

TRANSPORT TO AFTER SCHOOL CLUBS RUN BY AREA SPECIAL SCHOOLS

To: Children and Young People's Committee

Meeting Date: 21 January 2020

From: Executive Director: People and Communities

Electoral division(s): All

Forward Plan ref: n/a **Key decision:** No

Purpose: To seek the Committee's views on a proposal to cease the provision of free transport for children and young people with special educational needs (SEND) to enable them to participate in the After School Provision run by Cambridgeshire's Area Special Schools effective from 1 September 2020.

Recommendation: The Committee is asked to:

a) Note the current arrangements and cost of supporting children and young people with special educational needs (SEND) to attend an After School Club run by their Area Special School.

b) Approve the proposal that the Council proceed to consult on the proposal to cease funding transport for After School Provision run by one of Cambridgeshire's Area Special Schools effective from 1 September 2020.

c) Approve the proposal that the Committee receive a further report in April 2020 seeking a decision on whether or not to proceed with the proposal to cease funding transport for After School Provision to those schools effective from 1 September 2020, taking account of the feedback received from the consultation.

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1.0 BACKGROUND

- 1.1 Since 2011, the Council has been funding the cost of transport to enable children and young people attending one of its area special schools to stay on beyond the end of the school day and participate in after school activities. The Council also provides funding from its High Needs Block towards the cost of running this after school provision in the order of £20,000 per school per year.
- 1.2 These arrangements were put in place following the conclusion of a pilot project undertaken in 2010 involving Granta Special School in Linton.
- 1.3 The Council expects to spend £106,310 on providing transport to the After School clubs run by five of Cambridgeshire's Area Special Schools in 2019/20. This is an increase of £7,783 on the cost incurred in 2018/19. For the 80 students who are being supported currently, this breaks down to an annual average cost per student of £1328.96. A more detailed analysis is provided in **Appendix 1**.
- 1.4 This is discretionary spend and the Council does not provide or fund similar arrangements for children and young people attending other special schools or those attending mainstream school who have additional needs and/or an Education Health Care Plan (EHCP).

2.0 MAIN ISSUES

- 2.1 The Legal parameters relating to home to school/college transport for children and young people of statutory school age are set out in Sections 508, 509 and schedule 35B of the 1996 Education Act as amended by the Education and Inspections Act 2006.

Sections 509(1) and (2) place a duty upon local authorities to provide free transport where necessary to facilitate the attendance of children and students at schools and institutions both within and outside of the further and higher education sectors.

Section 509(3) allows local authorities to pay the whole or any part of reasonable travelling expenses when not making provision under 509(2) above.

Section 509(4) requires local authorities to take certain factors into account including the child's age, the nature of possible routes and parental wishes for the provision of education at a school or institution in which the religious education is that of the religion or denomination to which his/her parent adheres.

- 2.2 The Council's responsibility is limited, therefore, to supporting children and young people, including those with special educational needs and disabilities (SEND) to get to and from school at the start and end of the school day. Schools determine those start and end times to ensure that each child and young person receives the number of hours of education each week to which they are entitled.
- 2.3 When travel assistance takes the form of a bus or taxi service organised by the

Council, one return journey at fixed times will normally be provided, timed so that children/young people arrive at school well in advance of registration and/or the start of the official school teaching day, and are collected within 20 minutes of the end of the school teaching day.

2.4 Currently, discretionary transport arrangements are in place which enable children and young people with SEND to participate in After School clubs and provision at five of the seven area special schools in Cambridgeshire. Those schools are:

- Castle in Cambridge
- Granta in Linton
- Highfields Academy in Ely
- Samuel Pepys in St Neots
- Spring Common Academy in Huntingdon

The Council also previously funded and provided transport to the After School club at Meadowgate Academy in Wisbech. Whilst the school continues to run an After School club three days a week it has not made a claim for the transport cost associated with this since the start of September 2018.

2.5 Children and young people with Social, Emotional or Behavioural Difficulties (SEMH) attending one of the schools specialising in this provision do not receive any support to enable them to participate in After School provision. Those schools are:

- The Centre School, Cottenham
- The Harbour School, Wilburton
- Unity School which operates on two sites in St Neots and Wisbech

2.6 Children and young people with EHCPs attending mainstream schools do not receive any support to enable them to participate in After School provision.

2.7 There is clearly, therefore, a question of equality of opportunity with regard to the current arrangements, and the differential treatment of children and young people with EHCPs, depending upon which school they attend.

2.8 Whilst to date, Highfield Littleport, the newest area special school to open in Cambridgeshire, has not requested transport support for After School provision, the potential clearly exists that they could do so. This would apply equally to the Northstowe Area Special School which is due to open next term, and to the one to be established in Alconbury Weald which is at the design stage.

2.9 The £106,310 cost of transporting children and young people home at the end of their After School activities is in addition to that of transporting them to enable them to attend school. This is because the opportunity for shared transport arrangements is much more limited due to which children and young people participate in the After School activities, on which days.

2.10 The current forecast out-turn is that the Home to School Transport Special budget will be overspent by around £700,000 at the end of the financial year. This is against a backdrop of savings in the order of £500,000 having been achieved on the routes which were retendered earlier in the year.

The overspend results from the significant increase in the number of children and young people with EHCPs and the complexity of their needs. They often require individual transport, sometimes in specialist vehicles and, in many cases, a passenger assistant to accompany them. Between April 2018 and March 2019 there was an 11% increase in both the number of pupils with EHCPs and those attending special schools, which is a higher level of growth than in previous years.

- 2.11 Given the continued pressure on budgets and that After School provision is not a statutory requirement, the proposal is to cease providing and funding transport effective from 1 September 2020, the start of the new school year.
- 2.12 Subject to the Committee's views, the next step will be to launch a six-week consultation on the proposal running between 3 February and 27 March 2020. A detailed community impact assessment will form part of the consultation documentation. This timetable would enable officers to report the feedback of the consultation to the Committee at their meeting on 21 April 2020, and seek decision on whether or not to proceed with the proposal to withdraw transport funding and provision effective from 1 September 2020.

3. ALIGNMENT WITH CORPORATE PRIORITIES

3.1 A good quality of life for everyone

- 3.1.1 There are no significant implications for this priority.

3.2 Thriving places for people to live

- 3.2.1 There are no significant implications for this priority.

3.3 The best start for Cambridgeshire's Children

- 3.3.1 There are no significant implications for this priority.

4. SIGNIFICANT IMPLICATIONS

4.1 Resource Implications

- 4.1.1 The report above sets out details of significant implications in paragraphs 2.9 / 2.10.

4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

- 4.2.1 There are no significant implications.

4.3 Statutory, Legal and Risk Implications

- 4.3.1 The Council is not under any statutory obligation or duty to provide and fund transport to enable children and young people to attend and participate in After School clubs.
- 4.3.2 It is recognised that the proposal to withdraw funding and cease provision will be

highly contentious and emotive. The current arrangements provide parents with both respite and childcare. The Council can expect the families who would be affected to lobby hard for the continuation of free transport on the grounds of the benefits their children receive from participating in After School provision.

4.3.3 If funding for transport ceases, the Area Special Schools are likely to need to consider closing their after school clubs resulting in staff redundancies.

4.3.4 The Council's Home to School/College Travel assistance policy is currently under review to ensure that it fully captures and clarifies the circumstances under which transport will be provided and funded. This provides the opportunity to make clear that travel assistance will not be made available to enable a child/young person to attend a Before or After School club, irrespective of whether they attend a mainstream or a special school.

4.4 Equality and Diversity Implications

4.4.1 The current arrangements are not equitable as transport is only provided to children and young people attending five out of the seven area special schools in Cambridgeshire. Children and young people attending one of the three SEMH schools and those with EHCPs attending mainstream schools receive no such support.

4.5 Engagement and Communications Implications

4.5.1 The Head teachers of the five Area Special Schools together with PinPoint, the organisation which acts on behalf of parents of children and young people with SEND, have already been informed that the Committee would be considering this matter at their meeting in January. It will be both appropriate and necessary to undertake a period of consultation to seek feedback and the views of those schools and families who would be affected by this proposed change. It is proposed that this run for six weeks. Early engagement with the Communications Team will be key, given the contentious nature of the proposal.

4.6 Localism and Local Member Involvement

4.6.1 The majority of members are likely to have a family living in their wards who would be affected by this proposed change.

4.7 Public Health Implications

4.7.1 Parents and the families of those children and young people who attend and participate in the After School provision are likely to benefit in terms of respite. The children and young people themselves also benefit in terms of their own health and well-being.

Implications	Officer Clearance
Have the resource implications been	Yes

cleared by Finance?	Name of Financial Officer: Martin Wade
Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the LGSS Head of Procurement?	No as not applicable
Has the impact on statutory, legal and risk implications been cleared by LGSS Law?	No as not applicable
Have the equality and diversity implications been cleared by your Service Contact?	Yes Name of Officer: Jonathan Lewis
Have any engagement and communication implications been cleared by Communications?	Yes Name of Officer: Jo Dickson
Have any localism and Local Member involvement issues been cleared by your Service Contact?	Yes Name of Officer: Jonathan Lewis
Have any Public Health implications been cleared by Public Health	Yes Name of Officer: Tess Campbell

Source Documents	Location
None	

Appendix 1

2019/20 Cost and Provision Breakdown

School	No. of days the club runs	Av. Cost per journey	Weekly costs	School year cost	Number of Students
Castle School	2	£60.00	£300.00	£11,400.00	22
Granta School	4	£63.85	£830.05	£31,541.90	23
Highfield Ely Academy	5	£69.98	£629.82	£23,933.16	10
Samuel Pepys School	3	£69.78	£488.46	£18,561.48	14
Spring Common Academy	5	£54.95	£549.50	£20,881.00	11
Meadowgate	3	N/A	N/A	N/A	
TOTAL			£2797.83	£106,316.64	80