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**Report to:** Transport Committee

**Date:** 5 July 2019

**Subject:** **School Bus Guidelines**

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Is this a key decision?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for call-in by Scrutiny?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information or appendices?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If relevant, state paragraph number of Schedule 12A, Local Government Act 1972, Part 1:	

## 1. Purpose of this report

- 1.1 To consider the adoption of revised guidelines for the provision of Combined Authority funded school bus services.

## 2. Information

### Background

- 2.1. At the May 2018 meeting of the Transport Committee it was resolved to engage with stakeholders on revised guidelines for the provision of school bus services funded by the Combined Authority and that a further report be presented prior to adoption of the guidelines.
- 2.2. This report explains the rationale for the proposed changes to the guidelines, summarises the outcomes from the engagement exercise and sets out the actions that will be taken in response to the feedback received.

### Current Guidelines

- 2.3. Under Co-operation Agreements with five West Yorkshire local councils, the Combined Authority organises a range of school transport services. The local Councils fund the transport of school pupils eligible for free transport under its policies. In addition, the Combined Authority subsidises some home-to-school bus services that are procured under the Transport Act for children who are not eligible for free travel under statute or local council policy but where travel to school for these pupils would otherwise be difficult (e.g. excessive journey length, journey's not suitably timed, unsuitable interchange points). These are mainly but not exclusively provided for children attending secondary schools. The net cost (after fares revenue) of providing these services to the Combined Authority is approximately £3 million per annum.
- 2.4. These services are provided under a set of guidelines adopted by the Transport Committee in 2014 (based upon those previously in use by the former Integrated Transport Authority). The guidelines are based on an assumption that children and young people of secondary school age can use the conventional public transport network if it is suitable. A 'reasonableness' test, which is based on government guidance, is used to determine if the available public transport is suitable. The current guidelines are attached as Appendix 1.
- 2.5. The Combined Authority has agreed a revised budget with the five West Yorkshire local councils which will require expenditure on subsidised bus services to reduce from c£18m in 2018/19 to c£15m in 2020/21. A reduction in school transport provision and/or an increase in revenue on school bus services will be necessary to meet the overall savings target. It is therefore important that a reduced availability of funding is targeted at greatest need.

### Proposed Guidelines

- 2.6. Whilst the current guidelines are useful in ensuring that provision is only made when there is no suitable alternative bus service, they do not currently take into account the location of the school relative to local Council admission arrangements; some buses are provided to take pupils to schools which are not in their local area. The guidelines do not currently reflect the promotion of active travel options such as walking and cycling. They also do not reflect the differing travel behaviour of older students to those younger pupils.
- 2.7. At the Transport Committee in May 2018 it was proposed that the Combined Authority should engage with parents, schools and other interested parties on a revised set of guidelines with the main changes as follows:
- **Distance from school** – Subsidised school bus services will not normally be provided where pupils are attending a school that is more than four miles (6.5 km) from their home address.
  - **Requests to serve new areas** - Subsidised school bus services will not normally be introduced where currently no public transport link exists.

- **Walking or cycling to school** – Subsidised school bus services will not normally be provided for pupils who live less than 1.5 miles (2.4km) (30 minute walk) from their school.
- **Commercial school bus services** – Subsidised school bus services may be withdrawn where commercial bus operators are willing to provide a service on the basis that parents meet the whole cost of the service.
- **Selective schools** – Subsidised school bus services will not normally be provided where the school admissions policy is based on academic selection.
- **Post-16** – Subsidised school bus services will not normally be provided for young people in the 16-18 age group.

2.8. In addition, there are a number of long established practices and principles that the Combined Authority employs, which were not included in the original guidelines. For completion, these were also included in the proposed guidelines. A copy of the proposed guidelines is attached as Appendix 2.

#### Engagement Process & Outcome

2.9. The engagement was launched on 1 February 2019 and closed on 15 March 2019. It was hosted on the Combined Authority's Consultation & Engagement portal, Your Voice. This provided information on the proposed changes and enabled parents, schools and other interested parties to provide feedback via an on line questionnaire or by email or post. A summary of the feedback received is attached as Appendix 3. A detailed breakdown can be found at <https://www.yourvoice.westyorks-ca.gov.uk/schoolbuses>. Contact with parents was made via the schools.

2.10. The relevant issues raised by respondents in respect of the proposed changes were:

#### **Distance from school (4 mile radius)**

- Public transport journeys inconvenient/unreliable;
- Perceived safety concerns around using public transport;
- Unfair to change provision for existing pupils/students;
- School is allocated rather than selected;
- Discriminates against faith and selective schools;
- Subsidised school bus services should be provided for all pupils/students.

#### **Requests to serve new areas**

- Public transport journeys inconvenient/unreliable;
- Perceived safety concerns around using public transport;
- School is allocated rather than selected.

#### **Walking or cycling to school (1.5 miles)**

- Safety concerns - lack of suitable infrastructure;
- Comfort/Safety concerns – darkness / inclement weather;
- Personal safety concerns;
- Maximum walking distance is too long.

### **Commercial school bus services**

- Cost prohibitive, particularly for low income families;
- Concerns over the certainty of provision and that operators might exploit the situation when setting fare prices;
- Subsidised school bus services should be provided for all pupils/students;
- Unfair to change provision for existing pupils/students.

### **Selective schools**

- Discriminates against pupils/students attending selective schools;
- Discriminates against low income families;
- Unfair to change provision for existing pupils/students;

### **Post 16**

- Some students in Years 12 and 13 do have a fixed school day;
- Public transport journeys are unavailable or unreasonable;
- Perceived safety concerns around using public transport;
- Subsidised school bus services should be available to all age groups.

- 2.11. Whilst the consultation was live, it was raised by members of the Overview and Scrutiny Committee on 22 March in a discussion about Strategic Transport Priorities. The Committee advised that *“any planned revision of guidelines to the provision of school bus services should take care not to lead to a reduction in services that many students in poorly connected communities rely on or an increase in car usage which would be contrary to strategic ambitions relating to inclusivity, connectivity, clean growth and air quality”*.
- 2.12. Whilst the feedback raises important considerations, most can be addressed by minor changes to the guidelines or in the implementation. It is therefore proposed that the guidelines are adopted with the following amendments and recommendations as to their implementation;
- 2.13. **Distance from school.** The guidelines here are designed to address where parents have chosen preference for a school that is clearly some considerable distance from their home address and where, as a result, the Combined Authority is incurring additional costs. Around 95% of services are within the four mile radius and so this will only apply to a small number of services. Children travelling from outside this area will normally be charged a higher fare to reflect the additional cost of provision. However, the Combined Authority will apply discretion in exceptional circumstances and these include where children live outside but in close proximity to the four mile boundary.
- 2.14. Where it clear that that parents have chosen a school in preference to a number of nearer schools and where this distance significantly exceeds the four mile boundary, parents can be expected to meet additional costs. However, the Combined Authority will ensure, as far as is practical, that the collective cost to parents does not exceed the total cost of provision. In addition, the implementation will be phased and the Combined Authority will work with schools to identify practical ways to assist families living on low

means (normally defined as those in receipt of free schools meals or the maximum working tax / universal credit).

- 2.15. With regard to faith schools, with the exception of St Wilfrid's Catholic School in Wakefield, services to faith schools are funded by the local councils and are not affected by the guidelines. Under the guidelines, discretion will be applied to schools that are in rural or semi-rural areas or serve rural or semi-rural communities. St Wilfrid's Catholic School falls into this category and, therefore, services to this school operating within the Wakefield area will not be affected.
- 2.16. **Requests to serve new areas:** The guidelines here are designed to address the situation whereby parents have chosen to preference a school in full knowledge that there is not a suitable public transport option and subsequently expect the Combined Authority to meet the cost of a new service. The Combined Authority will not fund a service under these circumstances; discussions will however be held with the local Council in respect of new housing developments. Where children are placed at a school that parents have not included in their list of preferences and there is no suitable public transport link, it would be incumbent on the local council to meet the cost of provision.
- 2.17. **Walking or cycling to school:** The purpose of the guidelines in this regard is to prioritise places on school bus services rather than to withdraw them. Currently, places are given to children who might only use the bus, for example, when the weather is inclement. As the Combined Authority takes the revenue risk on these services, this has an impact on the cost of provision. Where children are expected to walk, the Combined Authority will satisfy itself that the route is paved, lit and has pedestrian crossing facilities and that there are no known issues that would render the walk unsuitable. Addresses in rural and semi-rural areas will be considered on a case by case basis with reference to Road Safety GB guidelines as necessary). It is expected that walking distances will be well within the maximum allowable under the guidelines.
- 2.18. **Commercial school bus services:** Although legislation normally requires that the Combined Authority terminates contracts where an operator is prepared to provide a service on a commercial basis, the Combined Authority can continue to provide a subsidised service where it considers this to be in the public interest. The Combined Authority will, therefore, consider these on a service by service basis and will satisfy itself that fare prices are reasonable and that the available capacity, route and timetable meet the needs of passengers before withdrawing any contracted services.
- 2.19. **Selective schools:** The net cost to the Combined Authority of transport to these schools is approximately £200,000 per annum. Although the Combined Authority will no longer meet this shortfall, it will continue to plan, procure and monitor services to these schools and ensure, as far as is practical, that the collective cost to parents is in line with the cost of service provision. The Combined Authority will also work with schools and other interested parties to find practical ways of assisting families who are on low means.

- 2.20. **Post 16:** Although this age group are already given the lowest priority in terms of a place on a school bus, there is an expectation amongst many parents that places will be provided even where there are suitable public transport alternatives. As a result of this change, young people in Years 12 and 13 will be expected to use public transport where possible but arrangements will be made for those who do not have a suitable public transport alternative. Places will also be made available where buses are undersubscribed and there is no opportunity to replace the service with a smaller vehicle at a lower cost.
- 2.21. A full Equality Impact Assessment has been undertaken of the guidelines amended as above (Appendix 2) which are recommended to the Transport Committee for adoption.
- 2.22. The application of discretion as discussed in the preceding paragraphs will in some cases require that a phased approach is taken to the implementation of the Guidelines to avoid any short term disruption or hardship and to allow time to plan a different network of services. This is in line with the recommendations of the Overview and Scrutiny Committee.

#### Application of Current Guidelines

- 2.23. It should be noted that alongside the implementation of the revised guidelines, the Transport Services team are reviewing the operation of existing services against the value for money criteria in the current guidelines. Many of the Mybus primary school services that the Combined Authority organises as are not meeting the criteria mostly due to low passenger numbers. Changes will be made to these services in September. This follows a formal engagement process involving schools, parents and other interested parties, which was undertaken in April 2019. Some services will be withdrawn whereas others continue with revised fare and/or funding arrangements.

### **3. Financial Implications**

- 3.1. The adoption of the revised guidelines will assist in reducing spend in line with the reduced budgets for the provision of bus services. It is not possible at this stage to estimate the annual savings until such time as the service planning using the new guidelines has been completed.

### **4. Legal Implications**

- 4.1 An Equality Impact Assessment of the revised guidelines has been undertaken and is available to be reviewed.

### **5. Staffing Implications**

- 5.1 There are no staffing implications directly arising from this report.

## **6. External Consultees**

- 6.1 The Combined Authority has undertaken a formal engagement process and has obtained feedback from schools, parents, academy trusts, Members of Parliament, local councillors and other interested parties.

## **7. Recommendations**

- 7.1 That the Transport Committee approves the adoption of the revised School Bus Guidelines attached as Appendix 2.
- 7.2 That implementation of the revised School Bus Guidelines be carried out as described in this report.

## **8. Background Documents**

Full list of comments received from engagement process.

## **9. Appendices**

Appendix 1 – Current School Bus Guidelines

Appendix 2 – Proposed School Bus Guidelines

Appendix 3 – Summary of Engagement Process