

County Council Meeting – 6 May 2014

REPORT BACK FROM CABINET ON REFERRED MOTION

1. At its meeting on 22 April 2014, the Cabinet considered a Motion in the name of Mr Stephen Cooksey referred to it by the Council on 10 December 2013.

The Motion was as follows:

'This council notes:

- a) the current consultation on Surrey County Council's Home to School Transport Policy, the stated intention of which in advance was that "Surrey County Council is not proposing any change to its home to school transport policy for 2015."

and

b) concerns by Surrey residents including:

- i) the discouragement that the present system gives to parents returning to full time work, given the Coalition Government's focus on getting people off benefits and into work. At present if parents cease to receive maximum Working Tax Credit or a child ceases to qualify for free school meals, Home to School Transport stops immediately.
- ii) the difficulties in obtaining school transport by children living in rural parts of Surrey, especially for pupils wanting to go to their nearest school within the Borough or District where they live, where there are community ties, but who live close to Borough or District or County boundaries.
- iii) the difficulties caused by the nearest school to a child's home being denominational when a child is of a different religion.
- iv) people being denied free Home to School Transport when the shortest practical route is far longer than the distances used under the qualifying criteria because there are major physical obstacles (such as railway lines, major roads and reservoirs).
- v) the difficulties caused to children who live more than 3 miles from any school but who are denied free transport to the parent's school of choice because the parents have not opted for the nearest school.
- vi) the difficulties caused when a child does not live in a school's catchment area, even though it is their nearest school.

Council calls for a Members' Start and Finish Task Group to be established to assess the findings of the consultation, the concerns above and any other relevant concerns with the aim of reaching recommendations to resolve as many of the concerns as possible and report back to the Children and Education Select Committee.'

2. Mr Stephen Cooksey addressed the Cabinet on the motion referred from the meeting of Council on 10 December 2013.
3. The response to this motion was considered as part of the discussion on Home to School Transport Policy 2015 and a written response was also tabled (Appendix 1)
4. It was agreed that, having considered the subject matter, the motion referred from the Council meeting on 10 December 2013 was lost and this would be reported back to the next Council meeting.

Decision by the Cabinet:

- 5 The Motion was lost.

**David Hodge
Leader of the Council
22 April 2014**

**HOME TO SCHOOL TRANSPORT POLICY – REPORT BACK FROM
CABINET ON REFERRED MOTION**

At the County Council meeting on 10 December 2013, Mr Stephen Cooksey (Dorking South and the Holmwoods) moved a motion which was referred to Cabinet.

The motion was as follows:

'This council notes:

- a) the current consultation on Surrey County Council's Home to School Transport Policy, the stated intention of which in advance was that "Surrey County Council is not proposing any change to its home to school transport policy for 2015."

and

- b) concerns by Surrey residents including:

- i) the discouragement that the present system gives to parents returning to full time work, given the Coalition Government's focus on getting people off benefits and into work. At present if parents cease to receive maximum Working Tax Credit or a child ceases to qualify for free school meals, Home to School Transport stops immediately.
- ii) the difficulties in obtaining school transport by children living in rural parts of Surrey, especially for pupils wanting to go to their nearest school within the Borough or District where they live, where there are community ties, but who live close to Borough or District or County boundaries.
- iii) the difficulties caused by the nearest school to a child's home being denominational when a child is of a different religion.
- iv) people being denied free Home to School Transport when the shortest practical route is far longer than the distances used under the qualifying criteria because there are major physical obstacles (such as railway lines, major roads and reservoirs).
- v) the difficulties caused to children who live more than 3 miles from any school but who are denied free transport to the parent's school of choice because the parents have not opted for the nearest school.
- vi) the difficulties caused when a child does not live in a school's catchment area, even though it is their nearest school.

Council calls for a Members' Start and Finish Task Group to be established to assess the findings of the consultation, the concerns above and any other relevant concerns with the aim of reaching recommendations to resolve as many of the concerns as possible and report back to the Children & Education Select Committee.'

Response:

Surrey's Home to School Transport policy had not been reviewed since 2006 and as a number of queries had been raised by parents and Members in recent years, it seemed timely to assess whether it still delivered a fair and equitable policy or whether any changes needed to be made.

It was therefore agreed to carry out a public consultation that would enable respondents to contribute their views to the policy review.

The consultation document made clear that, whilst Surrey County Council was not proposing any changes to its policy, it was interested to hear:

- the views of Surrey residents and schools on the equity of the existing policy;
- details of any home to school transport difficulties that Surrey parents might currently face; and
- details of any suggestions for change (recognising that any additional expenditure on home to school transport would mean that Surrey would need to make savings elsewhere).

As such, the questions were framed to invite comments on some specific matters whilst also inviting respondents to comment freely on any difficulties they may have faced as a result of Surrey's home to school transport policy and on how the policy might be changed.

It was hoped that such an open consultation would enable Members to better understand the concerns of parents and schools when they considered whether any changes needed to be made to Surrey's Home to School Transport policy.

Response to the very specific matters of concern is as follows:

- i. The Department for Education's Home to School Travel and Transport Guidance says:

'In the Department's opinion, once eligibility has been confirmed on income grounds, then local authorities should consider the pupil to be eligible for the entirety of the school year for which the assessment has been made. If someone moved out of eligibility during the year, then for the following year, it seems appropriate to suggest that there would also have to be a new assessment of places available. If, for example, a pupil was registered at their third

nearest school and at reassessment neither of the two nearer schools had places available, then transport support would continue as the school had, by default, become the nearest suitable with places available.

Surrey's Admissions and Transport team follows this guidance and as such, where a child loses their transport entitlement due to a parent no longer receiving the maximum level of Working Tax Credit or a benefit that entitles the child to free school meals, then transport would only be reviewed at the end of the academic year.

- ii. The law only requires free transport to be paid to the nearest qualifying school, without regard to County Council boundaries. Any extension of policy to provide transport to a child's nearest Surrey school would be discretionary where there was another nearer school outside of Surrey and this would be likely to commit the County Council to additional expenditure. That said, it is recognised that families living in Surrey may often have greater alliances with Surrey schools and that a policy to provide transport to the nearest Surrey school might help to support some schools. For this reason a recommendation has been put to Cabinet to consider whether Surrey's Home to School Transport policy should be extended to provide transport to a child's nearest Surrey school where transport would need to otherwise be paid to a nearest school out of County.
- iii. The law provides for free transport to be paid to a child's nearest qualifying school. The nearest qualifying school is one that has a vacancy and that provides education appropriate to the age, ability and aptitude of the child. The point at which a school will be determined as having a vacancy will be the point at which places are allocated. In this way, only schools which would have been able to offer a place had the parent applied will be considered in the assessment of nearest school. Denominational schools which have only offered places according to faith are disregarded in this respect because there would be no way of determining whether or not a child would have been eligible for a place had they applied. In this way, families whose nearest geographical school is a faith school should not be disadvantaged in the assessment of home to school transport.
- iv. When assessing entitlement to home to school transport, generally the shortest available walking distance is considered between the home and the school. A route will be available if it is a route that a child, accompanied as necessary, can walk with reasonable safety to school. In this way, the route to school would take account of physical obstacles.

In addition, the Home to School Transport policy makes provision for walking routes to be assessed for their safety by a Community Travel Advisor where there is any dispute.

- v. The law only requires free transport to be paid to the nearest qualifying school. With approximately 124,000 Surrey children of school age and only 6,500 children currently in receipt of free home to school transport, a commitment to provide free home to school transport according to the parent's school of choice, for any child whose nearest school was over the statutory walking distance would be financially untenable.
- vi. If a child is not eligible for a place at their nearest school because they fall outside the school's catchment area, that school will be discounted when assessing home to school transport. In this way, whilst catchments will influence which children can be offered a place, they will not disadvantage a child in receiving home to school transport to their next nearest school if they cannot be offered their nearest school.

Linda Kemeny
Cabinet Member for Schools and Learning
22 April 2014