

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:</b>	<b>Cabinet</b>
<b>2.</b>	<b>Date:</b>	<b>18th December 2013</b>
<b>3.</b>	<b>Title:</b>	<b>Amended Home to School Transport Policy</b>
<b>4.</b>	<b>Directorate:</b>	<b>Environment and Development Services</b>

**5. Summary**

The Council has a statutory duty to provide free transport to and from school for “eligible” children. The criteria for assessment of entitlement to free transport assistance are contained within the Home to School Transport Policy which is updated and published annually; this report sets out proposed changes to the policy.

**6. Recommendations**

**That the Cabinet considers, agrees and approves the proposed amendments contained within the “Draft Home to School Transport Policy – September 2013” and that this Policy be published.**

## **7. Proposals and Details**

The Home to School Transport Policy is usually reviewed around April annually since this allows time for it to be read and understood before the commencement of the academic year in September.

Following lobbying by ATCO (Association of Transport Co-ordinating Officers) the Department for Education (DfE) released updated statutory guidance in April 2013 which indicated that the procedures for parental appeals against the decision not to grant free transport assistance should follow a recommended format. Internal procedures were amended to reflect the new guidance and a revised Home to School Transport Policy was prepared for submission. However, following legal challenge, the DfE was forced to withdraw this statutory guidance in mid July 2013 since it had not consulted on the changes for the necessary time period. The revised Home to School Transport policy has now been shelved pending later re-issue of statutory guidance. The Transport Policy reverts back to that in existence prior to the withdrawn April 2013 statutory guidance but it has not been possible to prepare a draft version of this Policy before now.

Sections 2.03 and 2.08 have been amended as a result of clarification and agreement with CYPS and there have been some other minor text amendments. All of these amendments are identified in red text on the "Draft Home to School Transport Policy – September 2013" but none of these affect entitlement or qualification.

Comments were sought from the *Improving Lives Select Commission* at its meeting on 6<sup>th</sup> November 2013; no amendments to the revised policy were suggested.

## **8. Finance**

There are no financial implications regarding publication of the Policy. Any costs relating to the publicity will be contained within the existing budget.

## **9. Risks and Uncertainties**

The Department for Education presented updated guidance at the request of Local Authority Officers who administer Home to School Transport entitlement; the more detailed and prescriptive guidance was welcomed but has unfortunately been withdrawn by DfE due to lack of consultation. It is likely that this guidance will be re-issued at a later date following further consultation. An revised version of the Home to School Transport Policy containing the necessary amendments will then need to be prepared, agreed and accepted prior to publication.

## **10. Policy and Performance Agenda Implications**

All discretionary elements of transport provision have now/previously been removed from the Home to School Transport Policy; the Policy now covers only the elements that are a statutory duty. Legislation within the Education and Inspections Act 2006 introduced extended rights to free transport assistance for pupils from “low income” families; these are also covered within the Policy.

## **11. Background Papers and Consultation**

**Draft Home to School Transport Policy – September 2013**

**Home to School Transport Policy – April 2012** (currently published)

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