

Cabinet

Dorset County Council



Date of Meeting	7 March 2018
<p><u>Lead Member</u> Deborah Croney – Cabinet Member for Economy, Education</p> <p><u>Local Members</u> All County Councillors</p> <p><u>Lead Officer</u> Nick Jarman - Interim Director for Children's Services</p>	
Subject of Report	School Transport Policies 2018-2019
Executive Summary	<p>People & Communities Overview Scrutiny Committee and the Subsequent Cabinet of the 17 January 2018 agreed the recommendation of the Admissions Arrangements and Transport Policies with 2 exceptions. The exceptions were:</p> <ol style="list-style-type: none">1. Raising the cost recovery figure from £640 to £770.2. Moving from a 5 miles criterion to a 3 miles criterion for eligibility for the 50% discount on Post 16 cost recovery scheme. <p>1. Cost Recovery: DCC Cabinet agreed in February 2016 that the cost recovery for Post 16 should increase to £510 for September 2016, then £640 in September 2017 and then £770 in September 2018.</p> <p>The £770 figure was identified as the average cost of bus seats across the County at the time. Current average cost across the OSOO contracts for eligible young people accessing statutory education is £830.</p> <p>A review of other Councils in 2016 showed that those charging SEND cost recovery ranged from £1500 to £374. Overall average cost was £641.</p> <p>A range of payment options are now presented to Cabinet for the step increases in the cost recovery level to defray large increases for Dorset families.</p>

	<p>2. 3 to 5 mile eligibility criteria:</p> <p>Non-statutory guidance from the DFE is that the statutory 3 mile KS3 and KS4 criteria for transport eligibility is a reasonable benchmark for assessing eligibility for Post 16 transport support – in Dorset’s case being entitlement for 50% discount on any cost recovery.</p> <p>Dorset currently has a criterion for 5 miles prior to consideration for support for Post 16 assistance – i.e. eligibility for a 50% discount on the cost recovery. Any eligible Post 16 young person purchasing a ticket on an OSOO route can apply for a 50% discount if they meet the criteria. Any Post 16 young person with SEND, for whom transport is provided as a result of their SEND, may apply for a 50% discount to the requested contribution (Cost Recovery).</p> <p>It is proposed to move this to 3 miles being the distance from the home to the educational setting for eligibility for a 50% discount on the cost recovery.</p> <p>Consultation on changes to Dorset’s Transport Policies was completed on 4 December 2017.</p>
<p>Impact Assessment:</p>	<p>Equalities Impact Assessment:</p> <p>These processes are the statutory guidance on Home to School Transport including support access to Post 16 education and training.</p> <hr/> <p>Use of Evidence:</p> <p>Previous pre-Consultation and Full Consultation responses have directly fed into the admissions consultation process.</p> <p>The latest guidance from the Department of Education with regards to Admissions Law has been used for both mainstream and SEND transport</p> <p>There has been a review of the legislation as it pertains to Post 16 and Post 18 transport responsibility.</p> <hr/> <p>Budget:</p> <p>There are no significant budget risks.</p> <ol style="list-style-type: none"> 1. A change from 5 miles eligibility criteria in Post 16 to 3 miles criteria for eligibility in Post 16 will have a potential increase in cost of £70,000. 2. There will be an increase in potential cost recovery from £159,360 (based on 234 SEND and 15 Surplus Seats) at £640, rising to £191,730 based on £770 cost recovery – an overall increase in cost recovery of £32,370 though still subject to change based on any 50% discounts that are agreed.

	<p>3. Dorset County Council is also working towards potential savings in KS3 & 4 school transport of approximately £205,000 minimum through policy changes to be introduced in September 2019 subject to further consultation and Cabinet approval in July 2018.</p> <p>Risk Assessment:</p> <p>Having considered the risks associated with this decision using the County Council’s approved risk management methodology, the level of risk has been identified as:</p> <p>Current Risk: LOW Residual Risk LOW</p> <p>Other Implications:</p> <p>There should be no risk to the existing bus routes and contracts. The 15 or so families that access the Surplus Seat Scheme to access primary and middle schools are taking up places on existing contract routes but making use of the odd spare seat that is available across the network. A family withdrawing from the service will not change the viability of the closed contract route.</p> <p>Those contracts that are in place to support young people with SEND to access Post 16 provision will not be changed as the contribution in most cases is small proportion of the actual costs being incurred by the LA.</p>																																								
<p>Recommendation</p>	<p>1. That the Cabinet formally agrees to the adoption of the following:</p> <p>(a) The Home to School Transport Assistance Eligibility Policy for Children and Young People attending School 2018-2019 and the Dorset Post 16 Transport Support Policy for 2018-2019 and specifically agrees to one of 3 options for the rise in the surplus seat / cost recovery price.</p> <p>- Option A)</p> <table border="1" data-bbox="507 1507 1169 1686"> <thead> <tr> <th>Opt A</th> <th>2017</th> <th>2018</th> <th>2019</th> <th>2020</th> </tr> </thead> <tbody> <tr> <td></td> <td>£</td> <td>£</td> <td>£</td> <td>£</td> </tr> <tr> <td>Cost</td> <td>640</td> <td>770</td> <td>785</td> <td>800</td> </tr> <tr> <td>% Increase</td> <td></td> <td>16.80 %</td> <td>1.90%</td> <td>1.80%</td> </tr> </tbody> </table> <p>- Option B)</p> <table border="1" data-bbox="507 1787 1169 1966"> <thead> <tr> <th>Opt B</th> <th>2017</th> <th>2018</th> <th>2019</th> <th>2020</th> </tr> </thead> <tbody> <tr> <td></td> <td>£</td> <td>£</td> <td>£</td> <td>£</td> </tr> <tr> <td>Cost</td> <td>640</td> <td>690</td> <td>745</td> <td>800</td> </tr> <tr> <td>% Increase</td> <td></td> <td>7.2%</td> <td>7.4%</td> <td>6.9%</td> </tr> </tbody> </table>	Opt A	2017	2018	2019	2020		£	£	£	£	Cost	640	770	785	800	% Increase		16.80 %	1.90%	1.80%	Opt B	2017	2018	2019	2020		£	£	£	£	Cost	640	690	745	800	% Increase		7.2%	7.4%	6.9%
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Reason for Recommendation	<ul style="list-style-type: none"> To finalise the adoption of the School Transport policies for Dorset from September 2018 onwards. 																								
Appendices	<p>Appendix 1:</p> <ul style="list-style-type: none"> The Home to School Transport Assistance Eligibility Policy for Children and Young People attending School 2018-2019 Dorset Post 16 Transport Support Policy 2018-2019 																								
Background Papers	<p>Minutes of Cabinet – 11 February 2016 – Item 27a pp.2– Recommendations from the Children’s Services Overview Committee (18 January 2016).</p> <p>DFE Schools Admissions Code - <i>December 2014</i> https://www.gov.uk/government/publications/school-admissions-code--2</p> <p>DFE Guidance on Summer Born Children - <i>December 2014</i> https://www.gov.uk/government/publications/summer-born-children-school-admission</p> <p>DFE Guidance on Post 16 Transport – <i>February 2014</i> https://www.gov.uk/government/publications/post-16-transport-to-education-and-training</p> <p>DFE Guidance on Admissions and The Armed Forces Covenant – <i>April 2013</i> https://www.gov.uk/government/publications/admissions-to-schools-in-england-and-the-armed-forces-covenant</p>																								
Officer Contact	<p>Name: Ed Denham Tel: 01305 221939 Email: Ed.Denham@dorsetcc.gov.uk</p>																								

1. Context

1.1 Dorset County Council is required to consult on its Transport Policy on an annual basis.

1.2 A consultation took place in October and November of 2017 detailing a range of changes.

1.3 A report to Cabinet made 2 recommendations for changes to the Home to School Transport and the Post 16 Transport Support Policy.

1.3.1 To increase the cost recovery from £640 in £770 for a) families in primary and middles schools who purchase a surplus seat from the Local Authority and b) the proposed contribution from families of young people with SEND accessing Post 16 provision and who are being provided transport by the Local Authority.

1.3.2 Reduce the eligibility criteria for Post 16 discount on transport cost from 5 miles to 3 miles to assist in the access of Post 16 for a wider range of families

2.0 Cost Recovery

2.1 A target cost for 2018 was set by Cabinet in February 2016 of £770, having risen from £510 in September 2016 to £640 in September 2017.

2.2 The £770 target cost was based on the average per pupil cost across the network in 2015. Based on £770 in 2018, and a £15 (just under 2%) increase each year thereafter, a revised target cost of £800 has been identified for 2020. Further options have been developed for a more graduated introduction of these higher costs.

2.3 This surplus seat or cost recovery figure will apply to any seat purchased by a non-eligible child/young person in the primary or middle school sector who wishes to purchase a seat on a closed contract route into one of these types of school. There are currently only 15 children across the entire network that access these seats. The contracts or their viability will not change should they decline to purchase these seats in 2018.

2.4 The figure will also be used to determine the level of contribution for young people between 16-19 with SEND who are being transported to their Post 16 provision commissioned by the Local Authority. Families will also be able to secure a 50% discount on this rate should they qualify. The majority of the provision is bespoke and this level of contribution is in no measure close to the actual cost of the transport being provided by the Local Authority.

2.5 The current average cost of a secondary mainstream seat across the OSOO network is £830. The average cost of a bus pass purchased for a secondary aged student on the public network is £650.

2.6 A comparison exercise with other Local Authorities shows an average charge of £641, across 19 County Councils that were charging in 2016, was in place for Post 16 learners with SEND as a contribution towards the cost. There are 8 other County Councils that were not charging for Post 16 SEND transport provision in 2016.

2.7 There will be an increase in potential cost recovery from £159,360 (based on 234 SEND and 15 Surplus Seats) at £640, rising to £191,730 based on £770 cost recovery – an overall increase in cost recovery of £32,370. These are still subject to any successful applications of the 50% discount for low income families. This, though modest, will contribute to the overall efficiencies that the Local Authority needs to make in the coming years.

2.8 The £770 for 2018 is still competitive with respect to charges by some Post providers which can over £1000, though neighbouring authorities are charging between £400 and £695 in 2018.

2.9 Given the concerns raised of a 16.8% rise from £640 to £770 for 2018, three other options could be considered based on either a target of £800 with two different increase schedules between 2018-2020 or £800 over a schedule of 2018-2021.

Opt A	2017	2018	2019	2020
	£	£	£	£
Cost	640	770	785	800
% Increase		16.80%	1.90%	1.80%

Opt B	2017	2018	2019	2020
	£	£	£	£
Cost	640	690	745	800
% Increase		7.2%	7.4%	6.9%

Opt C	2017	2018	2019	2020	2021
	£	£	£	£	£
Cost	640	675	715	760	800
% Increase		5.80%	5.50%	5.20%	5.00%

2.10 All families are able to submit an appeal to the Children’s and Adult Services Appeals Committee should they wish to challenge eligibility for transport or feel they should be entitled to free transport given their individual circumstances.

2.11 Families will be offered a variety of payment options which will include phased payments over the academic year in order to defray costs for families as much as possible.

3.0 3 to 5 mile eligibility criteria

3.1 Dorset has for a significant amount of years, had a set of criteria around which young people would be eligible for a 50% discount to the cost recovery/surplus seat cost.

- 3.2 One of the criteria was that the Post 16 provision had to be over 5 miles shortest walking distance to qualify for the 50% discount. This criteria is also pertinent to Post 16 SEND though there is a higher proportion of students with SEND travelling the greater distance.
- 3.3 The statutory limit for KS 3 & 4 is 3 miles to qualify for school transport. Department for Education Post 16 transport suggest that the 3 miles statutory limit is a useful benchmark when setting eligibility criteria for Post 16 travel assistance.
- 3.4 This change has been assessed as having the potential to increase costs for Post 16 transport by £70,000 based on previous submissions to Cabinet. This is based on the following for mainstream:

There are 4448 young people accessing Post 16 (Year 12-13) into Dorset Schools

246 (5.5%) of these are eligible for FSM/WTC – criteria for accessing a 50% discount

Only 21% of the cohort is accessing transport at 3 miles in Year 11

Thus 21% of those gaining FSM, where they to apply for travel assistance for Post 16 (50%) discount – this would amount of 52 potential students being entitled.

At a cost of £385 per discount i.e. £770 divided by 2 – this would amount to a possible liability of £20,362 for the mainstream sector against the Local Authority.

- 3.5 For SEND, current Post 16 provision is costed at £320,000. On the assumption that there will be a 25% increase in eligibility based on the change to 3 from a 5 mile criteria and on the assumption that these additional places will only cost 50% of the current Post 16 costs (£320,000) – then a 25% increase in the number of students (25% of 61 students) would see a minimum additional financial exposure for the LA of £40k for this cohort (25% cost increase based on £160,000). On the same basis as this but working on SEND bus passes, an increased exposure of approximately £7k.
- 3.6 Across both mainstream and SEND there is potential for a combined additional exposure of cost in the order of £67,360 though of the additional SEND expenditure for those 15 additional students, there would be a cost recovery (assuming 50%) of 15 x £385. A total of £5,700 making the potential exposure to the LA of approximately £62,000. So a figure of £70,000 is a conservative estimate at this stage.
- 3.7 The additional potential cost will be offset against the potential savings that could accrue from a proposed change in transport policy that would limit eligibility to school transport to nearest school only in three specific school catchment areas across the County. These changes are due to be consulted on in April 2018 for implementation in

September 2019. The range of savings is between approximately £205,000 to £1,115,000 depending on the outcome of the consultation and subsequent parental behaviour.

4.0 Recommendation

4.1 Cabinet formally agree to the adoption of the following recommendations:

- a) The Home to School Transport Assistance Eligibility Policy for Children and Young People attending School 2018-2019 and the Dorset Post 16 Transport Support Policy for 2018-2019 and specifically the rise in the surplus seat / cost recovery price from £640 to £770. Cabinet is also advised that a cost of £795 will be used for consultation in April 2018 for September 2019 surplus seat/cost recovery charge. The increase from 2018 to 2019 is in line with the Confederation of Passengers Transport Index (CPTi) for June 2018.
- b) Approval of the adoption of 3 miles limit as one of the criteria for being eligible for a reduction of 50% for contribution towards Post 16 transport both mainstream and SEND.