

CHESHIRE EAST COUNCIL

REPORT TO: Children and Families Scrutiny Committee

Date of Meeting: 20 June 2011
Report of: Lorraine Butcher Director of Children's Services
Subject/Title: **Proposed Changes to Home to School Transport Policy**
Portfolio Holder: Councillor Hilda Gaddum

Report Summary

- 1.1 The Council is faced with unprecedented financial challenges. Over the next few years the Council will need to find savings of around £30 million. As a result, the Council has an obligation to its Council tax payers to examine each area of discretionary activity to clarify whether continued funding can be sustained.
- 1.2 It is in this context that saving to the budget for Home to School Transport is being considered. As a consequence the Children and Families Directorate is required to find the following savings over 3 years:
- For denominational transport - £512k
For post 16 mainstream transport - £382k
For post 16 complex special needs transport - £64k
- 1.3 Failure to secure savings in these areas will require the Directorate to secure the savings in areas covering service delivery relating to safeguarding and to vulnerable children, including those with complex needs and those cared for by the Council under its duties as Corporate Parent.
- 1.4 Under the current Home to School Transport Policy the Council has a **statutory** duty to have regard to, any wish of a parent for their child to be provided with education or training at a school or institution on grounds of their parent's religion or belief. However, free or subsidised transport support to denominational schools where attendance is through parental choice is discretionary for Local Authorities.
- 1.5 Members should consider the equity of the current arrangements which enable parents of children choosing to attend a faith school having access to subsidised transport while parents who might otherwise choose to send their child/children to other specialist schools would not have access to equivalent subsidised travel arrangements.
- 1.6 Currently the following number of pupils receive access to subsidised transport provided by the Council:
- Denominational Transport – there are currently 685 pupils under sixteen accessing denominational transport. This represents 1.37 % of the 5 -16 school population.

- Post 16 mainstream – 1003 students of whom 361 (36%) receive it free under the Council's duty to provide transport for those eligible on low incomes.
 - Post 16 complex special needs – 167 students receive free transport either to college or special school.
- 1.7 This report provides the results of the consultation on proposed changes to home to school transport and asks members to comment on proposed recommendations in the light of responses received.
- 1.8 On 10th March 2011, Councillor Hilda Gaddum (Portfolio Holder, Children and Families) approved to undertake a consultation with key stakeholders in relation to proposed changes relating to the following discretionary areas of transport:
- post 16 transport;
 - some denominational transport; and
 - the post 16 element of the Complex and Special Needs Policy;
- 1.9 The purpose of the consultation was to seek the views of stakeholders and to assess the impact of the proposed changes. This report brings to Members' attention the results of the consultation. The questionnaire and an analysis of the results is attached at Appendix 1.
- 1.10 This review is being undertaken as part of the wider Total Transport Transformation Strategy, a strategic plan for the development of transport within Cheshire East over the period 2011-2026, outlining how transport will contribute to and support the longer-term aspirations of the borough.

2.0 Decision Requested

- 2.1 Members are asked to endorse the options below in order to inform recommendations to be made to Cabinet on 4th July:

Denominational transport

- 1) From September 2011, raise parental contribution for denominational transport from £299 to £314 per annum this reflects the current rate of 5% inflation, and thereafter by inflation until provision ceases; and that
- 2) From September 2012 withdraw transport to faith primary and secondary schools completely for all new entrants, except for those pupils who would remain 'eligible' for free transport to a faith secondary school under the Education and Inspections Act 2006. This means that access to subsidised travel to denominational schools will not be available to new students who commence after the beginning of the academic year 2011/12. It will therefore not be available to new students who choose a faith school during the academic year 2011/12 or a new entrant to a faith school from the commencement of the academic year 2012/13 and that;

- 3) Cabinet supports the commitment to work with schools, parents and local transport operators to seek to ensure that accessible, affordable, full cost recovery and sustainable travel continues to be available for pupils attending faith schools.

Post 16 mainstream transport

- 4) From September 2011 raise parental contribution for post-16 mainstream transport from £415 to £436 per annum, this reflects the current rate of 5% inflation, and thereafter by inflation until provision ceases; and that.
- 5) From September 2012 withdraw post-16 mainstream transport completely for all new entrants.

Post 16 Complex and Special Needs

- 6) Remove the proposal to charge for post-16 transport for students with special and complex needs.

3.0 Reason for Recommendation

- 3.1 The Portfolio Holder for Children and Families Service has listened throughout the consultation period and has suggested changes to the proposals demonstrating that the consultation was genuine and that the Council has taken into account the many responses received.
- 3.2 As part of the Authority's wider Total Transport Transformation Strategy, Children's Services are required to review the provision contained within the Home to School Transport Policy and Complex Special Needs Transport Policy.
- 3.3 In relation to recommendations contained within 2.1 (1) (2) and (3) it is proposed that the original proposal to withdraw access to subsidised travel to denominational schools from September 2012 is amended. A significant concern raised during the consultation was concern of the potential disruption to the education of existing pupils at denominational schools. Although there is not a legal requirement to phase in policy changes, it is a DfE recommendation (Chapter 6 section 138 Home to School Travel and Transport Guidance DfES 2007). The proposed phasing of the changes will minimise disruption to pupil's education i.e. parents will not be required to change schools for their children mid way through their education career. Children currently attending a faith school and receiving subsidised transport will continue to have access to subsidised transport, but that the subsidy will reduce by inflation on an annual basis, with provision ceasing at the end of their statutory education or change in school. The revised proposal reduces the impact on other non-faith schools who might receive pupils as result of the initial proposed policy change. Finally this phasing will provide an opportunity for all stakeholders to work together to develop sustainable travel options. The Council will offer support and expertise will be made available by the transport service to assist in the procurement and management of locally designed transport arrangements.

- 3.4 The legislation is clear that the Council is not obliged to offer free or subsidised transport to faith schools (except for those pupils who meet eligibility criteria that is those eligible for free school meals or whose parents are in receipt of the maximum level of Working Tax Credit) and the Council has discretion whether it should do so. Because the council has exercised this discretion to make this provision in the past does not mean that it should continue to do so, given the significant changes in resources and priorities.
- 3.5 The Council is also conscious of the need to be seen to act equitably between the parents of all pupils. It is not only those children from faith backgrounds who travel to denominational schools. A number of parents motivated other than by religion or belief have decided that a denominational school is the best for their child's education and have elected to send their child there. The current policy on discretionary travel results in one parent having to pay for their child's transport to the school of their choice whereas another parent receives it free or subsidised. Even taking into account the fact that one parent may not feel that they have a choice in the matter because of their faith, it still raises the question as to whether it is right (even though it may be lawful) to discriminate between parents in this way when both are simply trying to secure the most appropriate education for their respective child's needs.
- 3.6 In considering the proposed recommendations, the Council is also aware of the need to adopt a school transport policy that is fair and equitable to the majority of parents who do not elect to send their children to a faith school. Currently transport to faith schools is subsidised by around 86% of the full net cost (currently £512,000 per annum) and denominational pupils receiving subsidised transport account for less than 2% of the 5-16 school population.
- 3.7 In relation to recommendation 2.1 (4) and (5) it is proposed that the original proposal to withdraw access to subsidised travel to mainstream pupils accessing post 16 provision should be amended. It is proposed that subsidised transport should remain accessible to those students continuing on existing courses of study, but that the subsidy will reduce by inflation on an annual basis, with provision ceasing at the end of their course of study; and that access to subsidised travel will not be available to students commencing courses of study after the beginning of the academic year 2011/12 or a new entrant to a post 16 institution from the commencement of the academic year 2012/13.
- 3.8 In relation to recommendation 2.1 (6) it is proposed that the original proposal to increase charging for transport for young people post 16 with complex special needs is withdrawn. The Local Authority acknowledges that as there is a limited range of special educational needs provision in Cheshire East, introducing a charge for transport will limit access to appropriate specialist provision and potentially discriminate against those young people with complex disabilities in their ability to access appropriate educational provision. This will be reviewed when the Council brings forward its plans for SEN and Complex needs in the borough over the next 2 years.

4.0 Wards Affected

All

5.0 Local Ward Members

All

6.0 Policy Implications

- 6.1 The Home to School Transport Policy and the Complex and Special Needs Transport Policy will be revised to accommodate any approved changes arising from these proposals.
- 6.2 The policy and procedures regarding home to school transport arrangements for cared for children in foster placements will be reviewed and developed.
- 6.3 As these proposals include services for vulnerable groups, e.g. children, individuals with a disability, economically disadvantaged families, etc., the Council is required to conduct an Equality Impact Assessment to determine the effect of any proposals on such groups and, where possible, to enable the proposals to be modified in order to minimise that impact. A draft assessment based on the recommendations within this paper is attached (Appendix 2). An assessment based on the final decisions of Cabinet will be completed and published on the Council's website.

7.0 Financial Implications

- 7.1 In 2010-11, the Council spent £10.621 million on home to school transport per year, as follows:-

Table 1

Transport Expenditure per year	Gross Exp. £000s	Income £000s	Net Exp. £000s
Mainstream Home to School	4,287	71* ¹	4,216
Post 16 Travel	1,515	486	1,029
Denominational Travel	593	81	512
Medical Needs	30	0	30
Complex and Special Needs	3,944	0	3,944
Cared for Children & Foster place	890	0	890
TOTAL EXPENDITURE	11, 259	638	10,621

*¹ Income is from the purchase of spare seats for ineligible pupils

- 7.2 The proposed financial savings should all recommendations be approved are set out below and make the following assumptions:

- The following figures assume that transport charges will increase by 5% each year.
- Pupil figures are based on current numbers and trends. As such, they are approximate figures that do not take into account any future fluctuations.
- As transport runs from September to July in line with the academic year, the following table has been converted into financial year. This shows the autumn and spring savings in the first financial year and the summer term falling into the second year.

Denominational Transport

7.3 From September 2011, raise parental contribution for denominational transport from £299 to £314 per annum this reflects the current rate of 5% inflation, and thereafter by inflation until provision ceases.

a. The following savings assume an increase in fees each academic year:

- ⇒ 2011-12 - £314 or £15 increase
- ⇒ 2012-13 - £330 or £16 increase
- ⇒ 2013-14 - £346 or £16 increase
- ⇒ 2014-15 - £363 or £17 increase
- ⇒ 2015-16 - £381 or £18 increase

Financial Year	2011-12 £000s	2012-13 £000s	2013-14 £000s	2014-15 £000s	2015-16 £000s	Total £000s
Academic Year 2011-12	3	1	0	0	0	4
Academic Year 2012-13	0	4	1	0	0	5
Academic Year 2013-14	0	0	2	1	0	3
Academic Year 2014-15	0	0	0	1	1	2
Academic Year 2015-16	0	0	0	0	1	1
Total	3	5	3	2	2	15

7.4 From September 2012 withdraw transport to faith primary and secondary schools completely for all new entrants, except for those pupils who would remain 'eligible' for free transport to a faith secondary school under the Education and Inspections Act 2006. This means that access to subsidised travel to denominational schools will not be available to new students who commence after the beginning of the academic year 2011/12. It will therefore not be available to new students who choose a faith school during the academic year 2011/12 or a new entrant to a faith school from the commencement of the academic year 2012/13.

7.5 The following assumptions have been made:

- Each year, the previous Year 11 pupils will leave and will be no longer funded
- Each year there are approximately 90 new entrants to Year 7, of whom approximately 30 will be entitled to free transport (but will lose the income from 60 pupils)
- Each year there will be approximately 10 new entrants to the Reception year, of whom approximately 3 will be entitled to free transport

Financial Year	2011-12 £000s	2012-13 £000s	2013-14 £000s	2014-15 £000s	2015-16 £000s	2016-17 £000s	Total £000s
Academic Year 2011-12	39	20	0	0	0	0	59
Academic Year 2012-13	0	87	43	0	0	0	130
Academic Year 2013-14	0	0	59	30	0	0	89
Academic Year 2014-15	0	0	0	59	30	0	89
Academic Year 2015-16	0	0	0	0	62	31	93
Total	39	107	102	89	92	31	460

7.6 Cabinet supports the commitment to work with schools, parents and local transport operators to seek to ensure that accessible, affordable, full cost recovery and sustainable travel continues to be available for pupils attending faith schools.

- No financial reductions proposed

Post 16 mainstream transport

7.6 The following assumptions have been made:

- There are approximately 1000 children currently accessing free or subsidised transport, split between 600 in Year 12 and 400 in Year 13.
- The savings estimated below assume a consistent population with 600 new entrants each year and only 400 progressing to Year 13.
- On average, it is estimated that a third of the total population will continue to receive free transport.

7.7 From September 2011 raise parental contribution for post-16 mainstream transport from £415 to £436 per annum; this reflects the current rate of 5% inflation, and thereafter by inflation until provision ceases; and that.

7.8 The following savings assume an increase in fees each academic year:

⇒ 2011-12 - £436 or £21 Increase

⇒ 2012-13 - £458 or £22 Increase

Financial Year	2011-12 £000s	2012-13 £000s	2013-14 £000s	2014-15 £000s	Total £000s
Academic Year 2011-12	8	4	0	0	12
Academic Year 2012-13	0	4	2	0	6
Total	8	8	2	0	18

7.9 From September 2012 withdraw post-16 mainstream transport completely for all new entrants.

7.10 The following assumes an average cost of £925 per pupil per annum.

Financial Year	2011-12 £000s	2012-13 £000s	2013-14 £000s	2014-15 £000s	Total £000s
Academic Year 2011-12	0	247	123	0	370
Academic Year 2012-13	0	0	178	69	247
Total	0	247	301	69	617

Post 16 Complex and Special Needs

7.11 Remove the proposal to charge for post-16 transport for students with special and complex needs.

- No financial reductions proposed

7.12 SUMMARY OF PROPOSED FINANCIAL SAVINGS

		Financial Year						Total £000s
Financial Year		2011-12 £000s	2012-13 £000s	2013-14 £000s	2014-15 £000s	2015-16 £000s	2016-17 £000s	
1	Denominational - increase in charge	3	5	3	2	2	0	15
2	Denominational – withdraw transport	39	107	102	89	92	31	460
3	Support sustainable travel	0	0	0	0	0	0	0
4	Post-16 mainstream - increase in charge	8	8	2	0	0	0	18
5	Post-16 mainstream - withdraw transport	0	247	301	69	0	0	617
6	Post-16 SEN	0	0	0	0	0	0	0
	Total	50	367	408	160	94	31	1,110

8.0 Legal Implications

- 8.1 The current laws governing the transport of children to school give the Council: *a duty under section 508B of the Education Act 1996 to provide free transport for “eligible children” (as defined in Schedule 35B of the Act) as the Council considers necessary for the purpose of facilitating the child’s attendance at school.*
- 8.2 A child is an “eligible child” under this section if they fall within one of the following broad categories:
- a) they have special educational needs, disability or mobility problems;
 - b) they cannot reasonably be expected to walk because of the nature of the route to school;
 - c) they live outside walking distance and no suitable alternative arrangements have been made for them; and
 - d) they are entitled to free school meals or their parents receive the maximum amount of tax credits.
- 8.3 Local authorities can exercise discretion under section 508C of the Education Act 1996 to make transport arrangements for children who are not “eligible children”. Included in this category are children whose parents wish them to attend a school which accords to their particular religion or belief. Any transport arrangements made under this section do not have to be provided free of charge.
- 8.4 The concept of religion or belief includes a lack of religion or belief. Accordingly, the Council is obliged to have regard to a parent’s wish that their child be educated in a non-denominational school because of their lack of religious belief just as much as it is obliged to take in to account the parent’s wish for their child to be educated in a denominational school. The proposed policy changes will not remove the free transport entitlement to any eligible children” in category 8.1.2 above. The proposals are only concerned with those elements of the Council’s transport arrangements that are discretionary.
- 8.5 Section 509 (4) (b) of the 1996 Act obliges the authority to take into account, amongst other factors, the wishes of parents to educate their child at a school which provides religious education of the religion or denomination to which the parents adhere. Now covered by sections 508B (Eligible Children) and 509AD. However this is only one factor, in the case of *Regina v Rochdale Met Borough Council Ex parte Schemet 1992* (which concerned not denominational education but transport to schools outside the borough) Mr Justice Roch specifically stated:

“The parent’s wishes were an important consideration but they were not the sole consideration and the education authority might conclude that they could make suitable arrangements for the child to be registered at a school closer to his home despite a conflict with the parents stated preference, provided the authority took account of that preference in reaching its conclusion”.

In the far more recent case *R(R and others) v Leeds City Council / Education Leeds 2005*, the actual issues of free transport and religious education were considered, including consideration of the Human Rights Act, which determined that there was

no violation of Articles 2, 8 or 9, and that the only grounds for challenging such a step would be the irrationality of the decision to charge.

- 8.6 A charge can be made for transport arrangements made under the other relevant sections of the Education Act 1996, i.e. sections 508C to 509A, subject to that charge being reasonable in the circumstances.
- 8.7 Feedback from the consultation has suggested that the proposals, if implemented, would amount to unlawful discrimination in that they would make it more difficult for Catholics, to get an education in conformity with their beliefs than a non-Catholic. Although this has been asserted, it has not been supported by any evidence. In reality, because of the statutory structure which requires the Council to take account the parents' religious or philosophical beliefs (which includes a belief in no religion), then even with the proposed changes Catholics will be more, not less favourably treated than the children of parent's who have no religious or philosophical beliefs. In any event, the Council does not, through its school transport responsibilities or otherwise, owe a duty to ensure that Catholics have the same access to a denominational school place as non Catholics who choose non-denominational schools. No such duty is laid out in the Education Act.
- 8.8 The Diocese of Shrewsbury and many people from within the Catholic community have stated that by ending free transport the Council would be going back on 'long standing agreements' regarding the siting of RC schools and an historic undertaking to provide transport to support faith education. The Council has made it clear that it has no record of such agreements as inherited from the former County Council. The Council has consulted the County Archives for Trust Deeds in relation to certain years and schools and can find nothing relating to transport. Nor can find anything relevant in the minutes of the Education Committee of the former County Council. Consultees have subsequently been invited to submit any evidence that it holds to support its claim. No such documentation has been provided. Legal opinion has been obtained on this point, this observes that: *As to prior (non-binding) agreements, the fact that there were prior agreements is a matter for the Council to take into account, but with appropriate consultation and notice, the Council is not bound to follow prior practice.*

9.0 Risk Management

- 9.1 If the discretionary policy is not changed the council remains at risk that other faith schools and bodies and parents who do not qualify for free or subsidised discretionary transport will challenge the legality (and fairness) of the existing policy.
- 9.2 With particular reference to withdrawing denominational transport for new entrants there is a risk of challenge on the grounds of discrimination. However, precedent has been set in a number of other local authority areas who have consulted on similar proposals and have adopted this approach.

- 9.3 There is a risk of destabilising of pupil numbers attending primary and secondary faith schools. In the primary sector this risk is relatively low, in the secondary sector the risk is slightly higher. However experiences reported from other local authorities that have changed their denominational transport is, that overall pupil numbers in faith schools have changed little. Given the revised proposal in this paper this will be mitigated against by a planned transition,
- 9.4 The withdrawal of Post 16 transport for mainstream pupils, introduction of charges for complex special needs pupils, combined with the withdrawal of Education Maintenance Allowances (EMA), could result in more young people becoming NEET (Not in Employment, Education or Training).
- 9.5 Increased costs could also result in higher numbers of 'school run' journeys which would undermine the Council's environmental objectives.
- 9.6 Increases in the number of children walking longer distances to school could potentially result in more accidents or safeguarding concerns from parents, unless supported by other strategies, for example: additional school travel planning, road safety improvements or support for walking bus schemes.
- 9.7 If the policy is not changed there is a financial risk that significant savings will not be made, which will put additional financial pressure on the Council in a climate of severe financial constraints and the requirement to achieve £30M in savings over the next three years.

10.0 Background

10.1 Funding Context

- 10.1.1 The Council is charged with reviewing all areas of service delivery with a view to prioritising the deployment of resources according to priority need as a result of a significant reduction in the resources available to it. This has arisen from the challenging economic climate currently being faced across the borough. In the pre-budget report for 2011/12 "Our People, Our Place" para 100 stated:
"A review of the Council's Home to School Transport Policy has identified increased expenditure pressures generally and key areas of discretionary activity and support provided by the Council which is no longer sustainable within the current financial climate. These areas include denominational transport and post 16 provision where it is intended to remove subsidies and/or increase charges, which results in an overall requirement to increase the budget by £0.989m."

10.2 Transport to denominational schools

- 10.2.1 Currently the council has a discretionary transport policy that gives free transport and subsidises transport to Catholic and CE Schools. It also offers subsidised transport where parents whose children are not given free transport to school can pay towards the cost of a vacant seat, where available.
- 10.1.3 Under the current arrangements, children who attend for reasons of religious belief, a denominational primary and secondary school between 2 and 15 miles of the

home address are entitled to assisted (but not free) transport to the designated local denominational school under the Council's policy. Transport assistance is offered subject to payment of a parental contribution to the cost of transport at a charge to be decided annually and reflecting the cost of provision. A family subsidy is also applied whereby only two statutory school age children per household will be subject to a charge. It is not a statutory requirement for the Council to provide free or assisted transport to pupils attending denominational schools for reasons of religious belief, with the exception of those families on qualifying benefits.

10.1.4 In 2010/11 the cost of providing transport to faith school for those pupils who did not qualify for the provision of free transport, was on average £1097 per pupil. The Council charged parents £299 per child, a second child from the same household at the same rate and all other children travel free. This represents a subsidy of £798 per pupil attending a faith school in Cheshire East.

10.1.5 The denominational assisted transport policy was introduced in 2008. A pupil attending a school prior to September 2008 in receipt of free transport under the Local Authority Home to School Transport Policy for 2007 and continuing in statutory education at the same school beyond September 2008, remains entitled to free transport under the 2007 policy. This stands until such time as a change of school takes place, they reach 16 and transport is then charged or a change of policy. However the Education Act 1996 states that wherever possible local authorities should ensure that transport arrangements are in place to support the religious or philosophical preference parents express.

10.1.6 There are currently 685 pupils (1.37% of the 5-16 school population) who receive subsidised school transport at a net cost to the Council of £512,000. If the Council decides to continue to provide a subsidy there would need to be a decision on what level of subsidy should be provided.

10.1.7 Parents who choose a non-faith school as an alternative to their catchment or nearest school do not have the same entitlement to subsidised transport to a school of their choice/preference; they have always needed to arrange and pay for their own transport, unless again they qualified under other eligibility criteria.

10.1.8 The withdrawal of the Council's discretion to provide subsidised transport to faith schools would mean that under a future home to school transport policy all requests for transport would be assessed under a policy which provides free transport to the catchment or closest school where the pupil is above walking distance. This would mean that school aged pupils will be treated equally, regardless of their faith or belief or lack of it. This would be a fairer and more equitable transport policy.

10.2 Post 16 transport

10.2.1 The current Cheshire East Post 16 Transport Policy statement for the Academic Year 2010-2011 makes a commitment to ensure that learners of sixth form age (and for those with learning difficulties and/or disabilities aged 19-24) are able to access appropriate high quality education and training of their choice; and provide support to those young people who need it most and removing transport as a barrier to participation in learning.

10.2.2 In developing the policy statement, the former County Council had regard of its duties under the Apprenticeships, Skills, Children and Learning (ASCL) Act 2009. The duties include consideration of whether there is adequate transport provision available to facilitate the attendance of further education learners and consultation with young people of sixth form age and their parents when drawing up the Transport Policy Statement. However, again the provision of Post 16 transport is not a statutory requirement and is at the discretion of the Local Authority. If charges were not increased the effect would be to place even greater strain on services to more vulnerable groups as the authority faces the challenge of living within its financial means.

10.2.3 There are currently 1003, 16-19 students receiving subsidised transport to colleges (Reaseheath College, Mid Cheshire College, Sir John Deans Sixth Form College, Macclesfield College, South Cheshire College,) or sixth forms attached to mainstream schools (including St Nicholas's High School in Cheshire West and Chester). In the future unless students qualify for the governments new Bursaries (replacement of Education Maintenance Allowance) it will be for students/parents to pay for transport.

10.3 Post 16 transport for Students with Complex and Special Educational Needs

10.3.1 Currently students with complex special needs who continue their education after the age of 16, whether at school or college can apply for transport via the Complex Special Needs Policy. Entitlement via this Policy is reviewed annually and assisted transport for post 16 pupils with complex special needs is currently made at the Council's discretion. There are currently 167, post 16 students, with complex and special needs receiving subsidised transport to college and special schools. This provision is currently offered free of charge, but a number of other local authorities have introduced a charge for this provision. However given that the Council's limited range of specialist provisions charging for transport will severely limit parental preference for appropriate specialist course.

10.4 Consultation Process

10.4.1 In considering any amendments to the policy which could lead to a reduced entitlement for children to transport, case law has determined that local authorities must consult the parents of the children that are, and may be, affected before policy is altered. Once the policy is determined, the authority is obliged to publish it at least 6 weeks before the deadlines set for parents to lodge applications for school places in the normal admissions process.

10.4.3 Between 25th March and 20th May 2011, the Council consulted publicly on proposed changes to denominational transport and post-16 and post-16 with special and complex needs policies that would raise charges from September 2011 and that would withdraw all transport by 2012. The proposal would provide future cost savings, in a challenging financial climate, when the council is committed to making £30M worth of savings over the next 3 years.

10.4.3 All Cheshire East schools/colleges were informed about the consultation and were asked to disseminate information to key stakeholders – parents/carers, staff, and governors. Other key consultees were contacted. A number of drop-in sessions were set up for members of the public to give their views face to face. A website was set up with an on-line form to enable all people to respond to the consultation if they wished to. All Cheshire primary and secondary school Headteachers and Chairs of Governing Bodies were also written to direct and invited to respond. At the request of schools in Crewe the consultation documentation was also translated into Polish.

10.4.4 It has been suggested that parents in some parts of the borough were disadvantaged by the arrangements for the drop-in sessions. However, the Council is not obliged to hold meetings everywhere providing the people being consulted in any part of the Council have a fair opportunity of putting their views across. That can be done otherwise than at a meeting for example via the dedicated website. It was not appropriate to write to every parent in Cheshire East, the cost of such was prohibitive however the Council did mail and email significant a number of booklets and consultation forms as when requested and 186 questionnaires were completed in hard copy.

10.4.5 Responses received from the consultation demonstrates parents and others concerned knew that the consultation was taking place, they understood the nature of the consultation proposals, and they felt able to express their views as part of the consultation through various means.

10.5 Outcome of the Consultation

10.5.1 The public consultation was intended primarily to provide members with a significant amount of feedback to assist their understanding of the issues and to consider the views, comments and questions received. The 909 responses are evidence that the consultation was successful. Over 225 people attended the seven public drop-in sessions. Additionally a significant number of letters and emails have been received and due regard and weight has been given to the petitions received and responses to the web based survey.

10.5.2 The purpose of the consultation was to establish the likely impact of the changes and consultees were asked to complete a questionnaire either online or in hard copy to give their views. In total 909 questionnaires were completed. Of these, 723 were completed online and 186 were received as paper copies, 5 of which were translated from Polish. The attached report sets out the responses to the questionnaire. The majority of responses were from the community that would be most affected by the proposed changes. The main headlines from the consultation are:

- Over a quarter of respondents (265 people) said that the proposals would influence their current or future choice of schools
- Of those who currently pay for school transport, almost half (96 people) said that the proposals would influence their current or future choice of schools

- Regarding denominational transport proposals, many comments were made stating that the pupil / student would need to find an alternative method of transport (car, walking, public transport)
- Regarding post-16 mainstream transport proposals, a number stated that the pupil / student would not be able to attend post-16 education
- Regarding post-16 complex and special needs transport proposals, a high level of concern was expressed by those not directly affected
- Most respondents disagreed or strongly disagreed with the statement that 'parents should be responsible for getting their children to school / college'

10.6 Issues raised

10.6.1 Appendix 3 provides an analysis and summarises the key themes from the consultation meetings and feedback received through the use of the on-line survey .

11.0 Access to Information

11.1 The background papers relating to this report can be inspected by contacting the report writer.

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