

Consultation on proposed changes to
discretionary elements of home to school
transport provision

We would like to hear your views on our
proposals

The consultation will run from:

Monday 21 March 2011 to Friday 6 May 2011



1. Introduction from Sarah Hohler Cabinet Member for Education, Learning & Skills

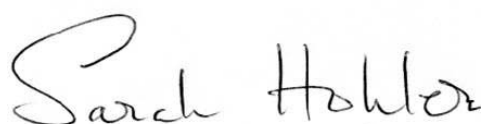
Every council in the country is facing considerable pressure on public services. Kent County Council has produced a budget to deliver £95million of savings this year and a further £65million next year. Part of these wider savings includes a £2.5million reduction in the school transport budget over two years.

Some children who attend their nearest school have a right to free transport and this is protected by law and will be unaffected. For many years the council has additionally provided free transport for pupils who attend a grammar or denominational school, even where this is not their nearest school.

Since Kent's home to school transport policy was last reviewed, there have been huge changes to both schools and transport options. The Kent Freedom Pass, introduced by Kent County Council four years ago, continues to be very successful with over 26,500 of Kent's 11-16 year olds enjoying use of public bus services not only to get to and from school, but also at weekends, in the evenings and during school holidays.

Kent enjoys a rich and diverse mix of schools and remains firmly committed to its grammar schools. Wide-ability schools, many of them new academies, are also available across the county. The need to save money in the public sector and recent changes in legislation has prompted a radical re-think of the county's approach to its discretionary transport provision.

What follows is an explanation of our existing legal duties and our proposal for change. We would like to hear your views. Feedback from this consultation will be considered before any final decision is taken.



Mrs Sarah Hohler
Cabinet Member For Education, Learning And Skills



2. Our statutory duty to provide school transport

Kent County Council has a statutory duty to provide school transport for certain categories of school age pupils. This is known as “statutory entitlement”.

Age / Type of pupil	Statutory entitlement
Pupils up to the age of 8 (yr 3)	Free transport to the nearest appropriate school if it is more than two miles walking distance from home.
Pupils between the ages of 8 and 16 (yrs 4-11)	Free transport to the nearest appropriate school if it is more than three miles walking distance from home.
Pupils from low income families aged between 8 and 10 (yrs 4-6)	Free transport to the nearest appropriate school if it is more than two miles walking distance from home.
<p>Pupils from low income families aged between 11 and 16 (yrs 7-11)</p> <p>Families with a low income are currently defined as those children entitled to free school meals or whose family is in receipt of maximum working tax credit.</p>	Free transport to one of the three nearest appropriate schools if it is between two and six miles away, or the nearest school preferred by reason of a parent/carer’s religion or belief. It must be more than two miles by the shortest available walking route and not more than 15 miles away.
Pupils with Special Educational Needs, disability or mobility problems.	Free transport to the nearest appropriate school, where the pupil lives within the statutory walking distance from school and where, due to their special needs or disability or mobility problems, they are unable to walk in reasonable safety, even when accompanied. Transport will be provided to pupils who have a statement of special educational need which sets out a requirement for free transport to a particular school specified in the statement.
Pupils living within the statutory walking distance but who are unable to walk in safety to school because of the nature of the route.	Free transport to the nearest appropriate school where the pupil lives within the statutory walking distance from school and where, due to the nature of the route, they are unable to walk in reasonable safety even when accompanied.

3. What this Council is currently doing above and beyond its statutory duty

(i) Denominational (church school)

In addition to its statutory duties, Kent County Council currently funds transport beyond the nearest appropriate school if a child attends his/her nearest church school and provides evidence to confirm he/she is a regular and practising member of a church that is the same denomination as the school. This must be confirmed by a signed declaration from the relevant priest/vicar. This provision is funded even where another school is closer than the church school.

(ii) Selective (grammar school)

Some areas of Kent are comprehensive, most are selective at age 11 and one is selective at age 13. If children live in a selective area of education and have been assessed as suitable for a grammar school, Kent County Council currently funds transport to their nearest grammar school, even if there are high schools closer to their home or, more recently, academies that are, by definition, wide ability schools able to cater for children across the entire ability range.

Many councils have now stopped paying for transport to grammar or church schools or have introduced charges.

4. Kent Freedom Pass

Parents now have the option to buy a Kent Freedom Pass. Kent County Council introduced this in 2007. This very successful scheme has attracted over 26,500 users.

The pass provides access to the bus network of Kent during the day, evenings, weekends and school holidays. This is one of the most generous travel passes of its kind outside of London and has become extremely popular with young people. The majority of children travelling to school on public transport use a Kent Freedom Pass.

Parents can apply for a pass if their child is in years 7-11. There is a one-off annual fee which is currently £50 but will rise to £100 in September 2011. Full details can be found at www.kent.gov.uk/kentfreedompass

5. Vacant Seat Payment Scheme (VSPS)

If children are not eligible for free or subsidised transport to school, it is possible that they can be offered transport through the Vacant Seat Payment Scheme (VSPS). This is available if there are empty seats on vehicles which transport eligible pupils. It is often possible to offer available seats to pupils at a subsidised current cost of £490 per year. Unfortunately we cannot offer VSPS seats on public buses or trains.

The charge is broken down termly and payment must be in advance of a ticket/pass being sent out.

Currently, the charges are:

- £165 for the Autumn term
- £165 for the Spring term
- £160 for the Summer term

A VSPS seat is not guaranteed. Each term we check the number of available seats and your child's VSPS seat may be withdrawn if:

- a child who is eligible for transport assistance needs it
- we decide to stop running a particular transport service, or if a smaller vehicle is used
- because it is financially appropriate to do so

If this does happen, you will need to make your own arrangements for your child to travel to and from school.

The VSPS seats can only be offered after the term has started when the children who are eligible to receive assistance have been allocated their seats. In the meantime, parents must make their own arrangements for children to get to and from school.

6. The proposals

It is proposed that:

- (i) From 1 September 2012, Kent County Council will not provide home to school transport provision beyond its existing statutory duties outlined at the front of this document.
- (ii) Any pupils in receipt of transport assistance prior to September 2012 will continue to retain this entitlement until such time as they leave the current school or are no longer of statutory school age.

7. How to respond to this consultation

We would like your views on our proposal. You can do this online at www.kent.gov.uk/transportconsultation or by post. Please send your written response to:

Home to School Transport Consultation,
Room 2.35, Sessions House,
Maidstone, ME14 1XQ.

Copies of this document are available in alternative formats on request. Please call the Communications Team on 01622 221201 or email communicationcfe@kent.gov.uk for assistance.

This consultation is open to everyone. Following the consultation, a report will go to Kent County Council elected Members, who will decide whether to take forward the proposals. Their decision will also be informed by an Equality Impact Assessment (EIA), which is being undertaken alongside this consultation.

8. How the proposed changes would work

Here is a range of questions and answers which we hope will help you formulate your response.

Q1: Why are you doing this?

We are proposing changes because:

- a. The Kent Freedom Pass has been very successful and is available to all 11-16 year olds
- b. The education landscape has changed with the introduction of the Academies Act 2010
- c. A change in equality legislation requires us to ensure that there is comparable provision across Kent
- d. Financial pressure

Q2: What happens to children after September 2012 who are currently eligible for transport assistance on denominational or grammar school grounds?

These children will continue to have their transport funded until they leave their current school or are no longer of statutory school age. Any younger siblings starting school after 1 September 2012 will not be eligible for the same assistance and parents will need to make their own arrangements.

Q3: What happens if my child is eligible for transport but I move house after 1 September 2012?

When someone moves house their transport eligibility is reassessed in accordance with the transport policy, taking account of their new address. This will be the same after 1 September 2012 and the eligibility assessment will be in accordance with the policy that is agreed and in place at that time.

Q4: What is meant by the 'nearest appropriate school for transport purposes'?

The nearest appropriate school for transport purposes is the nearest geographical school that is suitable for your child's age and ability. In this context the words "appropriate", "suitable" and "ability" refer to a child needing to attend a mainstream or special school. They exclude consideration of -

- (i) an opinion that a school is inappropriate or unsuitable because of your child's suitability for selective education; and
- (ii) an opinion that a school is inappropriate or unsuitable because of a religious or philosophical belief (including lack of belief) that you hold.

Q5: My child has been assessed as suitable for grammar school and has been offered a place at a grammar school. Will transport be provided?

If the grammar school is your nearest appropriate school for transport purposes and you meet the distance criteria, then transport will be provided by Kent County Council. If the grammar school is not the nearest appropriate school for transport purposes, you will need to make your own transport arrangements if your child is starting school in September 2012. In most circumstances it is expected that the Kent Freedom Pass will be used to travel to school.

Q6: My nearest secondary school is an academy, high school or comprehensive; can I get transport assistance for my child to attend a grammar school that is further away?

No. The nearest school is the only one that the Local Authority will fund transport to, provided the distance criteria are met. In most circumstances children will be able to access a range of schools through the public bus network and the Kent Freedom Pass may allow children to continue to access schools which may not be their nearest.

Q7: Are you penalising the parents of children who have been assessed as suitable for grammar school?

No. The County Council has invested heavily in the transport network and introduced the Kent Freedom Pass to ensure all children have greater access to the full range of schools and after school activities. We do need to redress the imbalance of the existing policy, i.e. that children are afforded transport where the parent considers a grammar school the most appropriate school, but not where a parent considers a school with a specialist maths or sports status to be the most appropriate to meet their child's educational needs.

Q8: I wish my child to attend a church school. Will transport be provided?

If the church school is your nearest appropriate school for transport purposes and you meet the distance criteria then transport will be provided by Kent County Council. If you choose not to attend your nearest school for transport purposes you will need to make your own transport arrangements if your child is starting school in September 2012. In most circumstances it is expected that the Kent Freedom Pass will be used to travel to school.

Q9: I have just moved to Kent and my child is due to attend a Catholic primary school. Will I be eligible for transport?

If the school is the nearest appropriate school for transport purposes and your child meets the distance criteria Kent County Council will make arrangements for your child to get to school in line with its statutory duties. If you have an alternative nearer school or have not named your nearest school, you will have to make your own transport arrangements, if your child is starting school in September 2012.

Q10: How are the distances between home and school measured?

Distances are measured via the shortest available walking route. However, the six mile upper limit and the fifteen mile upper limit to schools are measured using road routes.

Q11: How do I know which is my nearest school?

There is guidance within the 'Admission to Primary School booklet' and 'Admission to Secondary School booklet' provided to parents when choosing their schools. Both of these documents can be found at www.kent.gov.uk/schooladmissions.

Q12: Will this affect children with statements of special educational needs?

No. Where a school is named on the statement and that statement indicates transport will be provided, this proposal will not affect the provision.

Q13: Will this mean more parents will drive their children to school which, in turn, will mean an increase in carbon emissions?

This proposal should not increase the number of children being driven to school. The vast majority of pupils currently in receipt of assisted transport in relation to the discretionary denominational and grammar school transport, travel on public bus services so it is expected that the majority will use the Kent Freedom Pass. Where there are no public service buses operating, some schools may choose to work with parents to commission transport which parents can pay for. Alternatively, parents may choose to look at school options closer to their home.

