

Cabinet Member for Children and Family Services

Agenda

Date: Thursday, 10th March, 2011
Time: 3.30 pm
Venue: Committee Suite 2, Westfields, Middlewich Road, Sandbach.
CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the meeting. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

For any apologies or requests for further information, or to give notice of a question to be asked by a member of the public

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4. **School Term Standardisation** (Pages 1 - 6)

To consider a proposal to consult with interested parties in the Learn Together Partnership when setting school term dates.

5. **Home to School Transport Review** (Pages 7 - 20)

To consider proposals to consult upon changing the services for which the Council is legally permitted to make a charge under the School Transport Policy, and the Complex and Special Needs Transport Policy.

CHESHIRE EAST COUNCIL

Cabinet Member for Children and Family Services

Date of Meeting: 10 March 2011
Report of: Lorraine Butcher, Director of Children and Families
Subject/Title: School Term Standardisation
Portfolio Holder: Councillor Hilda Gaddum

1.0 Report Summary

- 1.1 This report is to consider a proposal that the Local Authority (LA) should consult with interested parties that with effect from 2012/13 it should align recommended term dates to schools with those set and applied by other Authorities in the Learn Together Partnership (LTP) from 2010/11, other than CWAC, Wirral and Cheshire East. CWAC are currently considering whether to undertake a similar consultation.

2.0 Recommendation(s)

- 2.1 That the Portfolio holder authorise a consultation with all relevant stakeholders around the possible adoption by the Council, in whole or part, of certain principles (see 10.5 below) followed by other Councils in the “Learn Together Partnership “ when setting school term dates, to commence as soon as practicable, and that a further report be prepared in the light of that consultation, with a view to publishing an agreed policy and actual term dates for 2012/13 for all Community and Controlled schools during May 2011 and that they be recommended to other Aided and Foundation schools and Academies in Cheshire East.

3.0 Reasons for Recommendation(s)

- 3.1 The emphasis in the consultation would be that the Council believes the proposed LTP approach is in the interests of children, parents and staff and should;
- provide for a more even pattern of teaching and learning throughout the year;
 - assist in improving patterns of attendance;
 - improve consistency with neighbouring LAs.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

5.1 N/A

6.0 Policy Implications

6.1 The Council has not previously had any clear and transparent policy in this area.

7.0 Financial Implications

7.1 Costs would be limited to officer time in managing the consultation process.

8.0 Legal Implications

8.1 Under the Education Act 2002, the Council has a statutory duty to set school term dates for all Community and Controlled schools and for maintained nurseries.

8.2 Section 3A of the Local Government Act 1999, places a duty on a local authority to consult interested parties in respect of exercise of its statutory functions where this is appropriate. Given the impact of the changes suggested by this paper, it is appropriate to consult on the proposals. Any consultation must contain four elements, known as the Sedley Requirements and officers therefore need to ensure that the consultation meets the following standards:

- 1 The Consultation must be at a time when proposals are still at a formative stage
- 2 The proposer must give sufficient reasons for any proposal to permit intelligent consideration and response
- 3 That adequate time must be given for any consideration and response
- 4 That the result of the consultation must be conscientiously taken into account in finalising any proposals

9.0 Risk Management Implications

9.1 There is no commitment to any change in practice at this stage. It should be noted, however, that the process of consultation may lead to the expression of strongly held, and possibly divergent, views on the part of some school staff and parents.

10.0 Background and Options

10.1 The Authority statutorily sets term dates for all Community and Controlled schools within the Borough. Aided, Foundation and Academy schools' governing bodies set their own dates, but are encouraged to follow the Council pattern as far as possible. There is a further statutory requirement that schools are open for 190 days (380 sessions) per school year for the purpose of teaching pupils, and teachers must also be available for an additional 5 days, normally designated as INSET days. Both the LA and Aided and Foundation schools are required to consult before confirming

dates, which are normally set about 4 terms in advance. The consultation process for the LA has been to share proposed dates with Headteacher Associations and the Schools' workforce trade unions, and taking account of any comments, then to publish the agreed dates.

- 10.2 In practice the term pattern in Cheshire East has followed the same broad pattern as that applied over many years by the County Council, and without any clearly established principles other than to "follow" Easter so as to ensure the Bank holidays were included within a two week holiday, and to allow Primary schools the option of having an additional week holiday at Whitsun. This year 35 out of 123 primary schools have exercised that option. The only other given was that the first day of the academic year was designated as one of the five INSET days, with the remainder to be decided by schools themselves. A significant number choose to run some or all of the remaining INSET days as "twilight" sessions.
- 10.3 One consequence of the pattern outlined above is there can be marked variations in the length of terms and half terms, in particular as a consequence of the shifting Easter. Attendance may also be adversely affected by short weeks. It is also apparent from a number of contacts from parents and school staff when this year's pattern became known that there was frustration and annoyance that Cheshire East term dates were no longer aligned with Warrington and Trafford. This had happened because, unbeknown to Cheshire East, they had applied the new standardised school year.
- 10.4 In the light of this information the LA has previously signalled to Heads, Governors, the Diocesan bodies and Trade Unions its intention to review the established term pattern. In so doing it is understood that alignment with all nine neighbouring LAs is unlikely, and that the increase in number of Foundation, and possibly Academy schools may undermine efforts to agree a standard pattern in practice, assuming it is agreed that this is desirable. Further, that attempts nationally and regionally, over many years, to agree a standard school year, have brought only limited change. Also, there are no obvious sanctions for the LA where Community and Controlled schools choose not to comply with the published pattern. However, it is significant that the DCS in each of the LTP Authorities have endorsed some key principles which assist in bringing some transparency and consistency to this issue.
- 10.5 The principles of the LTP standardised year are as follows:
- all terms to start on a Monday (or a Tuesday if so necessitated by a Bank holiday);
 - October half term to always be the last full week in October;
 - A break as now around Christmas and the New Year;
 - February half term will always be the third full week in February;
 - The Easter Break will be renamed the Spring break and will always be the first two full weeks in April;

- Easter will always be observed via the bank holidays for Good Friday and Easter Monday;
- The Whitsun half term break will be one week across all phases;
- Where a school is open for part of a week to pupils, this will be for a minimum of three school days (to encourage attendance)
The five “INSET” are all to be designated by the individual school governing body, but there will be no more than two days set consecutively for this purpose.

- 10.6 With regard to the last point above, the most recent LTP working group suggested that Directors of Children’s Services (DCS) within the LTP may wish to consider offering advice and guidance to Headteachers and governors with a view to discouraging the use of twilight sessions, or at least ensuring there was transparency and clear accountability around their designation.
- 10.7 It is difficult to gauge with any certainty the reaction within Cheshire East were the LTP pattern to be adopted. The most likely areas of concern would be the removal of the two week option for primary schools at Whitsun, and the fixing of a Spring break that would not always encompass the Easter Bank holidays. In the latter case, it is not anticipated the Diocesan Authorities would object as generally they prefer their schools to be in session during Holy Week. Both Chester Diocese (Church of England) and Shrewsbury Diocese (Roman Catholic) will be consulted with regard to this proposal. The two week Primary half term is followed by just over a third of schools. Generally it is not popular with High schools, and some parents, but is strongly supported by most that currently take up the option. If proceeding with the LTP pattern the Council could retain the two week Whitsun option.
- 10.8 Confirmation of the proposed dates for 2012/13 LTP LAs is anticipated following the next DCS group meeting in early March. CWAC are understood to be actively considering undertaking a similar consultation. Both they and CE would need to initiate consultation from after February half term 2011 if there is to be any change from current patterns for 2012.
- 10.9 There is no prescribed process or timescale for consultation. It would seem sensible to ensure that views are sought from the following stakeholders:
- Headteacher and Governor associations;
 - School workforce Trade Unions;
 - Diocesan Bodies;
 - Parents/ Carers.

The mechanisms for establishing these views are well established save for those of parents/carers. Schools will be asked to seek the views of their parents and, at the same time, views could be invited direct via the Council internet site and to distribute a letter from the Director of Children and Families during May 2011. Six weeks should be sufficient to gather opinion, and then to report back with findings and a recommendation with a view to publishing the approved term dates by the week beginning 9 May.

11.0 Next Steps

- 11.1 To seek the Portfolio Holder's authorisation for the proposed consultation.
- 11.2 To prepare a consultation document based on the principles and rationale detailed in this paper, to be issued as soon as practicable, including via the Council website and direct to schools.
- 11.3 To liaise with CWAC with a view to seeking a similar approach to consultation with ourselves.

12.0 Access to Information

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

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CHESHIRE EAST COUNCIL

REPORT TO: Children and Families Portfolio Holder

Date of Meeting: 10th March 2011
Report of: Lorraine Butcher, Director of Children's Services
Subject/Title: Home to School Transport Review
Portfolio Holder: Councillor Hilda Gaddum

1.0 Report Summary

- 1.1. This report outlines proposals to consult upon changing the services for which Cheshire East Borough Council (the Council) is legally permitted to make a charge for under the Home to School Transport Policy and the Complex and Special Needs Policy Transport Policy.
- 1.2 Section 508A onwards of the Education Act 1996 (the Act), as amended by the Education and Inspections Act 2006, details the Council's powers and duties to provide home to school transport. In line with the Act, the Council provides free home to school transport for 'eligible children' (see Appendix 1), which amongst others, includes pupils:
 - who are registered pupils at their local school and live more than the recognised (statutory) walking distance from it, i.e. 2 miles for children of primary school age and 3 miles for secondary school age; or
 - who are from a low income family and are registered pupils at an appropriate 'qualifying secondary school' between 2 and 6 miles of the home address (or 2-15 miles for a denominational secondary school).
- 1.3 However, the pupils covered by some of the Council's current home to school transport policies can be charged for the service that they receive and it is these services that are the focus of this report.
- 1.4 A review of the Council's Home to School Transport Policy is required as a result of the tight financial framework within which all Local Authorities are now operating. As a consequence it is proposed that the Policy is reviewed and consultation undertaken in relation to the services for which a charge can be made, which are:
 - Post 16 transport;
 - some denominational transport;
 - the post 16 element of the Complex and Special Needs Policy; and
 - the provision of transport for children with Medical Needs.

- 1.5 This review is undertaken as part of the wider Total Transport Project currently being developed within the Council, which is focusing on improved organisation, operations, procedures and procurement processes, rather than on policy changes.

2.0 Decisions Requested

- 2.1 To agree that the Council undertake consultation on ending the elements of the Home to School Transport Policy and Complex and Special Needs Transport Policy for which the Council can charge.
- 2.2 Subject to any proposed changes to the policies being approved, to agree that the Starting School (information for parents and carers) and Transferring to Secondary School (How to apply for a school place) booklets be updated, as necessary, to reflect these changes prior to publication for this Autumn's school admissions round for admissions to schools in the academic year 2012/13.
- 2.3 To agree that a review of the efficiency of the current home to school transport appeals process be undertaken prior to any future policy changes taking effect.
- 2.4 To agree that a separate review of transport arrangements for cared for children in foster placements travelling to/from school is undertaken.

3.0 Reasons for Recommendations

- 3.1 As part of the Authority's wider Passenger Transport Strategy, Children Services are required to review the provision contained within the Home to School Transport Policy and Complex Special Needs Transport Policy and the transport arrangements for cared for children in foster placements travelling to/from school. This review is required to recognise the financial constraints upon the Council.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications

- 6.1 The Home to School 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 The services available to young people will not be diminished, but the potential cost of accessing those services may be affected.
- 6.4 As these proposals include services for vulnerable groups, e.g. children, the disabled, economically disadvantaged families, etc., the Council will be 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.
- 6.5 This assessment can be conducted during the consultation period, which will permit any modifications to the proposals to be considered prior to a final determination.
- 6.6 However, if the changes introduced by the Assessment result in material and substantive changes to a proposal or some of the proposals, the Council could be obliged to consult further.

7.0 Financial Implications (Authorised by the Borough Treasurer)

- 7.1 The Council spends in the region of £8.9 million on home to school transport per year, as follows:-

Transport Expenditure	Total £000s
Mainstream Home to School	4,216
Post 16 Travel	1,029
Denominational Travel	512
Medical Needs	30
Complex and Special Needs	3,944
Cared for Children & Foster place	890
TOTAL EXPENDITURE	£10, 621

- 7.2 The options, if all proceed, could realise savings of £1 million over the next three years. In addition to the specific proposals outlined below, a number of efficiency savings are being proposed, such as contract re-tendering.

	Description	11/12 £000	12/13 £000	13/14 £000	Total £000
	Reductions				
1	Increase charge for existing users denominational travel based from £415 to £500 from September 2011	-23	-16 +26	+13	0
2	Increase charge new intake for denominational travel from £415 to £500 from September 2011	-37	-18 +36	+19	0
3	Withdraw denominational travel (2/3) and (1/3) from September 2012		-342	-170	-512
4	Increase charge for post 16 travel from £415 to £500 from September 2011	-37	-18 +37	+18	0
5	Withdraw post 16 mainstream travel from 2012		-255	-127	-382
6	Charge for post 16 Complex and Special Needs travel from September 2011	-43	-21	0	-64
7	Foster placement review (current spend on accessing school £400k)	tbc	tbc	tbc	tbc
8	Medical withdraw current provision from 2011, review in accordance with "exception" policy	-13	-6	0	-19
9	School organisation from 2011	-4	-2	0	-6
	Total reductions	-157	-579	-247	-983

Note: The most recent possible additional cost of £200k following the withdrawal of transport for Adults, and the impact on budgets (Places or C&F) have not been reflected within these proposals.

- 7.3 These estimates are supplied only as a guide and would be subject to any limitations to changing the policy arising from for the Council's duty to provide free transport to 'eligible children' under the Education Act 1996, and the take up of assisted (but not free) transport by parents. It is not possible to estimate with any accuracy what income (take up) levels would be realised if an increase in the charge was approved, but it might be assumed that, as long as the charge continued to be competitive with the costs of car travel, and the transport provision was convenient, then take up would be fairly high.
- 7.4 However, a revised rate for denominational transport for over 16 provision for 2011/12 has not yet been proposed and the introduction of a charge for all Post 16 pupils with complex special needs would be expected to deliver revenue savings of £64,500 (this figure accounts for 20% of pupils who would be exempt from charging due to hardship).

8.0 Legal Implications:

- 8.1 The sections of the Education Act 1996 that detail the home to school transport that local authorities are entitled provide state that those authorities must make the arrangements that “... *they consider necessary to facilitate attendance at ...*” a relevant educational establishment. Therefore, all home to school transport is discretionary, but the law and the guidance stipulates how local authorities are expected to exercise that discretion in relation to some groups.
- 8.2 In particular, the Council cannot charge for home to school transport arrangements made under section 508B of the Education Act 1996, which obliges local authorities to provide ‘eligible children’ free of charge with the home to school travel arrangements that “... *they consider necessary to facilitate attendance at ...for the purpose of facilitating the child’s attendance at the relevant educational establishment ...*”;
- 8.3 ‘Eligible children’ are defined in Schedule 35B of the Education Act 1996 (Appendix 1) and can be seen as falling into three groups:
- those living within walking distance of their educational establishment, such as children with special educational needs, a disability, mobility problems or unsafe routes to their educational establishment;
 - those living outside walking distance of their educational establishment for whom no suitable alternative arrangements have been made; and
 - those children, 8 years and above, who satisfy an ‘Appropriate Condition’, along with some other criteria.
- 8.4 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 that charge being reasonable in the circumstances.
- 8.5 However, when determining what is reasonable, what is “necessary to facilitate attendance” or what is an appropriate educational establishment, local authorities are expected to take into account, amongst other factors, the wishes of parents. This was confirmed in the case of Regina v Rochdale Metropolitan Borough Council, ex parte Schemet 1992, which dealt with a request for transport to schools outside the borough, in which Mr Justice Roch 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”.

9.0 Risk Management

- 9.1 With particular reference to withdrawing most free denominational transport there is a high risk of challenge on the grounds of discrimination. However, as other local authorities have already adopted this approach, it is not insurmountable.
- 9.2 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).
- 9.3 Increased costs could also result in higher numbers of 'school run' journeys which would undermine the Council's environmental objectives.
- 9.4 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.

10.0 Background and Options

- 10.1 The Council is required to provide home to school transport by law for certain groups of pupils, but the Council is also funding the provision of a number of other home to school transport services for pupils who do not have statutory right to free home to school transport. These services have been established over a number of years and have traditionally been provided to pupils who access schools further away than their nearest schools.

10.2. Denominational Transport:

10.2.1 Children who attend for reasons of religious belief, a denominational secondary school between 2 and 15 miles of the home address are currently 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.

10.2.2 The denominational assisted transport policy was introduced in 2008 and a pupil attending a school prior to September 2008 and 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, 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.

10.2.3 If the Council decides to continue to subsidise, there would need to be a decision on what level of subsidy Council would wish to continue paying towards assisted transport. This would however leave in place transport support to faith schools.

10.3 Post 16 transport provision:

10.3.1 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
- to provide support to those young people who need it most and removing transport as a barrier to participation in learning.

10.3.2 In developing the Statement, the 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, 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.

10.4 Post 16 Transport for Pupils with Complex Special Needs:

10.4.1 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. This provision is currently offered free of charge, but a number of other local authorities have introduced a charge for this provision.

10.5 Medical Circumstances:

10.5.1 Under the current School Transport Policy for Children of Statutory School Age, parents of pupils who live within the normal walking distance of their zoned school, but are unable to walk to it because of a medical condition, may apply for assisted transport there. The same Policy also allows for exceptional cases to be considered which are outside the normal policy and in exceptional circumstances "*appropriate transport may be approved by Director of Children's Services in relation*

to children for whom there are very exceptional personal or domestic circumstances”.

10.5.2 The results of the Equality Impact Assessment and the Council's obligations under the Equality Act 2010 could limit the changes that it may be possible to introduce to this aspect of the policy.

10.6 Cared for children in foster placements:

10.6.1 Transport is provided to enable access to schools and colleges. A separate review of transport arrangements will need to be undertaken.

10.7 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.

10.8 Options

10.8.1 Revise the Home to School transport Policy to cover only services that the Council is required to provide free of charge and cease funding or introduce charges for all other home to school transport arrangements from September 2012 for existing and new pupils.

10.8.2 Withdraw transport to faith primary and secondary schools completely, except for those pupils who would remain 'eligible' for the free transport to a faith secondary school under the Education Act 1996.

10.8.3 Restrict the offer of free transport to 'eligible children' only and means test all other applicants for assisted transport to faith primary and secondary schools.

10.8.4 Increase the charge for Post 16 transport again for 2011-12 with a view to withdrawing completely in 2012-13.

10.8.5 Do not introduce or increase charges.

10.8.6 Remove transport provision or charge for Post 16 pupils attending special schools and colleges. (removal of provision – savings excluded from table pending legal view).

10.8.7 Streamline the Home to School Transport policy to include applications for children with medical problems to be considered under the Exceptions to Policy clause and introduce a charge.

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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APPENDIX 1:

Eligible Children:

Within Walking Distance:

- Children with SENs, a disability or mobility problems – specifically those of compulsory school age, who are registered at a qualifying school which is within walking distance of their home or at a place other than a school by virtue of arrangements made in pursuance of section 19(1), whose condition or problems means that they cannot reasonably be expected to walk to their educational establishment and for whom no suitable arrangements have been made by the local authority for them to become a registered pupil at a qualifying school nearer to home.
- Children with unsafe routes – specifically those of compulsory school age, who are registered at a qualifying school which is within walking distance of their home or at a place other than a school by virtue of arrangements made in pursuance of section 19(1), who could not reasonably be expected to walk to their educational establishment given the nature of the route and for whom no suitable arrangements have been made by the local authority for them to become a registered pupil at a qualifying school nearer to their home.

Outside Walking Distance:

- Children with no suitable alternative arrangements – specifically those of compulsory school age who are registered at a qualifying school which is not within walking distance of their home or at a place other than a school by virtue of arrangements made in pursuance of section 19(1) or has been excluded but is still registered at the school although receiving education outside the school premises, for whom no suitable arrangements have been made by the local authority for boarding accommodation at or near the educational establishment or for them to become a registered pupil at a qualifying school nearer to their home.

Children Satisfying an Appropriate Condition:

- Children from 8 years, but below 11 years – specifically those are registered at a qualifying school which is more than two miles from his home or at a place other than a school by virtue of arrangements made in pursuance of section 19(1), for whom no suitable arrangements have been made by the local authority for them to become a registered pupil at a qualifying school nearer to his home and who satisfy an 'appropriate condition'.

- Children aged 11 years or more – specifically those who are registered at a qualifying school which is more than two miles, but not more than six miles, from his home or at a place other than a school by virtue of arrangements made in pursuance of section 19(1), who do not have access to three or more suitable qualifying schools nearer to their home and satisfy an ‘appropriate condition’.
- Children aged 11 years or more – specifically those who are registered at a qualifying school which is more than two miles, but not more than fifteen miles, from their home and whose parent has expressed a wish, based upon their religion or belief, for the child to be provided with education at that school, there is no suitable qualifying school having regard to their religion or belief that is nearer to the child's home and satisfy an ‘appropriate condition’.

An ‘APPROPRIATE CONDITION’ is satisfied if:

- (i) the child falls within section 512ZB(4) of the Education Act 1996, i.e. they are entitled to free school lunches and milk; or
 - (ii) a parent of the child, with whom the child is ordinarily resident, is a person to whom the maximum rate of working tax credit is awarded, either individually or jointly.
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APPENDIX 2:**Proposed Home to School Transport Consultation and Implementation Timetable**

DATE	ACTION
17 February	SMT agrees proposal paper
By 10 March 2011	Portfolio holder permission to consult
5 days later (15th March)	Call in period ends
	Draft letters to parents
	Questionnaire
	Website
	Set up venues
By 18 March	Consultation Papers published for 6 weeks
End of March	Public consultation events
	CEAPH
	CEASH
	CEASSH
	Schools Forum
	Schools Bulletin
	Develop questionnaire
	Develop Survey monkey
	Set up website
	Equality Impact Assessment
By 29 April 2011	Public Consultation Closes
31 May	Children and Families Scrutiny Committee
6 June	Cabinet Decision on proposals
13 June	Call in period ends
15 June	Deadline for schools booklet production
End of June 2011	Schools Booklet published
September 2011	First charges made, if agreed
September 2012	All changes implemented

******This timetable does not include an additional consultation, which may or may not be necessary, depending upon whether there are any material and substantial changes to the proposals.

Communication Strategy

- Schools Bulletin
- CEAPH
- CEASH
- CEASSH
- Schools Forum
- Staff Bulletin
- Team Talk

- Cheshire News
- Press Release
- Website
- FIS

Proposed Consultees

A copy of the consultation document should be sent to the following:

- All parents of children resident in Cheshire East currently receiving free or subsidised transport to denominational schools (including the parents of pupils due to join Year 7 at a denominational secondary school in September 2011 and who are eligible under the current policy for subsidised transport)
- All parents of children in Year 5 of denominational primary schools resident in Cheshire East who would be due to enter secondary school in September 2012.
- The Diocesan authorities
- All headteachers and governing bodies of Cheshire East maintained primary, secondary and special schools, (including denominational schools)
- All headteachers and governing bodies of denominational schools in neighbouring authorities where there are children resident in Cheshire East attending currently
- Academies
- All Cheshire East Elected Members
- Neighbouring local authorities' Directors of Children's Services
- Members of the youth parliament
- Colleges of Further Education
- Unions and Professional Associations

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