



Meeting: Scrutiny Commission

Date/Time: Friday, 5 July 2013 at 2.00 pm

Location: Sparkenhoe Committee Room, County Hall, Glenfield

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Membership

Mr. S. J. Galton CC (Chairman)

Mrs. R. Camamile CC Mr. A. M. Kershaw CC
Dr. R. K. A. Feltham CC Mr. P. G. Lewis CC
Mr. S. J. Hampson CC Mr. K. W. P. Lynch CC
Dr. S. Hill CC Mr. R. J. Shepherd CC
Mr. Max Hunt CC Mr. L. Spence CC

A G E N D A SUPPLEMENT

The following additional Cabinet reports have now been published, pertaining to agenda items 8 and 9 of the main agenda

<u>Item</u>	<u>Report by</u>	
1. Consultation on Home to School Transport Policies on: 16+ Transport to Educational Provision, Transport to Denominational Schools and Transport for Pupils in Moving to a New Address in their Final Year(s) of Each Phase of their Compulsory Education.	Director of Environment and Transport	(Pages 3 - 62)
The Cabinet Lead Member for Transportation, Mr. P. C. Osborne CC, has been invited for this item.		
2. Proposed Withdrawal of Discretionary Elements of the Concessionary Travel Scheme - Outcome of Consultation.	Director of Environment and Transport	(Pages 63 - 94)

The Cabinet Lead Member for Transportation, Mr. P. C. Osborne CC, has been invited for this item.



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CABINET – 9th JULY 2013

**RESULTS OF CONSULTATION ON HOME TO SCHOOL TRANSPORT
POLICY AND PROPOSED CHANGES TO POLICY AND CHARGING**

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

PART A

Purpose of Report

1. The purpose of this report is to advise the Cabinet of the results of the recent public consultation on proposals to change the Mainstream Home to School Transport Policy. The Cabinet is invited to consider its responses to the consultation process in light of the findings of an Equality Impact Assessment.

Recommendations

2. The Cabinet is recommended to -
 - (a) note and consider the Equality Impact Assessment (EqIA) and the responses to the consultation on proposed changes to the Mainstream Home to School Transport Policy;
 - (b) consider the draft Mainstream Home to School Transport Policy set out in Appendix A to the report, for approval, having had regard to consultation responses made, and that the particular changes to the policy contained therein be noted, namely -
 - (i) With regard to 16+ transport to educational provision - from September 2014 to continue to provide this at an annual charge for each pupil of £425 (up from £252 from September 2013) which recovers the full cost of provision.
 - (ii) To introduce a new entitlement to free 16+ transport for qualifying students from families on low income or in receipt of maximum Working Tax Credits from September 2014.
 - (iii) With regard to transport to denominational schools - from September 2014 to continue providing this at an annual charge for each pupil of £450 (up from £252 from September 2013). Then from September 2015 to cease this provision for any new students and also to phase it out for students part-way through their denominational education and to apply full cost recovery at a yearly charge of £640 in 2015/16;
 - (iv) With regard to transport to denominational schools to continue to provide free transport for students from families on low income between 2 and 15 miles from school.

- (v) All farepaying spaces to be increased to £450 per academic year from September 2014 and then £640 in 2015/16 to be consistent with the charge for denominational transport;
- (vi) From September 2013 - to cease automatic provision of free transport for pupils in their final year(s) of each phase of their compulsory education, when they move to a new address which is outside their current Transport Eligibility Area (TEA) as defined in the new Home to School Transport Policy.

Reasons for Recommendations

3. To enable the Cabinet to take into account the results of the consultation, ending 30th June 2013, and the EqIA before making a decision on the Mainstream Home to School Transport Policy published in September 2013 (effective from September 2014). The consultation arose from the need to meet the savings requirements published in the Medium Term Financial Strategy.

Timetable for decisions (including Scrutiny)

4. This report will be considered by the Scrutiny Commission on 5th July 2013 and its comments will be reported to the Cabinet.
5. The Mainstream Home to School Transport Policy for the 2014/5 academic year starting in September 2014 has to be published by early September 2013. Any changes to this Policy are required by September 2013 to achieve the savings targets agreed in the MTFS for 2014/15 onwards.

Policy Framework and Previous Decisions

6. The Cabinet considered the provisional Medium Term Financial Strategy (MTFS) at its meeting on 17th January 2012 and authorised the Director of Environment and Transport to undertake consultation on proposals for changes to the discretionary elements of home to school transport with a view to achieving the proposed savings as indicated in paragraph 46 of the report.
7. The Full County Council on 22nd February 2012 approved the MTFS for 2012/13 through to 2015/16. The Cabinet considered a refreshed MTFS on 16th January 2013 and the Full County Council on 20th February 2013 agreed the Medium Term Financial Strategy 2013/14 to 2016/17, including saving S39 in appendix D
8. The Cabinet, on 8 May 2012 deferred consideration of the outcome of the consultation.
9. The Director of Environment and Transport then undertook a further consultation from 20 May to 30 June designed to examine the potential impact of savings agreed in the Medium Term Financial Strategy (MTFS) in February 2013.

Resource Implications

10. Within the MTFS, a saving of £735,000 is built in against denominational and 16+ transport for 2014/15 rising to £1,100,000 from 2015/16 onwards. This breaks down as approximately £605,000 for 16+ transport charges, £350,000 for denominational school

transport charges and £145,000 for both the reduction in the final year cost for pupils moving address and an increase in farepaying places income.

11. Both of these discretionary schemes require a contribution of £252 towards the cost of provision from September 2013. The existing policy provides for reductions for low-income families at denominational schools (but not at 16+) and the cost of transport to denominational schools is presently capped at £480 for any family with more than two children of compulsory school age. The County Council provides a grant of £20,000 for a hardship fund administered by the diocesan authority for all denominational schools. This hardship fund will continue until the 2015/16 academic year to allow for phasing out of this discretionary provision. By increasing the parental contribution for denominational school transport to £450 rather than the full cost of £640 the saving in 2014/15 for the provision of denominational school transport would reduce from £350,000 to an estimated £178,000 in a full academic year.
12. The Director of Corporate Resources has been consulted on the financial implications of this report.

Legal Issues

13. The changes to the policy and the legal implications have been fully considered in the drafting of the proposed Mainstream Home to School Transport Policy to be published in September 2013 and to be effective from September 2014.

Comments of the County Solicitor

16+ Transport

14. The Council is required to produce an Annual Transport Policy Statement specifying the arrangements for the provision of transport to facilitate the attendance of students of 6th form age receiving education or training as well as the arrangements the Council considers it necessary to make for the provision of financial assistance in respect of reasonable travel expenses.
15. The Council has discretion to determine what transport and financial support is necessary to facilitate attendance but must have regard to the Secretary of State's guidance and must give effect to the arrangements set out in the Policy Statement.
16. In assessing what arrangements may be required, the Council must have regard to:
 - the needs of those who could not access education or training if no arrangements were made,
 - the need to ensure learners have reasonable opportunities to choose between different establishments,
 - the distance and journey time from the learner's home,
 - the cost of transport and any alternative means of facilitating attendance.
17. A new duty is placed on the Council by the Education and Skills Act 2008 in relation to the participation of young people in education, employment or training. From 2013, all young people will be under a duty to participate in education or training until the end of the academic year in which they turn 17. From 2015, this will rise to their 18th birthday.

Denominational Transport

18. The Council is under a duty to have regard to the wish of a parent for their child to be educated at a particular school on the grounds of the parents' religion or belief including any religious or philosophical belief.
19. The Council must make travel arrangements for pupils from low income families to attend the nearest school preferred on the grounds of religion or belief where such pupils live between 2 and 15 miles from the school.

Fare Paying Places

20. The Council has discretionary powers to provide transport for children who are outside of the statutory eligibility criteria and where such transport is provided to make a charge for it.

Timing of Proposed Changes

21. The current Department for Education guidance on home to school travel and transport does not specify any timescales for policy changes. However it would be good practice and avoid significant parental complaints to introduce any change at the beginning of an academic year and to take into account phasing and transitional arrangements for those already in receipt of provision or assistance.

Equality and Human Rights issues

22. The Equality Act 2010 requires the Council to have due regard to the need to eliminate discrimination and to promote equality of opportunity between different protected groups. The Council will need to take account of the requirements of disabled parents and children in the application of the policy and to make reasonable adjustments to the policy where required by individual circumstances.
23. The Equality Act does not apply to the provision of transport on faith grounds as the discrimination provisions on the grounds of age and religion or belief do not extend to transport arrangements.
24. Article 2 of the First Protocol of the European Convention on Human Rights (ECHR) states that no person shall be denied the right to education and that the state shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions. This is subject to a reservation entered by the UK government which states that this right is applicable only so far as it is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure. Case law confirms that the ECHR is concerned with access to the educational institutions that the state makes available and requires the Authority to consider the wishes of the parents but this does not equate to a duty to give effect to those wishes.

Circulation under the Local Issues Alert Procedure

25. A copy of this report is being circulated to all Members via the Members' News in Brief.

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PART B

26. The results of an Equality Impact Assessment (EqIA) are attached as Appendix F to this report. A consultation was undertaken between 20 May and 30 June 2013, designed to examine the potential impact of savings originally agreed in the Medium Term Financial Strategy (MTFS) in February 2012, deferred in May 2012 and reviewed and agreed by the County Council in February 2013. The results of this consultation will inform the design of the Mainstream Home to School Transport Policy to be published in September 2013 and applicable from September 2014 (with some transitional arrangements).

Results of the Consultation on Home to School Transport

27. The main results of the consultation, up to and including 25th June 2013, are attached in Appendix B to this report.
28. A number of comments to 25th June 2013 were made on this part of the consultation and a summary of these is attached at Appendix C to this report.
29. The consultation closed on 30th June and an update to the consultation responses contained in appendices B and C received beyond 25th June will be reported to Cabinet.

Proposed Changes to the Provision of Mainstream Home to School Transport

Home to School Transport Policy (with reference to denominational schools)

30. There are three options for delivery of denominational transport:
- a. to cease providing denominational transport from September 2014.
 - b. to introduce the full cost recovery of £640 per pupil per annum from September 2014 or a proportion of cost recovery between £252 and £640 from September 2014.
 - c. to make no change and to reconsider the position in the future.
31. Subject to officer analysis of the consultation results, it is proposed that the discretionary provision will be made for any child starting at a denominational school on faith grounds from September 2014, at a cost of £450 for the 2014/15 academic year and then at full cost recovery (£640) from September 2015. No transport provision will be made for children starting at denominational schools on faith grounds from September 2015. Effectively, this would phase out the provision of denominational school transport over 4 years (longer for primaries) from September 2014 through to July 2018. The full cost recovery of provision would be reviewed on a yearly basis during the transitional period.
32. It is also proposed that the present cap of £480 per family per year be removed from September 2014 and that full cost recovery be made for all pupils, in line with the withdrawal of denominational schools transport for new applicants. Transport payment terms for parents paying by installments by direct debit would be increased from 6 installments to 8 installments during the academic year.
33. Pupils attending denominational schools continue to have the alternative option of applying for a nearer maintained or academy school and to receive statutory free transport, if over the qualifying distances.

Home to School Transport Policy (16 plus sixth form and Further Education College supported transport)

34. There are three options for delivery of 16+ transport:
- a) remove provision from September 2014. All 16+ transport is withdrawn for students starting at colleges or 6th forms from September 2014. For transitional arrangements for students starting a second year the charge for 16+ transport is increased to £425 from September 2014.
 - b) increase charges from September 2014 to recover the full cost of provision
 - c) continue to provide transport and potentially remove at some point in the future
35. Subject to officer analysis of the consultation results, it is proposed that transport for 16+ students continues to be provided at average full cost recovery of £425 from September 2014. This cost is likely to increase as students migrate to lower cost commercial bus pass offers. However, there will be a number of 16+ students, especially in rural areas, who have no alternative and no nearer school or college they could attend. The introduction of a new entitlement to free 16+ transport for qualifying students from families on low income or in receipt of maximum Working Tax Credits would promote effective participation in Raising the Participation Age in paragraph 17.
36. Raising the age of participation could be further supported by removing the charge for families who are on low income. Further Education providers have raised this as a specific concern. The numbers of families on low income is estimated to be around 15% of applicants and the provision of an exemption for low income families would align provision with the SEN Transport policy being introduced in September 2013.
37. Transport payment terms by installment on direct debit would be increased from 6 payments to 8 payments during the academic year.

Home to School Transport Policy (farepaying spaces)

38. The farepaying charge needs to be in line with that for denominational or 16+ full cost recovery (whichever is higher). Therefore it is proposed that the charge for farepaying spaces is increased from £300 to £450 for primary age children and from £400 to £450 for secondary age children from September 2014 and then reflects the higher of the two charges from September 2015.

Home to School Transport Policy (change of address)

39. It is proposed to remove entitlement to free/assisted transport to families who move during their final year(s) of each phase of education after September 2013. Consideration will be given to continuing provision in the case of exceptional circumstances.

Home to School Transport Policy (other issues)

40. The Mainstream Home to School Transport Policy has been redrafted to reflect the recommendations in paragraph 2 (c) above. This must be published by early September 2013 to be applicable from the start of the 2014/15 academic year in September 2014.

41. Appendix 1 of the policy (see Appendix A to this report) has been redrafted to reflect the reissued statutory Home to School Travel and Transport Guidance covering changes to the appeal process.
42. The revised policy also defines in more detail the circumstance in which home to school transport will be provided on medical grounds and the types of medical evidence supporting the case for short term travel provided under statutory walking distances.

Equality Impact Assessments (EqIAs)

43. An EqIA, attached at Appendix F, has been completed for the proposals in the consultation on mainstream home to school transport.
44. The EqIA notes there may be a high impact for a minority of students either living in remote areas with no access to either public bus services or private transport, or on low income and unable to afford daily fares.

Background Papers

Guidance on home to school travel and transport (Department for Education - March 2013)
<http://media.education.gov.uk/assets/files/pdf/g/stat%20guidance%20home%20to%20school%20transport.pdf>

Mainstream Home-School/College Transport Policy (May 2013)
http://www.leics.gov.uk/mainstream_policy_2013_-14_v1.0_final_may_2013.pdf

Report to County Council - Medium Term Financial Strategy 2013/14 – 2016/17 – 22 February 2013 (minute 136 refers)
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=134&MId=3295&Ver=4>

Report to the Cabinet – Provisional MTFS 2012/13 – 2015/16 – 17 January 2012 (minute 443 refers)
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=3491&Ver=4>

Your guide to Primary Education in Leicestershire 2013/14 –
http://www.leics.gov.uk/primary_general-2.pdf

Your guide to Secondary Education in Leicestershire 2013/14 -
http://www.leics.gov.uk/secondary_your_guide_section_1.pdf

Statutory Guidance on the Participation of Young People in Education, Employment or Training (March 2013)
<http://media.education.gov.uk/assets/files/pdf/p/participation%20of%20young%20people%20-%20statutory%20guidancev3.pdf>

Appendices

- Appendix A - draft Mainstream Home to School Transport policy
- Appendix B - details of consultation responses on Mainstream Home to School Transport
- Appendix C - summary of written responses
- Appendix D - copy of consultation
- Appendix E - copy of consultation response form
- Appendix F - Equalities Impact Assessment



MAINSTREAM HOME TO SCHOOL/COLLEGE TRANSPORT POLICY FOR 2014-15 ACADEMIC YEAR (Published: May 2014)

POLICY & PROCEDURES

This document applies to children living in Leicestershire and describes free and assisted transport entitlement to mainstream schools, academies and colleges, including entitlement for children with Statements of Special Educational Needs who have no special transport requirements and who attend such establishments. Please note that some children with Special Educational Needs require specific transport for which a separate policy is available.

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Definitions used in this document

1. **“Schools”** – this is a generic term used to refer to **“qualifying”** schools and colleges under this policy where these are:

- community, foundation or voluntary schools;
- community or foundation special schools;
- non-maintained special schools;
- pupil referral units;
- maintained nursery schools;
- city technology colleges (CTC), city colleges for the technology of the arts (CCTA);
- academies (including free schools and studio schools)

References to **“nearer school”** are to be taken to mean a nearer qualifying school with places available that provides education appropriate to the age, ability and aptitude of the child, and any special educational needs that the child may have.

In cases where the nearest qualifying school is a faith school, transport to the nearest non-faith school will be considered as the nearest qualifying school.

When considering eligibility for transport, for a school to be considered **“suitable”** it must have places available at the point when the parent makes a preference for a school (see Section 1.6).

“Catchment area(s)” - Any proposal to change the catchment area of a school or academy will be subject to a consultation process as part of the admission arrangements for that school or Academy. Any change in catchment area as a result of that consultation process will not affect entitlement to transport under this policy which will continue to operate by reference to existing Local Authority catchment areas (**Transport Eligibility Areas**) and age ranges as defined at 31st May 2012 until this policy is further reviewed.

2. **“Home”** - a child’s home is the place where he or she is habitually and normally resident.

3. **“Low income families”** - those families qualifying for free school meals or receiving their maximum level of Working Tax Credit. Documentation for Working Tax Credit must be recent at the time of application in order to be exempt from charges.

4. **“Full-time course”** - a full-time course is defined as one of at least 600 guided learning hours in any 12 month period.

5. **“Available route”** - a route is “available” if it is a route along which a child, accompanied as necessary, can walk with reasonable safety to school. A route will be “available” even if the child would need to be accompanied along it by his or her parent or carer, as long as such accompaniment is reasonably practicable. See Appendix 3 for further details.

1.0 **Introduction**

- 1.1 Parents are responsible for ensuring that their children attend school regularly. However, there are obligations on the local authority to assist in certain circumstances.
- 1.2 Sections 508B and 508C of the 1996 Education Act (inserted by Education and Inspections Act 2006) place a duty on local authorities to make such travel arrangements as they consider necessary to facilitate children's attendance at school. This document outlines how Leicestershire County Council will comply with legislation and for which pupils and students it will provide home to school transport. This does not mean that free transport will be provided for all pupils or students.
- 1.3 Parents should note that their right to express a preference for a school does not mean their children will also be eligible for free or assisted transport to that school under legislation or this policy. In addition, transferring through "feeder schools" does not have any influence on transport eligibility.
- 1.4 This policy does not apply to pupils attending independent schools and colleges who do not have a statutory entitlement to free or assisted home to school transport.
- 1.5 Where entitlement is dependent on measurement of distances, these will be calculated using computerised mapping systems detailed in section 2.0 of this policy.
- 1.6 Timing of the assessment of eligibility will be generally when school places are allocated as part of the notification of admissions (parents should note that if they fail to make timely admission applications they may not be provided with transport assistance). This applies for the large majority of cases taking place during the normal admissions round (usually March/April), and the smaller number of cases that take place outside the normal admissions round.
- 1.7 At the point when transport eligibility is considered, the prospect of being able to secure a place in an alternative (usually nearer) school must be a real one. So, for example, where a parent had expressed a preference for 3 schools – one 6 miles from their home, one 7 miles from their home, and one 8 miles from their home – a place offered in the school 7 miles away would attract transport support only if, at the time that the offer of a place was made there were no places available in the school 6 miles away. As this school is the nearest school with places available, it is the "nearest suitable qualifying school".
- 1.8 Once eligibility has been determined the assessment outcome will only change if either the child moves house, school or their phase of education and/or the availability of the route to school has changed.
- 1.9 Transport assistance is only provided at the normal school/college start and finish time. If a pupil is eligible for transport and attends part-time there will be no transport provided other than at the normal school/college start and finish times. School transport will not be

provided for travel between educational institutions during the school day.

2.0 Measurement of distances

2.1 In order to determine which school is the nearest to a home address distances beyond the statutory walking distance are measured by the shortest available road route.

2.2 Once the nearest school has been identified, to establish a child's transport eligibility, statutory walking distances (2 miles for primary aged children and 3 miles for secondary aged children) will be measured by the shortest available walking route from the middle of the public highway immediately outside the home address to the nearest school or college pedestrian entrance.

2.3 All other distances beyond the statutory walking distances will be measured using the most direct route by road.

2.4 Distances are measured in a consistent fashion using computerised measuring systems:

- for in-county measurements and for an address in Leicester City and Rutland, the County Council's MapInfo software is used.
- for distances that cross the county boundary (except for Leicester City and Rutland), Google Maps is used. This is because the County Council's MapInfo system only currently covers addresses that fall in Leicestershire, Rutland and Leicester City. Please note that these methods may change as new software becomes available.
- on request, we are able to provide a map of the available route and/or a list of the street/roads measured in determining the distance between home and school.

3.0 Compulsory school age and statutory walking distances

3.1 Eligible children attending qualifying schools will be provided with transport assistance during their compulsory school age during the whole period of their school attendance within these age ranges so, for example, children starting school full time at 4+ will have transport provided.

3.2 "Statutory walking distance" is measured using the method shown in Section 2 and by the shortest route (from home address to the nearest school gate) along which a child, accompanied as necessary, can walk with reasonable safety. If there is no such route, the local authority must provide free transport no matter what distance the child lives from the qualifying school.

3.3 Free transport is provided under the Education Act 1996, Sec 444(5) and under this policy for:

- Primary aged pupils who attend the **Transport Eligibility Area (TEA)** school for their home address (or other nearer school) and the distance is more than 2 miles. In Leicestershire it extends to primary aged children attending secondary school.

- Secondary aged pupils who attend the **TEA** school for their home address (or other nearer school) and the distance is more than 3 miles.

3.4 The following extended rights apply for low income families:

- primary children aged between 8 and 11 the walking distance is reduced from 3 to 2 miles (note that Leicestershire County Council currently provides this for all 8 – 11 year olds in any case)
- secondary aged children (11 – 16) can receive free transport to any of their three nearest qualifying schools between 2 and 6 miles from their home
- secondary age children (11 – 16): In accordance with Schedule 35B to the 1996 Act (inserted by the Education and Inspections Act) the authority will provide free school transport to the nearest suitable school preferred by reason of a parent's religion or belief, that is over 2 miles and under 15 miles from the home address

3.5 An application for free transport under extended rights must be made annually and will only be withdrawn at the end of the academic year if the applicant's circumstances change.

4.0 Transport assistance for Post 16 Students

4.1 Transport assistance is available for those pupils above statutory school age if they live more than three miles from the school/college attended, if the student is aged 16, 17 or 18 when the course is started **and**:

- the school is the **TEA** school and exceeds 3 miles from home address; **or**
- the school/college is nearest to the home address where the chosen full-time course of study (defined by qualification(s) gained) is available and exceeds 3 miles home address; **or**
- the preferred school is either the nearest school (confirmed using a computerised mapping system as described in Section 9.0) of the **student's** faith or is the designated Catholic school for the student's home address;

4.2 Where a student attends a voluntary aided school for the first time at 16+, assisted transport will only be considered if the parent has previously made an application on genuine denominational grounds for a place at an aided school of the same denomination while the child was of compulsory school age, unless there are circumstances such as a change of faith.

4.3 Parents of students who qualify for transport assistance will be required to make an annual contribution towards transport. For the 2014-15 academic year this will be **£425** per student per annum. Families providing proof of low income (assessed annually) do not pay the contribution. Further details in respect of the Post 16 transport scheme are available in the guidance and application forms available separately.

5.0 Transport assistance where preference(s) are based on religion

- 5.1 Local authorities must have regard to any preference parents may have for a particular institution based on their religion or belief [Section 509AD of the Education Act 1996 (as inserted by section 84 of the Education and Inspections Act 2006). Subsection (3) provides that “religion” means any religion and “belief” means any religious or philosophical belief].
- 5.2 The government definition of “religion” includes those religions widely recognised in this country such as Christianity, Islam, Hinduism, Judaism, Buddhism, Sikhism, Rastafarianism, Baha’is, Zoroastrians and Jains. Equally, denominations or sects within a religion can be considered as a religion or religious belief, such as Catholicism or Protestantism within Christianity. The government considers that the main limitation on what constitutes a “religion” is that it must have a clear structure and belief system.
- 5.3 For a “belief” to be worthy of protection it must attain a certain level of cogency, seriousness, cohesion and importance; be worthy of respect in a democratic society and not be incompatible with the human dignity of the fundamental rights of the child. Examples of beliefs are Humanism and Atheism.
- 5.4 Travel assistance is provided if the preferred school is applied for on denominational grounds and:
- the school is the nearest school of the child’s denomination to the home address and the distance exceeds 2 miles for primary aged pupils and 3 miles for secondary or
 - for baptised Roman Catholic children (or children accepted into the Catholic faith at a later age), it is also the designated Roman Catholic school for the child’s home address and the distance exceeds 2 miles for primary aged pupils and 3 miles for secondary.
- 5.5 Parents of students who qualify for transport assistance will be required to make an annual contribution towards transport. For the 2014-15 academic year this will be £640 per student per annum. Further details in respect of the voluntary aided transport scheme are available in the guidance and application forms available separately.
- 5.6 Exemptions from the charge are as follows:
- for children of families providing proof of low income (assessed annually)
 - there is a maximum charge of 2 pupils per family (this exemption only applies to compulsory school age children)
- 5.7 The following extended rights apply for low income families for secondary aged children: In accordance with Schedule 35B to the 1996 Act (inserted by the Education and Inspections Act) the authority will provide free school transport to the nearest suitable school preferred by reason of a parent’s religion or belief, that is over 2 miles and under 15

miles from the home address.17

6.0 Farepaying Places

6.1 Parents of pupils who are not entitled to transport assistance can apply for a farepaying place on a school bus.

6.2 Places for farepaying students:

- are offered on a first come, first served basis subject to availability and at the discretion of the Council
- are offered for only one year at a time
- must be applied for each year
- offer no guarantee that transport will be granted to continuing farepayers or that places will be available in any one year

6.3 For the 2014-15 academic year the charge will be £640 per student per annum. Further details in respect of the farepaying transport scheme are available in the guidance and application forms available separately.

7.0 Pupils who move address permanently during their final year at school

7.1 To allow continued attendance at the same school free or assisted transport will be considered (at the Council's discretion) if a child of compulsory school age has moved home address for reasons beyond the control of the parent/carer; **and**

- the pupil has moved address in their final academic year at the school; **and**
- the address they have moved from was in the **TEA** of the school attended or the nearest school; **and**
- they have attended that school for more than one year; **and**
- the distance from the new address to the school is more than 2 miles for primary aged children or more than 3 miles for secondary aged children; **and**
- the new address is in Leicestershire; **and**
- the journey is a reasonable one within the view of the authority

7.2 Where charges apply they will be made pro-rata from the date transport is provided.

7.3 Examples of what is considered beyond the control of the parent/carer are below (this list is not exhaustive):

- a move from Council tenancy enforced by the landlord authority
- destruction of the normal home address of the child e.g. house fire

7.4 Examples of what is **not** considered beyond the control of the parent/carer are below (this list is not exhaustive):

- a move of place of family employment whether voluntary or otherwise
- family redundancy
- a voluntary move of house as owner or tenant

7.5 No assistance is provided for students who move in their Post 16 years.

7.6 Transport requests for pupil moves should be made in writing and supported with appropriate documentation to the general enquiry address detailed at the bottom of this policy.

8.0 Available walking routes and withdrawal of transport (also see Appendix 3)

8.1 Route availability is assessed using a rigorous and robust assessment process as detailed in Appendix 3. Where a walking route is assessed as unavailable, officers will initially explore (using digital mapping tools) whether an alternative exists and is less than 2 (primary) or 3 miles (secondary) before arranging transport.

8.2 Where a route was previously unavailable and becomes available, reasonable notice of the transport provision to be withdrawn will be issued in writing to the parent. In all cases at least 4 calendar weeks' notice will be given before transport is withdrawn.

8.3 If a walking route is assessed as not available, assisted transport will be provided for the period the route is unavailable.

8.4 Where a parent disputes the assessment of an available walking route there is an appeals process, see Appendix 1.

9.0 Disabled parents

9.1 If both parents have a disability that means they cannot be expected to accompany their children along a walking route for it to be considered reasonably safe, then free or assisted transport will be provided subject to each case's individual circumstances.

9.2 Transport requests due to parental disability should be made in writing and supported with appropriate professional documentation to the general enquiry address detailed at the bottom of this policy.

10.0 Transport to alternative addresses and for split families

10.1 Home to school transport is provided from/to the main home address of the child only i.e. the address where the child lives permanently or most often. Transport will not be provided to alternative addresses e.g. childminders, grandparents.

10.2 In the case of split families where a child spends more than 50% of their time at one or other of their parent's/carer's addresses then that is the only address which will be used to determine eligibility for and provision of school transport irrespective if they would qualify from the address where they spend the lesser amount of time.

10.3 For children whose parents live at separate addresses where the child spends an equal amount of time at both addresses and the child would qualify for free or assisted transport to school from both addresses, the local authority will provide transport from one address only. We will ask the parents to decide which address is to be used for the provision of school transport.

11.0 Exceptional circumstances

11.1 Consideration may be given to individual exceptional requests for transport assistance. Each case is considered on its merits and any provision will normally only last for the duration of the prevailing circumstances. Examples of past exceptions have been:

- where a pupil is subject to a Child Protection Plan
- a recent bereavement in the immediate family

11.2 The following circumstances are **not** on their own likely to be regarded as exceptional (this list is not exhaustive):

- single parent families
- a child in temporary care
- temporary fragmentation of the family
- families in receipt of state benefit or re-housed families
- parents are unwilling, or unavailable to escort their child to school or pick-up point
- work commitments or domestic difficulties of parents/carers including taking other children to school

11.3 Exceptional transport requests should be made in writing and supported with appropriate professional documentation to the general enquiry address detailed at the bottom of this policy.

11.4 In all cases of exceptional circumstances the decision to provide transport and its duration and type will be solely at the discretion of Leicestershire County Council. At minimum each case will be reviewed annually.

12.0 Transport assistance on grounds of medical condition

12.1 Transport on grounds of medical condition will usually only be considered for children who are attending their nearest qualifying or **TEA** school. Where transport assistance is requested because of a medical condition parents must complete a form available at http://www.leics.gov.uk/exceptional_medical_transport.htm with proof of the diagnosed medical condition by a medical professional. Once the documentation is assessed transport assistance will only be agreed for a period assessed as appropriate based on advice from the medical professional. In the case of a GP supported request this will be for a maximum of 12 weeks. For transport to be provided longer than 12 weeks supporting documentation must be provided by a specialist medical professional.

12.2 Children with long-term or permanent medical conditions that necessitate transport assistance are assessed as above with an annual review of the transport assistance.

13.0 Short Break (respite) transport assistance

13.1 Children who require transport assistance to and from **short break** care settings must apply through their named Social Worker. Applications must be in writing and require supporting professional documentation.

Re-application is required annually²⁰

13.2 General enquiries can be made as follows:

Telephone: 0116 305 0005

Email: childrensduty@leics.gov.uk

14.0 Poor behaviour and withdrawal of transport

14.1 We have a duty to allow children to travel in reasonable safety and comfort. Any anti-social behaviour by a pupil/student affecting other passengers, the public or the driver that endangers (whether intentionally or unintentionally) themselves or others may lead to transport being withdrawn from that pupil/student, either temporarily or permanently. In these circumstances, the arrangement and cost of transport will fall to the parent/carer. It will be the parents' responsibility to ensure that their child attends school during the period of a transport ban.

15.0 Errors

15.1 Where a pupil or student has been assessed as eligible for assisted or free transport in error, reasonable notice of the transport provision to be withdrawn will be issued in writing to the parent. In all cases at least 4 calendar weeks' notice will be given before transport is withdrawn.

16.0 Retrospective claims & other payments to parents

16.1 The County Council reserves the right to refuse retrospective claims for transport costs undertaken by parents: eligibility is described **in this policy** and transport provided accordingly. In exceptional circumstances the County Council can make direct payment to parents or students who make their own arrangements for journeys to and from school or college. However, this will only be done by agreement and where the cost to the County Council is less than that of providing transport itself.

17.0 Transport assistance for pupils on a Managed Move

17.1 Transport assistance will only be provided where School Admissions and Pupil Services or the Behaviour and Attendance Service, under the Fair Access Protocol - see Admissions Policy at:

http://www.leics.gov.uk/admissions_useful_information.htm agree a managed move; **and**

- is only at the start and end of each school day; **and**
- is subject to the distance from home to the new school exceeding statutory walking distances; **and**
- is for a maximum of 10 weeks only (after this trial period the standard eligibility criteria contained within this policy will apply)

18.0 Transport for permanently excluded pupils

18.1 Transport will be provided as follows:

- transport during the first term of admission to a new school is to be provided by the Behaviour and Attendance Service (under review);
- transport following re-admission to a school is to be made available

- providing the home to school distance exceeds statutory distances;
- transport will only be provided to the next nearest appropriate school under the Fair Access Protocol;
- transport will only be provided to the new school until transfer to the next phase of education or until the end of year 11, except for exceptional circumstances e.g. if there are reasons connected to the exclusion why the young person cannot attend their **TEA** or nearer school at point of transfer;
- requests for transport in these circumstances must be made by the parent for consideration by School Admissions and Pupil Services.

19.0 Charges and payment from parents

19.1 Charges are announced annually on 1st March but may be subject to change, e.g. inflation or due to other decisions taken by the County Council.

19.2 We offer parents a variety of ways to pay for transport assistance, details of which can be found in the guidance notes for each transport scheme. You can view the guidance notes on our website at: www.leics.gov.uk/school_college_transport. Alternatively you may contact our Customer Service Centre for a copy:

Customer Service Centre (E&T),
Leicestershire County Council,
County Hall,
Glenfield,
Leicester,
LE3 8SR.

Telephone: 0116 305 0002

Email: customerservices@leics.gov.uk

19.3 Transport assistance debts will be pursued through legal action and no transport will be provided for any subsequent year if a debt remains outstanding. Payments in advance may be required from applicants with a history of bad debts.

19.4 Where a failure of transport arises as a result of poor weather or road conditions refunds will not be made or alternative transport arranged. Bus and Taxi operators are empowered to make the decision whether routes/parts of routes are safe to operate in severe weather conditions.

20.0 Transport provision including use of seatbelts, 3 for 2 seating and use of double deck vehicles

20.1 Home to School Transport will be provided in the most cost-effective manner as defined by the Council. This can be by any of the following means (this list is not exhaustive):

- school contract bus or taxi
- Council fleet service
- season ticket for bus or train service
- taxi journey
- bus/train fares refund
- petrol allowance

20.2 The means of transport may be changed at short notice and is entirely

at the discretion of the authority. 22

20.3 We exceed minimum government regulations in relation to transporting children (to and from school) in respect of the vehicles that we are directly responsible for. We do this by:

- only allocating one child per seat on dedicated school buses, coaches or taxis (the '3 for 2' seating rule is not used in Leicestershire)
- seatbelts are provided on all dedicated single deck school buses, coaches or taxis
- only single deck vehicles are used for primary school transport
- no single journey in a double deck vehicle will exceed 12 miles

20.4 In the majority of cases the maximum each way length of journey for a primary aged child will be approximately 45 minutes and approximately 75 minutes each way for secondary aged children.

20.5 In addition to the good practice detailed above the guidance we offer schools is detailed in Appendix 2.

21.0 Supplementary information

21.1 Supplementary information that should be considered as part of the policy and procedures of home to school transport is contained in the following literature:

- Home to School Transport – a summary guide for parents
- Guidelines for School Staff
- Guidelines for Parents and Students
- Bus Passes - Frequently Asked Questions
- Anti-Social Behaviour on School Buses
- Guidelines for Parents: Special Educational Needs Transport
- Guidelines of Safe Working Practices for the Protection of Children and Staff
- Assisted transport for 16-19 Year Old students (Years 12 and 13)
- Farepaying Places on School Buses
- Assisted Transport for Leicestershire Pupils (Under 16) Attending Voluntary Aided Schools
- Application forms for transport

General Enquiries:

General enquiries and specific requests should initially be addressed to:

Address: Transport Assessments
Sustainable Travel Group
Environment & Transport Department
Leicestershire County Council
County Hall
Glenfield

Leicester 23
LE3 8RJ

Telephone: 0116 305 0255

Email: TransportAssessments@leics.gov.uk

If you require this information in an alternative version such as large print, Braille, tape or help in understanding it in your language, please contact 0116 305 0001, or e-mail: customerservices@leics.gov.uk

Further details available on our website: www.leics.gov.uk

Published by:

Sustainable Travel Group, Environment & Transport Department,
Leicestershire County Council, County Hall, Glenfield, Leicester, LE3 8RJ.

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SCHOOL TRANSPORT APPEAL PROCEDURE

1.0 Background

1.1 Leicestershire County Council has adopted a mainstream home to school transport policy ('the Transport Policy') which applies to children and young people in Leicestershire.

1.2 In accordance with the Transport Policy and the provisions of the Education Act 1996, free and assisted transport is provided for:-

- Primary school aged pupils who attend the TEA school for their home address (or other nearer school) and the distance is more than 2 miles ('the Statutory Walking Distance').
- Secondary school aged pupils who attend the TEA school for their home address (or other nearer school) and the distance is more than 3 miles ('the Statutory Walking Distance').
- Eligible pupils who attend a particular school on denominational grounds in the circumstances set out in the Transport Policy.

1.3 Distances are measured by the shortest available walking route between the middle of the road immediately outside of the home address and the nearest school or college gate. In accordance with the provisions of the Transport Policy, the shortest available walking route is the shortest route which a child, accompanied as necessary, can walk with reasonable safety.

1.4 Measurements are carried out in a consistent fashion using computerised measuring systems as set out in the Transport Policy.

2.0 Commencement Date

2.1 This Procedure has effect from 1st June 2013.

3.0 General basis for appeals

3.1 Parents/carers have the right of appeal should they have cause for complaint about the service or disagreement about the eligibility of their child for home to school transport assistance. Parents may challenge a decision about:

- Their child's eligibility
- The transport arrangements offered
- The distance measurement
- The safety of the walking route

4.0 Appeals process and timescale

4.1 The County Council has a 2 stage appeals process as below:

Stage one:

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- 4.2 A parent has 20 working days from receipt of the local authority's home to school transport decision to make a written request asking for a review of the decision. Please note that parents may request appeals at any point in the year but we cannot guarantee to meet the timeline below when these are received beyond the 20 working day period mentioned above.
- 4.3 The written request should detail why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes should be considered when the decision is reviewed.
- 4.4 Within 20 working days of receipt of the parent's written request a senior officer (the Reviewing Officer) will review the original decision and send/email the parent a detailed written outcome setting out:
- the nature of the decision reached;
 - how the review was conducted (including the standard followed);
 - information about other departments and/or agencies that were consulted as part of the process;
 - what factors were considered;
 - the rationale for the decision reached;
 - information about escalation to stage two (if appropriate).

Stage two:

- 4.5 The Parent has 20 working days from receipt of the County Council's stage one decision to make a written request to escalate the matter to stage two.
- 4.6 Within 40 working days an independent appeal panel will consider written and verbal representations from the parent and officers and gives a detailed written outcome setting out:
- the nature of the decision reached;
 - how the review was conducted (including the standard followed);
 - information about other departments and/or agencies that were consulted as part of the process;
 - what factors were considered;
 - the rationale for the decision reached;
 - information about escalation to the Local Government Ombudsman (see below).
- 4.7 The independent appeal panel members will be independent of the process to date and suitably experienced, to ensure a balance is achieved between meeting the needs of parents and the local authority, and that road safety requirements are complied with.

5.0 Review of available walking route**5.1 Grounds for review request:**

- (a) If there is a material change in relation to an existing available walking route which may affect the availability of that route; **or**
- (b) If there is a new available walking route assessment.

In either case referred to above, a parent/carer or a young person (or a group of parents/carers) may request that the available walking route be reviewed if they are dissatisfied with the assessment undertaken because it has not taken into account the published national guidance relating to route assessment in force at the time.

5.2 For the purposes of 5.1(a) above, 'a material change' means works (other than temporary works) which have been undertaken since the route was last assessed where those works significantly affect:

- the use of the highway
- the road layout
- the footpath
- the traffic volume
- the speed of traffic

5.3 Any request for a review of the availability of a walking route must be made in writing setting out the material change in question (in the case of an existing route) and why the parents/carers or young person consider that the assessed route is not available. Any supporting evidence relied upon by parents/carers or the young person must be submitted with the review request.

6.0 General

6.1 The decision of the independent appeal panel is binding. There is no further right of appeal or review in relation to the processes set out in 3, 4 and 5 above. A parent/carer or young person may refer the matter to the Local Government Ombudsman, but only if complainants consider that there was a failure to comply with the procedural rules or if there are any other irregularities in the way the appeal was handled. If the complainant considers the decision of the independent panel to be flawed on public law grounds, the complainant may apply for judicial review. Referrals to the Local Government Ombudsman should be submitted to:

The Local Government Ombudsman
 PO Box 4771
 Coventry
 CV4 0EH
 Telephone: 0845 602 1983
 Fax: 0247 602 0001
 Email: advice@lgo.org.uk

7.0 Requesting a Review

7.1 Parents/carers or young persons wishing to request a review under this procedure should do so by completing the appeal form available at:

http://www.leics.gov.uk/school_college_transport_appeal_form.htm

or by contacting:

The Senior Transport Officer
 Sustainable Travel Group
 Environment & Transport Department

Tel: 0116 305 0255
Fax: 0116 305 7181
Email: TransportAssessments@leics.gov.uk

- 7.2 Parents/carers are reminded that it is their legal duty to ensure their child's attendance at school. That duty is not affected by any pending appeal procedure.

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**GUIDANCE TO SCHOOLS ON THEIR OWN
HIRE OF BUSES & COACHES****SEATBELTS AND '3 INTO 2' SEATING**

1. Government regulations now require:
 - A forward-facing seat with a seatbelt is required for each child when older minibuses and coaches are used to take children on organised school trips, including journeys to and from school. Minibuses and coaches first used after 1st October 2001 with compliant seat belts and anchorages may transport children in rearward facing seats. The minimum requirement is for a lap belt to be fitted to each seat used by a child aged 3 to under 16.
 - The "3-for-2" concession (which allows three children under 14 to sit in two seats) is not allowed for vehicles fitted with seatbelts.
 - A coach is defined as a vehicle of more than 7.5 tonnes of weight and capable of more than 60 mph. The regulations do not apply to buses or to any vehicle carrying school children on a registered local bus service.
2. The local authority additionally recommends that schools follow its policy in extending this requirement as follows:
 - "3-for-2" seating disallowed on all vehicles.
 - Seatbelts to be provided on all single deck vehicles.
3. It is recommended that double deck buses are not used for long journeys. A travel time of 1¼ hours is considered to be a reasonable maximum. Schools should consider the County Council's use of double-deck buses, as in paragraph 22 of the policy, when arranging transport.
4. Separate guidance covering the ownership use and hire of minibuses, including driver requirements, is dealt within Code of Practice No.14, Policy on Driving on LEA Business (issued May 2000). Specialist technical advice and guidance may be sought from the Vehicle Unit within the Environment and Transport Department.
5. It is recommended that parental consent forms are issued for bus and coach journeys arranged by the school, e.g. annual/termly consent forms for regular journeys or individual forms for one-off events
6. For children aged 14 and over, it is a legal requirement that seat belts, where fitted in a bus or coach, must be used but it is not the driver's legal responsibility to ensure that seat belts are used. For pupils between the ages of 3 and 13 inclusive there is no legal requirement that seat belts, where fitted in a bus or coach, are used. The wearing of seatbelts cannot legally be enforced by drivers or teachers. Schools may wish to include a section on seatbelt wearing on parental consent forms. Forcing a seatbelt on to a child is not appropriate. If a member of

staff or other adult is assisting²⁹ child to put on a seatbelt, in accordance with the parent's and child's wish, physical contact with the child must be minimal and only such as is necessary to put on the belt. Staff are advised to undertake such actions in the presence of other adults.

7. School bus signs: buses being used to carry children under the age of 16 on school trips and contracted home to school and return journeys must display a special prescribed sign both at the front and rear of the vehicle. The sign must have a black border enclosing a silhouette of two children on a yellow reflective background. The size of the sign being displayed at the front of the vehicle must be at least 400 mm x 400 mm with a black border not more than 300 mm wide. These should be held by the operator.

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PROCESS FOR ASSESSING WHETHER OR NOT WALKING ROUTES TO SCHOOLS ARE UNAVAILABLE

Context

This process is based on the statutory guidance 'Guidance on home to school travel and transport' issued by the Department for Education (DfE) in March 2013 and the Assessment of Walked Routes to School guidelines produced by Road Safety GB in 2011 which provides guidance on the interpretation of both case law and what is generally accepted by many Local Authorities as good practice in assessing various elements of the walking route between home and school.

Specifically, the DfE guidance states, *Local authorities must also make travel arrangements for those pupils who are unable to walk to school because of their special educational need (SEN), disability or mobility problems and children who cannot reasonably be expected to walk because the nature of the route is such that they cannot walk in reasonable safety.*

Leicestershire County Council takes account of the safety aspect of routes to school by following the process and assessment criteria stated below.

2. Process

- (a) A request to assess a route for availability is made to the Sustainable Travel Group (normally from a parent or school, but also where the County Council is providing free transport outside of the Home to School Transport Policy and the route may have become available).
- (b) Request from the Sustainable Travel Group for an initial assessment of the route using available mapping media, if the route is initially assessed as an available walking route a full assessment will be undertaken including a site visit with photographic records. Routes that fail an initial assessment may be subject to a full assessment if the decision is considered marginal by the Assessing Officer and transport will be provided if under the statutory walking distances for primary and secondary aged children until the full assessment has been completed.
- (c) Evidence will be considered from the Accident Investigation and Prevention Team, when undertaking full assessments using the assessment criteria below, which may (but will not always) include a site visit, information on traffic volumes (where required and where available) and accident history records.
- (d) A written report of site visit (using the standard format below) and other information (such as accident data) will be considered.
- (e) The findings of the process above will be considered by officers within the Accident and Investigation Team who will review the assessment and provide a written report on whether the route is available.
- (f) The Assessment report will be sent to the Sustainable Travel Group.
- (g) Any appeal to review the route assessment will be considered as outlined in the Appeals Process in Appendix 1.
- (h) If a route is assessed not to be available, then free transport will be arranged as soon as practically possible. If a route is assessed to be available, but free transport has been provided (because previously the route was assessed as not being available and remedial works have

been undertaken to make the route available), the County Council will give at least 4 calendar weeks' notice to affected parents/pupils of the withdrawal the free provision.

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3. Assessment Criteria

Whilst the following criteria are specific, professional judgement will be exercised to take account of any local circumstances and the merits of any individual case, as required.

Factor Assessed	What is Assessed	Assumptions
The age of the child	<p>The age of the children using the walking route will be assessed.</p> <p>The age of the child is assessed to distinguish between the 2 maximum walking distances from home to school i.e. 2 or 3 miles.</p>	The existence of public transport (bus or rail) or farepaying places on contracted Home to School Transport is not taken into account when assessing a walking route.
Whether any potential risks might be mitigated if the child were accompanied by an adult	<p>The route is assessed on the basis that a responsible adult will accompany the child as necessary.</p> <p>There may be circumstances where this may not be possible i.e. because of disability. Such circumstances would be considered by means of an appeal.</p>	<p>Existing case law about adults accompanying children remains unchanged</p> <p>It is recognised that parents may decide that accompaniment is not required as the child matures; however the legal precedent suggests that parents accompany as necessary.</p>
The width of any roads travelled along and the existence of footways.	<p>The width of roads is taken into account when no footway is present to assess the suitability of walking at the side of the road</p> <p>The detail of the assessment will indicate the nature of the route and where crossing of main roads and walking at the side of the road is required.</p>	<p>The availability of suitable footpaths, rights of way, bridleways etc., which do not necessarily follow roads may be taken into consideration.</p> <p>If there is no suitable public footpath or footway a walking route is available if it is acceptable in two respects: walking at the side of the road and crossing the road where necessary.</p> <p>Where there is no footway and there is a requirement to walk on the road it is assumed that pedestrians will face on-coming traffic, but it is acceptable for them to cross and walk on the other side of the road if it is</p>

	33	considered safer to do so.
<p>The volume and speed of traffic travelling along any roads</p>	<p>Both crossing the road (visibility sighting times and waiting time to cross) and walking at the side of the road criteria take into account traffic volume and speed:</p> <p>Crossing a road is acceptable if:</p> <p>There is at least 4 seconds' sighting time for vehicle drivers to see pedestrians,</p> <p>AND</p> <p>A pedestrian has to wait no more than 40 seconds to cross the road.</p> <p><i>A series of timings will be taken to arrive at an average timing for purposes of assessment.</i></p> <p>Walking alongside a road is acceptable if there is a footpath with a reasonably even surface of suitable width.</p> <p>Walking at the side of a road is acceptable if:</p> <p>in the absence of a footpath the road is greater than 6.5 metres wide and there are less than 240 vehicles per hour, two-way, of which no more than 24 are HGVs,</p> <p>OR</p> <p>for roads up to 6.5 metres in width, there are less than 240 vehicles per hour, two-way, of which no more than 24 are HGVs,</p> <p>AND</p> <p>there is at least 4 seconds' sighting time for vehicle</p>	<p>LCC Criteria on sighting times and waiting times to cross have been adopted from Road Safety GB detailed guidance regarding traffic flow and gap times.</p>

	<p>drivers and pedestrians and there is a reasonably even and firm verge to step on to off the road.</p> <p><i>A series of timings will be taken when assessing the route.</i></p>	
The existence or otherwise of street lighting	Where crossing roads or where there is no available footpath the existence or otherwise of street lighting will be considered (where visibility of pedestrians at the side of the road could be compromised).	The existence or otherwise of street lighting is taken into account where this will assist drivers in seeing pedestrians walking in the road or at identified crossing points where no light controlled (Pelican or Toucan) or Zebra crossings exist. If a continuous suitable footway exists then street lighting is desirable but may not be required for a route to be assessed as available.
The condition of the route at different times of the year, at the times of day that a child would be expected to travel to and from school	<p>Site visits will cover the whole route but focus on parts of the route with potential hazards, and will take place at the time in the morning (or afternoon) when children would be travelling to school.</p> <p>Assessments when undertaken will consider seasonal variations in conditions along a route.</p> <p>Assessments may identify improvements to routes which if undertaken would make the route available, even if the route is deemed not to be available in the interim</p>	<p>The route will be kept well maintained by landowners and the Highway Authority. Where problems are identified, such as overgrown foliage and damage to footways we will ask landowners to repair this or the Council will repair this and recharge landowners as appropriate</p> <p>Assessments will consider the condition of the route at different times of the year and in particular the effects of vegetation growth.</p>

4. Assessment Report Format

General

- The start and end points of the assessment and the details of the route taken will be provided along with a map of the route assessed .The route will be split up into sections (note these) for the purpose of reporting.
- The time of day the assessment is undertaken will be stated
- The weather and light conditions will be noted.
- Photographs will be taken to exemplify areas likely to be of concern

Section characteristics

The Assessment will;

- record if there is a footway and if so, the general availability and condition of it. An assessment of the suitability of the footway will be made with photographs of any narrow sections. An assessment will be made as to whether it is available for walking and of sufficient width and quality. The condition and maintenance of the footway maintained and other pedestrian use will be noted.
- define length/names of the roads on the route and any relevant characteristics, for example, whether the route is rural/urban, single/dual carriageway, A/B class, one-way, speed limit, estimated vehicle speeds and whether traffic calmed.
- define road widths and any variations where there is no footway, (noting locations where the road narrows at 'pinch points'). In the absence of footways a note of the forward visibility for sighting times will be made.
- Highlight any feature along the route that may need re-assessment in the future (e.g. likely change in traffic patterns or vegetation that may compromise available footway width)
- Consider whether there are any alternative walking routes.

Crossing – assessment

The Assessment will:

- consider whether there is a need to cross a main road or significant side road or entrance on the section of route being assessed.
- Make reference to the fact that there are side roads and entrances and specifically note any that are likely to have significant traffic movements and which need to be crossed.
- where roads need to be crossed, consider if, there is at least 4 seconds' sighting time for drivers to see pedestrians and whether waiting time to cross is less than 40 seconds (keeping a record of the average timings).
- Note any crossing facilities on the assessed section (central refuges, zebras, pelicans, etc.)
- note if crossing is recommended to take place at a specific location.

Walking at the side of the road assessment

The assessment will:

- consider whether there is a footway on the section and if there is an available walking route on both sides of the road
- Consider which side of the road the footway is situated on and whether it has a reasonably even surface and is of sufficient width
- Consider whether 'availability' is likely to remain the same throughout the year and in all conditions
- In cases where there is no footway available, consider whether traffic flow is estimated to be over 240 vehicles per hour and if HGV flow is estimated to be over 24 vehicles per hour.
- Consider the characteristics (length, width and 'condition') of the verge

5. Frequently Asked Questions (These do not form part of the assessment process)

What time are the assessments undertaken? - Assessments usually take place in the morning during the times that children will be travelling to school but assessments may also be undertaken when returning home in the afternoon. Visits are timed, where possible, so that crossing assessments of main roads take place at the times when the number of children travelling to school is highest. Detailed timings and measurements are undertaken.

What happens if I can't walk with my child? Any adult can walk with a group of children. We will work with schools to identify other ways of travelling to school through School Travel Plans. Where the walking route is less than 2 miles for children who attend primary school and less than 3 miles for secondary age children the responsibility for ensuring children attend school remains with the parent - this is not a Leicestershire County Council responsibility.

What happens if the footpath is really narrow? There is no minimum width for a footpath to be acceptable for walking. Officers will use their professional judgement on the available width including hedgerows and verges next to the footpath to determine its availability as suitable for walking.

What if my child has to walk in the dark? Generally school start and finish times are such that children can walk to school in daylight. There will be a limited number of times when this is before sunrise and after the sun sets i.e. in twilight hours. In these cases it is the parents' responsibility to accompany their child if they feel it is appropriate. You may decide that your child can walk unaccompanied but the legal responsibility remains with parents to make appropriate arrangements to ensure that their child attends school.

What accident data will be included? The report will include a general reference to all accidents on the route, additional reference to accidents involving pedestrians, and a detailed reference to pedestrian accidents at designated crossing points.

What if there isn't a footway? Even if there isn't a footway the walking route might still be assessed as available. The assessment will take account of traffic flows and whether pedestrians and car drivers have enough time to slow down or pedestrians have time to step off the road onto a verge.

What do I do if I think the walking route is unsafe? No walking route can be absolutely safe, the term used in guidance is reasonable safety which would make the walking route available. If you think the route isn't available you have the right to appeal but you must demonstrate that there is a change to the route that would render it not reasonably safe to walk along.

Appendix B

Details of consultation responses on home to school transport policy and proposed changes to policy and charging

- Findings as of end of 25/06/13

School Transport user numbers

- 3,500 16+ students
- 900 denominational pupils
- 400 farepayers

Consultation Process

Consultation started on 20th May and runs to 30th June. The consultation was e-mailed directly to our database of school contacts and again through the Education Information System and direct to the Diocesan Council at Derby.

A press release covered the consultation process and a Members' News in Brief was circulated to all County Councillors.

The consultation was also shown as a banner on the front page of the County Council website.

Count of responses to 25 June 2013: 484

Headlines

Age 16+ transport to colleges and sixth forms

- **90% of respondents disagreed** with the proposal to remove the subsidy from post-16 transport (82% 'Strongly Disagreed')
- **72% agreed**, with 47% 'Strongly Agreeing', that the transport service should remain available for those who wish to cover the full cost
- **85% agreed** that the Council should continue to provide transport to those in the second year of 16 plus if the subsidy is withdrawn (69% 'Strongly Agreed')

Transport to Voluntary Aided (Denominational) Schools

- **61% disagreed** with the proposal to remove the subsidy from denominational support (55% 'Strongly Disagreed')
- **66% agreed** (38% 'Strongly Agreeing') that the transport service should remain available for those who wish to cover the full cost

Eligibility when a pupil changes address

- **58% disagreed** with the proposal that the Council should remove free or subsidised transport from the new address if a student changes address (42% 'Strongly Disagreed' with this)

Findings by statistical significance

Age 16+ transport to colleges and sixth forms

Question 1: Do you agree or disagree with the Council's proposal to remove the subsidy from post-16 transport to colleges and sixth forms? (475 responses)

Agreement

- Non-parents or carers were **very likely** (more than expected) to 'Strongly Agree' (17%) and were more likely than expected to 'Agree' (10%)
- Those who do not have children who use the home to school transport were more likely than expected to 'Agree' (11%) and 'Strongly Agree' (9%)
- Those stating 'No religion' were more likely than expected to 'Strongly Agree' (11%) and 'Agree' (9%)

Disagreement

- No significance found.

Question 2: Do you agree or disagree that if the subsidy is removed the transport service should remain available for those who wish to cover the full cost of the transport (approximately £425 per student per year)? (470 responses)

Agreement

- Those of 'Other ethnic group' were more likely than expected to 'Agree' (71%)

Disagreement

- Those of 'Mixed' ethnic origin were more likely than expected to 'Disagree' (25%)

Question 3: Do you agree or disagree that, if the subsidy is withdrawn, we should continue to provide transport to those who are already receiving it to allow them to complete their second year of 16+ in the 2014/2015 academic year? (471 responses)

Agreement

- Bisexual respondents were more likely than expected to 'Agree' (67%)

Disagreement

- Those of 'Other' sexual orientation were more likely than expected to 'Disagree' (20%)

Transport to Voluntary Aided (Denominational) Schools

Question 5: Do you agree or disagree with the Council's proposal to remove the subsidy from denominational transport? (443 responses)

Agreement

- Those who do not have children who use the home to school transport to denominational schools were more likely than expected to 'Strongly Agree' (29%) and 'Agree' (13%)
- Males were more likely than expected to 'Strongly Agree' (30%)
- Those aged under 40 were more likely than expected to 'Agree' (19%)
- Those aged over 60 were more likely than expected to 'Strongly Agree' (43%)
- Non-parents or carers were more likely than expected to 'Strongly Agree' (33%)
- Those stating 'No religion' were **very likely** (more than expected) to 'Strongly Agree' (45%)
- Those stating 'Any other religion or belief' were more likely than expected to 'Agree' (30%)

Disagreement

- Those who have children who use voluntary aided transport were **very likely** (more than expected) to 'Strongly Disagree' (95%)
- Those stating 'Roman Catholic' were **very likely** (more than expected) to 'Strongly Disagree' (96%)

Question 6: Do you agree or disagree that if the subsidy is removed the transport service should remain available for those who wish to cover the full cost of the transport (approximately £640)? (438 responses)

Agreement

- No significance found

Disagreement

- Black or Black British respondents were **very likely** (more than expected) to 'Disagree' (33%)

- Asian or Asian British respondents were more likely than expected to 'Disagree' (17%)

Change of address and eligibility

Question 8: Do you agree or disagree with the proposal that we remove free or subsidised transport from the new address if a student changes address? (263 responses¹)

Agreement

- No significance found

Disagreement

- No significance found

Note on representation

The demographic profile of respondents shows that there is an over-representation of responses (using comparable 2011 Census data) from county residents who are:

- Female
- Aged 45-59
- And those who have two or more cars or vans in their household

There is a under-representation from county residents who are:

- Male
- Less than 45 years old and those aged over 60
- Asian or Asian British
- And those who have no cars or vans in their household

¹ Please note that due to an error the first 212 respondents to the survey did not have an opportunity to complete this question. The base number for this question is 272 whereas it is 484 for all other questions.

Appendix C

Summary of written responses to the consultation on home to school transport policy and proposed changes to policy and charging

General summary of comments received up to 25th June 2013

This summary includes comments made on the consultation response form, and in separate correspondence received in response to the consultation. It omits comments about matters which the County Council cannot influence, e.g. suggested changes statutory guidance or relevant legislation.

Home to school transport: 16 plus comments:

- a) Numerous comments that students should remain entitled to free travel until they reach the new statutory age limits for remaining in education or training.
- b) Increased travel costs will make it more difficult for students to travel to their favoured course.
- c) Car traffic could increase.
- d) The proposals hit hardest at less well off families and those living in rural communities.
- e) The difference in the proposed charges for 16 plus travel to faith schools and to other schools is unfair.
- f) One or two comments that 16 plus transport should not be subsidised whilst education post 16 remains optional, or not subsidised just for SEN students.
- g) It would be better to keep the transport facility at higher cost than discontinue the school bus service altogether.

Home to school transport: transport to denominational (faith) schools comments:

- a) Some comments that those attending faith schools through parental choice should not receive subsidy.
- b) Other comments putting forward the opposite view: attendance at a faith school is advantageous to children being brought up in that faith and should not be discouraged.
- c) Faith schools are often some distance from home, making it more difficult for parents to provide alternative transport.

- d) Parents could be forced to change their children's school, which would penalise the children.
- e) Families where more than one child travels to a faith school will be particularly affected.



Consultation

on proposed changes to home to school transport



- Home to school transport for students at faith and voluntary aided schools
- Transport for students aged 16+
- Home to school transport for students who change address during their final year(s) of study.

Have your say

We want your views on the proposed changes. We're asking you to read our summary below, and then complete a feedback form.

For more information, get in touch – our contact details are on the last page.

We're listening



Budget pressures



We hope to save around

£1m

through changes to school transport in the next four years.

Leicestershire County Council is continuing to face a number of challenges. The funding we receive from national Government is reducing. At the same time demand for services, such as care for older people and waste disposal, is expected to go up.

We also have to deal with the impact of a large number of schools locally moving to academy status and coming out of council control. Because the Government has transferred funding from the council's budget to support the new academies, we have to deal with this additional implication of losing further significant funding. All of this means we have to save more.

The County Council faces cuts in income over the next three years and needs to make around £79 million savings over the next four years.

We are now looking at how we can achieve additional savings. In making decisions, we must target our resources at those with the greatest need. We will be undertaking an Equalities Impact Assessment on these proposals.

Your views

Last year we carried out a similar consultation on proposed changes to school transport but the policy was not changed.

We are now asking for your views again about the detail of the council's new proposals to make changes to the provision of transport. We hope to save around £1m through changes to school transport in the next four years.

About home to school transport

Leicestershire County Council has a duty to ensure that every child in the county has access to a school place.

Most parents send their children to the school in their catchment area, or to the nearest school. We normally provide free transport for Primary School children who live two miles or more from their school and for Secondary School children who live three miles away or more.

For children from families on low income, the distance is two miles or more, whether the children are of primary or secondary school age. Families on low income are those in receipt of their maximum level of Working Tax Credit or where the child is eligible for free school meals.



16+ transport

The council is considering withdrawing the subsidy for students aged 16+ and no longer providing transport, or charging the full cost.

This change would not apply to students aged 16+ with special educational needs who will still be provided with subsidised transport.

Students who continue in full time education, which is more than about 16 hours per week, currently receive subsidised transport to their nearest or Transport Eligibility Area (TEA) school/college, if it is over three miles from their home.

Around 3,500 students currently contribute £240 per year towards their travel (this will rise to £252 for the 2013/14 academic year). The full cost of providing each seat is £425 per year. Leicestershire County Council currently pays a subsidy of £173 per student, per year. This costs us £605,000 per year.

Transport to faith and voluntary aided schools

The council is considering withdrawing the subsidy for transport to faith and voluntary aided schools and no longer providing transport, or charging the full cost.

For many years we have given help when children attend their nearest faith school on denominational grounds. Currently, transport for some pupils is subsidised and for others it is free.

Students currently contribute £240 per year towards their travel (this will rise to £252 for the 2013/14 academic year). The full cost of providing transport for each student is £640 per year. Leicestershire County Council currently pays a subsidy of £388 per student, per year for around 900 students. This costs us £350,000 per year.

Leicestershire County Council has a duty to take into account the wishes of parents on the grounds of religion or belief, but there is no duty to provide free or subsidised transport (except for children from qualifying low income families).

Students who change address during their final year(s) at school

The Council is considering withdrawing this facility. This would mean that, unless the move is beyond the parents' control, they would be responsible for travel arrangements from their new address.

Currently, if a pupil changes address Leicestershire County Council will continue to provide free transport from their new address to their existing school to minimise disruption for the pupil. The Council provides this for primary aged and high school aged children in their final year at school. For upper school and 16+ students who have moved after their first half-term we continue to provide transport assistance from their new address at any point during their final year(s).

Have your say

We would like to take into account the views of residents and partners in developing our final proposals.

Deadline for responses:
Sunday 30th June 2013.

To request a hard copy of the form:
Tel **0116 305 0002** or email
passengertransport@leics.gov.uk

What happens next?

Following the consultation period, responses to the survey will be considered by the Cabinet on 9th July 2013.

The outcomes of the consultation will be published on the website in July 2013.

Consultation on Proposed Changes to Transport

Budget pressures

Leicestershire County Council is continuing to face a number of challenges. The funding we receive from national Government is reducing. At the same time demand for services, such as care for older people and waste disposal, is expected to go up.

We also have to deal with the impact of a large number of schools locally moving to academy status and coming out of council control. Because the Government has transferred funding from the council's budget to support the new academies, we have to deal with this additional implication of losing further significant funding. All of this means we have to save more. The County Council faces a 30% cut in grant income over the next three years and needs to make about £100 million savings over the next four years.

We are now looking at how we can achieve additional savings. In making decisions, we must target our resources at those with the greatest need. We will be undertaking an Equalities Impact Assessment on these proposals.

Your views

Last year we carried out a similar consultation on proposed home to school transport changes but the policy was not changed. We are now asking for your views again about the detail of the council's new proposals to make changes to the provision of transport. We hope to save around £1m through changes to school transport in the next four years. If you have any questions about this consultation please contact: 0116 305 0002 or email: passengertransport@leics.gov.uk

Age 16+ transport to colleges and sixth forms

What currently happens

Around 3,500 students currently contribute £240 per year (this will rise to £252 for the 2013/14 academic year) towards their travel. The full cost of providing each seat is about £425 per year. Leicestershire County Council therefore pays a subsidy of £173 per student, per year. This costs us about £605,000 per year.

What we propose

The council is considering withdrawing the subsidy for students aged 16+ and no longer providing transport. This change would not apply to students aged 16 or over with special educational needs who attend a college or other further education establishment more than 3 miles away from their home for about 16 hours a week or more. Such students would continue to be entitled to subsidised travel.

Q1 Do you agree or disagree with the Council's proposal to remove the subsidy from post 16 transport to colleges and sixth forms?

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	Don't Know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q2 Do you agree or disagree that if the subsidy is removed the transport service should remain available for those who wish to cover the full cost of the transport (approximately £425 per student per year)?

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	Don't Know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The County Council could continue to provide subsidised transport to those who are currently in the first year of post 16 education, to enable them to continue to receive subsidised transport in the 2014/15 academic year.

Q3 Do you agree or disagree that, if the subsidy is withdrawn, we should continue to provide subsidised transport to those who are already receiving it to allow them to complete their second year of 16+ in the 2014/15 academic year?

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	Don't Know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q4 Please use the space below to let us know any other comments on our proposals for 16+ transport to colleges and sixth forms:

Transport to voluntary aided (denominational) schools

What currently happens

For many years we have given help when children attend their nearest faith school on denominational grounds. Currently, transport for some pupils is subsidised and for others it is free.

Students currently contribute £240 per year (this will rise to £252 for the 2013/14 academic year) towards their travel. The full cost of providing transport for each student is about £640 per year. Leicestershire County Council currently pays a subsidy of £388 per student, per year for around 900 students. This costs us about £350,000 per year

What we propose

Leicestershire County Council has a duty to take into account the wishes of parents on the grounds of religion or belief, but there is no duty to provide free or subsidised transport. The council is considering withdrawing the subsidy for transport to faith and voluntary aided schools and no longer providing transport (except for children from qualifying low income families).

Q5 Do you agree or disagree with the Council's proposal to remove the subsidy from denominational transport?

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	Don't Know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q6 Do you agree or disagree that if the subsidy is removed the transport service should remain available for those who wish to cover the full cost of the transport (approximately £640 per pupil per year)?

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	Don't Know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q7 Please use the space below to let us know any other comments on our proposals for transport to voluntary aided schools:

Change of address and eligibility

Currently, if a pupil changes address Leicestershire County Council will continue to provide free transport from their new address to their existing school to minimise disruption for the pupil. The Council provides this for primary aged and high school aged children in their final year at school. For upper school and 16+ students who have moved after their first half-term we continue to provide transport assistance from their new address at any point during their final year(s).

The Council is considering withdrawing this facility. This would mean that, unless the move is beyond the parents' control, they would be responsible for travel arrangements from their new address.

Q8 Do you agree or disagree with the proposal that we remove free or subsidised transport from the new address if a student changes address?

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	Don't Know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

About You

Leicestershire County Council is committed to ensuring that its services, policies and practices are free from discrimination and prejudice and that they meet the needs of all sections of the community.

We would be grateful if you would answer the questions below. You are under no obligation to provide the information requested, but it would help us greatly if you did. Information will be used to inform service development to ensure that what we are providing is fair and effective.

Q9 Are you male or female?

Male

Female

Q10 What was your age on your last birthday?

Q11 Are you a parent/carer of a child or young person?

Yes

No

If yes, what are the ages of the children in your care? Please tick all applicable

0-4

5-10

11-15

16-18

Q12 Are you employed by a school in Leicestershire?

Yes

No

Q13 Are you a school governor?

Yes

No

Q14 Do you or your child(ren) make use of the home to school transport provided by Leicestershire County Council?

Yes

No

Q15 Are there any post 16 students in your household who currently use our transport to education?

Yes

No

Q16 Are there any children in your household who currently use our transport to voluntary aided (denominational) schools?

Yes

No

Q17 Do you have any long-standing illness, disability or infirmity?

Yes

No

Q18 What is your ethnic group? Please tick one box only

White

Black or Black

British

Mixed

Other ethnic

group

Asian or Asian

British

Q19 What is your religion or belief?

- | | | | |
|--------------------------------|--------------------------|------------------------------|--------------------------|
| No religion | <input type="checkbox"/> | Buddhist | <input type="checkbox"/> |
| Christian (no denomination) | <input type="checkbox"/> | Hindu | <input type="checkbox"/> |
| Roman Catholic | <input type="checkbox"/> | Jewish | <input type="checkbox"/> |
| Church of England/Anglican | <input type="checkbox"/> | Muslim | <input type="checkbox"/> |
| Christian (other denomination) | <input type="checkbox"/> | Sikh | <input type="checkbox"/> |
| | | Any other religion or belief | <input type="checkbox"/> |

Q20 Sexual Orientation. Many people face discrimination because of their sexual orientation and for this reason we have decided to ask this monitoring question. You do not have to answer it but we would be grateful if you could tick the box next to the category which describes your sexual orientation:

- | | | | |
|-------------------------|--------------------------|---------|--------------------------|
| Bisexual | <input type="checkbox"/> | Lesbian | <input type="checkbox"/> |
| Gay | <input type="checkbox"/> | Other | <input type="checkbox"/> |
| Heterosexual / Straight | <input type="checkbox"/> | | |

Q21 In total, how many cars or vans are owned or available for use by members of your household?

- | | | | |
|------|--------------------------|--------------|--------------------------|
| None | <input type="checkbox"/> | Three | <input type="checkbox"/> |
| One | <input type="checkbox"/> | Four or more | <input type="checkbox"/> |
| Two | <input type="checkbox"/> | Don't know | <input type="checkbox"/> |

Q22 What is your postcode?

Q23 Are you an employee of Leicestershire County Council?

- | | | | |
|-----|--------------------------|----|--------------------------|
| Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

Thank you.

Please send your completed survey to:

Transport Consultation, Business Development & Support Team, Sustainable Travel Group, Environment & Transport Department, Leicestershire County Council, County Hall, Glenfield, Leicester. LE3 8RJ.

Data Protection: Personal data supplied on this form will be held on computer and will be used in accordance with the Data Protection Act 1998. The information you provide will be used for statistical analysis, management, planning and the provision of services by the County Council and its partners. Leicestershire County Council will not share any personal information collected as part of this survey with its partners. The information will be held in accordance with the Council's records management and retention policy.

If you require the information contained in this questionnaire in an alternative version such as large print, Braille or help in understanding it in your language, please contact: 0116 305 0002 or email: passengertransport@leics.gov.uk

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Equality Impact Assessment – Home to School Transport

Title of service being assessed: Potential change to Home to School Transport policy and non-statutory provision.

Name of Department: Department of Environment & Transport

Name and role of the officers completing this assessment:

Ian Drummond – Assistant Director (Transportation)

Tony Kirk – Group Manager, Sustainable Travel

Mark Watters – Business Support & Development Team Leader

Contact telephone Number: 0116 305 6270 (Tony Kirk)

Date Assessment completed: June 2013

Defining the service:**1. What are the aims, objectives of purpose of the service? Are these reflected in the relevant service plan?**

The purpose of the home to school transport service is to enable young people to benefit from free travel to and from school, if they live more than the distance specified by statute from their nearest or Transport Eligibility Area school. Other discretionary concessions are currently available, including transport for students remaining at school beyond statutory school age, transport for students attending denominational schools and transport for non-entitled students at a cost to the user. The potential changes to the scheme would involve discontinuing some or all of these discretionary concessions.

2. What outcomes does the service want to achieve and for whom? How have these been determined? Please also list any relevant performance indicators.

The legal framework determines the requirements for the home to school transport service. The desired outcomes are that available school transport services reflect the Acts of Parliament concerned and that those students entitled to free travel under the arrangements currently stipulated use the services provided. The potential changes to the scheme would provide a contribution to savings the County Council is having to find in response to budgetary pressures and the withdrawal of some central government funding. There are no specific performance indicators related to this provision, although use of home to school transport by those entitled has a beneficial impact by reducing the numbers of car journeys made in the county of Leicestershire and in relieving congestion and improving safety around schools at opening and closing times. Providing this service also makes it easier for parents to ensure students' attendance at school.

During the 2012/13 academic year there were approximately 3,500 students taking up the existing subsidised 16+ transport scheme and a further 900 using the faith transport scheme.

3. Who is responsible for delivering the service? Are there any other organisations involved? If other organisations are involved are they fully compliant with the Council's Equality Policy?

Leicestershire County Council is responsible for delivering the service. The Sustainable Travel Group and Fleet Services (who maintain the Council's vehicles) work in tandem

with private bus service companies and taxi companies to deliver the service. These external organisations are aware and supportive of the Council's Equality Policy.

4. Consider the answers given questions 1, 2 and 3 and assess whether your service results, or could result in adverse impact on or discrimination against different groups of people. If you consider that there is adverse impact or discrimination, or the potential for either, please outline below and state whether it is justifiable or legitimate and give your reasons for this.

Target Equality Group	Does it have a Positive Impact?	Does it have a Negative Impact?	If it has a negative impact, is the level of this impact high or low?
Age	Yes. The statutory requirement provides a service specifically to children of statutory school age.	Yes. Discontinuing the current discretionary provision, or continuing to offer it but at a significantly higher cost to users, will make it more difficult for 16 to 19 year olds to access further education. NB: it is noted that new legislation commencing September requires young people up to the age of 17 to be in education or training (Raising Participation Age - RPA). There has been no corresponding change of legislation requiring LAs to provide transport for this. The RPA increases up to 18 years of age from 2015.	Low – Many 16 to 19 year olds will be able to travel by alternative means, generally public bus services or private transport. If the discretionary provision remains but at a higher cost to users, it will remain relatively attractive to those whose alternative mode of transport would be more costly. There may be a high impact for a minority of students either living in remote areas with no access to either public bus services or private transport, or on low income and unable to afford daily fares. Those students under age 16 from low income families are protected by special statutory arrangements.
Belief or faith	Yes. The current discretionary policy provides a service specifically to students attending schools chosen	Yes. Removing the current discretionary policy will make it more difficult for students to	Low - Some students will be able to use existing alternative transport (public bus services or

	for reasons of faith: similar provision is not generally available to other students falling outside the statutory requirements to provide school transport.	continue to attend faith schools	parents' private car). Commercial bus operators may feel able to introduce specific schoolchildren's services at a daily fare, or schools or groups of parents may be able to organise transport. The County Council will actively support these initiatives. Those students under age 16 from low income families are protected by special statutory arrangements.
Disability	No. Transport for disabled students and those with special educational needs is provided under different policy and provisions.	No. Transport for disabled students and those with special educational needs is provided under different policy and provisions.	
Sexual Orientation	No. An individual's sexual orientation does not feature in the administration of school transport and is not relevant in respect of younger children.	No. An individual's sexual orientation does not feature in the administration of school transport and is not relevant in respect of younger children.	
Gender	No. An individual's gender does not feature in the administration of school transport.	No. An individual's gender does not feature in the administration of school transport.	
Race	Yes. Documents are available in alternative languages.	No. An individual's race does not feature in the administration of school transport.	
Marriage and civil partnership	No. An individual's marital status does not feature in the administration of school transport.	No. An individual's marital status does not feature in the administration of school transport.	
Gender	No. An individual's gender	No. An individual's gender	

reassignment	reassignment does not feature in the administration of school transport.	reassignment does not feature in the administration of school transport.	
Pregnancy or maternity	No. An individual's pregnancy or maternity does not feature in the administration of school transport.	No. An individual's pregnancy or maternity does not feature in the administration of school transport.	

There is likely to be an adverse impact for some groups of people that is justifiable and legitimate rather than illegal. Reasons for this are as follows:

- In the current economic and funding climate the County Council may not feel it is able to fund non-statutory services.
- Consultations are being conducted to obtain a public opinion on whether to continue funding non-statutory services: any savings will contribute towards a reduction in Council Tax for all Leicestershire residents, including all those in the various equality strands.
- In many cases, students will be able to find alternative means of transport, albeit at a generally higher cost.
- There is no requirement to offer discretionary home to school transport services and an increasing number of other Local Authorities have already ceased providing these services or are considering opting not to do so for budgetary reasons.

5. If you have identified adverse impact of discrimination that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people. This arises out of the duty to promote good relations between people of different groups and is in keeping with the Council's approach to social cohesion.

List process and criteria	Essential?	Barriers identified and groups affected
Public consultation	Yes	All affected groups, including special interest organisations, invited to comment publicly on the proposals to curtail non-statutory service provision. Consultation documentation available by web, post and large print on request.

6. Consider what barriers you can remove, and what reasonable adjustment may be necessary to ensure the service is accessible (this could include providing the service elsewhere). Consider what actions you will need to take to address any unmet needs that you have identified.

Barriers and reasonable adjustments:

Literature about the scheme must be accessible and so must be clear, simple and concise avoiding jargon where possible. Some language barriers may still exist, but the use of the County Council's corporate procured interpreting service may mitigate most of these. Application forms signpost the availability of versions in alternative languages.

Reasonable adjustments include ensuring that all literature should be available in other formats upon request and available through schools and colleges, as well as directly to students, parents and guardians via the County Council website.

7(a). What does analysis of the data tell you about how well your service is meeting the needs of the various equality groups? How up to date is the information.

The statutory home to school transport service is used by a large majority of students who qualify for transport assistance. If discretionary services continue but at a higher cost to the user than now, these are likely to be less well-used because it is accepted that there may be cheaper alternatives for many users.

There is currently some resistance to use of the discretionary services for students beyond statutory school age and those travelling to faith schools. The reasons are cost of the service compared to alternatives; the duration of some home-to-school journeys and the inconvenience for 16 to 18 year old students of not being able to vary their daily start and finish times if using the services. These reasons apply across all equality strands within the eligible groups.

(b) Which groups of people are you hearing from? Are there groups of people that you are not hearing from? What can you do to ensure that people are able to provide feedback on the service? Is there information on service user needs held by other services that would be appropriate for your services?

Data Type	Source (s)	Analysis of the data and/or gaps in information	When last gathered
Compliments, complaints and comments	Feedback through drivers, bus companies, school staff and the County Council's Customer Services Centre and website.	Verbal and written comments, including compliments and complaints from parents, schools and transport contractors.	Ongoing
Consultation responses	Widely circulated consultation document about potential changes to the scheme	Responses by web, phone and hard copy from parents, students and schools.	June 2013
Individual appeals against refusal of eligibility to transport assistance	Written appeals from parents.	Appeals processed by a 2 Stage system. Can highlight areas of concern.	Ongoing

8 Social cohesion is a priority for Councils. Review all the actions and targets that you have identified as a result of this equality impact assessment as to what social cohesion issues could arise.

The potential changes to home-to-school transport may marginally reduce social cohesion due to preventing a minority of students of non-statutory school age from pursuing further education. However, it is not thought that this would be any different in Leicestershire to places elsewhere where the discretionary home-to-school transport service is not provided.

9. Action Plan

Objective	Actions	Targets	Responsible Officer	By when
Explain service changes to all groups	Publicise via County Council website, through schools and in published guidelines leaflets for students, parents, school staff and transport contractors. Make information in alternative languages and formats available.	Ensure information is clear, concise and available to all.	Group Manager	In sufficient time both to allow students and parents to assess choices and complete relevant application forms and to allow LCC staff to make transport arrangements for students.

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**CABINET – 9th JULY 2013****RESULTS OF CONSULTATION ON WITHDRAWAL OF DISCRETIONARY
ELEMENTS OF THE CONCESSIONARY TRAVEL SCHEME****REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT****PART A****Purpose of Report**

1. The purpose of this report is to advise the Cabinet of the results of the public consultation into proposals for the withdrawal of discretionary elements of the Concessionary Travel Scheme. The Cabinet is invited to consider its responses to the consultation process in light of the findings of an Equality Impact Assessment.

Recommendations

2. The Cabinet is recommended to -
 - (a) note and consider the Equality Impact Assessment (EqIA) and the responses to the consultation on the removal of the discretionary elements of concessionary travel (attached as Appendices A-E to this report).
 - (b) agree that the discretionary elements of concessionary travel are removed from 1st September 2013, namely: half fare on community transport, £33 of vouchers as an alternative to a bus pass, free travel before 9.30am Monday to Friday for disabled pass holders and free travel for all concessionary pass holders after 11.00pm Monday to Friday.

Reasons for Recommendations

3. To enable the Cabinet to take into account the results of the consultation and the EqIA before making a decision on the provision of discretionary concessionary travel arrangements offered in Leicestershire.

Timetable for decisions (including Scrutiny)

4. Subject to Cabinet's agreement, any changes to the elements of discretionary concessionary travel should be introduced from September 2013 in order to achieve the savings targets agreed in the MTFS for 2014/15.
5. This report will be considered by the Scrutiny Commission on 5th July 2013 and its comments will be reported to the Cabinet.

Policy Framework and Previous Decisions

6. The English National Concessionary Travel Scheme (ENCTS) applies equally to qualifying elderly and disabled concessionary pass users in providing free travel on any local bus service between 9.30am and 11.00pm Monday to Friday and at any time on Saturday, Sunday and Bank Holidays.
7. There are 4 discretionary elements provided by the County Council in addition to the statutory English National Concessionary Travel Scheme (ENCTS):
 - a) Free travel for disabled concessionary pass holders before 9.30am Monday to Friday.
 - b) Free travel after 11.00pm Monday to Friday for disabled and older concessionary pass holders.
 - c) £33 of vouchers for use on local taxi and bus services as an alternative to the statutory concession scheme if the application is disabled or lives over 800 metres from a frequent bus service.
 - d) Half fare on community transport services.
8. The Cabinet considered the provisional Medium Term Financial Strategy (MTFS) at its meeting on 17th January 2012 and authorised the Director of Environment and Transport to undertake consultation on proposals for changes to the discretionary elements of home to school transport and discretionary elements of concessionary travel with a view to achieving the proposed savings as indicated in paragraph 46 of that report. The Full County Council on 22nd February 2012 approved the MTFS for 2012/13 through to 2015/16.
9. The Cabinet, on 8 May 2012 deferred consideration of the outcome of the consultation.
10. The Cabinet considered a refreshed MTFS on 16th January 2013 and the Full County Council on 20th February 2013 approved the Medium Term Financial Strategy 2013/14 to 2016/17 including saving S40 in appendix D to that report.
11. The Director of Environment and Transport then undertook a further consultation from 20 May to 30 June designed to examine the potential impact of savings agreed in the Medium Term Financial Strategy (MTFS) in February 2013.

Resource Implications

12. A saving of £135,000 was originally built in against concessionary travel for 2012/13 rising to £270,000 from 2013/14 onwards, although the decision to take this forward was subsequently delayed.
13. The recommendations as laid out in paragraph 2 (b) of this report will allow the £270,000 savings to be mainly achieved in 2013/14 and fully realised from 2014/15 onwards.
14. The Director of Corporate Resources has been consulted on the financial implications of this report.

Legal Issues

Comments of the County Solicitor

15. The Transport Act 1985 enables the County Council to establish a discretionary concessionary scheme. Any change in the eligibility criteria or entitlement is subject to general public law principles requiring consultation with individuals and groups likely to be affected by any decision. Although the provision is discretionary this does not remove the requirement to consider the impact of the decision on protected groups and the public sector equality duty referred to in paragraphs 25 to 30.

Circulation under the Local Issues Alert Procedure

16. A copy of this report is being circulated to all Members under cover of the Members' News in Brief.

Officers to Contact

Ian Drummond Assistant Director, Transportation, Environment and Transport
Department

Email: ian.drummond@leics.gov.uk Tel: 0116 305 5990

Tony Kirk Sustainable Travel Group Manager, Environment and Transport
Department

Email: tony.kirk@leics.gov.uk Tel: 0116 305 6270

PART B

17. The results of an Equality Impact Assessment (EqIA) are attached as Appendix E to this report. A consultation was undertaken between 20 May and 30 June 2013 designed to examine the potential impact of savings agreed in the Medium Term Financial Strategy (MTFS) in February 2013. The results of this consultation will inform the proposed composition of the concessionary travel scheme in Leicestershire, to run from 1st September 2013.

Results of the Consultation on Concessionary Travel

18. The main results of the consultation, up to and including 25th June 2013, are attached in Appendix A to this report. The consultation responses suggest that retention of the discretionary elements of concessionary travel is strongly supported. 357 responses were made to this consultation to 25th June. 85% of respondents had some form of concession.
19. A number of comments to 25th June 2013 were made on this part of the consultation and a summary of these is attached at Appendix B to this report.
20. The consultation closed on 30th June and an update to the consultation responses contained in appendices A and B received beyond 25th June will be reported to Cabinet.

Proposed changes to Concessionary Travel

21. The removal of free travel for disabled concessionary pass holders before 9.30am Monday to Friday would mean that pass holders will have to pay full adult fare to travel before 9.30am on Mondays to Fridays. This would affect pass holders in employment wishing to travel to work and those traveling to early medical appointments.
22. The removal of free travel after 11.00pm Monday to Friday for disabled and older concessionary pass holders would be of limited impact as there are few bus service departures after this time and generally travel would be for discretionary leisure purposes.
23. The removal of £33 of vouchers for use on local taxi and bus services as an alternative to the statutory concession scheme would mean that this value will be lost and generally recipients of this alternative discretion will either opt to apply for an ENCTS concessionary pass or pay the taxi fares. Where Demand Responsive Transport (DRT) services are provided in rural areas free travel would be available for concessionary pass holders.
24. The removal of half fare on community transport services would affect regular users but research has shown that users value the service offered by such services and consider that they offer good value for money.

Equalities

25. The County Council has responsibilities under the Public Sector Equality Duty which came into force across Great Britain on 5 April 2011. It means that public bodies have to consider protected groups when carrying out their day-to-day work – in shaping policy, in delivering services and in relation to their own employees. It also requires that public bodies:

- have due regard to the need to eliminate discrimination
- advance equality of opportunity
- foster good relations between different people when carrying out their activities

26. The duties under this act are considered in the Equality Impact Assessment (EqIA).

Equality Impact Assessment (EqIA)

27. An EqIA, attached at Appendix E to this report, has been completed for the proposals in the consultation on the discretionary elements of concessionary travel.
28. The assessment concludes that there could be a low level negative impact on service users in regard of their age or disability. For some segments of the disabled population there may be a high adverse impact e.g. those pass holders with visual impairments.
29. There may also be an adverse effect on low income service users who may have to pay full fare at certain times if discretionary elements are withdrawn.
30. However, it should be noted the ENCTS will still result in a positive impact for elderly and disabled residents of the County even in its minimum statutory form.

Background Papers

Report to County Council - Medium Term Financial Strategy 2013/14 – 2016/17 – 22 February 2013 (minute 136 refers)

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=134&MId=3295&Ver=4>

Report to the Cabinet – Provisional MTFS 2012/13 – 2015/16 – 17 January 2012 (minute 443 refers)

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=3491&Ver=4>

English National Concessionary Travel Scheme (ENCTS)

<http://assets.dft.gov.uk/publications/guidance-for-travel-concession-authorities-on-the-england-national-concessionary-travel-scheme/travelconcession.pdf>

Appendices

Appendix A - details of consultation responses on concessionary travel

Appendix B - summary of written responses

Appendix C - copy of consultation

Appendix D - copy of consultation response form

Appendix E - Equalities Impact Assessment

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Appendix A**Details of consultation responses on proposed changes to concessionary travel**

- Findings as end of 25th June 2013

Concessionary Travel user numbers

- 120,000 older person pass holders
- 8,500 disabled person pass holders
- 3,600 vouchers holders

Consultation Process

The consultation ran from 20th May to 30th June 2013. The consultation was sent to disabled and elderly representative organisations and voluntary sector transport providers.

A press release covered the consultation process and a Members' News in Brief was circulated to all County Councillors.

The consultation was also promoted via a scrolling news item on the front page of the County Council website.

Count of responses to 25 June 2013: 357

Headlines**Withdrawal of half fare on community transport**

- **80% disagreed** that it should be withdrawn (60% 'Strongly Disagreed')
- 12% agreed it should be withdrawn

Withdrawal of taxi vouchers for disabled people who cannot use conventional bus services and for older people who live over 800 metres from an hourly bus

- **80% disagreed** that it should be withdrawn (58% 'Strongly Disagreed')
- 7% agreed it should be withdrawn

Withdrawal of free bus travel for disabled people before 9.30am, Mondays to Fridays

- **68% disagreed** that it should be withdrawn (50% 'Strongly Disagreed')
- 22% agreed it should be withdrawn

Withdrawal of free bus travel for older people and for disabled people after 11pm, Mondays to Fridays

- **50% disagreed** that it should be withdrawn (36% 'Strongly Disagreed')
- 35% agreed it should be withdrawn

Concessionary type

85% currently use some form of concessionary travel, of which:

- 87% use bus passes for older people
- 11% use bus passes for disabled people
- 2% use taxi vouchers

Findings by statistical significance

Withdrawal of half fare on community transport (340 responses)

Agreement

- Users of bus passes for disabled people were more likely than expected to 'Agree' (16%)
- Males were more likely than expected to 'Strongly Agree' (9%)
- Those aged under 40 were more likely than expected to 'Strongly Agree' (16%)
- Employees of Leicestershire County Council were more likely than expected to 'Strongly Agree' (22%)

Disagreement

- No significance found

Withdrawal of taxi vouchers for disabled people who cannot use conventional bus services and for older people who live over 800 metres from an hourly bus (323 responses)

Agreement

- Employees of Leicestershire County Council were more likely than expected to 'Strongly Agree' (20%)

Disagreement

- No significance found

Withdrawal of free bus travel for disabled people before 9.30am, Mondays to Fridays (321 responses)**Agreement**

- Males were more likely than expected to 'Strongly Agree' (16%)

Disagreement

- Users of bus passes for disabled people were more likely than expected to 'Strongly Disagree' (80%)
- Those aged under 40 were more likely than expected to 'Strongly Disagree' (84%)

Withdrawal of free bus travel for older people and for disabled people after 11pm, Mondays to Fridays (324 responses)**Agreement**

- No significance found

Disagreement

- No significance found

Note on representation

The demographic profile of respondents shows that there is an over-representation of responses (using comparable 2011 Census data) from county residents who are:

- Female
- White
- Over 60 years old
- And those who have no cars or vans in their household

There is a under-representation from county residents who are:

- Male
- Under 60 years old
- Asian or Asian British
- And those who have two or more cars or vans in their household

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Appendix B

Summary of written responses to the consultation on the withdrawal of the discretionary elements of the concessionary travel scheme.

General summary of comments received up to 25th June 2013

This summary includes comments made on the consultation response form, and in separate correspondence received in response to the consultation. It omits comments about matters which the County Council cannot influence, e.g. suggested changes to the statutory national concessionary travel scheme.

Specific Comments

Community Transport attracted a good number of comments about the facility; some transport providers actively encouraged their users to respond.

Common themes were:

- a) Increasing the cost of community transport to users increased the disparity between the frail elderly reliant on community transport and the younger pensioner group able to access free bus travel.
- b) Increasing the cost would lead to greater social isolation among current scheme users.
- c) Increasing the cost to users could reduce scheme usage to the extent that schemes were no longer viable, therefore impacting on those willing to pay full fare and potentially on other activities of the transport provider.
- d) The schemes sometimes provide the only affordable or practical means to reach shops or medical appointments.
- e) One or two comments that users would be prepared to pay the full fare as they find the service so useful.
- f) A number of comments about how good a service is provided by voluntary sector transport organisations.

Pre 9.30 am free bus travel for disabled people comments included:

- a) Having to pay for am travel could mean those disabled people in low paid jobs would be better off not working.
- b) The saving of £20,000 per annum is relatively modest but will cause particular difficulty for disabled people, for example those unable to handle money due to their disability.
- c) Early journeys are sometimes necessary for medical appointments.

Withdrawal of taxi vouchers received relatively few comments: most concerned increasing loss of independence for frail elderly and disabled people.

Free bus travel after 11pm only comment was that people could be unexpectedly stranded, if a bus scheduled to depart before 11 pm runs late and the driver refuses free travel.



Consultation

on proposed changes to
concessionary travel

Have your say

We want your views on the proposed changes. We're asking you to read our summary below, and then complete a feedback form.

For more information, get in touch – our contact details are on the last page.

We're listening



Budget pressures



We will consider reducing expenditure on concessionary travel each year by



£270,000

Leicestershire County Council is facing a number of challenges. The funding we receive from national Government is reducing. At the same time demand for services, such as care for older people and waste disposal, is expected to go up.

We also have to deal with the impact of schools locally moving to academy status and coming out of council control. Because the Government will transfer funding from the council's budget to support the new academies, we have to deal with this additional implication of losing further significant funding. All of this means we have to save more.

We are now looking at how we can achieve additional savings. In making decisions, we must target our resources at those with the greatest need. We will be undertaking an Equalities Impact Assessment on these proposals.

About concessionary travel

The English National Concessionary Travel Scheme entitles both qualifying older residents and disabled residents to free travel on local bus services between 9.30am and 11.00pm Monday to Friday and at any time at weekends and bank holidays.

Your views

Leicestershire County Council currently offers the following **additional** concessions:

Free travel for disabled people before 9.30am and after 11.00pm on Monday to Friday

Free travel after 11.00pm on Monday to Friday for older people.

Vouchers, worth £33 per year, for disabled people who cannot use conventional bus services and for older people who live over 800 metres from an hourly bus.

Half fare on Community Transport services (such as dial-a-ride and social car schemes).

Around 120,000 residents hold an older person's bus pass, and a further 8,500 hold a disabled person's bus pass.

The council is considering the withdrawal of these extra elements of the Leicestershire concessionary travel scheme.

Last year we carried out a consultation about withdrawing those parts of the concessionary travel scheme that we currently provide on a discretionary basis, over and above the minimum requirement to provide the English National Concessionary Travel Scheme, but decided not to make any changes at that time.

Because of the increasingly difficult financial situation, we are now considering again whether we should discontinue the scheme's discretionary elements, to contribute to the council's overall saving requirements, and are asking for your views on these proposals. This would reduce expenditure on concessionary travel by £270,000 per year.



Have your say

We would like to take into account the views of residents and partners in developing our final proposals.

Deadline for responses:
Sunday 30th June 2013.

To request a hard copy of the form:

Tel **0116 305 0002** or email
passengertransport@leics.gov.uk

What happens next?

Following the consultation period, responses to the survey will be considered by the Cabinet on 9th July 2013.

The outcomes of the consultation will be published on the website in July 2013.

We're listening



Consultation on proposed changes to concessionary travel

Budget pressures

Leicestershire County Council is facing a number of challenges, including a 30% cut in grant income over the next three years, and needs to make approximately £100million savings over the next four years. At the same time demand for services, such as care for older people and waste disposal, is expected to go up.

We also have to deal with the impact of schools locally moving to academy status and coming out of council control. Because the Government will transfer funding from the council's budget to support the new academies, we have to deal with this additional implication of losing further significant funding. All of this means we have to save more.

We are now looking at how we can achieve additional savings. In making decisions, we must target our resources at those with the greatest need. We will be undertaking an Equalities Impact Assessment on these proposals.

Your views

Last year we carried out a consultation about withdrawing those parts of the concessionary travel scheme that we currently provide on a discretionary basis, over and above the minimum requirement to provide the English National Concessionary Travel Scheme, but decided not to implement any changes at that time.

Because of the increasingly difficult financial situation, we are now considering again whether we should discontinue the scheme's discretionary elements, to contribute to the council's overall saving requirements, and are asking for your views on these proposals. This would reduce expenditure on concessionary travel by £270,000 per year.

If you have any questions about this consultation please contact 0116 305 0002 or e-mail passengertransport@leics.gov.uk

Concessionary Travel

The national concessionary travel scheme entitles both older people and disabled people to free travel on local bus services between 9.30am and 11.00pm Monday to Friday and at any time at weekends and bank holidays. In addition to the national scheme, the County Council provides a number of extra concessions. The council is considering the withdrawal of these extra elements of the Leicestershire concessionary travel scheme, which cost £270,000 per year.

Around 120,000 residents hold an older person's bus pass, and a further 8,500 hold a disabled person's bus pass.

Q1. Do you currently have a concessionary bus pass or use taxi vouchers?

Yes

No

Q2. If yes, which type of concession do you have? Please tick one box only.

Bus pass for older people

Bus pass for disabled people

Taxi vouchers

- Q3. **To what extent do you agree or disagree that the following extra elements of the Leicestershire concessionary travel scheme should be withdrawn?** (The amount currently being spent is shown in brackets against each service listed)

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
Withdrawal of half fare on community transport (£160,000)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Withdrawal of taxi vouchers for disabled people who cannot use conventional bus services and for older people who live over 800 metres from an hourly bus (£80,000)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Withdrawal of free bus travel for disabled people before 9.30 am Mondays to Fridays (£20,000)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Withdrawal of free bus travel for older people and for disabled people after 11 pm Mondays to Fridays (£10,000)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- Q4. **Please use the space below to let us know any comments about our proposals for discretionary concessionary travel provision:**

About You

Leicestershire County Council is committed to ensuring that its services, policies and practices are free from discrimination and prejudice and that they meet the needs of all sections of the community.

We would be grateful if you would answer the questions below. You are under no obligation to provide the information requested, but it would help us greatly if you did. Information will be used to inform service development to ensure that what we are providing is fair and effective.

- Q5. **Are you male or female?**

Male Female

- Q6. **What was your age on your last birthday?**

- Q7. **Do you have any long-standing illness, disability or infirmity?**

Yes No

- Q8. **What is your ethnic group?** Please tick one box only

White Black or Black British
 Mixed Other ethnic group
 Asian or Asian British

Q9. What is your religion or belief?

- | | |
|---|---|
| <input type="checkbox"/> No religion | <input type="checkbox"/> Hindu |
| <input type="checkbox"/> Christian (no denomination) | <input type="checkbox"/> Jewish |
| <input type="checkbox"/> Roman Catholic | <input type="checkbox"/> Muslim |
| <input type="checkbox"/> Church of England/Anglican | <input type="checkbox"/> Sikh |
| <input type="checkbox"/> Christian (other denomination) | <input type="checkbox"/> Any other religion or belief |
| <input type="checkbox"/> Buddhist | |

Q10. Sexual Orientation. Many people face discrimination because of their sexual orientation and for this reason we have decided to ask this monitoring question. You do not have to answer it but we would be grateful if you could tick the box next to the category which describes your sexual orientation:

- | | |
|--|----------------------------------|
| <input type="checkbox"/> Bisexual | <input type="checkbox"/> Lesbian |
| <input type="checkbox"/> Gay | <input type="checkbox"/> Other |
| <input type="checkbox"/> Heterosexual / Straight | |

Q11. In total, how many cars or vans are owned or available for use by members of your household?

- | | |
|-------------------------------|---------------------------------------|
| <input type="checkbox"/> None | <input type="checkbox"/> Three |
| <input type="checkbox"/> One | <input type="checkbox"/> Four or more |
| <input type="checkbox"/> Two | <input type="checkbox"/> Don't know |

Q12. What is your postcode?

Q13. Are you an employee of Leicestershire County Council?

- Yes No

Thank you.

Please send your completed survey to:

Transport Consultation (Concessionary), Business Development & Support Team, Sustainable Travel Group, Environment & Transport Department, Leicestershire County Council, County Hall, Glenfield, Leicester. LE3 8RJ.

Data Protection: Personal data supplied on this form will be held on computer and will be used in accordance with the Data Protection Act 1998. The information you provide will be used for statistical analysis, management, planning and the provision of services by the County Council and its partners. Leicestershire County Council will not share any personal information collected as part of this survey with its partners. The information will be held in accordance with the Council's records management and retention policy.

If you require the information contained in this questionnaire in an alternative version such as large print, Braille or help in understanding it in your language, please contact: 0116 305 0002 or email: passengertransport@leics.gov.uk

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Equality Impact Assessment – Concessionary Travel

Title of service being assessed: Potential change to the Leicestershire Concessionary Travel Scheme.

Name of Department: Department of Environment & Transport

Name and role of the officers completing this assessment:
 Ian Drummond – Assistant Director Transportation
 Tony Kirk – Group Manager – Sustainable Travel
 Phil Brecknell – Business Support Manager

Contact telephone Number: 0116 305 6270.

Date Assessment completed: June 2013

Defining the service:**1. What are the aims, objectives of purpose of the service? Are these reflected in the relevant service plan?**

The purpose of the Concessionary Travel Scheme is to enable elderly and disabled county residents to travel around on bus services free within defined hours. This is by statute using the 1985 and 2000 Transport Act (as modified by the Concessionary Bus Travel Act 2007). Other discretionary concessions are currently available including use on other modes of transport. The potential change to the scheme would involve discontinuing some or all of these discretionary concessions.

2. What outcomes does the service want to achieve and for whom? How have these been determined? Please also list any relevant performance indicators.

The legal framework (Transport Act 1985 and 2000 and Concessionary Bus Travel Act 2007) determines the requirements for the Concessionary Travel Scheme. The desired outcomes are that available passenger transport services reflect the Acts and that those people entitled to concessionary travel under the arrangements currently stipulated and financially supported by central government use the services provided. The potential change to the scheme would provide a contribution to savings the County Council is having to find in response to budgetary pressures and the withdrawal of some central government funding. There are no specific performance indicators related to this provision, although use of passenger transport by those entitled to concessionary travel has a beneficial impact on the cumulative number of passenger journeys made in the county of Leicestershire. However, as any increase or decrease in this cumulative number is influenced by a number of independent factors, an increase or decrease in bus patronage will not clearly reflect the effectiveness (or otherwise) of the Concessionary Travel Scheme.

3. Who is responsible for delivering the service? Are there any other organisations involved? If other organisations are involved are they fully compliant with the Council's Equality Policy?

Leicestershire County Council is responsible for delivering the service. The Sustainable Travel Group and Fleet Services (who maintain the Council's vehicles) work in tandem with private bus service companies to deliver local passenger transport services. District

Councils may in future choose to invoke “wellbeing” powers to fund additions to the statutory scheme within their district, and ask the County Council to provide these on their behalf. These external organisations are aware and supportive of the Council’s Equality Policy.

4. Consider the answers given questions 1, 2 and 3 and assess whether your service results, or could result in adverse impact on or discrimination against different groups of people. If you consider that there is adverse impact or discrimination, or the potential for either, please outline below and state whether it is justifiable or legitimate and give your reasons for this.

Target Equality Group	Does it have a Positive Impact?	Does it have a Negative Impact?	If it has a negative impact, is the level of this impact high or low?
Age	Yes. The National Travel Scheme is specifically intended for elderly and disabled persons.	Yes. Although the National Travel Scheme has an age threshold, it does not disadvantage other individuals. However, removing the discretionary elements of the scheme will reduce accessibility to bus services in the late evening and to other modes of transport.	Low - concessionary travel will remain available on buses at statutory times so some currently travelling in the late evening will be able to change their journey time to continue to benefit. At non-statutory times and on non-bus modes, facilities will still exist albeit at full commercial fare.
Belief or faith	No. An individual's faith or beliefs does not feature in the operation of the National Travel Scheme.	No. An individual's faith or beliefs does not exclude them from the National Travel Scheme.	
Disability	Yes. The National Travel scheme is specifically intended to support residents who are disabled. Documents are available in large print.	Yes. The Council may only have the resource to fund a partial solution for disabled residents able to make practical use of a bus pass. Therefore removing the discretionary elements of the scheme will reduce accessibility to bus services at certain times and to other modes of transport.	Low –Disabled residents in this situation may have other assistance with travel from other sources. Concessionary travel will remain available on buses at statutory times so some will be able to change their journey time or mode to continue to benefit. At non-statutory times and on non-bus modes, facilities will still exist

			<p>albeit at full commercial fare. There may be a high impact for those with difficulty in using cash to pay fares. This may in particular affect some people with visual impairment, deafness or learning disability. There may also be a high impact for users of community transport who cannot transfer to other modes due to mobility or affordability issues. Withdrawing the concessionary travel facility could result in the closure or partial closure of schemes, as usage levels and income will fall significantly if the half fare travel facility is withdrawn (the County Council reimburses the part of the full fare not paid by concessionary pass holders).</p>
Sexual Orientation	No. An individual's sexual orientation does not feature in the administration of the National Travel Scheme	No. An individual's sexual orientation does not feature in the administration of the National Travel Scheme	
Gender	No. An individual's gender does not feature in the administration of the National Travel Scheme	No. An individual's gender does not feature in the administration of the National Travel Scheme. Qualifying age for an older person's concession is the same irrespective of gender.	

Race	Yes. Documents are available in alternative languages.	No. An individual's race does not feature in the administration of the National Travel Scheme	
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There is likely to be an adverse impact for some groups of people that is justifiable and legitimate rather than illegal. Reasons for this are as follows:

- Groups most affected will be those with insufficient income to afford the full commercial fare, all of the equality strands will be equally affected by this criterion.
- Central Government are funding the statutory scheme: in the current economic and funding climate the County Council may not feel it is able to fund non-statutory elements.
- Consultations are being conducted to obtain a public opinion on whether to continue funding non-statutory services: any savings will contribute towards a reduction in Council Tax for all Leicestershire residents, including all those in the various equality strands.
- Public transport will still be available to concession-holders outside the statutory hours, but only at the full commercial fare.
- There is no requirement to offer discretionary concessions and many other shire counties already do not do so.

5. If you have identified adverse impact of discrimination that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people. This arises out of the duty to promote good relations between people of different groups and is in keeping with the Council's approach to social cohesion.

List process and criteria	Essential?	Barriers identified and groups affected
Public consultation	Yes	All affected groups, including special interest organisations, invited to comment publicly on the proposals to curtail non-statutory service provision. Consultation documentation available by web, post and large print on request.
Statutory provision for a specific group of elderly or disabled people	Yes	

6. Consider what barriers you can remove, and what reasonable adjustment may be necessary to ensure the service is accessible (this could include providing the service elsewhere). Consider what actions you will need to take to address any unmet needs that you have identified.

Barriers and reasonable adjustments:

Literature about the scheme must be accessible and so must be clear, simple and concise avoiding jargon where possible. Some language barriers may still exist, but the use of the County Council's corporately procured interpreting service may mitigate most of these, and increasing driver awareness of British Sign Language may also help. This will be more achievable with the co-operation of external bus companies. Application forms have a small section of alternative languages signposting to the availability of further help.

Reasonable adjustments include ensuring that all literature should be available in other formats upon request.

Information about the service is currently available through the County Council's website, libraries, and other publications. District Councils also hold information on the service.

Encouraging private bus companies to accelerate the move to fully low-floor fleets may make buses more accessible to those who currently use travel concessions on other modes because they cannot manage entrance steps on older buses.

Continuing to offer discretionary concessions on a very limited basis may be appropriate, e.g. where the only bus of the day from an isolated community is at non-statutory times.

7(a). What does analysis of the data tell you about how well your service is meeting the needs of the various equality groups? How up to date is the information.

The monitoring data is as follows for the equality groups concerned.

Age	Service users	County Population
60+ *	121100	159,900

*In order to qualify for concessionary travel, both men and women must have attained the current women's state pension age.

Source: Census 2011

Disability	Service users	County Population
Yes	8600	98456 (15.5%)*
No	121100	536744 (84.5%)
No Replies	n/a	N/A

*Figures from 2001 Census for all people with a long term limiting illness

Gender	Service users	County Population
Male	56800	321400(49.4%)
Female	72900	329100(50.6%)
No reply	0	N/A

Census 2011

Ethnicity	Service users	County Population*
White: British or Irish	Not known	582400 (93.3%)
Mixed	Not known	6000 (0.96%)
Asian/Asian British	Not known	28900 (4.62%)
Black/Black British	Not known	3800 (0.6%)
Chinese	Not known	700 (0.1%)
No reply	Not known	N/A

National Statistics 2001

Faith	Service users	County Population
Buddhist	n/a	900 (0.1%)
Christian	n/a	452347 (74.2%)
Hindu	n/a	12329 (2%)
Jewish	n/a	615 (0.1%)
Muslim	n/a	4939 (0.8%)

Sikh	n/a	4967 (0.8%)
None	n/a	92810 (15.2%)
No reply	n/a	N/A

National Statistics 2001

Sexuality*	Service users
Bi-sexual	n/a
Gay	n/a
Heterosexual	n/a
Lesbian	n/a
No reply	n/a

*Note National Census does not ask about sexual orientation and it is not relevant for the provision of concessionary travel.

Ethnicity data will be collected as part of the processes within the Customer Services Centre. Take-up figures can then be checked against the census data. If a problem is identified from further consideration, a solution will be designed to address those issues raised.

(b) Which groups of people are you hearing from? Are there groups of people that you are not hearing from? What can you do to ensure that people are able to provide feedback on the service? Is there information on service user needs held by other services that would be appropriate for your services?

Data Type	Source (s)	Analysis of the data and/or gaps in information	When last gathered
Compliments, complaints and comments	Feedback through drivers, Customer Service Centre and website	Verbal and written comments, including compliments and complaints	Ongoing
Service take-up	75.7% for elderly persons' scheme	Report from concessionary travel database.	June 2013
Consultation responses	Consultation document about potential changes to the scheme	Responses by web, phone and hard copy	June 2013

8 Social cohesion is a priority for Councils. Review all the actions and targets that you have identified as a result of this equality impact assessment as to what social cohesion issues could arise.

The Transport Act 2000 and Concessionary Bus Travel Act 2007 set out clearly the qualifying criteria for participation in the concessionary travel scheme. Therefore, only a minority of Leicestershire residents are considered eligible for participation. No formal monitoring mechanism currently exists, other than the qualifying criteria held on application forms, and these are not held for any length of time by LCC.

The Concessionary Travel Scheme is open to residents of all ethnicities, faiths, sexual orientation and age (depending upon whether or not the applicant is a disabled person), and to non-disabled persons eligible by reason of age.

The potential changes to the scheme may marginally reduce social cohesion due to preventing a minority of concession holders from accessing community facilities as frequently as previously. However, it is not thought that this would be any different in Leicestershire to places elsewhere where discretionary concessions are not provided.

Objective	Actions	Targets	Responsible officer	By when
Explain service changes to all groups	Publicise via website, on-bus information, reprint and update information accompanying application forms; approach groups representing older and disabled people; liaise with community transport providers. Make information in alternative languages and formats available.	Ensure information is widely available and understood to help avoid conflict between users and transport operators.	Group Manager	Publicity to be available a minimum of 14 days before service changes take effect.

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