



Proposals for Home to School Transport.

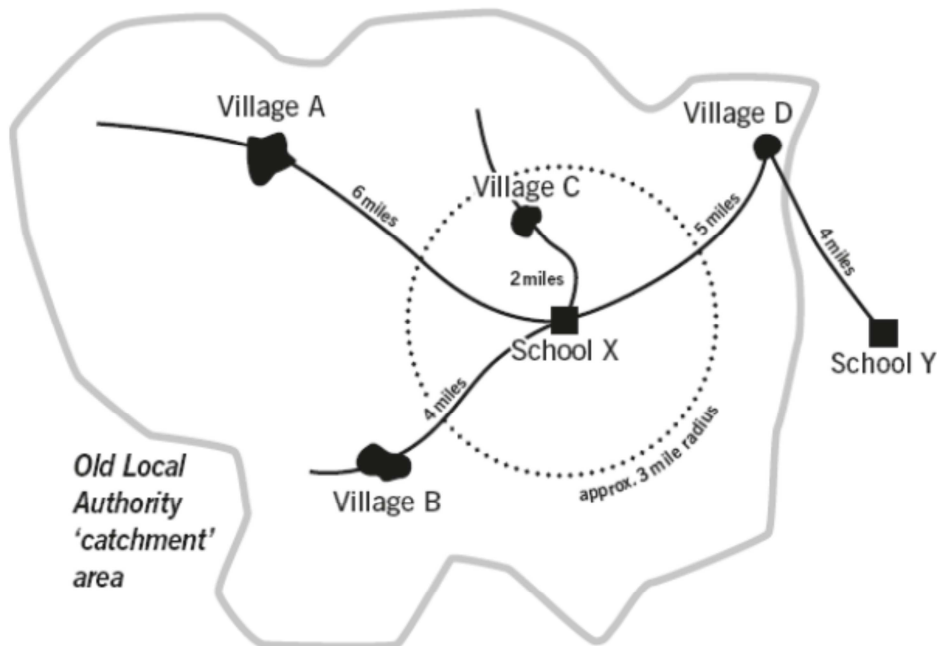
Exploring an Alternative Policy

By the Leicestershire
Liberal Democrats



Problem with the Current System (the need for change)

The current system for Home to School Transport is based around catchment areas.



Under existing Policy:

- Villages A, B and D are all offered transport to School X as they are in the school's catchment area.
- Village C is in the catchment area, but is close enough for students to walk. (The distance being less than 3 miles)
- Village D was is offered transport to School Y as it's the nearest school.

Parents and schools are largely happy with this policy, but due to the change to Academies, it is no longer viable.



Reasons for the Need for Change

- Academies and Free Schools are now able to set their own admissions areas. If transport policy is linked to admissions area, schools can potentially make unreasonable transport demands.

(One free school declared the whole of Suffolk to be its catchment, requiring the Council to transport students from all over.)

- Some councils have responded by basing their policy around “travel areas”. These are like catchment areas, but are set by councils rather than schools, putting councils back in control again.
- However, councils have to be very careful in how they draw up these areas as if a school feels it favours their rivals they might issue a legal challenge.

Academies and Free Schools are now independent businesses and it’s illegal for a Council to arbitrarily favour one business over another.

- The councils that have use travel areas have relied on historical catchment areas that their schools were largely happy with.

Leicestershire County Council took a similar measure in May 2012 when it chose to freeze school transport policy with 2012 catchment areas, effectively making “travel areas” out of 2012 catchment areas.

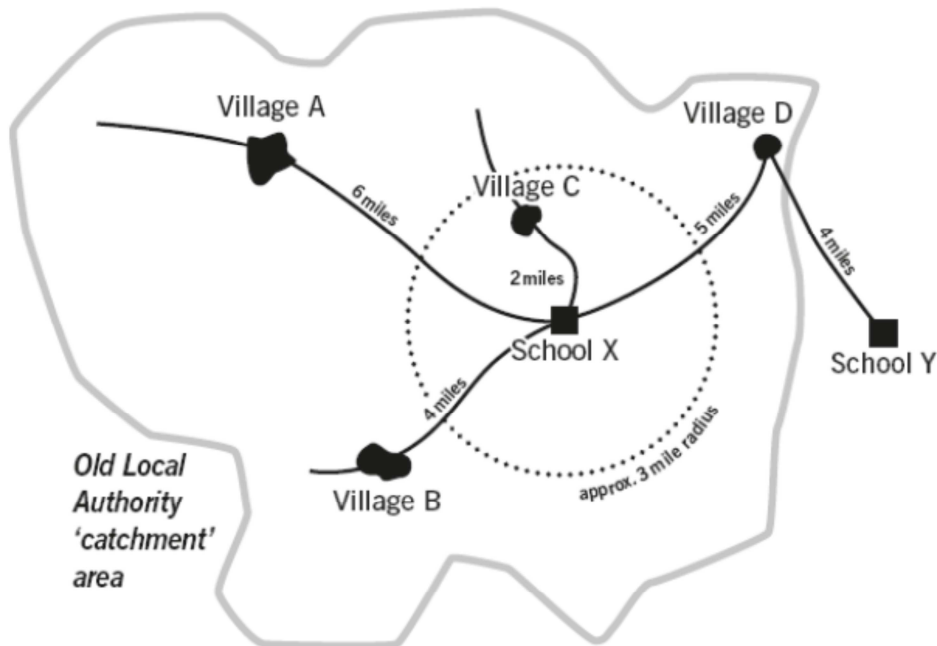
- However, with the age range changes happening within many Leicestershire schools, some of the 2012 catchment areas are already out of date, and some schools are starting to challenge them.

As a result, Leicestershire County Council needs a new policy, one that won’t be open to legal challenges from schools.



The 'Nearest School Only' Policy

Leics CC is currently consulting on a 'Nearest School Only' Policy.



Under the 'nearest school' Policy:

- Villages A and B are still offered transport to School X as it is the nearest school.
- Village D is now only offered transport to School Y as it is the nearest school.
- If Village D has 20 children, but School Y only 10 places, the 10 that don't get into School Y will instead get transport to School X, but only once they've been rejected from School Y.

As this policy is based around a simple objective rule, rather than potentially arbitrary decision on how to draw up travel areas, and because it closely matches the statutory minimum requirements as set by the central government, the Council is confident that it would minimise the risk of a legal challenge.

For this reason, a number of other County Councils across the Country have adopted already this policy. However, it has a number of flaws.



Problems with the 'Nearest School Only' Policy

While the 'nearest school only' policy may protect the Council from legal challenges, it has a number of negative consequences that has made is unacceptable to a number of schools, parents and councillors.

- **Splitting up Classmates**

As noted on the third bullet point on the previous page, the 'nearest school' might not have enough places to take in all students from a primary school, potentially splitting up classmates.

- **Sending Students outside of the County**

If using a 'nearest school' policy, the Council is not allowed to discriminate based on geographical boundaries. If the nearest school is outside the County, that's where transport will be provided.

While there are good schools outside of the County, the Council lacks oversight of them and will have limited power to address any problems.

- **Damage to Feeder School Relationships**

Some primary and secondary schools have long standing feeder-school affiliations that stretch back decades. They have spent many years working closely with each other to help ease the transition for students moving between schools, for the best of their education.

If this policy withdraws transport for students from the feeder school, these relationships would be under threat.

- **A huge shake-up of School Transport Provision**

This policy will cause a huge shake up of School Transport provision; changing, or even ending, entitlements for many schools and families. This could be very disruptive to the schools' day to day running.

Some of these shake-ups are likely to happen anyway due to age range changes, but many of the schools involved in these changes claim that the new transport policy will disrupt things even more so.

- **Unpredictable for Parents**

While it is easy to predict what the 'nearest school' is for a particular family, if a school lacks places (third bullet point on previous page) then the parents will have no advance way of knowing which students will be accepted by that school and where their child will end up.

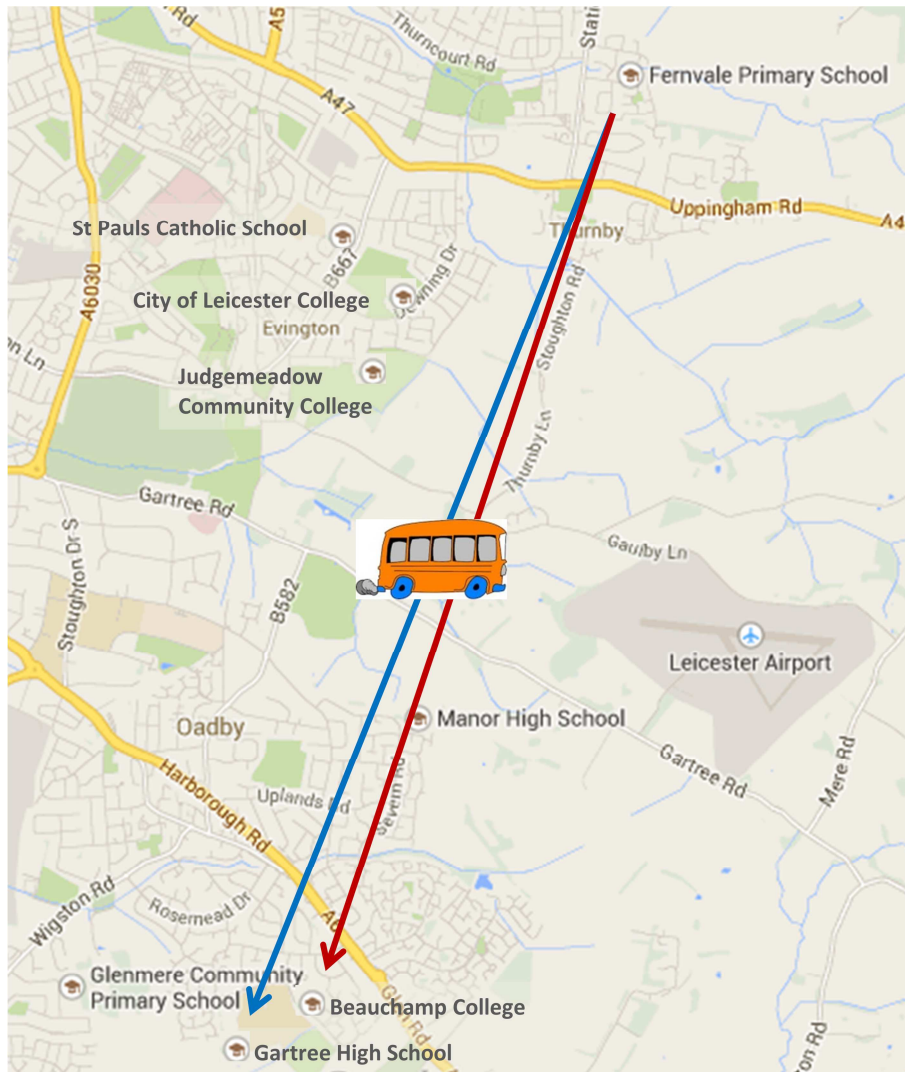
On the following page, we use Fernvale Primary School as an example to illustrate how these problems are expected to manifest.



Case Example: Graduates from Fernvale

Under the current policy, children who graduate from Fernvale Primary School at the end of Year 5 are in the catchment area and for Gartree High School and are provided with free school transport to get there.

After they graduate from Gartree at the end of Year 9, they are provided with transport to Beauchamp College.



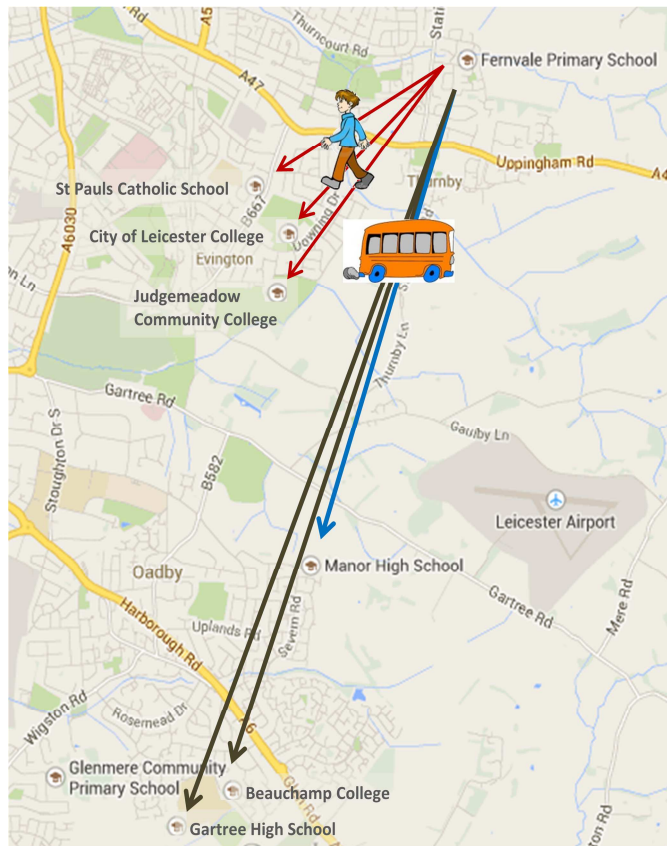
Fernvale, Gartree and Beauchamp have developed a close knit relationship, and have set up a number of measures to ease the transitions between schools and to maximise the learning experience of their students.



Under the ‘nearest school only’ policy:

When leaving Fernvale after Year 5, Manor High School will be the nearest school with available places for Year 6. If Manor runs out of spaces then the remainder will be given transport to Gartree High School instead.

When they graduate from their high school after Year 9, the nearest schools with available places for Year 10 will be within the City boundaries. As each school fills its remaining places, the remaining students will go to the next nearest school. If all three city schools fill, remaining students will be offered school transport to Beauchamp.



While Manor High School is a great school, it doesn't have the same feeder relationship with Fernvale that Gartree has developed. What's more, if Manor cannot accommodate all of Fernvale's students, classmates will be split up.

While the City schools have good reputations, again they lack the transitional links with both Fernvale and the two high schools. There is also chance that former classmates will be split as each school fills and remaining students are forced to go to the next.

The 'nearest school only' policy is likely to leave parents of Fernvale children with great uncertainty over which school their child will end up in.



An Alternative Solution based around 'Affiliating' Schools

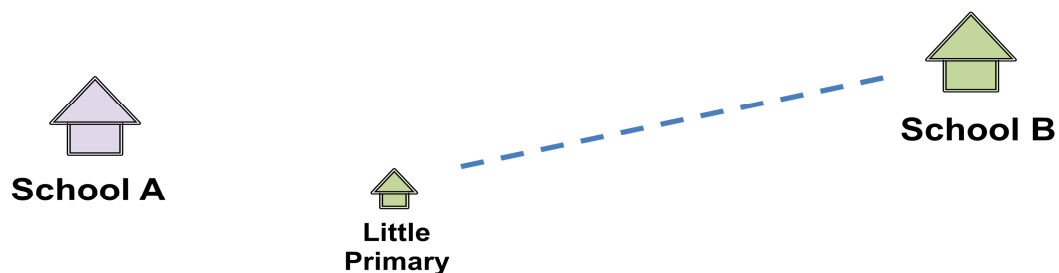
The Liberal Democrats have attempted to find a solution to this problem, which would provide parents and schools with the stability and certainty that comes with the catchment area policy, while also being legally watertight to prevent the Council from being at risk from legal challenges.

Our preferred solution is based around the relationships between Feeder Primary Schools and the Secondary Schools they affiliate with.

- Our policy would start with 'Nearest School Only' as the default policy that would apply to any areas where there were no affiliation agreements.
- From there, Secondary Schools would be able to apply for a "Affiliated for Transport Purposes" status with their Feeder Primary Schools.
- For any Primary School that successfully attained an 'affiliation status':
 - Any student within walking distance of the Primary School, and;
 - Any student entitled to free transport to the Primary School, would be entitled to free transport to the Secondary School that the Primary School is affiliated to.

For example:

Most of Little Primary's students live closest to School A.
If Little Primary has no affiliation status then they would only be provided transport to School A as their nearest school.



However, if Little Primary has gained 'Affiliation Status' with School B, its students will be eligible for free school transport to School B.



Advantages with an 'Affiliation' Based Transport Policy

A transport policy based around 'Affiliation' offers the following advantages:

- **Legality**

Council solicitors have confirmed that a policy based around 'Affiliation' could be legal *in principle*, so long as the practical implementation was successful.

Unlike the current catchment area policy, it is feasible for the Council to implement a policy of this type without being open to a legal challenge.

- **Fully Supports Feeder School Relationships**

Students of Feeder School Primary schools will be guaranteed transport to their affiliated Secondary School, helping to protect this relationship and the educational benefits that accompany it.

- **It Provides Schools and the Council with some Control**

The 'nearest school only' policy is blind to circumstances and leads to all kinds of negative consequences as detailed on previous pages.

A policy around affiliation gives schools and the Council a little more control, in order to deal with issues such as:

- **Keeping Classmates Together**

The Council will be able to ensure affiliated Secondary Schools have enough places to admit *all* the students from their feeder primary school before awarding affiliation status.

- **Keeping Leicestershire students within the County**

Primary Schools on the border of the County will be able to affiliate with other County schools to ensure their students are offered free transport to a County School.

- **Stability for Schools and Predictability for Parents**

This will avoid a disruptive shake-up for schools and provide parents with more certainty over which Secondary School their child will be offered free transport compared to the 'nearest school' process.

We believe that this policy can provide the stability that schools and parents enjoyed from the old catchment area policy *without* the Council exposed to a significant risk of a legal challenge.



Challenges in Developing a Policy around 'Affiliation'

Council solicitors have confirmed that a policy based around 'affiliation' could be legal *in principle* but whether it could work in practice would depend on the details of how it was implemented.

Here are some of the challenges that need to be considered:

- **Admissions Policy**

We may wish to ensure that if a Secondary School affiliated with a Primary School for transport purposes, that the Secondary School's admissions policy would have to guarantee a place for every child from that school.

- **Minimum Term**

To ensure stability, we might want to place minimum terms on affiliations. Should they last a minimum of 3-5 years?

- **Fairness on Upper Schools**

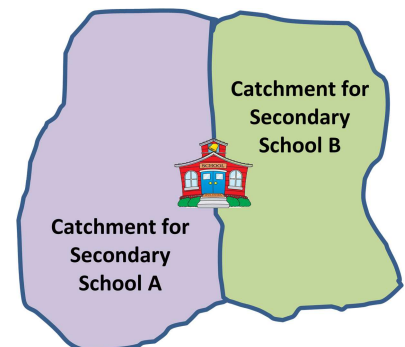
Upper Schools who have recently changed their age range from 14+ to 11+ will currently lack relationships with Primary Schools and would be at a disadvantage in competing for their affiliation.

We may wish to start this policy with an agreement over what the initial affiliations are, combined with a 3-5 year ceasefire on aggressive competition while the dust settles over the age range changes.

- **Split Catchments/Affiliations**

Some Primary Schools currently share catchment areas with two Secondary Schools.

Should we allow a similar arrangements for affiliations with these schools? Allowing a Primary School to split its affiliation with two Secondary Schools?



- **Maximum Distance**

Should we impose a maximum distance between affiliated schools to prevent one of our primary schools affiliating with a school in Cornwall?



- **Primary School Eligibility**

How do we decide whether a student benefits from their local primary school's affiliation? Do they need to have attended the school? But what if they later move into the area?

Should it instead be done on their location? Perhaps:

- Any student within the 2 mile "walking distance" of the Primary School?
- And any student entitled to transport to that Primary School.

- **Offer 'Nearest School' in Addition?**

Our current policy offers transport to either the "Catchment Area School" or the "Nearest School" – giving parents a choice of which.

Should we continue to offer a choice to "Affiliated School" and "Nearest School", or just offer transport to the Affiliated School?

Offering both provides some parents with more choice, but might also be more expensive, and wouldn't benefit parents without a separate "nearest school" that's over 3 miles away.

We acknowledge that developing a policy around affiliation will involve challenges but we believe that they can be over-come, and that the best policy for Leicestershire can come out of it.

We will ask officers to work on developing a policy based around affiliations which is:

- Rational
- Fair
- Transparent
- Easily Understandable for Parents

We request that officers provide an initial report back with progress at the next Scrutiny Commission on 26th March.

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