

**Overview and Scrutiny Review Children and Families Scrutiny Committee**

**Children and Families Scrutiny Committee  
Minority Report of Councillor Louise Brown**

September 2011 to December 2011



**Home to School Transport Review Task and Finish Group- Minority Report**

## **Acknowledgements**

I wish to offer my thanks to all the officers who have acted as witnesses and in particular, to Mark Grimshaw, Scrutiny Officer. I also wish to offer my thanks to Councillor Frank Keegan for his financial numerical expertise. I do not dispute that the majority report is what the majority of members of the Task and Finish Group proposed but I wish to exercise my right to produce a minority report. In particular, I am concerned that the conclusions failed to fully consider or examine all of the evidence. Firstly, partially due to the limited time available and secondly due to the perspective adopted.

## **Foreword**



I commend this minority report to the Cabinet and Council and request that it be given full and fair consideration.

Councillor Dr Louise Brown

Member of the Task and Finish Group on Home to School Transport

## 1. Introduction

- 1.1. My reason for writing this minority report<sup>1</sup> is to simply offer the Children and Families Committee, Cabinet and Council, the opportunity to consider an alternative course of action.
- 1.2. The recommendations in this minority report are based upon what may be perceived as a best “value for money” approach which seeks to maintain the existing home to school transport. It does so by positively suggesting options which could well result in real “efficiency” savings without the negative and detrimental impact of cutting services without really fully knowing or understanding what the social, environmental and financial impact will be to service users.
- 1.3. It is suggested that the use of piloting potential changes, may result in far more accurate information being available to aid in future Cabinet and Council decision making.
- 1.4. The recommendations do not propose efficiency savings on the basis of being on top of cuts as does the majority report, but crucially instead of cuts. The advantage of doing so is that there appears to be a growing recognition by schools and colleges in Cheshire East that the Council has to cut its home to school transport budget but at the same time there is the desire to work towards providing the same services. Aiming for a co-operative and joint approach with schools and colleges in order to try to do so, should provide a real and genuine incentive for all schools and colleges (including faith schools) to work in joint co-operation with the Local Authority to achieve the best outcomes.
- 1.5. Recommendations which propose cuts in services, at the same time as expecting co-operation on efficiencies, as the majority report does, do not provide the necessary incentive and motivation for school and college co-operation. It is rather like the expression of “wanting to have your cake and eat it too “or put simply, “not being able to have it both ways”. The majority report falls into that trap. The potential efficiencies in terms of staggering school start times, the devolving of transport to schools and colleges (except here on a pilot basis first without initially reducing the budget, so that recommendations are realistic due to being tried and tested), sharing buses between schools are agreed to be good recommendations from the majority report, but should be part and parcel of standalone efficiencies for savings without cutting services, together with the adoption of the Cardiff transport system which

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Front picture acknowledgement of School Bus: -

[http://www.freedigitalphotos.net/images/view\\_photog.php?photogid=1058](http://www.freedigitalphotos.net/images/view_photog.php?photogid=1058)

<sup>1</sup> See the Cheshire East Council Scrutiny Toolkit 4.6 Carrying out an Inquiry- page 12-“ In the event of there being dissent from the recommendations, a minority report will also be allowed to be forwarded to the Cabinet, Council or Partner organisation proposing an alternative course of action.”.

provides a way of saving merely by making the current system of service delivery more efficient by using the visual mapping system.

- 1.6. The real advantage of this alternative approach is that, if adopted, it will result in the lack of any need to consult on changes, as services are being saved rather than cut. In any event, any cuts recommended in the majority report due to consultation requirements could not be implemented until 2013/14.
- 1.7. The Cardiff City Council home to school transport system has saved £1.8 million in approximately 18 months providing the same service by adopting a new system of public mapping and contracting changes, in a holistic approach to all home to school transport. The savings were in large measure due to contractual changes with service providers. <sup>2</sup>
- 1.8. In terms of the original starting point, the savings proposed in option 1 of the report to Cabinet on the 4<sup>th</sup> of July 2011 was to make savings over the period of the financial years of 2011/12 to 2016/17 of approximately £1 million pounds (with an upper and lower sensitivity of £300k) from the estimated £1 million savings. Hence this approach is building on that long term approach, whilst having the potential to produce greater savings over a shorter period of time.
- 1.9. The minority report aims to think outside the box and to follow the Cabinet Recommendation at the Cheshire East Cabinet meeting on the 4<sup>th</sup> of July 2011 which decided to delay its decision on cutting denominational transport to allow for the matter to be reconsidered in one year's time. During the intervening period all available options would be thoroughly investigated with the assistance of a Scrutiny Committee, taking consideration of the need to continue to provide a stable education system.
- 1.10. This minority report is proposing another option to that of the majority report. The majority Group report concentrated on faith and post 16 transport rather than looking at the whole transport contracting system as the Cardiff transport system does. In fact, relatively few savings can be achieved on the denominational side.
- 1.11. In terms of the whole school transport costs, the real concern must be the amount spent on taxis, not only largely for SEN but elsewhere. In the Transport costing table dated 11/11/2011 in the majority report and Appendix C annex 1 of this report, it can be seen that, out of a total of a net budget of £8.9m, a staggering £4.4m is spent on taxis, compared to

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<sup>2</sup> Savings confirmed in a telephone conversation with the passenger transport manager of Cardiff City Council with author on the 8/9/11 and mapping system presentation sent.

£2.5m on coaches and buses with only £755K on minibuses, £55K on parental mileage claims and only £150 on cycle grants.

- 1.12. Unfortunately, due to budgetary pressures the Task and Finish group of 6 members started on the 1<sup>st</sup> of September and had to finalise its report Christmas/New Year in time for the 17<sup>th</sup> of January 2012 meeting of the Children and Families Committee.
- 1.13. The decision on the 4<sup>th</sup> of July 2011 suggested a postponement of the decision for a year's time. However, the Task and Finish group has had less than 4 months to examine a complex and difficult subject. The Cheshire East Council Toolkit in paragraph 2.5 indicates that it will "normally take up to six months" for Task and Finish groups to complete their work. The Chairman's foreward to the majority report states that Home to School Transport is a "complex and multifaceted area and we have only had some very short timescales for completion".
- 1.14. As a consequence, in my opinion, the majority report produced is both rushed and premature with little time to fully consider the recommendations being made with unknown consequences of implementation.
- 1.15. Even on the investigations side, notably, it has failed to cover all of the witnesses (including primary denominational schools, bus companies, service users) and site visits which were proposed in the original scoping document. In addition, an important meeting with another authority with the Cardiff City Council passenger transport manager scheduled for the 16 December was cancelled due to weather and there has been no time to rearrange. In addition, the majority report makes a good recommendation of examining the Stockport Council model in relation to SEN school transport so that a taxi is not the first option but there was no time to take any actual witness evidence from Stockport Council and this recommendation is based only on written information researched by the Scrutiny Officer, as opposed to witness evidence.
- 1.16. However, as far as membership and co-option of the Task and Finish Group, from the outset, I have continued to express concern that since the Group were looking at the subject of home to school faith transport, it would have been reasonable for the Task and Finish Group which reports to the Children and Families "parent" committee<sup>3</sup> to have included faith representatives within the Group to provide that faith perspective throughout as opposed to faith representatives simply being confined to just witnesses. Indeed, in order to set the scene one of the first background documents produced by the Scrutiny Officer for the Group was a Home to Transport Select Committee Report from Kent

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<sup>3</sup> See reference at 2.5 Task and Finish Groups in the Cheshire East Council Scrutiny Toolkit "At the conclusion of its investigation, the Task and Finish group will prepare a report for consideration by the parent committee."

County Council dated March 2006 with a membership of eight members of Kent County Council. In that investigation there was faith representation as, "The Members agreed to co-opt the Reverend Cannon J. Smith (Church of England) to represent both the Church of England and Roman Catholic Church".

1.17. It is worth noting that the Cheshire East Scrutiny Toolkit does in fact allow for co-option on to Task Groups.<sup>4</sup> Also, Section 21 and Schedule 1 of the Local Government Act 2000 contains the right for church representatives (RC and COE) to be appointed with voting rights onto an overview and scrutiny committee or subcommittee where the committee's functions relate wholly or partly to any education functions which are the responsibility of the authority's executive. The reason for mentioning this point is not to put forward any legal issue<sup>5</sup> in relation to this Task and Finish Group but simply to provide general support for the idea of the key role faith education representation on education scrutiny matters is expected to play, in partnership with local authorities.

1.18. The lack of membership of faith representatives was particularly pertinent since the majority report did not simply seek to recommend that discretionary faith transport (for the under 16s) new entrants from 2013/14 should be cut<sup>6</sup> but instead seeks to promote policy changes detrimental to faith home to school transport based on notions of "equity", "a level playing field" and that faith home to school transport was both "unfair" and "discriminatory"<sup>7</sup>.

1.19. Whilst paragraph 6.3 of the majority Group report states "*Firstly, the Group wants to reiterate and confirm its support for the role that faith education plays in contributing to Cheshire East's education system and its efforts to improve attainment. The Group were wholly impressed with the level of achievement that has been realised in the Borough's faith schools and all those involved are commended*". However, such support did not extend to faith home to school transport. In my opinion, the perspective of the majority group leant towards a critical rather than sympathetic approach to faith home to school transport which contrasted with its more positive approach to post 16 mainstream transport.

1.20. It is important to make it clear that the recommendation 8.3 in the majority report applies to devolving £375,000, (just under half of the net post 16 main stream spend) to all Schools and Colleges currently in

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<sup>4</sup> See "4.5 Non-Councillors may be co-opted onto Overview and Scrutiny committees and task groups. The Children and Families Overview and Scrutiny Committee has a statutory responsibility to include co-opted members of the Diocesan Board...representatives, where education is being dealt with."

<sup>5</sup> The report is not to give any legal advice and it is up to anyone to obtain their own professional legal advice in this specialised educational law area should they wish to do so.

<sup>6</sup> Albeit with the concession of retaining a denominational subsidy for new entrant siblings where other siblings are already supported being kept on the basis of parental logistic reasons of getting their children to school.

<sup>7</sup> See the Conclusions of the majority report in paragraph 7.

receipt based on 2011/12 figures. For example if £50,000 was spent by a school then just under half of that would be devolved. It is not devolved on denominational grounds but School or College grounds with the efficacy reviewed yearly. Presumably it would be then up to the schools and colleges to determine factors such as any income charges made by the Schools and Colleges to parents and to determine how the sum allocated was spent on school transport.

## **2.0 Support for Faith Based Education in Cheshire East**

- 2.1. Whilst, other authorities have sought the option of cutting costs by cutting services Cheshire East can and should adopt a more innovative approach to do what it can to integrate and save services.
- 2.2. Support on this issue can be found from a recent Prime Minister's question time.

**Prime Minister's questions 7<sup>th</sup> of December 2011 from Jim Dobbin MP with reply by the Prime Minister, David Cameron (Column 299)<sup>8</sup>:**

*Jim Dobbin (Heywood and Middleton) (Lab/Co-op): Since the Education Act 1944, successive Governments have supported subsidised travel for students who live 3 miles or more from the faith school of their choice. Some local authorities are beginning to cut back on that financial support, and I do not think any Member in this House wants to see that happen. Can the Prime Minister encourage local authorities to embrace the spirit of the 1944 Act on this particular issue?*

*The Prime Minister: The hon. Gentleman asks a very important question. I support school choice—parents having the ability to choose between schools—and I also support faith schools. Indeed, I have chosen a faith school for my own children. So I will look very carefully at what he says and at what local authorities are doing, discuss it with the Education Secretary and see what we can do to enhance not only choice, but the faith-based education that many of our constituents choose.*

### **Substantial Role of Faith Schools in Cheshire East**

- 2.3. Faith Schools play a substantial role in the education of children in Cheshire East Schools. The Equality Impact Assessment of the Children and Families Scrutiny Committee report dated the 20<sup>th</sup> of June 2011 stated that out of 145 primary, secondary and academy schools in Cheshire East, 43 or nearly 30% are faith schools. This means that the recommendation by the majority report to cut discretionary home to

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<sup>8</sup> See the following link at Column 299 for Prime Minister's questions dated 7<sup>th</sup> of December 2011: <http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm111207/debtext/111207-0001.htm#11120739000012>

school transport for new entrants to faith schools <sup>9</sup> impacts nearly 1 in 3 schools and could potentially have a knock on impact for up to half the schools in Cheshire East, if alternative school provision is sought due to the home to school faith transport barrier for the under 16s, if cut for new entrants.

## Arguments in Support of Denominational Transport

2.4. The majority report presents points in “defence” of denominational transport but then proceeds to try to weaken their validity in an attempt to justify its proposed cuts recommendation. The Group’s lack of support for the faith perspective and the slant of the majority report can be demonstrated by the use of the negative word “defence” rather than using instead the more positive reference to this in terms of arguments to “support” maintaining faith school transport.

2.5. More specifically, the majority report made the following points under Denominational Transport:

*“5.38 A number of arguments in **defence** of retaining a subsidy for pupils attending a denominational school were put forward:*

*1) Any proposed change would make it difficult for parents who want to exercise a choice to have their children educated in accordance with their religious beliefs – particularly for the less prosperous. It is argued that this runs counter to the Government policy on preventing transport costs being a barrier to parents’ choice of educational provision.*

*2) Any proposal to withdraw faith transport subsidy is contrary to the long-standing agreement between the State and the Diocese (1944 Education Act) which had not only saved the Local Authority a considerable sum over the years (building costs etc) but had also strongly informed the designated locations of the school sites. This argument was built on by Jill Kelly from the Diocese of Chester, who referred to Marton and District CE Primary School. She explained that the school had opened in 1969 as a result of the closure of the seven village schools. An agreement was reached with the Council to provide transport to the school and currently 109 pupils from a total of 202 are eligible for subsidised transport in three coaches, a mini bus and a taxi.*

*3) That as the Local Authority statutorily recognises the need to provide a distinction for faith schools in terms of a subsidy for pupils on Free School Meals (FSM)/working tax credits, why would Cheshire East not recognise this for pupils over this threshold. A particular concern was expressed for those pupils who were marginally over the FSM/working tax credit threshold.*

*4) That there is something ‘special’ about faith schools which should be supported for the benefit of the wider society. It is this which separates faith*

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<sup>9</sup> See earlier point on Siblings of those currently attending faith schools.

*schools from other 'specialisms'. Indeed it was noted that OFSTED consistently report on the quality of the spiritual, moral, social and cultural outcomes in faith schools.*

*5) That there would be a number of potentially damaging unintended consequences as a result of removing the discretionary subsidy. Including:*

*a. The possible increase in the statutory budget. This point makes the 'false economy argument' – namely that pupils living in an area with over subscribed secondary schools who under the current arrangements receive a discretionary subsidy to access a faith school, would have to be given more expensive statutory transport in order to access a free school place.*

*b. The health and safety of children could be affected, particularly by making children have to get to school by hazardous routes.*

*c. There is the danger of considerably increasing congestion in areas of existing high traffic around schools.*

*d. It would increase the instability of educational placements (parents pulling children from schools) and the instances of siblings going to different schools. The Group was informed that the current uncertainty was already having a damaging effect on schools.*

*e. The undermining of successful schools. Both St. Thomas More's and All Hallows are high achieving schools and it was put to the Group that this was largely due to the schools' ethos and adherence to the principles of the Gospels. It was argued that if the 'critical mass' of Catholic children was not achieved, the school would lose its character – the very thing which had made it a success.*

*5.39 After the Group was made aware of these issues it was keen to explore them further **in order to assess their validity.***

*5.40 Firstly, the Group spoke to the Admissions and Appeals Manager about the possibility of creating a 'false economy' by removing the discretionary subsidy. The Group was informed that if any change to transport policy were applied to new entrants and not children already in the school, parents applying for places for the normal point of entry in September would need to reconsider admission arrangements. This was because most schools gave a higher level of priority within the oversubscription criteria (after Cared for Children and siblings) to children resident within a designated catchment area or attending a named feeder school. It was pointed out that admission arrangements are determined by the admission authority for the school and that the local authority had this responsibility for community and voluntary controlled schools only.*

*5.41 Therefore, it would follow that if a school is oversubscribed; 'catchment area' children would be more eligible to receive an offer of a place at their 'local' school if stated as a preference on the application form as would children attending a feeder school at the time of application where the arrangements included this. If a parent made an application for their local school it is highly unlikely that children would be forced to attend a school some distance away which required statutory transport support as the majority of schools can accommodate the children resident within their area. **Due to the rural nature of***

***Cheshire East, for some areas the local school may nevertheless be above the statutory walking distance and in such cases transport would be provided (as would provision for children with walking routes deemed as ‘hazardous’). For children attending a feeder school but not resident in the area, again this would provide them with a higher level of priority within the admission arrangements for most schools compared with children not attending the feeder school or resident with its area.***

5.42 Additionally, in terms of the potential of increasing congestion around school areas, it was noted that if children went to their local school, they would often do this on foot. Whilst it is difficult to provide accurate school admission modelling after any policy change due to the impossibility of approximating parental behaviour, it is likely that traffic congestion will decrease as children increasingly go to their local school.”

**(My emphasis where embolden in this quote)**

## **2.0. Lack of Validity of the Arguments - Questioning the validity of the defence of denominational transport**

- 2.1. In paragraph 5.38. 5) a. and b. the false economy argument of moving the cost from discretionary to statutory was dismissed by a weak argument on the basis of the admission arrangements policy for non-faith community and voluntary schools. In the majority report, this was simply referred to in paragraph 6.5. both for this false economy argument and traffic congestion under point c, on the basis that the Group was reassured by the professional opinion of officers that this would not be the case for the reasons outlined earlier (as above).
- 2.2. Unfortunately, it was a case of officer opinion only, no factual evidence was provided to back up the assertions being made with regard to the false economy argument. There was no school modeling of the implications of parents taking their children to different schools at any particular locality or going to the same faith schools or any changes in school population figures.<sup>10</sup>
- 2.3. The lack of an evidential approach is of concern, particularly as the Cheshire East Scrutiny Toolkit states in relation to Task and Finish Groups that “It is important that recommendations are supported by evidence and the findings are based on fact”.<sup>11</sup>
- 2.4. In fact in terms of traffic congestion, prior to this Task and Finish group, it was asserted by representatives of faith school children that Hartford had been brought to a traffic stand still by car

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<sup>11</sup> See 4.6. Stage 4 page 12.

congestion of some parents driving and not using the school bus to the faith school.

- 2.5. At the Task and Finish meeting on the 20 October 2011, the issue of the problems of traffic congestion was also mentioned in relation to Danebank Avenue in Crewe. The removal of discretionary faith transport for new entrants is likely to gradually exacerbate an existing traffic congestion problem in that area of Crewe.

### **Increase in Statutory Hazardous routes**

- 2.6. However, the opinion was that hazardous routes may well increase (see 5.41). In terms of statutory transport increasing in the form of hazardous routes, Councillors already know of instances where public subsidised buses have been withdrawn and school children are now paid for by the Council due to this being considered a statutory obligation as an unsafe hazardous route. The author of this report has been told by one Councillor of a case where a child was previously paying a low daily fare on a subsidised bus is now being transported by taxi, at a cost rather than a saving to the Council due to a hazardous route.

### **Rural Settings of COE schools - transfer from discretionary to statutory**

- 2.7. The evidence of the Diocese of Chester not mentioned in the majority report was that *"Within Cheshire east, Chester diocesan church schools are largely located in rural settings."*<sup>12</sup>
- 2.8. The removal of discretionary denominational transport for the under 16s will mean that in some cases this could well be replaced by statutory transport due to the largely rural nature of such COE schools. A point also confirmed in paragraph 5.41 above. It will of course then result in far less cost savings. In fact such changes will prove to be unsatisfactory in terms of parental choice and stability of education as the statutory requirement is for the pupil to be transported to the nearest qualifying school even if the faith school is only a mile apart.
- 2.9. The recommendation to cut new entrants means that a pupil of a primary faith school at age 11 going to a secondary non-faith school faith school which is not a partner/feeder school will be at a disadvantage in the current admissions procedure. It will be helpful if the Sibling support is retained as recommended by the majority report but new entrants who have no siblings moving from a primary faith school with its own feeder secondary faith school will be

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<sup>12</sup> Written submission dated December 2011

disadvantaged compared to those in partner feeder schools transferring from a non-faith primary partner feeder school to its own non-faith secondary school, if they go to the non-faith secondary school. This is a relevant factor since primary RC schools are feeder/partner schools with secondary RC faith schools. In addition, COE schools may set admission rules on the basis of parish boundaries.

- 2.10. In terms of another area of support, it is important to note that Faith home to school transport is supported by Government policy in the Home to School Transport Guidance for the Department of Education and Skills<sup>13</sup>.

### Excellence of Schools

- 2.11. The faith school evidence included two RC Secondary faith schools. The RC Diocese of Shrewsbury submitted written evidence by A Scott dated May 2011 to express concern that “changes in school transport which might disrupt the excellent education standards achieved by pupils currently at Catholic Schools”.
- 2.12. The evidence from the Diocese of Chester for COE schools was also of examples of schools rated as “good” and how Chester Diocesan schools are largely located in rural areas which are popular, successful and inclusive.
- 2.13. In keeping with the theme of excellence an RC Head teacher stated how despite being a relatively small school, they were also a high performing school with 98% of students achieving 5 A\*- C GCSE grades, the highest in Cheshire East. **The Head asserted that it was the faith based aspect to the educational experience at the school which contributed to that success.**
- 2.14. The topic of denominational transport was commented upon again in the conclusions in the majority report in paragraph 6.
- 2.15. The majority report in paragraph 6.4 argued that the Group were not convinced that the removal of discretionary transport would have an adverse affect upon the level of performance of the school, as it is the leadership of the school and the ethos it instils which is the crucial factor in a high performing school. The illustration was given of Wilmslow High School. This relates to the quote above on the “defence” of denominational cuts as follows that it would result in: *“The undermining of successful schools. Both St. Thomas More’s*

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<sup>13</sup> See chapter 5: of the following link: <http://static.carers.org/files/dfes-home-to-school-travel-and-transport-guidance-3108.pdf>

*and All Hallows are high achieving schools and it was put to the Group that this was largely due to the schools' ethos and adherence to the principles of the Gospels. It was argued that if the 'critical mass' of Catholic children was not achieved, the school would lose its character – the very thing which had made it a success.*

- 2.16. Whilst leadership and ethos of a school are important, so are other factors. Support for the argument that it is the faith element that contributes to the success of faith schools as opposed to just the leadership and ethos must be found in the fact that the aforementioned GCSE results of St. Thomas More's in Crewe were achieved despite 17% of pupils not having English as an additional language. No account is taken in making this comparison of high performing schools of the socio-economic demographics of the area in the comparison between Wilmslow and Crewe. For example, the higher number of people with a degree qualification in Wilmslow.<sup>14</sup> Hence, there is support for this notion that it will be undermining successful schools and support for the other faith arguments for retaining denominational transport can also be found.

### **3.0. Historical Background**

- 3.1. It is important to consider school organisation issues and why schools are located where they are and organisational strategies which may have created an underlying transport need in order to provide support for continuing denominational transport.
- 3.2. The majority Group report failed to make reference to a Management Board Report distributed to the Group, dated 15 December 2003, item 217. This report detailed, Cheshire County Council strategy entitled "Building Schools for the Future- Secondary School Strategy." The strategy divided the county areas into six Cheshire Districts including Macclesfield District. Macclesfield District covered Macclesfield, Prestbury, Bollington, Alderly Edge, Mobberly, Wilmslow, Handforth, Knutsford, Poynton and Disley.
- 3.3. The strategy stated that *"The School Organisation Committee has approved the Macclesfield town proposal for a Learning Zone linking*

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<sup>14</sup> **Local Area Partnership Profile Wilmslow**

In 2006-7, 68% of pupils in Wilmslow LAP obtained 5 or more GCSEs at grades A\* to C (65% in Cheshire East)  
· In 2001, 33% of people in Wilmslow LAP had degree level qualifications or higher (24% in Cheshire East) and 19% had no qualifications (25% in Cheshire East)

**Local Area Partnership Profile Crewe**

In 2006-7, 54% of pupils in Crewe LAP obtained 5 or more GCSEs at grades A\* to C (65% in Cheshire East). In 2001, 15% of people in Crewe LAP had degree level qualifications or higher (24% in Cheshire East) and 31% had no qualifications (25% in Cheshire East)

[http://www.cheshireeast.gov.uk/community\\_and\\_living/research\\_and\\_consultation/cheshire\\_east\\_area\\_profile/local\\_area\\_partnership\\_profile.aspx](http://www.cheshireeast.gov.uk/community_and_living/research_and_consultation/cheshire_east_area_profile/local_area_partnership_profile.aspx)

*all the secondary schools, Macclesfield College... Subject to funding, the LEA will deliver the closure of Ryles Park High School, the new building of Henbury High School within the Learning Zone, major extensions and remodelling at Fallibroome and Tytherington High Schools and the enlargement of All Hallows Catholic High School. This collectively will remove the secondary school surplus capacity within the Macclesfield District, which encompasses Knutsford, Wilmslow, Poynton all of which are oversubscribed, as well as providing improved building stock for the secondary sector within the town of Macclesfield itself."*

- 3.4. It is clear that the Cheshire County Council school organisation strategy for secondary schools envisaged transport between and within the Macclesfield District and covered larger areas than are now being considered as local. Hence, it is not surprising that there is travel now encompassing the whole of the old Macclesfield District area to All Hallows Catholic College. The oversubscription described above continues today. For example, Wilmslow High School admission number is 300, in 2011 there were about 380 applicants,<sup>15</sup> and with appeals about 307 joined, approx 275 were major partner primary schools, 13 non-partner primary schools and about 18 from outside the area.
- 3.5. We do not know the current situation with regard to Poynton and Knutsford due to the lack of any information or school modelling.
- 3.6. Bearing the above School organisational strategy of the previous authority in mind, it is not surprising that Cheshire East has inherited a school transport need which may be less local than a smaller authority would prefer. The school organisational strategy of the County has resulted in the expectation that there would be transport towards Macclesfield from Knutsford, Wilmslow and Poynton which were seen as oversubscribed.
- 3.7. The Group in paragraph 6.12 of the majority report rejects the suggestion of the importance of the fact that for as long ago as 1944 LAs have assisted faith transport. However, this is a factor still seen to be relevant today in the recent Prime Minister's question time.

#### **4.0. Contribution of faith parents to education**

- 4.1. In support of faith school transport, it was argued that Catholic parents often felt that they were the victims of "double taxation", paying both their contribution to the state comprehensive system

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<sup>15</sup> We were told that some of the applicants went to independent schools.

and a 10% contribution to the Diocese.<sup>16</sup> Hence faith parents are paying towards the 10% of building costs for voluntarily aided faith schools, their council tax and also a contribution towards home to school transport.

## 5.0. Fairness of Faith Transport Support

- 5.1. In paragraph 6.6. of the majority report, it was argued by the majority group that the discretionary faith transport is “unfair” particularly since the person has to be of the same faith as the respective school.
- 5.2. The Equality Act 2010 provides an exception to discrimination on the grounds of religion or belief for transport to and from School<sup>17</sup>. This provision is not “unfair” but part of the recognition in Equality law of positive discrimination in favour of faith school provision and assists parental choice and diversity of education provision.
- 5.3. The notions of a “level playing field” and “unfairness” are not appropriate in relation to transport as non-faith education is likely to be more widely available but faith schools may not always be available as a local school, so this may well create a transport need.<sup>18</sup> One of the RC faith school Head teachers argued that faith is fundamental to the way some people live their lives and that adds something meaningful to society. By secularising education, or at least support for education, it was argued something important was lost from society.
- 5.4. There was no evidence for the argument of any demand by parents in Cheshire East for the “belief” side of religion or belief as suggested in the policy side of paragraph 6.6. In fact, Cheshire East transport provision is virtually all about RC and COE schools. It is not possible to argue that the local authority on discrimination grounds should provide a school for those of another religion just because there are Catholic schools as there are exceptions in Schedule 3 of the Equality Act 2010 to prevent such an argument.
- 5.5. However the Equality Act 2010 in section 149 does mention the public sector duty of ensuring there is an equality of opportunity for the

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<sup>16</sup> Notes of meeting on the 3 November 2011.

<sup>17</sup> See Schedule 3 Part 2 paragraph 11(e):  
<http://www.legislation.gov.uk/ukpga/2010/15/schedule/3>

<sup>18</sup> See earlier note on evidence that about 1 in 3 schools are faith schools, meaning that approximately 70% are not.

protected characteristics including religion or belief in shaping policy and delivering services.<sup>19</sup>

5.6. The Council has a statutory duty under the Equality Act 2010 to promote Equality of opportunity in the provision of services and employment. This means that due regard should be given by the Council to the equality implication of any strategy, policy or function of the Council. This means that the Council must ensure that all policies and local strategies promote the inclusion of all groups and equality of opportunity. Factors such as other reasons for parental choice mentioned in paragraph 6.7. of the majority report are not relevant here.<sup>20</sup>

5.7. This minority report is not about giving any legal advice, as it is up to anyone interested to obtain their own professional legal advice in this specialised educational/equality law area should they wish to do so. The paragraphs above are simply for food for thought in relation to considering the validity of arguments being put forward by the Group in the majority report. It is simply put forward to combat the argument in paragraph 6.10 that removing the denominational subsidy would ensure equitable treatment. It is not clear how it will produce a fairer and more equitable transport policy, as it may well restrict equality of opportunity for parents who wish to exercise a faith school choice as opposed to a more locally available non-faith school choice.

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<sup>19</sup> **Public sector Equality Duty**

**“The public sector Equality Duty came into force across Great Britain on 5 April 2011**

**1.1.1 What is the public sector Equality Duty?**

*“The public sector Equality Duty, at [section 149\(Opens in a new window\)](#) of the Equality Act, requires public bodies to consider all individuals when carrying out their day to day work – in shaping policy, in delivering services and in relation to their own employees. It requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities.*

- 1. The Equality Duty supports good decision making – it encourages public bodies to understand how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people’s opportunities, public bodies can be more efficient and effective. The Equality Duty therefore helps public bodies to deliver the Government’s overall objectives for public services.”*

<http://www.homeoffice.gov.uk/equalities/equality-act/equality-duty/>

<sup>20</sup> Note that the points made in the report is not to give any legal advice and it is up to anyone to obtain their own professional legal advice in this specialised educational/equality law area should they wish to do so.

- 5.8. The additional argument in paragraph 6.12 of potential additional demand of faith schools due to free schools under the Academy Act lacks merit, no evidence of any religious free schools being formed was ever given to the Task and Finish Group. That same argument was not used to say that sixth form academies could be set up and this could potentially lead to a greater demand for post 16 transport, since the Group were generally more favourably disposed to such transport. Indeed the report to the Children and Families Committee for the 17<sup>th</sup> of January 2011 Committee states that there is only one Free School in the Borough and Academies account for only 6% of schools in Cheshire East.

## 6.0. Quality of Accurate Financial Information

- 6.1. The group has been curtailed in its consideration of this topic due to it taking 3 of the 4 months to produce financial figures. Unfortunately this was due to the need to manually trawl the figures. The figures given in the majority group report state that “Any figures given this section are therefore highly volatile and approximate.” Whilst figures do vary with changes in pupil numbers the lack of consistency is a cause for concern.<sup>21</sup> The first set of figures dated the 21/9/11 were stated to be “robust and accurate”, but the Group then received 2 other tables of different figures. The final table dated the 11/11/11 being the one in the majority report. Please see Appendix A, B and C to this report detailing the figures given.
- 6.2. The need for accurate recording of transport costs is a condition precedent both for assessing, monitoring costs and making any savings. This is a good reason for the need for software support such as that found in the Cardiff system, which on the software side is part of the recommendations of the majority group.
- 6.3. The lack of consistency of the figures calls into question the accuracy of any purported savings and options presented in paragraphs 5.24 to 5.26. For example, paragraph 5.24 refers only to the hardship and hazardous routes. The figures in the table on page 13 of the majority report and Appendix C Annex 1 and 2 show that there is income of £122,460, (since each parent pays a charge of £314 towards his or

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<sup>21</sup> For denominational transport :

21/9/11 the figures were 114 of the 360 denominational transport qualify for free transport total cost of £342,258 and total annual cost of £950.72 per pupil.

In a table dated the 22/9/11 there were 562 denominational pupils at a total cost of £372,515.06 with a cost per pupil of £662.84 with a denominational hardship of 42.

The figures in the table for the majority report dated 11/11/11 gave 728 denominational pupils at a total cost of £372,515.06 with a cost per pupil of £511.70 with a denominational hardship of 76.

Similar inconsistencies for the post 16 mainstream transport figures.

her child's denominational transport), Appendix C annex 1 shows that 390 pay a charge for each child. That would leave 640-390 pupils = 250 pupils with no charge and free. The original consultation on proposals to cut denominational school transport never included those who were free on the basis of the pre-2008 agreement. In addition the policy allows for the 3<sup>rd</sup> sibling to be free. No breakdown of the pre 2008 or 3<sup>rd</sup> sibling pupils has been provided.

- 6.4. Since the majority report in paragraphs 6.13 and 6.14 indicated that those currently in the system would be protected on the denominational side, it is assumed that the current policies for pre-2008, and third siblings would continue.
- 6.5. If the status quo is maintained for the under 16 denominational transport, income will increase as a result of children in the pre-2009 policy group starting to pay and make a contribution. In addition for the COE primary schools which are largely in rural settings then travelling from one village to another is likely to simply result in a lower discretionary budget and a higher statutory one without denominational choice as this will be to the nearest qualifying school for under 16s if more than 3 miles away from the pupils home.
- 6.6. At best at the moment, at a cost of £582.66 per pupil for 390 who pay, there is only approx £227K. Option 1 of immediate withdrawal is not an option as there is a need to consult. Of those 390 who do now pay a contribution, it may be the case due to the largely rural setting of COE primary schools that a significant number may transfer to a statutory budget based on a. hazardous routes or b. the nearest qualifying school being more than 3 miles away and being of compulsory school age.
- 6.7. It needs to be considered that if a child under 16 is transferred from the faith to the non-faith column for under 16s transport means that the cost per pupil increases from £582.66 to £940.60 per pupil due to the loss of the parental charge income from denominational transport. Please see the table in the majority report on page 13 and the table in this report at Appendix B annex 1.
- 6.8. In fact an examination of Appendix C annex 1 of the table provided in the majority report at page 13 and the additional Appendix C annex 2 which the Group received to accompany the table, presents a different perspective. It can be seen in Appendix C annex 2 that the contracts section in Appendix C annex 1 is shown for transport serving denominational establishments. However, examining Appendix C annex 2 under the heading "Transport Serving

Denominational Establishments”, for buses to faith schools only 46%<sup>22</sup> of the cost pays for discretionary faith pupil travel with 54%<sup>23</sup> being non-faith pupils paid for on a statutory basis.

- 6.9. In other words, to get discretionary faith travel may require being a baptised catholic pupil to go to an RC school but the Council pays statutory travel for non-faith pupils to attend a faith school. Statutory reasons may be due to the faith school being the nearest qualifying school if the school is more than 3 miles from home, hazardous route etc.
- 6.10. For minibuses going to faith establishments, only 31%<sup>24</sup> of the cost to the Council is for faith pupils and 69%<sup>25</sup> is for non-faith statutory pupils.
- 6.11. If discretionary transport to faith schools for faith pupils is cut, it will result in a significant detrimental cost impact for the Council. Pupils who are paid for to go to a faith school on a non-faith statutory basis outweigh those who are paid to go to a faith school on a discretionary faith basis. In other words more than half on the bus or more than two thirds on the mini-bus are non-faith pupils going to a faith school paid for by the Council on a statutory basis.
- 6.12. There are no figures for the number of non-faith pupils who go on a statutory basis to a faith school in the majority report table, but proportionate and cost wise, this must be a fair number. This provides an example of parental support in Cheshire East for faith schools even for non-faith pupils.
- 6.13. It must be remembered that we are only considering the school transport side. We were told that St Thomas More’s did not only admit Catholics but also had students from a variety of faith backgrounds and that these made up 30% of the student body. The evidence from the Diocese of Chester for COE schools was that the schools are popular, successful and inclusive.
- 6.14. At the meeting with the transport manager on the 11 November 2011, the Group were told that at the time of the meeting, statutory transport cost approximately £150,000 and discretionary faith transport was approximately £200,000.

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<sup>22</sup> £167,110 out of a total of £359,721, as 167,110 + 192,611 =£359, 721 this correct figure shown in Appendix B annex 2

<sup>23</sup> £192,611 out of a total of £359,721

<sup>24</sup> £53,723 out of a total of £173,955, this correct figure shown in Appendix B annex 2

<sup>25</sup> £120,232 out of a total of £173,955, this correct figure shown in Appendix B annex 2

6.15. In view of the detrimental impact on denominational travel and on access to faith education in Cheshire East the best course of action is to look towards efficiency savings instead.

**7.0. Transport Contract Costs for Under 16's Cheshire East Pupils attending Faith Schools –see Appendix D**

7.1. The points made previously can be more clearly illustrated by providing a table covering the transport contract costs, showing the amount of cost for faith pupils and non-faith pupils attending a faith school. The table in Appendix D is constructed from the data provided by the Officers to the Group and the argument being advanced by the desire to cut services seems to be that Faith Pupils should be financially penalised further because they cost £583 per pupil to attend a Faith School, whereas Non-Faith pupils who attend the *same* Faith Schools cost an average of £941.

7.2. The net costs for Faith School pupils are 40% of Transport contracts costs to Faith Schools. It means that about 60% of these contracts costs paid by the Council covers transport for non-faith pupils to faith schools. It is not possible to break this down further as there are no figures to cover the non-faith pupils who attend faith schools who go by other means of transport, such as commercial bus, local bus etc.

7.3. The previous percentages in paragraphs 6.8 and 6.10 are based on the cost to the council but no account was being taken of the faith contribution income which is taken account of in paragraph 7.2. It is assumed in this table in Appendix D that the total parental contribution is 57% of the contractual payments as the contractual payments are 57% of the overall cost.

7.4. There is a failure to provide analysis of the impact of any change in policy. In particular, what are the assumptions made in accommodating Faith Pupils who currently travel, but who in future, because of economic pressures, will need to be accepted at a "local school" rather than a Faith School? Since we do not know where the faith pupils are located and what local schooling is available how can an assessment be made? In order to understand this information a visual map is needed of pupil numbers and locations and availability of local schools. In other words, school modelling is required.

7.5. The Group has embarked on a narrow policy under the guise of "necessary economies" but in fact they have failed to show any evidence of the scale of the "economies". They have shown the scale

of the current costs, but the current costs include third Sibling and pre-2008 and these are costs which remain unquantified.

- 7.6. It is difficult to argue that those economies can be made by translating pupils who currently cost £583 per pupil into pupils who cost £941 per pupil.
- 7.7. It has been clear from this Task and Finish Group that there are areas of potential efficiencies, such as in taxi fares, as witnessed by the research into Stockport Council. Not only have SMBC reduced their taxi costs but they have improved the quality of life of their residents.
- 7.8. It is also clear that no work has been done on the impact on either contract buses, or minibuses of reduced pupil numbers; i.e. if a minibus or contract bus has fewer Faith pupils, by how much will the average cost per pupil increase.

#### **8.0. Post 16 Mainstream Transport**

- 8.1. The majority Group were much more favourably disposed to post 16 transport, reporting it in positive terms and expressing the concerns of the FE Colleges without any attempt to view the reasons expressed as a source of “defence” to cuts.<sup>26</sup>
- 8.2. Faith home to school transport needs to be retained both for under and post 16 year olds due to the arguments in support and because of the rural needs of their primary schools, and the location of their secondary schools.
- 8.3. In terms of the Secondary schools, the location of the few denominational Secondary schools is of particular relevance to their transport retention. St Thomas More in Crewe has the difficulties of traffic congestion where it is located and the situation would be made worse if buses are withdrawn. In Middlewich there is no sixth form which means that a significant number of parent’s children from Middlewich travel to St Nicholas Catholic High School in Northwich. If All Hallows Catholic College in Macclesfield changed, leaving more local places, it may affect the pattern of local admissions for other institutions as it is a high performing school. The Cabinet report on the 4<sup>th</sup> of July stressed the need to take due consideration of the need to provide a stable education system.

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<sup>26</sup> See paragraphs 5.43 to 5.45 of the majority report.

- 8.4. The minority report argues for the retention of all mainstream post 16 but working in cooperation with all schools and colleges to make savings.

## 9.0. Proposals to make Savings without cuts.

### Cardiff City Council Example

- 9.1. Cardiff City Council uses the Public Sector Mapping agreement (PSMA) together with software called Capita, in order to gain accurate information on a holistic basis and efficiently plan school bus routes for mainstream and SEN. This system has been combined with re-negotiating and re-contracting mileage rates so that there are set mileage rates for buses, minibuses and taxis. The contracts ensure that they are flexible enough to change so that the Council is only paying for the mileage rates used and if this goes down so does the cost. The system allows for accurate comparisons to be made between the cost of transporting an SEN Child and the cost of additional school support more locally based, in order to consider appropriate savings.

Examples of councils using mapping systems include the following quotes:

#### “Cardiff City Council

*Cardiff city council used mapping information to map school catchment areas and plan routes for the free school service and courier services.*

*Using OS data has meant children eligible for the free school bus service have been identified quickly and accurately. This has allowed the council to organize transport provision in a more proactive way, optimising the number of buses needed and tailoring bus routes to suit where the children live.<sup>27</sup>*

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<sup>27</sup> See Grant Shapps: New era of open government will drive innovation in public services August 2010

<http://www.communities.gov.uk/news/newsroom/1665613>

The PSMA approach can be used in other ways:

#### “Daventry District Council

*Daventry District council has used mapping information to improve refuse collection routes.*

*This led to a reduction in mileage travelled by refuse lorries by 12-13 per cent, increased capacity for vehicle washing, and virtually eliminated employee overtime....”*

*Note that Daventry District Council which uses the PSMA for refuse collection, has a market town, with villages which are rural and semi-rural and so is not unlike Cheshire East, so the argument that you*

- 9.2. Cardiff Transport manager indicated that savings of about £1.8m over all school transport areas had been made in approximately 18 months, both by the public mapping agreement but also largely due to value for money contract changes.<sup>28</sup>
- 9.3. The majority report in fact recommends a new software system (such as CAPITA) in order to provide more accurate information. Unfortunately, the appointment with the Cardiff transport manager for the Task and Finish Group was cancelled without any chance to rearrange.

#### **10.0. Bus Organisation Efficiencies: Stagger School Start Times and Share School Buses**

- 10.1. The majority report covers this aspect as an addition to cuts instead of as a way of retaining and reorganising existing services to make savings. An example of bus sharing was given in paragraph 5.45 of the majority report of St Nicholas, Mid Cheshire College and St Wilfred's primary who were already bus sharing in Cheshire West and Chester with no issues. It is of interest to note how a secondary faith school, primary faith school and a non-faith FE College can co-operate and work together not only across primary and secondary lines but also across faith and non-faith school lines.
- 10.2. The Home to School Transport Select Committee Report dated March 2006 for Kent County Council, stated "*A concerted co-ordination of staggered opening and closing times by different schools in Kent can potentially be implemented through clusters of schools*". The report went on to say that the benefits of staggering school times include "*Not only can the initiative reduce congestion, pollution and accidents, but it can also reduce school transport costs. By staggering school times of all schools in Kent on an area basis, it may be possible to save up to £500,000 a year in school transport costs*".
- 10.3. Feeder/partner schools linking together may be an ideal starting point for bus sharing; the example above includes a feeder primary and secondary RC school.
- 10.4. It is recommended that the Council carry out further investigation, through bus companies and school clusters into bus sharing and the staggering of starting and finishing times of primary, secondary and

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cannot use PSMA in Cheshire East because it is not like Cardiff because that area is urban is without merit.

<http://www.daventrydc.gov.uk/contact-us/>

<sup>28</sup> Telephone conversation with the author and Cardiff passenger transport manager.

FE colleges in Cheshire East in order to reduce car congestion and school transport costs.

## **11.0. Devolution to Schools**

11.1. A Head teacher at a meeting on the 3 November with the Group made the following suggestions on improving efficiencies:

*“Firstly, he asserted that the historic zoning of primary and secondary schools was currently inefficient and could be reconsidered. Secondly, he contended that a system of devolved management in which schools commissioned services instead of the Local Authority could result in significant savings. Indeed, he felt that schools would be in a better position to sell surplus seats and to negotiate deals by offering companies the chance to be the school’s provider for school trips. In the light of this he pointed out that the school was already running their own bus service...”<sup>29</sup>*

11.2. Whilst, the majority report supports devolution to post 16 mainstream transport, it does so on the basis of a 50% cut for post 16 mainstream only. It is unknown what the consequences of such an approach will be, it would seem far more sagacious to pilot devolution and to see how much it costs and then roll it out, so that recommendations can be made knowing the practical consequences and setting realistic targets to gradually reduce costs. It is also reasonable to assume that both faith and non-faith schools may wish to do so by combining the ages of pupils who use such devolved buses so that both under 16 and post 16 can use the same bus for the same school.

11.3. It can be seen from examining the table on page 13 of the majority of the report and Appendix C annex 1 of this report, that spare seat capacity is not something used for under 16 faith transport.

## **12.0. Efficiency Methods**

### **Dept of Education Efficiency and Practice Review**

12.1. The scoping document for the majority referred to the Department of Education – Efficiency and Practice Review. The Review may be published this month with recommendations on efficiencies in SEN home to school transport.<sup>30</sup>

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<sup>29</sup> From notes of meeting dated 3 November 2011 amended to exclude school name and head name.

<sup>30</sup> See the following link:

<http://www.education.gov.uk/schools/adminandfinance/travelandtransport/a0077797/efficiency-and-practice-review-home-to-school-transport>

- 12.2. The Department of Education has commissioned a review of efficiency and practice in the procurement, planning and provision of school transport across England.
- 12.3. The Government wants local authorities to share best practice and ensure they have processes and systems in place that provide value for money and contribute to the reduction of bureaucracy.

**Other Ideas for Efficiencies- Think Twice.**

- 12.4. It would be worthwhile to consider developing a pro-forma called *Think Twice*. When applications are made for home to school transport or indeed transport for children in care which the Group was told currently cost approx. £600k per year<sup>31</sup>. A form could be developed to cover questions to allow the transport manager to ask professionals, applicants and schools to explore if there is a cheaper alternative.
- 12.5. The cheaper methods of transport, where appropriate, may involve use of rail or public transport, parent's car share allowance, carer mileage, cycle grants instead of a more expensive taxi, and so forth. Liaison with the schools would help particularly, if the schools were willing to facilitate parent car sharing schemes.

**13.0. Conclusions**

- 13.1. The recommendation of the majority report to examine the Stockport Council model is a welcome one. Not only may such a system result in real savings, it would have the benefit of promoting greater independence.
- 13.2. Cardiff City Council also provides an example of another authority which can provide a new delivery model. The aim would be to achieve savings whilst not diminishing service delivery.
- 13.3. The continuation of Council support for home to school faith and post 16 mainstream transport is aligned to the Cheshire East Council's Ambition for all priorities – nurture strong communities, support our children and young people and ensure a stable future for them. The aim would be to include the need to achieve value for money whilst still maintaining home to school transport service delivery.
- 13.4. The Government must be convinced that it is possible to provide home to school transport more efficiently on a best practice basis, otherwise they would not be in the progress of undertaking a

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<sup>31</sup> There are currently approx 456 children in care in Cheshire East.

review. The recommendations of this minority report are made on the basis that such efficiencies and better outcomes have been practically demonstrated at other authorities.

### 13. Minority Report Recommendations

1. There are numerous methods of saving transport costs without cutting services and so the main recommendation of this minority report is that the Council maintain existing home to school transport services and look towards investigating efficiency savings instead.

2. Delete recommendations 7.1. to 7.3, of the majority report and replace with:

7.1. That the Council investigates methods of saving efficiencies such as the Cardiff Transport System which saved £1.8m in approximately 18 months.

7.2. That discretionary denominational transport (both under and post 16) and post 16 main stream transport is retained due to the negative and detrimental impact of its removal.

7.3. That the Council pilots the devolution of transport to schools in order to save costs and then assesses the scheme prior to roll out to other willing schools and colleges in Cheshire East with the aim of a realistic saving in costs.

3. Support Recommendations 7.4 to 7.10 (excluding 7.7), of the majority report, noting that a software system similar to the Cardiff transport model could be considered in 7.4.

7.4 That when the Council procures a new holistic education software system, transport management needs are considered so that home to school transport data that is linked with other core data can be produced automatically and on demand.

7.5 That the Council establish an overarching Integrated Transport Team in order to identify convergences (and synergies) between various transport policies. (See paragraph 5.35).

7.6 That the Council investigate options around bus sharing and staggered start times for schools and colleges taking into consideration the possibility of altering public transport routes, times and capacity. The Council should continue to support schools and sixth forms in developing their school travel plans, as well as offering advice on issues linked to procurement and traffic congestion.

7.7 That the Council opens up discussions with parents about the possibility of increasing charges to help facilitate the retention of existing bus routes.

7.8 That the Council devolve the statutory transport budget to schools (both Primary and Secondary) where schools feel that they have the appropriate resources to manage it.

7.9 That the Council, in full partnership and consultation with parents, carers and social workers look at alternatives around SEN transport to improve outcomes by promoting a positive culture of independence for children, young people and families.

7.10 That the Council open up discussion with special schools with a view to integrating Independent Travel Training into the curriculum.

**4. Additional Recommendation:**

7.11. That the Council considers the recommendations of the Government's Efficiency and Practice Home to School Transport Review expected to be published this month.

## Appendices

Appendix A

### **Annex 1**

## Post 16 Mainstream Transport 2011/12

As at today (21/09/2011 @ 10:00am) we provide transport for 1083 students (to highlight how quickly this figure changes, it has gone up to 1102 students since this morning!).

The cost of transporting these 1083 students is: -

- Local Bus and Education Contracts: **£1,069,251.00**
- Commercial Services: **£ 86,603.40**
- Rail: **£ 29,919.35**
- College's own transport: **£ 13,500**

**TOTAL : £ 1,199,273.75**

LESS TOTAL 16+ INCOME DUE (£436.00 per eligible student) **£ 350,980.00**

*Please note 278 students qualify for free transport*

**TOTAL COST OF 16+ TRANSPORT £ 848,293.75**

**TOTAL COST PER 16+ STUDENT £ 783.28**

### **Total (post 16) travelling on:** -

Education transport contracts - 840

Commercial Bus Services – 91

Local Bus Services – 63

Rail – 38

College's own transport – 11

Fleet – 9

Awaiting allocation - 11

Special Ed Transport – 1 (special education college transport is in the process of being arranged so figure will increase significantly over next few days)

## **Annex 2**

### **Denominational Transport 2011/12**

To date, we provide transport for **360** pupils on denominational grounds.

The total cost of this transport (including proportional costings where pupils are travelling on contracts that also carry eligible, non denom pupils) is **£ 419,502.00 per annum**

The current charge for denominational pupils is £314.00 per annum (for the first two pupils per household).

114 of the 360 pupils qualify for free transport (either due to low income, or being the third sibling), therefore Total denom income due 2011/12 is **£ 77,244.00**.

**TOTAL COST TO CHILDREN'S SERVICES (LESS INCOME) £ 342,258.00**

**TOTAL ANNUAL COST PER PUPIL £ 950.72**

**Total (Denominational) travelling on: -**

Education transport contracts - 265

Commercial Services – 3

Local Bus Services – 94

## Annex 1

Transport Costings - Mainstream Education and SEN Transport @ 22/09/2011

		Mainstream <16		Mainstream >16	Sen <16 (73%)	Sen >16 (27%)	TOTAL
		Faith	Non-Faith				
Contracts	Coach/Bus	£ 167,109.70	£ 1,628,317.40	£ 624,387.40	£ -	£ -	£ 2,419,814.50
	Minibus	£ 53,722.63	£ 557,404.14	£ 140,781.54	£ 43,510.00	£ 45,798.00	£ 841,216.30
	Taxi	£ 83,977.42	£ 451,554.41	£ 261,203.37	£ 2,593,595.61	£ 844,169.67	£ 4,234,500.48
Season tickets	Commercial Bus	£ 1,500.00	£ 368,500.00	£ 64,500.00	£ -	£ -	£ 434,500.00
	Local Bus	£ 183,520.00	£ 616,864.00	£ 78,144.00	£ -	£ -	£ 878,528.00
	Other (schools own tpt)	£ 3,504.00	£ 2,400.00	£ 19,404.00	£ -	£ -	£ 25,308.00
	Rail	£ -	£ 3,095.10	£ 26,308.35	£ 515.85	£ -	£ 29,919.30
Parental reimb	Mileage claim	£ 1,955.32	£ 3,910.63	£ 488.83	£ 43,084.46	£ 5,629.32	£ 55,068.56
	Other (Cycle Grants)		£ 75.00	£ 75.00			£ 150.00
	Fleet Transport				£ 326,135.53	£ 120,625.47	£ 446,761.00
	Sub Total	£ 495,289.06	£ 3,632,120.67	£ 1,215,292.49	£ 3,006,841.45	£ 1,016,222.46	£ 9,365,766
	Less Income	£ 122,774.00		£ 375,832.00			£ 498,606.00
	Spare Seat Income		£ 64,360.00	£ 79,290.00			£ 143,650.00
	Grand Total	£ 372,515.06	£ 3,567,760.67	£ 760,170.49	£ 3,006,841.45	£ 1,016,222.46	£ 8,723,510.14
	Pupil / Student Count	562	3269	936	373	138	5278
	Cost per pupil	£ 662.84	£ 1,091.39	£ 812.15	£ 8,061.24	£ 7,363.93	

Hardship 67  
Denom Hardship 42



Denom Coach		£	359,721.30		
	<i>Denom Pupil</i>			£	167,110
	<i>Non-denom pupils</i>			£	192,611
Denom Minibus		£	173,954.50		
	<i>Denom Pupil</i>			£	53,723
	<i>Non-denom pupils</i>			£	120,232
Denom Taxi		£	129,019.50		
	<i>Denom Pupil</i>			£	83,977
	<i>Non-denom pupils</i>			£	45,042
		£	<b>662,695.30</b>	£	<b>662,694</b>

### RAIL

Rail - Total annual charge **£29,919**

Cost per rail pass £515.85

16+	51	26,308.35
U16	6	3,095.10
SEN	1	515.85

### INCOME

	No pupils	Income
Denominational Income	391	£122,774.00
16+ Income	862	£375,832.00

### Spare Seats

	<u>Number</u>	<u>Annual Charge</u>
Under 16 in Zone (TIUINZ)	28	265 £ 7,420.00
Under 16 Out of Zone (TIUOOZ)	146	390 £ 56,940.00
16+ In Zone (TIOINZ)	27	510 £ 13,770.00
16 + Out of Zone (TIOOOZ)	91	720 £ 65,520.00

## Annex 1

Transport Costings - Mainstream Education and SEN Transport @ 11/11/2011

		Mainstream <16		Mainstream >16	Sen <16	Sen >16	TOTAL
		Faith	Non-Faith				
Contracts	Coach/Bus	£ 167,109.70	£ 1,726,788.60	£ 628,936.10	£ -	£ -	£ 2,522,834.40
	Minibus	£ 53,722.63	£ 458,545.65	£ 154,155.72	£ 43,510.00	£ 45,798.00	£ 755,732.00
	Taxi	£ 83,977.42	£ 470,532.45	£ 258,375.34	£ 2,742,745.61	£ 866,969.67	£ 4,422,600.48
Season tickets	Commercial Bus	£ 1,500.00	£ 368,500.00	£ 64,500.00	£ -	£ -	£ 434,500.00
	Local Bus	£ 183,520.00	£ 616,864.00	£ 78,144.00	£ -	£ -	£ 878,528.00
	Other (schools own tpt)	£ 3,504.00	£ 2,400.00	£ 19,404.00	£ -	£ -	£ 25,308.00
	Rail	£ -	£ 3,610.95	£ 33,530.25	£ 515.85	£ -	£ 37,657.05
Parental reimb	Mileage claim	£ 1,955.32	£ 3,910.63	£ 488.83	£ 43,084.46	£ 5,629.32	£ 55,068.56
	Other (Cycle Grants)		£ 75.00	£ 75.00			£ 150.00
	Fleet Transport				£ 326,135.53	£ 120,625.47	£ 446,761.00
	Sub Total	£ 495,289.06	£ 3,651,227.28	£ 1,237,609.24	£ 3,155,991.45	£ 1,039,022.46	£ 9,579,139.49
	Less Income	£ 122,460.00		£ 393,272.00			£ 515,732.00
	Spare Seat Income		£ 65,670.00	£ 77,130.00			£ 142,800.00
	Grand Total	£ 372,829.06	£ 3,585,557.28	£ 767,207.24	£ 3,155,991.45	£ 1,039,022.46	£ 8,920,607.49
	Pupil / Student Count	640	3812	1260	536	168	6416
	Cost per pupil	£ 582.55	£ 940.60	£ 608.89	£ 5,888.04	£ 6,184.66	

Hardship	138
Denom Hardship	76
<b>Total</b>	<b>214</b>

Annex 2

Summary				
<b>Total spent on Education Contracts</b>	<b>£</b>	<b>4,002,143.60</b>		
Total Coach	£	2,522,834.40		
Total Minibus	£	350,280.70		
Total Taxi	£	517,481.70		
Coach U16			<b>Cost by Vehicle Type</b>	<b>Faith Pupils on</b>
Coach 16+	£	1,893,898.30		<b>Denom Contracts</b>
Minibus U16	£	628,936.10		
Minibus 16+	£	512,268.28		<b>Non Faith Pupils on</b>
Taxi U16	£	154,155.72		<b>Denom Contracts</b>
Taxi 16+	£	554,509.86		
	£	258,375.34		
	£	<b>4,002,143.60</b>		<b>£ 304,809.74</b>
				<b>Non Denom Pupils</b>
				<b>Costs</b>
				£ 1,726,788.60
				£ 628,936.10
				£ 458,545.65
				£ 154,155.72
				£ 470,532.45
				£ 258,375.34
				<b>£ 3,697,333.86</b>
<b>Total spent on SEN Transport</b>	<b>£</b>	<b>3,699,023.28</b>		
SEN Coach	£	-		
SEN Minibus	£	89,308.00		
<i>Minibus u16</i>			£	43,510.00
<i>Minibus 16+</i>			£	45,798.00
SEN Taxi	£	3,699,023.28		
<i>Taxi u16</i>			£	2,742,745.61
<i>Taxi 16+</i>			£	866,969.67
<b>Transport Serving Denominational Establishments</b>				

Denom Coach		£	370,612.10		
	<i>Denom Pupil</i>			£	167,110
	<i>Non-denom pupils</i>			£	192,611
Denom Minibus		£	175,626.50		
	<i>Denom Pupil</i>			£	53,723
	<i>Non-denom pupils</i>			£	120,232
Denom Taxi		£	129,019.50		
	<i>Denom Pupil</i>			£	83,977
	<i>Non-denom pupils</i>			£	45,042
		£	<b>675,258.10</b>	£	<b>662,694</b>

### RAIL

Rail - Total annual charge		<b>£29,919</b>
Cost per rail pass £515.85		
16+	65	33,530.25
U16	7	3,610.95
SEN	1	515.85

### INCOME

	No pupils	Income
Denominational Income	390	£ 122,460.00
16+ Income	902	£393,272.00

### Spare Seats

	<u>Number</u>	<u>Annual Charge</u>		
Under 16 in Zone (TIUINZ)	30	265	£	7,950.00
Under 16 Out of Zone (TIUOOZ)	148	390	£	57,720.00
16+ In Zone (TIOINZ)	27	510	£	13,770.00
16 + Out of Zone (TIOOOZ)	88	720	£	63,360.00

## APPENDIX D

### Transport Contract Costs only for Under 16's Cheshire East Pupils attending Faith Schools, analysed as

- 1) the Costs for Faith PUPILS
- 2) and Non-Faith

Based on the data provided at 11/11/2011 to the Scrutiny Task Group

<b>U 16 CONTRACTS</b>		<b>FAITH</b>	<b>NON-FAITH attending Faith Schools</b>	<b>TOTAL COST</b>
Coach U16		£167,110	£ 192,611	£ 359,721
Minibus U16		£ 53,723	£ 120,232	£ 173,956
Taxi U16		£ 83,977	£ 45,042	£ 129,019
	Sub total	£304,810	£ 357,885	£ 662,695
Existing charges	Sub total	£69,802*	£ 0	£ 69,802
U 16 net costs	Total	£235,008	£ 357,885	£ 592,893
Cost per pupil		£ 583	£ 941	
Net cost as %age of total		40%	60%	100%

\*Note figure is based on total income of £122,460 and as about 57% of costs are contracts, it is assumed that the same percentage of income is being deducted. (57% x £122,460=£69,802).