council and Metro have a duty to make sure there is an adequate bus service to enable children to attend school but these buses do not have to be dedicated school buses.

Do you agree that the Council should look to provide the most cost effective bus service for children?

Yes  No  Neutral/ Not sure

- c. The removal of assistance where parents move house and choose to keep their child at their original school, provided that the school is more than the qualifying distance away from the new address and that:  
the pupil is in his/her last year at the school; or  
the pupil has started an external examination course before the move took place, and in the opinion of the Headteacher it would be detrimental for the pupil to change schools.

Yes  No  Neutral/ Not sure

- d. The removal of assistance where children that attend a Pupil Referral Unit, Primary Behaviour Unit or the TRACKS Unit when attending on permanent exclusion, preventative placement, or by allocation will be entitled to free travel assistance irrespective of the distance criteria. Those children whose provision is over the statutory walking distances (2 miles for under 8s and 3 miles for over 8s) would still be eligible for assistance.

Yes  No  Neutral/ Not sure

- e. The removal of assistance where a pupil attends a school which is beyond the statutory walking distance from their home (2 miles for under 8s and 3 miles for over 8s) measured by the shortest available walking route and which is also the nearest school to their home measured by a straight line even if there is a nearer available school measured by the shortest available walking route.

Yes  No  Neutral/ Not sure

- e.i. Although assistance may be removed from the Councils policy for new applicants it would be the intention to retain the school bus network for pupils in areas affected at least until 2016, the end of a tender agreement.

In this event all bus users except those qualifying for travel assistance would be asked to pay the same contribution to travel on certain buses within the school bus network. It would not be possible to pay a fare on these buses. The contribution would be the cost of a School Plus Metrocard, currently £370.

Do you agree that parents should contribute to their child's / children's transport costs?

Yes  No  Neutral/ Not sure

- e.i.i. In August 2016 the Council's tender agreements with local bus companies come to an end. This will give the Council an opportunity to look at how it provides the school bus network. The Council and Metro have a duty to make sure there is an adequate bus service to enable children to attend school but these buses do not have to be dedicated school buses.

Do you agree that the Council should look to provide the most cost effective bus service for children?

Yes  No  Neutral/ Not sure

Comments – a.

Comments – b.

Comments – c.

Comments – d.

Comments – e.

**Section C: Comments**

1. Overall, do you think the proposed changes to the policy are fair?

Yes  No  Neutral/ Not sure

Comments:

## Questions and Answers

**1. Will transport to church schools be affected?**

It is proposed to end any discretionary transport assistance to denominational schools ie Roman Catholic, Church of England, etc.

**2. My child has been offered a place at a faith school. Will free transport be provided?**

Only if you meet the statutory eligibility rules for free transport.

**3. What happens to children who are receiving transport assistance on faith grounds?**

They will continue to receive free school travel until they leave their current phase of education i.e. transfer to secondary school or college or change school / address or unless the Council feels it necessary to change the policy further. This will be done through further consultation.

**4. What happens if my child is eligible for faith transport but I move house after the changes occur?**

Your child will no longer be eligible for free travel to school.

**5. My child has a right to have an education at a faith school and to receive free transport – aren't you breaking the law if you carry out these proposed changes?**

Human rights legislation gives parents the right to make sure that their religious beliefs are considered in the provision of education, but it does not guarantee a parent a place at a denominational school for their child or entitle them to free transport to their school.

Parents have a right under the School Standards and Framework Act 1998 to express a preference for a place at a particular school, and whilst the Council must have regard to that preference, the allocation of a school place does not carry with it an automatic right to receive transport assistance.

The Education Act 1996 sets out the Council's duties relating to school transport and it makes clear that free transport only has to be considered for certain groups of children (called "eligible children"), which includes pupils with special educational needs and those from low income families. Some children who attend faith schools will be "eligible children", but only if their families are on low income and they meet other criteria set by law. For those children who do not fall within the relevant categories, the Council has no legal duty to provide assistance with transport arrangements, but it can do so if it wishes.

**6. How will the proposals affect low income families?**

The Local Authority has a statutory duty to provide school travel for certain categories of compulsory school age pupils (which is specific to families who are on low incomes, defined currently as Maximum Working Tax Credit or those children who are in receipt of free school meals). The Council is not consulting on these arrangements which will continue to be provided, as long as there remains a statutory requirement to provide school transport for pupils in these categories.

**7. What help would there be available for low income families?**

Children from low income families (those in receipt of free school meals or the maximum level of working tax credit) may be supported with travel assistance where they live more than 2 miles from their nearest available school. For secondary aged children from low income families they may be eligible for free transport to one of the three nearest schools between 2 and 6 miles

away, or the nearest school chosen on grounds of faith or philosophical grounds between 2 and 15 miles away where proof of faith to the adherence of the school can be provided.

**8. My child receives free transport to their faith primary / secondary school under the discretionary provisions. Will this continue to be available for siblings moving to this school?**

No. Only children attending their nearest qualifying school above the statutory walking distances (2 miles for under 8s and 3 miles for over 8s) will receive assistance to school.

**9. What will happen to the dedicated bus services that serve faith schools?**

The Council have a contact with bus operators until August 2016. It is the intention that these services will continue until the end of the contract and may be continued further.

**10. Will my child receive a free bus pass for dedicated faith buses after the changes occur?**

Those children in receipt of free travel will continue to receive it unless there is further consultation. Those children that apply after the changes occur will be able to purchase a boarding card from Metro to travel on these dedicated services.

**11. How can I find out what public transport options are available to me and what will it cost?**

Details of current public transport routes and fares can be found at Metro Travel Centres or by visiting Metro's website at: [www.wymetro.com](http://www.wymetro.com)

**12. Who is responsible for getting a child to school?**

The law states the Local Authority has a duty to "make such travel arrangements as they consider necessary to facilitate attendance at school for eligible children - that is, those categories of children for whom travel arrangements will always be required". Travel for children that fall into these categories must be provided free of charge. For children who do not fall into one of these statutory categories, **parents are responsible** for ensuring that their children attend school regularly and therefore responsible for getting their child to school.

**13. How will I be able to get my child to school when I work?**

Where a child does not qualify for free school transport assistance it is the responsibility of the parent/carer. This is the case under the existing policy.

**14. Can I still choose a school for my child(ren) which is not the nearest school to where we live?**

Any parent has the right to choose the school that they wish their child(ren) to attend. The School Transport Policy merely identifies the Council's responsibility in respect of providing transport, which specifies the nearest suitable school. (This is also referred to as nearest qualifying school). Transport legislation does not recognise priority areas as part of the assessment criteria for the entitlement of free school transport. Only the nearest qualifying school can be considered for transport purposes and this school may not be the priority area school.

Should the child not be entitled to school transport because it is not the nearest school then getting the child to school will be the parents' responsibility.

**15. How might a revised policy affect where my child is educated?**

You can still choose any school for your child's education, subject to the Local Authority's Admissions Policy. However, free school transport would only be provided to the nearest qualifying school if that school was over the statutory distance criteria.

**16. What is meant by the 'nearest qualifying school' for transport purposes?**

This is the nearest establishment to your home address that can meet the needs of your child.

**17. We live more than three miles from my child's secondary school. Why won't we get free transport?**

You will only be entitled to free transport if your child attends their nearest suitable (or qualifying) school where the distance from home to school is over the statutory walking distance (2 miles for under 8s and 3 miles for over 8s). The nearest suitable school is the nearest school to your home that your child would have qualified for a place at, regardless of whether or not you named it on your preference form for a secondary school place.

**18. Will the Local Authority still provide buses to school?**

Yes. Where schools already have school buses parents will have the opportunity to buy a boarding card. At other schools parents will be able to buy other tickets and passes from bus operators or Metro. Please note that Bradford Council regularly retenders its bus services to ensure the school bus network is meeting the need of school children and Councils funds are used appropriately. Where dedicated bus services are under used these services may be ended or replaced by public service buses.

**19. What if there isn't enough space in my nearest school?**

If your preference is for the nearest school, but a place is not offered at that school, then the nearest school where there is a place available which your child can attend will be considered as your nearest school. Transport will only be provided if the school is over the statutory walking limits.

**20. Our nearest suitable qualifying school is in a neighbouring authority and is over the distance criteria – will my child get a free pass to that school?**

Yes, because your child is going to their nearest suitable qualifying school.

**21. Will the changes be phased in?**

Yes, these changes would only affect new primary, secondary, 6<sup>th</sup> form and college students.



