

Learning, Skills and Economy Scrutiny Committee

Meeting Venue
**Council Chamber - County Hall,
Llandrindod Wells, Powys**

Meeting Date
Wednesday, 22 August 2018

Meeting Time
10.00 am

For further information please contact
Elizabeth Patterson
01597 826980
elizabeth.patterson@powys.gov.uk



County Hall
Llandrindod Wells
Powys
LD1 5LG

Issue Date:
16th August 2018

The use of Welsh by participants is welcomed. If you wish to use Welsh please inform us by noon, two working days before the meeting

AGENDA

1.	APOLOGIES
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To receive apologies for absence.

2.	DECLARATIONS OF INTEREST
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To receive declarations of interest from Members.

3.	DECLARATIONS OF PARTY WHIPS
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To receive disclosures of prohibited party whips which a Member has been given in relation to the meeting in accordance with Section 78(3) of the Local Government Measure 2011.

(NB: Members are reminded that under Section 78 Members having been given a prohibited party whip cannot vote on a matter before the Committee.)

4.	HOME TO SCHOOL TRANSPORT POLICY
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To undertake pre-Cabinet scrutiny of the Home to School/College Transport Policy.

This item was considered at scrutiny on the 13th March 2018 and Cabinet on the 10th April 2018. It was consulted on between May and July 2018. This Policy is due for consideration at Cabinet on 18th September 2018.

The following documents are attached:

- Draft Cabinet Report 18th September 2018
- Appendix A – Consultation summary
- Appendix B – Home to School Transport Policy consultation version
- Appendix C – Home to School Transport Policy post consultation version
- Appendix D – Impact Assessment – Home to School Transport Policy 2018
- Scrutiny observations of 13th March 2018

(Pages 3 - 102)

5.	EDUCATION UPDATES
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To provide Education Updates on the following projects:

- Additional Learning Needs Transformation Programme 2018-2021
- Digital Learning

(Pages 103 - 112)

6.	CHAIR'S BRIEFING
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To receive a verbal update from the Chair of Learning, Skills and Economy Scrutiny Committee.

7.	WORK PROGRAMME
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Forthcoming dates for this Committee are:

- 14th September 2018
- 1st October 2018

In addition, two further dates have been arranged where briefings for scrutiny members on education matters will take place. These will be held on:

- 19th September 2018 – 10.00am
- 25th September 2018 – 10.00am

CYNGOR SIR POWYS COUNTY COUNCIL.**CABINET EXECUTIVE
18th September 2018**

REPORT AUTHOR: County Councillor Myfanwy Alexander
Portfolio Holder for Learning and Welsh Language

SUBJECT: Home-to-School/College Transport Policy and
Consultation Report

REPORT FOR: Decision

1. Summary

1.1 This report provides a summary of the responses received to the recent consultation on the authority's revised Home-to-School/College Transport Policy and provides a recommendation in respect of the Policy.

1.2 The report is supported by the following appendices:

Appendix A: Consultation Summary Report
Appendix B: Home-to-School/College Transport Policy –
consultation version
Appendix C: Home-to-School/College Transport Policy – post-
consultation version
Appendix D: Impact Assessment

2. Background

2.1 The Education Act 1996 (as amended) sets out the law in England and Wales for the attendance of learners at school and the Learner Travel (Wales) Measure 2008 sets out the school travel policy for Wales. The Measure covers, amongst other things, duties on local authorities to assess learner travel needs, provide a definition of the nearest suitable school and make transport arrangements for defined groups of learners. The Safety on Learner Transport (Wales) Measure 2011 sets out specific safety standards for dedicated school transport.

2.2 The Learner Travel: Statutory Provision and Operational Guidance (June 2014) sets out related provision for school/learner travel in Wales.

2.3 On the 10th April 2018, Cabinet approved the commencement of formal consultation on a revised Home-to-School/College Transport Policy. The formal consultation was carried out from 21st May 2018 until 20th July 2018. The process followed was:

- 21st May 2018 – the revised Policy was published on the consultation section of the Council website along with an online questionnaire;
- From 8th June 2018 - letters were sent to all stakeholders, informing them of the consultation. As the letters hadn't been sent out when the consultation started, it was agreed to extend the period of the consultation by two weeks to enable all interested parties the opportunity to respond;
- A frequently asked questions document was also published on the website.

2.4 The main changes in the revised Policy included:

- Clarifying the qualifying distance criteria for home-to-school/college transport. The qualifying distances for a learner of compulsory school age from their ordinary place of residence are those outlined in Welsh Government's Learner Travel (Wales) Measure 2008 i.e. two miles for primary aged learners and three miles for secondary aged learners.
- Confirming the requirement for the local authority to ensure that all qualifying learners who live in Powys have transport to their catchment school or nearest suitable school or centre:
 - Welsh Government's definition of a 'suitable school' is where the "education or training provided is suitable having regard to the age, ability and aptitudes of the learner and any learning difficulties he or she may have". The Local authority determines which school is the learner's nearest school for example, for Welsh-medium provision or provision to support learners with learning difficulties;
 - Catchment school means the school that learners living in a specific geographic area are eligible to attend;
 - All Powys learners are entitled to an education in a Powys school. By law, parents/carers can exercise choice in regard to the selection of the appropriate school for their child however, exercise of parental choice other than to the nearest Powys school will not necessarily lead to a free Home-to-School transport allocation;

- Changes in respect of transport provision for children with Additional Learning Needs (ALN). Under the current Policy, learners with ALN are provided with free transport to special schools. The revised policy introduces a requirement for children with ALN to be subject to the same qualifying distance criteria as non-ALN learners. If the need for free transport is identified within a Statement of ALN transport will be provided for learners attending special schools who live under the qualifying distances;
- A proposal to potentially introduce charges for transport for 16 – 19 year olds attending schools or colleges in Powys. The provision of Home-to-School transport for post-16 learners is a non-statutory provision. Under the Learner Travel (Wales) Measure 2008, authorities can make provision for charging and many Local Authorities in England and Wales are either charging for post-16 transport or are currently consulting on the introduction of charges.

2.5 The revised Policy also included detail about the following:

- Clarification that passenger assistants will not be provided until the need has been assessed on the grounds of special educational need;
- The definition of maximum travel times;
- The provision of transport for English-medium and Welsh-medium education;
- Confirmation that free home-to-school transport will not be provided to denominational schools unless it is the nearest suitable school and the learner meets the qualifying criteria;
- The provision of integrated transport where secondary school aged learners are transported on public transport where available;
- The continued provision of a vacant places scheme.

3. Consultation Responses

3.1 A total of 318 responses were received via the online survey along with another fifteen email responses. Responses were received from the following organisations: Welsh Language Commissioner, RHAG (Parents for Welsh-medium Education), Mudiad Meithrin, Gwernyfed High School, Llangorse Community Council, Gwernyfed Community Council, Radnor Valley Community Council and Llandysilio Community Council. Discussions were also held with the Governors Consultative Committee and the Powys Youth Forum. The consultation summary report can be found at Appendix A but the main findings are summarised here:

Headlines from the online survey

- Charging for post-16 learners to travel on buses generated the most opposition, with 86% of people who responded to the survey opposing the proposal to charge;
- Qualifying distances of two miles (for primary pupils) and three miles (for secondary pupils) were backed by 71% of respondents;
- The proposal to standardise the qualifying distances for all learners (including those attending special schools), as per Welsh Government guidelines was backed by 66% of respondents;
- The proposal to limit journey times to 60 minutes for secondary age pupils was backed by 67% of respondents;
- The proposal to limit journey times to 45 minutes for primary age pupils was backed by 75% of respondents;
- Respondents were split (50.53% in favour and 49.47% against) on the proposal not to provide free transport to a denominational (faith) school when it's not the nearest school;
- In terms of the Welsh language, 67% of respondents backed the council's proposals for funding transport in relation to language choice;
- The suggestion that learners could use public service buses for transport to school and college was supported by 57% of respondents and opposed by 43%;
- Respondents were split equally (50% in favour and against) on the council's proposals regarding its Vacant Seats Payment Scheme;
- The council's proposal to only provide passenger assistants after an assessment of need has been carried out, was backed by 68% of respondents.

Headlines from the correspondence received via email/letter

- A small number of correspondence was received related to the provision of transport to Welsh-medium provision including from the Welsh Language Commissioner and RHAG. The main issue raised by these respondents was that Home-to-School/College Transport Policy does not support the authority's ambition for the development of Welsh-medium education as outlined in the Welsh in Education Strategic Plan (WESP) 2017 – 20;
- Many respondents suggested that there is a difference between the type of education provided in Welsh-medium schools and in dual-stream schools and that the Policy does not recognise this;
- Concerns were raised that there appears to be a discrepancy between statements made in the WESP and in the Policy;
- Criticism of the proposal to charge for post-16 transport;
- Concerns that safe routes to school are not available in some areas (ie under the qualifying distances);
- Concerns that the policy will lead to school changes for some pupils;

- A call to offer the Vacant Seat Payment Scheme to those over 16 in 6th form or further education.

Comments from the Governor's Consultative Committee

- Charging post-16 learners for transport could result in losing learners to out of county colleges which could result in Powys sixth forms not being viable;
- Low income families would be penalised and on that basis provision should be made in order that they would not have to pay for post-16 transport;
- Criticism of the wording regarding travel times and suggesting that percentage travel times are used instead;
- Criticism that vacant seats are not available on public service vehicles and that this disadvantaged learners who travelled on such a vehicle;
- Suggested using a flowchart to explain the appeals process in the document;
- Concern that it was not clear how complaints could be made in terms of this policy.

Comments from the Powys Youth Forum

- Post-16 travel should be free;
- All children with ALN should be entitled to free transport regardless of distance and whether or no they attend mainstream schools or specialist centres;
- Some felt that 45 and 60 minute travel times were excessive;
- Some were not aware of who to contact if there were to be a problem with school transport.

4 Proposal

In accordance with the statutory requirements laid out in paragraphs 2.1 and 2.2 of this report, it is proposed that the revised Home-to-School/College Transport Policy, as set out in Appendix C, is approved.

5 Options Considered / Available

- a) To approve the Policy
- b) To approve the Policy with additional recommendations
- c) To reject the Policy

6. Preferred Choice and Reasons

6.1 The preferred choice is option b:

- To approve the Policy with additional recommendations;
- It is also recommended that further work is carried out on the potential introduction of charges for transport for 16 – 19 year olds, and that further consideration is given to the provision of transport to Welsh-medium provision, in accordance with the authority's ambition for the development of Welsh-medium provision outlined in the WESP;

6.2 The reasons for this are:

- The consultation exercise has identified that there is, on the whole, support for most areas within the Policy therefore it is reasonable to recommend that it is adopted for implementation from 1st September 2019. **This will mean that the authority is fully compliant with its required statutory responsibilities;**
- The introduction of charging for transport for 16 – 19 year olds is clearly a contentious issue, it is recommended that further detailed work is carried out into post-16 transport provision as part of the authority's improvement work around the post-16 sector, with the aim providing all learners with opportunities to improve their skills and knowledge, and to have access to a broad curriculum;
- As the Council is currently operating in a very critical and challenging financial climate, there may be a financial benefit to introducing charges for transport for 16 – 19 year olds to school or college. It is a non-statutory service and therefore merits further investigation;
- There is also a need to consider how the Home-to-School/College Transport Policy can support the authority's ambition to develop Welsh-medium education, especially as the authority has recently opened a new Welsh-medium primary schools and has plans for new Welsh-medium schools in both the primary and secondary sectors;
- This work will include further cost analysis and impact assessments and another report will be brought back to Cabinet in the spring term 2019. If this work results in new recommendations that impact upon the Home-to-School/College Transport Policy, further consultation will be carried out prior to any final decisions being made.

7. Financial Impact

As there are no significant changes to the approved Home-to-School/College Transport Policy, there is unlikely to be a financial impact due to removing plans to introduce charges for transport for 16 – 19 year olds from this current Policy.

8. Impact Assessment

8.1 Is an impact assessment required? Yes

8.2 If yes is it attached? Yes – Appendix D

9. Corporate Improvement Plan

9.1 Learning and Skills is one of the four priorities outlined in Vision 2025: our Corporate Improvement Plan 2018-23.

10. Local Member(s)

The report impacts upon all members

11. Data Protection

If the proposal involves the processing of personal data then the Data Protection Officer must be consulted and their comments set out below.

12. Other Front Line Services

Does the recommendation impact on other services run by the Council or on behalf of the Council? Yes – Corporate Transport Unit

13. Communications

Have Communications seen a copy of this report? No

Have they made a comment?

14. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

14.1 Legal

14.2 Finance

15. Scrutiny

Has this report been scrutinised? No

If Yes what version or date of report has been scrutinised?

Please insert the comments.

What changes have been made to the date of Scrutiny and explain why Scrutiny recommendations have been accepted or rejected?

13. Data Protection

If the proposal involves the processing of personal data then the Data Protection Officer must be consulted and their comments set out below.

14. Statutory Officers

15. Members' Interests

The Monitoring Officer advises that Members may have an interest in this item if

or

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If Members have an interest they should declare it at the start of the meeting and complete the relevant notification form.

16. Future Status of the Report

Members are invited to consider the future status of this report and whether it can be made available to the press and public either immediately following the meeting or at some specified point in the future.

The view of the Monitoring Officer is that:

Recommendation:	Reason for Recommendation:
<p>1. That the revised Home-to-School/College Transport Policy as set out in Appendix C is approved;</p> <p>2. That further work is carried out on the potential introduction of charges for transport for 16 – 19 year olds, and that further consideration is given to the provision of transport to Welsh-medium provision, in accordance with the authority's ambition for the development of Welsh-medium education as outlined in the WESP, and a further work brought back for cabinet's consideration in the spring term 2019.</p>	<p>To ensure that the Council has an effective Home-to-School/College Transport Policy.</p> <p>To have a more detailed understanding of the impact of introducing charges for transport for 16 – 19 year olds and how the Policy impacts upon the authority's ambition for Welsh-medium education,</p>

Relevant Policy (ies):	
Within Policy:	Y
Within Budget:	Y

Relevant Local Member(s):	All Members
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Person(s) To Implement Decision:	Marianne Evans
Date By When Decision To Be Implemented:	1st September 2019

Contact Officer:	Anne Wozencraft
Tel:	01597 826155
Email:	anne.wozencraft@powys.gov.uk

Background Papers used to prepare Report:

CABINET REPORT TEMPLATE VERSION 5

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Appendix A

Powys Home-to-School Transport Consultation Summary Report

Summary

Powys County Council has drafted a revision to its policy for Transport to School/College and sought the public's views on its contents.

The draft policy was hosted on www.powys.gov.uk alongside the questionnaire. All of Powys' libraries were provided with these documents to ensure that those without access to the internet were able to take part.

The issue was also discussed at the Powys Youth Forum in July and at the Governors Consultative Forum.

Aside from the feedback at these fora, the council received the following responses:

- 318 responses to its online survey (306 via the English version and 12 via the Welsh version)
- 15 email responses

Headlines from the survey

- Charging for post-16 learners to travel on buses generated the most opposition, with 86% of people who responded to the survey opposing the proposal to charge.
- Qualifying distances of two miles (for primary pupils) and three miles (for secondary pupils) were backed by 71% of respondents.
- The proposal to standardise the qualifying distances for all learners (including those attending special schools), as per Welsh Government guidelines was backed by 66% of respondents.
- The proposal to limit journey times to 60 minutes for secondary age pupils was backed by 67% of respondents.
- The proposal to limit journey times to 45 minutes for primary age pupils was backed by 75% of respondents.

- Respondents were split (50.53% in favour and 49.47% against) on the proposal not to provide free transport to a denominational (faith) school when it's not the nearest school.
- In terms of the Welsh language, 67% of respondents backed the council's proposals for funding transport in relation to language choice.
- The suggestion that learners could use public service buses for transport to school and college was supported by 57% of respondents and opposed by 43%.
- Respondents were split equally (50% in favour and against) on the council's proposals regarding its Vacant Seats Payment Scheme.
- The council's proposal to only provide passenger assistants after an assessment for SEN/ALN has been carried out, was backed by 68% of respondents.

Headlines from the email correspondence

- Criticism of the proposal to charge for post-16 transport.
- Correspondence suggesting that the draft policy does not support the ambition of the Welsh Education Strategic Plan to offer Welsh Medium (not dual stream) education.
- Criticism of the consultation process;
- Concerns that safe routes to school are not available in some areas (ie under the qualifying distances)
- Criticism of the lack of impact assessments and lack of map provision;
- Concerns that the policy will lead to school changes for some pupils
- A call to offer the Vacant Seat Payment Scheme to those over 16 in 6th form or further education;

Comments from the Governor's Consultative Committee

- Charging post-16 learners for transport could result in losing learners to out of county colleges which could result in Powys sixth forms not being viable.
- Low income families would be penalised and on that basis provision should be made in order that they would not have to pay for post-16 transport
- Criticism of the wording regarding travel times and suggesting that percentage travel times are used instead.
- Criticism that vacant seats are not available on public service vehicles and that this disadvantaged learners who travelled on such a vehicle.

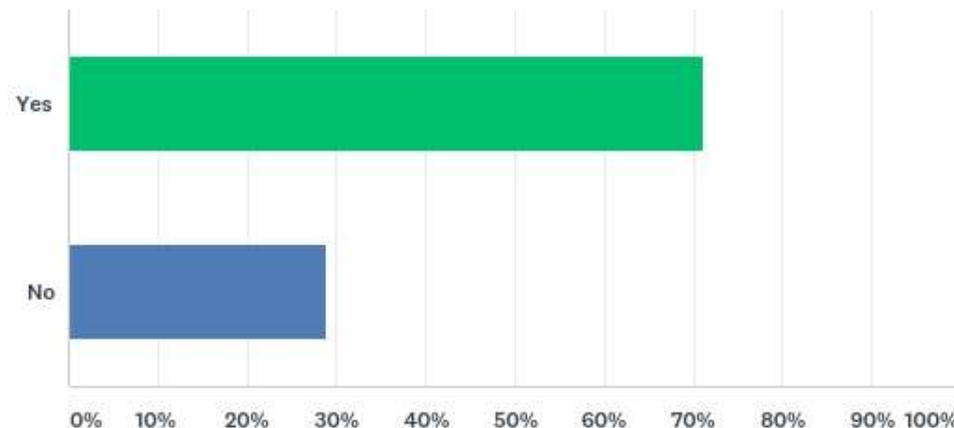
- Suggested using a flowchart to explain the appeals process in the document
- Concern that it was not clear how complaints could be made in terms of this policy.

Comments from the Powys Youth Forum

- post-16 travel should be free
- All children with SEN should be entitled to free transport regardless of distance and whether or no they attend mainstream schools or specialist centres.
- Some felt that 45 and 60 minute travel times were excessive.
- Some were not aware of who to contact if there were to be a problem with school transport.

The results of the survey were as follows:

Q1 The Authority is proposing that transport should be provided to the catchment¹ or nearest suitable² school to the learner's home address if the learner lives more than 2 miles (primary) / 3 miles (secondary) from their nearest suitable school. ¹ the geographic area from which learners are eligible to attend the local school² where the "education or training provided is suitable having regard to the age, ability and aptitudes of the learner and any learning difficulties he or she may have" Do you support this proposal?



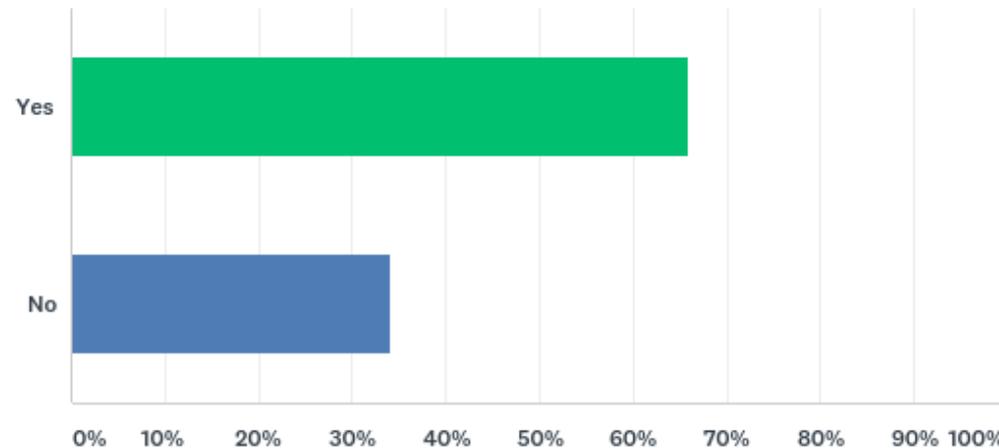
(Question answered by 302)

Q2. Please feel free to comment on the previous question.

The main issues which arose in the responses received to this were:

- That learners and their parents should be able to choose where the learner should attend (with some implicitly saying that transport should be free)
- Conversely, others felt that children should attend their nearest school, although setting aside language, SEN and faith issues;
- Fears that there were changes to catchments which could lead to changes of school for learners;
- Distances measured should be distance by road;
- Criticism of past decisions (including the transfer of Welsh Medium students from Brecon to Builth Wells)
- That transport policy should help to strengthen the provision (and demand for) Welsh Medium education in the county;
- Transport should be free for all;
- Where there isn't a safe route, free transport should be provided;
- That there should be flexibility where people may live close to 'borders' of catchment areas.
- Opposition to charging for post-16 travel.
- Calls for the need to state clearly that transport is provided to the catchment school, the nearest school or the nearest school providing Welsh-medium education in paragraphs 2.3.3 a 2.4.3 of the Amended Home/College Transport Policy.
- Claims that paragraphs 3.8.1 and 3.8.2 do not support the ambitions of the council's Welsh Education Strategic Plan

Q3 The Authority is proposing to apply the standard Welsh Government qualifying distances to all learners, both in mainstream schools and special schools/units. (To see the qualifying distances please see paras 2.3 and 2.4 of the policy). Do you support this proposal?



(Question answered by 290)

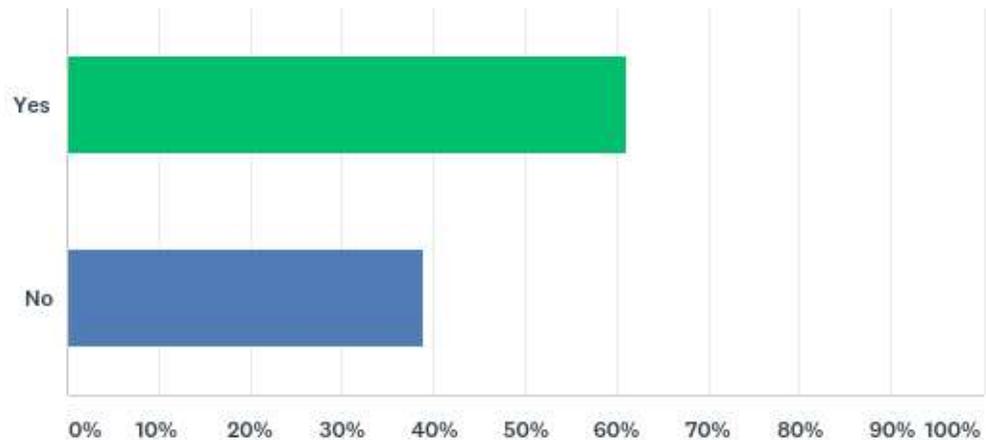
Q4. Please feel free to comment on the previous question.

The main issues which arose in the responses received to this were:

- Powys is a rural county and these distances may not be appropriate
- Children would need to be able to walk safely to school where transport is not on offer
- This may not be appropriate for learners with special requirements, for example a child with a disability

- There may need to be exceptions made for children with SEN;
- Again, a call for flexibility in the application of the policy.

Q5 The Authority is proposing that learners living under the qualifying distances will only be provided with home to school transport on grounds of medical need, disability or learning difficulty if identified within their Statement of SEN, including those attending special schools Do you support this proposal?



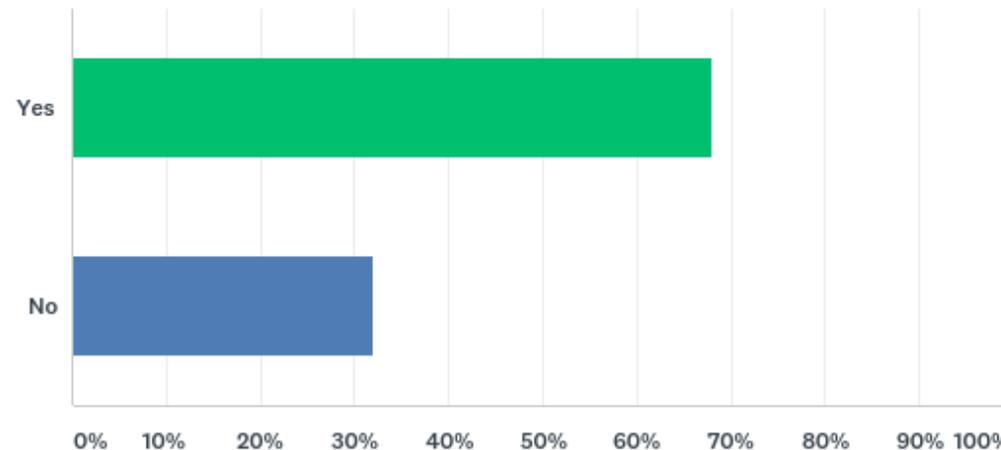
(Question answered by 283)

Q6. Please feel free to comment on the previous question.

The main issues which arose in the responses received to this were:

- All children should be provided with free transport
- That not all pupils with SEN have a statement;
- That some children without free transport do not have safe routes to school;

Q7 The Authority is proposing that passenger assistants will not be provided until the need has been assessed on the grounds of Special Educational Need / Additional Learning Need. Do you support this proposal?



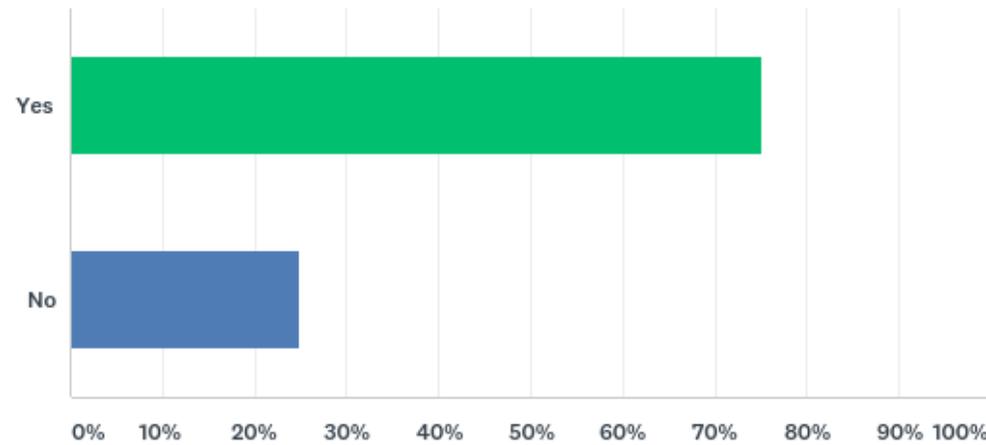
(Question answered by 278)

Q8. Please feel free to comment on the previous question.

The main issues which arose in the responses received to this were:

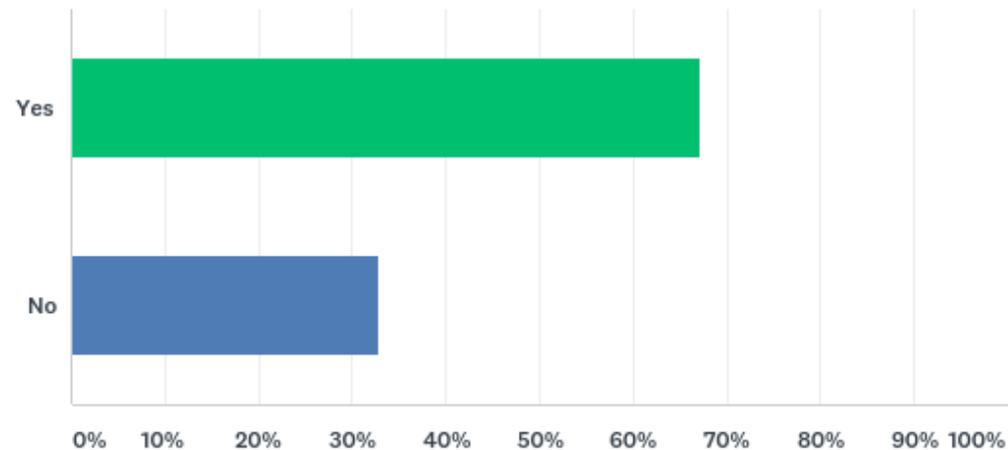
- That the statementing process needs to happen quickly to ensure that children receive the support they require;
- On the same issue that the support should be provided first and then withdrawn should the statementing process suggest that a passenger assistant is not required;
- The health and safety (and wellbeing) risks to all passengers should assistants not be provided (ie drivers may need assistance)

Q9 The Authority is proposing normal maximum single journey times of not more than 45 minutes for primary school pupils Do you support this proposal?



(Question answered by 282)

Q10 The council is proposing normal maximum single journey times of not more than 60 minutes for secondary school pupils. Do you support this proposal?



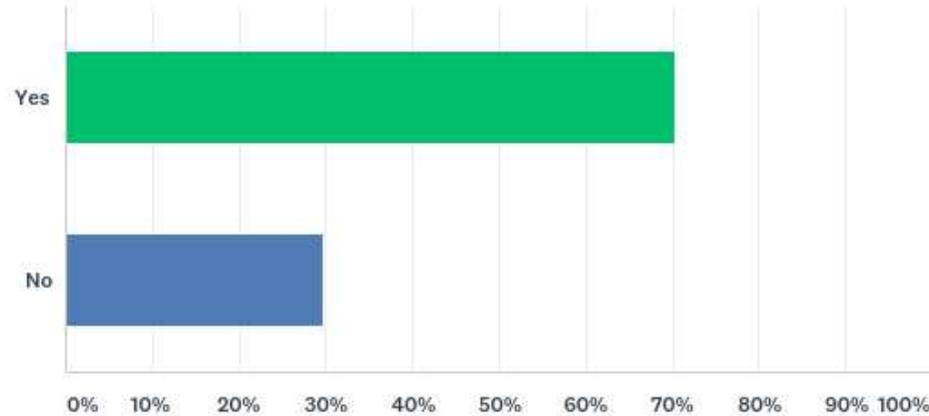
(Question answered by 293)

Q11. Please feel free to comment on the previous two questions.

The main issues which arose in the responses received to this were:

- That these times can be excessive, particularly for younger pupils at each stage;
- That there can be holdups on rural roads which mean that these journey times are exceeded;
- That travel times should be equal whether the child is travelling for Welsh or English medium education;

Q12 The Authority is proposing a normal maximum journey time of 45 minutes for primary aged learners and 60 minutes for secondary aged learners attending a special school/ specialist centre attached to a mainstream school. However, because of their wider catchment area and the County's geography this may not always be possible. Do you support this proposal



(Question answered by 282)

Q13. If No, please indicate what the maximum single journey time you consider a learner attending a special school / specialist centre should travel?

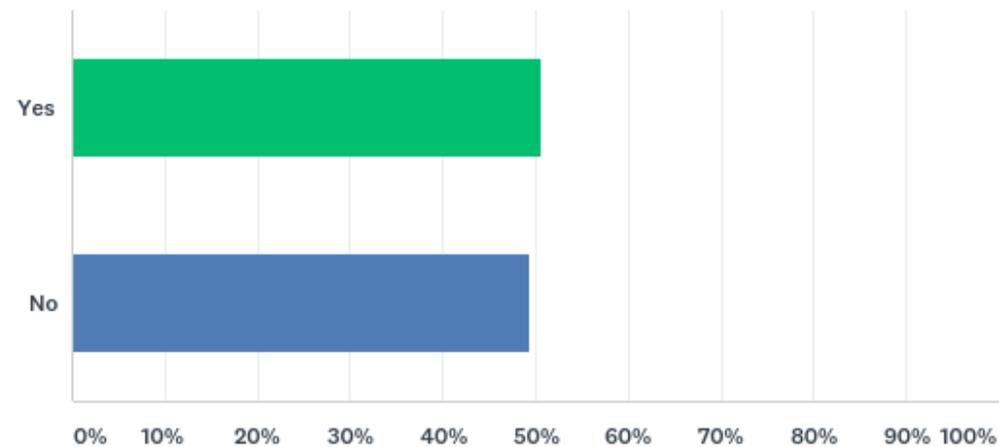
The main issues which arose in the responses received to this were:

- As short as possible;
- 30 minutes

Q14. Please feel free to comment on the previous two questions.

The main issues which arose in the responses received to this were:

- The benefits of attending a specialist centre may necessitate longer journeys;
- Travel times should depend on the learners' needs;
- Again, that there should be flexibility in the application of the policy depending on the individual circumstances;

Q15 Do you support the Authority's proposal not to provide transport to a denominational school when it is not the nearest suitable school?

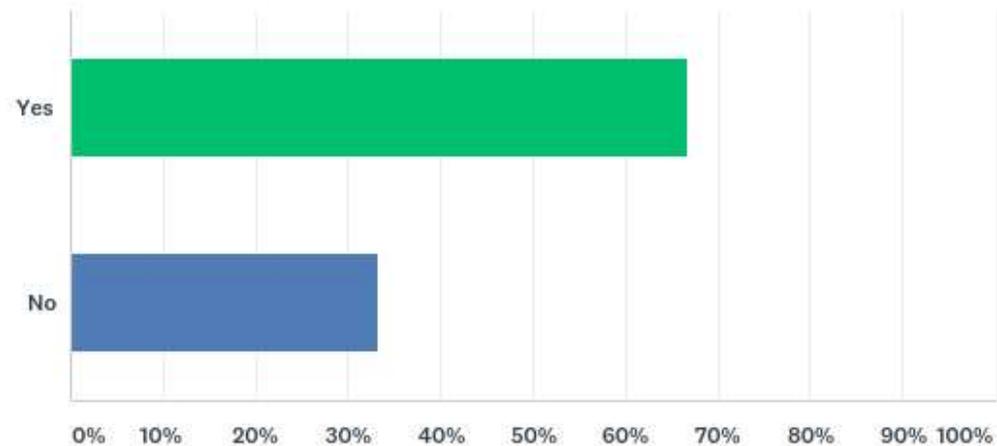
(Question answered by 283)

Q16. Please feel free to comment on the previous question.

The main issues which arose in the responses received to this were:

- Parental/learner choice is paramount;
- Transport should be provided to the nearest school which meets the learner's religious needs;
- If parents wish to send their child to faith school which is not their nearest, they should pay for transport;

Q17 Do you support the Authority's proposals in relation to transport for parents/carers requesting Welsh-medium / English-medium provision? (To see the proposals please see para 3.8 of the policy)



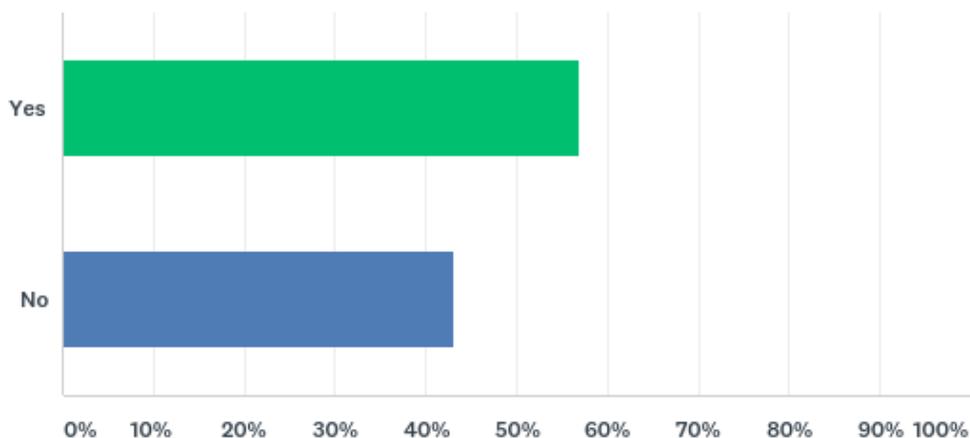
(Question answered by 265)

Q18. Please feel free to comment on the previous question.

The main issues which arose in the responses received to this were:

- That transport to support language choice is essential
- That there is a need for Welsh Medium schools (single language stream)
- Language choice is not a priority whereby parental choice should be financially supported;
- That free transport should only be to the nearest Welsh Medium school.

Q19 Do you support the proposal in relation to integrated transport provision whereby secondary aged learners are transported on public service vehicles where available? (To see the proposal please see para 2.4.4 of the policy)



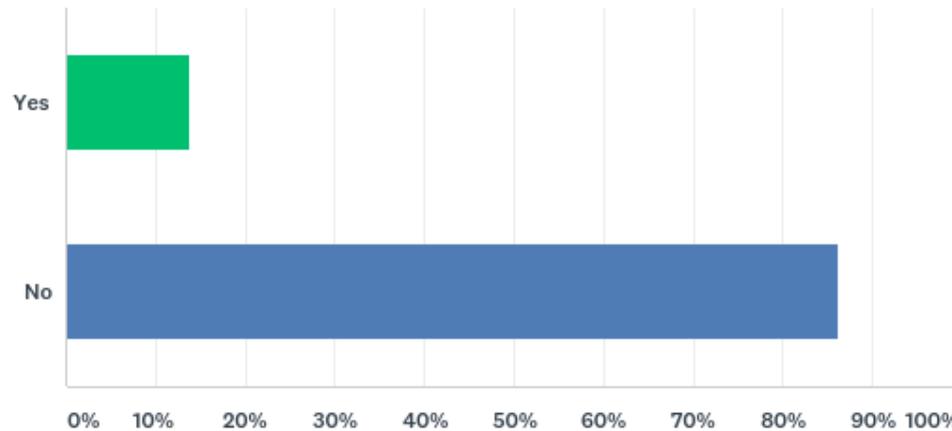
(Question answered by 281)

Q20. Please feel free to comment on the previous question.

The main issues which arose in the responses received to this were:

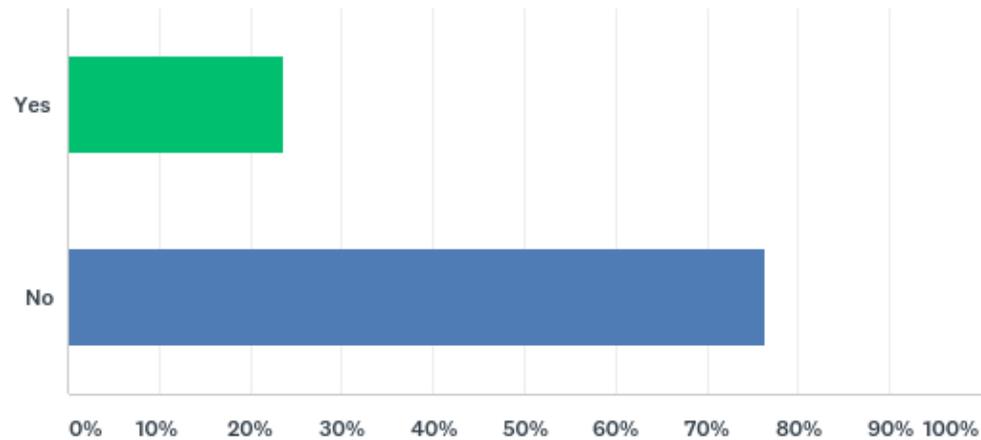
- Opposition on grounds of child protection fears;
- That many people don't have the option of using public transport;
- Generally in favour of it;
- Would need to ensure that there were enough seats available on the public buses.

Q21 Do you support the introduction of charges for post-16 transport? (To see the proposal please see para 2.5 of the policy)



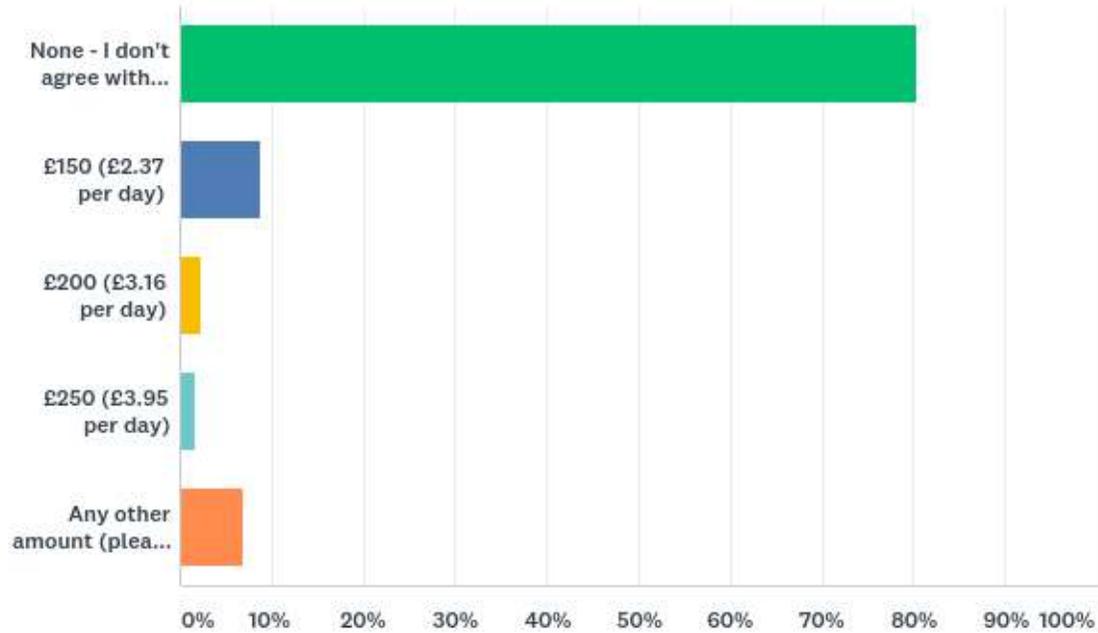
(Question answered by 304)

Q22 Would you support the introduction of charges for post-16 transport if the income received was invested in the overall schools delegated budget?



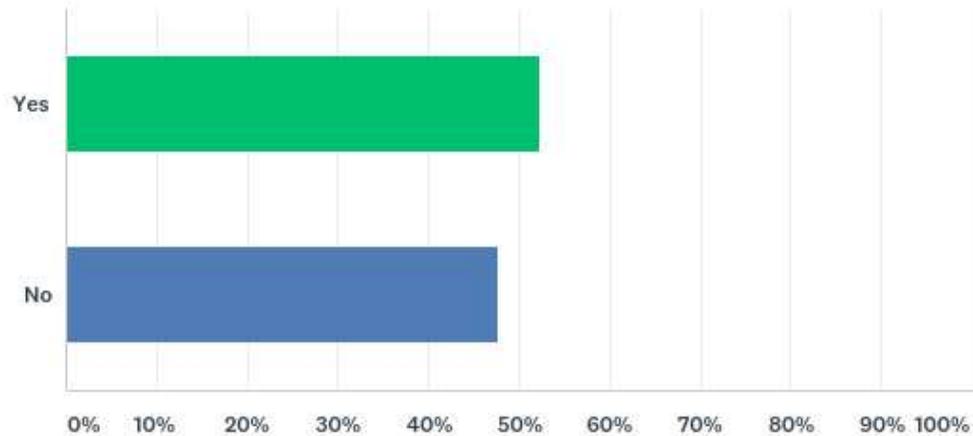
(Question answered by 293)

Q23 What level of charge per term would be reasonable:



(Question answered by 305)

Q24 Would you support a reduced or no charge for learners in receipt of the full EMA³ or Free School Meals (whichever is applicable)? ³ An income-assessed weekly allowance of up to £30 to help learners with the cost of post-16 education



(Question answered by 289)

Q25. If Yes, what level of termly charge would you consider to be appropriate?

The main issues which arose in the responses received to this were:

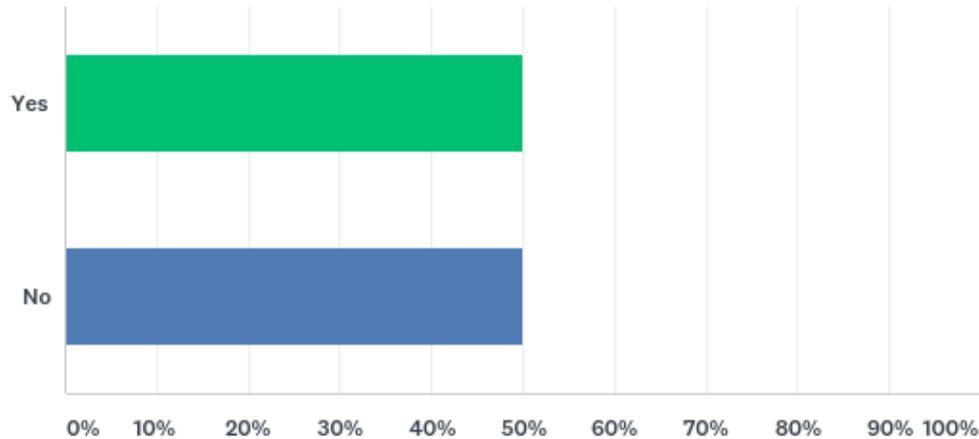
- £Nil;
- 50% for those on EMA;
- Less than £50;
- Should be dependent on income.

Q26. Please feel free to comment on the previous question.

The main issues which arose in the responses received to this were:

- Strong opposition to charging for post-16 education;
- This would drive learners to establishments outside the county;
- This would discourage people from continuing education post 16;
- This would have an adverse impact on low income families

Q27 Do you support the proposal in respect of the Vacant Seats Payment Scheme? (To see the proposal please see para 3.15 of the policy)



(Question answered by 262)

Q28. Please feel free to comment on the previous question.

The main issues which arose in the responses received to this were:

- Learners and their parents cannot rely on it as it can be cut at short notice. One respondent suggested that arrangements should be on an annual basis;
- That it should be free;
- That the seats should be available to post-16 students
- Supportive of it, if it raises funds;
- That the fees charged are not affordable for some;

Q29. Do you have any other comments on these proposals?

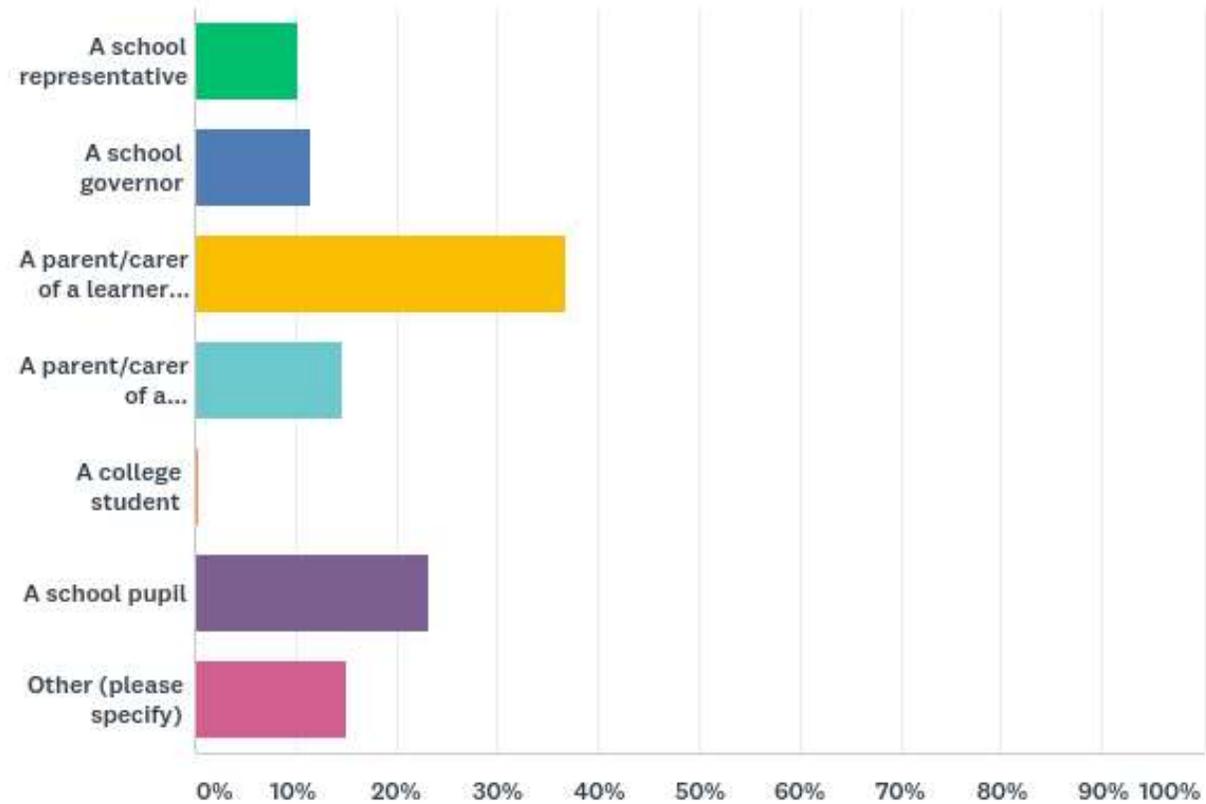
The main issues which arose in the responses received to this were:

- Arguing against post-16 charges for transport
- And that these charges will threaten the viability of the current 6th forms, driving people away from extending their education or possibly driving them over the border to post-16 provision in England.
- Positive about the provision of WM schools and how the transport policy should support such provision.
- Leave the policy as it is.
- That the charging policies will have a bigger impact on learners from low income families;
- Fears that learners may have to change schools as a result of the change to the policy;
- That there will be an undue impact on child wellbeing – partly because of the previous point
- Criticism of the council and/or the consultation;

Q30. What is your name?

(Not relevant to this report).

Q31 Which best describes you?



(Question answered by 294)

Q32. What is your home postcode?

Postcode	Area	Number	%
HR3	Hay On Wye	2	0.72
HR5	Kington	1	0.36
LD1	Llandrindod Wells	10	3.62
LD2	Builth Wells	7	2.54
LD3	Brecon	35	12.68
LD4	Llanwrtyd Wells	3	1.09
LD6	Rhayader	13	4.71
LD7	Knighton	4	1.45
LD8	Presteigne	2	0.72
LL11	Wrexham	1	0.36
LL23	Bala	1	0.36
LL36	Tywyn	1	0.36
LL40	Dolgellau	1	0.36
MK7	Caldecotte	1	0.36
NP8	Crickhowell	2	0.72
SA9	Ystradgynlais	2	0.72
SY10	Llanrhaeadr ym Mochnant	8	2.90
Sy15	Montgomery	4	1.45
Sy16	Newtown	27	9.78
SY17	Caersws	23	8.33
SY18	Llanidloes	31	11.23
SY19	Llanbrynmair	5	1.81
SY20	Machynlleth	13	4.71
SY22	Llanfyllin	18	6.52
SY23	Aberystwyth	2	0.72
SY24	Borth	2	0.72
SY5	Pontesbury	2	0.72
SY9	Bishops Castle	2	0.72

Report by John Thomas, Communications and Engagement Officer, Powys County Council August 3rd, 2018

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REVISED
Home to School / College
Transport Policy

Proposed Implementation Date
September 2019

This document is available on request in alternative formats
(e.g. Large print type / Braille / on tape)

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Appendix A

Eligibility for learners of statutory school age with SEN, permanent disabilities or mobility problems (including post-16 learners)

1.0 Policy Framework

1.1 Legal framework

1.1.1 The Education Act 1996 (as amended) sets out the law in England and Wales for the attendance of pupils at school and the Learner Travel (Wales) Measure 2008 sets out the school travel policy for Wales. The Measure covers, amongst other things, duties on local authorities to assess learner travel needs, provide a definition of the nearest suitable school and make transport arrangements for defined groups of learners. The Safety on Learner Transport (Wales) Measure 2011 sets out specific safety standards for dedicated school transport.

1.1.2 The Learner Travel: Statutory Provision and Operational Guidance (June 2014) sets out related provision for school/learner travel in Wales.

1.1.3 The Travel Behaviour Code Statutory Guidance (June 2014) sets out the standards of behaviour expected of children and young people travelling to and from their place of learning and is aimed at keeping children safe on their journeys to and from school, including journeys between schools. It applies to all learners up to 19 years of age and all travel arrangements, including bus, train, walking and cycling. Parents are advised to make their children aware of the Travel Behaviour Code.

1.1.4 Under the Active Travel (Wales) Act 2013, local authorities have a duty to promote active travel and to improve the number and quality of active travel routes in their communities.

1.2 Overview

1.2.1 Powys County Council is required to ensure all qualifying learners ordinarily resident in the authority's area have access to transport to the nearest suitable maintained school.

1.2.2 This policy assumes that all qualifying learners living in Powys will be entitled to transport to their nearest suitable maintained school.

1.2.3 The Authority aims to provide safe, reliable, value for money transport to convey qualifying pupils/learners to and from school/college. These principles apply to all home to school/college transport provided by the Authority.

1.2.4 The Authority aims to ensure that it does not discriminate unfairly, either directly or indirectly, in the operation and interpretation of this policy.

1.2.5 The Authority encourages the use of school transport by eligible pupils/learners where appropriate.

1.2.6 Parents/carers are responsible for ensuring that their children travel to and from school safely (where they do not qualify for school transport) and to and from designated pick up points both in the morning and the afternoon. Further information is provided in the Authority's Code of Conduct for learners, parents/carers, schools and transport operators.

1.2.7 All dedicated school transport vehicles are provided with seat belts which must be worn at all times. Operators must take all reasonable steps to ensure that passengers are made aware that they must wear a seat belt. Passengers aged 14 and over are legally responsible for the wearing of a seat belt where one is provided.

Part One

2.0 Standard Qualifications and Definitions

2.1 Definition of suitable school/site

2.1.1 Section 1.38 of the Learner Travel: Statutory Provision and Operational Guidance (June 2014) states “the definition of nearest ‘suitable school’ is where the “education or training provided is suitable having regard to the age, ability and aptitudes of the learner and any learning difficulties he or she may have”.

2.1.2 Section 1.39 of the Learner Travel: Statutory Provision and Operational Guidance (June 2014) states “deciding which suitable school is the learner’s ‘nearest’ is a matter for the Local Authority to determine in accordance with their own learner travel and education policy”.

2.1.3 A mainstream school will only be deemed a ‘suitable school’ by the Local Authority if the education provided there is suitable, having regard to the age, ability and aptitudes of the learner and any learning difficulties he or she may have.

2.1.4 For the purposes of this policy, where a school operates from more than one site the Authority would only provide transport to qualifying learners to the nearest site which provides education through the chosen language medium.

2.1.5 Transport arrangements for a learner with SEN will be based on need and the route they travel. Further information is provided in **Annex A**.

2.2 Definition of ordinary place of residence

If a learner has more than one home, for example where their parents are not living together but they live partly with each parent, or with a parent and also at a children’s home, then both places of residence will be regarded as their place of ordinary residence. If there are more than two such places then only the two places closest to the nearest suitable school/site within the catchment area or further education college site will count.

A ‘parent’ includes any person who is not a parent but who has parental responsibility or who cares for the learner.

2.3 Standard qualification – primary aged learners

2.2.1 To qualify for school transport, primary aged learners must ordinarily reside 2 miles or more from the catchment or nearest suitable school or centre, measured by the shortest available route. The distance will be measured from the closest access point on the public highway (which could include suitable footpaths and bridleways) to the learner’s ordinary place of residence which is nearest to the school and measured to the nearest school gate. The footpath or bridleway will be considered suitable if it has a stone or tarmac surface. Any other surface will only be considered suitable if it can be walked in normal school footwear. Transport is not normally provided from home but from a designated pick up point. The measurement will be made through the use of the Geographical Information System (GIS).

2.3.2 Feeder transport is provided for qualifying primary aged learners whose nearest public highway point is 1 mile or more from the nearest pick up point on a main school transport route.

2.3.3 Where parents/carers exercise a preference for a school other than the catchment or nearest suitable school they must make their own arrangements for transport and are responsible for all transport costs.

2.4 Standard qualification – secondary 11-16 year old learners

2.4.1 To qualify for school transport, secondary school 11-16 year old learners must ordinarily reside 3 miles or more from the catchment or nearest suitable secondary school or centre, measured by the shortest route. The distance will be measured from the closest access point on the public highway (which could include suitable footpaths and bridleways) to the learner's ordinary place of residence which is nearest to the school and measured to the nearest school gate. The footpath or bridleway will be considered suitable if it has a stone or tarmac surface. Any other surface will only be considered suitable if it can be walked in normal school footwear. Transport is not normally provided from home but from a designated pick up point. The measurement will be made through the use of GIS.

2.4.2 Feeder transport is provided from the ordinary place of residence for qualifying secondary school 11-16 year old learners whose nearest public highway point is 2 miles or more from the nearest pick up point on a main school transport route. The measurement will be made through the use of GIS.

2.4.3 The Authority recognises its obligations under the Education Act 1996 to comply with parent preferences regarding choice of school. However, where parents/carers exercise a preference for a school other than the catchment or nearest suitable school they must make their own arrangements for transport and are responsible for all transport costs.

2.4.4 Where public transport is available, and in accordance with Section 88 of the Transport Act 1985, this will be used as first choice and a permit will be issued. Where no public transport is available then the Authority will arrange transport for eligible learners. A local bus service is NOT a dedicated home to school transport bus and learners will be expected to travel with members of the public. The law does not currently prescribe seat belts to be fitted to a local bus service vehicle and passengers are permitted to stand on these vehicles.

2.5 Transport for 16-19 year olds

There is no requirement for the local authority to provide school or college transport free of charge to any learner who is over compulsory school age but it will continue to be provided without charge up to 31st August 2019.

Transport is made available for full-time learners who live 3 miles or more from the catchment or nearest suitable secondary school or further education college site offering post-16 provision. Transport is not normally provided from home but from a designated pick up point.

Feeder transport is provided for qualifying learners who live 3 miles or more from the nearest pick up point on a main school transport route as measured by the nearest available route. The measurement will be made through the use of GIS.

Through the collaborative arrangements put in place to ensure that all learners are able to access a local curriculum that meets the minimum entitlement as required by the Learning and Skills Measure (Wales) 2009 the Authority considers that all its secondary schools offer a relevant and adequate range of post-16 provision. The Authority will only transport learners whose ordinary place of residence is within the county of Powys to the school/college which is geographically the nearest suitable school to the learner's ordinary place of residence.

The nearest further education college site is defined as the catchment or nearest suitable site to the learner's ordinary place of residence which offers a suitable course. The Authority will not provide transport to enable learners to attend out of county establishments but in certain circumstances may provide assistance with travel costs e.g. if the establishment attended is the nearest suitable provision to the learner's ordinary place of residence.

The Authority does not provide home to school transport for learners living outside the county boundary who wish to access post-16 education in a Powys secondary school but transport will be provided to facilitate attendance as part of the collaborative arrangement between Powys high schools and college sites.

Where public transport is available this will be used as first choice and a permit will be issued. Where no public transport is available then the Authority will arrange transport for eligible students.

Transport will only be provided for full-time courses, as determined by the college being attended and with the agreement of the Authority.

No transport arrangements will be made for learners on part-time courses but they may be able to access seats on public transport on payment of the appropriate fare.

However, where a post-16 learner is only able to attend a course on a part-time basis due to personal circumstances, for example they are a 'young carer', then entitlement will be considered on an individual basis by the Senior Manager: Central Support Services (Schools) and the Transport Entitlement Officers.

2.6 Provision for learners who attend special schools and specialist centres attached to mainstream schools

Appendix A to this policy provides information relating to transport provision in respect of learners accessing special school and specialist centre provision.

2.7 Special arrangements for learners with short-term medical needs

Consideration will be given to provision being made for all learners with a short-term medical need not just those who qualify for transport on distance. A short-term medical need is a condition that following a period of medical intervention improves or no longer exists e.g. a broken limb. In all instances, transport will only be provided to the catchment or nearest suitable school.

Requests, supported by evidence from a medical professional, should be made in writing to the Authority's Transport Entitlement Officers or by e-mailing admissionsandtransport@powys.gov.uk. Provision will be reviewed on a termly basis.

2.8 Provision of passenger assistants on transport

Passenger assistants are not normally provided on transport to mainstream schools. The need for a passenger assistant on a vehicle to support an individual pupil/learner will be decided following completion of a Risk Assessment by the Authority.

Passenger assistants will be provided on vehicles to supervise learners on their journey to and from special schools / specialist centres attached to mainstream schools where there are two or more learners. In most cases the need will be established during the statementing/review process and will be in accordance with the needs of the learner. For learners that require individual transport, the provision of an assistant is qualified through the transport application form where officers identify the need and, where applicable, with key stakeholders. The requirements will be confirmed by the Authority's ALN Manager.

2.9 Journey times

In assessing the travel needs of learners, the Authority will take into account the fact that travel arrangements must be safe and reasonable.

In accordance with the Learner Travel (Wales) Measure 2008, the Authority will aim to ensure that, except in exceptional circumstances, a learner being transported to their catchment or nearest suitable mainstream school/site should not normally have a single journey time of more than 45 minutes for primary schools and 60 minutes for secondary schools. Where parents/carers express a preference for English-medium or Welsh-medium provision where this is not available at their catchment or nearest school, journey times may be longer.

The Authority will aim to ensure that a learner being transported to a special school / specialist centre attached to a mainstream school should not normally have a single journey time of more than 45 minutes for primary aged pupils/learners and 60 minutes for secondary aged pupils/learners. However, because of their wider catchment area and the County's geography this may not always be possible. Where particular medical circumstances apply which may require a shorter journey time then the case will be treated on its merits through the appeals procedure.

2.10 Measuring routes and mileages ('available routes')

The two and three mile limits included in the policy will be measured in the same way as the 'statutory walking distance' i.e. along the nearest available route. An available route may not necessarily be the shortest distance by road as it is measured by the shortest route that a learner, accompanied by a responsible adult as necessary, may walk in reasonable safety. Such routes may utilise public footpaths which may not be suitable for motorised vehicles.

Where mileages and routes have to be calculated in order to determine eligibility under the policy, the measurement will be made through the use of the MapInfo Geographical Information System (GIS).

2.11 Behaviour

The Travel Behaviour Code sets out the standards of behaviour expected of learners travelling to and from their place of learning. The Authority can refuse to transport children if they do not follow the Travel Behaviour Code. Parents/carers are advised to make their children aware of the Code

<http://gov.wales/topics/educationandskills/allsectorpolicies/learner-travel/travel-code/?lang=en>

Harassment of any form will not be tolerated. Abuse and violence of/to staff and/or service users and damage to vehicles will not be accepted. Such behaviour will result in a learner's entitlement to free transport being withdrawn. The parent/carer may be responsible for re-imbursing the operator for any damage caused by the learner and he/she may be reported to the relevant authorities where appropriate.

In the event that transport is withdrawn from a learner, it is the responsibility of the learner's parents/carers to arrange suitable transport to and from their place of learning for the period during which transport is withdrawn.

2.12 Cameras

CCTV will be installed in certain contract vehicles to ensure the safety of passengers and drivers and to identify individuals who demonstrate unacceptable behaviour. Where CCTV is used, parents/carers and learners will be made aware that recording services are in operation, including details around the confidentiality, use, storage and retention of images.

2.13 Change in school session times

Under the Changing of School Session Times (Wales) Regulations 2009, where the Authority considers that a change in school session times is necessary to make travel arrangements more efficient or effective, it will undertake appropriate consultation to change the time a school's first (morning) session begins and its second (afternoon) session ends.

2.14 Safeguarding

The Authority works with partners, including governing bodies, headteachers, schools, the Local Safeguarding Children's Board, operators, parents/carers and other agencies to share information and best practice to assist safeguarding of children travelling to and from school.

Any issues of a safeguarding/child protection nature must be raised with the Authority as soon as possible following any disclosure. It may also be appropriate to make the school safeguarding lead / headteacher aware of any safeguarding concerns. If there is an immediate danger to a young person then the driver should dial 999.

Required safeguarding checks (enhanced DBS clearance) will be undertaken by operators on all bus drivers, taxi drivers and passenger assistants every 3 years.

All drivers are required to undertake safeguarding training with the Authority. They also complete online training through the NSPCC. During the tendering process, all contractors must evidence that they adhere to a safeguarding policy.

2.15 Adverse weather

During periods of adverse weather, the Local Authority or contractor may suspend home to school transport provision. Every effort will be made to contact parents/carers to inform them of school closures. Where learners need to be transported home earlier than the normal closing time, the school will contact parents/carers to inform them of the school's closure to ensure the safety of pupils after they leave the school. Where parents/carers transport children who would normally travel on home to school transport to school in the morning they are responsible for collecting them at the end of the school day.

2.16 Appeals procedure

Entitlement to free school transport will be decided by the Principal Officer: Admissions and Transport. Where a request is refused, parents/carers will be advised of the reason(s) not to award free transport.

Parents/carers have a right of appeal against a decision not to award the provision of free school transport for their child. Appeals must be made in writing, setting out the reason(s) for the appeal, to the Senior Manager: Central Support Services, Schools Service, County Hall, Llandrindod Wells, LD1 5LG / admissionsandtransport@powys.gov.uk

If the appeal is declined, parents/carers have a right to appeal this decision by sending a letter of appeal within 2 weeks of the date of the letter to the Head of the Schools Service. Appeals will be heard by a Portfolio Holder. The appeal will be arranged and supported by the Authority's Legal Services.

There is a right of appeal on a point of law by way of Judicial Review. The right must be exercised within 6 weeks of the decision.

There is also a right of appeal on procedural matters to the Office of the Ombudsman for Wales, 1 Ffordd yr Hen Gae, Pencoed, CF35 5LJ.

2.17 Complaints

All complaints regarding home to school transport from learners, parents/carers, members of the public, drivers, etc. will be investigated.

2.17.1 Learner Behaviour

Any concerns or complaints regarding learner behaviour should be made, as soon as possible after the incident, to both the school and the Senior Manager: Central Support Services, Schools Service, County Hall, Llandrindod Wells, LD1 5LG, by completing the online pro forma which can be found here <http://www.powys.gov.uk/en/schools-students/apply-for-school-transport/>

2.17.2 Quality of Provision

Any concerns or complaints regarding drivers, passenger assistants or vehicles used for school transport should be made, in writing, to the Passenger Transport Manager, Highways, Transport & Recycling Service, County Hall, Llandrindod Wells, LD1 5LG.

2.17.3 Contract Compliance

In addition to statutory vehicle safety checks, the Authority will, on unspecified days, undertake random checks on Authority-contracted vehicles to ensure that contracts are being complied with.

Part Two

3.0 Transport for Individual Circumstances

3.1 Transport related to admission appeals

The Authority will provide transport for learners who meet the standard distance qualification criteria and are refused admission to their catchment or nearest suitable school via an admission appeal, to enable them to attend the nearest suitable alternative school prescribed by the Authority.

3.2 Transport to over-subscribed schools

The Authority will provide transport for qualifying Powys resident learners to the nearest alternative suitable school when the Authority is unable to make arrangements for a learner to attend their catchment or nearest suitable school due to it being oversubscribed. The Authority will undertake full discussion with the school around its ability to admit a pupil as part of the appeals process (see para 2.16).

3.3 Transport provision on school closure

During consultation on the permanent closure of a school, the Authority will consult on the revised catchment area for the named receiving school(s). Following permanent closure of the school, transport will be provided to the named receiving school(s) for learners who live in the new school's extended catchment area. For learners living outside the extended catchment area of the named receiving school the provision of transport will be considered. This provision will not automatically apply to younger siblings.

3.4 Transport to denominational schools

Transport to denominational schools will only be provided for learners who qualify under the standard qualification criteria (see paras 2.3 and 2.4).

3.5 Transport following a change of ordinary place of residence

The Authority may provide transport for learners, following a change of ordinary place of residence within the County boundary during Years 10 or 11 (GCSE examination course) or Years 12 and 13 (A level examination course), in order to ensure continuity of education.

Parents/carers must apply by completing and submitting a standard application form to the Admissions and Transport Team, Schools Service, County Hall, Llandrindod Wells, LD1 5LG / admissionsandtransport@powys.gov.uk and entitlement will be determined by the Head of Schools Service. If transport is provided it will be from a point on an existing transport route, provided there is a seat available. Such provision will not continue into Years 12 and 13 where learners move in Years 10 or 11.

3.6 Transport for early years

Transport will only be provided for learners who attend school on a full-time basis i.e. those children who are admitted to school at the beginning of the school year after they have attained their 4th birthday.

3.7 Payments to parents/carers

In remote areas where it would not be financially advantageous to the Authority to provide transport to qualifying learners, agreement may be sought for parents/carers to transport their child/ren to/from school on payment of an agreed fuel allowance rate. Such cases will be considered on an individual basis and arrangements will be reviewed regularly.

3.8 Transport related to English-medium / Welsh-medium provision

3.8.1 Primary

In the primary sector, transport will be provided to the catchment or nearest suitable provision providing education through the medium of either English or Welsh. In order to qualify learners must meet the standard qualifying criteria (see para 2.3).

The provision of education is deemed to be equal whether the school is an English-medium or Welsh-medium school or delivers both languages through a dual stream arrangement.

3.8.2 Secondary

In the secondary sector, transport will be provided to the catchment or nearest suitable provision providing education through the medium of either English or Welsh. In order to qualify learners must meet the standard qualifying criteria (see para 2.4).

3.8.3 For both primary and secondary aged learners, entitlement to transport will cease if a learner moves between streams in a school and the school is no longer the learner's catchment or nearest suitable school for the chosen language of provision.

3.9 Transport provision on safety grounds

Free transport will be provided for learners of statutory school age where the Authority is satisfied that the route between home and school is unsafe for pedestrian usage by a learner accompanied by a responsible person, such as a parent/carer or other adult, even though the distance is below the standard distance qualification criteria (see paras 2.3 and 2.4). Parents/carers must apply, in writing, to the Senior Manager: Central Support Services, Schools Service, County Hall, Llandrindod Wells, LD1 5LG / admissionsandtransport@powys.gov.uk. Provision will be decided following completion of a Risk Assessment by appropriately qualified LA officers.

3.10 Transport related to pupil referral services

The Authority's pupil referral units (PRUs) are located in Newtown and Brecon/Llandrindod Wells but learners who access the units or who follow an alternative curriculum may need to travel to different centres for provision during the week. Under these circumstances, the Authority will provide home to school transport, on a daily basis, to the centres attended by a learner on a weekly basis, subject to the standard distance qualification criteria (see paras 2.3 and 2.4). As arrangements can, on occasions, be quite flexible, it may prove necessary to change educational settings and, under these circumstances, transport arrangements will be changed accordingly.

Where home to school transport is in place, learners accessing the PRU will normally be expected to travel on mainstream home to school transport where appropriate. Other specific arrangements based on an individual learner's need will be decided by the Head of Schools Service and/or Senior Manager: Central Support Services.

3.11 Transport to meet the needs of Looked After Children

The same age and distance criteria apply to both Looked After and previously Looked After Children. It will be for the Authority with parental responsibility for looking after a child to determine which school they should attend, which might be a school other than the catchment or nearest suitable school to their current place of residence because, for instance, of priority to maintain continuity in their education or contact with siblings and friends. The Schools Service will work closely with colleagues in Children's Services in ensuring that the child's education and care requirements are fully met.

Where the proposed school is not the nearest suitable school from the learner's current place of residence, officers from the Schools Service and Children's Service will liaise over any additional costs of providing such transport. This additional cost will be recorded as a separate budget under the home to school transport budget.

3.12 Transport related to permanent exclusions and managed moves

The Authority will provide transport for permanently excluded learners or learners (see paras 2.3 and 2.4) subject to managed moves who meet the standard distance qualification criteria to enable them to attend the nearest appropriate alternative school prescribed by the Authority.

3.13 High school induction days

If they meet the standard distance qualification criteria (see para 2.3 and 2.4) and a seat is available, learners transferring into Year 7 in September are able to make use of existing school transport when attending induction days.

3.14 Transport for work experience placements

Learners are not entitled to transport to undertake work experience placements. However, if there is spare capacity learners can make use of existing transport if a seat is available and there is no additional cost to the Authority.

3.15 Vacant Seat Payment Scheme

Learners who do not meet the standard qualifying criteria (see paras 2.3 and 2.4) and live within the statutory walking distance from school and live near or on an existing dedicated home to school transport route can apply for a place under the Vacant Seat Payment Scheme on payment of the appropriate fee. The Vacant Seat Payment Scheme will only be available on contracted vehicles i.e. it will not apply on public service vehicles. Transport will be withdrawn if the seat is required for a qualifying learner. A minimum of one week's notice will be given. The Vacant Seat Payment Scheme fee will be waived in certain circumstances e.g. for learners of statutory school age living within the County boundary who qualify for free school meals.

The charge for vacant seats will be reviewed annually and will be increased in line with Council policy.

Annex A

Eligibility for learners of statutory school age with SEN, permanent disabilities or mobility problems (including Post-16 learners)

- 1.0 Local authorities have a duty to provide assistance with travel where they consider this necessary to secure a learner's attendance at school. The law does not treat children with special educational needs (SEN) or a disability differently from other children in this respect.
- 1.1 Local authorities have a legal duty to assist with the cost of transport to and from school if a child with SEN or a disability is unable to attend the catchment or nearest suitable school for his/her age and needs, unless that transport is provided. Entitlement should be based on a child's needs. Local authorities are only under a duty to provide free transport to a child's catchment or nearest suitable school, provided it is beyond the standard qualification distance from their home, unless the child cannot reasonably be expected to walk to school. Within the assessment period, all key stakeholders are consulted including Children's Service, Health, schools, parents/carers, etc.
- 1.2 There are additional measures set out in the SEN Code of Practice headed 'Transport Costs for Children with Statements'. This recommends that local authorities should have clear general policies relating to transport for children with SEN or a disability and that these should be made available to parents/carers. There may be additional responsibilities on the Authority where a child has identified Special Educational Needs defined through a statement of SEN as defined by the SEN Code of Practice (2004).
- 1.3 With respect to those aged 16 to 19 years with learning difficulties and or disabilities, Section 509 AB(1) of the Education Act 1996 says that the Authority should set out in its policy to what extent the arrangements specified regarding overall post-16 transport include arrangements for facilitating the attendance at schools and learning providers of learners with learning difficulties and/or disabilities.
- 1.4 For all ages, the Equality Act 2010 is important and incorporates the Disability Discrimination Act. The Authority may also provide free home to school transport as a 'reasonable adjustment' to a child's disability in cases where the child lives within the standard qualification distance of the school and parents/carers are unable to transport the child to school. NB: A person has a disability (Equality Act 2010) if he/she has a physical or mental impairment which has a substantial and long term adverse effect on his/her ability to carry out normal day to day activities. This definition is usually interpreted as follows:
 - Mental impairment - one which is a clinically well-recognised condition. This means that a child with an emotional and/or behaviour difficulty (BESD) is unlikely to be recognised as disabled unless their behaviour arises from an underlying mental impairment
 - Long term - one that is likely to last for at least a year or for the rest of

the life of the person affected. This can include intermittent or sporadic conditions such as epilepsy or multiple sclerosis.

- Substantial - more than minor or trivial.
- Adverse - referring to the effect of the impairment, not the severity of the impairment.
- Normal day to day activities - the ability of the person to carry out normal day to day activities, including mobility, ability to understand and perception of the risk of physical danger.
- Effect of medical or other treatment, on the ability of the person to carry out normal day to day activities.
- Progressive conditions, such as cancer and multiple sclerosis, may in certain circumstances be regarded as disabilities.

1.5 The Equality Act 2010, which subsumes the Disability Discrimination Act as amended by the SEN and Disability Act 2001, makes clear that children with a disability have special educational needs if they have any significant difficulty in accessing education and if they need any special education provision to be made for them, that is, anything which is additional to, or different from, what is normally available to schools in the area. The SEN Code of Practice expects that transport should only be recorded in a child's Statement of SEN in exceptional cases (usually in Part 6) where the child has particular transport needs.

2.0 Statutory age children with a special need, disability or mobility difficulty

2.1 Children/young people covered by this heading of the policy are children of statutory school age who have a disability or SEN and/or:

- Attend specialist provision or attend a named school beyond the standard qualification distance of the home as named in a Statement of Special Educational Need, (including those attending specialist provision under emergency assessment)
- Are identified as being at School Action Plus, in line with the SEN Code of Practice, and have needs that necessitate support in getting to school
- Access other provision such as Education Other Than At School (EOTAS),
- Are children and young people placed by the LA at independent special schools, out of LA establishments and so are beyond the standard qualification distance from the home
- Attend further education establishments and meet the criteria for support.

2.2 Transport for those requiring special arrangements is defined as home to school transport provided from defined pick-up and setting down points (not necessarily door-step), at the start and end of the child's school day (formal education sessions). This is by whatever mode is most suited to the individual travel needs of the pupil/s or learner/s with identified additional needs, to the nearest educational establishment appropriate to his/her needs, or to the school determined by the Authority in his/her statement of SEN to be the school where his/her needs can be met where this is over the standard qualification distance.

2.3 Home to school transport for children/young people with special educational

needs or who have a disability and for children/young people who are receiving education other than at school, and/or those permanently excluded, is commissioned by the Passenger Transport Unit and provided on their behalf by a third party supplier and is based on an assessment of their need for special arrangements within the framework of the entitlement criteria.

- 2.4 Any journeys outside normal home to school transport times will normally only be considered where no additional costs are involved. If there are added costs, these are met by the school's delegated budget, college funds, 16+ Support Funds or parents/carers.
- 2.5 Journeys to termly or weekly boarding placements in maintained and independent out of county schools will be funded by the Authority. This provision will be limited to fixed term periods through the school year e.g. weekly, half-termly or termly. Transport to respite care/short breaks is funded by the Children's Social Care Service. Transport will be provided for parents/carers of those in residential special schools who, without support to get to Annual Reviews of Statements of SEN, would not otherwise be able to attend.
- 2.6 Modes of transport may include mainstream school buses or minibuses, public transport, taxis, private hire cars, vehicles from the Authority's own fleet, voluntary drivers' vehicles, or the provision of specialist/adapted vehicles, and in some cases the provision of a passenger assistant (previously known as an escort). Safety restraints to ensure safe transport will be provided according to the child's needs. The Authority reserves the right to refuse to carry a wheelchair user travelling in a wheelchair which has been proven to be unsafe during transit in standard crash testing procedures or if the wheelchair is in an unfit condition for transit e.g. tyres are not fully inflated.
- 2.7 Where parents/carers are able and willing to provide transport for their own eligible child/ren, payment of an agreed fuel allowance rate will be made.
- 2.8 Wherever possible, opportunities for maximising the independent mobility and healthy lifestyle of children and young people will be explored and a graduated approach to the level of support needed will always be used and reviewed on an ongoing basis.
- 2.9 The Authority deploys resources and identifies special arrangements on the basis of established need. This includes the provision of free transport where the need is such that it is the Authority's responsibility. In Powys, pupils on School Action Plus will also "trigger" consideration of the Authority's additional responsibilities as defined by the SEN Code of Practice for Wales (2004) and the transport policy for Powys. For those with a statement of SEN, the Authority has a statutory decision making body (called the SEN Statutory Panel) for all statutory SEN matters relating to Special Educational Needs as determined by the SEN Code of Practice for Wales. Decisions for those at School Action Plus will be made by the Authority's Senior Manager for ALN and Inclusion after discussion with parties and consideration of the evidence.

- 2.10 The Senior Manager for ALN and Inclusion is responsible for agreeing support for those without statements, but works to the same underlying legal framework as it is an assessment of needs.
- 2.11 The Authority will provide individual home to school transport in the case of pupils with a disability and/or a special educational need in accordance with the following criteria:
- (a) When a child has a physical disability that would prevent him/her from making the usual type of accompanied journey made by children of his/her age without any SEN/ALN needs. Examples of this might be cases in which the child has:
 - (i) Long term severely restricted mobility - for example, circumstances requiring the daily use of significant physical aids such as a wheelchair.
 - (ii) Where clear medical advice is to have the shortest possible journey.
 - (ii) Long term medical condition resulting in severely restricted mobility due to pain and/or extreme tiredness - for example, juvenile arthritis.
 - (iii) Long term medical condition resulting in restrictive mobility due to serious health and safety risks - for example, epilepsy or life threatening heart defects.
 - (iv) A sensory impairment resulting in severely restricted mobility - for example, where a child is effectively without the use of sight.
 - (b) When a child has a significant disability or difficulty with social, and/or emotional issues, in comparison with other children of his/her age, he/she may be extremely vulnerable in social settings. For example, a child with Asperger's Syndrome who has very little awareness of personal danger, or a child with severe learning difficulties who has an inability to manage the complexity of the process with safety or demonstrates constant challenging behaviour. Some may have social and emotional needs resulting in aggressive or destructive behaviour, and therefore need to have individual arrangements made.

With both (a) and (b) above, the Authority will need to be provided with written evidence (detailed in the initial Transport Application Form) about the everyday functioning of the pupil and/or medical opinion, in order to determine the significance of the pupil's disability or difficulty in relation to the home to school journey.

- 2.12 Where admission to specialist provision or a mainstream school named in a statement of SEN is being discussed, parental preference will be given consideration. Free transport is not provided (even where a particular transport need has been established) to the parents'/carers' preferred school if this is further away from the child's home than another school that can meet the child's special educational needs. In such a case the Authority may agree to name the parents'/carers' preferred school in the statement, but only on the condition that parents/carers accept all travel costs for the duration of their child's attendance at the preferred school and that if at a

later date the parents/carers find they are no longer able to provide transport, the Authority will review the school placement.

- 2.13 Free transport is provided for children of statutory school age who live beyond the walking distance to their catchment or nearest suitable school as defined by the Authority (please refer to Section 2.3 and 2.4 of Part 1 of the Standard Qualification).
- 2.14 Free transport is also provided where it has been assessed that, due to identified SEN and/or disability, the child will be unable to attend the nearest catchment or suitable school unless transport is provided.
- 2.15 The assessment of transport needs for individual children of statutory school age requiring additional support will be undertaken by (as a minimum) the SEN Statutory Panel (if a statement of SEN applies), the Senior Manager for ALN and Inclusion with the appropriate member(s) of Schools Service personnel for a pupil at School Action Plus and the Passenger Transport Officer, who will seek medical and educational guidance as necessary.
- 2.16 Assessment for each learner will proceed on the basis of least possible intervention, progressing to greater levels of independence depending on established evidence of need. Guidance will be sought as necessary from medical and educational professionals including the learner's current placement if appropriate.
- 2.17 The criteria taken into account to assess transport need are: distance, suitable school, level of need.
- 2.18 Clear details of specific conditions/issues that govern the identified need for transport will be recorded at the time of initial assessment for transport. For example children may have:
- significant mobility difficulties;
 - significant visual or hearing impairment;
 - profound multiple learning difficulties;
 - severe/specific learning difficulties;
 - autism spectrum disorders/communication difficulties;
 - severe speech and language difficulties;
 - severe emotional and behavioural problems;
 - be a wheelchair user;
 - a chronic medical incapacity.

Decisions on transport are taken at the time of initial assessment and will be recorded on the learner's initial Transport Application Form. They will also form part of the Individual Travel Care Plan Records for eligible children and young people with Statements and those at School Action Plus for whom individual transport has been agreed.

- 2.19 All schools and FE establishments are encouraged (in consultation with parents/carers) to consider the independence and life skill benefits for older pupils/learners who might, with appropriate support, be enabled to

walk to school or make use of public service buses or trains.

- 2.20 Guidance is sought initially through either the statutory assessment process on which a statement is based, the Annual Review or School Entry Plan and from medical and educational specialists to assess particular transport need, and this may be recorded in Part 6 of the child's statement of SEN, or on the Annual Review records for those pupils at School Action Plus. This will include:
- a clear definition of what criteria have been taken into account to determine the need at the initial assessment and subsequent reviews;
 - the range of appropriate modes of available/accessible transport;
 - consideration of appropriate pick-up and setting-down point;
 - any specific requirements, e.g. passenger assistant essential or advisable, or the need to travel apart from other children or maximum journey time or sibling arrangements or parents'/carers' exceptional circumstances; and
 - an indication of the review schedule (if this is more frequent than annual).
- 2.21 Every child/young person requiring special transport arrangements travelling on education transport has an Individual Travel Care Plan which is compiled in consultation with the child/young person, their parents/carers, school and medical specialist (where appropriate). This includes details of medical considerations; appropriate harnesses or restraints and wheelchair details, where relevant. Individual risk assessment analyses the defined needs of the child and puts into place strategies and mechanisms to reduce the likelihood and outcome of potential hazards.
- 2.22 A young person's transport need is re-examined at regular intervals by the school, in liaison with other professionals as appropriate and in conjunction with the child's Individual Travel Care Plan, through the Annual Review Process, as follows:
- (1) Annual review of statement of SEN or Annual School Action Plus Review; plus
 - (2) When a pupil changes school
 - (3) On transfer from KS2 to KS3 (Year 6 to Year 7);
 - (4) 14+ review including Careers and Skills Advisors input;
 - (5) 16+ review including Careers and Skills Advisors input.
- 2.26 The elements to be considered initially and at every subsequent review will include:
- Status of initial entitlement and any subsequent changes
 - Passenger assistant requirements (essential/advisable)
 - Wheelchair provision (and control protocols)
 - Special seating/harnesses
 - Loading/unloading procedures
 - Special assistant requirements e.g. moving a child into and out of the vehicle and wheelchair including consideration of weight, size and physical mobility
 - Special needs/medication

- The requirement for door to door transport
 - Other information such as behaviour or specific issues that drivers and passenger assistants should be aware of
 - Emergency contact numbers
 - Any altered domestic situation e.g. sibling travelling or ceasing to travel
 - The child's growing abilities reflected in opportunities for greater independence
 - Parent/Carer/Child's views
- 2.27 Post-16 learners with a Special Need, Disability or Mobility Difficulty will continue to receive support in accordance with their need as appropriate.
- 2.28 The Statement of Special Educational Needs continues to the academic year in which young people are 19 for learners attending a maintained post-16 special or mainstream school. The Statement of SEN will no longer apply for learners over 19 or for those attending an FE College. Continued transport assistance post-16 for SEN learners who do not qualify under the LA's discretionary post-16 transport policy is based on similar criteria to those taken into account to assess transport need for statutory age pupils with SEN and likewise learners are assessed annually.
- 2.29 When the Authority receives an application for transport to the relevant establishment, it considers the following information:
- Whether the learner is a Powys resident;
 - The age and needs of the learner;
 - The nature of the available route to the relevant establishment and any reasonable alternative route;
 - The length of the journey;
 - Whether the learner can use public service vehicles. Lack of public service vehicles in an area is not in itself a reason to provide individual transport;
 - The benefit that the learner will get from the course. Here the Authority will take into account any previous post-16 education and must decide if the course will really make a difference to the life and future prospects of the learner. Reports are requested from Careers officers and other relevant agencies in order to help the Authority to make this decision;
 - Whether the learner is applying for transport to the relevant establishment. This means to their nearest college, or school offering their chosen or a comparable course. In the case of a pupil of sixth form age with a Statement of Special Educational Needs it means the school, if any, identified in Part 4 of the Statement.
 - The cost of the transport to be provided against any alternative means of facilitating attendance e.g. could the learner go into lodgings close to the college or be conveyed by parents/carers if they have a mobility vehicle for the learner etc;
 - Learners will have the opportunity to choose between establishments provided it is reasonable to do so. However, the cost of providing specialised transport to a college, or school and the suitability of the course will be factors that the Authority must consider when making

decisions about support with transport. Where the Authority agrees to meet the full cost of transport, learners should attend the nearest relevant college or school offering the same or a comparable course.

- In some cases the Authority may decide that a young person would benefit from a different type of setting to aid their development such as attendance at a Day Centre or employment within the Adult and Social Care Service rather than further education at a college or school.

2.30 Clear details of any specific condition/issue that governs the identified need for transport will be recorded at the time of initial assessment for transport. For example:

- significant visual or hearing impairment;
- profound multiple learning difficulties;
- severe/specific learning difficulties;
- autism spectrum disorders/communication difficulties;
- severe speech and language difficulties;
- severe emotional and behavioural problems;
- being a wheelchair user;
- chronic medical incapacity;
- confirmed inability to lodge independently near to the 16+ establishment;
- confirmed inability to use public transport.

2.32 The aim of the policy for post-16 SEN transport is to encourage personal independence and the development of social and life skills by promoting personal mobility wherever possible.

2.33 Advice will be sought from the young person, school and college staff as well as parents/carers to determine whether or not it may be possible, in due course, for a learner to progress to independent transport on a public service bus. Where this is the case, assisted travel will be provided for an interim period to allow focused training to be undertaken by the Bus Buddy in collaboration with school or college staff, before the learner becomes confident and fully independent in his/her use of the bus service. At this stage financial assistance for young people who have successfully graduated to travel independently will be withdrawn, or reduced to the level available to mainstream FE learners i.e. those who following training are able to make their own way independently by public transport, having previously travelled on contracted taxi or minibus, will be provided with a bus pass to the nearest suitable establishment if they meet the standard qualification for school transport.

2.34 Similarly, requests from learners to transfer from existing public service bus routes to car travel will not be considered, unless exceptional circumstances are evidenced. Exceptional circumstances would include a significant deterioration in the learner's medical condition for example, loss of mobility leading to reliance on a wheelchair.

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Appendix C

Home-to-School / College Transport Policy Post-consultation version

**Implementation Date
September 2019**

This document is available on request in alternative formats
(e.g. Large print type / Braille / on tape)

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Eligibility for learners of statutory school age with additional learning needs (ALN), permanent disabilities or mobility problems (including post-16 learners)

1.0 Policy Framework

1.1 Legal framework

1.1.1 The Education Act 1996 (as amended) sets out the law in England and Wales for the attendance of pupils at school and the Learner Travel (Wales) Measure 2008 sets out the school travel policy for Wales. The Measure covers, amongst other things, duties on local authorities to assess learner travel needs, provide a definition of the nearest suitable school and make transport arrangements for defined groups of learners. The Safety on Learner Transport (Wales) Measure 2011 sets out specific safety standards for dedicated school transport.

1.1.2 The Learner Travel: Statutory Provision and Operational Guidance (June 2014) sets out related provision for school/learner travel in Wales.

1.1.3 The Travel Behaviour Code Statutory Guidance (June 2014) sets out the standards of behaviour expected of learners travelling to and from their place of learning and is aimed at keeping learners safe on their journeys to and from school, including journeys between schools. It applies to all learners up to 19 years of age and all travel arrangements, including bus, train, walking and cycling. Parents are advised to make their learners aware of the Travel Behaviour Code.

1.1.4 Under the Active Travel (Wales) Act 2013, local authorities have a duty to promote active travel and to improve the number and quality of active travel routes in their communities.

1.2 Overview

1.2.1 Powys County Council is required to ensure all qualifying learners ordinarily resident in the Council's area have access to transport to the nearest suitable maintained school.

1.2.2 This policy assumes that all qualifying learners living in Powys will be entitled to transport to their nearest suitable maintained school.

1.2.3 The Authority aims to provide safe, reliable, value for money transport to convey qualifying pupils/learners to and from school/college. These principles apply to all home-to-school/college transport provided by the Authority.

1.2.4 The Authority aims to ensure that it does not discriminate unfairly, either directly or indirectly, in the operation and interpretation of this policy.

1.2.5 The Authority encourages the use of school transport by eligible pupils/learners where appropriate.

1.2.6 Parents/carers are responsible for ensuring that their learners travel to and from school safely (where they do not qualify for school transport) and to and from designated pick up points both in the morning and the afternoon. Further information is provided in the Authority's Code of Conduct for learners, parents/carers, schools and transport operators ([include link here](#)).

Appendix C

1.2.7 All dedicated school transport vehicles are provided with seat belts which must be worn at all times. Operators must take all reasonable steps to ensure that passengers are made aware that they must wear a seat belt. Passengers aged 14 and over are legally responsible for the wearing of a seat belt where one is provided.

Part One

2.0 Standard Qualifications and Definitions

2.1 Definition of suitable school/site

2.1.1 Section 1.38 of the Learner Travel: Statutory Provision and Operational Guidance (June 2014) states “the definition of nearest ‘suitable school’ is where the “education or training provided is suitable having regard to the age, ability and aptitudes of the learner and any learning difficulties he or she may have”.

2.1.2 Section 1.39 of the Learner Travel: Statutory Provision and Operational Guidance (June 2014) states “deciding which suitable school is the learner’s ‘nearest’ is a matter for the local authority to determine in accordance with their own learner travel and education policy”.

2.1.3 A mainstream school will only be deemed a ‘suitable school’ by the local authority if the education provided there is suitable, having regard to the age, ability and aptitudes of the learner and any learning difficulties he or she may have.

2.1.4 For the purposes of this policy, where a school operates from more than one site the Authority would only provide transport to qualifying learners to the nearest site which provides education through the chosen language medium.

2.1.5 Transport arrangements for a learner with ALN will be based on need and the route they travel. Further information is provided in **Annex A**.

2.2 Definition of ordinary place of residence

If a learner has more than one home, for example where their parents are not living together but they live partly with each parent, or with a parent and also at a learner’s home, then both places of residence will be regarded as their place of ordinary residence. If there are more than two such places then only the two places closest to the nearest suitable school/site within the catchment area or further education college site will count.

A ‘parent’ includes any person who is not a parent but who has parental responsibility or who cares for the learner.

2.3 Standard qualification – primary aged learners

2.2.1 To qualify for school transport, primary aged learners must ordinarily reside 2 miles or more from the catchment or nearest suitable school or centre, measured by the shortest available route. The distance will be measured from the closest access point on the public highway (which could include suitable footpaths and bridleways) to the learner’s ordinary place of residence which is nearest to the school and measured to the nearest school gate. The footpath or bridleway will be considered suitable if it has a stone or tarmac surface. Any other surface will only be considered suitable if it can be walked in normal school footwear. Transport is not normally provided from home but from a designated pick up point. The measurement will be made through the use of the Geographical Information System (GIS).

2.3.2 Feeder transport is provided for qualifying primary aged learners whose nearest public highway point is 1 mile or more from the nearest pick up point on a main school transport route.

2.3.3 Where parents/carers exercise a preference for a school other than the catchment or nearest suitable school they must make their own arrangements for transport and are responsible for all transport costs.

2.4 Standard qualification – secondary 11-16 year old learners

2.4.1 To qualify for school transport, secondary school 11-16 year old learners must ordinarily reside 3 miles or more from the catchment or nearest suitable secondary school or centre, measured by the shortest route. The distance will be measured from the closest access point on the public highway (which could include suitable footpaths and bridleways) to the learner's ordinary place of residence which is nearest to the school and measured to the nearest school gate. The footpath or bridleway will be considered suitable if it has a stone or tarmac surface. Any other surface will only be considered suitable if it can be walked in normal school footwear. Transport is not normally provided from home but from a designated pick up point. The measurement will be made through the use of GIS.

2.4.2 Feeder transport is provided from the ordinary place of residence for qualifying secondary school 11-16 year old learners whose nearest public highway point is 2 miles or more from the nearest pick up point on a main school transport route. The measurement will be made through the use of GIS.

2.4.3 The Authority recognises its obligations under the Education Act 1996 to comply with parent preferences regarding choice of school. However, where parents/carers exercise a preference for a school other than the catchment or nearest suitable school they must make their own arrangements for transport and are responsible for all transport costs.

2.4.4 Where public transport is available, and in accordance with Section 88 of the Transport Act 1985, this will be used as first choice and a permit will be issued. Where no public transport is available then the Authority will arrange transport for eligible learners. A local bus service is NOT a dedicated home-to-school transport bus and learners will be expected to travel with members of the public. The law does not currently prescribe seat belts to be fitted to a local bus service vehicle and passengers are permitted to stand on these vehicles.

2.5 Transport for 16-19 year olds

There is no requirement for the local authority to provide school or college transport free of charge to any learner who is over compulsory school age.

Transport is made available for full-time learners who live 3 miles or more from the catchment or nearest suitable secondary school or further education college site offering post-16 provision. Transport is not normally provided from home but from a designated pick up point.

Appendix C

Feeder transport is provided for qualifying learners who live 3 miles or more from the nearest pick up point on a main school transport route as measured by the nearest available route. The measurement will be made through the use of GIS.

Through the collaborative arrangements put in place to ensure that all learners are able to access a local curriculum that meets the minimum entitlement as required by the Learning and Skills Measure (Wales) 2009 the Authority considers that all its secondary schools offer a relevant and adequate range of post-16 provision. The Authority will only transport learners whose ordinary place of residence is within the county of Powys to the school/college which is geographically the nearest suitable school to the learner's ordinary place of residence.

The nearest further education college site is defined as the catchment or nearest suitable site to the learner's ordinary place of residence which offers a suitable course. The Authority will not provide transport to enable learners to attend out of county establishments but in certain circumstances may provide assistance with travel costs e.g. if the establishment attended is the nearest suitable provision to the learner's ordinary place of residence.

The Authority does not provide home-to-school transport for learners living outside the county boundary who wish to access post-16 education in a Powys secondary school but transport will be provided to facilitate attendance as part of the collaborative arrangement between Powys high schools and college sites.

Where public transport is available this will be used as first choice and a permit will be issued. Where no public transport is available then the Authority will arrange transport for eligible students.

Transport will only be provided for full-time courses, as determined by the college being attended and with the agreement of the Authority.

No transport arrangements will be made for learners on part-time courses but they may be able to access seats on public transport on payment of the appropriate fare.

However, where a post-16 learner is only able to attend a course on a part-time basis due to personal circumstances, for example they are a 'young carer', then entitlement will be considered on an individual basis by the Schools Service Senior Management Team and the Transport Entitlement Officers.

2.6 Provision for learners who attend special schools and specialist centres attached to mainstream schools

Appendix A to this policy provides information relating to transport provision in respect of learners accessing special school and specialist centre provision.

2.7 Special arrangements for learners with short-term medical needs

Consideration will be given to provision being made for all learners with a short-term medical need not just those who qualify for transport on distance. A short-term medical need is a condition that following a period of medical intervention improves or no longer exists e.g. a broken limb. In all instances, transport will only be provided to the catchment or nearest suitable school.

Requests, supported by evidence from a medical professional, should be made in writing to the Authority's Transport Entitlement Officers or by e-mailing admissionsandtransport@powys.gov.uk. Provision will be reviewed on a termly basis.

2.8 Provision of passenger assistants on transport

Passenger assistants are not normally provided on transport to mainstream schools. The need for a passenger assistant on a vehicle to support an individual pupil/learner will be decided following completion of a Risk Assessment by the Authority.

Passenger assistants will be provided on vehicles to supervise learners on their journey to and from special schools / specialist centres attached to mainstream schools where there are two or more learners. In most cases the need will be established during the statementing/review process and will be in accordance with the needs of the learner. For learners that require individual transport, the provision of an assistant is qualified through the transport application form where officers identify the need and, where applicable, with key stakeholders. The requirements will be confirmed by the Authority's ALN Manager.

2.9 Journey times

In assessing the travel needs of learners, the Authority will take into account the fact that travel arrangements must be safe and reasonable.

In accordance with the Learner Travel (Wales) Measure 2008, the Authority will aim to ensure that, except in exceptional circumstances, a learner being transported to their catchment or nearest suitable mainstream school/site should not normally have a single journey time of more than 45 minutes for primary schools and 60 minutes for secondary schools. Where parents/carers express a preference for English-medium or Welsh-medium provision where this is not available at their catchment or nearest school, journey times may be longer.

The Authority will aim to ensure that a learner being transported to a special school / specialist centre attached to a mainstream school should not normally have a single journey time of more than 45 minutes for primary aged pupils/learners and 60 minutes for secondary aged pupils/learners. However, because of their wider catchment area and the County's geography this may not always be possible. Where particular medical circumstances apply which may require a shorter journey time then the case will be treated on its merits through the appeals procedure.

2.10 Measuring routes and mileages ('available routes')

The two and three mile limits included in the policy will be measured in the same way as the 'statutory walking distance' i.e. along the nearest available route. An available route may not necessarily be the shortest distance by road as it is measured by the shortest route that a learner, accompanied by a responsible adult as necessary, may walk in reasonable safety. Such routes may utilise public footpaths which may not be suitable for motorised vehicles.

Where mileage and routes have to be calculated in order to determine eligibility under the policy, the measurement will be made through the use of the Map Info Geographical Information System (GIS).

2.11 Behaviour

The Travel Behaviour Code sets out the standards of behaviour expected of learners travelling to and from their place of learning. The Authority can refuse to transport learners if they do not follow the Travel Behaviour Code. Parents/carers are advised to make their learners aware of the Code

<http://gov.wales/topics/educationandskills/allsectorpolicies/learner-travel/travel-code/?lang=en>

Harassment of any form will not be tolerated. Abuse and violence of/to staff and/or service users and damage to vehicles will not be accepted. Such behaviour will result in a learner's entitlement to free transport being withdrawn. The parent/carer may be responsible for reimbursing the operator for any damage caused by the learner and he/she may be reported to the relevant authorities where appropriate.

In the event that transport is withdrawn from a learner, it is the responsibility of the learner's parents/carers to arrange suitable transport to and from their place of learning for the period during which transport is withdrawn.

2.12 Cameras

CCTV will be installed in certain contract vehicles to ensure the safety of passengers and drivers and to identify individuals who demonstrate unacceptable behaviour. Where CCTV is used, parents/carers and learners will be made aware that recording services are in operation, including details around the confidentiality, use, storage and retention of images.

2.13 Change in school session times

Under the Changing of School Session Times (Wales) Regulations 2009, where the Authority considers that a change in school session times is necessary to make travel arrangements more efficient or effective, it will undertake appropriate consultation to change the time a school's first (morning) session begins and its second (afternoon) session ends.

2.14 Safeguarding

The Authority works with partners, including governing bodies, headteachers, schools, the Local Safeguarding Children's Board, operators, parents/carers and other agencies to share information and best practice to assist safeguarding of learners travelling to and from school.

Any issues of a safeguarding/learner protection nature must be raised with the Authority as soon as possible following any disclosure. It may also be appropriate to make the school safeguarding lead / headteacher aware of any safeguarding concerns. If there is an immediate danger to a young person then the driver should dial 999.

Required safeguarding checks (enhanced DBS clearance) will be undertaken by operators on all bus drivers, taxi drivers and passenger assistants every 3 years.

All drivers are required to undertake safeguarding training with the Authority. They also complete online training through the NSPCC. During the tendering process, all contractors must evidence that they adhere to a safeguarding policy.

2.15 Adverse weather

During periods of adverse weather, the local authority or contractor may suspend home-to-school transport provision. Every effort will be made to contact parents/carers to inform them of school closures. Where learners need to be transported home earlier than the normal closing time, the school will contact parents/carers to inform them of the school's closure to ensure the safety of pupils after they leave the school. Where parents/carers transport learners who would normally travel on home-to-school transport to school in the morning they are responsible for collecting them at the end of the school day.

2.16 Appeals procedure

Entitlement to free school transport will be decided by the Principal Officer: Admissions and Transport. Where a request is refused, parents/carers will be advised of the reason(s) not to award free transport.

Parents/carers have a right of appeal against a decision not to award the provision of free school transport for their learner. Appeals must be made in writing, setting out the reason(s) for the appeal, to Schools Admissions and Transport Service, Schools Service, County Hall, Llandrindod Wells, LD1 5LG / admissionsandtransport@powys.gov.uk

If the appeal is declined, parents/carers have a right to appeal this decision by sending a letter of appeal within 2 weeks of the date of the letter to the Head of the Schools Service. Appeals will be heard by a Portfolio Holder. The appeal will be arranged and supported by the Authority's Legal Services.

There is a right of appeal on a point of law by way of Judicial Review. The right must be exercised within 6 weeks of the decision.

There is also a right of appeal on procedural matters to the Office of the Ombudsman for Wales, 1 Ffordd yr Hen Gae, Pencoed, CF35 5LJ.

2.17 Complaints

All complaints regarding home-to-school transport from learners, parents/carers, members of the public, drivers, etc. will be investigated.

2.17.1 Learner Behaviour

Any concerns or complaints regarding learner behaviour should be made, as soon as possible after the incident, to both the school and the Schools Admissions and Transport Service Schools Transformation, Schools Service, County Hall, Llandrindod Wells, LD1 5LG, by completing the online pro forma which can be found here <http://www.powys.gov.uk/en/schools-students/apply-for-school-transport/>

2.17.2 Quality of Provision

Any concerns or complaints regarding drivers, passenger assistants or vehicles used for school transport should be made, in writing, to the Passenger Transport Manager, Highways, Transport & Recycling Service, County Hall, Llandrindod Wells, LD1 5LG. or by **emailing**

2.17.3 Contract Compliance

In addition to statutory vehicle safety checks, the Authority will, on unspecified days, undertake random checks on Authority-contracted vehicles to ensure that contracts are being complied with.

Part Two

3.0 Transport for Individual Circumstances

3.1 Transport related to admission appeals

The Authority will provide transport for learners who meet the standard distance qualification criteria and are refused admission to their catchment or nearest suitable school via an admission appeal, to enable them to attend the nearest suitable alternative school prescribed by the Authority.

3.2 Transport to over-subscribed schools

The Authority will provide transport for qualifying Powys resident learners to the nearest alternative suitable school when the Authority is unable to make arrangements for a learner to attend their catchment or nearest suitable school due to it being oversubscribed. The Authority will undertake full discussion with the school around its ability to admit a pupil as part of the appeals process (see 2.16).

3.3 Transport provision on school closure

During consultation on the permanent closure of a school, the Authority will consult on the revised catchment area for the named receiving school(s). Following permanent closure of the school, transport will be provided to the named receiving school(s) for learners who live in the new school's extended catchment area. For learners living outside the extended catchment area of the named receiving school the provision of transport will be considered. This provision will not automatically apply to younger siblings.

3.4 Transport to denominational schools

Transport to denominational schools will only be provided for learners who qualify under the standard qualification criteria (see 2.3 and 2.4).

3.5 Transport following a change of ordinary place of residence

The Authority may provide transport for learners, following a change of ordinary place of residence within the County boundary during Years 10 or 11 (GCSE examination course) or Years 12 and 13 (A level examination course), in order to ensure continuity of education.

Parents/carers must apply by completing and submitting a standard application form to the Admissions and Transport Team, Schools Service, County Hall, Llandrindod Wells, LD1 5LG / admissionsandtransport@powys.gov.uk and entitlement will be determined by the Head of Learning. If transport is provided it will be from a point on an existing transport route, provided there is a seat available. Such provision will not continue into Years 12 and 13 where learners move in Years 10 or 11.

3.6 Transport for early years

Transport will only be provided for learners who attend school on a full-time basis i.e. those learners who are admitted to school at the beginning of the school year after they have attained their 4th birthday.

3.7 Payments to parents/carers

In remote areas where it would not be viable to the Authority to provide transport to qualifying learners, agreement may be sought for parents/carers to transport their learner/ren to/from school on payment of an agreed fuel allowance rate. Such cases will be considered on an individual basis and arrangements will be reviewed regularly.

3.8 Transport related to English-medium / Welsh-medium provision

3.8.1 Primary

In the primary sector, transport will be provided to the catchment or nearest suitable provision providing education through the medium of either English or Welsh. In order to qualify learners must meet the standard qualifying criteria (see 2.3).

The provision of education is deemed to be equal whether the school is an English-medium or Welsh-medium school or delivers both languages through a dual stream arrangement.

3.8.2 Secondary

In the secondary sector, transport will be provided to the catchment or nearest suitable provision providing education through the medium of either English or Welsh. In order to qualify learners must meet the standard qualifying criteria (see 2.4).

3.8.3 For both primary and secondary aged learners, entitlement to transport will cease if a learner moves between streams in a school and the school is no longer the learner's catchment or nearest suitable school for the chosen language of provision.

3.9 Transport provision on safety grounds

Free transport will be provided for learners of statutory school age where the Authority is satisfied that the route between home and school is unsafe for pedestrian usage by a learner accompanied by a responsible person, such as a parent/carer or other adult, even though the distance is below the standard distance qualification criteria (see 2.3 and 2.4). Parents/carers must apply, in writing, to the Schools Admission and Transport Service, Schools Service, County Hall, Llandrindod Wells, LD1 5LG / admissionsandtransport@powys.gov.uk. Provision will be decided following completion of a Risk Assessment by appropriately qualified LA officers.

3.10 Transport related to pupil referral services

Learners who access the Pupil Referral Units or who follow an alternative curriculum may need to travel to different centres for provision during the week. Under these circumstances, the Authority will provide home-to-school transport, on a daily basis, to the centres attended by a learner on a weekly basis, subject to the standard distance qualification criteria (see 2.3 and 2.4). As arrangements can, on occasions, be quite flexible, it may prove necessary to change educational settings and, under these circumstances, transport arrangements will be changed accordingly.

Where home-to-school transport is in place, learners accessing the PRU will normally be expected to travel on mainstream home-to-school transport where appropriate. Other specific arrangements based on an individual learner's need will be decided by the Head of Learning Service,

3.11 Transport to meet the needs of Looked After Children

The same age and distance criteria apply to both Looked After and previously Looked After Children. It will be for the Authority with parental responsibility for looking after a learner to determine which school they should attend, which might be a school other than the catchment or nearest suitable school to their current place of residence because, for instance, of priority to maintain continuity in their education or contact with siblings and friends. The Schools Service will work closely with colleagues in Children's Services in ensuring that the learner's education and care requirements are fully met.

Where the proposed school is not the nearest suitable school from the learner's current place of residence, officers from the Schools Service and Children's Service will liaise over any additional costs of providing such transport. This additional cost will be recorded as a separate budget under the home-to-school transport budget.

3.12 Transport related to permanent exclusions and managed moves

The Authority will provide transport for permanently excluded learners or learners (see 2.3 and 2.4) subject to managed moves who meet the standard distance qualification criteria to enable them to attend the nearest appropriate alternative school prescribed by the Authority.

3.13 High school induction days

If they meet the standard distance qualification criteria (see 2.3 and 2.4) and a seat is available, learners transferring into Year 7 in September are able to make use of existing school transport when attending induction days.

3.14 Transport for work experience placements

Learners are not entitled to transport to undertake work experience placements. However, if there is spare capacity learners can make use of existing transport if a seat is available and there is no additional cost to the Authority.

3.15 Vacant Seat Payment Scheme

Appendix C

Learners who do not meet the standard qualifying criteria (see 2.3 and 2.4) and live within the statutory walking distance from school and live near or on an existing dedicated home-to-school transport route can apply for a place under the Vacant Seat Payment Scheme on payment of the appropriate fee. The Vacant Seat Payment Scheme will only be available on contracted vehicles i.e. it will not apply on public service vehicles. Transport will be withdrawn if the seat is required for a qualifying learner. A minimum of one week's notice will be given. The Vacant Seat Payment Scheme fee will be waived in certain circumstances e.g. for learners of statutory school age living within the County boundary who qualify for free school meals.

The charge for vacant seats will be reviewed annually and will be increased in line with Council policy.

Annex A

Eligibility for learners of statutory school age with additional learning needs (ALN), permanent disabilities (ALN/D) or mobility problems (including Post-16 learners)

- 1.0 Local authorities have a duty to provide assistance with travel where they consider this necessary to secure a learner's attendance at school. The law does not treat learners with ALN/D from other learners in this respect.
- 1.1 Local authorities have a legal duty to assist with the cost of transport to and from school if a learner with ALN/D is unable to attend the catchment or nearest suitable school for their age and needs, unless that transport is provided. Entitlement should be based on a learner's needs. Local authorities are only under a duty to provide free transport to a learner's catchment or nearest suitable school, provided it is beyond the standard qualification distance from their home, unless the learner cannot reasonably be expected to walk to school. Within the assessment period, all key stakeholders are consulted including Children's Service, Health, schools, parents/carers, etc.
- 1.2 There are additional measures set out in the SEN Code of Practice for Wales, 2002, headed 'Transport Costs for Children with Statements'. This recommends that local authorities should have clear general policies relating to transport for learners with ALN/D and that these should be made available to parents/carers. There may be additional responsibilities on the Authority where a learner has identified Special Educational Needs defined through a statement of ALN as defined by the Special Education Needs Code of Practice for Wales, 2002.
- 1.3 With respect to those aged 16 to 19 years with learning difficulties and or disabilities, Section 509 AB(1) of the Education Act 1996 says that the Authority should set out in its policy to what extent the arrangements specified regarding overall post-16 transport include arrangements for facilitating the attendance at schools and learning providers of learners with ALN/D.
- 1.4 For all ages, the Equality Act 2010 is important and incorporates the Disability Discrimination Act. The Authority may also provide free home-to-school transport as a 'reasonable adjustment' to a learner's disability in cases where the learner lives within the standard qualification distance of the school and parents/carers are unable to transport the learner to school. NB: A person has a disability (Equality Act 2010) if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities. This definition is usually interpreted as follows:
 - Mental impairment - one which is a clinically well-recognised condition. This means that a learner with an emotional and/or behaviour difficulty (BESD) is unlikely to be recognised as disabled unless their behaviour arises from an underlying mental impairment

- Long term - one that is likely to last for at least a year or for the rest of the life of the person affected. This can include intermittent or sporadic conditions such as epilepsy or multiple sclerosis.
- Substantial - more than minor or trivial.
- Adverse - referring to the effect of the impairment, not the severity of the impairment.
- Normal day to day activities - the ability of the person to carry out normal day to day activities, including mobility, ability to understand and perception of the risk of physical danger.
- Effect of medical or other treatment, on the ability of the person to carry out normal day to day activities.
- Progressive conditions, such as cancer and multiple sclerosis, may in certain circumstances be regarded as disabilities.

1.5 The Equality Act 2010, which subsumes the Disability Discrimination Act as amended by the ALN and Disability Act 2001, makes clear that learners with a disability have special educational needs if they have any significant difficulty in accessing education and if they need any special education provision to be made for them, that is, anything which is additional to, or different from, what is normally available to schools in the area. The ALN Code of Practice expects that transport should only be recorded in a learner's Statement of ALN in exceptional cases (usually in Part 6) where the learner has particular transport needs.

2.0 Statutory age learners with a special need, disability or mobility difficulty

- 2.1 Learners covered by this heading of the policy are learners of statutory school age who have a disability or ALN and/or:
- Attend specialist provision or attend a named school beyond the standard qualification distance of the home as named in a Statement of Special Educational Need, (including those attending specialist provision under emergency assessment)
 - Are identified as being at School Action Plus (SA+), in line with the ALN Code of Practice, and have needs that necessitate support in getting to school
 - Access other provision such as Education Other Than At School (EOTAS),
 - All learners placed by the LA at independent special schools, out of LA establishments and so are beyond the standard qualification distance from the home
 - Attend further education establishments and meet the criteria for support.
- 2.2 Transport for those requiring special arrangements is defined as home-to-school transport provided from defined pick-up and setting down points (not necessarily door-step), at the start and end of the learner's school day (formal education sessions). This is by whatever mode is most suited to the individual travel needs of the pupil/s or learner/s with identified additional needs, to the nearest educational establishment appropriate to his/her needs, or to the school determined by the Authority in their statement of ALN to be the school where their needs can be met where this is over the

standard qualification distance.

- 2.3 Home-to-school transport for learners with special educational needs or who have a disability and for learners who are receiving education other than at school, and/or those permanently excluded, is commissioned by the Passenger Transport Unit and provided on their behalf by a third party supplier and is based on an assessment of their need for special arrangements within the framework of the entitlement criteria.
- 2.4 Any journeys outside normal home-to-school transport times will normally only be considered where no additional costs are involved. If there are added costs, these are met by the school's delegated budget, college funds, 16+ Support Funds or parents/carers.
- 2.5 Journeys to termly or weekly boarding placements in maintained and independent out of county schools will be funded by the Authority. This provision will be limited to fixed term periods through the school year e.g. weekly, half-termly or termly. Transport to respite care/short breaks is funded by the Children's Social Care Service. Transport will be provided for parents/carers of those in residential special schools who, without support to get to Annual Reviews of Statements of ALN, would not otherwise be able to attend.
- 2.6 Modes of transport may include mainstream school buses or minibuses, public transport, taxis, private hire cars, vehicles from the Authority's own fleet, voluntary drivers' vehicles, or the provision of specialist/adapted vehicles, and in some cases the provision of a passenger assistant (previously known as an escort). Safety restraints to ensure safe transport will be provided according to the learner's needs. The Authority reserves the right to refuse to carry a wheelchair user travelling in a wheelchair which has been proven to be unsafe during transit in standard crash testing procedures or if the wheelchair is in an unfit condition for transit e.g. tyres are not fully inflated.
- 2.7 Where parents/carers are able and willing to provide transport for their own eligible learner/ren, payment of an agreed fuel allowance rate will be made.
- 2.8 Wherever possible, opportunities for maximising the independent mobility and healthy lifestyle of learners will be explored and a graduated approach to the level of support needed will always be used and reviewed on an ongoing basis.
- 2.9 The Authority deploys resources and identifies special arrangements on the basis of established need. This includes the provision of free transport where the need is such that it is the Authority's responsibility. In Powys, pupils on School Action Plus (SA+) will also "trigger" consideration of the Authority's additional responsibilities as defined by the SEN Code of Practice for Wales (2002) and the transport policy for Powys. For those with a statement of ALN, the Authority has a statutory decision making body (called the ALN Statutory Panel) for all statutory ALN matters relating to Special Educational Needs as determined by the SEN Code of Practice for

Wales. Decisions for those at School Action Plus will be made by the Authority's Manager for ALN and Inclusion after discussion with parties and consideration of the evidence.

- 2.10 The Manager for ALN and Inclusion is responsible for agreeing support for those without statements, but works to the same underlying legal framework as it is an assessment of needs.
- 2.11 The Authority will provide individual home-to-school transport in the case of pupils with a disability and/or a special educational need in accordance with the following criteria:
- (a) When a learner has a physical disability that would prevent him/her from making the usual type of accompanied journey made by learners of his/her age without any ALN. Examples of this might be cases in which the learner has:
 - (i) Long term severely restricted mobility - for example, circumstances requiring the daily use of significant physical aids such as a wheelchair.
 - (ii) Where clear medical advice is to have the shortest possible journey.
 - (ii) Long term medical condition resulting in severely restricted mobility due to pain and/or extreme tiredness - for example, juvenile arthritis.
 - (iii) Long term medical condition resulting in restrictive mobility due to serious health and safety risks - for example, epilepsy or life threatening heart defects.
 - (iv) A sensory impairment resulting in severely restricted mobility - for example, where a learner is effectively without the use of sight.
 - (b) When a learner has a significant disability or difficulty with social, and/or emotional issues, in comparison with other learners of his/her age, he/she may be extremely vulnerable in social settings. For example, a learner with Asperger's Syndrome who has very little awareness of personal danger, or a learner with severe learning difficulties who has an inability to manage the complexity of the process with safety or demonstrates constant challenging behaviour. Some may have social and emotional needs resulting in aggressive or destructive behaviour, and therefore need to have individual arrangements made.

With both (a) and (b) above, the Authority will need to be provided with written evidence (detailed in the initial Transport Application Form) about the everyday functioning of the pupil and/or medical opinion, in order to determine the significance of the pupil's disability or difficulty in relation to the home-to-school journey.

- 2.12 Where admission to specialist provision or a mainstream school named in a statement of ALN is being discussed, parental preference will be given consideration. Free transport is not provided (even where a particular transport need has been established) to the parents'/carers' preferred school if this is further away from the learner's home than another school

that can meet the learner's special educational needs. In such a case the Authority may agree to name the parents'/carers' preferred school in the statement, but only on the condition that parents/carers accept all travel costs for the duration of their learner's attendance at the preferred school and that if at a later date the parents/carers find they are no longer able to provide transport, the Authority will review the school placement.

- 2.13 Free transport is provided for learners of statutory school age who live beyond the walking distance to their catchment or nearest suitable school as defined by the Authority (please refer to Section 2.3 and 2.4 of Part 1 of the Standard Qualification).
- 2.14 Free transport is also provided where it has been assessed that, due to identified ALN/D, the learner will be unable to attend the nearest catchment or suitable school unless transport is provided.
- 2.15 The assessment of transport needs for individual learners of statutory school age requiring additional support will be undertaken by (as a minimum) the ALN Statutory Panel (if a statement of ALN applies), the ALN Manager with the appropriate member(s) of Schools Service personnel for a pupil at School Action Plus and the Passenger Transport Officer, who will seek medical and educational guidance as necessary.
- 2.16 Assessment for each learner will proceed on the basis of least possible intervention, progressing to greater levels of independence depending on established evidence of need. Guidance will be sought as necessary from medical and educational professionals including the learner's current placement if appropriate.
- 2.17 The criteria taken into account to assess transport need are: distance, suitable school, level of need.
- 2.18 Clear details of specific conditions/issues that govern the identified need for transport will be recorded at the time of initial assessment for transport. For example learners may have:
- significant mobility difficulties;
 - significant visual or hearing impairment;
 - profound multiple learning difficulties;
 - severe/specific learning difficulties;
 - autism spectrum disorders/communication difficulties;
 - severe speech and language difficulties;
 - severe emotional and behavioural problems;
 - be a wheelchair user;
 - chronic medical incapacity.

Decisions on transport are taken at the time of initial assessment and will be recorded on the learner's initial Transport Application Form. They will also form part of the Individual Travel Care Plan Records for eligible learners with Statements and those at School Action Plus for whom individual transport has been agreed.

Appendix C

- 2.19 All schools and FE establishments are encouraged (in consultation with parents/carers) to consider the independence and life skill benefits for older pupils/learners who might, with appropriate support, be enabled to walk to school or make use of public service buses or trains.
- 2.20 Guidance is sought initially through either the statutory assessment process on which a statement is based, the Annual Review or School Entry Plan and from medical and educational specialists to assess particular transport need, and this may be recorded in Part 6 of the learner's statement of ALN, or on the Annual Review records for those pupils at School Action Plus (SA+). This will include:
- a clear definition of what criteria have been taken into account to determine the need at the initial assessment and subsequent reviews;
 - the range of appropriate modes of available/accessible transport;
 - consideration of appropriate pick-up and setting-down point;
 - any specific requirements, e.g. passenger assistant essential or advisable, or the need to travel apart from other learners or maximum journey time or sibling arrangements or parents'/carers' exceptional circumstances; and
 - indication of the review schedule (if this is more frequent than annual).
- 2.21 Every learner/young person requiring special transport arrangements travelling on education transport has an Individual Travel Care Plan which is compiled in consultation with the learner/young person, their parents/carers, school and medical specialist (where appropriate). This includes details of medical considerations; appropriate harnesses or restraints and wheelchair details, where relevant. Individual risk assessment analyses the defined needs of the learner and puts into place strategies and mechanisms to reduce the likelihood and outcome of potential hazards.
- 2.22 A young person's transport need is re-examined at regular intervals by the school, in liaison with other professionals as appropriate and in conjunction with the learner's Individual Travel Care Plan, through the Annual Review Process, as follows:
- (1) Annual review of statement of ALN or Annual School Action Plus (SA+) Review; plus
 - (2) When a pupil changes school
 - (3) On transfer from KS2 to KS3 (Year 6 to Year 7);
 - (4) 14+ review including Careers and Skills Advisors input;
 - (5) 16+ review including Careers and Skills Advisors input.
- 2.26 The elements to be considered initially and at every subsequent review will include:
- Status of initial entitlement and any subsequent changes
 - Passenger assistant requirements (essential/advisable)
 - Wheelchair provision (and control protocols)
 - Special seating/harnesses
 - Loading/unloading procedures
 - Special assistant requirements e.g. moving a learner into and out of

the vehicle and wheelchair including consideration of weight, size and physical mobility

- Special needs/medication
- The requirement for door to door transport
- Other information such as behaviour or specific issues that drivers and passenger assistants should be aware of
- Emergency contact numbers
- Any altered domestic situation e.g. sibling travelling or ceasing to travel
- The learner's growing abilities reflected in opportunities for greater independence
- Parent/Carer/Child's views

2.27 Post-16 learners with a Special Need, Disability or Mobility Difficulty will continue to receive support in accordance with their need as appropriate.

2.28 The Statement of Special Educational Needs continues to the academic year in which a learner is aged 19, for learners attending a maintained post-16 special or mainstream school. The Statement of SEN will no longer apply for learners over 19 or for those attending an FE College. Continued transport assistance post-16 for ALN learners who do not qualify under the LA's discretionary post-16 transport policy is based on similar criteria to those taken into account to assess transport need for statutory age pupils with ALN and likewise learners are assessed annually.

2.29 When the Authority receives an application for transport to the relevant establishment, it considers the following information:

- Whether the learner is a Powys resident;
- The age and needs of the learner;
- The nature of the available route to the relevant establishment and any reasonable alternative route;
- The length of the journey;
- Whether the learner can use public service vehicles. Lack of public service vehicles in an area is not in itself a reason to provide individual transport;
- The benefit that the learner will get from the course. The Authority will take into account any previous post-16 education and must decide if the course will really make a difference to the life and future prospects of the learner. Reports are requested from Careers officers and other relevant agencies in order to help the Authority to make this decision;
- Whether the learner is applying for transport to the relevant establishment. This means to their nearest college, or school offering their chosen or a comparable course. In the case of a pupil of sixth form age with a Statement of Special Educational Needs it means the school, if any, identified in Part 4 of the Statement.
- The cost of the transport to be provided against any alternative means of facilitating attendance e.g. could the learner go into lodgings close to the college or be conveyed by parents/carers if they have a mobility vehicle for the learner etc;
- Learners will have the opportunity to choose between establishments provided it is reasonable to do so. However, the cost of providing

specialised transport to a college, or school and the suitability of the course will be factors that the Authority must consider when making decisions about support with transport. Where the Authority agrees to meet the full cost of transport, learners should attend the nearest relevant college or school offering the same or a comparable course.

- In some cases the Authority may decide that a young person would benefit from a different type of setting to aid their development such as attendance at a Day Centre or employment within the Adult and Social Care Service rather than further education at a college or school.

2.30 Clear details of any specific condition/issue that governs the identified need for transport will be recorded at the time of initial assessment for transport. For example:

- significant visual or hearing impairment;
- profound multiple learning difficulties;
- severe/specific learning difficulties;
- autism spectrum disorders/communication difficulties;
- severe speech and language difficulties;
- severe emotional and behavioural problems;
- being a wheelchair user;
- chronic medical incapacity;
- confirmed inability to lodge independently near to the 16+ establishment;
- confirmed inability to use public transport.

2.32 The aim of the policy for post-16 ALN transport is to encourage personal independence and the development of social and life skills by promoting personal mobility wherever possible.

2.33 Advice will be sought from the young person, school and college staff as well as parents/carers to determine whether or not it may be possible, in due course, for a learner to progress to independent transport on a public service bus. Where this is the case, assisted travel will be provided for an interim period to allow focused training to be undertaken by the Bus Buddy in collaboration with school or college staff, before the learner becomes confident and fully independent in his/her use of the bus service. At this stage financial assistance for learners who have successfully graduated to travel independently will be withdrawn, or reduced to the level available to mainstream FE learners i.e. those who following training are able to make their own way independently by public transport, having previously travelled on contracted taxi or minibus, will be provided with a bus pass to the nearest suitable establishment if they meet the standard qualification for school transport.

2.34 Similarly, requests from learners to transfer from existing public service bus routes to car travel will not be considered, unless exceptional circumstances are evidenced. Exceptional circumstances would include a significant deterioration in the learner's medical condition for example, loss of mobility leading to reliance on a wheelchair.

Important Notice

From September 2020 there will be a new statutory code of practice relating to ALN. Amendments will need to be made to this policy with reference to the new code. Furthermore, specific terms used to currently describe ALN will no longer be appropriate, e.g. Statement, School Action Plus; this policy will be amended to reflect the change in terminology.

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



This **Impact Assessment (IA)** toolkit, incorporating Welsh Language, Equalities, Well-being of Future Generations Act, Sustainable Development Principles, Communication and Engagement, Safeguarding, Corporate Parenting, Community Cohesion and Risk Management, supporting effective decision making and ensuring compliance with respective legislation.

Please read the accompanying guidance before completing the form.

Draft versions of the assessment should be watermarked as "Draft" and retained for completeness. However, only the final version will be made publicly available. Draft versions may be provided to regulators if appropriate. In line with Council Policy IAs should be retained for 7 years.

Service Area	Schools	Head of Service	Joanna Cassey	Strategic Director	Ian Budd	Portfolio Holder	Cllr Myfanwy Alexander
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Proposal

Outline Summary / Description of Proposal

The Authority's Home to School/College Transport Policy has been amended to simplify the criteria and to include the approved catchment areas in respect of transport for each school. The new Policy also confirms the requirement for the Authority to ensure that all qualifying pupils who live in Powys have access to transport to their nearest suitable maintained school. This, together with proposed changes in respect to transport provision for children with Additional Learning Needs, has been incorporated into the Policy. The Policy also assumes that learners living in Powys will be entitled to transport to their nearest suitable maintained school in Wales if they meet the qualifying distance criteria.

The Policy is considered to be the fairest and most equitable way for the Council to meet its statutory obligations.

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1. Profile of savings delivery (if applicable)

2018-19	2019-20	2020-21	2021-22	2022-23	TOTAL
£	£	£	£	£	£

2. Consultation requirements

Consultation Requirement	Consultation deadline	Feedback considered
Public consultation required	20 th July 2018	Yes

3. Version Control (services should consider the impact assessment early in the development process and continually evaluate)

Version	Author	Job Title	Date
V1	Rosie Davies	Schools Service Policy Officer	9 th August 2018

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



4. Impact on Other Service Areas

Does the proposal have potential to impact on another service area? (Including implication for Health & Safety and Corporate Parenting) PLEASE ENSURE YOU INFORM / ENGAGE ANY AFFECTED SERVICE AREAS AT THE EARLIEST OPPORTUNITY			
Passenger Transport Unit			
Service Area informed:	Yes	Contact Officer liaised with:	Yes
Mitigation			
The Schools Service liaises closely with the Passenger Transport Unit to provide Home-to-School/College Transport. Any changes to routes, or any new transport required, is discussed with the Unit.			

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How does your proposal impact on the council's strategic vision?

Council Priority	How does the proposal impact on this priority?	IMPACT Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
The Economy We will develop a vibrant economy	n/a	Choose an item.		Choose an item.
Health and Care We will lead the way in effective, integrated rural health and care	n/a	Choose an item.		Choose an item.
Learning and skills We will strengthen learning and skills	The revised Home-to-School/College Transport Policy provides free transport to qualifying learners (2 miles primary; 3 miles secondary) to the catchment or nearest suitable maintained school. The Policy also enables the provision of vacant seats to non-qualifying learners if seats are available on local authority contracted vehicles. The Policy allows learners of both statutory and post-16 age access to the required curriculum through the language of choice.	Neutral		Choose an item.

Cyngor Sir Powys County Council
Impact Assessment (IA)

The integrated approach to support effective decision making



Council Priority	How does the proposal impact on this priority?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below
Residents and Communities We will support our residents and communities	The Home-to-School/College Transport Policy provides free transport to qualifying learners (2 miles primary; 3 miles secondary) to the catchment or nearest suitable maintained school. The Policy also enables the provision of vacant seats to non-qualifying learners if seats are available on local authority contracted vehicles. The Policy allows learners of both statutory and post-16 age access to the required curriculum through the language of choice.	Neutral		Choose an item.

Source of Outline Evidence to support judgements

Consultation responses / consultation report

6. How does your proposal impact on the Welsh Government’s well-being goals?

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Well-being Goal	How does proposal contribute to this goal?	IMPACT Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
A prosperous Wales: An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.	The Policy enables learners to travel to school and college, therefore ensuring access to learning which develops a skilled and well-educated population.	Good		Choose an item.
A resilient Wales: A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).	Transport routes were recently the subject of a re-tender and the revised network of provision has been designed to ensure the number of transport miles is minimised as far as possible. The provision of a vacant seat scheme reduces the number of learners transported to school by parents/carers, and the potential to use integrated public/school transport also reduces negative impact on the environment.	Good		Choose an item.
A healthier Wales: A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.	The Policy enables all learners, and those with additional learning needs, to have access to education, thereby improving their physical and mental well-being.	Good		Choose an item.

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The integrated approach to support effective decision making



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A Wales of cohesive communities: Attractive, viable, safe and well-connected Communities.	The Policy enables learners to access transport to their nearest suitable or catchment school, ensuring that communities within catchments are well-connected.	Good		Choose an item.
A globally responsible Wales: A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.	The Policy enables learners to access education which will enable them to make a positive contribution to global well-being.	Good		Choose an item.
A Wales of vibrant culture and thriving Welsh language: A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.				
<i>Opportunities for persons to use the Welsh language, and treating the Welsh language no less favourable than the English language</i>	The Policy provides transport to the nearest suitable school delivering education through the medium of Welsh for pupils choosing to access Welsh-medium provision. However, some concerns were raised in the consultation that the Policy is not supporting the authority's ambition for Welsh-medium education and that there is a discrepancy between the Policy and the authority's Welsh in Education Strategic Plan (WESP). Views were also expressed that the Policy does not differentiate between Welsh-medium streams and Welsh-medium schools.	Neutral	Further consideration will be given to how the Policy can better support the authority's ambition as stated in the WESP and a further report will be brought back to Cabinet in Spring 2019.	Unknown
<i>Opportunities to promote the Welsh language</i>	As previous	Neutral	As previous	Unknown
<i>Welsh Language impact on staff</i>	n/a	Choose an item.		Choose an item.
<i>People are encouraged to do sport, art and recreation.</i>	n/a	Choose an item.		Choose an item.
A more equal Wales: A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).				
<i>Age</i>	Transport is available to all qualifying learners aged 4-18 accessing provision at their catchment or nearest suitable maintained school or college	Good		Choose an item.

Cyngor Sir Powys County Council
Impact Assessment (IA)

The integrated approach to support effective decision making



<i>Disability</i>	The Policy makes specific arrangements for learners with disabilities and additional learning needs.	Good		Neutral
<i>Gender reassignment</i>	The Policy provides transport to all learners regardless of gender reassignment	Good		Choose an item.
<i>Marriage or civil partnership</i>	The Policy provides transport to all learners regardless of marriage/civil partnerships	Good		Choose an item.
<i>Race</i>	The Policy provides transport for all learners regardless of race	Good		Choose an item.
<i>Religion or belief</i>	The local authority has a number of denominational schools and transport is provided for learners to these schools, subject to them meeting the qualifying criteria.	Neutral		Choose an item.
<i>Sex</i>	The Policy provides transport to all learners regardless of gender reassignment	Good		Choose an item.
<i>Sexual Orientation</i>	The Policy provides transport to all learners regardless of sexual orientation	Good		Choose an item.
<i>Pregnancy and Maternity</i>	If specific transport is assessed as being required for a learner who is pregnant, this is considered and provided on a case by case basis, taking account of the learner's health and wellbeing	Good		Choose an item.

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Source of Outline Evidence to support judgements
Home-to-School/College Transport Policy, consultation responses, consultation report

7. How does your proposal impact on the council's other key guiding principles?

Principle	How does the proposal impact on this principle?	IMPACT Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
Sustainable Development Principle (5 ways of working)				
<i>Long Term: Looking to the long term so that we do not compromise the ability of future generations to meet their own needs.</i>	The Schools Service and Corporate Transport regularly review projected learner numbers to scope the long term delivery network	Neutral		Choose an item.
<i>Collaboration: Working with others in a collaborative way to find shared sustainable solutions.</i>	The commissioning of home to school/college transport is undertaken by Corporate Transport and joint school/public service buses are used where available. Work with other partners such as Adult Services and the third sector is being reviewed with a view to developing integrated provision	Neutral	Integrate the commissioning of all transport provision by a single unit	Good
<i>Involvement (including Communication and Engagement): Involving a diversity of the population in the decisions that affect them.</i>	The local authority has established a multi-user group around the provision of transport. The Schools Service has undertaken a county wide consultation on the revised Policy, and has taken account of the responses received in the final version of the Policy.	Good		Choose an item.
<i>Prevention: Understanding the root causes of issues to prevent them from occurring.</i>	The provision of home to school/college transport is a statutory provision under The Learner Travel (Wales) Measure 2008	Neutral		Choose an item.

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The integrated approach to support effective decision making



Principle	How does the proposal impact on this principle?	IMPACT Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	IMPACT AFTER MITIGATION Please select from drop down box below
Integration: <i>Taking an integrated approach so that public bodies look at all the well-being goals in deciding on their well-being objectives.</i>	The commissioning of home to school/college transport is undertaken by the Corporate Transport Unit and joint school/public service buses are used where available. Work with other partners such as Adult Services and the third sector is being reviewed with a view to developing integrated provision	Neutral	Integrate the commissioning of all transport provision by a single unit	Good
Preventing Poverty: Prevention, including helping people into work and mitigating the impact of poverty.	The Policy is provided based on qualifying distance and not wealth. The vacant seat payment charge is waived for learners entitled to FSM	Neutral	At a significant cost the local authority could provide transport on a needs assessed basis for those learners living under the standard qualifying distances	Good
Unpaid Carers: Ensuring that unpaid carers views are sought and taken into account	n/a	Choose an item.		Choose an item.
Safeguarding: Preventing and responding to abuse and neglect of children, young people and adults with health and social care needs who can't protect themselves.	The safeguarding of learners is a priority and risk assessments are undertaken on all pick up points and specific routes. Passenger assistants are provided on special school transport but not routinely on transport going into mainstream schools. Safeguarding (DBS) checks are undertaken by operators on all bus drivers, taxi drivers and passenger assistants every 3 years. CCTV will be installed in certain contract vehicles to ensure the safety of passengers and drivers.	Neutral		Choose an item.
Impact on Powys County Council Workforce	n/a	Choose an item.		Choose an item.
Source of Outline Evidence to support judgements				
The Learner Travel (Wales) Measure 2008 Revised home to school transport Policy Public service transport network information Consultation responses and consultation report				

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8. Achievability of proposal?

Impact on Service / Council	Risk to delivery of the proposal	Inherent Risk
Low	Low	Low
Mitigation		

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The integrated approach to support effective decision making



9. What are the risks to service delivery or the council following implementation of this proposal?

Risk Identified	Inherent Risk Rating	Mitigation	Residual Risk Rating
The Policy does not support the authority's ambition for the development of Welsh-medium education, as outlined in the WESP	Medium	Further consideration will be provided to ensuring that the Policy is able to support the authority's ambition for Welsh-medium education as outlined in the WESP and a further report will be brought back for Cabinet to consider in the spring term 2018	Low
	Choose an item.		Choose an item.
	Choose an item.		Choose an item.
Overall judgement (to be included in project risk register)			
Very High Risk	High Risk	Medium Risk	Low Risk
			✓

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10. Indicative timetable for actions to deliver change proposal, if approved

Action	Target Date	Outcome	Decisions made
Further work to be carried out on the impact and implications of introducing charges for transport for 16 -19 year olds to schools/college.	Spring 2019	A clearer understanding of the costs and impact of introducing charges for transport for 16 – 19 year olds	
Further consideration to be given to how the Policy can support the authority's ambition for Welsh-medium education, as outlined in the WESP	Spring 2019	A clearer understanding of how the Policy can support the aims of the WESP	
Portfolio Holder decision required	Choose an item.	Date required	
Cabinet decision required	Yes	Date required	Spring term 2019
Council decision required	Choose an item.	Date required	

11. Indicative resource requirements (FTE) – link to Resource Delivery Plan

Support Requirements	2018-19				2019-20				2020-21			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
n/a												

Cyngor Sir Powys County Council

Impact Assessment (IA)

The integrated approach to support effective decision making



12. Overall Summary and Judgement of this Impact Assessment?

Outline Assessment (to be inserted in cabinet report)	Cabinet Report Reference:	Cabinet Report Home-to-School Transport Policy 18 th September 2018
The impact assessment indicates that the approval of a new Home-to-School Transport Policy does not have a negative impact, and that overall the impact is neutral or good.		

13. Is there additional evidence to support the Impact Assessment (IA)?

What additional evidence and data has informed the development of your proposal?
Consultation Summary Report

14. On-going monitoring arrangements?

What arrangements will be put in place to monitor the impact over time?
The Policy will be reviewed as and when required, in line with statutory/ legislative requirements and/or local determination but at least every 3 years
Please state when this Impact Assessment will be reviewed.
When any changes to the Policy are being considered

15. Sign Off

Position	Name	Signature	Date
Impact Assessment Lead:	Rosie Davies		15 th August 2018
Head of Service:	Joanna Cassey		15 th August 2018
Strategic Director:	Ian Budd		tbc
Portfolio Holder:	Clr Myfanwy Alexander		tbc

16. Governance

Decision to be made by	Cabinet	Date required	By 18 th September 2018
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FORM ENDS

Education Scrutiny Working Group Scrutiny Observations to Cabinet on: Home to School/College Transport Policy

The Education Scrutiny Working Group met on the 13th March 2018 and considered the draft revised Home to School Transport Policy (undated).

The Group made observations to Cabinet/Management Team in respect of the draft revised Home to School/College Transport Policy on 20th March 2018.

The Group make the following observations to Cabinet.

- This policy has been a long time in preparation and it is to be welcomed that this is now being brought to Cabinet.
- Scrutiny wish to support the application of equity of provision by way of transport to access education via language of choice.
- Scrutiny support the application of equity of provision with regard to transport to religious education.
- Scrutiny understand the intention to have a single catchment school for each pupil which may be different for English or Welsh speaking provision. Again equity for all learners is important.
- Scrutiny note that the Cabinet report includes within the summary at 1.4 an intention to consult on a proposal to charge for Post 16 transport but note that this does not feed through to the proposal or recommendations.

Scrutiny welcome the opportunity for further examination of the Home to School/College Transport Policy in light of the public consultation findings prior to a final report to Cabinet.

Membership of the Education Scrutiny Group on 13th March 2018
County Councillors **D Jones (Lead Member)**, A Jenner, S McNicholas, L Roberts, R Williams, Parent Governor Representatives A Davies and S Davies and Church Representative M Evitts

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CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE
22 August 2018

REPORT AUTHOR: County Councillor Myfanwy Alexander
Portfolio Holder for Learning and Welsh Language

SUBJECT: Additional Learning Needs Transformation Programme
2018-2021

REPORT FOR: Information

1. Summary

- 1.1 This report provides an overview of the wide ranging national reforms of the Additional Learning Needs Transformation Programme which will affect every school in Wales. The reforms will affect all young people with Additional Learning Needs across the 0-25 age range, all local authorities and related service providers including Health, Children Services and Social Care, arising from the passing of the *Additional Learning Needs and Education Tribunal Act (Wales) January 2018*.
- 1.2 Information is provided in this report on the Powys County Council response to the Additional Learning Needs and Education Tribunals (Wales) Act 2018 and the proposed approach for local implementation of the national reforms and compliance with new legislative requirements arising from the Act.
- 1.3 This report provides a summary of the progress made up to July 2018 by Powys County Council in terms of the local organisation, planning and implementation by the Education Service in response to the national reforms.
- 1.4 Commentary is provided of the links and coordination between the continuing development of Additional Learning Needs (ALN) provision in Powys and the Council's current priorities within the Corporate Improvement Plan (CIP) 2018.

2. Proposal

- 2.1 It is proposed that the Programme Management Plan (PMP) for the *Powys Additional Learning Needs and Inclusion Transformation Programme 2018-2021* designed by the Education Service is used to

provide the structure and direction of the Powys response to the national Additional Learning Needs reform and that this approach receives the full support of the Council.

- 2.2 It is proposed that annual progress reports are brought to Education Scrutiny and Cabinet to provide assurance on pace, effectiveness of progress, outcomes and key risks and issues arising from the Powys Additional Learning Needs Transformation Programme 2018-2021. This will include new forms of working with local Health authorities, Children Services, Social Care providers and all schools within Powys.

3. Options Considered / Available

- 3.1 There is an expectation that each local authority in Wales, working closely with relevant partners, stakeholders and service providers will respond appropriately and within recently published timelines for national reform and change to statutory duties as part of the new act.
- 3.2 The reforms are outlined in the attached local Due Diligence Exercise **(See Appendix A)** which analyses the Additional Learning Needs thematic areas of national reform and indicates the required types of change to Additional Learning Needs provision in Powys.
- 3.3 The Due Diligence Exercise also summarises the key areas of statutory duties, guidance and related requirements and actions contained within the Act. The summary chart within this document offers an initial indicative RAG rating of broad compliance in Powys with key elements of the Act, indicating that change is required in most areas of Additional Learning Needs Provision in Powys. This is in line with most other local authorities.
- 3.4 A response by each local authority in Wales will require both locally designed and managed transformation programmes and that these work in coordination with regionally organised and funded Additional Learning Needs development projects.
- 3.5 The design of local Additional Learning Needs transformation programmes and regional development work will vary across local authorities. However, the Welsh Government has issued broad guidance on thematic areas **(See Appendix B)** which will need to be addressed to meet the requirements of the national reform programme and which have served to inform the Powys response to date.
- 3.6 Locally, Powys has developed a Programme Management Plan V8.1 **(see Appendix C)** for the local Additional Learning Needs Transformation Programme covering the period 2018-2021. The Programme Management Plan has been organised within the context of the Powys County Council Corporate Improvement Plan (CIP) framework, aims and priorities.

The local Additional Learning Needs Transformation Programme will also coordinate with the Wales south west region development work on additional learning needs and will respond to direction from both subsequent national Welsh Government guidance and from their appointed regional lead for the Additional Learning Needs transformation process. In the case of the Wales south west region, of which Powys is a part, the regional lead is Huw Davies, seconded Estyn HMI. Huw Davies has met with the programme sponsor, Ian Budd, Director of Education in Powys. It has been commented by the regional lead that Powys' Transformation programme is in an advanced stage to many other local authorities and that there is much work contained within it that could be used as examples of best practice.

- 3.7 The design and scope of the local Additional Learning Needs Transformation Programme 2018-2021 has been endorsed by the Powys Education Portfolio Holder, Education Service Director (Project Sponsor), the Education Service Management Team, Corporate Executive Management Team, Programme Steering Group and Programme Officer Team and has been presented to two stakeholder workshops with a wide range of representation including schools and Health.
- 3.8 Additionally, the three year transformation programme approach proposed by Powys has been considered in some detail by Huw Davies, Regional ALN Lead for the Welsh Government, who has commended the programme design and scope and is supportive of the programme structure, milestones and related planning.
- 3.9 The Powys ALN Transformation Programme 2018-2021 has been assessed for projected service impact and efficiencies and a resource management proposal submitted through an initial Business Plan was approved by corporate finance for the 3 year period of the programme.

4. Preferred Choice and Reasons

- 4.1 The rationale for the Powys management of change approach and the requirement to implement national reforms locally is based on three key principles:
 - a. Achieving efficiency around service provision and impact by combining and synchronising the local response required to the national reform with the local continuous improvement process undertaken by the Education Service;
 - b. Ensuring the design and scope of the local transformation programme includes an appropriate response to the key requirements of the national reform including:

- placing the pupil at the centre of the additional learning needs process;
 - effectively integrating local services for additional learning needs provision;
 - effectively transitioning local ALN policy from SEN-based procedures (which will cease completely in due course including SEN Statements) to the new Additional Learning Needs Code of Practice (and use of Individual Development plans) being introduced as a key part of the national reform across all additional learning needs provision in Wales.
- c. Ensuring the design and scope of the local response will meet the timeline and thematic requirements of the national reform including legislative changes in statutory duties, guidance and related actions.
- 4.2 The Powys Additional Learning Needs Transformation Programme 2018-2021 commenced in early spring 2018 following a local service review of Additional Learning Needs and Inclusion service provision across the local authority.
- 4.3 The design and scope of the Additional Learning Needs Transformation Programme 2018-2021 has been able to consider both the outcomes of the local service review alongside the emerging national guidance on reform being introduced by the Additional Learning Needs and Education Tribunal (Wales) Act 2018. This timing provided a strong base for producing the Programme Management Plan for the new three year transformation programme.
- 4.4 Additionally, the Programme Management Plan (PMP) was designed to commence at the beginning of the 2018-19 financial year and to cover the three year period to March 2021. The timeline and milestones within the Powys Programme Management Plan allow for achieving implementation of the requirements of the national reform. This will mean that the programme will fit in with the national timeline and comply with the implementation date of September 2020. The PMP further includes a period from September 2020 to March 2021 to undertake local review and evaluation of the transformation process.

5. Impact Assessment

- 5.1 Is an impact assessment required? **Yes**
- 5.2 If yes is it attached? **No**

The impact assessment will be completed following receipt of further information from Welsh Government giving us full details of the draft ALN code and the format for the new IDP's. Although the Welsh Government have not given a specific date for the delivery of this information they have advised that it will be completed in Autumn 2018.

6. Corporate Improvement Plan

- 6.1 The ALN Transformation programme has been recognised as a significant project for the council and is therefore included as a key commitment within Vision 2025: Our Corporate Improvement Plan. It will support delivery of key outcomes both within the Learning and Skills Programme and Health and Care (Start Well) programme, ensuring that children and families have the best start in life.

7. Local Member(s)

- 7.1 The Additional Learning Needs Transformation Programme will impact on all locations where additional learning needs support is provided and in all wards of the council.
- 7.2 The impact of any changes will be support equity, equality and parity of service provision across all areas of Powys

8. Other Front Line Services

Does the recommendation impact on other services run by the Council or on behalf of the Council? **Yes**

If so please provide their comments:

Health and Children and Social Care

This programme will ensure that further steps are taken to develop an integrated service provision for vulnerable children and young people. The changes will improve processes and impact on outcomes for vulnerable young people.

The ALN transformation programme will mean that there will be increased links with Health and Children and Social Care because of the need to provide a service to children and young people across the 0-25 age range building on the current 5 – 16 statutory education provision. The new individualised development plans (changing from statement of special needs) for children and young people will include the need to consider family and social support and will need to have Social care involvement in complex cases.

The new individualised development plans will also include the health needs of children and young people and involve the agencies that support these needs.

Start Well Programme

The ALN Transformation Programme is being managed within the schools service but will also require strong collaboration with the Start Well (CYPP) programme to ensure joined up delivery of the 'Disabilities and ALN' work stream.

9. Communications

Have Communications seen a copy of this report? Yes

Have they made a comment?

Information report, no pro-active communication action required at this stage.

10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

10.1 Legal

10.2 Finance

The Schools Finance Manager notes the content of the report. Finance advice and support is available for the service area should that be required at a later stage.

10.3 Corporate Property (if appropriate)

N/A

10.4 HR (if appropriate)

There do not appear to be any workforce implications at this stage, however, HR advice and support is available for the service area should that be required at a later stage.

10.5 ICT (if appropriate)

The use of ICT is one of the major focusses of the ALN Transformation Programme. Digital competency is also a key framework within the new Welsh Curriculum. The Framework encapsulates the skills that will help learners thrive in an increasingly digital world. **(See Appendix D)**. The transformation will allow the Council to audit its use of digital learning for KS4 and Post-16 provision, and assess whether it can improve access to a wider curriculum for KS4 and Post-16 learners by investing in new technology.

11. Scrutiny

Has this report been scrutinised? No

12. Statutory Officers

(The views of both the Strategic Director Resources (Section 151 Officer) and the Monitoring Officer **must** be set out below)

13. Members' Interests

(To be completed by the Monitoring Officer)

14. Future Status of the Report

Members are invited to consider the future status of this report and whether it can be made available to the press and public either immediately following the meeting or at some specified point in the future.

Recommendation:	Reason for Recommendation:
This is an information paper to support and endorse the ALN and Inclusion Transformation Work Programme 2018-2021 outlined in this report which brings together the Welsh Government ALN Transformation Programme and the local ALN priorities.	In order to be compliant with the Additional Learning Needs Education Reform Bill

Relevant Policy (ies):	<ul style="list-style-type: none">- Current Powys CC Additional Learning Needs Policy and Procedures- Current Powys CC SEN Policy and Procedures- Current SEN Code of Practice and Legislation		
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	All
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Person(s) To Implement Decision:	Imtiaz Bhatti
Date By When Decision To Be Implemented:	September 2020

Is a review of the impact of the decision required?	Y
If yes, date of review	TBC
Person responsible for the review	Imtiaz Bhatti
Date review to be presented to Portfolio Holder/	TBC

Cabinet for information or further action	
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Contact Officer:	Mr Imtiaz Bhatti, Senior Manager, Additional Learning Needs
Tel:	01597 826401
Email:	Imtiaz.bhatti@powys.gov.uk

Background Papers used to prepare Report:

Additional Learning Needs and Education Tribunal (Wales) Act 2018
Powys Additional Learning Needs Policy and Procedures 2014/2015
Additional Learning Needs Programme Management Plan March 2018
Additional Learning Needs Due Diligence Exercise May 2018
Additional Learning Needs Business Plan March 2018

CABINET REPORT VERSION 4

DRAFT

Digital Learning Project

The purpose of this paper is to set out the approach to developing Powys' Digital Learning Project. It includes the vision, aims and objectives of the emerging project, its' scope, and sets out the key steps that will be undertaken to develop the project.

Vision

The Council's Corporate Plan – Vision 2025 – includes a commitment to strengthen learning and skills across the county by

- Improving the educational attainment of all pupils
- Supporting children and families to have the best start in life
- Improving our schools infrastructure
- Improving the skills and employability of young people and adults

Digital learning is fundamental to the successful delivery of these four priorities, and is also key to the Council's ALN Transformation Programme.

Powys' geography and sparsity requires a different approach to the delivery of teaching and learning across all sectors – from early years through to post-16, from schools to work-based and community learning. There are significant opportunities to improve access to learning and to broaden the curriculum through the use of technology. However, the use of technology is under-utilised across the county and therefore a clear strategy to develop digital learning is required.

Aims

- To provide a wider and more equitable choice of subjects for all secondary and post-16 pupils in Powys
- To support the development of Welsh-medium secondary and post-16 education
- To develop a network of staff who are able to deliver online learning in all subject areas
- To engage with adult learning and apprenticeship providers to develop digital learning across these sectors

Scope

The initial scope will have a focus on developing provision for pupils in the secondary and post-16 sectors, including those with Additional Learning Needs (ALN).

The partners involved will include:

- All secondary schools
- All special schools
- FE partners
- Work-based learning providers
- Schools Service officers
- Corporate ICT officers

Workstreams

There will be three workstreams established to take forward the work, with the first phase of the project focusing on rolling out digital learning for post-16 providers by September 2019. The second phase will consider how digital learning can be developed in the primary sector.

Workstream	Resources	Outcome	Timescales
Connectivity / ICT Support	Powys ICT Governance Group, Corporate ICT, ICT Technicians in schools and Mike Isted – digital lead for Powys Schools	To establish / develop / assess the connectivity between schools and ability to provide digital learning in schools using the methods identified in teaching and learning workstream.	By January 2019
Infrastructure / Equipment	Powys ICT Governance Group, Corporate ICT, ICT Technicians in schools and Mike Isted – digital lead for Powys Schools	To prepare a capital business case to determine the equipment needed in all the phases of the roll out of digital learning.	By April 2019
Teaching and Learning	Mike Isted, Secondary head Teachers, hosted companies -Esgoil -Tute Teach -Llanidloes / Llanfyllin digital proposals	To scope out and explore all different methods of digital subject delivery and test each one to inform any new model going forward.	By April 2019

Project Management and Governance

The project will be managed by Joni Hughes, Schools Transformation Programme Manager

The project will be overseen by the Learning and Skills Programme Board, and the ALN Transformation Steering Group.