

EXECUTIVE MEMBER DECISION



REPORT OF:	Executive Member for Growth and Development, Executive Member for Children, Young People and Education
LEAD OFFICERS:	Strategic Director of Environment & Operations, Acting Director Children's Services and Education
DATE:	10 February 2023

PORTFOLIO/S AFFECTED:	Executive Member for Children, Young People and Education, Executive Member for Growth and Development, Executive Member for Children, Young People and Education.
WARD/S AFFECTED:	Blackburn South and Lower Darwen; Darwen South; West Pennine;

SUBJECT: EMD SUBJECT: Consultation on the school bus service to Bolton schools.

1. EXECUTIVE SUMMARY

The Council has a statutory duty to provide free home to school transport services to school age children in the borough who meet the relevant criteria. The council's policy on Home to School transport and the services provided to pupils in the borough have undergone significant changes over the last decade, and home to school transport is regularly reviewed with changes made as necessary to ensure that transport arrangements will continue to meet statutory requirements, whilst remaining a cost effective, appropriate use of public funds.

In light of changes in transport arrangements in the last few years, there is a clear need to review the current school bus arrangements for pupils travelling from this borough to schools in Bolton. As this is an existing service, it is felt appropriate that the pupils and families currently using these services (or likely to do so in the future) should be consulted about any proposals for changes to those services and approval is sought to do so.

2. RECOMMENDATIONS

That the Executive Members:

Give approval to the Council to carry out a consultation with parents of current and prospective pupils and other appropriate bodies (including Manchester Diocese) about school bus services for secondary school age children from Blackburn with Darwen Borough who travel to schools in Bolton.

3. BACKGROUND

All education authorities have a duty to provide free home to school transport to pupils in their area who meet the statutory eligibility requirements. Authorities may also exercise their discretion and provide additional transport services if they choose to do so. Since 2010, Blackburn with Darwen Borough Council has reviewed and altered its home to school transport policy and transport provision several times. Discretionary home to school transport for pupils choosing to attend faith schools was withdrawn many years ago, although some pupils still retain a statutory entitlement to home to school transport to faith schools provided/arranged by the Council. In addition some faith schools in the borough have chosen to provide the necessary funding to enable school bus services to run which many of their other pupils can access.

The borough currently provides four designated school bus services that carry pupils living in the south of the Borough to Bolton schools. Although some of these services carry paying passengers, the financial cost of those services is heavily subsidised by BwDBC. Due to changes to transport arrangements for this area which occurred during the Covid pandemic, it is apparent that some of these services are no longer required in order for the borough to fulfil its statutory duties re home to school transport provision.

The current provision of these school transport services gives pupils who are able to access them a level of service that the council does not provide to pupils across the rest of the borough and also clearly exceeds our statutory home to school transport duties. In recent months, the disparity in provision has been raised with the Home to School Transport team by a number of families in the borough. In light of the important need to treat pupils equally (and bearing in mind current and likely future budget pressures) it is proposed that the Council should review its current bus services for pupils resident within the borough's boundaries who attend schools in the area of Bolton MBC.

This review could potentially confirm a need to alter some of the existing provision to bring it in line with the rest of the overall provision across the whole of the borough, so that all pupils are treated fairly in terms of the transport services directly provided by the Local Authority across the whole borough.

Potential options to achieve an appropriate outcome could include removing one bus route entirely and reducing down a further route and merging with an existing route with available capacity which will need to continue to run in order to fulfil the borough's statutory home to school transport duties. However, before making changes, the borough needs to consult with parents of current and prospective pupils using existing transport, and other bodies, including Manchester Diocese (as one of the schools currently served by the existing transport arrangements is a Church of England high school).

4. KEY ISSUES & RISKS

There is a risk of unequal treatment if a limited number of pupils effectively have access to discretionary transport arrangements made and subsidised by the Council which are not available to all pupils across the borough. There is also a risk of complaint about the council arranging and providing services which fall outside its current home to school transport policy.

There is a risk of the council continuing to incur unnecessary financial costs in providing a service which they have no statutory duty to provide.

There is a risk of complaint from parents of current or future pupils who would wish to attend one of the schools served by the current arrangements if the council withdraws that service in the future. The areas covered by these services are mainly rural areas and inevitably there will be a focus on public transport/alternative transport options to take pupils from these areas to school as such public transport options as exist in these areas are limited. However, the council will continue to fulfil its statutory duty to provide the required home to school transport for all eligible pupils in this borough.

5. POLICY IMPLICATIONS

There are no policy changes relating to this consultation.

6. FINANCIAL IMPLICATIONS

The total current cost of the four routes concerned is £128,580.00. Some of the existing routes carry children with a statutory entitlement to free home to school transport, so the council will continue to incur much of the existing cost of school transport services in this area. However, one route in its entirety could potentially be removed which could enable an annual cost saving of £29,000.00.

Due to the current economic climate and the fact the routes have been awarded for a 3 year period the above contracts are subject to an annual review.

There will be a cost for undertaking this consultation process which will include a consultant's time, officer time and any required distribution resources.

7. LEGAL IMPLICATIONS

This consultation (and any potential changes following the review) will not impact on any statutory aspects of the transport provision in the LA, as BwDBC will continue to ensure that it fulfils its statutory home to school transport duties.

It is lawful and appropriate for the council to seek to ensure parity of treatment for all its school age pupils by reviewing and amending its home to school transport arrangements, where this is necessary in order to ensure that its provision of services is equal and fair to school age pupils across the whole borough.

8. RESOURCE IMPLICATIONS

There will be a cost for undertaking this consultation process which will include a consultant's time, officer time and any required distribution resources.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. (*insert EIA link here*)

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. (*insert EIA attachment*)

10. CONSULTATIONS

The public consultation regarding the review of BwDBC's Home to School transport services to Bolton Schools will take place for 6 school weeks during February – March 2023.

The consultation will be undertaken using the Council website, direct mailing and via other Council communication avenues such as social media, communication to schools (and parents via schools).

If a decision is subsequently taken to amend existing arrangements, that outcome will be communicated to pupils and families via schools and information provided to travellers on these services. Information will also be provided via the school admissions prospectus to enable parents to make informed decisions (in the light of that information) when selecting school preferences for the secondary school admissions round from September 2023.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

VERSION:	1
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CONTACT OFFICER:	Martin Eden Strategic Director of Environment & Operations Jackie Clarkson Transport Services Team Leader Gina Smith Senior Transport Officer
DATE:	1 st February 2023
BACKGROUND PAPER:	None