

NORTH SOMERSET COUNCIL DECISION



DECISION OF: COUNCILLOR HANNAH YOUNG. THE EXECUTIVE MEMBER FOR HIGHWAYS AND TRANSPORT

IN CONSULTATION WITH: THE EXECUTIVE MEMBER FOR CHILDRENS SERVICES, FAMILIES AND LIFELONG LEARNING.

WITH ADVICE FROM: THE DIRECTOR OF PLACE

DECISION NO: 24/25 DP 48

SUBJECT: APPROVAL TO CONSULT ON REVISIONS TO HOME TO SCHOOL TRANSPORT POLICIES (SEN & MAINSTREAM STATUTORY PROVISION)

KEY DECISION: NO

REASON: The value of this decision is less than £500,000 and this decision will not have a significant effect on communities living in two or more wards.

BACKGROUND:

The Department for Education (DfE) released revisions to the statutory guidance for home to school transport in both June 2023 and again in January 2024. The expectation is for local authorities to adopt the guidance within their local polices or have good reasons as to why that wouldn't be possible. The Integrated Transport Unit have prepared the necessary material to engage and consult with our local community on these revisions.

DECISION:

To approve the public consultation effective May 2024 for a period of seven weeks (accommodating school holiday periods) which seeks to inform us as part of our future decision making.

REASONS:

The Department for Education (DfE) Statutory Guidance sets out what local authorities must do to comply with the law. You should follow the guidance unless you have a very good reason not to.

OPTIONS CONSIDERED:

Option A – to consult with the residents of North Somerset so that this aids us in our consideration to adopting the changes as directed by the Statutory Guidance.

Option B – Do nothing, continue with current published policy, accepting that this does not align with statutory government guidelines. To report to the Department for Education the council's rationale for not doing so.

FINANCIAL IMPLICATIONS:

Costs

The consultation will be undertaken using in-house resources so there are no external costs and no specific breakdown of internal resource allocation to this consultation..

It is understood that that the changes within the statutory guidance will largely offer positive outcomes for young people and support Local Authorities with its delegation of duty and the associated costs of service delivery.

Funding

North Somerset Council received £121,400 (2024/25) from the Department of Education towards the provision of home to school transport. The home to school transport budget is currently £9.982m following an uplift of approx. £2.4m (3.4%) during 2024/25 budget setting. It is currently projecting a £950k overspend.

LEGAL POWERS AND IMPLICATIONS

The Statutory Guidance from the Department for Education is issued under the duties placed on the Secretary of State by sections 508A (7) and 508D (1) of the Education Act 1996. It replaces the previous Home to School Travel and Transport Guidance from 2014.

Local authorities are under a duty to have regard to this guidance when:

- carrying out their duties in relation to arrangements for travel to school for eligible children of compulsory school age;
- exercising their discretionary power to arrange travel for other children;
- carrying out their duties in relation to the promotion of sustainable travel to school (this duty applies in relation to young people of sixth form age as well as children of compulsory school age)

Statutory guidance sets out what local authorities must do to comply with the law. Local authorities should follow the guidance unless they have a very good reason not to.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

The new policy is leaning towards more sustainable transport, which is positive on climate change and environmental factors.

CONSULTATION

Consultation and draft policy material have been shared with executive members, internal stakeholders and Parent Carers Working Together forum (NSPCWT). There are no known objections to undertaking the consultation process utilising the materials provided.

RISK MANAGEMENT

RISK to council in relation to consulting has been assessed as LOW

Governance processes in order to consult have been consulted and followed.

A communications strategy is in place such that it informs service users and wider community of our intentions and provides the opportunity to engage in this process.

The service would anticipate little service disruption with little impact of staff, minimal impact to a project, no safeguarding and duty of care impacts, not impacting any residents, not impacting any of the thematic areas in the Climate Emergency Strategy.

EQUALITY IMPLICATIONS

Have you undertaken an Equality Impact Assessment?

Yes.

The assessment reflects changes to 'Extended Rights' where proposals align distance criteria with the statutory guidance. The distance criteria within the current policy is more generous and therefore could impact on those currently in receipt of a travel award. In context there are 27 pupils in receipt of travel support under extended rights (equivalent to 1% the portfolio)

The assessment will be reviewed following the consultation as to reflect any impacts informed by this process.

CORPORATE IMPLICATIONS

None Known

APPENDICES

Not Applicable

BACKGROUND PAPERS

[Department of Education Statutory Guidelines for Home to School Transport.](#)

SIGNATORIES:

DECISION MAKER(S):

Signed:  Executive Member for Highways and Transport

Date: 3 June 2024

WITH ADVICE FROM:

Signed:  Director of Place

Date: 3 June 2024.