

## **Comments made by respondents to the proposal to withdraw free denominational transport**

### **By those opposed to the proposal**

#### **a) Loss of choice on grounds of cost and practicality**

Some respondents indicated that if free denominational transport was withdrawn then they would no longer be able to choose schools that might be further away, either because they would no longer be able to afford the transport costs, because there was no alternative route to school or because work commitments would mean that they could not take their children to school. They believed that this would mean that they would lose an element of choice. However parents have the right to express a preference for a place at a particular school, not to choose a school. Admission authorities must comply with that expression wherever possible but the legislation is framed in this way because it recognises that there may be circumstances when a child cannot be admitted, such as when a school is oversubscribed. Even if a child is admitted it is important to note that the allocation of a place at a preferred school does not carry with it an entitlement to transport.

Parents who want to name a preference for a faith schools arguably have more choice available to them than other parents who would not meet the faith based criteria of a school and this will continue to be the case even if free denominational transport is withdrawn. However it may well be the case that some families will not be able to afford the transport costs or would not otherwise be able to travel to their nearest faith school if free transport was withdrawn.

Practicalities of getting children to school is something that many parents face and it is not an issue that is exclusive to faith schools.

In considering this, it is possible that some faith schools might wish to facilitate their own transport arrangements so that they might still serve the families within their faith catchment area.

#### **b) Discrimination against church schools and contravention of the European Convention of Human Rights**

Currently, pupils benefiting from free denominational transport receive a benefit that other pupils do not. To remove free denominational transport would not be discriminating against the population who receive that benefit but would bring their entitlement in line with other pupils who do not. Discrimination would only be caused if the entitlement of children to travel to faith schools was less than that received by others.

Human Rights legislation gives parents the right to make sure that their religious beliefs are considered in the provision of education and local

authorities have to respect a parent's religious or philosophical convictions in this respect. This does not mean a right to a particular institution or to free transport, just that parents have a right not to be discriminated against on these grounds. Local authorities must make decisions that balance the provision of education with reasonable public expenditure.

There is no legislation that places a duty on the local authority to provide transport to help children attend denominational schools where that school is not the nearest school or the local authority determines that suitable education can be provided at a nearer school. The Local Authority has discretionary powers under which it may provide transport assistance having considered all the circumstances.

Whilst the biggest impact of the withdrawal of denominational transport would fall on children attending Catholic schools, any decision to change policy would be applied equally in relation to all religions and faiths.

**c) Catholic parents already fund some of the capital costs of RC schools**

The responsibility for capital works in a Voluntary Aided school rests with the governing body and not the Local Authority. This is because the buildings are owned by the governors on behalf of the Diocese. The government provides a capital grant for all Voluntary Aided schools, which is devolved directly to the governing body. A condition of this grant is that the governors must raise a 10% contribution to any works. However, the school gains statutory rights over their oversubscription criteria, hiring of staff and curriculum so that they can preserve a strong religious character. Parents are often asked for a contribution but any payment is entirely voluntary.

**d) Safety of alternative routes**

A number of respondents were concerned with the safety of alternative routes if existing coach services to faith schools were withdrawn. Under the proposal, children already enjoying free home to school transport on denominational grounds would continue to receive it until they left school. Parents who would be applying for school places from September 2012 would be alerted to the policy on home to school transport and they would need to factor in how their child would get to school when deciding on the schools that they wished to apply for. In doing so they would no doubt wish to consider the safety of the route to school. Where a route is deemed to be unsafe, a child would only qualify for transport if they were attending their nearest available school.

In considering this, it is possible that some faith schools might wish to facilitate their own transport arrangements so that they might ensure that children can travel safely to their school and Surrey County Council would wish to support those schools in doing so

**e) Environmental issues caused by more cars on the road**

Some respondents felt that the withdrawal of free denominational transport would lead to more parents taking their children to school by car, increasing congestion and pollution.

Journeys to and from schools are a significant generator of travel demand and contribute towards high traffic flows, particularly at peak times. The degree to which car use would increase is hard to assess and is dependent on the actions of parents, their preference of school and the availability of services.

However, in order to avoid an increase to congestion outside school, it is possible that some faith schools might wish to facilitate their own transport arrangements and Surrey County Council would wish to support those schools in doing so.

**f) Parents who can afford to could contribute to maintain services**

There are several faith schools in Surrey that organise their own coaches to ensure that pupils can travel to school. These schools charge parents for use of the service. It is therefore clear that a number of parents are willing to contribute to the cost to get their children to school. However, if this transport was organised and arranged by Surrey County Council there would still be overhead costs and risks and children whose families prefer a faith school would still benefit from a service not enjoyed by children attending non-faith schools.

**g) The proposal goes against long-standing agreement with the church whereby the church supplies the land and buildings and the state subsidises transport**

The local authority has for many years fully supported and funded transport to denominational schools using its discretionary powers. With regard to transport to denominational schools the Home to School Travel and Transport Guidance, issued in 2007, says that 'the Secretary of State hopes that local authorities will continue to think it right not to disturb well established arrangements'. However the local authority is not bound by legislation to continue this level of support and, especially during times of financial constraints, must ensure that its discretionary expenditure is reviewed.

**h) Assistance with travel costs was enshrined within the 1944 Education Act**

Section 55 of the 1944 Education Act affords local authorities the discretion to provide free or assisted transport for pupils. Whilst free denominational transport might have traditionally be provided under this Section of the Act it does not place any legal duty on a local authority to do so.

**i) If parents are forced to change preferences this would impact feeder schools and would put pressure on local schools**

Any change in policy may have an effect on parental preference and thus could alter the admissions to feeder schools and put pressure on other local

schools. This could then displace children from local schools that they might have been offered in previous years. However in many cases it is quite likely that the parents desire for their child to attend a faith school will outweigh the other issues and many are unlikely to change their preferences for this reason. If it were the case that parents changed their preferences Surrey County Council would continue to have a duty to ensure that there was a school place for each child who needed it. Of course a surplus in applications for schools in some areas would lead to a decrease in demand in other areas and any surplus places would continue to be used to ensure that the County Council meets its duty.

Some respondents indicated that faith schools might be forced to close if the removal of denominational transport caused schools to be undersubscribed. However most faith schools are oversubscribed and receive more applications than places available. The majority are also very successful and are perceived to provide a good education. Whilst faith schools can admit children of their faith above other children, they must admit children who do not meet the faith based criteria if there are no other children of faith on the waiting list. In this way it is likely that if faith schools became undersubscribed by faith applicants they would still be full as those places would be filled by other local applicants who have in the past been denied a place because of oversubscription. This in turn would reduce pressure in other schools.

**j) The consultation had been hidden**

A number of respondents indicated that they felt that the consultation had been hidden and only heard of it when their school drew it to their attention. However schools were asked to draw it to the attention of their parents by displaying a notice and including it in their newsletters. The consultation document was accessible from three different pages within the SCC website - School Admissions, School Transport and the generic Consultations page. The consultations page does not however have a link from the home page of the website and a suggestion has been made to the webteam that this perhaps should be the case so that residents might find consultations more easily.

**k) The affect on younger siblings**

A number of respondents expressed concern that if denominational transport was withdrawn they would have to make separate travel arrangements for younger siblings whilst their older sibling would travel on the coach. This could well be the case where children receive a seat on a coach. Whilst these were being phased out there may well be concessionary seats available and currently younger siblings would receive some priority for a concessionary seat. However as coach provision reduced the number of concessionary seats would also reduce.

**I) School transport is provided through Revenue Support Grant (RSG) which was protected as part of the Chancellor's announcement about savings**

Some respondents questioned the need to make a saving on transport. However, as part of the County Council's financial settlement, the government transferred a number of previously separate specific grants in to the Formula Grant (still often referred to incorrectly as the RSG). After allowing for these transfers, and on a like-for-like basis, the formula grant reduced by £26 from 2010/11 to 2011/12 and there was a further reduction in other government grants of £11m. For 2012/13, total grants will reduce by an additional £13m. In addition to this loss of funding, the County Council also faces some serious budget pressures, particularly on adults social care and waste. This brings the total saving requirement in 2011/12 to £60m and a further £49m in 2012/13.

**By those in support of the proposal**

- School transport to 'faith' schools is already discriminatory because much longer and more expensive journeys are routinely paid for to such schools than any others.
- Subsidies on journeys to church schools, especially Catholic, are on average almost certainly the highest per pupil
- Children attending the same school are treated differently. Some children traveling to the same school on the same bus have to pay whilst others travel for free
- My family used to live right next to a faith school which my children could not attend so we had to incur transport costs to get our children to school
- If religious organizations are concerned about the impact on their schools they could set up bursaries to help. The Council shouldn't pay
- This facility should either be extended to non-denominational schools or withdrawn
- The decision to send a child to a faith school is parental choice. If they wish their child to attend a faith school a significant distance from their home they should pay for the transport or be offered assistance by the diocese
- Why should those with choices get preferential treatment
- Most parents who send their children to faith schools can afford to pay for the privilege
- This will help make the schools for local people and not those from further afield