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| <b>APPEALS COMMITTEE (SERVICE ISSUES)</b> | AGENDA ITEM No. 4    |
| <b>10 NOVEMBER 2011</b>                   | <b>PUBLIC REPORT</b> |

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| Cabinet Member(s) responsible: | Cllr John Holdich, Education, Skills and University  |                                |
| Contact Officer(s):            | Jon Lewis, Assistant Director Children Services, Education & Resources<br>Email: <a href="mailto:jonathan.lewis@peterborough.gov.uk">jonathan.lewis@peterborough.gov.uk</a><br>Isabel Clark, Head of Assets and School Place Planning<br>Email: <a href="mailto:isabel.clark@peterborough.gov.uk">isabel.clark@peterborough.gov.uk</a> | Tel: 863912<br><br>Tel: 863914 |

**CONSULTATION ON CHANGES TO THE PETERBOROUGH TRANSPORT POLICY FOR PUPILS AGED 4-16**

| RECOMMENDATIONS   |   |
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| <b>FROM :</b> Assistant Director Children Services, Education & Resources   | <b>Deadline date :</b> 11 November 2011 |
| The Committee is requested:   |   |
| <ol style="list-style-type: none"> <li>1. To note the attached Draft Peterborough Transport Policy for Pupils Aged 4–16 Years (Appendix A) currently out to consultation and proposed to be introduced in September 2012;</li> <li>2. To note the main changes to the Policy, those being: <ol style="list-style-type: none"> <li>i) The removal of denominational transport (paragraph 3.8 of the Policy);</li> <li>ii) The introduction of a mileage rate paid to parents (paragraph 13.1 of the Policy);</li> <li>iii) The mechanism for appealing against a decision made in relation to this policy (paragraph 20.1 of the Policy); and</li> <li>iv) The change in walking distance for pupils aged 8 to 11, rising from 2 miles to 3 miles (paragraph 3.1 of the Policy);</li> </ol> </li> <li>3. To make any recommendations, to be considered by the Cabinet Member for Education, Skills and University, prior to a decision being taken on the proposed changes to the Policy; and</li> <li>4. To note that <b>no changes</b> are proposed that will affect ‘low income families’ who will still receive assistance with transport where applicable (paragraph (3.6) of the Policy).</li> </ol> |   |

**1. ORIGIN OF REPORT**

1.1 This report is submitted to the Appeals Committee (Service Issues) as part of the consultation exercise for the proposed changes to the Peterborough Transport Policy for pupils aged 4-16 years.

**2. PURPOSE AND REASON FOR REPORT**

2.1 This report is submitted to the Appeals Committee (Service Issues) in order to highlight the proposed changes to the Peterborough Transport Policy for pupils aged 4-16 years.

2.2 The report is also submitted to enable the Appeals Committee to note the proposed changes and to make any recommendations to the Cabinet Member for Education, Skills and University prior to a decision being taken on the proposed changes to the Policy.

2.2 This report is for the Committee to consider under its Terms of Reference 2.1.2 “to review appeals procedures for the Council’s various services (excluding employee procedures,

*which are the responsibility of the Appeals and Employment Committee, and appeals procedures which are determined by statute) and, where change is recommended, formulate proposals to the Executive”.*

### 3. **TIMESCALE**

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| Is this a Major Policy Item/Statutory Plan? | <b>NO</b> | If Yes, date for relevant Cabinet Meeting |  |
|---|-----------|---|--|

### 4. **CHANGES TO THE PETERBOROUGH TRANSPORT POLICY FOR PUPILS AGED 4 – 16 YEARS**

4.1 The existing policy for school transport for pupils aged 4-16 years is due for revision.

4.2 This policy has been updated to reflect the guidance in the following documents:

- i) The Home to School Travel and Transport Guidance – Department for Education and Skills (2007);
- ii) Peterborough City Council’s (PCCs) Medium Term Financial Plan Proposals Document from Cabinet (November 2010);
- iii) Peterborough’s Long Term Transport Strategy (LTTS) (2011 to 2026);
- iv) The Peterborough Local Transport Plan 3 (LTP3) (2011 to 2016) – especially:
  - Section 15: Dependencies
  - Section 16. Key Risks;
- v) Dept of Education: A guide to the law for school governors: Home to school travel and transport;
- vi) The Education Act 1996; and
- vii) The Education and Inspections Act 2006: Section 77

4.3 The main changes relate to:

4.3.1 **The removal of denominational transport.** In line with the vast majority of other Local Authorities and in accordance with PCCs Medium Term Financial Plan, it is proposed to withdraw all transport for pupils attending Faith Schools on religious grounds. Transport was withdrawn for all new pupils from September 2010, so this refers only to those who continue to access denominational transport. Please note that no changes are proposed that will affect ‘low income families’ who will still receive assistance with transport (3.6).

4.3.2 **The introduction of a mileage rate paid to parents.** The current policy refers to parental mileage being paid, but does not stipulate a rate; the rate proposed is 0.40p per mile.

4.3.3 **The mechanism for appealing against a decision made in relation to this policy.** In order to regulate the increasing number of those requesting an appeal based on nothing more than being refused transport under the policy, it is suggested that Officers review first the claim. If exceptional circumstances are stated in their appeal form, these cases will be referred on to an Appeals Panel. If exceptional circumstances are not stated the appeal will be referred back to the parents explaining why the matter does not qualify for an appeal hearing.

4.3.4 **The change in walking distance for pupils aged 8 to 11, rising from 2 miles to 3 miles.** In line with Government recommendations, it is proposed to raise the home to school walking distance for pupils aged 8 – 11 years to 3 miles. The current distance for all Primary School children is 2 miles.

## **5. CONSULTATION**

- 5.1 Consultation has been widespread. Copies of the proposed policy were sent to all schools, all Councillors and any other interested parties. It was widely publicised and is on the PCC website. The consultation began on 26 September 2011 and ends on 13 November 2011.
- 5.2 Responses have been minimal so far. Only 4 responses have been received. Three of those raised questions and the fourth was against the withdrawal of denominational transport.

## **6. ANTICIPATED OUTCOMES**

- 6.1 It is hoped that Members agree to note the proposals being made or, after debating the issue, offer any alternatives.

## **7. REASONS FOR RECOMMENDATIONS**

- 7.1 This will bring this Council's policy in line with the majority of other Local Authorities and with Government recommendations. There is also a cost saving in 3 of the 4 proposals.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

- 8.1 We could leave the policy as is, but this leaves us with an unspecified mileage rate for parents and leaves this authority out of step with others, including our immediate neighbours, and government guidelines.

## **9. IMPLICATIONS**

### **Financial**

- 9.1 The changes to the Policy will enable the Council to continue to provide an efficient service to support those most in need and also to realise cost savings across three of the four proposals.

### **Legal**

- 9.2 That Peterborough City Council will continue to fulfil its requirement in respect of the Education Act 1996 in that there is a requirement to provide free school transport for certain children who do not live within walking distance to the nearest suitable school or to certain children of low income families. These pupils are automatically eligible for free school transport.

## **10. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

- i) Home to School Travel and Transport Guidance – Department for Education and Skills (2007)  
<https://www.education.gov.uk/publications/standard/publicationdetail/page1/DFES-00373-2007>
- ii) PCC's Medium Term Financial Plan Proposals Document from Cabinet (November 2010) <http://www.peterborough.gov.uk/pdf/Councilanddemocracy-ourfinances-statementofaccounts-mediumtermfinancialplan2010-2011-2014-2015.pdf>
- iii) Peterborough's Long Term Transport Strategy (LTTS) (2011 to 2026)  
<http://www.peterborough.gov.uk/pdf/traffic-strategic-transportpolicy-ltp3-Section7.pdf>
- iv) Peterborough Local Transport Plan 3 (LTP3) (2011 to 2016) – especially:
  - Section 15: Dependencies
  - Section 16. Key Risks[http://www.peterborough.gov.uk/traffic\\_travel\\_and\\_parking/strategies\\_policies\\_and\\_plans/transport\\_planning/ltp3/ltp3\\_doc.aspx](http://www.peterborough.gov.uk/traffic_travel_and_parking/strategies_policies_and_plans/transport_planning/ltp3/ltp3_doc.aspx)

- v) Dept of Education: A guide to the law for school governors: Home to school travel and transport [www.education.gov.uk/schools/leadership/governance/guidetothelaw](http://www.education.gov.uk/schools/leadership/governance/guidetothelaw)
- vi) Education Act 1996 <http://www.legislation.gov.uk/ukpga/1996/56/section/509A>
- vii) Education and Inspections Act 2006: Section 77  
<http://www.legislation.gov.uk/ukpga/2006/40/section/77>