

Agenda Item 8



Policy and Scrutiny

Open Report on behalf of Debbie Barnes OBE, Executive Director of Children's Services

Report to:	Children and Young People Scrutiny Committee
Date:	18 January 2019
Subject:	Grammar School Transport – 2018 Review

Summary:

In March 2016 the Children and Young People Scrutiny Committee (CYPSC) published a report into its wide-ranging investigation into the Council's grammar school transport policy. The 2016 report is attached as **Appendix A**. One outcome of the report was that the Council's Executive opted to leave the policy as it was but asked for a review and update after 2 years. This report is that updated review.

Actions Required:

The Committee is invited to

1. note and comment on the outcomes of the 2018 review;
2. support the continuation of the existing policy in relation to grammar school transport.

1. Background

- 1.1 There are 16 secondary grammar schools in Lincolnshire, including one school (Spilsby King Edward VI School), which is described as a 'bi-lateral' school, and which has a 'grammar stream' but is otherwise not a selective entry school. All of the 15 other schools select all their pupils for entry at age 11, that is, year 7.

The schools are:

- Alford Queen Elizabeth Grammar School
- Boston Grammar School
- Boston High School
- Bourne Grammar School
- Caistor Grammar School
- Gainsborough Queen Elizabeth Grammar School
- Grantham the King's School

- Grantham Kesteven and Grantham Girls' School
 - Horncastle Queen Elizabeth Grammar School
 - Louth King Edward Grammar School
 - Skegness Grammar School
 - Sleaford Carre's Grammar School
 - Sleaford Kesteven and Sleaford Selective Academy
 - Spalding Girls' High School
 - Spalding Grammar School
 - Spilsby King Edward VI Academy (partially selective)
- 1.2 The administration of the examination for selection of children for grammar schools (the '11+') is conducted by a consortium of the grammar schools themselves. The Lincolnshire Consortium of Grammar Schools (LCGS) is not linked to the Council. The selection process is open to all parents of children in Lincolnshire. The school admission process is coordinated by the Council but the places are offered by the schools themselves, using their own admissions criteria.

Transport entitlement to Lincolnshire's grammar schools

- 1.3 The transport entitlement policy for grammar schools has not changed since the CYPSC review and report was published in 2016. For reference, the policy is summarised below.
- 1.4 Secondary-age transport entitlement in Lincolnshire is based on the statutory duty to provide transport to the nearest secondary school to a home address subject to the school being over three miles away (this is known as 'the statutory walking distance'), and also on the Council's own policy to provide transport (free up to age 16/subsidised from age 16-18) to the 'Designated Transport Area' (DTA) school for the address the pupil resides at on application, subject to the distance rule mentioned above. DTAs are geographical areas around schools, indicating school transport entitlement. There are DTAs for all the county's schools, primary and secondary, and grammar schools have their own DTAs. These DTAs are based on historic catchments we believe.
- 1.5 The Council's transport policy for grammar schools operates independently of the schools' own admissions criteria, and is under the control of the Council. Qualifying children are those who gain a place at a Lincolnshire grammar school and live in the Designated Transport Area (DTA) for the school, outside the statutory walking distance, with additional entitlement if a route to the school is under the statutory walking distance but cannot reasonably be walked. Entitlement to transport does not depend on score at the entry test or any other admission criteria laid down by the schools' own admissions authority, and is not income-based. However the statutory right to transport for a child from a low income family to one of the three nearest schools, subject to the school lying between 2 and 6 miles from the home address, also applies to children attending grammar schools.

- 1.6 Any school-age child living in a grammar school DTA who has a place at the named grammar school is entitled to school transport to the DTA school if they live beyond the walking distance or meet any of the other criteria for entitlement mentioned above.
- 1.7 Although each of the County's sixteen grammar schools has its own DTA, the DTAs do not cover the whole of the county area of Lincolnshire, as can be seen from the map of the grammar school DTAs in the policy booklet. The policy booklet is attached as **Appendix B**. Approximately 25% of the county area is not covered by the grammar schools' DTAs. That part of the county has DTAs only for all-ability secondary schools, which do not select children for admission. These schools, also known as 'comprehensive' schools, have their own DTAs and there is no overlap in this specific area of their DTAs with grammar school DTAs. DTAs for non-selective schools cover the whole county area, because children who are not attending grammar schools will attend schools which do not have selective admissions criteria. By these arrangements, all secondary-age children in Lincolnshire who could not be expected to walk to school receive a transport entitlement to their nearest or 'designated' secondary school.
- 1.8 In summary, children in Lincolnshire are entitled to transport to their nearest suitable school if it is over the statutory walking distance, but also to a DTA school if they live within the designated transport area (DTA) for a particular school. There are DTAs for primary and secondary all-ability schools and DTAs for the county's grammar schools, as well as for sixth forms and colleges of further education. Grammar schools have their own DTAs, and the map of grammar school DTAs in Lincolnshire (based on historic catchments, we believe) is shown in the attached map as **Appendix C**, taken from the transport policy booklet.

What's changed since 2016?

- 1.9 Local Policy
In terms of the local policy there has been no change to the transport policy since the report of the CYPSC in 2016. The Lincolnshire policy remains to offer free transport to young people living in the designated transport area (DTA) for their grammar school. This entitlement is not subject to income and is qualified only by the criteria on walking distance (3 miles for secondary school children – amended where a low income threshold and proximity to a school of choice allows a statutory entitlement as mentioned above).
- 1.10 National Policy
In terms of the national policy there has been some movement regarding expanding the number of grammar school places but no new primary legislation relating to transport. Much of the debate has focused on access to grammar schools for children from low income families and this is commented on later in this report in the context of Lincolnshire.

1.11 Numbers and costs of transport

The numbers of pupils receiving school transport to the counties grammar schools together with costs and the aggregate cost as at September 2018 is given in the table below:

Grammar School	Daily Total as at 11/09/18	Annual Total (based on 190 days)	Daily Cost Per Pupil			Pupils on Transport as at 11/09/2018
			Min	Max	Avg	
Alford Queen Elizabeth Grammar	£792.91	£150,652.90	£1.70	£29.50	£4.07	195
Boston Grammar	£684.05	£129,969.50	£2.10	£19.00	£3.23	212
Boston High School	£791.91	£150,462.90	£2.10	£92.00	£3.41	232
Bourne Grammar School	£520.98	£98,985.52	£1.63	£10.50	£2.80	186
Caistor Grammar	£573.56	£108,976.34	£3.39	£10.47	£4.59	125
Grantham The King's School	£812.61	£154,395.53	£2.19	£50.00	£3.49	233
Horn castle Q.E Grammar	£1,349.24	£256,355.89	£2.72	£28.00	£4.15	325
Kesteven & Grantham Girls School	£915.58	£173,960.69	£2.19	£108.58	£3.71	247
Kesteven & Sleaford Selective Academy	£571.46	£108,576.76	£1.67	£6.91	£2.38	240
Louth King Edward VI	£1,150.79	£218,649.74	£3.39	£37.00	£4.68	246
Queen Elizabeth's School, Gainsborough	£971.91	£184,662.16	£3.90	£12.00	£2.95	329
Skegness Grammar	£357.09	£67,847.05	£2.79	£17.03	£3.13	114
Sleaford Carres Grammar School	£752.12	£142,902.35	£1.40	£20.18	£2.84	265
Spalding Girls High	£1,367.62	£259,847.25	£2.27	£29.50	£3.69	371
Spalding Grammar	£1,329.68	£252,638.96	£2.27	£34.12	£4.23	314
Spilsby King Edward Vi Academy	£448.42	£85,199.80	£3.50	£48.00	£6.69	67
2,544,083.35						3701

1.12 By comparison with 2016 Table (2016 Report p.11) the above table shows an increase in total annual cost of £59,899.85 with 170 fewer pupils being

transported. This is not as a result of diminution of entitlement but parents and the schools making alternative arrangements in some cases.

- 1.13 Table 1 above is interesting in several respects. The average cost of transporting the pupils is modest, with a range between £ 2.38 a day and £6.69 a day. This is quite modest and not significant or more costly than other mainstream transport. The majority of entitled pupils travel by bus or coach directly to their school from a pick-up point. Some children are provided with feeder transport to a bus or more direct transport, due to living in locations that are remote or off bus routes, but the council makes the arrangements as required.

Current issues relating to the policy

Access and cost

- 1.14 A concern of the government in recent months has been the issue of access to grammar schools for children whose parents aspire to a place for their child(ren) where the family has a low-income. There are two aspects to access – proximity to and admission to a grammar school, and transport support to enable attendance. The issue of expansion of places in grammar schools is a national political matter, rather than a local issue. However this issue itself became focussed on access for children from low-income families.
- 1.15 A recent government policy initiative proposed to provide funds to local authorities which have grammar schools to enable them to meet any demand for transport that might be there has been discussed. At present though, neither Lincolnshire nor other local authorities receive any funding from Government to help pay for transport specifically to grammar schools. If such funds were forthcoming, Lincolnshire would be an immediate beneficiary, since it already provides transport for all pupils attending its grammar schools if they live within the DTA of the school concerned.
- 1.16 Lincolnshire's grammar school transport policy is based upon DTAs as described above, and entitlement is based on residence in the DTA of the named grammar school. The statutory entitlement to transport to one of the three nearest schools between 2 and 6 miles also applies, where the test of low income can be met. But essentially, the issue of affording transport access to a grammar school does not exist in the DTA grammar school areas of Lincolnshire, since entitlement is given purely on residence in the DTA. The Council's officers are not aware of any cases of Lincolnshire resident children being unable to access a Lincolnshire grammar school place due to prohibitive costs of transport. It is certain that if such a situation were to arise in Lincolnshire (unlikely since there is free transport for grammar school children in the county's DTAs) then the officers would be made aware of it.
- 1.17 In the areas of the County which are not covered by grammar school DTAs, as explained above, children resident in these areas do not have an entitlement to free transport to a grammar school, because they live in areas

with DTAs for schools which do not select pupils by ability. They do have transport rights that are similar, but to their nearest and/or designated suitable all-ability school. The Council's officers are aware that some pupils living in these non-grammar school DTAs do attend grammar schools, and use the public transport system to access the school in most cases.

Concern expressed locally

- 1.18 Much of the concern expressed at the policy has been from individual councillors, who have acted after receiving representation from parents.
- 1.19 There has been very little direct public expression of concern at the policy to the Council's officers, or through its appeal or complaints policies, either before the CYPSC in 2016, or since that time. Prior to 2016 the public concern was expressed by a small number of parents who lived near to Grantham and Bourne respectively, but outside a grammar school DTA for their address. They were consequently unable to benefit from the grammar school transport policy. That local concern largely prompted the Council's 2016 CYPSC review and report.
- 1.20 Since March 2016 there have been two appeals for transport to a grammar school by parents who could not secure an entitlement since the school was not the nearest suitable school to the home, and the family home was in each case outside the relevant DTA. Both appeals were not upheld. In both cases it was ascertained that a service bus (fare-paying) was available to the parents to make use of. These post 2016 cases were in other areas of the County not covered by grammar school DTAs.
- 1.21 More recently, a grammar school pupil wrote to her councillor expressing her concern that she could not qualify for free transport from outside a grammar school DTA to her grammar school of choice. The Director responded explaining the policy in some detail to the pupil.

Comparison with other local authorities – update

- 1.22 The 2016 Review carried out by the CYPSC included a review of the policies (or absence of them) for pupils in other English Local Authorities (LAs) which had grammar schools. The report noted that none of the other Shire county authorities which had grammar schools had an unqualified entitlement to transport support to grammar schools. Most of the other authorities qualified any support by limiting it to the nearest local school (the 'proximity' rule), for example in Essex, Kent, and Medway. Others offered transport on a paid-for, but not always subsidised, basis, for example in Buckinghamshire and Warwickshire. Two small unitary authorities maintain a free transport provision to a nearest grammar school where it is not the nearest secondary school. No changes to other authorities' policies have been noted since 2016.

- 1.23 Lincolnshire's policy is unique in that home to school transport is automatically provided free of charge to secondary-age pupils if they live in the DTA for the named grammar school and they meet the walking distance criteria. The same legal safeguards also apply to grammar school children as to other children in respect of safe routes to school and disability. If a child attending a grammar school and who would otherwise qualify for transport could not walk a route to school due to the unsuitability of the route or due to a disability which prevented them from walking, then transport would also be provided, even if the route was within the statutory walking distance. That is not the case with other LAs which have grammar school transport arrangements, where the entitlement is firmly stated as discretionary and limited.
- 1.24 The Lincolnshire policy on grammar school transport is thus legally compliant (this was confirmed at the 2016 review and nothing has changed that status since then), but is also future-proofed against any requirement to provide transport to a grammar school on low-income grounds. Beyond the current statutory duty to offer an enhanced choice of school to low income families, there is no wider income criterion that exists for the provision of grammar school transport and the Council should be able to benefit from any changes to duties in the future which might require LAs to provide transport for pupils from, for example, low-income families to their nearest grammar school or widen the distance criteria beyond 6 miles for support.

2. Conclusion

- 2.1 The grammar school transport support policy in Lincolnshire has not changed since 2016;
- 2.2 The policy is widely viewed as suitable to meet the needs of children and parents, and attracts little comment. The policy and provision is heavily used by parents and children in the county, and ensures access to schools;
- 2.3 The Council's policy is more generous than that offered by any other local authority that provides transport support to grammar schools, and is widely understood;
- 2.4 The cost of providing the service is budgeted for and is in line with costs for other mainstream transport provision, in terms of average cost per pupil;
- 2.5 There has been no change in national statutory requirements in respect of grammar school transport. Recent (2017/18) national discussion has been about expanding the numbers or numbers of places available at grammar schools, which is a matter outside the Council's current remit. However, a related proposal was made by the government to provide funds for local authorities to provide transport to grammar schools for children from poorer backgrounds. It is understood that at the present time this proposal has not been progressed. However, the Council does

provide transport irrespective of income and so should be able to meet any new criteria that might be introduced, and should benefit from any funding available.

3. Consultation

a) Have Risks and Impact Analysis been carried out?

Not Applicable. This is a review of existing policy and no new proposals.

b) Risks and Impact Analysis

Not Applicable as above.

4. Appendices

These are listed below and attached at the back of the report	
Appendix A	CYPSC Report on Grammar School Transport Policy, 2016
Appendix B	Lincolnshire County Council Transport policy, 2018/19 booklet
Appendix C	DTA map showing grammar school DTAs

5. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

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