

The duties contained in the Measure require Authorities to:

- Assess the travel needs for learners (up to the age of 19) who are ordinarily resident within Denbighshire; to and from where they receive education and training.

For the purposes of assessment the Authority must have regard to:

- the needs of learners who are disabled persons
 - the needs of learners with learning difficulties
 - the needs of learners who are children looked after, or formerly looked after, by a local authority
 - the age of the learners
 - the nature of the routes which learners could reasonably be expected to take to the relevant places where they receive education or training.
- The Authority must provide free home to school transport for those of compulsory school age attending primary school and living 2 miles or further from their nearest suitable school
 - The Authority must provide free home to school transport for those of compulsory school age (i.e. up to year 11) attending secondary school and living 3 miles or further from their nearest suitable school.
 - Promote access to Welsh medium education
 - Promote sustainable modes of travel

The Measure also requires the Authority to have due regard to the walking routes between home and school for non-eligible learners who live under the stipulated distances; as well as for those walking routes between home and pick-up points used by eligible learners. If routes are designated as hazardous for walking after appropriate assessment by Denbighshire's Highways Engineers, the Authority must provide transport either direct to school or to the pick-up point; whichever is most cost effective and efficient. The Authority presently has over 150 designated sections of hazardous routes and these are considered when assessing transport for learners.

Discretionary Elements in Denbighshire's Learner Transport Policy

Post 16 Transport

Section 3.5 - The Local Authority provides discretionary transport beyond statutory school age where a Denbighshire learner resides 3 miles or more from the nearest suitable school or F.E. college. The learner must be studying full time and be less than 19 years of age on 1st September of the academic year in which the course is taken. Transport will be provided to the nearest secondary school designated by the Authority to serve the learner's home address only, or in the case of full-time vocational courses, to the nearest F.E. college. Transport between learning establishments working in a partnership with each other is provided by those partners.

Faith School Transport

Section 3.2 - On a discretionary basis the Authority will provide transport to the nearest suitable Faith school if this is the parental / carers preference. This will apply even if the school is not their nearest suitable school. The distance criteria in section 2.2 will still apply. See the table in Appendix 1 for further details of Faith schools.

If the nearest suitable Faith school is outside of County then transport would still be provided by the Authority.

Where parents / carers have specifically cited Faith based education and the nearest suitable Faith school has no available places, then the next suitable Faith based school will be considered.

Feeder School Arrangements

Section 3.4 - On a discretionary basis the Authority recognises that certain Primary schools are natural feeder schools for certain Secondary schools. Therefore in regard to Secondary education, free school transport may be provided to either the nearest suitable Secondary School or the recognised feeder Secondary school; providing that the learner lives over the distance criteria in section 2.2, and the journey is agreed to be reasonable; these criteria are shown below.

The Authority reserves the right to apply a test of reasonableness to those parents / carers requesting secondary school transport on the basis of feeder schools. To receive free transport on this basis the learner must:

- Have been attending their nearest suitable primary school from their home location as assessed at the point of admission.
- Meet the distance criteria in section 2.2 for secondary schools.
- If learners move house before commencing secondary school, their entitlement will require re-assessment, as per the criteria shown in section 2.
- In instances where learners have not attended their nearest suitable primary school by parental / carer preference, section 3.4 will not apply. The assessment of school transport applications will then be based solely on nearest suitable Secondary school.

Welsh or English Medium Education

Section 3.3 - In accordance with section 10 of the Learner Travel (Wales) Measure 2008, the Authority promotes access to Welsh medium education by providing discretionary transport to the nearest suitable Welsh or English medium education, if this is parental / carer preference. This will apply even if the school is not their nearest suitable school.

For Welsh Medium education it would be a school which is categorised as either 1 or 2 within the Welsh Government guidelines on Welsh Medium Provision. For category 2 it would be a school where at least 80% of subjects (excluding Welsh and English) are taught through the medium of Welsh, but are also taught through the medium of English. The table in Appendix 1 shows Denbighshire's Welsh Medium School categories.

If the nearest Welsh or English medium school is outside of County then transport would still be provided by the Authority. Preference will only be considered against Welsh Medium or English Medium schools. The distance criteria in section 2.2 will still apply.

Moving Home

Section 3.7 - In cases where a learner, who has been in receipt of free school transport, moves home part way through the academic year, transport will cease if they are no longer attending their nearest suitable school.

If part way through a GCSE year (school years 10 and 11) the Authority will continue to provide discretionary transport until the academic years have been completed, i.e. until the end of year 11.

This undertaking is dependent upon the learner being ordinarily resident in the Authority's area. Note: The Local Authority also reserves the right to test the reasonableness of the transport requested under this condition, having regard to the distance, time of journey and the proximity of other suitable establishments.

All other reassessments of eligibility will follow the criteria set out in section 2. This section shall not apply where parents / carers have previously exercised a preference as detailed in section 2.7.

School Reorganisation

Section 3.6 - In cases where school reorganisation has taken place, the Local Authority will consider the most appropriate options for school transport. This may include providing free transport for a specified period of time dependant on circumstances. Such arrangements will be provided on a discretionary basis and will be documented within the reorganisation process; so that relevant schools, governing bodies, parents / carers, and any other stakeholders are all aware of the terms of the arrangement.

Managed School Transfers

Section 3.8 - Where managed school transfers are supported by both the new destination school head teacher and Education Services, parents / carers will be aware of this action and be included in these discussions at school level. School transport in these circumstances may be supported on a discretionary basis where it forms part of the action and agreement of all parties to pursue a change of school in the interests of the learner.

It is the parent / carer's responsibility to ensure that they fully engage with the Authority and the school when pursuing a managed transfer. These matters need to be verified and evidence available. This allows Education Support to make an informed decision based upon the evidence supporting the transport request.

Where no evidence is available, and/or where parent / carers refuse to engage in the process with the school and Education Services, the transport request will be refused. This will be based upon the lack of evidence available for an informed decision to be made.

Other Discretionary Provisions

Section 3.10 - *Other discretionary arrangements regarding school transport can be made under section 6 of the Measure. The Head of Education and Children Services may apply these powers for free transport in cases such as:*

- *The safeguarding of a learner, or where there is likely to be significant detrimental impact to that learner's welfare.*
- *Transport on medical grounds may also be applicable under this criteria, including cases where the parent has a disability that restricts the ability of a learner to travel to school without transport for period of time; or where a learner is temporarily incapacitated through illness or injury.*
- *Temporary housing of a family outside of the previous residential area due to emergency, normally through the Authority's Housing Service, to minimise disruption of education.*

This list is not exhaustive and there may be other circumstances where discretion can be applied; however, to ensure consistency of approach regarding discretion evidence may be requested from relevant professionals and the assessment will be recorded.

Where short term discretionary transport arrangements are put in place the Authority will inform parents / carers when these arrangements are to end.

Appendix 3 – SEN Example - Ysgol Tir Morfa Costs

	Total Cost (including Passenger Assistants)
Total	£645,512
Residing in Rhyl	£351,599

Appendix 4 – Cost Information from 2017/18

Table 1 – College Transport

Table 1 shows the total cost of college transport for Denbighshire for full school year 2017/18. It is noted that other North Wales Authorities have looked at this specific area and the current status of provision across North Wales is shown Appendix 5.

College Group	Net per annum
Cambria	£194,685
Llandrillo/Menai	£175,339

Table 2 – Faith Transport Costs

Table 2 shows the total cost of transport to faith schools; however, it does not show the split of individual learners who have selected faith schools over another nearer suitable school which is non-faith. Education Support are presently not able to report this level of detail within Capita ONE and are looking to develop this functionality from Sept 2019 for the new school year; neither do we hold information within ONE of when a non-faith school has been selected specifically due to not wanting a nearer faith school. Furthermore it is noted that some Authorities in Wales have previously proposed to remove faith based transport; although a successful challenge was brought against Swansea Council in 2015 which prevented the Authority from make any such changes. Some Authorities, e.g. Flintshire, do also request suitable evidence of adherence of faith before offering free transport.

Table of Mainstream Costs Faith Transport			
Faith Schools	Cost 2017/18		
Blessed Edward Jones (yrs 7-13)	£7,637		
Borthyn	£9,931		
Dyffryn Iâl	£21,482		
Esgob Morgan	£15,150		
Llanbedr	£8,550		
Llanfair¹	£63,467		
Mair	£13,222		
Pant Pastynog[†]	£85,601		
St Brigid's (Reception - yr 13)	£142,830		
Trefnant	£11,694		
Trelawnyd	£10,638		
Tremeirchion[†]	<u>£49,942</u>		
TOTAL	£440,004		

¹ No percentage spilt for Welsh/English streams

[†] Falls into Welsh medium and faith categories

Table 3 (Welsh Primary and Secondary Transport Costs)

The total cost of services to Welsh language schools is shown in Table 3; however, as with faith transport this does not show the percentage of this cost for those learners who have preferentially selected Welsh language as opposed to nearer English medium provision. This information is part of the eligibility assessment but is presently not reportable from ONE; neither are we able to discern costs for preferential requests to English medium schools over nearer Welsh medium schools. Note - there are a number of schools in Denbighshire which are both Welsh medium and faith schools, therefore their costs in Appendix 4 may appear in both tables 2 and 3.

Table of Mainstream Costs for Welsh Medium Transport			
Welsh Medium Primary	Cost 2017/18		
Betws GG	£10,890		
Bro Cinmeirch	£16,769		
Bro Dyfrdwy	£50,271		
Bro Elwern	£23,814		
Carreg Emlyn	£61,952		
Dewi Sant	£23,790		
Henllan	£4,654		
Pant Pastynog†	£85,601		
Pentrecelyn	£36,843		
Tremeirchion†	£49,942		
Twm o'r Nant	£25,214		
Y Gwernant	£38,756		
Y Llys	<u>£5,715</u>		
TOTAL	£434,211		

Welsh Secondary Yrs 7-11	Cost 2017/18	
Brynhyfyrd²	£286,714	
Dinas Brân¹	£114,821	
Glan Clwyd	£374,053	
Morgan Llwyd	£7,280	
Y Berwyn, Bala	<u>£17,976</u>	
TOTAL	£800,844	
Welsh Secondary - 6th Form	Cost 2017/18	
Brynhyfyrd²	£80,280	
Dinas Brân¹	£31,818	
Glan Clwyd	£48,102	
Morgan Llwyd	£5,460	
Y Berwyn, Bala	<u>£10,186</u>	
TOTAL	£175,846	
Grand Total for Welsh Secondary Yrs 7 to 13	£976,690	

¹ No percentage split for Welsh/English streams

² Welsh/English split is available but not shown (would take further time to discern)

† Falls into Welsh medium and faith categories

Appendix 5 - Post 16 Transport in North Wales

Authority	Current position	Issues (if any)
Anglesey	No transport provided for Post-16	Allow concessionary seats if they are available. Promote Wales travel ticket for use of public services at reduced student cost.
Gwynedd	Exact a charge	Post-16 is a chargeable travel ticket for use on public services. Term 1 (Autumn): £120 Term 2 (Spring): £120 Term 3 (Summer): £60.
Conwy	Currently free until Sept 2020	Following consultation a £240 charge from Sept 2020 will be levied.
Flintshire	Currently free to nearest suitable provision	Presently out for consultation on options to change.
Wrexham	No transport provided for Post-16	Provision removed in 2015 following a consultation; students to contact the 6th form / colleges directly.