

## **Summary Sheet**

Cabinet and Commissioners' Decision Making Meeting – 14 November 2016

### **Title**

School Crossing Patrol Service Review

### **Is this a Key Decision and has it been included on the Forward Plan?**

Yes

### **Strategic Director Approving Submission of the Report**

Damien Wilson, Strategic Director, Regeneration and Environment

### **Report Author(s)**

Kim Phillips

Catering and Facilities Services Manager, Regeneration and Environment

### **Ward(s) Affected**

All

### **Summary**

The provision of school crossing patrols is a discretionary service. It is not a legal requirement, although where patrols do exist there is a legal requirement for the Council to manage them. It is a highly regarded public service which assists in the daily crossing of children to and from school. There are currently 74 school crossing patrol points in Rotherham which are funded by the Council.

A review of school crossing patrols has been undertaken, informed by an independent survey of patrol points and evaluation of risk which was requested by Elected Members, and a savings target for the service of £30,000. A consultation was also undertaken with schools in June and July 2016.

This report presents the findings of the survey and consultation and makes recommendations regarding the future of the service, including the proposal to introduce a service level agreement for some school crossing patrol services with schools.

### **Recommendations**

1. That school crossing patrols at crossing points be funded only where national and local road safety criteria are met.
2. That schools currently in receipt of a patroller at a crossing which does not meet this criteria be offered a charged Service Level Agreement to allow the service to continue.

3. That a full independent survey review of school crossing patrol points take place every four years, with the first survey being undertaken in 2017/18.

**List of Appendices Included**

Appendix 1 – survey report and potential service level agreement outcome

**Background Papers**

Equality Impact Assessment

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

**Council Approval Required**

Yes

**Exempt from the Press and Public**

No

## **Main report: School Crossing Patrol Service Review**

### **Recommendations**

- 1.1 That school crossing patrols at crossing points be funded only where national and local road safety criteria are met.
- 1.2 That schools currently in receipt of a patroller at a crossing which does not meet this criteria be offered a charged Service Level Agreement to allow the service to continue.
- 1.3 That a full independent survey review of school crossing patrol points take place every four years, with the first survey being undertaken in 2017/18.

### **2. Background**

- 2.1 The provision of school crossing patrols is a discretionary service. It is not a legal requirement, although where patrols do exist there is a legal requirement for the Council to manage them. It is a highly regarded public service which assists in the daily crossing of children to and from school. There are currently 74 school crossing patrol points in Rotherham which are funded by the Council.
- 2.2 In December 2014, Members requested a survey of all patrol points to inform consideration of school crossing patrol reductions. The work was commissioned by Road Safety Officers and analysed by them to provide an independent evaluation of the risk to disestablish any currently provided crossing points. The outcome of the work is detailed at Appendix 1. The findings were considered by Commissioners at the Overview & Scrutiny Management Board (OSMB) on 15 January 2016 as part of a budget savings paper. The outcome was a request for further consultation with schools as part of the process.
- 2.3 A full consultation then took place with schools regarding the potential to charge schools in receipt of a crossing patrol service which did not meet the road safety criteria, through a service level agreement. This included a visit to all schools in receipt of a school crossing patrol identified as not meeting the required criteria. Consultation took place on the school requirements for the Service Level Agreement with the school. Furthermore, all schools in receipt of a schools crossing patrol service were invited to take part in an electronic survey in June/July 2016. The purpose was to review requirements to assess if any further savings could be made and to ensure awareness of any future pressure to allow appropriate planning.

### **3. Key Issues**

- 3.1 Currently, the School Crossing Patrol Service provided by the Council is not in-line with the national and local agreed road safety criteria for provision. A full survey has identified that 21 patrol points do not meet this criteria. Where this is the position the service has proposed the provision of a Service Level Agreement with the school to enable the service to continue.
- 3.2 The Consultation with schools currently receiving a service on these 21 crossing points identified that the school crossing patrols are highly valued.

- 3.3 The results of the consultation with the 21 schools identified 2 schools who would definitely take up the service level agreement, 9 who probably would and 10 who are unlikely to be taking up the offered option. Of the 10 schools stating they are unlikely to take up the option, 5 of the patrol points are currently vacant.

#### 4. Options considered and recommended proposal

##### 4.1 Option 1: Make no changes to current school crossing patrol arrangements

- 4.1.1 The current school crossing patrol service is highly valued by schools, however the current arrangements are not in-line with local and national road safety criteria. Furthermore, the cost of the current service exceeds the budget, and there is a further savings target which will not be met if no changes are made. As such, this is not the recommended option.

##### 4.2 Option 2: Cease provision of school crossing patrols where the national and local road safety criteria are not met

- 4.2.1 Ceasing the provision of school crossing patrols for schools where the national and local road safety criteria are not met would bring the Council in line with national criteria, and assist with bringing the costs of providing the service within the budgets available. However, the service is highly valued by schools and ceasing the service altogether could risk the future of the patrol which is highly regarded within the community where it is deployed. As such, this is not the recommended option.

##### 4.3 Option 3: **(Recommended Option)** Offer a charge for the provision of current school crossing patrols where the national and local road safety criteria are not met, managed through a service level agreement. If schools do not take up this option then the patrol would cease.

- 4.3.1 To secure the continuity of a valued service, where current school crossing patrols do not meet the national and local road safety criteria, a charge could be introduced to schools for the provision, managed through a service level agreement.
- 4.3.2 The calculation of the service level agreement would be based on the actual hours worked on the respective point and an average cost of the equipment and management provision. There would be no limit placed on personal protective equipment provision/replacement should there be brakeage or damage over the 12 month period are not met.
- 4.3.3 Where the service is a shared point the respective schools would be offered a joint service level agreement charged at 50% per school.
- 4.3.4 This would provide the opportunity to retain current provision, and deliver the service within available future budgets. This is the recommended option.

## **5. Consultation**

- 5.1 All schools currently in receipt of a school crossing patrol service were invited to take part in an electronic survey in June/July 2016. The outcome of the survey has been collated for consideration in future operation and budget planning.
- 5.2 All schools who were identified as not being compliant with the criteria for provision have received a visit from a member of Facilities Services Management to discuss the Service Level Agreement arrangements to ensure it meets the requirements of the schools.
- 5.3 All school crossing patrollers have been kept informed of the progress of these proposals and any employee at risk will be consulted in-line with the Council's Human Resources Policy.

## **6. Timetable and Accountability for Implementing this Decision**

- 6.1 It is proposed that the recommendations be implemented from April 2017.
- 6.2 All schools that have a patrol point at risk due to the proposals will be requested to confirm the requirement of a Service Level Agreement by December 2016.
- 6.3 Any employee which is at risk as a result of a school no longer requiring a service will be notified and progressed in accordance with the Council's re-deployment / redundancy policy.

## **7. Financial and Procurement Implications**

- 7.1. The budget for the service in 2016/17 is £198k. If all established posts were filled the cost of the service would be £248k; balancing the budget depends on there being regular vacancies.
- 7.2 As part of the 2016/17 budget setting process, a budget reduction has been allocated to the School Crossing Service in the Council's Medium Term Financial Strategy (MTFS) of £15k in 2017/18 and a further £15k in 2018/19.
- 7.3 Option 1 in the report would not meet the saving requirement outlined in the MTFS and would instead add a budget pressure to the revenue budget.
- 7.4 Option 2 and Option 3 would both deliver the saving target identified.
  - Option 2: involves ceasing the provision of school crossing patrols where the national and local road safety criteria are not met. This would involve a reduction of 21 staffing posts which would lower the cost of the service to £168k per annum and deliver the budget reduction approved as part of the 2016/17 budget process.
  - Option 3 (Recommended Option): Involves charging schools for the provision of a crossing patrol where the national and local road safety criteria are not met. Based on an estimated take up for the service (of 11 schools), the Service could generate income of circa £37k per year which would enable the budget reduction over the next 2 years to be met.

- 7.5 Redundancy costs cannot be finalised until final decisions have been made in terms of SLA uptake. If no schools signed up there would be a one-off redundancy cost of approximately £10k to be funded from usable capital receipts in line with the Council's approved budget.

## **8. Legal Implications**

- 8.1 School Crossing Patrols were established by the School Crossing Patrol Act 1953
- 8.2 The Road Traffic Regulation Act 1984 gives the Council the power to appoint School Crossing Patrols (SCPs) to help children cross the road on their way to or from school, between the hours of 8:00 am and 5:30 pm.
- 8.3 The law gives a SCP, appointed by an appropriate Authority and wearing a uniform approved by the Secretary of State the power, by displaying a prescribed sign, to require drivers to stop. SCPs operating outside these conditions have no legal power to stop traffic.
- 8.4 Although the law now allows SCPs to stop traffic to help anyone (child or adult) cross the road, SCP sites should be established using national and local road safety criteria as defined by Road Safety GB. Where a patrol point falls below the threshold framework set out by Road Safety GB the Service is proposing a Service Level Agreement for the provision to continue, should the school agree to pay.
- 8.5 Even where an SCP is provided, parents remain responsible for ensuring their children's safety, just as they do when a zebra crossing or pelican crossing is provided.
- 8.6 School place applications are based on parental choice and therefore consideration should be given by parents to the journey to school position.

## **9. Human Resources Implications**

- 9.1 All School Crossing Patrol employees have been updated regularly on the progress of these proposals. Staff at risk have been given the opportunity for one-to-one discussions and consultation meetings have taken place.
- 9.2 All appointments since April 2015 have been made on temporary contracts to ensure maximum flexibility and minimise the potential redundancy costs.
- 9.3 Patrollers working on points which do not meet the criteria and the school agree to maintain the provision through a Service Level Agreement will be subject to a contract review in line with the time frame of the agreement.
- 9.4 The number of employees at risk of redundancy will not be known until the Service Level Agreements have been confirmed. If no schools take up the option of a service level agreement there would be a one off redundancy cost of approximately £10,289.98.

## **10. Implications for Children and Young People and Vulnerable Adults**

- 10.1 Crossing a highway will always involve an element of risk, the removal of a patrol point will have implications for some pupils. However, even where an SCP is provided, parents remain responsible for ensuring their children's safety on the travel to and from school journey.
- 10.2 An Equalities Impact Assessment has been completed. The process identified that there were no issues for potential high risk areas (the deprived neighbourhoods) or high risk groups such as children with Special Educational Needs and Disabilities as appropriate transport is provided via the Education Health and Care Plans.

## **11 Equalities and Human Rights Implications**

- 11.1 An Equalities Impact Assessment has been through the appropriate approval process with concerns identified.

## **12. Implications for Partners and Other Directorates**

- 12.1 Consultation has taken place with all schools at risk. In addition an offer was made to attend meetings with individual Governing Bodies, which has been take up by a number of sites. Individual Head Teachers and Governing Bodies have kept parents and carers appraised.
- 12.2 The Road Safety Team anticipate an increase in request for traffic calming or pedestrian crossings. The cost of these measures are a minimum of £30,000 and £150,000 respectively with a pedestrian crossing having a small annual maintenance cost. This provision should take place only where the criteria for provision is met.

## **13. Risks and Mitigation**

- 13.1 The proposal to remove the School Crossing Patrol Service at identified sites could meet with significant public opposition, however the sites are below the national and local criteria for provision and the Schools are being offered a Service Level Agreement as an option to continue.

## **14. Accountable Officer(s)**

Approvals Obtained from:-

Strategic Director of Finance and Customer Services:- Mark Chambers

Assistant Director of Legal Services:- Stuart Fletcher

Head of Procurement (if appropriate):- Helen Chambers

Head of Human Resources:- Paul Fitzpatrick

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