

**REPORT OF THE CABINET MEMBER FOR CHILDREN AND YOUNG
PEOPLE'S SERVICES AND THE CABINET MEMBER FOR TRANSPORT AND
HIGHWAYS****DISCRETIONARY TRAVEL SCHEME FOR CHILDREN ATTENDING
PREFERRED SECONDARY SCHOOLS IN NOTTINGHAMSHIRE****Purpose of the Report**

1. To provide Cabinet with an analysis of the first year of operation of the Discretionary Travel Scheme for children attending preferred secondary schools in Nottinghamshire.
2. To seek approval for the continuation of the travel scheme, providing an incremental roll out of the scheme to each year 7 cohort establishing a fully operational scheme across years 7 to 11 by 2015.

Information and Advice**Background**

3. In July 2010 Cabinet approved arrangements to introduce a Discretionary Travel Scheme for children attending preferred schools within Nottinghamshire in accordance with powers contained in the Transport Act 1985. Initially the scheme would apply to year 7 pupils starting secondary school in September 2011, with a view to the incremental roll out of the scheme to years 7 to 11 over the course of future years.
4. Arrangements for the scheme and the criteria for assessing eligibility were set out in the July 2010 Cabinet report. The scheme was publicised through the internet, press, School Admissions booklet and the Under 16 Travel Booklet which is available to all primary schools and distributed to year 6 pupils. It was agreed that the application process would run alongside the existing statutory 'Home to School Transport' application process so reducing administration costs and enabling applications to be assessed first against the statutory entitlement and then against the Discretionary Travel Scheme. The appeal or review process for the scheme would also follow that currently used for statutory home to school transport.
5. For the current academic year there have been 445 successful applications. It is anticipated that more requests will be received as is historically the case with applications for statutory home to school transport. From the initial pupil data, some areas have witnessed less take up of the travel scheme than may have been anticipated,

and it is thought that more requests may be received as information is shared more widely at a local level.

6. 35% of the preferred travel scheme passes issued have been to children attending faith schools in Nottinghamshire. The largest take up are from All Saints RC School, with 49 passes issued (11% of all passes issued), the Becket School, with 39 passes (8.7%) and the Minster School with 36 passes (8%).
7. In relation to non faith schools, the largest percentage of take up is from pupils attending Toot Hill School, with 67 passes issued (15% of all passes issued). This number is made up predominately of children travelling from the Newark and Radcliffe on Trent areas. Other destination schools for which a relatively high number of passes have been issued are Tuxford Academy with 50 passes (11%), Elizabethan High School with 30 passes (6.7%), Colonel Frank Seely and South Wolds Community School both with 28 passes each (6%).
8. The discretionary travel scheme determines that qualifying pupils will use the existing transport network and that no additional transport would be established to new destinations as a consequence. For pupils attending mainstream schools, there have been no issues reported regarding this principle. However in relation to special transport, specific queries have arisen and legal advice has been sought regarding entitlement to SEND transport and the preferred school travel scheme. Advice received from Legal Services is that each case should be reviewed on its own merits and in some circumstances the County Council would need to agree to additional special transport under the preferred scheme. This could prove to be costly; for example, transport for one individual pupil this year will cost £13,300.
9. The budget for Year 1 of the scheme was based on a take up of 600 applications and was set at £367,000 which included the scheme set up and ongoing costs. Spend to date is £260,000, however further expenditure is anticipated as the application process continues. The initial predicted take up of the scheme of 600 applicants per year group does now seem high and should be monitored in year 2 of the scheme.
10. The budget provisions for the following four years agreed in the July 2010 for transport and running costs appear sufficient based on current and anticipated take up. The contingency costs that were put into the original budget are a little more unpredictable. It is anticipated that, on current take up and projections, transport capacity may need to be increased on several existing routes to accommodate the preferred scheme over the next four years. Also, following the legal advice regarding SEND travellers, provision for this should be made from the contingency element of the budget.
11. The County Council has received a positive response to the scheme with over 440 families benefitting from the scheme, enabling their children to travel free of charge to their preferred school. It is the case that a small number of complaints have been received from parents, some via MPs and Councillors, regarding the fairness of the scheme. These have mainly been from parents of children attending faith schools who since 2006 were no longer entitled to free transport to school and who do not qualify under the new scheme as their children are not in year 7. Each complaint has been responded to.

Other Options Considered

12. When the scheme was approved in July 2010, it was determined that it would be kept under review in the first instance. Other options considered following the first year of operation were to either discontinue the scheme or fully implement the scheme for all secondary school year groups 7 – 11.

Reason/s for Recommendation/s

13. The discretionary travel scheme for children to attend a preferred secondary school was implemented by Nottinghamshire County Council to fulfil a manifesto pledge made by the current administration to increase flexibility, affordability and choice for parents. It was determined that the scheme would be introduced initially for year 7 pupils in September 2011 in order for the scheme to be assessed. The scheme has been favourably received by parents and the budget set aside for the scheme has been sufficient to accommodate take up and running costs of the scheme. The decision to establish a fully operational scheme with a phased approach to the rollout continues to support the election pledge and enable the County Council to monitor and remain in control of the costs and budget.

Statutory and Policy Implications

14. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

15. The proposed roll out of the discretionary travel scheme for children travelling to preferred schools will positively impact on all future children attending preferred secondary schools in Nottinghamshire who meet the qualifying criteria, enabling them to access free travel to school.

Financial Implications

16. The financial implications are set out in the table overleaf. The costs of operating the scheme were identified in the July 2010 Cabinet report and the budget agreed and set aside by the County Council as part of its Medium Term Financial Strategy.

Academic Year	Budget 2011/12 £000	Actual 2011/12 £000	Budget 2012/13 £000	Budget 2013/14 £000	Budget 2014/15 £000	Budget 2015/16 (First full year cost) £000
Transport Costs	297	213	596	891	1,180	1,485
Start-up & Running Costs	25	25	10	15	15	15
Contingency	45	22	90	135	180	225
Total Annual Estimated Cost	367	260	696	1,041	1,375	1,725

Equalities Implications

17. As part of the process of making decisions and changing policy, public authorities are required by law to think about the need to:
 - eliminate unlawful discrimination, harassment and victimisation.
 - advance equality of opportunity between people who share protected characteristics (as defined by equalities legislation) and those who do not.
 - foster good relations between people who share protected characteristics and those who do not.
18. Equality Impact Assessments (EIAs) are a means by which a public authority can assess the potential impact that proposed decisions / changes to policy could have on the community and those with protected characteristics. They may also identify potential ways to reduce any impact that a decision / policy change could have. If it is not possible to reduce the impact, the EIA can explain why. Decision makers must understand the potential implications of their decisions on people with protected characteristics.
19. An EIA has been undertaken and is available as a background paper. Decision makers must give due regard to the implications for protected groups when considering this report.
20. The scheme will have a positive impact on equal opportunities by providing a wider choice of schools for qualifying young people.

RECOMMENDATION/S

- 1) That:
 - a) the discretionary travel scheme for children attending preferred schools be continued and an incremental roll out of the scheme to pupils in each year 7 cohort who meet the qualifying criteria be established with a fully operational scheme across years 7 to 11 by 2015

- b) financial resources outlined in the Cabinet Report of 14 July 2010 for the continuation of the scheme be confirmed
- c) the scheme continues to be operated by the Transport and Travel Services Group, Environment and Resources Department, using the existing application process and appeals process operated for the statutory home to school transport applications
- d) Children, Families and Cultural Services continue to support and manage the appeals process.

Councillor Philip Owen
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Constitutional Comments (LM 14/03/12)

- 21. Cabinet has delegated power under the Constitution to discharge the County Council's functions as Local Authority responsible for education.

Financial Comments (NDR 14/03/12)

- 22. The financial implications associated with the Scheme are set out in paragraph 16 of the report.

Background Papers

Equality Impact Assessment
Cabinet Report 14 July 2010

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All.

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