



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

RECORD OF DECISIONS OF THE EXECUTIVE

DECISION MADE BY: Cabinet DATE DECISION MADE: 8th September, 2015.

Agenda Item 2

SUBJECT:

Home To School Transport: maintaining the existing service but reducing the subsidy for discretionary travel – results of a public consultation on a proposed new policy.

**Cabinet Members Present
County Borough Councillors:**

A.Morgan (Chairman), R.Bevan, A.Crimmings, M.Forey, G. Hopkins
K. Montague, J. Rosser and M.Webber

**Apology for Absence
County Borough Councillor:**

E. Hanagan

Other County Borough Councillor(s) in Attendance:-
S. Bradwick, T. Williams, C. Davies, G. Davies and P. Wasley

1. DECISION MADE:

Agreed –

1. To note that in Officers' opinion the Council would be acting in compliance with its relevant statutory duties as outlined in the report, (together with its appendices) should Cabinet proceed with implementation of the amended Home to School Transport Policy as set out in this decision notice.

2. That following consideration of the outcomes of the consultation, the Equalities Impact Assessment and further information collated by officers during the consultation to implement the proposal as outlined below:-
 - That the Council's current distance eligibility criteria for Home to School Transport continues to apply but all discretionary elements of provision as set out in the table below become chargeable, but still a subsidised service.

Age during Academic Year	User	Proposed changes to RCT Mainstream Transport Provision from September 2016
3 – End of term in which child turns 5	Non-compulsory school age, learner selecting education through English/Welsh medium or in accordance with their preferred religious denomination.	Continue to provide transport at current discretionary distances for pupils at the beginning and end of the normal school day, and not at lunchtimes but introduce a charge for all pupils choosing to travel on Council funded school transport who reside 1.5 - 2 miles safe walking distance to their catchment or nearest suitable school.
Term following 5 th Birthday – 11	Learner receiving compulsory primary education, learner selecting education through English/Welsh medium or in accordance with their preferred religious denomination.	Continue to provide transport at current discretionary distances but introduce a charge for all pupils choosing to travel on Council funded school transport who reside 1.5 – 2 miles safe walking distance to their catchment or nearest suitable school.

12 – 16	Learner receiving compulsory secondary education, learner selecting education through English /Welsh medium or in accordance with their preferred religious denomination.	Continue to provide transport at current discretionary distances but introduce a charge for all pupils choosing to travel on Council funded school transport who reside 2 - 3 miles safe walking distance to their catchment or nearest suitable school.
16+	Post-16 learners, learner selecting education through English/Welsh medium or in accordance with their preferred religious denomination.	Continue to provide transport at current discretionary distances but introduce a charge for all pupils choosing to travel on Council funded school transport who reside 2 miles or further safe walking distance to their catchment or nearest suitable school or college.

- That Faith, Welsh medium and English medium education schools are considered as suitable schools within the amended Home To School Transport Policy.
 - That the charge towards the discretionary elements of Home to School Transport provision in respect of the new policy be set at £1.50 per day / £285 per year.
 - That the introduction of an assessment of a parent's ability to pay the proposed charge towards the discretionary elements of Home to School Transport provision be based on a child's receipt of Free School Meals and the proposed reduced level of charge be set at £0.50p per day / £95 per year
 - That the Council introduces a cap of £570 per academic year on the charges payable for families with more than two children using Home to School Transport.
- 3 That the discretionary elements of Special Educational Needs transport continue as an entirely subsidised, non charged service.
 - 4 That the Council introduce a 'Hardship Fund' which will aim to support low income families in meeting the costs of home to school transport and which would be accessed in exceptional circumstances.
 - 5 If implementation of the amended policy has the consequential effect of creating indirect race discrimination in respect of BME children, Cabinet consider that the amended Home to School Transport policy is a proportionate means of achieving a legitimate aim based on the following:
 - i. The amended policy will maintain the service but introduce a charge towards the discretionary elements of provision – i.e. there is no withdrawal of the service.
 - ii. Transport to faith / voluntary aided schools is not a statutory obligation

- under the Learner Travel (Wales) Measure.
- iii. The agreed charge is reasonable, generally affordable and will be means-tested (on basis of FSM eligibility).
 - iv. Will achieve savings to the Council of £1.416M per year (the Council acknowledges cost savings alone is not sufficient).
 - v. There is still a greater per head subsidy for faith than non faith provision.
 - vi. The amended policy will help the Council meet its duty under s10 of the Learner Travel (Wales) Measure (namely to promote access to Welsh medium education and training).
- 6 That work is undertaken on the feasibility of changing some school session times and combining school's transport on the basis that it could make travel arrangements more efficient / effective.
- 7 That the amended Home to School Transport Policy will need to be published in accordance with statutory requirements by the 1st October, 2015 in order for it to be able to be implemented for the commencement of the 2016/17 academic year.
- 8 That a further report in respect of the operational policies / guidance deemed necessary for, and incidental to the implementation of the amended Home to School Transport Policy be presented to Cabinet at a future meeting.
- 9 That implementation of the decision would deliver full year savings of £1.416M (Part Year Savings of £0.884M) meaning the Council would be subsidising the discretionary elements of the service by £2.8M per year.

N.B With the permission of the Chairman, County Borough Councillors C. Davies, G. Davies, P. Wasley, and Mr R. Simmonds (Chair of the Governing Body, Cardinal Newman School) spoke on this item.

2. REASON FOR THE DECISION BEING MADE:

- The need to consider service change proposals as part of the Council's Medium Term Service Planning arrangement, specifically in the context of the need to reduce spend and enable the Council to fulfil its statutory responsibility and set a balanced budget from 2016/17 onwards.
- The need to consider all the documentation before Cabinet and information provided by Officers following additional queries at the meeting, including the results of the consultation exercise, additional information collated by officers during the consultation and the Equalities Impact Assessment.

3. CONSULTATION UNDERTAKEN PRIOR TO DECISION BEING MADE:

- As outlined within Section 5 of the report, a consultation exercise was initiated by Cabinet following consideration of the proposal at a Cabinet meeting on the 19th May, 2015, with the Consultation running for an eight week period from the 2 June - 5 p.m.28th July, 2015.

4. PERSONAL INTERESTS DECLARED:

- County Borough Councillor R.Bevan declared a personal interest- “I am the Chair of Governors at Tylorstown Primary School and Governor of Pontygwaith Primary School, and this interest is not prejudicial because of the exemption set out in paragraph 12(2)(a)(iii) of the Code of Conduct.”
- County Borough Councillor M.Webber declared a personal interest –“ I am Governor of Heol Y Celyn Primary school and this interest is not prejudicial because of the exemption set out in paragraph 12(2)(a)(iii) of the Code of Conduct.”
- County Borough Councillor A. Morgan declared a personal interest - “ I am the Chair of Governors at Glenboi Primary and Darren Las Primary School and this interest is not prejudicial because of the exemption set out in paragraph 12(2)(a)(iii) of the Code of Conduct.”
- County Borough Councillor G. Hopkins declared a personal interest – “ I am a Governor of Llanharan Primary School and this interest is not prejudicial because of the exemption set out in paragraph 12(2)(a)(iii) of the Code of Conduct.”
- County Borough Councillor K. Montague declared a personal interest – “My niece would be affected by the proposed changes and I am also Governor of Maerdy Primary School and Ferndale Community School but my interest is not prejudicial because of the exemption set out in paragraph 12(2)(a)(iii) of the Code of Conduct.”
- County Borough Councillor A. Crimmings declared a personal interest – “I am employed at Coleg y Cymoedd and I am a Governor of Aberdare Park Primary School, this interest is not prejudicial because of the exemption set out in paragraph 12(2)(a)(iii) of the Code of Conduct.”
- County Borough Councillor J. Rosser declared a personal interest - “ I am Governor of Alaw and Trealaw Primary Schools but my interest is not prejudicial because of the exemption set out in paragraph 12(2)(a)(iii) of the Code of Conduct.”
- County Borough Councillor M. Forey declared a personal interest – “I have grandchildren who may be affected by the proposed policy”

Non Cabinet Members

- County Borough Councillor S. Bradwick declared a personal interest – “I am the Chair of Governors at Aberdare Community School.”

- County Borough Councillor C. Davies declared a personal interest – “ Governor of YGG Cymer Rhondda”
- County Borough Councillor P. Wasley declared a personal interest – “I am a Governor at Cwmlai Tonyrefail”
- County Borough Councillor G. Davies declared a personal interest – “ I am a Governor of YGG Ynyswen”
- County Borough Councillor T Williams declared a personal interest – “I am a Governor on St John Baptist School and Cap Coch”

5. DISPENSATION TO SPEAK (AS GRANTED BY STANDARDS COMMITTEE):

N/A

6. (a) IS THE DECISION URGENT AND NOT TO BE THE SUBJECT OF ANY CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

YES NO ✓

Note: This decision will not come into force and may not be implemented until the expiry of 5 clear working days after its publication i.e. **16th September 2015** to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

6. (b) IF YES, REASONS WHY IN THE OPINION OF THE DECISION-MAKER THE DECISION IS URGENT:

N/A

6. (c) SIGNATURE OF MAYOR OR DEPUTY MAYOR OR HEAD OF PAID SERVICE CONFIRMING AGREEMENT THAT THE PROPOSED DECISION IS REASONABLE IN ALL THE CIRCUMSTANCES FOR IT BEING TREATED AS A MATTER OF URGENCY, IN ACCORDANCE WITH THE OVERVIEW AND SCRUTINY PROCEDURE RULE 17.2:

N/A

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(Mayor)

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(Dated)



.....
(Proper Officer)

08.09.15
(Dated)