

**Open Report on behalf of the Assistant Director Children's Services**

Report to:	<b>Children &amp; Young People Scrutiny Committee</b>
Date:	<b>08 April 2011</b>
Subject:	<b>Proposed Changes to the Provision of Home to School/College Transport for Post 16 Students – Consultation Feedback</b>

**Summary:**

Further to the Committee's consideration of the consultation document at its meeting of 25 February 2011, the purpose of this report is to provide information and analysis on the responses received during the consultation period 5 January to 16 March 2011.

**Actions Required:**

The Committee considers the responses received and makes any recommendations it deems appropriate to the Executive to accept, reject or amend any or all of the proposed changes to the existing policy.

**1. Background**

A full consultation commenced 5 January and closed 16 March 2011 on the following proposals:

**(i).** To increase from 1 September 2011 the current annual student contribution from £202 per annum (or 3 termly payments of £69) to £390 per annum (or 3 termly payments of £132).

These proposed charges would be subject to future increases in line with the normal annual adjustments made for inflation as agreed by the Council.

**(ii a)** That transport provision will, for students enrolling for the first time in FE colleges and sixth forms in September 2011, be made only to the college or sixth form nearest to a student's home address (other than where a student was both on roll at the school in Year 11 and had statutory entitlement to transport before transferring to the sixth form of the same establishment even if there is another sixth form closer to the student's home address).

**(ii b)** Where a FE college has a satellite centre at which full time courses are offered, transport provision will be offered only where the journey from home to that site is closer than the journey to the student's nearest college.

**(ii c)** The County Council will no longer make transport provision for students enrolling for the first time in September 2011 to other than the nearest college or sixth form, regardless of whether the course a student wishes to study is available at their nearest college or sixth form.

The only exceptions to the proposal are:

- Attendance of learners with recognised learning difficulties and/or disabilities (LLDD) at other than their nearest college or sixth form where it is agreed by the local authority
- Level 2 or above Land Based courses (listed below) at specialist colleges where the home to the nearest college offering the course does not exceed 45 miles (daily journeys will be arranged for the beginning and end of the normal college day on week days only).
  - Agriculture
  - Environmental Studies
  - Horticulture
  - Arboriculture
  - Large animal management

**(iii)** The County Council will no longer provide transport for post 16 students who live less than 3 miles from their nearest college or sixth form where all or part of the journey includes an unsuitable walking route.

## **2. Responses to the consultation**

The following responses have been received:

- |  |       |
|--|-------|
| a) Have your say! Electronic and paper questionnaire returns | 2,568 |
| b) Attendance at four public meetings                        | 141   |
| c) Lincoln College student questionnaire returns             | 86    |

**a) Have your say! – questionnaire responses:**

**1.1**

<b>Question</b>	<b>Strongly agree</b>		<b>Agree</b>		<b>Disagree</b>		<b>Strongly Disagree</b>	
	To what extent do you agree with the above proposal to increase the annual contribution from students for transport provision from £202 to £390?	64	2.5%	125	4.8%	376	14.5%	2,031

**2.1 To what extent do you agree with the proposals above to:**

<b>Question</b>	<b>Strongly agree</b>		<b>Agree</b>		<b>Disagree</b>		<b>Strongly Disagree</b>	
	Make transport provision to the nearest FE college or sixth form only?	89	3.4%	255	9.8%	546	21.1%	1,708
Make transport provision to FE college satellite centres for full time courses only where the journey from home to that site is equal or less than the journey from home to the student's nearest college	70	2.7%	322	12.6%	633	24.8%	1,527	59.8%

Make transport provision to the nearest college or sixth form only, regardless of whether, other than the exceptions listed, the course a student wishes to study is available?	109	4.3%	253	9.9%	496	19.5%	1,689	66.3%
<b>Make transport provision exceptionally where a course is not available at the nearest FE college or sixth form for:</b>								
LLDD students, where agreed by the local authority?	299	12.0%	487	19.6%	462	18.6%	1,239	49.8%
Level 2 or above Land Based courses, as specified above?	238	9.7%	462	18.8%	492	20.1%	1,261	51.4%

### 3.1

Question	Strongly agree		Agree		Disagree		Strongly Disagree	
To what extent do you agree with the proposal not to make transport provision for post-16 students for journeys of less than three miles where all or part of the journey includes an unsuitable walking route?	132	5.1%	397	15.5%	570	22.2%	1,466	57.2%

The comments received on the questionnaire returns are summarised below by theme.

Annual contribution:

Increase too much	1201 (47%)	Designated college not offer course of choice	98 (4%)
EMA stopping	447 (18%)	Health & Safety issues	6 (0.24%)
Unfair on low income families	227 (9%)	Students have longer day	6 (0.24%)
Megarider tickets cheaper	18 (1%)	Travel distance	19 (1%)
Students may leave course	45 (2%)	Other level courses	7 (0.27%)
Extra hit for two plus children families	140 (5.5%)	Other	331 (13%)

Of those 'Other' comments the main themes arising were:

- Disadvantaging students
- LCC should make cuts elsewhere
- Demographics of the County
- Some agreement with increase proposals

The criteria on which entitlement to transport provision is granted

Increase too much	4 (0.67%)	Health & Safety issues	367 (62%)
Unfair on low income families	1 (0.17%)	Students have longer day	16 (3%)
Students may leave course	6 (1%)	Travel distance	65 (11%)
Designated college not offer course of choice	13 (2%)	Other level courses	2 (0.34%)
		Other	119 (20%)

Of those 'Other' comments the main themes arising were:

- Students in reasonable walking distance should be made to walk, cycle or catch local bus
- Disadvantaging disabled and special needs students
- Students to be given a choice of transport

In addition to 30 letters and e-mails from parents, students and other members of the public, the comments from which have been analysed alongside the questionnaire responses above, correspondence has also been received from:

- The Federation of Lincolnshire Colleges
- The Principal and Chief Executive, Lincoln College
- The Principal, New College Stamford

- The Equality & Diversity Manager, Boston College
- The Headteacher, Robert Pattinson School
- The Headteacher, Stamford Queen Eleanor School, on behalf of the Bourne, Stamford and Deepings Consortium
- The Headteacher, Spalding Grammar School
- The Vice Chair, Lincolnshire 14-19 Strategic Partnership
- The Chief Executive on behalf of South Kesteven District Council

The points raised in this correspondence are as follows:

- What are the criteria for deciding whether or not to implement the three proposals?
- Do these proposals apply to all schools and colleges, including grammar schools?
- Can the Council explain why it claims to help students who live a minimum of 3 miles from the college when the proposed cost of support next year will mean that to get any benefit from the pass students will have to live considerably further away?
- How does the Council expect a single parent in Horncastle to afford transport to Lincoln if the course the student needs to do to achieve their career aim is not available at Boston College?
- Can the Council explain why it feels it can ignore para 23.2 of the Transport Guidance which states that it should “Ensure that any contribution is affordable for learners and their parents”?
- Can the Council explain why it feels it can ignore para 23.2 of the Transport Guidance which states that “Young people should have reasonable opportunity to choose between courses available to them at 16 and to be able to access their choices. Local authority transport must be supportive of reasonable choice. Reasonable choice should include enabling learners to choose an establishment of education that is not the closest to where they live if it makes sense to do so”?
- Why is the Council proposing to spend large sums of money transporting students out of the County when other neighbouring local authorities do not do this to help their young people access learning opportunities in Lincolnshire?
- Can the Council confirm that it has conducted an Equality Impact Assessment on these proposals in line with the Equality Act 2010 and advise when it will publish these findings? This can and should include socio-economic factors such as household income, social class and/or geographical location.
- Currently 55-60% of post-16 students across Lincolnshire receive EMA, highlighting the fact that Lincolnshire is a low wage economy. The proposed increase in the contribution is almost certainly beyond the reach of many students and their families, particularly where there are two students aged 16-18 from a family attending the college.
- Proposal 2 could seriously reduce local provision and access to education opportunities for both students and employers which may have a serious impact on the economy of Lincolnshire. Students are far more likely to drop out if they are not able to do the course they

want which will increase the risk of far greater numbers entering NEET, which ultimately costs the tax payer more than any saving made by this proposal.

- It can be demonstrated that Lincoln College is providing significant levels of further education to considerable numbers of students currently accessing FE through choice who fall outside of the proposed new designated areas. It can also be clearly seen that should a percentage of these learners be prevented from enrolling with Lincoln College, contrary to their preferred choice, then the potential fall in student numbers for 2011/12 would seriously undermine the purpose and viability of Lincoln College and at the same time has the potential to overwhelm neighbouring colleges that are not currently geared up to deal with these volumes. The result would undoubtedly be to the significant detriment of Lincolnshire's post 16 learners.
- 64% of New College Stamford's students come from outside South Kesteven, with more than 300 from South Holland. Proposal 2 will exclude South Holland pupils from accessing Stamford College because there is no efficient public transport that can get students from Holbeach/Spalding/Pinchbeck to Stamford for the start of the college day. The strength of feeling about this was clearly shown at public meeting in Spalding. The location of New College Stamford in the extreme south west tip of the County should be taken into consideration.
- The change to the DTAs for colleges removes choice and equality of opportunity and is wrong and should not go ahead.
- The increase in the contribution is understandable.
- I think the current level of subsidy is very generous and getting a bigger contribution from parents is a sensible step forward.
- If students cannot find an appropriate course at their nearest Sixth Form or College many are likely to give up rather than go to the extra expense of travelling somewhere else.
- If proposal 2 is implemented we are going to end up with sixth forms/colleges trying to run too wide a range of courses, for which they haven't necessarily got the expertise, resources or numbers to run successfully, in order to try to keep as many students as possible in education, as there won't be enough quality alternative options for them. I believe there needs to be more scope for students to access the most appropriate provision, not just the nearest one, even if this means you need to increase parental contribution even further. The new Education Act and the Wolf Report clearly suggest that too many students have been doing inappropriate courses.
- The proposed increase in the contribution in the current circumstances seems reasonable. What provision is to be made to ensure that those for whom the financial burden would constitute a barrier to access are supported? The least well off are usually protected but there is another group of families including those on "the wrong benefit" who need help but do not qualify. Can this be addressed?

- In the city of Lincoln, and some of the bigger towns, students are currently able to select the most appropriate provision, and given the (relatively) short journeys involved travel costs are not a barrier. However, this is not so in our rural areas even now and this disenfranchisement by fare will spread into Lincoln when the range of provision rumoured to be envisaged in the Wolf Report is implemented. It seems extraordinary the LA would make provision available but prevent access to it except by those living nearby or wealthy enough to pay their travel costs.
- The 14-19 Strategic Partnership believes that it is extremely important that the Local Authority is mindful of its responsibilities under the 2009 Apprenticeships, Skills, Children and Learning Act for securing education for sixteen to nineteen year olds. The proposals would, we believe, restrict learners' access to appropriate provision and have a serious, detrimental effect on the participation of post sixteen learners across Lincolnshire thus preventing the Local Authority from fulfilling its statutory obligations. The Partnership is especially concerned that the greatest impact may be felt by the most vulnerable learners, many of whom have to travel significant distances to access Foundation Learning Courses. We fear that the removal of EMA support, together with the proposed transport changes, would mean that these very vulnerable young people will not access the courses which are so important to their development and well-being.
- Can the responsibility and funding for transport be passed across to the colleges to administer in collaboration with the authority on a hubs and spokes model?
- There seems to be no sense of compromise, or indication of desire to be flexible on these proposals.
- Can the Council confirm which transport routes may be put at risk by these proposals so the wider community of Lincolnshire can see what impact they may have on them?
- Can the Council state when it will publish the precise details of the savings that are expected to be made for each of these three proposals?
- With the raising of the participation age, can the Council explain why it should continue to seek to charge this group of students to subsidise the transport expenditure incurred by students/pupils of all ages?
- At the last full meeting of South Kesteven District Council, Members debated the post 16 transport proposals and have provided the following comments: "Council believes the proposals will have a detrimental effect upon student choice, and potential participation in study after the age of 16, and may lead to students being unable to pursue studies in courses of their choice. Poor public transport in parts of Lincolnshire will further restrict access to colleges and courses of choice if students are only supported with transport to their nearest sixth form or college. Council shares the concern of all local colleges and head teachers' concerns about the proposals and requests that the County Council reconsider their proposals which will



adversely impact upon the life chances of young people in Lincolnshire". It was resolved; "That this matter should be referred to the Schools' Forum and the County Council Children and Young People's Scrutiny Committee indicating that it comes from the district council through its own Scrutiny Committee".

- There are several comments about health and safety concerns relating to unsuitable walking routes, including the risk of injury, the maturity of 16 year olds and the issue of transport being taken away from post 16 students along the same route that transport is being provided for pre 16 students.

## **b) Public meetings – consultation feedback**

Notes of the questions and answers provided by officers from the four public meetings are attached as Appendix B

The main general themes were:

- Has the Council taken sufficient steps to ensure that everyone who may be affected has been made aware of these proposals?
- Have all the main interested parties been consulted?
- Has the Council conducted an Equality Impact Assessment (EIA)? Why hasn't it included an assessment on the possible socio-economic impact of these proposals?

On the proposal to increase the annual contribution from £202 to £390, the common themes were:

- Although there was some acceptance that the Council has to make savings and that the contribution may well need to be increased, a frequent question was "Why such a dramatic increase? Can't you phase it?"
- What will families do, especially ones with more than one child attending a 6<sup>th</sup> form or college, if they can't afford the contribution? Added to the loss of EMA, this is a step too far. Won't the Council look at means testing?
- How will the Council calculate future inflationary increases?
- What will be the effect on participation and drop out rates?
- This will increase NEET (not in education, employment or training) figures, as well as youth unemployment.
- Can't these savings be taken from other parts of the Council's budget? This is a disproportionate level of saving on a £5 million budget.
- Shouldn't transport be free for 16-18 year olds in the future with the raising of the participation age?
- The Council shouldn't compare its transport costs and levels of charging with other local authorities – Lincolnshire is unique. Also, a few local authorities are still more generous than Lincolnshire.
- Council tax can be paid in instalments without penalty – why can't it be the same for this?

- The post 16 transport guidance states that local authorities must ensure that any contribution is affordable for learners and their parents. How is the Council going to do this?

On the proposals to transport students to the nearest college or 6<sup>th</sup> form only, the common themes were:

- Putting on transport to the nearest college where currently there is no transport running will not save money.
- Not giving students the choice of the course they wish to follow where this is not provided at their nearest college or 6<sup>th</sup> form is wrong – it will prevent students following the career they want, will increase dissatisfaction levels and drop out rates and increase youth unemployment.
- The timescale for implementation is wrong; students are choosing courses now and won't know whether or not they will get transport until after 3<sup>rd</sup> May.
- Can't the Council organise transport differently to allow for choice, possibly by giving schools, colleges or even students the money to organise their own transport.
- This will affect the viability of courses in schools and colleges, especially in colleges where students attend the local 6<sup>th</sup> form because they can't afford the contribution for transport to attend a college. The effect on Stamford College will be particularly savage.
- Why does the Council transport students to 6<sup>th</sup> forms and colleges in neighbouring local authorities?
- On what basis have the courses been selected as exceptions for transport to other than the nearest college?
- I agree with learners with learning difficulties and/or disabilities (LLDD) being treated as exceptions, but LLDD needs defining carefully.
- I think Music (including instrument making) should be included as a specialist exception.

On the issue of unsuitable routes, the following points were made:

- What will the Council do if a student gets hurt?
- Just because a student is 16, it doesn't mean that he/she can be treated as an adult.
- This change doesn't fit the Every Child Matters agenda.
- The small projected saving of just £3,654 doesn't warrant the change.

### **c) Lincoln College student questionnaire returns**

A separate batch of student questionnaire returns was received from Lincoln College. An analysis of these returns is provided below:

1. Do you feel the proposed increase in transport costs to £390 (£132 a term) will affect your ability to get to college

Yes: 72 (83.7%) No: 14 (16.3%)

2. If you had to walk up to 3 miles along an unsuitable route would the removal of transport make you feel unsafe?

Yes: 81 (94.2%) No: (5.8%)

3. The Council proposes to only fund your transport to your nearest college or sixth form. Would this put you off staying in education if you couldn't do the courses you wanted?

Yes: 81 (94.2%) No: 5 (5.8%)

4. The main theme arising from the students comments were:

- Loss of EMA
- Students may have to leave courses
- Financial difficulties

At its meeting on 25th February 2011, the Children & Young People Scrutiny Committee requested that the implementation of the proposed changes to the provision of home to school/college transport for post 16 students be deferred until such time as alternative funding arrangements for EMA are in place to assist deprived families in the county. The government announced its new arrangements at the end of March, details of which are provided in the press release from the DFE attached as Appendix C.

#### **a) Policy Proofing Actions Required**

Initial and Partial Equality Impact Assessments

#### **4. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Profile of questionnaire respondents
Appendix B	Consultation feedback notes from public meetings
Appendix C	New bursary scheme for 16-19 year olds, DFE press notice
Appendix D	Equality Impact Assessment

#### **5. Background Papers**

Document title: Transport policy statement for learners aged 16-18 in further education (schools, colleges and centres offering courses funded by the YPLA) and for continuing learners aged 19 and over.	<a href="http://www.linconshire.gov.uk/parents/school-transport/post-16education-transport-policy/54393.article">http://www.linconshire.gov.uk/parents/school-transport/post-16education-transport-policy/54393.article</a>
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2010 Post-16 Transport Guidance	DFE Publication Ref: LSC-P-NAT-100520
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