



**CYNGOR BWRDEISTREF SIROL  
RHONDDA CYNON TAF  
COUNTY BOROUGH COUNCIL**

**GWŶS I GYFARFOD O'R CYNGOR**

C. Hanagan  
Cyfarwyddwr Gwasanaeth y Gwasanaethau Democrataidd a Chyfathrebu  
Cyngor Bwrdeistref Sirol Rhondda Cynon Taf  
2 Llys Cadwyn  
Stryd Taf  
Pontypridd, CF37 4TH

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**DYMA WŶS I CHI** i gyfarfod o **PWYLLGOR TROSOLWG A CHRAFFU 2022 - 2027** yn cael ei gynnal yn **Council Chamber Llys Cadwyn, Taff Street, Pontypridd / ZOOM** on **DYDD MERCHER, 27AIN MAWRTH, 2024** am **10.00 AM.**

Caiff Aelodau nad ydyn nhw'n aelodau o'r pwyllgor ac aelodau o'r cyhoedd gyfrannu yn y cyfarfod ar faterion y cyfarfod er bydd y cais yn ôl doethineb y Cadeirydd. Gofynnwn i chi roi gwybod i Wasanaethau Democrataidd erbyn Dydd Mawrth, 26 Mawrth 2024 trwy ddefnyddio'r manylion cyswllt uchod, gan gynnwys rhoi gwybod a fyddwch chi'n siarad Cymraeg neu Saesneg.

Bwriedir i'r cyfarfod yma gael ei weddarlledu'n fyw, mae rhagor o fanylion am hyn [yma](#)

**AGENDA**

**Tudalennau**

**1. DATGAN BUDDIANT**

Derbyn datganiadau o fuddiannau personol gan Aelodau, yn unol â'r Cod Ymddygiad.

Nodwch:

1. Mae gofyn i Aelodau ddatgan rhif a phwnc yr agendwm mae eu buddiant yn ymwneud ag ef a mynegi natur y buddiant personol hwnnw; a
2. Lle bo Aelodau'n tynnu'n ôl o'r cyfarfod o ganlyniad i ddatgelu buddiant sy'n rhagfarnu, rhaid iddyn nhw roi gwybod i'r Cadeirydd pan fyddan nhw'n gadael

**2. GALW I MEWN - PENDERFYNIAD Y CABINET O RAN YR ADOLYGIAD O BOLISI CLUDO DISGYBLION O'R CARTREF I'R YSGOL Y CYNGOR**

Trafod penderfyniad y Cabinet ar 20 Mawrth 2024 mewn perthynas â'r Adolygiad o Bolisi Cludo Disgyblion o'r Cartref i'r Ysgol y Cyngor

3 - 162

### 3. **MATERION BRYS**

Trafod unrhyw faterion sydd, yn ôl doethineb y Cadeirydd, yn faterion brys yng ngoleuni amgylchiadau arbennig.

### 4. **ADOLYGIAD Y CADEIRYDD A DOD Â'R CYFARFOD I BEN**

## **Cyfarwyddwr Gwasanaeth y Gwasanaethau Democrataidd a Chyfathrebu**

### **Cylchreliad:-**

Cadeirydd ac is-gadeirydd y Pwyllgor Trosolwg a Chraffu 2022 - 2027  
(Y Cynghorydd J Edwards a Y Cynghorydd B Stephens)

### **Y Cynghorwyr Bwrdeistref Sirol:**

Y Cynghorydd M Ashford, Y Cynghorydd R Bevan, Y Cynghorydd J Bonetto,  
Y Cynghorydd R Davis, Y Cynghorydd S.Evans, Y Cynghorydd S Evans,  
Y Cynghorydd C Middle, Y Cynghorydd K Morgan, Y Cynghorydd S Morgans,  
Y Cynghorydd G L Warren, Y Cynghorydd M Powell and Y Cynghorydd S Emanuel



**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2023/24**

**SPECIAL OVERVIEW & SCRUTINY COMMITTEE**

**27 MARCH 2024**

**CALL-IN: REVIEW OF THE COUNCIL'S HOME TO SCHOOL TRANSPORT POLICY**

**REPORT OF THE SERVICE DIRECTOR DEMOCRATIC SERVICES &  
COMMUNICATION**

**1. MEMBERS WILL FIND ENCLOSED:**

**Appendix A** – Cabinet Committee Report of the [20<sup>th</sup> March 2024](#) - 'Cabinet Member Environment and Leisure titled Review of the Council's Home to School Transport Policy.

**Appendix A1** – Equality Impact Assessment

**Appendix A2** – Welsh Impact Assessment

**Appendix A3** - Consultation Report

**Appendix B** - Copy of the Cabinet Decision for the above mentioned item.

**Appendix B1** – Copy of feedback from Overview and Scrutiny to Cabinet

**Appendix C** –Extract of the Council's Overview and Scrutiny Procedure Rules re: Call-in

**Appendix D** – Copy of the Call in form received from Councillors K Morgan, Councillor P Binning and Councillor K Johnson

**2. RECOMMENDATIONS:**

- 2.1 To determine whether or not to refer the matter back to Cabinet for reconsideration.

### 3. **BACKGROUND**

3.1 On the 20 March 2024, a report was considered by Cabinet in respect of the decision to approve the recommendations outlined below:

*2.1 Considers the content of the report and outcome of the public consultation, together with the associated Equality and Welsh Language Impact Assessments appended to the report;*

*2.2 Subject to 2.1 above, determines whether or not, and if so how, it wishes to proceed with implementation of a revised Home to School Transport Policy giving consideration to the following preferred option which was consulted upon, namely:*

- *providing mainstream English, Welsh and Faith primary school, secondary school and college transport in line with relevant statutory distance criteria,*
- *allowing a learner to select their nearest suitable school in accordance with choice of English or Welsh Medium language or preferred religious denomination;*
- *continuing to provide discretionary pre-compulsory school age transport and post-16 transport; and*
- *continuing to provide discretionary Additional Learning Needs transport:*

*2.3 Subject to 2.1 and 2.2 above, considers, in light of the feedback from the public consultation and analysis of the Equality and Welsh Language Impact Assessments, whether it wishes to amend the proposal as consulted upon, including consideration of alternative options presented within section 14 of this report;*

*2.4 Notes that any revised Home to School Transport Policy would need to be published in accordance with statutory requirements by 1<sup>st</sup> October 2024 in order for it to be able to be implemented for the commencement of the 2025/26 academic year; and*

*2.5 Subject to any decision taken to proceed with implementation of a revised Home to School Transport Policy delegates authority to the Director of Highways, Streetcare and Transportation Services to develop, introduce or amend any operational policies/guidance incidental to the implementation of any revised Home to School Transport Policy.*

- 3.2 The Overview and Scrutiny Committee were formally consulted on the matter on the [13 December 2023](#). Members then also pre scrutinised the matter on the [18<sup>th</sup> March 2024](#). In addition to the formal consultation report, Members of the Overview and Scrutiny Committee were also provided with additional written consultation responses received. Formal feedback from these meetings which were presented to Cabinet for consideration is attached at Appendix B1.
- 3.3 The decision in respect of the above was published on the 20 March 2024 and is attached at Appendix B.
- 3.4 Members are able to view the Cabinet meeting where the matter was considered by clicking [here](#) to view the recording.
- 3.5 Rule 17 of the Overview and Scrutiny Procedure Rules dealing with call-in is attached as Appendix C of this report.
- 3.6 The call-in form was received on the 25 March 2024 which complied with the relevant criteria. (A copy of the prescribed call in form is attached as Appendix D)
- 3.7 The reasons for the call-in which were considered valid by the Proper Officer are presented for the Committees consideration below.

#### **4. PROCEDURE**

- 4.1 Each case for Call-in must be considered on its merits and the procedure for the conduct of the meeting will be in accordance with the Overview and Scrutiny Procedure Rule 17.1B, as shown below:-

##### **17.1 Procedure at call-in meetings held under Rule 17.1**

1. Declarations of interest (including whipping declarations);
2. Welcome by the Chair followed by the outlining of the reason for the call-in meeting, to be undertaken by the Head of Democratic Services as per detailed below:-

##### **Call –in matters raised for consideration by the committee supported by the Proper Officer :**

1. There is a need to further consider the negative impact of the decision for pupils, parents/carers and the communities of Rhondda Cynon Taf.
2. The decision to proceed did not fully consider the negative impact in relation to legal implications, equality impact assessment and welsh language assessment.
3. To further scrutinise if the Cabinet decisions being called in are legally compliant and in accord with duties under the Future Generation Wales Act 2015, the UN Convention on the Rights of the Child as well as the Equalities Act and Welsh Language Act

4. To further scrutinise practicalities in delivering decision 5 (recommendation 2.5 of the Cabinet report) relating to the delegated authority as agreed.

**3. Chair to invite the three Members, namely County Borough Councillors:**

***Councillor K Morgan, Councillor P Binning and Councillor K Johnson*** who have signed the call-in form to present their submissions to the Overview and Scrutiny Committee as to why they consider the relevant decision should be referred back to the decision maker for reconsideration, having regard to the accepted valid reasons set out in the 'notice of call-in form'.

4. *Chair to invite relevant Director(s) to respond.*
  5. *Chair to give any Cabinet Member(s) present the opportunity to address the Committee.*
  6. *Chair to invite any other Members of the Committee to speak (and with the Chair's permission any non-Committee Members present, who are eligible to attend, and wish to speak).*
  7. *If necessary, the Chair to invite any relevant Director/Cabinet Member present to respond to a Member's question.*
  8. *Chair to invite one of the three signatories to the call-in to make a final address to the Committee membership.*
  9. *Chair to put the matter to the vote.*
  10. *Legal Officer present to summarise the effect of the Committee's decision in accordance with Overview and Scrutiny Procedure Rules 17.1(e) and 17.1(f)*
- 4.2 If the proposal to refer the matter back for reconsideration is passed then the matter will be referred back to the decision maker, namely the Cabinet. If the proposal is lost then the decision will take effect from the conclusion of this meeting.
- 4.3 The relevant Cabinet portfolio holder(s) will be invited to the meeting to answer any questions Members of the Committee may have with regards to the subject matter of the Call In.
- 4.4 Should any public speaker requests be received, they will be considered in accordance with the Council Scrutiny participation arrangements, as outlined within the Council's Public Participation Strategy.

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**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**20<sup>TH</sup> MARCH 2024**

**REVIEW OF THE COUNCIL'S HOME TO SCHOOL TRANSPORT POLICY**

**REPORT OF THE DIRECTOR OF HIGHWAYS, STREETCARE AND TRANSPORTATION SERVICES IN DISCUSSION WITH THE LEADER OF THE COUNCIL, COUNCILLOR ANDREW MORGAN OBE AND THE CABINET MEMBER FOR ENVIRONMENT & LEISURE (COUNCILLOR ANN CRIMMINGS)**

**1. PURPOSE OF THE REPORT**

1.1 The purpose of the report is to:

- (i) Report the results of the public consultation exercise initiated by Cabinet, together with updated Equality and Welsh Language impact assessments in relation to a proposed new Home to School Transport Policy; and
- (ii) Assist Cabinet in its determination of whether or not it wishes to progress with implementation of a new Home to School Transport Policy.

**2. RECOMMENDATIONS**

It is recommended that Cabinet:

- 2.1 Considers the content of the report and outcome of the public consultation, together with the associated Equality and Welsh Language Impact Assessments appended to the report;
- 2.2 Subject to 2.1 above, determines whether or not, and if so how, it wishes to proceed with implementation of a revised Home to School Transport Policy giving consideration to the following preferred option which was consulted upon, namely:
  - providing mainstream English, Welsh and Faith primary school, secondary school and college transport in line with relevant statutory distance criteria,
  - allowing a learner to select their nearest suitable school in accordance with choice of English or Welsh Medium language or preferred religious denomination;
  - continuing to provide discretionary pre-compulsory school age transport and post-16 transport; and

- continuing to provide discretionary Additional Learning Needs transport:
- 2.3 Subject to 2.1 and 2.2 above, considers, in light of the feedback from the public consultation and analysis of the Equality and Welsh Language Impact Assessments, whether it wishes to amend the proposal as consulted upon, including consideration of alternative options presented within section 14 of this report;
- 2.4 Notes that any revised Home to School Transport Policy would need to be published in accordance with statutory requirements by 1<sup>st</sup> October 2024 in order for it to be able to be implemented for the commencement of the 2025/26 academic year; and
- 2.5 Subject to any decision taken to proceed with implementation of a revised Home to School Transport Policy delegates authority to the Director of Highways, Streetcare and Transportation Services to develop, introduce or amend any operational policies/guidance incidental to the implementation of any revised Home to School Transport Policy.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 The Council is facing significant financial challenges into the medium term and is considering a range of options to contribute to addressing the shortfall in funding.
- 3.2 To consider the results of a public consultation exercise, initiated by Cabinet, together with updated impact assessments, in respect of a proposed new Home to School Transport Policy, which maintains elements of discretionary transport and provides mainstream English, Welsh and Faith primary school, secondary school and college transport in line with relevant statutory distance criteria.
- 3.3 Should the proposed new Home to School Transport Policy be implemented, in respect of the preferred option consulted upon, the Council would continue to provide discretionary Home to School Transport beyond statutory requirements, using discretionary powers to provide transport in a number of areas as outlined in the report, including the provision of transport for pupils with Additional Learning Needs, pupils of pre-compulsory school age and post-16 learners. Further, it would allow a learner to select their nearest 'suitable school' in accordance with their choice of English or Welsh Medium language or preferred religious denomination.
- 3.4 The feedback received through the consultation exercise highlighted a number of recurring themes which are referenced in this report and in the associated impact assessments. Cabinet should have due regard to



these prior to making any final decision in relation to any revised Home to School Transport Policy.

#### **4. BACKGROUND**

- 4.1 At its meeting on 18<sup>th</sup> September 2023 the Cabinet received an update on the Council's Medium Term Financial Plan 2023/24 to 2026/27. This reported an estimated budget gap of £35.005M for 2024/25 financial year, rising to £85.4M (cumulatively) across the next 3 years. This follows the Council having balanced its largest ever budget gap for the current year, 2023/24.
- 4.2 Given the size of the budget gap and with a focus across the medium term, this report sets out an option to reduce the cost base with regard to the provision of Home to School transport.
- 4.3 Moreover, [at its meeting on 20<sup>th</sup> November 2023](#), Cabinet agreed to initiate a public consultation in respect of a proposed new Home to School Transport Policy, which, if approved, would be adopted from the beginning of the 2025/26 Academic year.
- 4.4 The Council currently operates a very generous Home to School Transport policy over and above the statutory distance criteria which is the largest operation of its kind in Wales. The Council currently provides Home to School transport for approximately 9,000 mainstream pupils, 960 Additional Learning Needs ("ALN") learners, and 2,300 College students each day, with approximately 9,000+ of these learners transported on a discretionary basis. This transport is provided through the provision of contracted coaches, minibuses, taxis, and public transport season tickets.
- 4.5 Many Councils have already modified their eligibility criteria in line with the statutory distance. Therefore, the Council now provides discretionary transport for more learners than almost every other Council's entire Home to School transport operations.
- 4.6 Since the Covid-19 pandemic and conflict in Ukraine, bus operators have experienced significant increases in operational costs e.g., fuel, parts, wages etc. These costs have naturally impacted the viability of school bus routes and the affordability to operate them at pre-pandemic rates. As a result, the Council has uplifted its current contract rates significantly to match industry demand and continues to receive tender bids for new/replacement routes far above those received prior to March 2020.
- 4.7 The resultant effect of this has seen the Council's Home to School Transport costs increasing from £8M in 2015 to over £15M for the 2023/24 financial year.

4.8 Factoring in the increasing costs Cabinet determined to initiate a consultation on a proposed new Home to School Transport Policy.

5. **LEGISLATIVE FRAMEWORK: THE COUNCIL'S DUTIES UNDER THE LEARNER TRAVEL (WALES) MEASURE 2008**

5.1 The Council has several statutory duties which are relevant to this policy area which Members are reminded of, and must give due consideration to, before taking any final decision(s) in respect of the implementation of any new Home to School Transport Policy. These are set out in detail below.

5.2 The Welsh Government's Learner Travel (Wales) Measure 2008 (referred to in this report as the "Measure") sets out the current statutory duties of Local Authorities with regard to the provision of home to school transport. Statutory guidance is also provided by the Welsh Government in the Learner Travel Statutory Provision and Operational Guidance – June 2014 (the "Guidance"). The Measure and the Guidance can be accessed by clicking on the following links: [Measure](#) / [Guidance](#).

5.3 Under the Measure the Council **must**: -

- Assess the travel needs of learners in its area.
- Provide free home to school transport for learners of compulsory school age attending primary school who live 2 miles or further from their nearest suitable school.
- Provide free home to school transport for learners of compulsory school age attending secondary school who live 3 miles or further from their nearest suitable school.
- Assess and meet the needs of "looked after" children in its area.
- Promote access to Welsh medium education.
- Promote sustainable modes of travel.

5.4 The Council must therefore continue to meet these responsibilities in any future policy it adopts.

5.5 The Measure requires the Council to provide learners with free transport to their nearest suitable school if they ordinarily reside beyond a "safe" walking distance to that school. The term "suitable school" applies to the catchment area English, Welsh or dual-language mainstream school, or special school or class as appropriate. Where learners are not entitled to free transport the Council has the power to provide transport on a discretionary basis.

5.6 The definition of nearest "suitable school" is where the "education or training provided is suitable having regard for the age, ability and aptitudes of the learner and any learning difficulties he or she may have".

- 5.7 The walking distance is measured by the shortest available route. The Guidance states that, “a route is available“ if it is considered to be safe, (as far as reasonably practicable), for a learner without a disability or learning difficulty to walk the route alone, or with an accompanying adult if the learner’s age and levels of understanding requires this.” If a route is not “available” then a learner is entitled to free transport to their nearest suitable school even though the distance from home to school is less than the distance limit that applies to his or her age.
- 5.8 Assessing the travel needs of learners does not mean providing free transport. Learners will only qualify for free transport provision if they meet the entitlement criteria. Whilst the Council is required to assess the travel needs of all learners under the age of 19, there is currently no legal duty to provide free or assisted transport arrangements for non-compulsory school age children, (up to the term in which a child turns 5 or post 16 learners).
- 5.9 Parents and learners may express a preference for a particular school or a particular type of language provision, or Faith school, but the Measure does not confer on those parents and learners any rights to free transport to their preferred school and or location, unless that school is determined by the Council to be the learner’s nearest suitable school and the learner meets the distance criteria. However, Members should note, particularly, the position in relation to Welsh medium education as outlined in paragraphs 5.17 – 5.20 below.
- 5.10 The Council is also required to have regard to: -
- The needs of disabled learners and learners with learning difficulties.
  - Any particular needs of learners who are “looked after” or formerly looked after by the Council.
  - The age of a learner.
  - The nature of the route that the learner is expected to take between home and the places where they receive education or training.
- 5.11 In assessing the travel needs of learners, the Council must take into account the fact that the travel arrangements they make in light of the assessment must not cause unreasonable levels of stress, take an unreasonable amount of time, or be unsafe.
- 5.12 When exercising functions under the Measure, the Council is not required to take account of extra-curricular activities or breakfast and / or after-school clubs when assessing learner travel needs.
- 5.13 If a learner cannot be admitted to their nearest suitable school which results in the learner having to attend the next available nearest suitable

school, the Council has the same duty to provide free transport, if the requisite distance criteria is met.

- 5.14 Free transport for statutory age learners who attend special schools, pupil referral units and learning support classes is provided in accordance with the Council's agreed policy on walking distance and safe routes, (as set out above). This must be supported by appropriate evidence and be confirmed by the Council's Access and Inclusion ALN Panel. Learners with disabilities, (as defined by the Equality Act 2010), may be entitled to assistance with transport from home to an appropriate school or college even though the Council's agreed criteria on safe walking distance, (as set out above), are not met.
- 5.15 There is no statutory duty for the Council to provide free transport to post-16 learners who continue their studies in mainstream further education or training, as well as for learners with a disability or learning difficulty attending post-16 further education or training. Although, in assessing learner travel needs, the Council "must have regard in particular" to the needs of learners who are disabled or with learning difficulties.

#### **Power To Provide Discretionary Provision**

- 5.16 The Measure provides the Council with the power to provide discretionary transport arrangements for non-compulsory school age children.
- 5.17 When deciding which schools are most suitable for learners in its area, the Council and Welsh Ministers have a duty under the Measure to "promote access to education and training through the medium of Welsh".
- 5.18 The Council has the option to provide discretionary transport arrangements for learners who are not attending their nearest suitable school because of language preference.
- 5.19 The Council has to make clear in its Home to School Transport Policy, (which is contained in the annual Starting School Booklet), its arrangements for providing free or assisted travel to schools teaching through the medium of Welsh or English.
- 5.20 Preference for either language should be treated equally. The Council must also take into account its [Welsh Language Promotion Strategy and Action Plan 2022-2027](#) and [Welsh in Education Strategic Plan 2022 – 2032 \(WESP\)](#). The WESP sets out the ten-year plan for the planning and improvement of the provision of Welsh Medium and Welsh Language education. It is the plan for increasing the number of pupils attending Welsh Medium Schools.

- 5.21 A learner is entitled to free transport to a denominational or Faith school, if that school is considered by the Council to be the learner's nearest suitable school, should they meet the relevant distance criteria. However, the Measure also provides the Council with the power to provide discretionary transport arrangements for learners who are not attending their nearest suitable school because of denominational preference.
- 5.22 The Council is also required to make clear in its Home to School Transport Policy its arrangements for providing discretionary, or assisted travel to denominational schools.
- 5.23 If the Council does make use of its discretionary powers, it must ensure that the policy applies to all learners in the same circumstances living in that Council's area. The Council should ensure that any policy is fair, reasonable, and lawful, and complies with relevant equality legislation to ensure it does not discriminate unlawfully between learners when using their discretionary powers.

### **Charging for Transport**

- 5.24 The Council cannot charge for transport arrangements that it is *required* to make for learners of compulsory school age, (i.e., the statutory requirement to provide free home to school transport), except in relation to Children Looked After (CLA), where the Council makes travel arrangements for a child who is looked after by another Authority, (where a charge may be made to another Authority).
- 5.25 However, when the Council uses its Section 6 powers under the Measure to provide discretionary travel arrangements for learners not entitled to free transport provision, a charge can currently be applied for these arrangements.

### **The Public Service Vehicle Accessibility Regulations (PSVAR)**

- 5.26 The Public Service Vehicle Accessibility Regulations (PSVAR) of 2000 and 2005 apply to all new public service vehicles, (buses or coaches), that:
- Have been introduced since 31<sup>st</sup> December 2000.
  - Have a capacity exceeding 22 passengers.
  - Are used to provide a local or scheduled service.
- 5.27 PSVAR applies in England, Scotland and Wales and come under the responsibility of the UK Government's Department for Transport.
- 5.28 Requirements under the regulations have been introduced in phases. The final requirement from the PSVAR was implemented on 1<sup>st</sup> January

2020. This requirement means that any coach used on a scheduled service from that date must provide wheelchair access. The PSVAR apply only to public service vehicles. A vehicle that is not a public service vehicle (i.e., one that is not operated on a commercial basis for hire and reward), is outside the scope of the PSVAR.

- 5.29 The PSVAR apply to transport for learners provided by Local Authorities on a discretionary basis where the Local Authorities collect a fee from the learner, (i.e. impose a charge or sell surplus seats). The regulations do not include transport that Local Authorities provide themselves. In some areas, as a consequence of the PSVAR, some fare paying school buses have been withdrawn.
- 5.30 Medium-term exemptions to the PSVAR have been introduced by the UK Government in respect of in-scope home-to-school services. Those exemptions came into force on 1<sup>st</sup> July 2023 but expire on 31<sup>st</sup> July 2026. The grant of such exemptions requires operators concerned to progressively increase the compliance rate among their vehicles that are available for in-scope home to school transport services. All must be what the UK Government describes as “either fully or partially compliant with PSVAR” by 1<sup>st</sup> August 2026.
- 5.31 There is currently a significant shortfall in the number of buses that meet the PSVAR requirements in the marketplace. Due to the additional time required to operate scheduled school bus routes, and the geographical restrictions along these routes, e.g., a bus with wheelchair lift requires a road to be flat without incline, it is also not practical to operate such vehicles on school contract routes.
- 5.32 As a result of the above, the option of charging for transport under the statutory distance is not available for consideration.

### **Education Act 1996**

- 5.33 Section 444 of the Education Act 1996 creates the offence on the part of a parent of failing to secure the regular attendance at school of a registered pupil. Section 20 of the Measure amends Section 444 to provide that a parent will have a defence to a prosecution if a Local Authority has failed to discharge, where required, their statutory duties under the Measure to make travel arrangements to facilitate the attendance of their child at school.

### **Active Travel (Wales) Act 2013**

- 5.34 The Council needs to have due regard to the Welsh Government’s Active Travel Action Plan for Wales and the Active Travel (Wales) Act 2013.

5.35 The action plan aims to address congestion and encourage people to walk and cycle more often. The Welsh Government estimates that one in five cars on the road at 8:50am on a weekday is undertaking a journey to school. Therefore, congestion in towns is a serious issue. The Action Plan sets out the actions that the Welsh Government and its partners will take to encourage more people to walk and cycle for more journeys. It is hoped that this will not only improve the health of our young people, but also improve the health and well-being of those who live and work in the area.

## **6. CURRENT POLICY**

6.1 The Council currently provides Home to School transport for approximately 9,000 mainstream pupils and 2,300 College students<sup>1</sup> each day through the provision of more than 193 routes. This transport is provided through the provision of contracted coaches, minibuses, and public transport season tickets.

6.2 The following table demonstrates how the Council schedules its contracted mainstream and college bus transport provision to ensure the most efficient use of available resources.

Number of learners carried by contracted bus	9,528
Number of school/college bus routes	193
Number of buses in operation	168
Average number of learners per route	49
Overall % of vehicle capacity utilised	81%
Number of learners carried by public transport	1,750

6.3 The Home to School transport budget for 2023/24 is £15m.

6.4 The Council's Learner Travel Policy is contained in its annual [Starting School Booklet](#).

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<sup>1</sup> As at September 2023

6.5 The Council is currently exercising its discretionary powers (referred to in paragraphs 5.16 - 5.23 above) under the provisions of the Measure to make a more generous provision to learners. The comparison to the statutory requirements is shown below: -

<b>Age during Academic Year</b>	<b>User</b>	<b>Statutory Requirement to Provide Free Transport</b>	<b>RCT Provision (as of November 2023)</b>
3 – End of term in which child turns 5	Non-compulsory school age	No statutory provision (although duty to assess needs)	Free transport for pupils attending full time in line with the Council's admission arrangements if reside 1.5 miles or further safe walking distance to their catchment or nearest suitable school.
Term following 5 <sup>th</sup> Birthday – 11	Learner receiving compulsory primary education (English or Welsh Medium & SEN)	Reside 2 miles or further safe walking distance to their nearest suitable school	Free transport if reside 1.5 miles or further safe walking distance to their catchment or nearest suitable school.
12 – 16	Learner receiving compulsory secondary education (English or Welsh Medium & SEN)	Reside 3 miles or further safe walking distance to their nearest suitable school	Free transport if reside 2 miles or further safe walking distance to their catchment or nearest suitable school
16+	Post-16 learners	No statutory provision, (although there is a duty to assess needs)	Free transport if reside 2 miles or further safe walking distance to their nearest suitable school or college at which the approved course of study they wish to follow is offered (full time attendance) – for 2 years after the end of compulsory education (or 3 years for those who have reached 19 but started a course when under 19 and



Age during Academic Year	User	Statutory Requirement to Provide Free Transport	RCT Provision (as of November 2023)
			continue to attend that course).
3 – 19	Learners selecting a school in accordance with their preferred religious denomination	No statutory provision – Measure does not require provision where learner selects a school that is not the nearest ‘suitable school’ (as the definition does not include voluntary aided (Faith) mainstream schools).	Allows learner to select their nearest ‘suitable school’ in accordance with their preferred religious denomination.  Therefore, distance provisions above apply.
3 – 19	Learners selecting a Welsh Medium School	Statutory provision is an issue of interpretation – Measure does not require provision where learner selects a school that is not the nearest ‘suitable school’.	Allows learner to select their nearest ‘suitable school’ in accordance with choice of English or Welsh Medium language.  Therefore, distance provisions above apply.

6.6 Based on a review of all Welsh local authorities, the provision at Rhondda Cynon Taf compares favourably to other parts of Wales. The table in Appendix 1 to the report summarises an analysis of Home to School Transport provision using available information contained in each Authority's starting school booklets for 2023/24, (note: policies may have been subsequently updated and relevant information has been provided in this regard where possible). It is also noted that 18 out of 22 Councils in Wales currently provide Home to School Transport in line with the Welsh Government's statutory distance requirements.

## **7. REVIEW OF SERVICE PROVISION – INITIAL OPTIONS CONSIDERED**

7.1 Three options were initially considered as part of this review<sup>2</sup>, namely:

<sup>2</sup> Savings figures based on pupil numbers and service usage as of September 2023

- A. **Status Quo** i.e., retain the current level of provision resulting in £nil savings.
- B. **Provide mainstream English, Welsh and Faith primary and secondary school and college transport in line with statutory distance criteria.**

Transport for all primary school pupils living between current discretionary distance of 1.5 miles and statutory distance of 2 miles would no longer be provided. Free transport for pupils living further than 2 miles away would continue, including where pupils attend Welsh or Faith schools because of parental/carer/learner preference.

Transport for all secondary school pupils living between current discretionary distance of 2 miles and statutory distance of 3 miles would no longer be provided. Free transport for pupils living further than 3 miles away would continue, including where pupils attend Welsh or Faith schools because of parental/carer/learner preference.

This option has the potential to deliver savings of approximately £2.5M in a full year.

- C. **Removal of all discretionary provision.**

In this option transport would no longer be provided for:

- Primary school pupils of compulsory school age attending an English medium school living between current discretionary distance of 1.5 miles and statutory distance of 2 miles.
- Secondary school pupils of compulsory school age attending an English medium school living between current discretionary distance of 2 miles and statutory distance of 3 miles.
- Pupils below compulsory school age.
- Post 16 pupils.
- All Primary and Secondary school pupils attending a Welsh Medium or Faith school, except where it is the nearest suitable school and is more than the statutory safe walking distance away.

This option has the potential to deliver savings of approximately £6.9m in a full year.

- 7.2 An analysis of the advantages and disadvantages of each initial option, including the impact on pupil numbers as of September 2023, is shown at Appendix 2 to this report.
- 7.3 The proposed preferred option Cabinet initiated a consultation upon was Option B – namely to provide mainstream English, Welsh and Faith primary and secondary school and college, transport, in line with statutory distance criteria. Furthermore, it was proposed that this policy would be implemented from the start of the 2025/2026 academic year.
- 7.4 Option B would deliver a financial saving whilst maintain all other elements of discretionary provision. It would also assist in addressing increasing concerns about market stability in respect of Home to School transport provision. It is anticipated that it would also encourage more pupils onto public transport, add routes, which would help in turn to sustain public transport services, albeit it is acknowledged that for younger pupils there may be safeguarding concerns.
- 7.5 Furthermore, with the electrification of valley lines and improved frequency of services via the South Wales Metro, pupils will have access to improved rail services and integrated public transport network in some areas. However, it would mean approximately 2,750 pupils no longer receiving access to free Home to School transport. From an educational perspective, it was identified that this may raise potential issues in respect of pupil attendance and learner engagement in education should the Council's policy be amended in this way. This is a potential risk given the strong correlation between learner attendance and outcomes, and the continued impact of the pandemic on attendance rates at a local, regional, and national level. These considerations and others are explored in further detail later in the report.
- 7.6 Option B would mean the Council continues to meet the requirements of the Measure, with 18 of the 22 Council's in Wales already adopting the statutory distance requirements.
- 7.7 If implemented Option B would deliver savings of approximately £2.5M per year, which would be fully realised in the 2026/27 financial year. The part-year savings for 2025/26 would be approximately £1.4M.

## **8. PROPOSED NEW HOME TO SCHOOL TRANSPORT POLICY**

- 8.1 Whilst the Council has chosen to make use of its powers to provide discretionary transport arrangements, it also has the power to remove this provision at a later date.
- 8.2 In doing so the Council should follow the correct procedures in line with its relevant policy protocols.

- 8.3 If the Council does decide to change or remove the discretionary transport provision it provides, it must publish the information before 1<sup>st</sup> October of the year preceding the academic year in which the changes will come into force.
- 8.4 Therefore, subject to the Cabinet determining how it wishes to progress with the proposed new Home to School Transport Policy, it is proposed that the new policy would be implemented from the start of the 2025/26 Academic year and published prior to 1<sup>st</sup> October 2024.
- 8.5 Should Cabinet determine to progress with the proposed new Home to School Transport Policy as consulted upon in respect of the preferred option, it would mean that the Council's current discretionary distance eligibility criteria for Home to School transport, as set out in the table at paragraph 6.5 above, would be amended in line with the Welsh Government statutory distance eligibility criteria. The overall provision would be as set out in the table below:

<b>Age during Academic Year</b>	<b>User</b>	<b>Statutory Requirement to Provide Transport</b>	<b>to Free Provision from September 2025</b>
3 – End of term in which child turns 5	Non-compulsory school age, learner selecting education through English or Welsh medium.	No statutory provision (although duty to assess needs)	Continue to provide transport for pupils that reside 2 miles safe walking distance to their catchment or nearest suitable school, at the beginning and end of the normal school day and not at lunchtimes
Term following 5 <sup>th</sup> Birthday – 11	Learner receiving compulsory primary education, learner selecting education through English or Welsh medium.	Reside 2 miles or further safe walking distance to their nearest suitable school	Reside 2 miles or further safe walking distance to their nearest suitable school
12 – 16	Learner receiving compulsory secondary education, learner selecting education through English or Welsh medium.	Reside 3 miles or further safe walking distance to their nearest suitable school	Reside 3 miles or further safe walking distance to their nearest suitable school
16+	Post-16 learners, learner selecting education through English or Welsh medium.	No statutory provision (although duty to assess needs)	Continue to provide transport for pupils that reside 3 miles or further safe walking distance to their nearest suitable school or college.

Age during Academic Year	User	Statutory Requirement to Provide Transport to Free	Proposed changes to RCT Mainstream Transport Provision from September 2025
3 – 19	Learners selecting a school in accordance with their preferred religious denomination	No statutory provision – Measure does not require provision where learner selects a school that is not the nearest ‘suitable school’ (as the definition does not include voluntary aided (Faith) mainstream schools).	Continue to provide transport for pupils that: Reside 2 miles or further safe walking distance to their nearest suitable school for 3–11-year-olds (primary) attending full time in line with the Council’s admission arrangements. Reside 3 miles or further safe walking distance to their nearest suitable school for 11–19-year-olds (secondary).

8.6 The Council would continue to provide all other areas of its discretionary transport provision in excess of the current minimum Welsh Government statutory requirement, as demonstrated in the table below:

Service Provision	WG Statutory Policy	RCTCBC Proposed Policy
Primary School Distance > 2 miles	✓	✓
Secondary School Distance > 3 miles	✓	✓
Pre-compulsory School Age < 5 years *	✗	✓
Transport to nearest suitable Faith School (Primary and Secondary) **	✗	✓
Transport to nearest suitable Welsh Medium School (Primary and Secondary) **	✗	✓
Post 16 Education Transport (6 <sup>th</sup> form or College) *	✗	✓

\* Subject to a learner meeting relevant distance criteria

\*\* Parents and learners may express a preference for a particular school, a particular type of language provision or faith school, but the Learner Travel Measure does not confer on those parents and learners any rights to free transport to their preferred school and or location, unless that school is determined by the local authority to be the learner’s nearest suitable school and the learner meets the distance criteria. Section 6 of the Measure provides local authorities with the power to provide discretionary transport arrangements for learners who are not attending their nearest suitable school because of language preference and/or preferred religious denomination. The Council is currently using those powers to provide such discretionary provision (subject to a learner meeting the relevant distance criteria).

- 8.7 Learners would continue to be able to select their nearest “suitable school” in accordance with choice of English or Welsh Medium language or preferred religious denomination.
- 8.8 The same age and distance criteria apply to children looked after as to children who are not looked after. If the Council determines that a child looked after should attend a school other than the nearest suitable school, then transport will be provided upon request by the child’s social worker in accordance with the Council’s agreed policy on walking distance and safe routes.
- 8.9 Pupils living beyond statutory distances attending their nearest or catchment school by choice of language would continue to have the benefit of free transport.
- 8.10 Whilst pupils with additional learning needs and / or disabilities receiving education at their catchment or nearest special school, pupil referral unit or learning support unit are assessed by distance criteria, in practice these pupils would not be affected by this proposed policy change as their transport is based upon their individual needs.
- 8.11 As stated in paragraph 5.12 above when exercising functions under the Measure, the Council is not required to take account of extra-curricular activities or breakfast and / or after-school clubs when assessing learner travel needs. Given that position, such considerations did not form part of the development of the preferred option.
- 8.12 The Council is aware that Welsh Government are in the process of reviewing the Guidance, however it is unclear what, if any, changes will be made. The Council will review any revisions to the Guidance, as and when issued, and consider accordingly.

## **9. THE COUNCIL’S DUTY IN RESPECT OF CHILDREN IN NEED**

- 9.1 It is the duty of the Council under Section 17 of the Children Act 1989 (“the 1989 Act”) to:
- (a) Safeguard and promote the welfare of children within their area who are in need.
  - (b) So far as is consistent with that duty, to promote the upbringing of such children by their families, by providing a range and level of services appropriate to those children's needs.
- 9.2 For the purposes of the 1989 Act “children in need” are defined as follows:

“A child shall be taken to be in need if:

- (a) He or she is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him/her of services by a local Council.
- (b) His or her health or development is likely to be significantly impaired, or further impaired, without the provision for him/her of such services, or,
- (c) He or she is disabled.”

9.3 As previously noted the proposed new Home to School Transport Policy maintains and protects existing and future ALN transport provision.

9.4 Most importantly however the care needs of individual families with “children in need” will inevitably be affected by their particular circumstances at any given point in time and by the particular local services available to them at that point. The Council works with these individual families to identify the specific needs of any child determined to be in need at that point in time.

#### Looked After Children

9.5 As indicated earlier in the report the Council must have regard to, and assess and meet the needs of, “looked after” children and those formally looked after in its area.

9.6 The definition of a ‘looked after’ child is the term used within the Children Act 1989 to describe a person (under the age of 18) who is in the care of the Council, or who is provided with accommodation for more than 24 hours by it in the exercise of its social services functions. This could be a placement with foster carers; in residential homes or with parents or other relatives (‘kinship care’).

9.7 Under the Measure, the same age and distance criteria apply to ‘looked after’ children (learners) as to those who are not looked after. But the provision that the learner must attend their nearest suitable school to their home does not apply to ‘looked after’ learners (in the same way it applies to learners who are not looked after). It is for the Council to determine where the looked after child should go to school. The school decided upon might be a school other than the nearest suitable school due to the need to maintain continuity in education or contact with siblings or friends to promote wellbeing. If that is the case, transport would be provided.

9.8 As previously stated the Council may not charge for transport arrangements that it is required to make for learners of compulsory school age under the Measure, except in relation to looked after children

where the authority making the travel arrangements for a child who is looked after by another authority. In these cases, it can recoup costs from the placing local authority.

- 9.9 If the Council determines that a looked after child should attend a school other than the nearest suitable school then transport would be provided upon request by the child's social worker in accordance with the Council's agreed policy on walking distance and safe routes.

## **10. CONSULTATION**

- 10.1 Section 9 of the Education Act 1996 places a general duty on local authorities to have regard to the general principle that pupils are to be educated in accordance with the wishes of their parent, however this is "in so far as that is compatible with the provision of efficient instruction and training and with the avoidance of unreasonable public expenditure".

- 10.2 Due to the financial pressures the Council is currently facing, it is considered that changes to its current Home to School Transport Policy, are necessary to align the transport provision more closely with the Welsh Government statutory transport requirements for the Council in order to:

- Maintain affordability within future financial constraints;
- Continue to be able to meet its statutory requirements; and
- Maintain discretionary transport for its most vulnerable users (e.g., ALN pupils).

- 10.3 As previously noted, Cabinet determined to initiate a consultation in respect of a preferred option relating to a proposed new Home to School Transport Policy as detailed in section 8 of this report in consideration of the current budget pressures. The Council is not alone in facing these challenges, nor in having to consider such reviews of discretionary areas of current provision.

- 10.4 A comprehensive public consultation exercise was conducted with all key stakeholders such as pupils, parents, carers, transport providers and Elected Members. The consultation originally ran from Monday 27<sup>th</sup> November 2023 until 5pm Monday 8<sup>th</sup> January 2024. Recognising the significance of the proposal for pupils who use and will use home to school transport now or in the future, the consultation was extended for a further three-week period, from Thursday 18<sup>th</sup> January until 5pm Thursday 8<sup>th</sup> February 2024. This period provided a further opportunity for those potentially impacted to take part in the consultation. In total the consultation therefore ran for a period of nine weeks.

- 10.5 The consultation had a dedicated page on the Council's consultation section of its website which provided details of the proposal and a link to



the consultation survey. Consultees were also referred to the initial Equality and Welsh Language impact assessments considered by Cabinet prior to initiating the consultation exercise.

- 10.6 A 'frequently asked questions' sheet was developed to provide further information to consultees.
- 10.7 An email was sent to all schools who could be potentially impacted by the proposal to Headteachers and Chair of Governors to be forwarded on to all parents and carers. Further emails were sent to key stakeholders to promote the consultation and encourage participation in the online survey, including public transport operators. School Councils, headteachers and school and college governors were also invited to submit their views on any proposed new policy.
- 10.8 Respondents were also given the option to write in using a dedicated email address [HTSConsultation@rctcbc.gov.uk](mailto:HTSConsultation@rctcbc.gov.uk), and a telephone option was also in place through the Council's contact centre.
- 10.9 The Council held 8 public engagement events at venues throughout the County Borough, where officers were on hand to answer any questions on the proposal and encourage or assist people to take part in the survey.
- 10.10 The consultation was widely promoted in the Press and via social media including the Council's Facebook and X (formerly known as Twitter) accounts.
- 10.11 Consultees were therefore able to respond to the consultation through various channels including an online survey/questionnaire, a dedicated consultation email address, a freepost postal address, a telephone option and providing feedback at the local engagement sessions.
- 10.12 The Council's YEPs team developed a young person's version of the proposal and shared with youth forum members. The consultation was undertaken by sharing relevant information with young people through a social media group for youth forum members and they were asked to complete a survey following this.
- 10.13 The proposals were presented and discussed at the Council's Overview and Scrutiny Committee meeting on the 13<sup>th</sup> December 2023. The report and minutes of that meeting can be accessed [here](#) and a letter summarising the Committee's feedback is attached at Appendix 6 to the report.
- 10.14 In total **2858 responses were received to the consultation survey and 39 individual emails/letters.**

- 10.15 A detailed report outlining the methodology used in analysing the responses and the results of the extensive consultation exercise including feedback received is attached at Appendix 3 to the report.
- 10.16 The results of the consultation and feedback received are explored in further detail at Section 13 of this report.
- 10.17 Prior to this Cabinet meeting a facility was made available for Cabinet Members to view all responses received through the various channels as a result of the consultation. This was done to ensure Cabinet gives due regard and conscientious consideration to all elements of the Consultation feedback and responses received. This approach also ensures Cabinet gains a comprehensive and genuine understanding of the wide range of views and opinions expressed by the consultees prior to making any decision.

**11. ANALYSIS OF CONSULTATION RESPONSES AND KEY THEMES ARISING FROM THE CONSULTATION TO BE CONSIDERED PRIOR TO ANY FINAL DECISION BEING MADE IN RESPECT OF ANY NEW HOME TO SCHOOL TRANSPORT POLICY**

- 11.1 As referenced earlier in the report the full results of the extensive consultation exercise including feedback received is attached at Appendix 3 to the report. For ease, a summary is provided below of the consultation feedback and an analysis of the key themes that emerged from the consultation. This section should also be read in conjunction with the EqIA and WLIA. It is designed to assist Cabinet with any decision it may subsequently take with regards to implementation of the proposed new Home to School Transport Policy.
- 11.2 The majority of respondents to the consultation were a parent/carer of a young person who uses or will use Home to School transport (79.8%). There were a high number of responses from Welsh schools overall (36.8%), considering that there are 17 Welsh medium schools in Rhondda Cynon Taf and 115 schools in total.
- 11.3 79% of respondents disagreed with the preferred option consulted upon namely, to continue to provide a generous discretionary Home to School Transport Provision for over 6000 learners and bring mainstream English, Welsh and Faith primary and secondary school and college transport in line with statutory distance criteria, with the potential to deliver savings of approximately £2.5m
- 11.4 The preferred option would maintain discretionary school transport provision for over 6,000 learners. Respondents were asked if they agreed that this level of discretionary provision should be retained? 50% agreed that it should be retained, 36% disagreed and 14% stated don't know.

- 11.5 The preferred option would result in savings of approximately £2.5m to help towards safeguarding changes to other discretionary elements of the school transport provision. Respondents were asked if they agreed with the proposal if it helps to maintain future discretionary school transport provision. 70% disagreed.
- 11.6 54% of respondents thought that the proposal would impact the opportunities and promotion of the Welsh Language negatively.
- 11.7 41% of the respondents said that the proposal does not treat the Welsh Language less favourably than the English Language, although 36% thought that it did. The Council considered other options prior to consultation but deemed that they were either unaffordable, i.e. do nothing and risk more significant impacts in future years, or that the impact on learners was too great, i.e. removing all discretionary provision. Respondents were asked if they agreed that the proposal taken forward to consultation is the fairest option available to the Council. 69% responded that they did not agree that it was the fairest option, with 16% agreeing and 15% stated they didn't know.
- 11.8 69% of respondents who disagreed that the proposal was the fairest option were asked to provide any alternative options that they would like the Council to consider.
- 11.9 Consultees were able to provide specific comments as part of responding to the consultation and suggest possible alternative options. The key themes which arose as a result of those comments are set out below:
- General disagreement with the proposal/ transport provision should remain as is currently provided;
  - Financial impact – on family and single/working parents/carers;
  - Respondents said they would be happy to pay a charge (including suggestions of a means tested or subsidised charge);
  - Impact on school attendance;
  - Safety concerns (particularly for younger learners);
  - Increased traffic / congestion and environmental concerns;
  - Unfair to 'exempt' faith and Welsh schools, they should be the same;
  - Impact on Welsh Language learners/Welsh Education standards;
  - Treating Welsh/English Medium and Faith learners equitably;
  - Savings should be found from elsewhere;
  - Alternative options should be considered such as looking at other possible distances that would qualify for free transport provision or retaining certain elements of current discretionary provision;
  - Issues with existing public transport provision.

11.10 The following responses seek to address each of the points raised above:

**General Disagreement with the proposal/ transport provision should remain as is currently provided.**

As stated within the report, the option to maintain the status quo and do nothing was not proposed as the costs of existing discretionary provision are considered to be unaffordable. The Council is facing significant financial challenges into the medium term and is considering a range of options to contribute to addressing the shortfall in funding. Should the proposed new Home to School Transport Policy be implemented the Council would continue to provide discretionary Home to School Transport beyond statutory requirements.

**Financial impact – on family, single/working parents/carers and post-16 learners**

It is acknowledged that there will be additional financial cost to parents / carers should they decide to transport their child(ren) to school at their own expense, however the walking distances proposed are within the requirements of the Measure, with 18 of the 22 Council's in Wales already adopting the statutory distance requirements.

It is also acknowledged that this proposal may have an impact, or present increased pressures on single parents/carers and working families, especially where they have children of primary school age.

The Welsh Government operate a discounted bus fares scheme for young people in Wales aged 16 to 21 with approximately 1/3 off their bus fare. The 'mytravelpass' can be used at any time of day and on any day of the week that the services operate, including weekends and bank holidays. There is no restriction on the type of journey that users can make, and can be used for school or college, visiting friends and leisure.

The Welsh Government also offer an Education Maintenance Allowance (EMA) to help 16- to 18-year-olds with the costs of further education. This includes transport costs. Entitled pupils receive £40 per week, with payments made every 2 weeks, as long as they meet the school or college's attendance requirements.

**Respondents said they would be happy to pay a charge (including suggestions of a means tested or subsidised charge)**

As stated at paragraphs 5.27 to 5.33 of this report, the option of introducing a charge for transport under the statutory distance is not



available for consideration due to the implementation of the UK Government's Department for Transport PSVAR legislation.

### **Impact on school attendance**

Through the Consultation parents/carers expressed concern that the proposed policy could discourage or inhibit some children and young people from attending school, due to their parents/carers being unable to transport their child to school or state there was no safe route to school for their child. This would mean pupils affected would need to find an alternative way to get to school, such as on foot/cycling, in a car or on public transport. Consultation respondents felt that children and young people could not be expected to walk the distances outlined in the proposed policy and/or could not be relied upon to attend school without the provision of free transport.

It was also stated that some parents/carers may find it difficult to transport children and young people by car, because they may not own a vehicle or have work commitments during the school drop-off and pick-up times.

In addition, consultation respondents felt that the public transport provision and cost was prohibitive to pupils travelling to school on a public bus.

Therefore, overall, parents/carers disagreed with the proposed policy on the grounds that it could have a negative impact on the attendance of children and young people, which would be likely to have a negative affect on pupil achievement.

Parents, or anyone with parental responsibility, have a legal duty to ensure their child of compulsory school age attends school. Failure to do so can result in penalty notices and even prosecution. However, consultation respondents stated that the proposed policy made it more likely that some children and young people not using the Home to School Transport provision would be expected to walk or cycle to school independently of their parents and, therefore, would be more likely to truant.

In assessing the possible impact of the proposed changes on attendance a comparison of the attendance level for those learners receiving home to school transport provision was made against those learners who do not use home to school transport to get to school.



Current attendance levels at RCTCBC mainstream schools receiving school transport.

Overall attendance levels:

	Total
Attendance levels of pupils currently making their own way to school	89.99%
Attendance levels of pupils who are in receipt of school transport	89.43%
Overall difference	-0.56%

Overall, therefore there is a 0.56% average reduction in attendance levels where school transport is provided.

Primary School attendance levels:

	Total
Attendance levels of pupils currently making their own way to school	92.44%
Attendance levels of pupils who are in receipt of school transport	91.99%
Overall difference	-0.44%

Overall, therefore there is a 0.44% average reduction in attendance levels where school transport is provided.

Secondary School attendance levels:

	Total
Attendance levels of pupils currently making their own way to school	87.05%
Attendance levels of pupils who are in receipt of school transport	86.42%
Overall difference	-0.63%

Overall, therefore there is a 0.63% average reduction in attendance levels where school transport is provided.

Attendance data therefore suggests that the provision of free transport within 1.5-2 miles for primary schools and 2-3 miles for secondary schools (as is currently the case in Rhondda Cynon Taf) has little impact on attendance.

The EqIA has identified that as a mitigating action if a revised policy is implemented, officers should continue to monitor attendance on a school level to ensure that any potential negative affect of the proposed policy is identified, and arrangements put in place to improve the pupil's attendance.

The local authority continues to invest in supporting school attendance via a number of means. Since 2020, Cabinet funding alongside Welsh Government grant has supported the match funding of Family Engagement Officers in 29 of the Council's education settings. In 2022, the Attendance and Wellbeing Service was restructured to ensure more frontline officers were available to support learners, families and schools to improve their attendance. A number of initiatives have also been centrally supported during this time including incentive schemes and marketing campaigns to ensure the importance of school attendance is communicated effectively.

### **Safety concerns (particularly for younger learners)**

All walking routes to school are assessed using the criteria laid down by the Welsh Government Statutory Guidance for the Risk Assessment of Walked Routes to School. As confirmed at the Cabinet meeting on 20<sup>th</sup> November 2023, all routes would be reviewed, and re-assessed where appropriate, prior to eligibility confirmation.

The focus of active travel measures and legislation is on facilitating everyday short-distance walking and cycling journeys such as to schools. As part of the Council's Statutory duties under the Active Travel (Wales) Act, it produced an Active Travel Network Map (ATNM), which was updated and approved by Welsh Government in 2022. This map contains details of existing walking and cycling routes and where improvements or new routes are proposed, which the Council will seek to deliver over the next 15 years. Future proposals also include links to all schools within the County Borough that will connect to either existing or new active travel routes.

### **Increased traffic / congestion and environmental concerns**

The proposal includes the removal of a significant number of buses from the school bus network. Given that these vehicles are some of the most polluting on the Council's highways, it is envisaged that this will help to reduce the carbon impact. However, whilst the Council is unable to determine the precise impact this proposal may have on traffic congestion, it is acknowledged that should it be implemented there may be an increase in vehicular movements around school start and finish times.

### **Unfair to exempt Faith and Welsh schools, they should be the same**

It is assumed that this particular theme is a result of respondents misinterpreting the consultation information as the proposed changes would apply to English/Welsh medium and Faith education provision.



## **Impact on Welsh Language Learners/Welsh Education standards**

The potential impact on Welsh language education is referenced within section 13 of this report and within the WLIA.

## **Treating Welsh/English Medium and Faith learners equitably**

The proposed changes will be applied equally to English medium education provision and Welsh medium education provision.

As part of its discretionary provision, the Council would, as now, allow a learner to select their nearest 'suitable school' in accordance with choice of language and faith/religious denomination should the proposal be implemented.

Further considerations on the potential impact on Welsh language education is referenced within section 13 of this report and within the WLIA.

## **Savings should be found from elsewhere**

At its meeting on 18<sup>th</sup> September 2023 the Cabinet received an update on the Council's Medium Term Financial Plan 2023/24 to 2026/27. This reported an estimated budget gap of £35.005M for 2024/25 financial year, rising to £85.4M (cumulatively) across the next 3 years. This follows the Council having balanced its largest ever budget gap for the current year, 2023/24.

Given the size of the budget gap and with a focus across the medium term, all service areas across the Council have been required to submit service efficiencies resulting in a reduction in the budget gap. The Home to School Transport proposal is in line with the challenges proposed.

## **Alternative Options should be considered such as looking at other possible distances that would qualify for free transport provision or retaining certain elements of current discretionary provision**

The distances proposed are within the requirements of the Measure. A review of the number of pupils living within alternative distances e.g. 2.5 miles for secondary school pupils, would not result in the reduction of transport required to achieve the level of savings required.

## **Issues with existing public transport**

The Covid-19 pandemic has affected the commercial viability of all bus services, with substantial Welsh Government funding being needed to support bus operators to maintain pre pandemic levels of service. Whilst the Welsh Government had made money available to support the bus



industry since April 2020 and now beyond April 2024, this funding is intended to maintain as much of the pre pandemic bus network from deregistration, focussing on maintaining current services and transitioning towards a more sustainable commercial network.

## **12. EQUALITY AND DIVERSITY IMPLICATIONS (INCLUDING SOCIO-ECONOMIC DUTY)**

- 12.1 Cabinet Members will be fully aware and mindful of the general equality duty introduced by the Equality Act 2010 and the specific public sector equality duties applicable to the Council as a local authority in Wales, including the requirements of the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 and Socio-economic Duty.
- 12.2 Section 149 of the Equality Act 2010 (Public Sector Single Equality Duty) requires public authorities to demonstrate in decision making that they have paid 'due regard' to the need to:
- Eliminate unlawful discrimination, harassment and victimisation.
  - Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
  - Foster good relations between people who share a protected characteristic and those who do not.
- 12.3 The relevant protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. The Council must have due regard to the impact of any of the proposals on those with a protected characteristic. The Council has a specific duty to publish information to demonstrate how they have paid due regard to the aims above as part of their decision making. Undertaking an Equality Impact Assessment ("EqIA") would be evidence that the Council has considered its legal obligations in making the decision on the recommendations in this report.
- 12.4 The Equality Act 2010 outlines that having due regard for advancing equality involves:
- removing or minimising disadvantages suffered by people due to their protected characteristics;
  - taking steps to meet the needs of people from protected groups where these are different from the needs of other people; or
  - encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

- 12.5 In addition to the general duty the Council must:
- assess the likely impact of proposed policies and practices on its ability to comply with the general duty;
  - assess the impact of any policy which is being reviewed and of any proposed revision;
  - publish reports of the assessments where they show a substantial impact (or likely impact) on an authority's ability to meet the general duty; and
  - monitor the impact of policies and practices on its ability to meet that duty.
- 12.6 A pre-consultation EqIA was completed and included as part of the original Cabinet report before Members. This EqIA was also made available to consultees as part of the consultation process in order for them to comment on some of the initial considerations identified by officers when formulating the proposal.
- 12.7 The EqIA has been updated following the consultation, utilising the feedback received and additional data gathered to assist Cabinet in reaching any final decision on the proposal. This is attached as Appendix 4 to the report.
- 12.8 The EqIA has found that there are three negative and eight neutral equality and diversity implications, based on protected characteristics, associated with the preferred option consulted upon.
- 12.9 A duty to have due regard also arises by section 1 of the Equality Act 2010 when the Council makes a decision of a "strategic nature". The Council accepts that the decision as to which policy to adopt is a decision of a strategic nature and accordingly that particular duty is to have due regard to the desirability of exercising the Council's functions in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage.
- 12.10 In deciding how to fulfil a duty which is subject to that socio-economic duty as set out above, regard must be had to the Welsh Government's statutory guidance.
- 12.11 The EqIA has found that there are two negative and four neutral socio-economic impacts with the preferred option consulted on.
- 12.12 The impacts identified in the EqIA (both equalities and socio-economic related) could be mitigated by a range of actions as detailed in the EqIA and through the potential alternative options put forward in section 14 of this report.

12.13 Under the Children and Families (Wales) Measure 2010 the Council must: -

- (a) Prepare and publish a strategy for contributing to the eradication of child poverty which the Council has done through the adoption of the [Cwm Taf Morgannwg Well-being Plan 2023-2028](#); and
- (b) Take all reasonable steps to perform the actions and functions set out in the strategy for the eradication of child poverty. The actions and functions, and the steps the Council has taken and will take to perform them, are again set out in the Well-being Plan.

12.14 It is a priority of the Council, and its partner organisations of the Cwm Taf Morgannwg Public Services Board, to engage with families who have any additional needs as early as possible to support them to make the most of family life and reach their full potential.

12.15 The Council has also used as a basis for developing its priority of ensuring that the future generations of Rhondda Cynon Taf live in a safe, healthy and prosperous County Borough the shared set of rights for children and young people set out in the United Nations Convention on the Rights of a Child. A link to a summary of these rights is provided below: -

[Summary of United Nations Convention on the Rights of a Child](#)

12.16 In order to further assist Members and ensure compliance with the Council's duty the rights of children have been specifically considered in respect of the proposed new policy and this assessment forms part of the EqIA. Further consideration of the effect of the proposal for issues of child poverty and social deprivation, utilising feedback received through the consultation and additional data is also explored in Section 13 of the report.

### **13. WELSH LANGUAGE IMPLICATIONS**

13.1 Members will be aware that the Welsh language has official status in Wales which means that the Welsh language should not be treated less favourably than the English language in Wales.

13.2 The Council must also promote access to education and training through the medium of the Welsh language when exercising the functions under the Measure.

13.3 The Council must also take into account its [Welsh Language Promotion Strategy and Action Plan 2022-2027](#) and [Welsh in Education Strategic Plan 2022 – 2032](#) ('WESP'). The WESP sets out the ten-year plan for the planning and improvement of provision of Welsh Medium and Welsh Language education. The Welsh Language (Wales) Measure 2011

includes a requirement to make sure the Welsh language is treated no less favourably than the English language.

13.4 The seven main outcomes as outlined within the WESP are as follows:

Outcome 1: More nursery/three year old learners receive their education through the medium of Welsh

Outcome 2: More reception/five year old learners receive their education through the medium of Welsh

Outcome 3: More children continue to improve their Welsh language skills when transferring from one stage of their statutory education to another

Outcome 4: More learners study for assessed qualifications in Welsh (as a subject) and subjects through the medium of Welsh

Outcome 5: More opportunities for learners to use Welsh in different contexts in school

Outcome 6: An increase in the provision of Welsh medium education for learners with ALN in accordance with the duties imposed by the Additional Learning Needs and Education Tribunal (Wales) Act 2018

Outcome 7: Increase the number of teaching staff able to teach Welsh (as a subject) and teach through the medium of Welsh

13.5 Under the Learner Travel (Wales) Measure 2008, when deciding which schools are most suitable for learners in its area, the Council has a duty to promote access to education and training through the medium of Welsh.

13.6 A pre-consultation Welsh Language Impact Assessment ('WLIA') was completed and included as part of the original Cabinet report before Members. This WLIA was also made available to consultees as part of the consultation process in order for them to comment on some of the initial considerations identified by officers when formulating the proposal.

13.7 The WLIA has been updated following the consultation, utilising the feedback received and additional data gathered, to assist Cabinet in reaching any final decision on the proposal. This is attached as Appendix 5 to the report.

13.8 The WLIA has identified that there will be negative impacts on the Welsh language in respect of the preferred option consulted upon. There is a potential that the additional walking distance from home to school may discourage parents from putting their children into Welsh medium schools, in favour of nearer English medium catchment schools, with a greater risk at the primary school level. Given there are fewer Welsh medium schools compared to English medium schools they are generally further away from learners. Thus Welsh medium learners may be impacted the most by any change to existing policy and particularly with regards to primary aged learners. These risks could be mitigated by a range of actions as detailed in the assessment and through the potential alternative options put forward in section 14 of this report.

#### **14. POTENTIAL ALTERNATIVE OPTIONS ARISING OUT OF THE CONSULTATION FEEDBACK AND IMPACT ASSESSMENT ANALYSIS FOR CABINET'S CONSIDERATION**

14.1 This section of the report sets out alternative options for Cabinet to consider. These options have been developed as a result of considering feedback from the public consultation and an analysis of the EqIA and WLIA. It should be emphasised that other alternative options could be pursued. Implementation of either alternative option detailed below would comply with the provisions of the Measure, particularly the duty to promote access to Welsh Medium education and compliance with other legislation detailed in this report.

14.2 **The first option would be to maintain the Council's current discretionary distance criteria of providing transport for all primary schools, (English, Welsh, and Faith).** Transport provision to all secondary schools and colleges (English, Welsh, and Faith) would change to move in line with the relevant statutory distance criteria as set out in the Measure.

14.3 Whilst the Council would be introducing a change to its secondary school and post-16 eligibility criteria, it would nevertheless continue to provide all other areas of its discretionary transport provision in excess of the current minimum Welsh Government statutory requirement.

14.4 As a result of adopting this proposed policy, based on data as at 1 September 2023, 305 primary school pupils would retain their discretionary entitlement than otherwise would have lost it under the preferred option consulted upon. This is split between 242 Welsh language primary pupils, and 63 faith primary pupils, and would be a positive mitigation against some of the potential impacts identified within the EqIA and WLIA and feedback received as part of the consultation, the themes of which are outlined above. By adopting this proposed option it would further assist the Council in being able to demonstrate ongoing compliance with the requirement in the Measure to promote

Welsh Medium education by maintaining current discretionary transport provision for primary school pupils who live beyond 1.5 miles, which is in excess of the statutory requirement. It might also be a contributing factor in enabling the Council to address several of the outcomes set out in the WESP and thus mitigate against some of the negative aspects of Option B as set out in the WLIA.

- 14.5 If implemented, the Council would continue to offer a more generous eligibility policy than 18 of the 22 Council's in Wales that have already adopted the statutory distance requirements for both primary schools, secondary schools, and colleges.
- 14.6 This option would reduce the potential overall savings achievable through Option B by approximately £200K per year.
- 14.7 **A second option would be to maintain the Council's current discretionary distance criteria of providing transport for all primary schools, (English, Welsh, and Faith) and Welsh secondary schools only.** Transport provision to English and Faith schools and colleges would change to move in line with the relevant statutory distance criteria as set out in the Measure.
- 14.8 As a result of adopting this proposed policy, based on data as at 1 September 2023, 228 Welsh secondary school pupils would retain their entitlement than otherwise would have lost it under the preferred option consulted upon. This is in addition to the 305 primary school pupils as described in section 14.4 above. Implementation of this option might act as further mitigation against some of the potential impacts identified within the WLIA and feedback received as part of the consultation.
- 14.9 The option would reduce the potential overall savings achievable through Option B by approximately £500K per year.

## **15. SCRUTINY ENGAGEMENT**

- 15.1 The Overview and Scrutiny Committee was provided with an opportunity on 18<sup>th</sup> March 2024 to consider the consultation feedback and draft Cabinet report. Feedback from that scrutiny meeting will be provided to Cabinet in advance of the Cabinet meeting to consider this report.

## **16. FINANCIAL IMPLICATIONS**

- 16.1 The cost to the Council of delivering its current Home to School Transport Policy amounts to £15M per year. Of this, the cost of delivering the discretionary provision, that is, at levels above that required by the Measure amounts to £6.9M.

- 16.2 The proposed Option B which was consulted upon would deliver savings amounting to £2.5M in a full year, meaning the Council would continue to provide discretionary provision amounting to £4.4M per year.
- 16.3 Subject to the decision of Cabinet, Option B would be implemented from September 2025, with £1.4M being realised in financial year 2025/26, with the full year saving of £2.5M then being realised from financial year 2026/27.
- 16.4 This is within the context of the Council's Medium Term Financial Plan, currently forecasting a budget gap of £85.4M to financial year 2026/27.
- 16.5 In relation to the two alternative options detailed in section 14 above, those options would reduce the potential overall savings achievable through Option B by approximately £200K or £500k per year.

## **17. LEGAL IMPLICATIONS & LEGISLATION CONSIDERED**

- 17.1 The legal implications and relevant legislation in respect of the proposal are set out in the main body of the report.

## **18. LINKS TO THE COUNCIL'S CORPORATE PLAN, NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015**

- 18.1 The delivery of Home to School transport services support and promote the Council's Corporate Plan priorities for People – are independent, healthy, and successful; Places – where people are proud to live, work and play; and Prosperity – creating the opportunity for people and businesses to be entrepreneurial and fulfil their potential and prosper.
- 18.2 The Well-being of Future Generations (Wales) Act 2015 requires the Council to think about the long-term impact of their decisions, to work better with people, communities and each other and to prevent persistent problems such as poverty, health inequalities and climate change. To make sure we are all working towards the same purpose, the Act puts in place seven well-being goals on the Council:
- A prosperous Wales.
  - A resilient Wales.
  - A healthier Wales.
  - A more equal Wales.
  - A Wales of cohesive communities.
  - A Wales of vibrant culture and Welsh Language.
  - A globally responsible Wales.

- 18.3 The Act imposes a duty on all public bodies in Wales to carry out “sustainable development”, defined as being “the process of improving the economic, social, environmental and cultural wellbeing of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the wellbeing goals.”
- 18.4 The Act sets out five ways of working needed for the Council to achieve the seven well-being goals, these being:
- The importance of balancing short term needs with the needs to safeguard the ability to also meet long-term needs.
  - Considering how the Council’s objectives impact upon each of the well-being goals listed above.
  - The importance of involving people with an interest in achieving the well-being goals and ensuring that those people reflect the diversity of the area which the Council services.
  - Acting in collaboration with other persons and organisations that could help the Council meet its well-being objectives; and
  - Acting to prevent problems occurring or getting worse.
- 18.5 The potential health and environmental implications associated with implementing the recommendations set out in this report support the Well-being Plan of the Cwm Taf Morgannwg Public Services Board, the declaration by the Welsh Government of a Climate Emergency and the Council’s own Corporate and Air Quality Action Plans. One of the objectives of the Corporate Plan is to “encourage our residents to be more active and healthy”.
- 18.6 The Air Quality Action Plan is aimed at tackling pollution at locations within the County Borough which currently exceed national guidelines. School transport bus fleets are contracted from operators, mainly local SMEs based in Rhondda Cynon Taf. Fleet profiles are generally older than public transport fleets and they are typically in their final stage of usage – i.e., their primary purpose has ceased, and they have been converted for school’s use.
- 18.7 Their daily mileage is low, they all have diesel engines, and therefore they represent a huge challenge for carbon reduction. The Council has worked with the Cardiff Capital Region Transport Authority (CCRTA) to commission a study on decarbonising school transport. It shows that there is no business case to replace these vehicles with new ultra-low emission coaches and it will be some time before the market generates second hand vehicles. Retrofitting options may evolve in the short-medium term.



- 18.8 Reducing the number of school buses in operation each day would assist with the implementation of the Council's Corporate and Air Quality Action Plans. However, by extension, the use of private vehicles by parents and grandparents to transport pupils to school due to the reduction in number of school buses, may lead to additional cars on the network, which in turn, may off-set some of the associated air quality gains.
- 18.9 One of the objectives in the Well-being Plan is to "help people live long and healthy lives and overcome any challenges". A recent Cwm Taf Morgannwg University Health Board report on childhood obesity has found that the combined Rhondda Cynon Taf and Merthyr Tydfil area has the highest rate in Wales at 14.6%. It is possible that the policy change proposal would have an impact on obesity in a positive way, as it would lead to more pupils walking to school.

## **19. CONCLUSION**

- 19.1 Section 9 of the Education Act 1996 places a duty on local authorities to have regard to the general principle that pupils are to be educated in accordance with the wishes of their parent, however this is "in so far as that is compatible with the provision of efficient instruction and training and with the avoidance of unreasonable public expenditure".
- 19.2 Due to the financial pressures the Council is currently facing it is considered that changes to current Home to School Transport Policy to align transport provision more closely with Welsh Government statutory transport requirements are necessary for the Council to: -
- Maintain affordability within future financial constraints.
  - Continue to be able to meet its statutory requirements; and
  - Maintain discretionary transport for its most vulnerable users (e.g., ALN pupils).
- 19.3 A proposed new Home to School Transport Policy has been developed with the proposed changes to existing policy being outlined in this report. A preferred option in respect of that new policy has been consulted upon, the feedback from which is detailed in this report and its appendices.
- 19.4 The proposed new policy considers current budgetary pressures. The Council is not alone in facing these challenges, nor in having to consider such reviews of discretionary areas of current provision.
- 19.5 If the Cabinet does determine to implement a new Home to School Transport Policy the Council would need to monitor and evaluate its effect, particularly in relation to those groups highlighted in the EqIA and this report, in order to continue to meet the Council's duties under the Equality Act, together with any impact on the Welsh Language/Welsh

Medium education, Faith education and issues such as school attendance.

- 19.6 As a result of the possible impacts on the Welsh Language, identified during the public consultation (and as subsequently detailed within the WLIA), there is a potential that the additional walking distance from home to school may discourage parents from putting their children into Welsh medium schools, in favour of nearer English medium catchment schools, with a greater risk at the primary school level.
- 19.7 Consequently, alternative options have been developed and are set out within section 14 above. It is considered both options would be positive mitigation against the potential impacts identified within the EQIA and WLIA as regards Option B.
- 19.8 In order for a fully informed decision to be taken on the proposed new policy it is now for Cabinet to review:
- all the available information contained in this report;
  - the report appendices (including the EqIA and WLIA);
  - the consultation report and feedback, including the consultation responses made available for Members' review;
  - the alternative options detailed in section 14 of the report and any other alternative options they wish to consider;

and decide on whether or not, and if so how, it wishes to proceed with implementation of the proposed new Home to School Transport Policy, which would become effective from September 2025.

- 19.9 Any new Home to School Transport Policy may need to be supported by Operational Guidance to be used by officers involved in the assessment of entitlement and procurement of Home to School Transport. If a decision is taken to proceed with implementation of a revised Home to School Transport Policy it is recommended Cabinet delegate authority to the Director of Highways, Streetcare and Transportation Services to develop, introduce or amend any operational policies/guidance incidental to the implementation of any revised Home to School Transport Policy.

**Other Information:-**  
**Relevant Scrutiny Committee-**

Overview and Scrutiny Committee (Cross-cutting themes)



**APPENDIX 1 – HOME TO SCHOOL TRANSPORT PROVISION - ALL WALES PICTURE**



**RHONDDA CYNON TAF**

<b>Analysis of Home to School Provision in Other Welsh Local Authorities</b>						
<b>Authority</b>	<b>Nursery/ Reception  (Age 3 - 5)</b>	<b>Primary Provision  (Age 5 – 11)</b>	<b>Secondary Provision  (Age 11– 16)</b>	<b>Post-16  (Age 16+)</b>	<b>Faith School Provision (Age 3 – 19)</b>	<b>Welsh Medium Provision (Age 3 – 19)</b>
RCT – Current Provision	>1.5 miles to catchment area school or the nearest school.	>1.5 miles to catchment area school or the nearest school.	>2 miles to catchment area school or the nearest school.	>2 Miles to catchment school / college or nearest place providing course.	Same as Primary & Secondary	Same as Primary & Secondary
Blaenau Gwent	>1.5 miles to catchment area school or the nearest school. No provision for Nursery	>1.5 miles for Infants to catchment area school or the nearest school.  >2 miles for Primary to catchment area school or the nearest school.	>2 miles to catchment area school or the nearest school.	No direct provision but £150 grant provided. College subsidises local bus route for pupils at £2 per day (plus £150)	Same as Primary & Secondary. Post 16 allowed to travel at no cost if continuing education at same school	Same as Primary & Secondary. Post 16 allowed to travel at no cost if continuing education at same school



Bridgend	>2 miles to local catchment area school. (Nursery provision remains 1.5 miles)	>2 miles to local catchment area school.	>3 miles to local catchment area school.	>3 Miles to catchment school / college or nearest place providing course.	Same distances as Primary & Secondary.	Same distances as Primary & Secondary (in County schools only).
Caerphilly	No Provision	>1.5 miles to catchment area school or the nearest school.	>2 miles to catchment area school or the nearest school.	>2 Miles to catchment school / college or nearest place providing course.	Same distances as Primary & Secondary.	Same distances as Primary & Secondary.
Cardiff	No Provision	>2 miles to nearest appropriate catchment area school.	>3 miles to nearest appropriate catchment area school.	No Provision.	Same distances as Primary & Secondary.	Same distances as Primary & Secondary.
Carmarthenshire	No Provision	>2 miles to nearest appropriate catchment area school.	>3 miles to nearest appropriate catchment area school.	>3 Miles to catchment school / college or nearest place	Same as Primary & Secondary	Same as Primary & Secondary



				providing course.		
Ceredigion	No Provision	>2 miles to nearest appropriate catchment area school.	>3 miles to nearest appropriate catchment area school.	>3 Miles to catchment school / college or nearest place providing course.	Same as Primary & Secondary	Same as Primary & Secondary
Conwy	No Provision	>2 miles to nearest appropriate catchment area school.	>3 miles to nearest appropriate catchment area school.	>3 Miles to catchment school / college or nearest place providing course.	Same as Primary & Secondary	Same as Primary & Secondary
Denbighshire	No Provision	>2 miles to nearest appropriate catchment area school.	>3 miles to nearest appropriate catchment area school.	>3 Miles to catchment school / college or nearest place providing course.	Same as Primary & Secondary	Same as Primary & Secondary



Flintshire	>2 miles No provision for Nursery	>2 miles to nearest appropriate catchment area school.	>3 miles to nearest appropriate catchment area school.	>3 miles Only to nearest named place of education	Same as Primary & Secondary. Must prove faith to qualify	Same as Primary & Secondary
Gwynedd	>2 miles No provision for Nursery.	>2 miles to nearest appropriate catchment area school.	>3 miles to nearest appropriate catchment area school.	>3 miles Only to nearest named place of education.	Same as Primary & Secondary.	Same as Primary & Secondary.
Merthyr Tydfil	>2 miles to nearest or designated catchment area school.	>2 miles to nearest or designated catchment area school.	>3 miles to nearest or designated catchment area school.	>3 miles to nearest or designated catchment area school.	Same distances as Primary & Secondary.	Same distances as Primary & Secondary.
Monmouthshire	>1.5 miles to nearest suitable or designated school. No provision for Nursery	>1.5 miles to nearest suitable or designated school.	>2 miles to nearest suitable or designated school.	No Provision	Same as Primary & Secondary.	Same as Primary & Secondary.
Neath Port Talbot	No Provision	>2 miles to nearest	>3 miles to nearest	Provided for	Same distances	Same distances as Primary & Secondary.



		suitable or designated school.	suitable or designated school.	students >3 miles at a charge of £100 pa.	as Primary & Secondary.	
Newport	No provision	>2 miles to nearest suitable or designated school.	>3 miles to nearest suitable or designated school.	No transport provided but £150 grant provided.	Same as Primary & Secondary.	Same as Primary & Secondary.
Pembrokeshire	No Provision	>2 miles to nearest appropriate catchment area school.	>3 miles to nearest appropriate catchment area school.	>3 Miles to catchment school / college or nearest place providing course.	Same as Primary & Secondary	Same as Primary & Secondary
Powys	>2 miles to nearest suitable or designated school.	>2 miles to nearest suitable or designated school.	>3 miles to nearest suitable or designated school.	>3 miles to nearest suitable or designated school / college.	Same as Primary & Secondary.	Same as Primary & Secondary.
Swansea	No provision	>2 miles to nearest suitable or	>3 miles to nearest suitable or	>3 miles to nearest suitable or	Same as Primary & Secondary.	Same as Primary & Secondary.





		designated school.	designated school.	designated school / college.		
Torfaen	>2 miles to nearest suitable or designated school.	>2 miles to nearest suitable or designated school.	>3 miles to nearest suitable or designated school.	>3 miles to nearest suitable or designated school. Provision will either be in the form of a Travel Grant (currently £48.00 per term) or a bus pass.	Same as Primary & Secondary if child adheres to faith of school in question.	Same as Primary & Secondary.
Vale of Glamorgan	No Provision.	>2 miles to nearest or designated catchment area school.	>3 miles to nearest or designated catchment area school.	>3 miles to nearest or designated catchment area school.	Same as Primary & Secondary.	Same as Primary & Secondary.
Wrexham	No provision	>2 miles to nearest or designated catchment area school.	>3 miles to nearest or designated catchment area school.	No Provision.	Same as Primary & Secondary.	Same as Primary & Secondary.



Ynys Mon	No provision	>2 miles to nearest or designated catchment area school.	>3 miles to nearest or designated catchment area school.	No Provision.	Same as Primary & Secondary.	Same as Primary & Secondary.
Current provision information taken from the 'Starting School Booklet' for each Authority for the 2023/24 academic year or their current Home to School Transport policies.						



## APPENDIX 2

### ANALYSIS OF ADVANTAGES AND DISADVANTAGES OF OPTIONS

Option		Advantages	Disadvantages	Recommended Option?
<b>A</b>	Status Quo i.e. retain existing service provision	<ul style="list-style-type: none"> <li>○ Would retain provision for approximately 11,300 pupils. Meets the requirements of the Learner Travel (Wales) measure 2008 in relation to promotion of access to Welsh medium education.</li> </ul>	<ul style="list-style-type: none"> <li>○ The total level of discretionary transport costs the Authority £6.9M per year.</li> </ul>	<p><b>Not proposed</b> as the costs of discretionary provision as currently provided are considered to be unaffordable.</p> <p>Current provision is in excess of statutory requirements.</p>
<b>B</b>	Provide mainstream English, Welsh and Faith primary and secondary school and college transport above statutory distance only.	<ul style="list-style-type: none"> <li>○ Could encourage pupils/parents to walk to school – Health and environmental benefits.</li> <li>○ Meets the requirements of the Learner Travel (Wales) measure 2008 in relation to promotion of access to Welsh medium education.</li> <li>○ Policy applies to all students above the statutory distances.</li> <li>○ Potential to deliver a saving of approximately £2.5m in a full year.</li> <li>○ Policy would continue to offer transport on a discretionary basis to 6,000+ learners.</li> </ul>	<ul style="list-style-type: none"> <li>○ Increased congestion on roads if pupils transported by car.</li> <li>○ Potential impact on local bus companies.</li> <li>○ Potential challenges on “available” routes.</li> <li>○ Will affect 305 primary school pupils and 2,370 secondary school and college pupils.</li> <li>○ Potential negative impact on school attendance, learner engagement in education and outcomes.</li> <li>○ Potential impact on low income families who would not have the financial means</li> </ul>	<p><b>Yes, Proposed Preferred Option</b></p> <p>This option would continue to offer transport in excess of the statutory minimum and provides an equitable service for learners in English, Welsh, and Faith School education.</p> <p>It meets the requirements of the Learner Travel (Wales) measure 2008 including in relation to the promotion of access to Welsh medium education.</p>



Option		Advantages	Disadvantages	Recommended Option?
			<p>to transport their children to school.</p> <ul style="list-style-type: none"> <li>○ Potential impact on the number of learners accessing Faith and Welsh medium education.</li> </ul>	<p>18 of the 22 Council's in Wales already adopting the statutory distance walking policy.</p> <p>If implemented this option would deliver savings of £2.5m per year, which would be fully realised in the 2026/27 financial year. The part-year savings for 2025/26 would be £1.4m.</p>
<b>C</b>	Removal of all discretionary provision.	<ul style="list-style-type: none"> <li>○ Equality of provision to all pupils, in line with statutory requirements.</li> <li>○ Could encourage pupils/parents to walk to school – Health and environmental benefits.</li> <li>○ Delivers an estimated £6.9m saving per year</li> <li>○ As this option removes discretionary provision there would be no subsidy</li> </ul>	<ul style="list-style-type: none"> <li>○ Increased congestion on roads if pupils transported by car.</li> <li>○ Impact on capacity of schools.</li> <li>○ Potential impact on local bus companies.</li> <li>○ Risk of not meeting requirements of the Learner Travel (Wales) measure 2008 in relation to promotion of access to Welsh medium education.</li> <li>○ Potential impact on school attendance, learner engagement in education and outcomes.</li> <li>○ Potential impact on low income families who would not have the financial means to</li> </ul>	<p><b>Not proposed</b> as this option would result in the complete removal of transport provision for 9,000+ pupils. Some journeys will not be on direct commercial routes, reducing the number of alternative travel options for pupils. This could have a negative impact on school attendance.</p> <p>There is a risk of not meeting the requirements of the Learner Travel (Wales) measure 2008 in relation to promotion of access to Welsh medium education.</p>



Option	Advantages	Disadvantages	Recommended Option?
		transport their children to school. ○ Potential impact on the numbers of learners accessing Faith and Welsh medium education. ○ Potential challenges on “available” routes. ○ Will affect 9,000+ pupils. ○ May impact on viability of some schools.	

Notes:

The number of pupils included in the table above are as at September 2023.

Tudalen way

## EQUALITY IMPACT ASSESSMENT FORM INCLUDING SOCIO-ECONOMIC DUTY

(Revised March 2021)

Please refer to the current Equality Impact Assessment guidance when completing this document. If you would like further guidance please contact the Diversity and Inclusion Team on 01443 444529.

An equality impact assessment **must** be undertaken at the outset of any proposal to ensure robust evidence is considered in decision making. This documentation will support the Council in making informed, effective and fair decisions whilst ensuring compliance with a range of relevant legislation, including:

- Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- Socio-economic Duty – Sections 1 to 3 of the Equality Act 2010.

This document will also contribute towards our duties to create a More Equal Wales within the

- Well-being of Future Generation (Wales) Act 2015.

The [‘A More Equal Wales – Mapping Duties’](#) guide highlights the alignment of our duties in respect of the above-mentioned legislation.

**SECTION 1 – PROPOSAL DETAILS**

Lead Officer: Geraint Roberts

Service Director: Stephen Williams

Service Area: Transportation

Date: 26/2/2024

1.a) What are you assessing for impact?

Strategy/Plan	Service Re-Model/Discontinuation of Service	Policy/Procedure	Practice	Information/Position Statement
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.b) What is the name of the proposal?

Review of the Council's Home to School Transport Policy

1.c) Please provide an overview of the proposal providing any supporting links to reports or documents.

A new Home to School Transport Policy, namely providing mainstream English, Welsh and Faith primary school, secondary school and college transport in line with relevant statutory distance criteria, which would be implemented from the start of the 2025/2026 academic year. However, it should be noted that it is not proposed to amend the discretionary elements of Additional Learning Needs, (ALN), transport - distance criteria for ALN Transport will not change.

An alternative option for Cabinet to consider has arisen following feedback from the public consultation and an analysis of the Equalities Impact Assessment and Welsh Language Impact Assessment. This option would maintain the discretionary element of providing transport for all primary schools, (English, Welsh, and Faith). Transport provision to all secondary schools and colleges (English, Welsh, and Faith) would change to move in line with the relevant statutory distance criteria as set out in the Welsh Government’s Learner Travel (Wales) Measure 2008.



1.d) Please outline where delivery of this proposal is affected by legislation or other drivers such as code of practice.

The Welsh Government's Learner Travel (Wales) Measure 2008 sets out the current statutory duties of Local Authorities with regard to the provision of home to school transport. Statutory guidance is also provided by the Welsh Government in the Learner Travel Statutory Provision and Operational Guidance – June 2014.

1.e) Please outline who this proposal affects:

- Service users
- Employees
- Wider community

## SECTION 2 – SCREENING TEST – IS A FULL EQUALITY IMPACT ASSESSMENT REQUIRED?

Screening is used to determine whether the initiative has positive, negative or neutral impacts upon protected groups. Where negative impacts are identified for protected groups then a full Equality Impact Assessment is required.

Please provide as much detail as possible of how the proposal will impact on the following groups, this may not necessarily be negative, but may impact on a group with a particular characteristic in a specific way.

### Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011

The Public Sector Equality Duty requires the Council to have “due regard” to the need to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity between different groups; and foster good relations between different groups. Please take an intersectional approach in recognising an individual may have more than one protected characteristic.

<b><u>Protected Characteristics</u></b>	<b>Does the proposal have any positive, negative or neutral impacts</b>	<b>Provide detail of the impact</b>	<b>What evidence has been used to support this view?</b>
<b>Age</b> ( <i>Specific age groups i.e. young people or older people</i> )	Negative	The proposals will affect children and young people of school age, and their	Current passenger information.

<u>Protected Characteristics</u>	Does the proposal have any positive, negative or neutral impacts	Provide detail of the impact	What evidence has been used to support this view?
		<p>families/carers, in the county borough.</p> <p>The proposal will affect 305 primary school pupils and 2,370 secondary school and college pupils (based on February 2024 passenger data).</p> <p>Overall, this proposal will impact approximately 29% of pupils that currently receive school transport.</p> <p>The alternative option proposed in section 14 of the cabinet report would help towards mitigating this negative impact.</p>	<p>A walking route is considered to be available if it is safe for the learner to walk the route alone or, if appropriate for the age of the learner, accompanied by an appropriate adult. Pupils of primary age would not be considered appropriate to walk a route unaccompanied.</p>
<p><b>Disability</b> <i>(people with visible and non-visible disabilities or long-term health conditions)</i></p>	<p>Negative</p>	<p>Children and young people who have a disability or additional learning need attending mainstream education would be assessed individually for transport on a discretionary basis. Children attending one of the special schools within the county borough are not considered as part of these proposals, so there is no change to their current provision.</p>	<p>Current passenger information and Council policy.</p> <p>Whilst pupils with statements of Special Educational Needs (SEN) are assessed by distance criteria, in practice SEN pupils would not be affected by this proposed policy change as their transport is based upon their</p>

<u>Protected Characteristics</u>	Does the proposal have any positive, negative or neutral impacts	Provide detail of the impact	What evidence has been used to support this view?
		<p>The Council's school transport policy states that free transport to and from school may be provided on medical grounds e.g. chronic illness or temporary incapacity for short but continuous periods. This is not subject to change under the proposals.</p> <p>There is some indicative evidence to suggest that this proposal may have a bigger impact, or present increased pressures on parents with disabilities or long-term health issues, especially where they have children of primary school age.</p> <p>The alternative option proposed in section 14 of the cabinet report would mitigate this negative impact.</p>	<p>individual need. The discretionary elements of SEN transport (pre-school, post 16, etc.) would continue.</p> <p>A walking route is considered to be available if it is safe for the learner to walk the route alone or, if appropriate for the age of the learner, accompanied by an appropriate adult. Pupils of primary age would not be considered appropriate to walk a route unaccompanied.</p>
<p><b>Gender Reassignment</b> <i>(anybody who's gender identity or gender expression is different to the sex they</i></p>	Neutral	There is no evidence to suggest that children and young people who are transgender or gender neutral will be disproportionately impacted by the proposals.	The proposal is to provide mainstream English, Welsh and Faith primary and secondary school and college transport above statutory

<b><u>Protected Characteristics</u></b>	<b>Does the proposal have any positive, negative or neutral impacts</b>	<b>Provide detail of the impact</b>	<b>What evidence has been used to support this view?</b>
<i>were assigned at birth including non-binary identities)</i>			distance only, regardless of gender.
<b>Marriage or Civil Partnership</b> <i>(people who are married or in a civil partnership)</i>	Neutral	No impact	The proposals will affect children and young people of school age in the county borough.
<b>Pregnancy and Maternity</b> <i>(women who are pregnant/on maternity leave)</i>	Neutral	No impact.	The proposals will affect children and young people of school age in the county borough.  The Council will continue to offer transport on medical grounds where deemed appropriate by medical practitioners.
<b>Race</b> <i>(ethnic and racial groups i.e. minority ethnic groups, Gypsy, Roma and Travellers)</i>	Neutral	There is no evidence to suggest that there will be a disproportionate impact upon learners based on race or ethnicity.	The proposal is to provide mainstream English, Welsh and Faith primary and secondary school and college transport above statutory distance only, regardless of race or ethnicity.
<b>Religion or Belief</b>	Neutral	Learners attending the faith schools (primary and secondary) will maintain	The proposal is to provide mainstream English, Welsh

<b><u>Protected Characteristics</u></b>	<b>Does the proposal have any positive, negative or neutral impacts</b>	<b>Provide detail of the impact</b>	<b>What evidence has been used to support this view?</b>
<i>(people with different religions and philosophical beliefs including people with no beliefs)</i>		home to school transport under the proposed statutory walking distances providing the faith school is determined to be their nearest available school.  Pupils generally travel further to Faith/Welsh Medium schools, although the proposed changes will be applied equally to English and Welsh medium education provision as Faith education.	and Faith primary and secondary school and college transport above statutory distance only, regardless of religion or belief.
<b>Sex</b> <i>(women and men, girls and boys)</i>	Neutral	There is no evidence to suggest that there will be a disproportionate impact upon learners based on sex.	The proposal is to provide mainstream English, Welsh and Faith primary and secondary school and college transport above statutory distance only, regardless of sex.
<b>Sexual Orientation</b> <i>(bisexual, gay, lesbian, straight)</i>	Neutral	There is no evidence to suggest that there will be a disproportionate impact upon learners based on sexual orientation.	The proposal is to provide mainstream English, Welsh and Faith primary and secondary school and college transport above statutory

<u>Protected Characteristics</u>	Does the proposal have any positive, negative or neutral impacts	Provide detail of the impact	What evidence has been used to support this view?
			distance only, regardless of sexual orientation.

In addition, due to Council commitments made to the following groups of people we would like you to consider impacts upon them:

	Does the proposal have any positive, negative or neutral impacts	Provide detail of the impact	What evidence has been used to support this view?
<b>Armed Forces Community</b> <i>(anyone who is serving, has served, family members and the bereaved)</i>	Neutral	There is no evidence to suggest that there will be a disproportionate impact upon learners based on whether a member a member of the Armed Forces Community or not.	The proposal is to provide mainstream English, Welsh and Faith primary and secondary school and college transport above statutory distance only, regardless of whether a member of the Armed Forces Community or not.
<b>Carers</b> <i>(anyone of any age who provides unpaid care)</i>	Negative	Whilst it is not wholly possible to qualify the extent of the impact on Carers, (i.e. whom they are providing care for and how they are providing caring responsibilities), it is nevertheless acknowledged	The proposal is to provide mainstream English, Welsh and Faith primary and secondary school and college transport above statutory distance only, regardless of whether a Carer or not.

		<p>that existing data suggests that the proposed policy change will affect 19 out of a total of 171 registered young carers.</p> <p>The alternative option proposed in section 14 of the cabinet report may mitigate this negative impact.</p>	
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If the initial screening test has identified negative impacts then a full equality impact assessment (section 4) **must** be undertaken. However, if after undertaking the above screening test you determine a full equality impact assessment is not relevant please provide an adequate explanation below:

N/A

Are you happy you have sufficient evidence to justify your decision?

Yes

No

Name: Geraint Roberts

Position: Integrated Transport Manager

Date: 26/2/2024

Please forward a copy of this completed screening form to the Diversity and Inclusion Team.

PLEASE NOTE – there is a separate impact assessment for Welsh Language. This must also be completed for proposals.

Section 3 Socio-economic Duty needs only to be completed if proposals are of a strategic nature or when reviewing previous strategic decisions. Definition of a 'strategic nature' is available on page 6 of the [Preparing for the Commencement of the Socio-economic Duty](#) Welsh Government Guidance.

### SECTION 3 – SOCIO-ECONOMIC DUTY (STRATEGIC DECISIONS ONLY)

The Socio-economic Duty gives us an opportunity to do things differently and put tackling inequality genuinely at the heart of key decision making. Socio-economic disadvantage means living on a low income compared to others in Wales, with little or no accumulated wealth, leading to greater material deprivation, restricting the ability to access basic goods and services.

Please consider these additional vulnerable groups and the impact your proposal may or may not have on them:

- Single parents and vulnerable families
- Pensioners
- Looked after children
- Homeless people
- Students
- Single adult households

- People living in the most deprived areas in Wales
- People with low literacy and numeracy
- People who have experienced the asylum system
- People misusing substances
- People of all ages leaving a care setting
- People involved in the criminal justice system



<b><u>Socio-economic disadvantage</u></b>	<b>Does the proposal have any positive, negative or neutral impacts</b>	<b>Provide detail of the impact</b>	<b>What evidence has been used to support this view?</b>
<b>Low Income/<u>Income Poverty</u></b> <i>(cannot afford to maintain regular payments such as bills, food, clothing, transport etc.)</i>	Negative	<p>There is some indicative evidence to suggest that there will be a disproportionate impact upon learners based on low income or in income poverty.</p> <p>It is acknowledged that there will be some families that will not be able to afford the appropriate clothing and footwear to be able to undertake longer walking journeys.</p> <p>It is acknowledged that there will be additional financial cost to parents / guardians should they decide to transport their child(ren) to school at their own expense.</p>	<p>The proposals will affect children and young people of school age in the county borough.</p> <p>A number of comments receive through the public consultation highlighted impacts on socio-economic factors, including the affordability of appropriate clothing that is suitable for all weather conditions.</p>
<b>Low and / or No Wealth</b> <i>(enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provisions for the future)</i>	Neutral	<p>There is no evidence to suggest that there will be a disproportionate impact upon learners based on low and/or no wealth.</p> <p>However, it is acknowledged that there will be additional financial cost to parents / guardians should they decide to transport their child(ren) to school at their own expense.</p>	<p>The proposals will affect children and young people of school age in the county borough.</p>

<b><u>Socio-economic disadvantage</u></b>	<b>Does the proposal have any positive, negative or neutral impacts</b>	<b>Provide detail of the impact</b>	<b>What evidence has been used to support this view?</b>
<b><u>Material Deprivation</u></b> <i>(unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, hobbies etc.)</i>	Neutral	<p>There is no evidence to suggest that there will be a disproportionate impact upon learners based material deprivation.</p> <p>However, it is acknowledged that there will be additional financial cost to parents / guardians should they decide to transport their child(ren) to school at their own expense.</p>	The proposals will affect children and young people of school age in the county borough

<b><u>Socio-economic disadvantage</u></b>	<b>Does the proposal have any positive, negative or neutral impacts</b>	<b>Provide detail of the impact</b>	<b>What evidence has been used to support this view?</b>
<b><u>Area Deprivation</u></b> <i>(where you live (rural areas), where you work (accessibility of public transport))</i>	Neutral	There is no evidence to suggest that there will be a disproportionate impact upon learners based on area deprivation.	The proposals will affect children and young people of school age across the county borough
<b><u>Socio-economic background</u></b> <i>(social class i.e. parents education, employment and income)</i>	Negative	<p>There is some indicative evidence to suggest that there will be a disproportionate impact upon learners based on socio-economic background.</p> <p>It is acknowledged that this proposal may have a bigger impact, or present increased pressures on single parents or working families, especially where they have children of primary school age.</p> <p>It is acknowledged that there will be additional financial cost to parents / guardians should they decide to transport their child(ren) to school at their own expense.</p> <p>The alternative option proposed in section 14 of the cabinet report would mitigate this negative impact.</p>	<p>The proposals will affect children and young people of school age in the county borough.</p> <p>A walking route is considered to be available if it is safe for the learner to walk the route alone or, if appropriate for the age of the learner, accompanied by an appropriate adult. Pupils of primary age would not be considered appropriate to walk a route unaccompanied.</p>
<b><u>Socio-economic disadvantage</u></b>	Neutral	There is no evidence to suggest that there will be a disproportionate	The proposals will affect children and young people of

<p><i>(What cumulative impact will the proposal have on people or groups because of their protected characteristic(s) or vulnerability or because they are already disadvantaged)</i></p>		<p>impact upon learners based on socio-economic disadvantage.</p> <p>However, it is acknowledged that there will be additional financial cost to parents / guardians should they decide to transport their child(ren) to school at their own expense.</p>	<p>school age in the county borough</p>
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## SECTION 4 – FULL EQUALITY IMPACT ASSESSMENT

You should use the information gathered at the screening stage to assist you in identifying possible negative/adverse impacts and clearly identify which groups are affected.

- 4.a) In terms of disproportionate/negative/adverse impacts that the proposal may have on a protected group, outline the steps that will be taken to reduce or mitigate the impact for each group identified. **Attach a separate action plan where impacts are substantial.**

Protected Characteristic - Age. The proposals will affect children and young people of school age in the county borough. The alternative option proposed in section 14 of the cabinet report would reduce this negative impact as it would maintain the discretionary element of providing transport for all primary schools, (English, Welsh, and Faith).

Protected Characteristic - Disability. There is some indicative evidence to suggest that this proposal may have a bigger impact, or present increased pressures on parents with disabilities or long-term health issues, especially where they have children of primary school age. The alternative option proposed in section 14 of the cabinet report would mitigate this negative impact as it would maintain the discretionary element of providing transport for all primary schools, (English, Welsh, and Faith).

Protected Characteristic - Carer. Whilst it is not wholly possible to qualify the extent of the impact on Carers, (i.e. whom they are providing care for and how they are providing caring responsibilities), it is nevertheless acknowledged that existing data suggests that the proposed policy change will affect 19 out of a total of 171 registered young carers. The alternative option proposed in section 14 of the cabinet report would mitigate this negative impact as it would maintain the discretionary element of providing transport for all primary schools, (English, Welsh, and Faith).

- 4.b) If ways of reducing the impact have been identified but are not possible, please explain why they are not possible.

N/A

- 4.c) Give sufficient detail of data or research that has led to your reasoning, in particular, the sources used for establishing the demographics of service users/staff.

Data used is school bus passenger information from February 2024.

- 4.d) Give details of how you engaged with service users/staff on the proposals and the steps taken to avoid any disproportionate impact on a protected group. Explain how you have used feedback to influence your decision.

A comprehensive public consultation exercise was conducted with all key stakeholders such as pupils, parents, carers, transport providers and Elected Members. The consultation originally ran from Monday 27th November 2023 until 5pm Monday 8th January 2024. Recognising the significance of the proposal for pupils who use and will use home to school transport now or in the future, the consultation was extended for a further three-week period, from Thursday 18th January until 5pm Thursday 8th February 2024. This period provided a further opportunity for those potentially impacted to take part in the consultation. In total the consultation therefore ran for a period of nine weeks.

The consultation had a dedicated page on the Council's consultation section of its website which provided details of the proposal and a link to the consultation survey. Consultees were also referred to the initial Equality and Welsh Language impact assessments considered by Cabinet prior to initiating the consultation exercise.

A 'frequently asked questions' sheet was developed to provide further information to consultees.

An email was sent to all schools who could be potentially impacted by the proposal to Headteachers and Chair of Governors to be forwarded on to all parents and carers. Further emails were sent to key stakeholders to promote the consultation and encourage participation in the online survey, including public transport operators. School Councils, headteachers and school and college governors were also invited to submit their views on any proposed new policy.

Respondents were also given the option to write in using a dedicated email address [HTSConsultation@rctcbc.gov.uk](mailto:HTSConsultation@rctcbc.gov.uk), and a telephone option was also in place through the Council's contact centre.

The Council held 8 public engagement events at venues throughout the County Borough, where officers were on hand to answer any questions on the proposal and encourage or assist people to take part in the survey.

The consultation was widely promoted in the Press and via social media including the Council's Facebook and X (formerly known as Twitter) accounts.

Consultees were therefore able to respond to the consultation through various channels including an online survey/questionnaire, a dedicated consultation email address, a freepost postal address, a telephone option and providing feedback at the local engagement sessions.

The Council's YEPs team developed a young person's version of the proposal and shared with youth forum members. The consultation was undertaken by sharing relevant information with young people through a social media group for youth forum.

members and they were asked to complete a survey following this. The results of any consultation will be reported back to Cabinet in order for it to determine whether, and if so, how it wishes to progress with implementation of the proposed new policy.

4.e) Are you satisfied that the engagement process complies with the requirements of the Statutory Equality and Socio-economic Duties?

Yes

No

## SECTION 5 – MONITORING AND REVIEW

5a) Please outline below how the implementation of the proposal will be monitored:

The implementation of the proposal will be monitored through reviewing the eligibility of pupils impacted. This will be done by reviewing the safety of walking routes to schools, and through assessing eligibility as a result of medical needs. Attendance levels at schools, and any impact as a result of the proposal will be periodically reviewed.

5b) When is the evaluation of the proposal due to be reviewed?

After the end of the first academic year (2025/26).

5c) Who is responsible for the monitoring and review of the proposal?

The Integrated Transport Unit and Education and Inclusion Services.

5d) How will the results of the monitoring be used to develop future proposals?

The results of the monitoring will determine whether further amendments of the Council's School Transport policy requires review to help meet it's statutory duties.



## SECTION 6 – REVIEW

As part of the Impact Assessment process all proposals that fall within the definition of ‘Key Decisions’ must be submitted to the Review Panel. This panel is made up of officers from across Council Services and acts as a critical friend before your proposal is finalised and published for SLT/Cabinet approval.

If this proposal is a Key Decision please forward your impact assessment to [Councilbusiness@rctcbc.gov.uk](mailto:Councilbusiness@rctcbc.gov.uk) for a Review Panel to be organised to discuss your proposal. The EqlA guidance document provides more information on what a Key Decision is.

It is important to keep a record of this process so that you can demonstrate how you have considered equality and socio-economic outcomes. Please ensure you update the relevant sections below

<b>Officer Review Panel Comments</b>	<b>Date Considered</b>	<b>Brief description of any amendments made following Officer Review Panel considerations</b>
The review panel comments have been incorporated within this assessment.	7 <sup>th</sup> March 2024	Final decision to be made by Cabinet. Additional options for consideration as a result of the review have been included within the Cabinet Report.
<b>Consultation Comments</b>	<b>Date Considered</b>	<b>Brief description of any amendments made following consultation</b>
The review panel comments have been incorporated within this assessment.	7 <sup>th</sup> March 2024	Final decision to be made by Cabinet. Additional options for consideration as a result of the review have been included within the Cabinet Report.

## SECTION 6 – SUMMARY OF IMPACTS FOR THE PROPOSAL

Provide below a summary of the impact assessment. This summary should be included in the equality and socio-economic impact section of the Cabinet report template. The impact assessment should be published alongside the report.

This assessment has found that there are three negative and eight neutral equality and diversity implications, based on protected characteristics, associated with the preferred option consulted upon. Furthermore, the assessment has found that there are two negative and four neutral socio-economic impacts. These risks could be mitigated by a range of actions as detailed in this report and with the alternative option explored in further detail at Section 14 of the cabinet report.

## SECTION 7 – AUTHORISATIONS

Lead Officer: G ROBERTS

Name: GERAINT ROBERTS

Position: INTEGRATED TRANSPORT MANAGER

Date: 12/3/2024

I recommend that the proposal:

- Is implemented with no amendments
- Is implemented taking into account the mitigating actions outlined
- Is rejected due to disproportionate negative impacts on protected groups or socio-economic disadvantage

Head of Service/Director Approval: S WILLIAMS

Name: STEPHEN WILLIAMS

Position: DIRECTOR OF HIGHWAYS, STREETCARE, AND TRANSPORTATION SERVICES

Date: 12<sup>th</sup> March 2024

Please submit this impact assessment with any SLT/Cabinet Reports.

Tudalen way

## WELSH LANGUAGE IMPACT ASSESSMENT TOOL

This Welsh Language Impact Assessment (WLIS) tool enables RCT Council to consider the principles and requirements of the Welsh Language Standards (No.1) Regulations 2015 to ensure compliance with the Welsh Language (Wales) Measure 2011.

### **Stage 1 – Information Gathering**

**NOTE:** As you complete this tool you will be asked for **evidence to support your views**. Please see Welsh Language Impact Assessment Guidance for more information on data sources.

<b>Proposal Name:</b>	Proposed new Home to School Transport policy.
<b>Department</b>	Integrated transport Unit
<b>Director</b>	Stephen Williams
<b>Officer Completing the WLIA</b>	Geraint Roberts
<b>Email</b>	Geraint.e.roberts@rctcbc.gov.uk
<b>Brief Description</b>	The proposal seeks to introduce a proposed new Home to School Transport Policy, namely providing mainstream English, Welsh and Faith primary school, secondary school and college transport above statutory distance only and implemented from the start of the 2025/2026 academic year. Should the proposed new Home to School Transport Policy be implemented the Council would continue to provide discretionary Home to School Transport provision beyond statutory requirements in a number of areas.
<b>Date</b>	26 February 2024
<b>Please outline who this proposal affects? (Service Users, Employees, Wider Community)</b>	Service Users

<p><b>What are the aims of the policy, and how do these relate to the Welsh Language?</b></p>	<p>The aim of the proposal is to implement a new Home to School Transport Policy, namely providing mainstream English, Welsh and Faith primary school, secondary school and college transport in line with relevant statutory distance criteria, which would be implemented from the start of the 2025/2026 academic year. This could potentially impact on the Council's ambitious <a href="#">Welsh in Education Strategic Plan</a> ('WESP') targets to grow the number of learners accessing Welsh medium education.</p>
<p><b>Who will benefit / Could the policy affect Welsh language groups? If so, list them here.</b></p>	<p>The proposal, as consulted upon, would affect transport entitlement for learners attending Welsh medium primary and secondary schools that live under the statutory distances from school, although the proposed changes may adversely impact more on learners in Welsh medium settings who are generally more reliant on school transport to access education. This is a potential risk to the Council's target to significantly grow the numbers of learners accessing Welsh medium education in Rhondda Cynon Taf, as specified in the Council's WESP. It should be noted however that under the proposed Home to School Transport Policy the discretionary element of allowing a learner to select their nearest suitable school in accordance with choice of English or Welsh Medium language would continue. This supports the provision in the Learner Travel (Wales) Measure 2008 which places a duty on the Council to promote access to Welsh Medium education when exercising its powers thereunder.</p>
<p><b>Current linguistic profile of the geographical area(s) concerned</b></p>	<p>The 2021 Census figures regarding the Welsh language show a decrease in the percentage of Welsh speakers across Wales to 17.8%. There was, however, a small increase in RCT – the percentage of the population of the County Borough who can speak Welsh increased from 12.3% to 12.4%. Numerically, RCT saw a 2.8% increase in the number of Welsh speakers in the County Borough, from 27,779 speakers to 28,556 speakers. RCT was also one of only four Local Authorities in Wales to see an increase in the percentage of Welsh speakers – the others were Cardiff, Merthyr Tydfil and the Vale of Glamorgan. All of these are neighbouring County Boroughs, which could demonstrate that the region is seeing some positive trends in terms of increases in Welsh speakers, and that there may be a resulting increase in demand for services through the medium of Welsh. As further, more detailed, data from the Census becomes available for RCT (e.g., LSOA data), the Council will need to consider what impact it may have on the services it provides.</p> <p>The table that follows outlines the Welsh language skills of residents living in RCT and Wales and is obtained from the 2011 Census.</p>

<b>Welsh Language Skills of Residents (2011 Census)</b>			
<b>Welsh Language Skill</b>	<b>RCT</b>	<b>Wales</b>	
<b>Can speak, read and write Welsh</b>	9.7%	14.6%	
<b>Can speak and read but cannot write Welsh</b>	0.9%	1.5%	
<b>Can speak but cannot read or write Welsh</b>	1.6%	2.7%	
<b>Can understand spoken Welsh only</b>	4.2%	5.3%	
<b>Other combination of Skills</b>	3.3%	2.5%	
<b>No skills</b>	80.4%	73.3%	
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	

The data demonstrates that the Welsh language skills level of residents living in RCT is lower than the all Wales Welsh language skills level.

The table that follows outlines the Welsh language skills of residents living in RCT and Wales and is obtained from the 2021 Census.

<b>Welsh Language Skills of Residents (2021 Census)</b>			
<b>Welsh Language Skill</b>	<b>RCT</b>	<b>Wales</b>	
<b>Can speak, read and write Welsh</b>	9.8%	13.8%	
<b>Can speak and read but cannot write Welsh</b>	0.7%	1.1%	

<b>Can speak but cannot read or write Welsh</b>	1.4%	2.2%
<b>Can understand spoken Welsh only</b>	3.9%	5.0%
<b>Other combination of Skills</b>	5.5%	5.2%
<b>No skills</b>	78.7%	72.7%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>

The data demonstrates that the Welsh language skills level of residents living in RCT is lower than the all Wales Welsh language skills level.

The data demonstrates the Welsh language skills level of residents living in RCT and the all Wales Welsh language skills level are lower in 2021 than 2011.

The Welsh Language Use Survey for the years 2013 to 2015, contains detailed information about Welsh speaker's fluency and their use of the Welsh language in a range of settings. When looking where respondents living in Wales learned to speak Welsh, the majority, 45.0%, learned to speak Welsh at home, followed by 26.0% who learned to speak Welsh at nursery and primary school between the ages of 2 to 10 and 14.0% who learned to speak Welsh at secondary school at the age of 11 plus. The remaining 2.0% learned to speak Welsh in other settings, including at Welsh medium learning classes for adults. In RCT it is considered the majority of Welsh speakers would have learned Welsh in Primary School.

The data demonstrates that the Welsh language skills level of residents living in RCT is lower than the all-Wales Welsh language skills level. In recent years, support has been given to promote and increase pupils use of the Welsh language in primary and secondary schools and in social contexts. This has been done through the Welsh Language Charter (Siarter Iaith), developed by Gwynedd Council, and various other projects, in partnership with the Central South Consortium Joint Education Service (CSCJES) and the Urdd. This activity is designed to contribute towards the Welsh Government's ambitious goal of creating a million Welsh speakers in Wales by 2050 and the WESP.



**Other relevant data or research**

All Local Authorities in Wales must produce a WESP. The WESP is a long-term language planning tool which sets the direction for the strategic planning, delivery and growth in Welsh medium and Welsh language education. Through the WESP, and effective strategic planning and investment, the Council aims to contribute significantly to achieving the vision of one million people in Wales being Welsh speakers by 2050 as set out in Cymraeg 2050. The WESP can be viewed and downloaded from the Council website via:

[Welsh in Education Strategic Plan \(WESP\) 2022 – 2032 | Rhondda Cynon Taf County Borough Council \(rctcbc.gov.uk\)](https://www.rctcbc.gov.uk)

There are seven outcomes within the WESP, these are:

- Outcome 1: More nursery/three-year-old learners receive their education through the medium of Welsh.
- Outcome 2: More reception/five-year-old learners receive their education through the medium of Welsh.
- Outcome 3: More children continue to improve their Welsh language skills when transferring from one stage of their statutory education to another.
- Outcome 4: More learners study for assessed qualifications in Welsh (as a subject) and subjects through the medium of Welsh.
- Outcome 5: More opportunities for learners to use Welsh in different contexts in school.
- Outcome 6: An increase in the provision of Welsh medium education for learners with ALN in accordance with the duties imposed by the Additional Learning Needs and Education Tribunal (Wales) Act 2018.
- Outcome 7: Increase the number of teaching staff able to teach Welsh (as a subject) and teach through the medium of Welsh.

During the ten-year lifespan of the Council's WESP (2022-2032), it is seeking to increase the percentage of year one learners in Welsh medium education by between 8.0% to 12.0%. This equates to an increase from 506 year one learners in Welsh medium education to between 720 and 825 year one learners in Welsh medium education. However, the Council has committed to a 10% increase. It is therefore noted that any proposal that would have an impact on the take up of Welsh medium education, would reduce the Council's ability to meet this very ambitious target set by Welsh Government.

Whilst the Council would meet statutory walking distance requirements from a free home to school transport perspective, the proposal, as consulted upon, may potentially impact on the numbers of families wishing to send their children to Welsh medium education as they might opt to send their child to a closer English medium

school. This in turn could impact on the requirement to promote access to Welsh medium education within the Learner Travel (Wales) Measure 2008.

## **Stage 2 – Impact Assessment**

In this section you need to consider the impact, the evidence and any action you are taking for improvement. This is to ensure that the opportunities for people who choose to live their lives and access services through the medium of Welsh are not inferior to what is afforded to those choosing to do so in English, in accordance with the requirement of the Welsh Language (Wales) Measure 2011.

Please note there is a separate impact assessment for Equality and Socio-Economic duty that must also be completed for policy proposals.

Remember that effects that are positive for some groups could be detrimental to others - even among Welsh language groups. Consider the effects on different groups. For example, a proposal may be beneficial to Welsh learners, but not to Welsh speakers.

### **Will the proposed action affect any or all of the following?**

	<b>Does the proposal have any positive, negative or neutral impacts?</b>	<b>Describe why it will have a positive/negative or neutral impact on the Welsh language.</b>	<b>What evidence do you have to support this view?</b>	<b>What action(s) can you take to mitigate any negative impacts or better contribute to positive impacts?</b>
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<p><b>Opportunities for persons to use the Welsh language</b></p> <p>e.g., staff, residents and visitors</p> <p>The rights of Welsh speakers and learners to use Welsh when dealing with the council and for staff to use Welsh at Work</p>	<p>Negative</p>	<p>All consultation correspondence and any correspondence issued in relation to the operation of the Council's Home to School Transport policy would continue to be published in Welsh with the Welsh appearing first.</p> <p>Future recruitment would focus on recruiting Welsh speakers to increase face-to-face Welsh language service provision.</p> <p>As there are currently only 4% of staff within the Service area with Welsh language skills of level 3 or above, (the level at which speakers likely have sufficient skills to use the language more extensively at work), recruiting more Welsh speakers would have a positive impact on the service's Welsh provision, and the Council's attempts to promote the language.</p> <p>The Council has opportunities for internal staff across all services to access free training to improve their Welsh language skills. Welsh Language Services are working to develop technological support for Welsh</p>	<p>Current / ongoing public consultations shows Welsh language appearing first.</p> <p>The percentage of Welsh speakers in RCT according to the 2021 Census was 12.4%, and the Council's Welsh Language Skills Strategy aims to ensure the percentage of staff with Welsh language skills is at a similar level.</p> <p>In line with the Council's Statutory Welsh Language Standards, any Council publications, documentation and correspondence must be bilingual with a message included to state that correspondence in Welsh is welcomed and corresponding with us in Welsh will not lead to a delay. The Council also applies this to any new school builds so that signage in English schools is bilingual. New school builds now also incorporate bilingual braille on school signage providing equal opportunities in terms of the Welsh language and equality.</p>	<p>Ensure that, upon each new order of consultation material and/or materials relating to the operation of the Council's Home to School Transport policy, all correspondence is reviewed, and bilingualism retained.</p> <p>Encourage contact in Welsh by incorporating an appropriate additional line into correspondence, e.g., "we welcome correspondence in Welsh, which will not lead to a delay in responding".</p> <p>Ensure steps are taken for basic relevant Welsh lessons for those who need it with the aim of further upskilling and training as appropriate.</p> <p>Investigate opportunities to ensure there are a number of Welsh-speaking members of staff on the team through advertising some new posts as "Welsh-essential" roles <i>where practical to do so</i>.</p>
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speakers and learners within the Council to be able to deliver services through the medium of Welsh. All newly recruited Council staff are required to undertake Welsh language Level 1 training. By working with the Council's Welsh Language Services, specifically the internal Welsh language tutor, all members of staff will be encouraged to continue to improve their Welsh language skills beyond Level 1. Members of staff who opt to do this will be fully supported. This will support the opportunities available for the Council to create a bilingual workforce with the ability to work and deliver services bilingually.

Moreover, in light of recent guidance from the Welsh Language Commissioner, the Council has a statutory duty not only to mitigate negative impacts, but to maximise any possible positive impacts too.

If there are fewer Welsh medium pupils as an unintended consequence of any revised Home to School transport policy, this might impact on the

Council's ability to provide services in Welsh way into the future. It is acknowledged Welsh Medium Schools are the pool of future workers to ensure the Council can fulfil and comply with the Welsh Language Standards long term and further grow the language.

If, as a result of any revised Home to School transport policy, learners spend less time with peers whilst travelling, their opportunities to use Welsh during this time may decrease.

**Stage 2 – Impact Assessment**

**Will the proposed action affect any or all of the following?**

	<b>Does the proposal have any positive, negative or neutral impacts?</b>	<b>Describe why it will have a positive/negative or neutral impact on the Welsh language.</b>	<b>What evidence do you have to support this view?</b>	<b>What action(s) can you take to mitigate any negative impacts or better contribute to positive impacts?</b>
<p style="text-align: center;"><b>Numbers and / or percentages of Welsh speakers</b></p> <p>e.g. Welsh Medium Education / Study Opportunities. Links with the Welsh Government's <a href="#">Cymraeg 2050 Strategy</a> / <a href="#">RCTCBC Five Year Welsh Language Strategy</a></p>	<p>Negative</p>	<p>Rhondda Cynon Taf County Borough has seventeen Welsh medium primary schools, and four Welsh secondary schools located throughout the County Borough. All pupils who attend these schools' study through the medium of Welsh.</p> <p>There is a potential that the additional walking distance from home to school may discourage parents from putting their children into Welsh medium schools, in favour of nearer English medium catchment schools, with a greater risk at the primary school level. Should that happen it may reduce the ability for the Council to achieve certain outcomes in the WESP.</p>	<p>Whilst currently there is little specific data or evidence available to support the overall conclusion the proposal as consulted upon would have a negative impact on the numbers/percentage of Welsh speakers feedback received through the consultation, particularly from key stakeholders such as the Welsh Language Commissioner, suggested this would be the case. The Commissioner expressed a concern the proposal would disproportionately impact learners attending Welsh medium schools and undermine the commitments and targets of the WESP. The Commissioner considers the proposal might lead to the Council incurring increased costs in future if investment is required</p>	<p>Whilst the Council's current Home to School transport policy has a positive impact on access to Welsh medium education it is a component part of the Council's overall ability to meet its targets set out in the WESP. To support achieving the outcomes in the WESP the Council is undertaking a number of schemes/programmes that support the promotion of the Welsh language, and that contribute towards achieving the outcomes within its WESP. These schemes/programmes are as follows:</p>

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		<p>However, it should be noted that under the proposal the Council would, as part of its discretionary provision, still allow a learner to select their nearest 'suitable school' in accordance with choice of language. On this basis there might be potential for growth in Welsh Medium demand where pupils live under 2 miles (in the case of primary school pupils) or 3 miles (in the case of secondary school pupils) from their nearest suitable English Medium school but live over 2 miles (in the case of primary school pupils) or 3 miles (in the case of secondary school pupils) from their nearest suitable Welsh Medium school.</p>	<p>to mitigate the negative effects of the proposal on the growth of Welsh medium education in Rhondda Cynon Taf.</p> <p>The Commissioner believes inequalities exist between those accessing English and Welsh medium education on the basis Welsh medium education is less widely available thus access is more costly and difficult as learners on average will live further from such provision. The Commissioner has stated on average people are more likely to live within walking distance to English medium school than to Welsh medium schools, and that is true in Rhondda Cynon Taf.</p> <p>Whilst acknowledging it is the Council's aim to treat Welsh medium learners no less favourably than English medium learner's the Commissioner considers changing the policy would have a disproportionate impact on those wishing to attend Welsh medium education. The Commissioner further states that as a significant number of learners who would otherwise have received free transport to</p>	<p>The Siarter Iaith Cymraeg Campus programme is having a positive impact on the promotion of the Welsh language in schools engaged with the programme through providing increased opportunities for pupils to use the Welsh language in different contexts.</p> <p>The Council adheres to The Welsh Language (Wales) Measure 2011 which requires the Council to produce a five-year strategy outlining actions which will facilitate and promote the Welsh language.</p> <p>The Council's Five Year Welsh Language Promotion Strategy (2022 – 2027) along with its supplementary action plan encourages and facilitates long term growth for the Welsh language and Welsh medium education. The strategy is closely aligned to the Council's</p>
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			<p>Welsh medium education would no longer be eligible for such transport it is very likely that a substantial number of these learners would reconsider choosing Welsh medium education, choosing instead to attend an English medium school nearer their home which is easier to access and less costly for them.</p> <p>Should the proposal, as consulted upon., be implemented then as part of its discretionary provision, the Council would allow a learner to select their nearest 'suitable school' in accordance with choice of language should the proposal be implemented.</p> <p>Out of a total of 3,860 pupils attending Welsh primary schools, 1,272 are currently in receipt of school transport (33%). 242 pupils would be affected by this proposal. This represents 19% of all pupils in receipt of transport, and 6% of the overall number in Welsh primary schools.</p> <p>Out of a total of 15,961 pupils attending English primary schools, 162 are currently in</p>	<p>WESP and outlines the Council's commitment to working towards the Welsh Government's Cymraeg 2050 vision of increasing the number of Welsh speakers.</p> <p>This commitment to promoting the Welsh language, increasing the number of Welsh pupils and improving the Welsh language skills of staff and pupils across schools in Rhondda Cynon Taf is reaffirmed in the Education &amp; Inclusion Directorate's Education Strategic Plan for 2022 – 2025.</p> <p>An alternative option has been put forward for Cabinet to consider that would maintain the discretionary element of providing transport for all primary schools, (English, Welsh, and Faith). This option might assist in negating possible negative impacts in relation to</p>
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			<p>receipt of school transport (1%). 0 pupils would be affected by this proposal.</p> <p>Out of a total of 2,526 pupils attending Welsh secondary schools, 1,936 are currently in receipt of school transport (77%). 228 pupils would be affected by this proposal. This represents 12% of all pupils in receipt of transport, and 9% of the overall number in Welsh secondary schools.</p> <p>Out of a total of 11,653 pupils attending English secondary schools, 4,094 are currently in receipt of school transport (35%). 1,174 pupils would be affected by this proposal. This represents 29% of all pupils in receipt of transport, and 10% of the overall number in English secondary schools.</p> <p>Whilst the proposed changes will be applied equally to English medium education provision and Welsh medium education provision, as pupils generally travel further to Welsh Medium schools, only they and primary school pupils attending Faith</p>	<p>outcomes 1 &amp; 2 of the WESP and any consequential effect on the Council's Welsh Language Promotional Strategy.</p> <p>A further option could be considered, which would maintain the Council's current discretionary distance criteria of providing transport for all primary schools, (English, Welsh, and Faith), and Welsh secondary schools (only). Transport provision to English and Faith schools and colleges would change to move in line with the relevant statutory distance criteria as set out in the Welsh Government's Learner Travel (Wales) Measure 2008. This further option would negate all negative impacts against the WESP outcomes that may arise as a result of implanting the proposal, as consulted upon, and was an option suggested</p>
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			<p>schools are impacted. However, as can be seen from the information above, this is reversed for secondary age pupils, where those attending English medium schools are impacted by a far greater number.</p> <p>In assessing the possible impact of the proposed changes on attendance at Welsh language schools, a comparison of the attendance levels for those learners receiving home to school transport provision was made against those learners who do not use home to school transport to get to school.</p> <p>The current attendance levels at RCTCBC Welsh language schools receiving school transport are as follows:</p> <p>Attendance levels of pupils currently making their own way to Welsh language primary school: 92.96%</p> <p>Attendance levels of pupils who are in receipt of school transport to Welsh language primary school: 92.10%</p>	<p>by the Welsh Language Commissioner.</p> <p>Irrespective of any proposal that is taken forward, as regards a change in the Council's Home to School Transport policy, the Council would, as now, continue to monitor and evaluate the effect of it's Home to School Transport policy in relation to both its duty to promote Welsh medium education under the Learner Travel (Wales) Measure 2008 and its impact and effect on the WESP and Welsh Language Promotional Strategy. This would be conducted through the collection and analysis of relevant data, engagement with key stakeholders and reporting through the Council's democratic processes such as scrutiny. Cabinet may wish to request following any change to existing</p>
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			<p>Overall difference: -0.86%</p> <p>Attendance levels of pupils currently making their own way to Welsh language secondary school: 89.06%</p> <p>Attendance levels of pupils who are in receipt of school transport to Welsh language secondary school: 87.91%</p> <p>Overall difference: -1.15%</p> <p>Attendance data at Welsh language schools therefore suggests that the provision of free transport within 1.5-2 miles for primary schools and 2-3 miles for secondary schools (as is currently the case in Rhondda Cynon Taf) has little impact on attendance.</p> <p>Whilst there is little specific evidence or data available at present to enable the Council to effectively assess the impact implementation the proposal as consulted upon would have on enabling the Council to achieve the WESP outcomes the potential for it to have a negative impact is</p>	<p>policy, that officers bring a further report to a future meeting detailing available evidence at the time of the effect of any policy change has had on the numbers of learners accessing Welsh medium education.</p>
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			<p>drawn to Member's attention and should form a consideration as part of its decision making process.</p> <p>At the same time it should be noted that the Council's Welsh Language Promotional Strategy is strongly aligned with the WESP, and so any impact on the WESP would have impact on the Welsh Language Promotional Strategy</p> <p>in terms of adherence to the Welsh Language Measure, the Council must treat the Welsh language no less favourably than English. It could therefore treat Welsh language learners more favourably.</p>	
<p><b>Opportunities to promote the Welsh language</b> e.g. status, use of Welsh language services, use of Welsh in everyday life in work and in the community</p> <p>Actively encourage and promote the use of our services in Welsh to see an increase in demand over time</p>	Neutral	<p>The Welsh language has official status and legislation in place which provides rights for Welsh speakers to receive Welsh language services. The challenge is to expand the opportunities for people to be able to use the Welsh language in their daily life through creating the right conditions for new pupils of all ages to develop and use their skills from early years, through every stage of</p>	<p>As part of its discretionary provision, the Council would, as now, allow a learner to select their nearest 'suitable school' in accordance with choice of language should the proposal be implemented – please see data above.</p> <p>The Council's Five Year Welsh Language Promotion Strategy (2022 – 2027) along with its supplementary action plan has</p>	<p>The Siarter Iaith Cymraeg Campus programme is having a positive impact on the promotion of the Welsh language in schools engaged with the programme through providing increased opportunities for pupils to use the Welsh language in different contexts.</p>

		<p>compulsory education and post-16 provision.</p> <p>As mentioned above, there is a potential that the additional walking distance from home to school may discourage parents from putting their children into Welsh medium schools.</p> <p>The proposal is clear that the Council would, as part of its discretionary provision, still allow a learner to select their nearest 'suitable school' in accordance with choice of language. This is how the Council would meet its duty under the Learner Travel (Wales) Measure 2008 to promote Welsh medium education.</p> <p>In addition, the introduction of the proposal may result in potential growth in Welsh Medium demand where pupils live under 2 miles (in the case of primary school pupils) or 3 miles (in the case of secondary school pupils) from their nearest suitable English Medium school but live over 2 miles (in the case of primary school pupils) or 3 miles (in the case of secondary school</p>	<p>been taken into consideration in order to encourage and facilitate long term growth for the Welsh language and Welsh medium education. The strategy outlines the Council's commitment to working towards the Welsh Government's Cymraeg 2050 vision of increasing the number of Welsh speakers, increasing the use of the language in the workplace, via Council services and throughout the community and creating favourable conditions. Rhondda Cynon Taf Welsh Language Services, Youth Services, Leisure Services and Arts and Culture Services and Musical Services are all working proactively towards developing opportunities for pupils and the wider community to use the Welsh language. These include but are not limited to:</p> <p>Welsh Language Services:</p> <ul style="list-style-type: none"> <li>- Developing materials to provide to school-based staff to support with their Welsh language skills.</li> <li>- Exploring the feasibility of Welsh medium learning/support digital applications being placed on</li> </ul>	<p>The Council would continue to adhere to The Welsh Language (Wales) Measure 2011 which requires the Council to produce a five year strategy outlining actions which will facilitate and promote the Welsh language.</p> <p>The Council's Five Year Welsh Language Promotion Strategy (2022 – 2027) along with its supplementary action plan has been taken into consideration in order to encourage and facilitate long term growth for the Welsh language and Welsh medium education. The strategy outlines the Council's commitment to working towards the Welsh Government's Cymraeg 2050 vision of increasing the number of Welsh speakers.</p> <p>The Council would continue to ensure a clear alignment with the</p>
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		<p>pupils) from their nearest suitable Welsh Medium school.</p> <p>If these benefits are indeed realised, this would potentially positively impact on our WESP targets and our strategic priorities to increase the number of Welsh language speakers and to growth the number of learners accessing Welsh medium education and opportunities.</p>	<p>every member of staffs' devices to support their linguistic skills and development.</p> <p>Youth Services:</p> <ul style="list-style-type: none"> <li>- Running trips for Welsh medium pupils to provide opportunities to use Welsh in different contexts.</li> <li>- Creating promotional materials to be placed in youth clubs throughout the County Borough.</li> <li>- Working in partnership with the Urdd and Menter Iaith to develop Welsh Language Youth Forums in all Welsh and English medium secondary schools along with Coleg y Cymoedd campuses.</li> </ul> <p>Leisure Services:</p> <ul style="list-style-type: none"> <li>- Working with the Urdd to deliver sport activities for Welsh medium schools and exploring extending this to incorporate English medium schools on a bilingual model of delivery.</li> <li>- Working with Menter Iaith to develop opportunities to</li> </ul>	<p>Five Year Welsh Language Promotion Strategy. This commitment to promoting the Welsh language, increasing the number of Welsh pupils and improving the Welsh language skills of staff and pupils across schools in Rhondda Cynon Taf is reaffirmed in the Education &amp; Inclusion Directorate's Education Strategic Plan for 2022 – 2025.</p> <p>In order to achieve the targets of the WESP the Council will continue to ensure the benefits of the Welsh language and Welsh medium education are promoted to parents/carers from the initial early years, through to primary and secondary education and onwards through to higher and further education for all pupils, whatever their learning need. This will be done through ongoing</p>
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			<p>introduce the Welsh language into leisure sessions.</p> <p>Arts and Culture Services:</p> <ul style="list-style-type: none"> <li>- Collaborating with Youth Services on a programme of provision across community and cultural venues to encourage the use of the Welsh language and incorporating the Welsh language into community based events.</li> </ul> <p>Musical Services:</p> <ul style="list-style-type: none"> <li>- Engaging with both Welsh and English medium schools to encourage an uptake in musical services, pupils who show an aptitude for any instruments are being encouraged and supported into taking part in the Eisteddfod.</li> </ul> <p>The Council will continue to ensure a clear alignment with the Five Year Welsh Language Promotion Strategy. This commitment to promoting the Welsh language, increasing the number of Welsh pupils and improving the Welsh language</p>	<p>distribution of the Council's Being Bilingual booklets and Welsh Language Immersion leaflets at local events, to health visitors, Welsh medium childcare settings and birth registration services. Wider distribution will include all public Council buildings and Welsh medium schools throughout the County Borough. Social media campaigns are run which specifically targets promoting Welsh medium education along with marketing resources in the form of videos, prepared by Welsh Government and Mudiad Meithrin.</p> <p>The Council recognises the importance of the Welsh Government's Cymraeg 2050 target and how central the education system in Wales is to achieve its vision.</p>
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			<p>skills of staff and pupils across schools in Rhondda Cynon Taf is reaffirmed in the Education &amp; Inclusion Directorate’s Education Strategic Plan for 2022 – 2025.</p>	<p>The Council’s WESP sets out a ten-year vision for increasing and improving the planning of the provision of Welsh medium education in order to maximise its contribution of achieving the target of one million Welsh speakers in Wales by 2050.</p> <p>The Council is aware that Welsh Government are in the process of reviewing its Learner Travel Guidance, however it is unclear what, if any, changes will be made. The Council will review any revisions to the Guidance, as and when issued, and consider accordingly.</p> <p>An alternative option has been put forward for Cabinet to consider that would maintain the discretionary element of providing transport for all primary schools, (English, Welsh, and Faith). This option might</p>
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				<p>assist in negating possible negative impacts in relation to outcomes 1 &amp; 2 of the WESP and any consequential effect on the Council's Welsh Language Promotional Strategy. It should be acknowledged however that any negative impacts in relation to outcomes 1 &amp; 2 could have corresponding negative impacts on outcomes 3-7 also.</p> <p>A further option could be considered, which would maintain the Council's current discretionary distance criteria of providing transport for all primary schools, (English, Welsh, and Faith), and Welsh secondary schools (only). Transport provision to English and Faith schools and colleges would change to move in line with the relevant statutory distance criteria as set out in the Welsh</p>
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				<p>Government's Learner Travel (Wales) Measure 2008. This further option would negate all negative impacts against the WESP outcomes that may arise as a result of implanting the proposal, as consulted upon, and was an option suggested by the Welsh Language Commissioner.</p> <p>Irrespective of any proposal that is taken forward, as regards a change in the Council's Home to School Transport policy, the Council would, as now, continue to monitor and evaluate the effect of its Home to School Transport policy in relation to both its duty to promote Welsh medium education under the Learner Travel (Wales) Measure 2008 and its impact and effect on the WESP and Welsh Language Promotional Strategy. This would be conducted through the</p>
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				<p>collection and analysis of relevant data, engagement with key stakeholders and reporting through the Council's democratic processes such as scrutiny. Cabinet may wish to request following any change to existing policy, that officers bring a further report to a future meeting detailing available evidence at the time of the effect of any policy change has had on the numbers of learners accessing Welsh medium education.</p>
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**Stage 2 – Impact Assessment**

**Will the proposed action affect any or all of the following?**

	<b>Does the proposal have any positive, negative or neutral impacts?</b>	<b>Describe why it will have a positive/negative or neutral impact on the Welsh language.</b>	<b>What evidence do you have to support this view?</b>	<b>What action(s) can you take to mitigate any negative impacts or better contribute to positive impacts?</b>
<p><b>Compliance with the Council's Statutory Welsh Language Standards</b>                      e.g.                      increasing or reducing the Council's ability to deliver services through the Medium of Welsh.</p> <p>Consider the rights of Welsh speakers to use Welsh when dealing with the Council and for staff to use Welsh at Work</p>	<p>Positive</p>	<p>The consultation exercise undertaken on the proposal and production of this Welsh Language Impact Assessment have been completed to achieve and assist with compliance with the Council's Statutory Welsh Language Standards.</p> <p>With particular reference to Standard 90 (as applicable to the Council), this states: When you (the Council) formulate a new policy, or review or revise an existing policy, you must consider how the policy could be formulated (or how an existing policy could be changed) so that the policy decision would not have adverse effects, or so that it would have decreased adverse effects, on - (a) opportunities for persons to use the Welsh</p>	<p>To assist compliance with Standard 90 this impact assessment has been completed, using feedback from responses received through the consultation exercise and other available data/supporting evidence. That information has also been used to complete the appropriate sections of the cabinet report relating to the proposal. Taken together they have been produced in order to assist Members appropriately consider any direct/indirect effects a change in Home to School Transport policy may have on the Welsh language and have due regard to those considerations. Where available this impact assessment and the Cabinet report suggest mitigating actions that might assist Cabinet when considering a change in Home to</p>	<p>The relevant and required statutory consultation was undertaken bilingually and all public correspondence in relation to the proposal was produced bilingually.</p> <p>All officers involved with these proposals had an awareness of the Council's Statutory Welsh Language Standards and ensured compliance with these standards.</p> <p>All public consultation announcements were made bilingually.</p> <p>A Welsh Language Impact Assessment has</p>

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		language, and (b) treating the Welsh language no less favourably than the English language.	<p>School Transport Policy that might have adverse effects on the Welsh language and opportunities for persons to use the Welsh language and treat the Welsh language no less favourably than the English language,</p> <p>Contractual arrangements would ensure that all consultations are undertaken bilingually and all public correspondence in relation to these proposals would be sent out bilingually with Welsh positioned first.</p>	been produced to aid Cabinet's consideration of the possible effects (indirect and direct) on the Welsh language of a change in the Council's Home to School Transport Policy.
<b>Treating the Welsh language, no less favourably than the English language</b>	Negative.	Whilst the proposed changes would be applied equally to English medium education provision and Welsh medium education provision, it is acknowledged that is not the same as treating Welsh no less favourably than English language.	<p>As part of its discretionary provision, the Council would, as now, allow a learner to select their nearest 'suitable school' in accordance with choice of language should the proposal, as consulted upon, be implemented.</p> <p>Out of a total of 3,860 pupils attending Welsh primary schools, 1,272 are currently in receipt of school transport (33%). 242 pupils would be affected by this proposal. This represents 19% of all pupils in receipt of transport.</p> <p>Out of a total of 15,961 pupils attending English primary</p>	<p>Greater promotion of Welsh medium schools across the County Borough.</p> <p>The proposed new Home to School Transport Policy would not change the discretionary elements of entitlement for pupils with Additional Learning Needs. As such there is no negative impact against outcome 6 of the WESP.</p> <p>The Council is aware that Welsh Government</p>

			<p>schools, 162 are currently in receipt of school transport (1%). 0 pupils would be affected by this proposal.</p> <p>Out of a total of 2,526 pupils attending Welsh secondary schools, 1,936 are currently in receipt of school transport (77%). 228 pupils would be affected by this proposal. This represents 12% of all pupils in receipt of transport.</p> <p>Out of a total of 11,653 pupils attending English secondary schools, 4,094 are currently in receipt of school transport (35%). 1,174 pupils would be affected by this proposal. This represents 29% of all pupils in receipt of transport.</p> <p>Whilst the proposed changes will be applied equally to English medium education provision and Welsh medium education provision, as pupils generally travel further to Welsh Medium schools, only they and primary school pupils attending Faith schools are impacted. However, as can be seen from the information above, this is</p>	<p>are in the process of reviewing its Learner Travel Guidance, however it is unclear what, if any, changes will be made. The Council will review any revisions to the Guidance, as and when issued, and consider accordingly.</p> <p>An alternative option has been put forward for Cabinet to consider that would maintain the discretionary element of providing transport for all primary schools, (English, Welsh, and Faith). This option might assist in negating possible negative impacts in relation to outcomes 1 &amp; 2 of the WESP and any consequential effect on the Council's Welsh Language Promotional Strategy.</p> <p>A further option could be considered, which would maintain the Council's current discretionary</p>
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			<p>reversed for secondary age pupils, where those attending English medium schools are impacted by a far greater number.</p>	<p>distance criteria of providing transport for all primary schools, (English, Welsh, and Faith), and Welsh secondary schools (only). Transport provision to English and Faith schools and colleges would change to move in line with the relevant statutory distance criteria as set out in the Welsh Government's Learner Travel (Wales) Measure 2008. This further option would negate all negative impacts against the WESP outcomes that may arise as a result of implanting the proposal, as consulted upon, and was an option suggested by the Welsh Language Commissioner.</p> <p>Irrespective of any proposal that is taken forward, as regards a change in the Council's Home to School Transport policy, the Council would, as now, continue to monitor and</p>
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				<p>evaluate the effect of its Home to School Transport policy in relation to both its duty to promote Welsh medium education under the Learner Travel (Wales) Measure 2008 and its impact and effect on the WESP and Welsh Language Promotional Strategy. This would be conducted through the collection and analysis of relevant data, engagement with key stakeholders and reporting through the Council's democratic processes such as scrutiny. Cabinet may wish to request following any change to existing policy, that officers bring a further report to a future meeting detailing available evidence at the time of the effect of any policy change has had on the numbers of learners accessing Welsh medium education.</p>
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**Stage 3 - Strengthening the proposal**

Having listed actions in section 2 which may mitigate any negative impacts or better contribute to positive impacts – please record below which ones you will imbed into the policy proposal and who will be responsible for them.

Also consider is the proposal necessary? Would it be possible to meet demand without any new developments? Could other existing provision be used? Where should the development be?

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What are you going to do?	When are you going to do it?	Who is responsible?
The Council will continue to adhere to The Welsh Language (Wales) Measure 2011, and work towards achieving the goals of Welsh Government’s Cymraeg 2050 vision by promoting the Welsh language.	Ongoing	Transportation and Education & Inclusion Services.
Encourage contact in Welsh by incorporating an appropriate additional line into correspondence, e.g., “we welcome correspondence in Welsh, which would not lead to a delay in responding”.	Ongoing	Transportation and Education & Inclusion Services.
The Council is aware that Welsh Government are in the process of reviewing its Learner Travel Guidance, however it is unclear what, if any, changes will be made. The Council would review any revisions to the Guidance, as and when issued, and consider accordingly.	If, as, and when the Welsh Government make any changes to its Learner Travel Guidance.	The Welsh Government (Review) and then the Transportation and Education & Inclusion Services (Implementation)
The Council’s WESP Co-ordinator to work collaboratively with partners in developing and implementing strategies in line with the Council’s WESP to support the delivery of the Welsh Government’s Cymraeg 2050 vision of a million Welsh speakers, and to contribute towards the development of strategies which promote the Welsh language and Welsh medium education across the County Borough.	Ongoing – the WESP is a ten-year plan; the Council will continue to work with partners on developing and implementing strategies in line with the WESP.	RCT WESP Officer.
An alternative option has been put forward for Cabinet that would maintain the discretionary element of providing transport for all primary schools, (English, Welsh, and Faith). This would mean that the 242 pupils impacted highlighted in Stage 2 of this assessment would retain their entitlement, as well as maintain entitlement for future pupils that live within the statutory distance from school. It would also negate the negative impacts against outcomes 1 & 2 of the WESP.	This option has been included within section 14 of the cabinet report.	Cabinet Members.

<p>Whilst transport provision to all secondary schools and colleges (English, Welsh, and Faith) would change to move in line with the relevant statutory distance criteria as set out in the Welsh Government's Learner Travel (Wales) Measure 2008, it would nevertheless continue to provide all other areas of its discretionary transport provision in excess of the current minimum Welsh Government statutory requirement.</p>		
<p>A further option could be considered, which would maintain the Council's current discretionary distance criteria of providing transport for all primary schools, (English, Welsh, and Faith), and Welsh secondary schools (only). Transport provision to English and Faith schools and colleges would change to move in line with the relevant statutory distance criteria as set out in the Welsh Government's Learner Travel (Wales) Measure 2008. This further option would negate all negative impacts against the WESP outcomes that may arise as a result of implanting the proposal, as consulted upon, and was an option suggested by the Welsh Language Commissioner.</p>	<p>This option has been included within section 14 of the cabinet report.</p>	<p>Cabinet Members.</p>
<p>Irrespective of any proposal that is taken forward, as regards a change in the Council's Home to School Transport policy, the Council would, as now, continue to monitor and evaluate the effect of its Home to School Transport policy in relation to both its duty to promote Welsh medium education under the Learner Travel (Wales) Measure 2008 and its impact and effect on the WESP and Welsh Language Promotional Strategy. This would be conducted through the collection and analysis of relevant data, engagement with key stakeholders and reporting through the Council's democratic processes such as scrutiny. Cabinet may wish to request following any change to existing policy, that officers bring a further report to a future meeting detailing available evidence at the time of the effect of any policy change has had on the numbers of learners accessing Welsh medium education.</p>	<p>Ongoing</p>	<p>Transportation and Education &amp; Inclusion Services / Cabinet Members/ Scrutiny/ Key Stakeholders including learners, parents/carers</p>
<p>If ways of reducing the impact have been identified but are not possible to implement, please explain why. Give sufficient detail of data or research that has led to your reasoning.</p>		
<p><b>What was identified?</b></p>	<p><b>Why is it not possible?</b></p>	

## Stage 4 – Review

As part of the Welsh Language, Equalities and Socio Economic Duty Impact Assessment Process all proposals that fall within the definition of Significant Key Decision should present at the Officer Review Panel. This panel is made up of officers from across Council Services and acts as a critical friend before your report is finalised and published for SLT/Cabinet approval.

If this proposal is a Key Strategic Decision please forward your impact assessment to [CouncilBusiness@rctcbc.gov.uk](mailto:CouncilBusiness@rctcbc.gov.uk) for an Officer Review Panel to be organised to discuss your proposal. [See our guidance document](#) for more information on what a Significant Key Decision is.

For all policy proposals, whether it is a Significant Key Decision or not you are required to forward this assessment to Welsh Language services in the first instance for some initial guidance and feedback.

It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable Welsh language considerations wherever possible. Please ensure you update the relevant sections below

<b>Welsh Language Services Comments</b>	<b>Date Considered</b>	<b>Brief description of any amendments made following Welsh Language Services feedback</b>
<p>Welsh Language Services welcome the inclusion of two further options for Cabinet to consider, which exempt the Welsh medium sector from these changes, as per our previous advice. If these options are taken forward by Cabinet, particularly the option to exempt both primary and secondary WM pupils, this would assist in mitigating against the negative impacts identified in the impact assessment. If the decision is made to not take either of these options forward, the reasons for such a decision would need to be explained in detail. In such a case, too, the Welsh Language Service consider there is a very significant risk of a challenge under the Welsh Language Measure.</p> <p>We would also advise that Education and Inclusion Services have sight of the latest version of this assessment and report for comment, as these changes could impact upon their services significantly.</p>	7 <sup>th</sup> March 2024	Final decision to be made by Cabinet. Additional options for consideration as a result of the review panel and impact assessment process have been included within the Cabinet Report.

<b>Officer Review Panel Comments</b>	<b>Date Considered</b>	<b>Brief description of any amendments made following Officer Review Panel considerations</b>
The review panel comments have been incorporated within this assessment.	7 <sup>th</sup> March 2024	Final decision to be made by Cabinet. Additional options for consideration as a result of the review panel and impact assessment process have been included within the Cabinet Report.
<b>Consultation Comments</b>	<b>Date Considered</b>	<b>Brief description of any amendments made following consultation</b>
The consultation comments have been incorporated within this assessment.	7 <sup>th</sup> March 2024	Final decision to be made by Cabinet. Additional options for consideration as a result of the review panel and impact assessment process have been included within the Cabinet Report.

### **Stage 5 – Monitoring, Evaluating and Reviewing**

How and who will you monitor the impact and effectiveness of the proposal?

The Council would, as now, continue to monitor and evaluate the effect of its Home to School Transport policy in relation to both its duty to promote Welsh medium education under the Learner Travel (Wales) Measure 2008 and its impact and effect on the WESP and Welsh Language Promotional Strategy. This would be conducted through the collection and analysis of relevant data, engagement with key stakeholders and reporting through the Council's democratic processes such as scrutiny. Cabinet may wish to request following any change to existing policy, that officers bring a further report to a future meeting detailing available evidence at the time of the effect of any policy change has had on the numbers of learners accessing Welsh medium education.

## **Stage 6 – Summary of Impacts for the Proposal**



Provide below a summary of the impact assessment. This summary should be included in the Welsh Language Considerations section of the SLT/Cabinet report template. The impact assessment should be published alongside the report.

*A Welsh Language Impact Assessment has been completed and the main findings are as follows -*

The proposal seeks to introduce a proposed new Home to School Transport Policy, namely providing mainstream English, Welsh and Faith primary school, secondary school and college transport above statutory distance only and implemented from the start of the 2025/2026 academic year. Under the proposed Home to School Transport Policy the discretionary element of allowing a learner to select their nearest suitable school in accordance with choice of English or Welsh Medium language would continue.

Whilst the proposed changes will be applied equally to English medium education provision and Welsh medium education provision, as pupils generally travel further to Welsh Medium schools, a greater number of primary age pupils are impacted. However, this is reversed for secondary age pupils, where those attending English medium schools are impacted by a greater number.

The assessment has identified that there is a possibility of impacts on the Welsh language in respect of the preferred option consulted upon. There is a potential that the additional walking distance from home to school may discourage parents from putting their children into Welsh medium schools, in favour of nearer English medium catchment schools, with a greater risk at the primary school level. These risks could be mitigated by a range of actions as detailed in this assessment and with the alternative options explored in further detail at Section 14 of the Cabinet report

<b>Stage 7 – Sign Off</b>			
<b>Name of Officer completing the WLIA</b>	Geraint Roberts	<b>Director Name:</b>	Stephen Williams
<b>Position</b>	Integrated Transport Manager	<b>I recommend that the proposal: (Highlight decision)</b>	<b>Is implemented with no amendments</b>
			<b>Is implemented taking into account the mitigating actions outlined</b>
			<b>Is rejected due to disproportionate negative impacts on the Welsh language</b>
<b>Signature</b>		<b>Service Director Signature</b>	
<b>Date</b>	12 <sup>th</sup> March 2024	<b>Date</b>	12 <sup>th</sup> March 2024

Tudalen way





## Consultation Report

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Rhondda Cynon Taf CBC

February 2024

# Home to School Transport Policy Consultation



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## EXECUTIVE SUMMARY

- This report presents the findings of the consultation on the Council's Home to School Transport Policy.
- The Home to School Transport consultation was conducted in-house and ran from the 27<sup>th</sup> November 2023 and ended on the 8<sup>th</sup> January 2024. The Consultation was then extended for a further 3 weeks between the 18<sup>th</sup> January and the 8<sup>th</sup> February to provide a further opportunity for people to take part in the consultation.
- An email was sent to all schools, Headteachers, and Chair of Governors to be forwarded on to all parents and carers. An email was also sent to key stakeholders to promote the consultation and encourage participation in the online survey, including public transport operators.
- Respondents were also given the option to write in using a dedicated email address [HTSConsultation@rctcbc.gov.uk](mailto:HTSConsultation@rctcbc.gov.uk), and a telephone option was also in place through the Council's contact centre.
- The Council held 8 public engagement events, where officers were on hand to answer any questions on the proposal and encourage or assist people to take part in the survey.
- The majority of respondents were a parent/carer of a young person who uses or will use Home to School transport (79.8%). There were a high number of responses from Welsh schools overall (36.8%), considering that there are 17 Welsh medium schools in Rhondda Cynon Taf and 115 schools in total.
- The service change **proposal** was outlined in the survey as follows;

*To continue to provide a generous discretionary Home to School Transport Provision for over 6000 learners and bring mainstream English, Welsh and Faith primary and secondary school and college transport in line with statutory distance criteria. This option has the potential to deliver savings of approximately £2.5m*

79% of respondents **disagreed** with the proposal.

- The proposal would maintain discretionary school transport provision for over 6,000 learners. Respondents were asked if they agreed that this level of discretionary provision should be retained? 50% agreed that it should be retained, 36% disagreed and 14% stated don't know.
- The proposal would result in savings of approximately £2.5m to help towards safeguarding changes to other discretionary elements of the school transport provision. Respondents were asked if they agreed with the proposal if it helps to maintain future discretionary school transport provision. **70% disagreed**.

- The Council considered other options prior to consultation but deemed that they were either unaffordable, i.e. do nothing and risk more significant impacts in future years, or that the impact on learners was too great, i.e. removing all discretionary provision. Respondents were asked if they agreed that the proposal taken forward to consultation is the fairest option available to the Council. 69% responded that they did not agree that it was the fairest option, with 16% agreeing and 15% stated they didn't know.
- The 69% of respondents who disagreed that the proposal was the fairest option were asked to provide any alternative options that they would like the Council to consider. A number of themes were identified;
  - General disagreement with the proposal/ transport provision should remain as is currently provided;
  - Financial impact – on family and single/working parents/carers;
  - Respondents said they would be happy to pay a charge (including suggestions of a means tested or subsidised charge);
  - Impact on school attendance;
  - Safety concerns (particularly for younger learners);
  - Increased traffic / congestion and environmental concerns;
  - Unfair to 'exempt' faith and Welsh schools, they should be the same;
  - Impact on Welsh Language learners/Welsh Education standards;
  - Treating Welsh/English Medium and Faith learners equitably;
  - Savings should be found from elsewhere;
  - Alternative options should be considered such as looking at other possible distances that would qualify for free transport provision or retaining certain elements of current discretionary provision;
  - Issues with existing public transport provision.
- A number of comments raised concerns that up to 3 miles of walking each way to school is not achievable in many areas due to topography and weather conditions, alongside safety concerns.
- A number of comments were received in relation to the potential impacts of the proposal on protected characteristics of residents, particularly for preferred language/belief, disability, relationship status and sex.
- A large number of comments were received referring to the different provisions that are proposed for faith and Welsh language schools, with commenters believing they are being discriminated against as a result.
- A number of comments raised concerns about the effect of the proposals on parents/ guardians with disabilities being less able to walk or provide other transport for pupils to school. Some respondents were concerned that there will be a disproportionate impact on single/ lone parents.
- There are comments about a perceived higher risk to female pupils when walking to school, as well as a potential greater impact on women who are more likely to be primary caregivers.

- A number of comments highlighted impacts on socio-economic factors, including employment and lower-income families and those who cannot access public transport easily or regularly.
- A large number of comments were received that raise concerns about disincentivising parents from placing their children in Welsh Language Schools.
- 54% of respondents thought that the proposal would impact the opportunities and promotion of the Welsh Language negatively.
- 41% of the respondents said that the proposal does not treat the Welsh Language less favourably than the English Language, although 36% thought that it did.
- Overall, **2858** responses were received to the consultation survey and 39 emails.

## **1. INTRODUCTION**

- 1.1 This report presents the findings of the consultation on the Council's Home to School Transport Policy.
- 1.2 Section 2 outlines some brief background to the consultation.
- 1.3 Section 3 details the methodology.
- 1.4 Section 4 provides the results of the survey.
- 1.5 Section 5 presents the feedback received from written responses.

## **2. BACKGROUND**

- 2.1 The Council is facing significant financial challenges into the medium term and is considering a range of options to contribute to addressing the shortfall in funding. Due to the financial pressures the Council is facing we are considering changes to current Home to School Transport Policy, to align transport provision more closely with Welsh Government statutory transport requirements. This is necessary for the Council to:
  - maintain affordability within future financial constraints;
  - continue to be able to meet its statutory requirements; and
  - maintain discretionary transport for its most vulnerable users (i.e. ALN pupils).
- 2.2 Currently, the Council provides Home to School Transport to all pupils who live 1.5 miles away from their primary school and 2 miles from their secondary school. This is above the statutory legal requirement set out by Welsh Government. If the service change is approved, the Council will provide Home to School Transport to all pupils who live 2 miles or more away from their primary school and 3 miles or more away from their secondary school.
- 2.3 For almost 10 years, the Council has provided over 9,000 learners with access to free school transport on a discretionary basis. This means that the Council currently provides discretionary transport for more learners than almost every other Welsh Council's Home to School Transport operations.
- 2.4 The Council's Home to School Transport costs have increased from £8 million in 2015 to over £15 million for the 2023/24 financial year.

- 2.5 This service change would put the Council's transport policy in line with Welsh Government's statutory distance eligibility criteria and statutory walking distance policy, which 18 of the 22 Councils in Wales currently adopt. and deliver savings amounting to £2.5 million in a full year, meaning the Council would continue to provide some discretionary provisions amounting to £4.4 million per year.
- 2.6 The full details of the proposal are outlined in the Cabinet Report that initiated the consultation.

### **3 METHODOLOGY**

- 3.1 The Home to School Transport consultation was conducted in-house and ran from the 27<sup>th</sup> November 2023 and ended on the 8<sup>th</sup> January 2024. The Consultation was then extended for a further 3 weeks between the 18<sup>th</sup> January and the 8<sup>th</sup> February to provide a further opportunity for people to take part in the consultation. This section presents the methodology which was used to promote and collect the data.
  - 3.2 The consultation used an online survey which was built using Snap XMP. The survey aimed to gain feedback on the proposals.
  - 3.3 An email was sent to all schools who could be potentially impacted by the proposal to Headteachers and Chair of Governors to be forwarded on to all parents and carers.
  - 3.4 To ensure wide outreach and involvement of the wider community the consultation was promoted on the [Councils online consultation webpage](#). An FAQ was developed to provide further information.
  - 3.5 An email was also sent to key stakeholders to promote the consultation and encourage participation in the online survey, including public transport operators.
  - 3.6 Respondents were encouraged to write in using a dedicated email address [HTSConsultation@rctcbc.gov.uk](mailto:HTSConsultation@rctcbc.gov.uk), in order to allow them to share their views.
- Overall, there were a total of 39 emails/letters received from the public relating to the consultation.
- 3.7 A telephone consultation option was in place, through the Council's contact centre. This option allows people to discuss their views or request consultation



materials. Individual call backs were available on request and a consultation Freepost address was available for postal responses.

- 3.8 The Council held 8 public engagement events, where officers were on hand to answer any questions on the proposal and assist or encourage people to take part in in the survey.
- Rhondda Sports Centre, Ystrad 4th December 2023, 4pm-7pm
  - Llantrisant Leisure Centre, Llantrisant 6th December 2023, 12pm-2pm & 4pm-7pm
  - Sobell Sports Centre, Aberdare 11th December 2023, 4pm-7pm
  - Hawthorn Leisure Centre, Hawthorn 29th January 2024, 4pm-7pm
  - Sobell Leisure Centre, Aberdare 30th January, 12pm-2pm, 4pm-7pm
  - Rhondda Fach Leisure Centre, Tylorstown 31st January 2024, 4pm-7pm
- 3.9 The Council's YEPs team developed a young person's version of the proposal and shared with youth forum members The consultation was undertaken by sharing the HTS information with young people through a social media group for youth forum members and they were asked to complete a survey following this.
- 3.10 The proposals were presented and discussed at the [Council's Overview and Scrutiny Committee](#) on the 13<sup>th</sup> December 2023.
- 3.11 Overall, 2858 survey responses and 39 emails were received to the consultation. The map on the following page shows the distribution of responses.

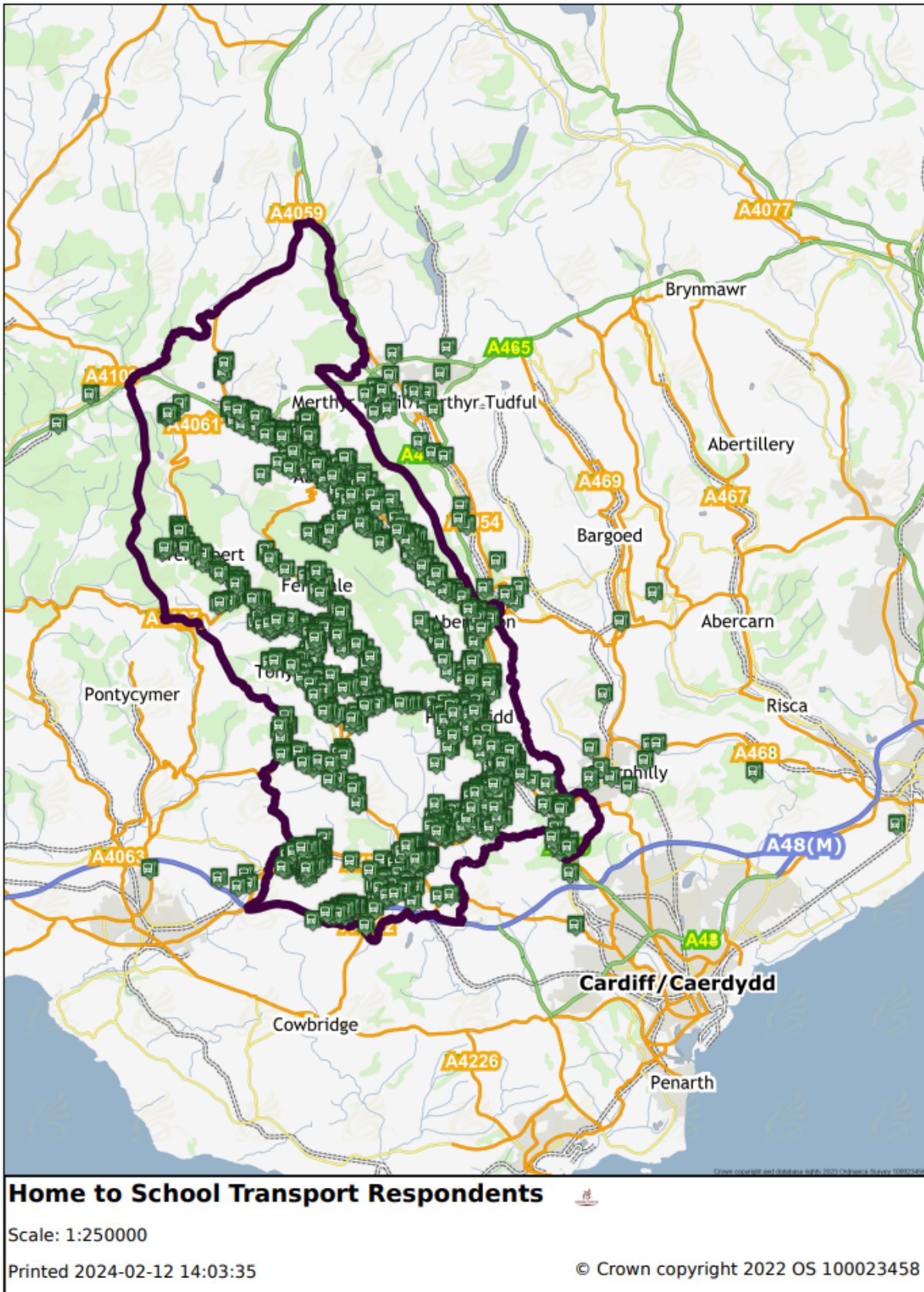


Figure 1 – Map of respondents

## 4 Questionnaire Results

- 4.1 The following section outlines the results from the online and paper questionnaires, which received 2858 responses. A selection of comments are provided and the full list of the comments will be provided to Cabinet Members and senior officers to assist with decision making.
- 4.2 Respondents were asked whether they were responding as a parent/carer of a young person who uses or will use Home to school transport, a young person/learner that uses the service, a person employed within a school or a school governor, or a person employed within the school transport industry.

The table below shows that the majority of respondents were a parent/carer of a young person who uses or will use Home to school transport (79.8%).

*Note: the tables that include type of respondent do not add up to 100% as this was a multiple response question. The base is the total number of respondents, some of whom will have provided more than 1 response. There were 10 no replies to this question.*

**Table 1: Respondents**

<b>Counts Analysis % Respondents</b>	
<b>Base</b>	<b>2858</b>
<b>Are you...?</b>	
<b>A parent/carer of a young person/learner who uses or will use Home to School Transport?</b>	2266 79.8%
<b>A young person/learner who uses or will use Home to School Transport?</b>	118 4.2%
<b>A person employed within the school transport industry?</b>	15 0.5%
<b>A person employed within a school setting or a school governor?</b>	154 5.4%
<b>None of the above?</b>	287 10.1%

- 4.3 Respondents who stated that they were a parent/carer, or a young person who uses/will use School transport were asked what type of school setting they were in, table 2 shows the breakdown.

**Table 2: School Setting**

Counts Analysis % Respondents	Total			
		English	Welsh	Faith
<b>Base</b>	<b>2943</b>	<b>1706</b> <b>58.0%</b>	<b>1082</b> <b>36.8%</b>	<b>259</b> <b>8.8%</b>
<b>At a School Nursery Setting</b>	<b>143</b>	66 46.2%	75 52.4%	9 6.3%
<b>At Infant School</b>	<b>150</b>	61 40.7%	87 58.0%	7 4.7%
<b>At Primary School</b>	<b>717</b>	346 48.3%	332 46.3%	68 9.5%
<b>At Secondary School</b>	<b>1560</b>	991 63.5%	468 30.0%	147 9.4%
<b>At Secondary School/college (Yr 12 - 13, post 16)</b>	<b>373</b>	242 64.9%	120 32.2%	28 7.5%

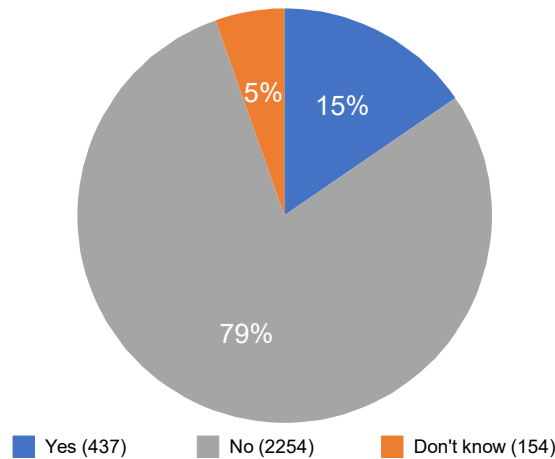
There were a high number of responses from Welsh schools overall (36.8%), considering that there are 17 Welsh medium schools in Rhondda Cynon Taf and 115 schools in total.

- 4.4 The service change **proposal** was outlined in the survey as follows;

*To continue to provide a generous discretionary Home to School Transport Provision for over 6000 learners and bring mainstream English, Welsh and Faith primary and secondary school and college transport in line with statutory distance criteria. This option has the potential to deliver savings of approximately £2.5m*

- 4.5 Respondents were asked if they agreed with the preferred proposal. 79% disagreed, 15 % agreed and 5% said they didn't know.

### Do you agree with the preferred proposal?



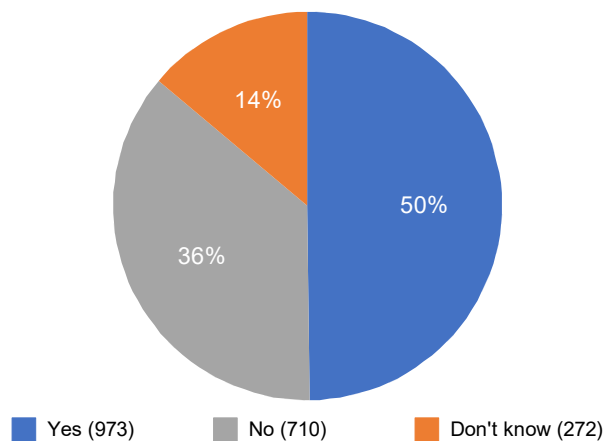
**Figure 2: Agreement with preferred proposal**

*Note: %'s may not total 100% due to rounding.*

#### 4.6 The proposal would maintain discretionary school transport provision for over 6,000 learners.

Respondents were asked if they agreed that this level of discretionary provision should be retained? 50% agreed that it should be retained.

This proposal will maintain discretionary school transport provision for over 6,000 learners. Do you agree that this level of discretionary provision should be retained?

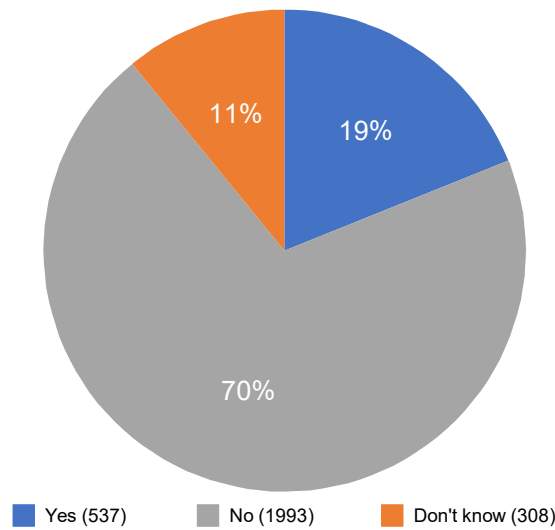


**Figure 3: Agreement with retention of discretionary provision**

4.7 The proposal would result in savings of approximately £2.5m which will help towards safeguarding changes to other discretionary elements of the school transport provision.

Respondents were asked if they agreed with the proposal, if it helped maintain future discretionary school transport provision. 70% disagreed.

This proposal will result in savings of approximately £2.5m which will help towards safeguarding changes to other discretionary elements of the school transport provision. Do you agree with this proposal if it helps to maintain future discretionary school transport provision?



**Figure 4: Agreement if it helps to maintain future discretionary provision**

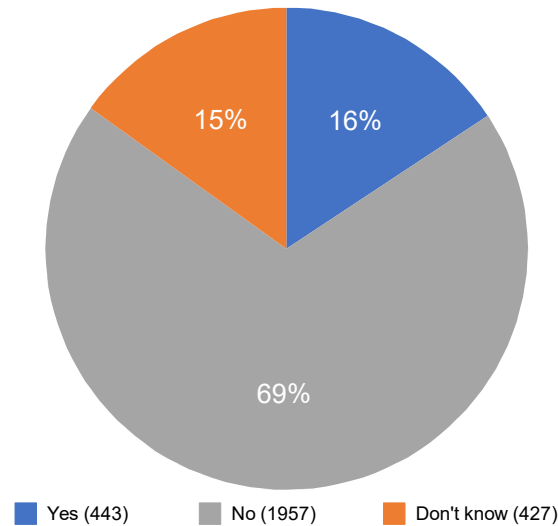
*Note: %'s may not total 100% due to rounding.*

4.8 The Council considered other options prior to consultation but deemed that they were either unaffordable, i.e. do nothing and risk more significant impacts in future years, or that the impact on learners was too great, i.e. removing all discretionary provision.

Respondents were asked if they agreed that the proposal taken forward to consultation is the fairest option available to the Council?

69% responded that they **did not agree** that it was the fairest option, with 16% agreeing and 15% stated they didn't know.

The Council considered other options prior to consultation but deemed that they were either unaffordable, i.e. do nothing and risk more significant impacts in future years, or that the impact on learners was too great, i.e. removing all discretionary provision. Do you agree that the proposal taken forward to consultation is the fairest option available to the Council?



**Figure 5: Agreement that the proposal is the fairest option**

Note: %'s may not total 100% due to rounding.

- 4.9 The 69% of respondents who **disagreed** that the proposal was the fairest option were asked to provide any alternative options that they would like the Council to consider.

A number of themes were identified, including;

- **General Disagreement/Keep the same**

*“Travel should be FREE for all children who need it despite of the distance.”*

*“Education is everything. No child should be at risk travelling to school or unable to attend regularly due to lack of available and affordable transport.”*

*“Children’s safety is more important than money. Lots of children will be expected to walk along dangerous roads to get to school. This is not acceptable.”*

*“Keeping school transport as it. Too many family will be affected! Children shouldn't have to pay the price!”*

- **Would pay/subsidise/means test**

*“Subsidise the transport to support the status quo but charge parents who can afford it and provide free transport for those who can’t, those who are on benefits, free school meals or low earners.”*

*“People need to understand we cannot provide all that they want. They need to take some responsibility for getting their children to and from school. this is a significant saving for an already stretched council.”*

*“Reconsider services that parents can pay for. Such a service exists for Graig pupils who go to Pontypridd High”.*

*“Stop school transport to Welsh medium schools. This is parental choice - they should get their children there themselves or pay for transport.”*

*“Means tested or discounted transport either on current home to school transport or discount schemes offered for public transport users.”*

- **Impact on family/pressure on working parents.**

*“It’s too far for them to walk. What about those whose parents work full time and leave early and are unable to drop them off at the school.”*

*“We live in a valley that has high rain fall and no train line! It is also a deprived area - our children have suffered enough with cutbacks - no youth clubs, closed swimming pools etc - there is nothing easily available to them! And now education, this will have a massive impact on their education!”*

*“Proposals being considered by the council directly impact children and working families. No school in the local RCT area has the capacity to manage these levels of traffic during the school run. This is a poor choice by RCT.”*

- **Impact on school absence**

*“There won’t be any savings in the long-term when you find that children aren’t getting to school due to lack of transport”*

*“Why is it always schools and our future generations that are always affected by financial cuts? If this is implemented in the long run, you’ll lose more money chancing and trying to improve lower attendance in children.”*

*“Plus not all parents drive and can afford to send children by public transport.. this again will affect children not attending school”*

- **Safety**

<i>“Mae’n rhaid ystyried y taith bydd rhaid i’r plant cymryd i gyrraedd yr ysgol hefyd. Fel engrhaifft nid yw’r taith i Ponty High o Glyncoch yn ddiogel o gwbl gan fod</i>	<i>(The journey the children will have to take to get to school must also be considered. For example the journey to Ponty High from Glyncoch is not safe at</i>
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<p><i>goleuo gwael ar y llwybr sy'n neilltuedig ofnadwy. Mae'n rhaid ystyried yr effaith sydd gan y tywydd ar blant a'u taith i'r ysgol"</i></p>	<p><i>all as there is poor lighting on the route. The effect the weather has on children and their journey to school must be considered).</i></p>
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*"The children walking to and from school in my area would have to walk along main busy roads. It is not safe and if it was to rain these children would be soaking wet."*

*"Yes, to provide safe, well-lit walking and cycling routes to and from the schools. Provide all evidence of this routes in a well-documented handbook so parents and carers know how to access them."*

- **Increased traffic/congestion and environmental concerns**

*"Have you thought about the environment the congestion around schools are crazy at the moment, it will be much higher if parents are taking all the children to comprehensive schools. Not to mention the increased risk of accidents to children running out in front of vehicles etc."*

*"Its impossible to walk to bryncelynnog safely from southgate . There are going to be more young people caught up in accidents road if expected to walk through the narrow streets of old llantrisant with increased road traffic also the bypass is unsafe no lights secluded areas ."*

*"More people will come in cars which will effect the environment in a negative way"*

- **Financial Cost**

*"I would also hope that there would be financial support for families who are unable to pay for public bus transport. A child return bus ticket currently costs £3.50 days a week, which would be £17.50 a week and £682.50 for the 39 week school year. The public transport company should provide a reduced-price school pass for school journeys, which they don't currently offer (only 16+-year-olds are entitled to a student bus pass)."*

*"This would add a further 1.5 hours onto her school day and means her having to get up even earlier than she does now. I cannot afford to pay for bus fares or a bus pass for her during what is a cost of living crisis."*

*"I would be paying almost 200 a month for my children to go to school if this proposal goes ahead. This is completely unacceptable and unaffordable for families. Neither one of the comprehensives closest to my family I deem safe for my children to walk"*

- **Unfair to exempt faith and Welsh schools, they should be the same**

*"Treat all schools the same; it is deeply unfair that faith and Welsh language schools are treated differently."*

*“My daughter has a choice of a Faith College because CNS lost their 6th form - this is in Cardiff and I think it is fair this choice and transport should remain Also, under 5s by taking transport away will add to congestion at drop off and pick up”*

*“Remove transport from faith schools. Choosing a Faith school is an option. Choosing Welsh Medium is a right for all Welsh people.”*

*“To remove free transport from Mainstream schools, while remaining with free transport for Faith & Welsh speaking schools is discriminatory”.*

- **Make savings elsewhere/waste/expenses**

*“Stop vanity projects within RCT, paying ridiculous amount of money to senior managers at the detriment of our community.”*

*“You keep giving away free travel on buses within RCT to encourage people to use public transport. This proposal seems contrary in that you are going to take children off the bus and they will have to go in cars.”*

*“No change needed. Otherwise, negotiate with bus companies for a better deal. The council needs to cut costs in other areas or get more money from Welsh Government.”*

- **Alternative Distance suggestions.**

*“Transport should be available for anyone living more than 1.5 miles from place of learning.”*

*“Take a more risk based and targeted approach to this policy- remove the policy for post 16 education and reinstate the >2mile secondary policy. This is a more targeted and risk based approach to take - i.e. concerning the safeguarding of children (particularly younger children year 7/8 commuting to secondary school) it will also have a bigger impact ( i.e. effecting all children In secondary school , not just the 16+)”*

*“Transport should be provided and fully funded if more than a 10 minute reasonable walk”*

- **Concerns about impact on Welsh language schools**

*“I think it's scandalous that the council would take thus away from families. I wanted to provide my children with Welsh language, the local school Is in Cwmdare which is difficult when working to get to without free transport!”*

<i>“Mae cludiant ysgol yn gorfod bod yn flaenoriaeth, yn enwedig ar gyfer addysg gyfrwng Gymraeg. Mewn nifer fawr o achosion nid oes dewis am ysgol Uwchradd Gymraeg o fewn pellter cerdded. Nid yw'n resymol</i>	<i>School transport has to be a priority, especially for Welsh medium education. In a large number of cases there is no choice of a Welsh secondary school within walking distance. It is not reasonable to ask</i>
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<p><i>gofyn i ddisgybl gerdded dros dwy filltir i gael addysg Gymraeg - yn y rhan fwyaf o achosion mae'r mwyafrif o ddisgyblion di-Gymraeg â dewis ysgol o fewn pellter cerdded resymol. Bydd hwn hefyd yn diriwio niferoedd addysg Gymraeg ac felly yn mynd yn erbyn WESP yr ALI. Rhaid edrych ar arbedion y tu allan i addysg e.e. costau cynghorwyr y cyngor lle mae nifer ohonynt yn cael arian sylweddol am eistedd lawr mewn ambell gyfarfod”.</i></p>	<p><i>a pupil to walk over two miles to receive a Welsh education - in most cases for the majority of non-Welsh speaking pupils, their choice of school is within a reasonable walking distance. This will also negatively impact the number of children receiving Welsh education and therefore go against the LA's WESP. You have to look at savings outside of education, e.g. the costs of councillors where many of them receive significant money for going to the occasional meeting.</i></p>
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<p><i>“Rhywbeth sydd ddim yn peryglu addysg Gymraeg. Nid yw'n deg eich bod yn cyfyngu gallu disgyblion y cymoedd i dderbyn addysg uwch trwy gyfrwng y Gymraeg. Mae'n mynd yn erbyn egwyddorion a ddylai fod yn gadarn.”</i></p>	<p><i>Something that does not endanger Welsh language education. It is not fair that you limit the ability of pupils in the valleys to receive education through the medium of Welsh. It goes against principles that should be set in stone</i></p>
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A Member of the School Budget Forum voiced concerns in respect of the proposed changes to Home to School Transport and the impact on Welsh medium schools.

- **Problems with public transport**

*“Yes, improve public transport for the area, more busses more frequently and on time. Consider the increased traffic to the area of Church Village, Llantwit Fardre and Beddau and considering the 20-mph speed limit, this will bring areas to standstill”.*

*“The council does not have enough public transport provision to cover for all those who can no longer get the school transport.”*

*“My child lives 2.9 miles away and would require 2 buses. This is completely unacceptable.”*

- 4.10 All respondents were asked if they had any other comments they would like the Council to consider.

Many similar points were raised here to the previous question. In addition, there was criticism of the consultation process and content, and perceived inconsistencies in policies across RCTCBC.

*“Your wording of the proposal is purposefully misleading. Your timing over consultation Xmas period is purposefully misleading. How can a council on one hand say use public transport citing environmental policies then on the other hand force far more cars on to the road?”*

*“Your second point is ambiguous. You need to add another option - do you wish to keep provision as is. You’re giving yourself too much leeway there to interpret answers in a which fits your agenda”.*

*“The legal jargon in these proposals and the way they are presented are misleading, where the questions and answer options are purposely confusing to the general public. Yes explain the proposal details but use simple language in the questions as it is unclear which proposal or even which answer should be given for the desired outcome.”*

*“Not informing the public of the 'other options' that were considered makes it difficult for us to provide a measured response or propose viable alternatives.”*

*“This proposal is not in agreement with Llwynr Newydd: The Welsh transport strategy. Have you carried out a survey to understand how much this will increase private car usage and in turn, increase congestion on our arterial routes during peak times. We are meant to encourage a change in modal shift due to an overreliance on private car usage - in my opinion, a lot of younger people will not choose to walk or cycle to school particularly during inclement weather. The current council policy of is a much more reasonable approach because it strikes the correct balance with regards to active travel and home to school transport.”*

- 4.11 A number of comments in this and the previous question also raised concerns that up to 3 miles of walking each way to school is not achievable in many areas due to topography and weather conditions, alongside safety concerns.

*“Yes i believe that if the council agreed to this then they should also rent out their own car parks for extra funds and tell their staff to park 2 miles away and walk to work to aid in the need for funding or start charging staff who live within 2 miles for the use of the car parks.”*

*“What about when it’s raining? Or parents who can’t afford a stage coach bus everyday? Especially if they have more than one child. What child should have to walk nearly 3 miles to get to school and then home!? Absolutely shocking!!”*

*“The distance proposed is completely impractical for the majority of children. The streets/lighting/safe crossing points are in no way appropriate for a 3 mile journey. A journey which for most would take more than an hour.”*

*“Given the Geography of the area and the shameful lack of safe cycling routes, 3 miles can be a long journey within RCT”.*

*“We live in church village - we do not have the infrastructure for lots of school children to catch local transport - how can I expect my two children to cycle/walk 3 miles to and from school every day? The main road has lots of on street*

*parking, there will be so much rush hour traffic, and how do you expect parents to afford these bikes and helmets? Will the schools have the space for all these bikes? Showers for when the kids come in wet or muddy?"*

### **About you**

4.12 Under the Equality Act 2010 and the Public Sector Equality Duties, the Council has a legal duty to look at how its decisions impact on people because they may have particular characteristics. Respondents were asked how the proposals affect you because of?:

1. Gender
2. Age
3. Ethnicity
4. Disability
5. Sexuality
6. Religion / belief
7. Gender identity
8. Relationship status
9. Pregnancy
10. Preferred language

The following are a selection of the comments received.

### **Preferred language and Religion/ belief**

4.13 A large number of comments were received referring to the different provisions that are proposed for faith and Welsh language schools, with commenters believing they are being discriminated against as a result.

*"Preferred language is English and proposals are discriminatory against me as Welsh school parents / pupils get treated differently."*

*"Transport is not going to be provided to me due to my child's religion and language. If they were to change this then they would continue to receive transport."*

*"The council's decision will have an impact upon my preferred language"*

### **Disability**

4.14 A number of comments raised concerns about the effect of the proposals on parents/ guardians with disabilities being less able to walk or provide other transport for pupils to school.

*"My disability means getting my children to school without free school transport would be impossible."*

*“Myself and my partner are disabled and will find it hard to find/afford alternative transport”*

*“I am disabled so don't drive . I possibly couldn't afford public transport every day . I would be extremely concerned my 12 year old walking to school especially in the winter months”*

- 4.15 There is also concern at the impact on children with neurodiverse and other health issues that do not qualify for additional transport provision.

*“Not all children can easily walk to a school when they have other health concerns”*

*“My son is autistic. He would not be able to walk on his own and I have no means to get him to school by car.”*

*“As a disabled parent myself with 1 of my two children affected by neuro diversity disability, that cannot do public transport and due to my disability I can't always drive them.”*

*“My daughter is type 1 diabetic which is a disability, walking 6 miles each day 3 before even starting school would make her school day a lot more difficult with the possibility of low blood sugars then affecting her day and all the complications that come with that”.*

### **Relationship Status**

- 4.15 Some respondents were concerned that there will be a disproportionate impact on single/ lone parents.

*“I am a single mother who lives just over 2 miles from the school. The public transport buses are every hour which would make my child late for school which would result in poor attendance and probably fines. This is not affordable whatsoever.”*

*“I'm a single working mother of 2 girls and I'd find it a struggle with arranging transport back and for work 2. My youngest is 9. There's no way I could expect her to walk this distance twice a day. Imagine if the weather is bad. She wailed have to spend the day in soaked clothes.”*

## Sex

- 4.16 There are comments about a perceived higher risk to female pupils when walking to school, as well as a potential greater impact on women who are more likely to be primary caregivers.

*“duty of care (driving to and from school) is more likely to fall to women.”*

*“It is like they want us to return to the old days with women at home doing all the school drop offs and pickups. It will become harder and harder for me to go out to work. My eight year old can't walk two miles to school on their own can they?”*

*“it gets dark early young girls walking home potentially in the dark bullying will happen”.*

*“It is not safe for my daughters them to walk on a dark route home in the winter months. When they do walk home from the service bus if they stay in school late, they are targeted by sexist abuse and catcalling on a daily basis by male drivers.”*

## Other Concerns

- 4.17 A number of comments highlighted impacts on socio-economic factors, including employment and lower-income families and those who cannot access public transport easily or regularly.

*“I will have to take time off work to do the school runs again when I've only just started working longer.”*

*“I am a working parent not entitled to benefits. However I would not be able to work full time if the provision is removed.”*

*“It's discrimination against single and low income families, it's an assault on children's education - I can't afford to pay to send my kid every day in public transport. Some kids have free school meals and go without food as it is!”*

*“Public transport is unreliable & can be dangerous for the vulnerable children”.*

*“This would affect us under the socio-economic Duty Wales 2021”.*

- 4.18 As part of our Welsh Impact Assessment (WIA) process, the Council has identified that there is a possibility of impacts on the Welsh Language. Respondents were asked for views after considering the WIA.

A large number of comments were received that raise concerns about disincentivising parents from placing their children in Welsh Language Schools, as well as raising other concerns based upon the Impact Assessment.

*“You have identified within the WIA that students who attend Welsh language schools are more reliant on school transport. This policy clearly discriminates against those attending Welsh language education.”*

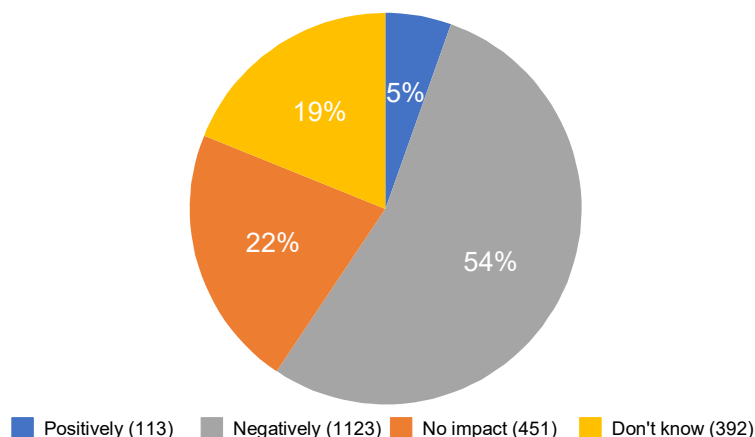
<p><i>“Trwy gydnabod y gallai'r polisi hwn effeithio ar addysg cyfrwng cymraeg mae'r cyngor yn ymwybodol o'r sgil effeithiau niweidiol posib - er hynny yn parhau i ymgynghori ar y mater. Fel y nodwyd gan y cyngor, mae HYRWYDDO mynediad at addysg gyfrwng cymraeg yn un o'i gofynion statudol, ond teimlaf bod y cynigion gerbron yn tynnu yn groes i hyn.”</i></p>	<p><i>“By recognising that this policy could affect Welsh medium education the Council is aware of the possible harmful side effects - nevertheless continuing to consult on the matter. As stated by the Council, PROMOTING access to Welsh medium education is one of its statutory requirements, but I feel that the proposals go against this.”</i></p>
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*“There will be a massive impact on Welsh language, especially in the catchment area for Ysgol Llanhari. The area of the school itself is absolutely horrendous at school drop off and pick up times, it's very dangerous”.*

<p><i>“Parhau I roi'r dewis ond cynyddu'r cost, sut all hyn fod yn niwtral o ran effaith?”</i></p>	<p><i>“Continue to offer the choice but increase the cost, how can this be neutral in terms of its impact?”</i></p>
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4.19 With regards to the proposals, and the impact it may have, respondents were asked “How do you feel the proposal could impact on opportunities for pupils and staff to use and promote the Welsh Language?”

How do you feel the proposal could impact on opportunities for learners to use and promote the Welsh Language?



**Figure 6: Impact on opportunities and promotion of Welsh Language**

4.20 54% of respondents thought that the proposal would impact the opportunities and promotion of the Welsh Language negatively.



- 4.21 Respondents were asked how any positive effects could be increased, or negative effects be decreased. The following are a selection of comments received.

<p><i>“Trwy cael polisi hir dymor sy’n hybu hyrwyddo’r iaith Gymraeg ac addysg Gymraeg yng nghymunedau Rhondda Cynon Taf”</i></p>	<p><i>“By having a long term policy which promotes the Welsh language and Welsh education in Rhondda Cynon Taf’s communities”</i></p>
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*“The parking around YGG bodringallt is appalling now! I think more transport should be put on as long as parents pay for their spot for the child. It would be less congestion on the roads.”*

*“The free transport should be maintained for Welsh schools as there are less options available to parents wishing to send their children to Welsh schools.”*

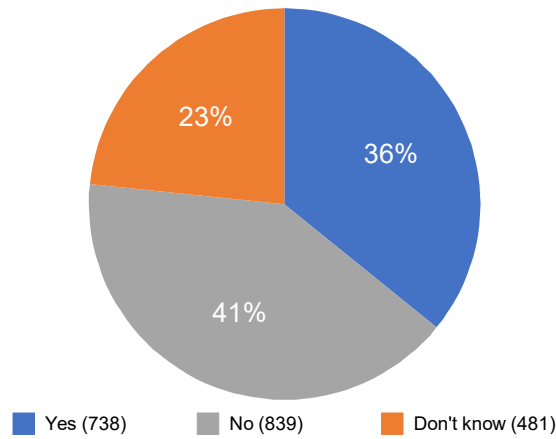
<p><i>“Oes modd i rannu’r costiau - e.e ble mae’r cyngor yn darparu’r trafndiaeth ac y talu 50% o’r costiau gyda rhieni yn talu 50% hefyd (neu debyg)”</i></p>	<p><i>“Is there a way to share the costs - e.g. where the Council provides the transport and pays 50% of the costs with parents paying 50% as well (or similar)”</i></p>
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*“I think the busses should be capped and school children should be able to pay a school bus fare on a public bus”*

<p><i>“Mae darparu addysg Gymraeg lleol mor bwysig. Mae teithio milltiroedd i’r ysgol, yn enwedig i blant cynradd, yn andwyol.”</i></p>	<p><i>“Providing local Welsh language education is so important. Traveling miles to school, especially for primary school children, is detrimental”.</i></p>
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4.13 41% of the respondents said that the proposal does not treat the Welsh Language less favourably than the English Language, although 36% thought that it did.

Does the proposal, in any way, treat the Welsh Language less favourably than the English Language?



**Figure 7: Does the proposal treat Welsh less favourably than English?**

The comments received for the above questions have been made available to officers for the development of the associated impact assessments.

## Respondent Demographics

- 4.14 Respondents were provided with an option to provide further demographic information. The full data will be used to inform the Impact Assessments where relevant. The below provides some of the demographic data provided by respondents.

### Age

<b>Base</b>	<b>552</b>
<b>15 or under</b>	8 1.0%
<b>16-24</b>	21 2.6%
<b>25-34</b>	115 14.2%
<b>35-44</b>	400 49.4%
<b>45-54</b>	215 26.5%
<b>55-64</b>	33 4.1%
<b>65-74</b>	13 1.6%
<b>75+</b>	1 0.1%
<b>Prefer not to say</b>	4 0.5%

### Sex

<b>Base</b>	<b>1171</b>
<b>Female</b>	912 77.9%
<b>Male</b>	231 19.7%
<b>Prefer not to say</b>	28 2.4%

### Disability (Do you consider yourself to be disabled?)

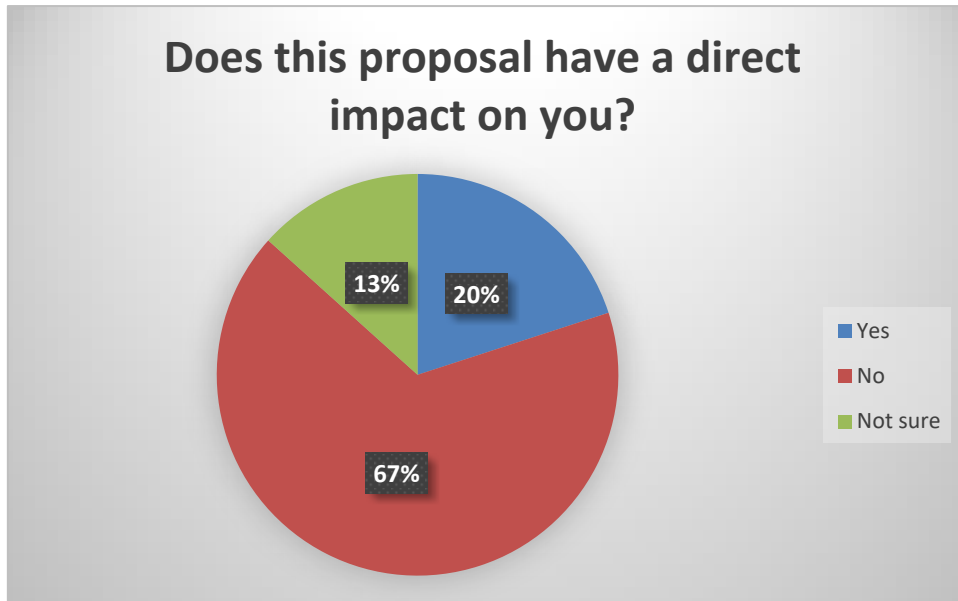
<b>Base</b>	<b>1140</b>
<b>Yes</b>	124 10.9%
<b>No</b>	970 85.1%
<b>Prefer not to say</b>	46 4.0%

**Table 3-5 – Respondent Demographics**

## 5 Young Person Consultation

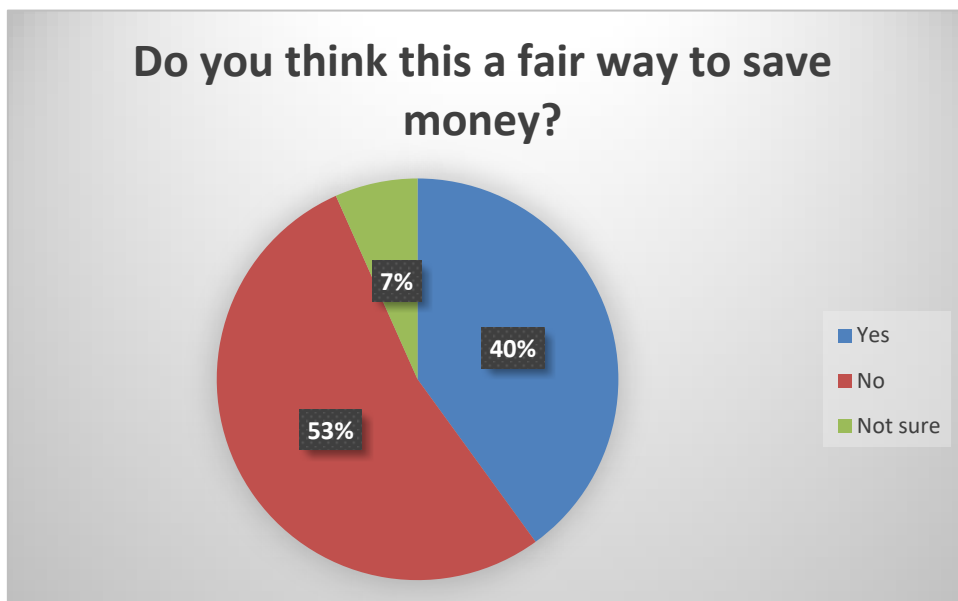
5.1 The Council's YEPs team developed a young person's version of the proposal and shared with youth forum members. The consultation was undertaken by sharing the HTS information with young people through a social media group for youth forum members and they were asked to complete a survey following this. 15 young people took part in the exercise.

The proposal had a direct impact on 20% of the young people.



**Figure 8: Direct impact of proposal on respondent**

5.2 53% thought that the proposal was not a fair way to save money.



**Figure 9: Is the proposal a fair way to save money?**

What do you think about the proposal?

- 5.3 The young people were asked what they thought of the proposal, the comments below are a selection of those received;

Positive

*It's good*

*I think it's fair*

Negative

*I think that it is quite an issue for people who live outside of the new circle for school transport because parents can't always take on board the responsibility of getting their children to school and public transport is expensive*

*Puts kids at risk of poorer education standards and by proxy impacts schools' overall review standards (limited amount of payed bus passes, expensive bus passes, parents unable to take pupil to school, unsafe walking routes, therefore pupil does not attend at all)*

*Its okay, the government would save more money but where is that money going? If we make students get public transport and walk because they're not close enough to the school this can stress them out and affect their gcse's. some families may not be able to afford public transport and others won't be able to drop their kids off at school. This means more kids walk. The parents who would start driving will create more traffic on the roads meaning earlier starts for kids and this cannot help their gcse's*

*Less people will be able to get to school which will result in less GSCE results*

*It's not good anyone who need transport to school or college should get transport*

*School transport should be allocated to anyone in need of a transport to school. It is unsafe for a young person to be walking home or to school. Especially when it's dark! We need to think about the safety of our young people rather than money*

*It doesn't affect me at all.*

*I think it's very inconvenient for people who use school transport because some parents can't take upon themselves to drive their kids to and from school everyday and public transport is expensive*

Can you provide some other ideas on ways that RCT Council could save money?

5.4 Some of the other ideas suggested by the young people to save money were;

*More £1 bus fares through the year*

*There is none they are wasting money on things that does need to be wasted on it could be used on better things*

*Idfk not my problem xx*

*less unnecessary buses, improve council tax, close council cash offices...*

*To many councillors and less offices*

*possibly a fundraiser?*

## **6 Written Responses**

- 6.1 A total of 39 emails/letters were received from a range of consultees. The responses reflect the themes outlined in the main report, with the majority against the proposal. These responses have been made available for Cabinet to review.

Tudalen wag





**RHONDDA CYNON TAF**

**RHONDDA CYNON TAF COUNCIL**

**RECORD OF DECISIONS OF THE EXECUTIVE**

**DECISION MADE BY: Cabinet    DATE DECISION MADE: 20 March, 2024**

**Cabinet Members Present:**

Councillor A Morgan (Chair), Councillor M Webber (Deputy Chair),  
Councillor G Caple, Councillor A Crimmings, Councillor R Lewis,  
Councillor C Leyshon, Councillor M Norris and Councillor B Harris

**Other Councillor(s) in Attendance:-**

Councillor S Emanuel  
Councillor K Johnson  
Councillor C Lises  
Councillor L Tomkinson  
Councillor K Morgan  
Councillor C Preedy  
Councillor G Stacey

***Agenda Item : 6***

**SUBJECT: Review of the Council's Home to School Transport Policy**

**1. DECISION MADE:**

**Agreed –**

1. To consider the content of the report and outcome of the public consultation, together with the associated Equality and Welsh Language Impact Assessments appended to the report;
2. To consider, in light of the feedback from the public consultation and analysis of the Equality and Welsh Language Impact Assessments, whether it wishes to amend the proposal as consulted upon, including consideration of alternative options presented within section 14 of the report;
3. To proceed with implementation of a revised Home to School Transport Policy as follows:
  - To maintain the Council's current discretionary distance criteria of providing Home to School transport for all primary schools (English, Welsh and Faith);
  - To change Home to School transport provision to all secondary schools and colleges (English, Welsh and Faith) in line with the relevant statutory distance criteria as set out in the Learner Travel (Wales) Measure 2008;
  - To continue to allow a learner to select their nearest suitable school in accordance with choice of English or Welsh Medium language or preferred religious denomination;
  - To continue to provide discretionary pre-compulsory school age transport (in line with current discretionary distance criteria) and to provide discretionary post-16 transport (in line with the relevant statutory distance criteria); and
  - To continue to provide discretionary Additional Learning Needs transport.
4. To publish the revised Home to School Transport Policy by 1<sup>st</sup> October 2024, in accordance with statutory requirements, and for the policy to be implemented for the commencement of the 2025/26 academic year; and
5. To delegate authority to the Director of Highways, Streetcare and Transportation Services to develop, introduce or amend any operational policies/guidance incidental to the implementation of the revised Home to School Transport Policy.

**N.B** With the agreement of the Leader, the following County Borough Councillors were granted permission to address the Cabinet in respect of the item:

- County Borough Councillor K Morgan;
- County Borough Councillor L Tomkinson;
- County Borough Councillor C Preddy;

- County Borough Councillor K Johnson;
- County Borough Councillor G Stacey;
- County Borough Councillor C Lises: and
- County Borough Councillor S Emanuel.

## **2. REASON FOR THE DECISION BEING MADE:**

The need to report the results of the public consultation exercise initiated by Cabinet, together with updated Equality and Welsh Language impact assessments in relation to a proposed new Home to School Transport Policy; and assist Cabinet in its determination of whether or not it wishes to progress with implementation of a new Home to School Transport Policy.

## **3. LINKS TO CORPORATE PRIORITIES/FUTURE GENERATIONS - SUSTAINABLE DEVELOPMENT:**

The delivery of Home to School transport services support and promote the Council's Corporate Plan priorities for People – are independent, healthy, and successful; Places – where people are proud to live, work and play; and Prosperity – creating the opportunity for people and businesses to be entrepreneurial and fulfil their potential and prosper.

The Well-being of Future Generations (Wales) Act 2015 requires the Council to think about the long-term impact of their decisions, to work better with people, communities and each other and to prevent persistent problems such as poverty, health inequalities and climate change. To make sure we are all working towards the same purpose, the Act puts in place seven well-being goals on the Council:

- A prosperous Wales.
- A resilient Wales.
- A healthier Wales.
- A more equal Wales.
- A Wales of cohesive communities.
- A Wales of vibrant culture and Welsh Language.
- A globally responsible Wales.

The Act imposes a duty on all public bodies in Wales to carry out “sustainable development”, defined as being “the process of improving the economic, social, environmental and cultural wellbeing of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the wellbeing goals.”

The Act sets out five ways of working needed for the Council to achieve the seven well-being goals, these being:

- The importance of balancing short term needs with the needs to safeguard the ability to also meet long-term needs.
- Considering how the Council's objectives impact upon each of the well-

being goals listed above.

- The importance of involving people with an interest in achieving the well-being goals and ensuring that those people reflect the diversity of the area which the Council services.
- Acting in collaboration with other persons and organisations that could help the Council meet its well-being objectives; and
- Acting to prevent problems occurring or getting worse.

#### **4. CONSULTATION UNDERTAKEN PRIOR TO DECISION BEING MADE:**

Cabinet determined to initiate a consultation in respect of a preferred option relating to a proposed new Home to School Transport Policy as detailed in section 8 of the report in consideration of the current budget pressures. The Council is not alone in facing these challenges, nor in having to consider such reviews of discretionary areas of current provision.

A comprehensive public consultation exercise was conducted with all key stakeholders such as pupils, parents, carers, transport providers and Elected Members. The consultation originally ran from Monday 27<sup>th</sup> November 2023 until 5pm Monday 8<sup>th</sup> January 2024. Recognising the significance of the proposal for pupils who use and will use home to school transport now or in the future, the consultation was extended for a further three-week period, from Thursday 18<sup>th</sup> January until 5pm Thursday 8<sup>th</sup> February 2024. This period provided a further opportunity for those potentially impacted to take part in the consultation. In total the consultation therefore ran for a period of nine weeks.

The consultation had a dedicated page on the Council's consultation section of its website which provided details of the proposal and a link to the consultation survey. Consultees were also referred to the initial Equality and Welsh Language impact assessments considered by Cabinet prior to initiating the consultation exercise.

A 'frequently asked questions' sheet was developed to provide further information to consultees.

An email was sent to all schools who could be potentially impacted by the proposal to Headteachers and Chair of Governors to be forwarded on to all parents and carers. Further emails were sent to key stakeholders to promote the consultation and encourage participation in the online survey, including public transport operators. School Councils, headteachers and school and college governors were also invited to submit their views on any proposed new policy.

Respondents were also given the option to write in using a dedicated email address [HTSConsultation@rctcbc.gov.uk](mailto:HTSConsultation@rctcbc.gov.uk), and a telephone option was also in place through the Council's contact centre.

The Council held 8 public engagement events at venues throughout the County Borough, where officers were on hand to answer any questions on the proposal and encourage or assist people to take part in the survey.

The consultation was widely promoted in the Press and via social media including the Council's Facebook and X (formerly known as Twitter) accounts.

Consultees were therefore able to respond to the consultation through various channels including an online survey/questionnaire, a dedicated consultation email address, a freepost postal address, a telephone option and providing feedback at the local engagement sessions.

The Council's YEPs team developed a young person's version of the proposal and shared with youth forum members. The consultation was undertaken by sharing relevant information with young people through a social media group for youth forum members and they were asked to complete a survey following this.

The proposals were presented and discussed at the Council's Overview and Scrutiny Committee meeting on the 13<sup>th</sup> December 2023. The report and minutes of that meeting can be accessed [here](#) and a letter summarising the Committee's feedback is attached at Appendix 6 to the report.

The Council's Overview and Scrutiny Committee further pre-scrutinised the proposal at its meeting on the 18<sup>th</sup> March 2024. A Letter addressed to the Cabinet providing the Committee's feedback can be found [here](#). In addition a link to the recording of the meeting can be accessed [here](#).

The full results of the extensive consultation exercise including feedback received is attached at Appendix 3 to the report.

**5. PREVIOUS CONSIDERATION BY A COMMITTEE OF THE COUNCIL:**

[Cabinet - 20th November 2023](#)

[Overview and Scrutiny Committee - 13th December 2023](#)

[Overview and Scrutiny Committee - 18th March 2024](#)

**6. PERSONAL INTERESTS DECLARED:**

County Borough Councillor K Johnson declared the following personal and non prejudicial interests

- "I am on the Governing Body of Maesybryn Primary School ; I am a parent of 2 children who will travel to a comprehensive school ; I am an employee of Transport for Wales and I reference public transport in my address.

County Borough Councillor C Lises declared the following personal interest - " I am a Governor of Hawthorn Primary and Secondary School"

**7. DISPENSATION TO SPEAK (AS GRANTED BY STANDARDS COMMITTEE):**

N/A

**8. (a) IS THE DECISION SUBJECT TO CALL-IN BY THE OVERVIEW AND**

**SCRUTINY COMMITTEE:**

**Yes**

**Note:** This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

**The closing date for Call-In is 5pm on the 25 March 2024**

**8.(b) IF NO, REASONS WHY IN THE OPINION OF THE DECISION-MAKER THE DECISION IS EXEMPT OR NON APPLICABLE:**

- I. COUNCIL / SCRUTINY FUNCTION (CALL IN IS THEREFORE NON APPLICABLE):-**  
Reason: N/A
  
- II. URGENT DECISION:-**  
Reason N/A

**8.(c) IF DEEMED URGENT - SIGNATURE OF PRESIDING OFFICER OR DEPUTY PRESIDING OFFICER OR HEAD OF PAID SERVICE CONFIRMING AGREEMENT THAT THE PROPOSED DECISION IS REASONABLE IN ALL THE CIRCUMSTANCES FOR IT BEING TREATED AS A MATTER OF URGENCY, IN ACCORDANCE WITH THE OVERVIEW AND SCRUTINY PROCEDURE RULE 17.2:**

.....  
**(PRESIDING OFFICER)**

.....  
**(Dated)**

**FOR OFFICE USE ONLY**

**PUBLICATION**

Publication on the Councils Website:- **Wednesday, 20 March 2024**

**APPROVED FOR PUBLICATION: ✓**



**CYNGOR BWRDEISTREF SIROL**  
**RHONDDA CYNON TAF**  
**COUNTY BOROUGH COUNCIL**

21<sup>st</sup> December 2023

**Re: Scrutiny of Service Changes Subject to Consultation**

Dear Cabinet Members,

I have been instructed by this Council's Overview and Scrutiny Committee to convey the comments and observations of Members in relation to the consultation of **Continuation of Free Breakfast Club Provision in Primary and Special Schools with the Introduction of a Charge for the additional childcare element** and the **Review of the Council's Home to School Transport Policy** before its consideration at the Cabinet meeting on 24<sup>th</sup> January 2024

The Overview and Scrutiny Committee gave feedback and comments in respect of the proposal at its meeting on the 13<sup>th</sup> December 2023. Members undertook a constructive discussion in respect of the recommendations from the Director of Education & Inclusion and the Director Highways, Streetcare and Transportation.

Members can view the full discussion and debate of the Overview and Scrutiny Committee, in respect of this item of business [here](#)

In summary, the following points were raised in relation to the Continuation of Free Breakfast Club Provision in Primary and Special Schools with the Introduction of a Charge for the additional childcare element

- Members were reassured that staffing levels will be kept under review and closely monitored to ensure appropriate staffing levels are in place
- Members were concerned that families are already feeling financial pressure due to the cost of living crisis and asked for a review of costs to be undertaken if the proposals are taken forward to allow families to be able to have a more flexible approach to committing to the breakfast clubs, for example, many families do not use the breakfast club 5 days per week, therefore should be offered the opportunity to opt in on a flexible basis.
- Members were reassured to hear that every child will continue to be offered a free breakfast and that the proposed additional charge is in relation to the earlier childcare element.

Members raised the following points in relation to the Review of the Council's Home to School Transport Policy

- Members would like to see further clarification and information shared with residents on what is deemed as a safe walking route.

- Members raised concerns that the proposals may have a detrimental effect on attendance where families will need to travel further or incur costs to travel to their place of learning.
- Members were concerned that the proposal may have a negative impact on the Council's Welsh in Education Strategic Plan as learners may choose to attend an English Medium Education setting that is closer to their home.
- Members asked the effect on the Council's Carbon Footprint also be considered as part of the proposal as this could see an increase in traffic on the roads.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Christian Hanagan', written over a faint, light-colored circular stamp or watermark.

**Christian Hanagan**  
**Service Director Democratic Services and Communication**





19 March 2024

**Re: Pre-Scrutiny of the Review of the Council's Home to School Transport Policy**

Dear Cabinet Members

I have been instructed by the Council's Overview & Scrutiny Committee to convey the comments and observations of Members in relation to the Review of the Council's Home to School Transport Policy.

The Overview & Scrutiny Committee had the opportunity to pre-scrutinise the Cabinet report relating to the review at its meeting on the 18<sup>th</sup> March 2024. The Committee also heard from non-Committee Member, County Borough Councillor K Johnson who addressed the Committee on his concerns in respect of the impact the proposals may have. The Committee undertook thorough scrutiny and consideration of the potential impact upon pupils and their families. Through the Committee's discussions members noted the significant financial challenges facing the Council and that given that background context understood the need for the Council to consider the level of provision currently provided, which goes beyond what the Council is statutorily required to provide.

The Committee's comments and observations on the proposals are summarised below, however the Vice Chair, Cllr Barry Stephens, who chaired the meeting, has specifically requested for Cabinet to consider the webcast recording of the meeting prior to its meeting, in order to gain as full a picture as possible of the comments and observations of Overview & Scrutiny Committee Members. A link to the recording can be found [here](#).

All Members acknowledged the fact that the Council currently provides transport for pupils over and above what it is required to do under the relevant legislation and guidance and appreciated why this area was under consideration, noting how costs for providing the current level of provision had escalated in recent years. Several Members felt that comparison with other Councils does not reflect the percentage of children eligible for transport, which is different in each Council area. Neither does it reflect the unique geographical or demographic circumstances of Rhondda Cynon Taf. Members also noted that the number of respondents to the public consultation, as well as the percentage of those who were against the proposals demonstrates the strength of feeling in relation to the proposals.

A number of Members felt strongly that the proposals would impose financial burdens on families already facing economic challenges which the Council, through other decisions, has prioritised protecting. Many Members commented upon the importance of prioritising accessibility to education for all pupils, regardless of their

socio-economic background. Some Members believed that the financial burden created by this proposal, would go beyond families having to pay a daily bus fare. A Member reflected that the impact of the proposals on children's wellbeing, where children will potentially be starting their school day in wet clothing, equipment, PE kits etc, which would have an impact on attendance and could potentially hinder academic performance.

A Member requested that the geographical layout of the County Borough be taken into account by Cabinet when considering this matter, noting that pupils residing in remote or rural areas may face significant difficulties in accessing education, which is already impacted by a reduced public bus service due to the reduction of bus grants.

A number of Members commented that the current public transport infrastructure is not sufficient to meet the needs of the residents, potentially having further impact on school attendance. As part of this discussion point, a Member noted that families could therefore resort to driving their children to school (where this is an option) resulting in a potential increase in traffic. The Committee discussed this point in the context of climate change.

The safety of children walking long distances to school was also raised by Members. Members raised concerns in respect of the location of some schools, near busy, inaccessible roads, with unlit paths and reduced proximity to bus stops or train stations. A member requested that Risk Assessments on safe walking routes should be undertaken prior to a decision being taken, to identify more specifically potential cost saving which could be achieved. In addition to this a Member also proposed that the Council postpone a decision until Welsh Government determine public transport reform proposals, which would enable the Council to stipulate routes, timetables and fares, therefore ensuring that there is sufficient service in place to meet the needs of residents.

Members commented that the proposals may disproportionately affect certain groups with disabilities, Additional Learning Needs and sensory impairments, as well as other protected characteristics, potentially creating barriers to education. A Member specifically requested that Cabinet give careful consideration to the potential inequality this proposal could create, as part of a need to avoid the risk of judicial review or legal challenge. A member stated that the Council should also consider the requirement and availability of The Public Service Vehicles Accessibility Regulations (PSVAR) which applies to all new public service vehicles.

Concerns were raised that some of the options contained within the report could have an adverse impact upon the Welsh language in RCT, and the selection of education through the medium of Welsh by parents, thereby jeopardising the growth of Welsh speakers. It was felt this could also risk undoing the work the Council is undertaking as part of the Welsh in Education Strategic Plan (WESP). Members queried whether any potential savings would need to be reinvested significantly into achieving the WESP objectives as a result of this proposal. Members noted that the



Council has a duty to promote access to Education and Training through to medium of Welsh which they believed would be impacted by the proposals.

Members noted that the alternative options arising from consultation feedback in full or in part addressed some of these areas of concern, but noted that 'equity' of provision across all areas of education was important.

A number of Members of the Committee asked that Cabinet reconsider the proposed changes and delay any changes to the current policy until the impact and outcomes of the recommendations from the Welsh Government review of the Learner Travel Measure are known in addition to consideration of the outcome of the Children's Commissioner Response to the Welsh Government review and what bearing those concerns may have upon this area of policy in the future. I am aware Cabinet have been briefed on the latest Welsh Government update in relation to their review, published on Thursday 14<sup>th</sup> March, and provided with a copy of it.

A Member moved a motion, which stated that this Committee reports to Cabinet that, having scrutinised the report, that Cabinet should not proceed with the proposals to change the Home to School Transport provision and that the existing provision should be retained. The motion was not supported by the majority of committee members. Cllr Sera Evans, Cllr K Morgan and Cllr M Powell requested that their names in support of this motion be recorded.

The Vice Chair of the Committee, has asked me to convey his thanks, for the constructive way in which scrutiny has again been engaged in the consideration of these proposals, and in particular the opportunity to pre-scrutinise the above report.

Yours sincerely,

Christian Hanagan  
Service Director Democratic Services and Communications  
Rhondda Cynon Taf County Borough Council

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**EXTRACT FROM OVERVIEW AND SCRUTINY PROCEDURE RULES****17. Call-In****17.1 Rules**

- (a) Where a decision is made by the Cabinet, an individual Member of the Cabinet, a Committee of the Cabinet, an Area Committee, under joint arrangements or a Key Decision is made by an Officer (under the General Scheme of Delegation), it must be published on the Council's website by the responsible proper officer within 2 clear working days of it being made. A copy will also be available at the main offices of the Council. All Members of the Council will be sent copies of the records of all such decisions within the same time scale, by the person responsible for publishing the decision.
- (b) That notice will bear the date on which it is published and will specify that the decision will come into force and may then be implemented, on the expiry of 3 clear working days after the publication of the decision, unless any 3 Non-Executive Members object to it and call it in for review under these procedure rules.
- (c) During that period the Proper Officer shall call-in a decision for scrutiny by the Overview and Scrutiny Committee if so requested in the specified format by any 3 Non-Executive Members and, shall then notify the decision taker of the call-in. Following the expiry of the 3 clear working day period in which a decision can be called-in the Proper Officer shall convene a meeting of the Overview and Scrutiny Committee on such a date as he/she may determine. Where possible the Proper Officer will consult with the Chair or Vice-Chair of the Overview and Scrutiny Committee as to a suitable date and in any case the meeting will be held within 5 clear working days of the expiration of the relevant call-in period (only in exceptional circumstances will the Chair (in his/her absence the Vice-Chair) of the Overview and Scrutiny Committee consider extending this time limit).
- (d) As soon as the Chair of the Overview and Scrutiny Committee acts as a signatory to a call-in he/she shall cease to be the Chair for all purposes for the duration of the call-in process. If this situation arises then for the purposes of these Overview and Scrutiny Procedure rules references to 'Chair' of the Overview and Scrutiny Committee should be read as a reference to the 'Vice-Chair' of the Overview and Scrutiny Committee. In the situation where both the Chair and Vice Chair of Overview and Scrutiny Committee act as signatories to a call in then the Chair of the meeting in respect of matters relating to the call-in shall be selected from the rest of the Overview and Scrutiny Committee membership by majority vote.
- (e) If, having considered the decision, the Overview and Scrutiny Committee refers it back to the decision making body or person for reconsideration or the matter to full Council, it must set out in writing the nature of its concerns. If referred to the decision maker they shall then reconsider within a further 5 clear working days, amending the decision or not, before adopting a final decision. This decision shall take effect and be implementable on the date and time immediately following the closure of the relevant meeting
- (f) If following an objection to the decision, the Overview and Scrutiny

Committee does not meet within the period set out above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date and time immediately following the closure of the Overview and Scrutiny Committee meeting.

- (g) If the matter was referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, the Council will refer any decisions to which it objects back to the decision making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Cabinet as a whole, or a Committee of it, a meeting will be convened to reconsider within 5 clear working days of the Council's request. Where the decision was made by an individual, the individual will reconsider within 5 clear working days of the Council's request.
- (h) If the Council does not meet, or if it does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is earlier.
- (i) In order to ensure the call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are:
  - (i) the Overview and Scrutiny Committee may only call-in a total of 3 decisions per 2 month period;
  - (ii) any 3 Non-Executive Members (from either (i) at least 2 political groups or (ii) in the case of an unallocated Member(s) – that unallocated Member(s) and a Member(s) from a political group) are needed for a decision to be called in;
  - (iii) once a Member has acted as a signatory to a call-in under paragraph 17 (call-in) above, he/she may not do so again until the period of 2 months has expired; and
  - (iv) No Education Co-opted Members may request a decision be called in.
- (j) The Proper Officer (in consultation with the Monitoring Officer) may veto any request for call-in if it falls outside the remit of this scheme.
- (k) Save in exceptional circumstances all Members requesting a matter be called in must attend the meeting at which the matter is being considered.
- (l) A request for call in, made in accordance with these Overview and Scrutiny Procedure Rules, can be submitted either by hand to a Democratic Services officer using the designated call-in form (a copy of which is available on request from Democratic Services) or via electronic mail (email). Any request submitted via email must be sent by one of the three signatories to the call-in and emailed to the following email address – [scrutiny@rctcbc.gov.uk](mailto:scrutiny@rctcbc.gov.uk). For the purposes

of checking compliance with these rules the email will have been deemed to be received at the time it is received into the Scrutiny mailbox. In order to be a valid call in request any request submitted via email must include all of the same information and details as is required to be completed in the designated hardcopy call-in form. Attaching a copy of the call in form to the email is acceptable. The three signatories to the call in request should keep an audit trail of their agreement to collectively submit the call in request. This will only be requested by the Proper Officer in the event of there being any dispute that a member (or members) did not consent to being a signatory to the call in request.

17.1A Reference to a 'clear working day' in these Overview and Scrutiny procedure rules is defined as the following:-

A complete period of 24 hours (excluding weekends and Bank Holidays), beginning and ending at midnight on the day in question.

Therefore, by way of example, for the purposes of these call-in rules it shall exclude the day on which the relevant Cabinet decision notice is published and the day on which the call-in meeting is held.

17.1B Procedure at call-in meetings held under Rule 17.1

- (1) Declarations of interest (including whipping declarations).
- (2) Welcome by Chair outlining reason for call-in meeting as per details recorded on the call-in request.
- (3) Chair to invite the three Members who have acted as signatories to the call-in to present their submission(s) to the Overview and Scrutiny Committee as to why they consider the relevant decision should be referred back to the decision maker for reconsideration, having regard to the reasons set out in the call-in request.
- (4) Chair to invite relevant Director(s) to respond.
- (5) Chair to give any Cabinet Member(s) present the opportunity to address the Committee.
- (6) Chair to invite any other Members of the Committee to speak (and with the Chair's permission any non-Committee Members present, who are eligible to attend, and wish to speak).
- (7) If necessary, the Chair to invite any relevant Director/Cabinet Member present to respond to a Member's question.
- (8) Chair to invite one of the three signatories to the call-in to make a final address to the Committee membership.
- (9) Chair to put the matter to the vote.
- (10) Legal Officer present to summarise the effect of the Committee's decision in accordance with Overview and Scrutiny Procedure Rules 17.1(e) and 17.1(f) and thereafter communicate the Committee's decision to the Proper Officer.

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**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL  
OVERVIEW AND SCRUTINY PROCEDURE RULES – RULE 17  
SCRUTINY CALL IN FORM**

**THIS FORM MUST BE:**

- (A)** SIGNED BY THREE MEMBERS FROM AT LEAST TWO DIFFERENT POLITICAL GROUPS (or in the case of an unallocated member(s) that unallocated member(s) and a member(s) from a political group).
- (B)** EMAILED TO C. HANAGAN, SERVICE DIRECTOR DEMOCRATIC SERVICES & COMMUNICATIONS TO THE FOLLOWING ADDRESS – [scrutiny@rctcbc.gov.uk](mailto:scrutiny@rctcbc.gov.uk) OR HAND DELIVERED TO:- THE PAVILIONS, CAMBRIAN PARK, CLYDACH VALE, CF40 2XX WITHIN THE TIMESCALE NOTIFIED WITHIN THE CONSTITUTION

**DETAILS OF DECISION**

**Decision of Cabinet**

Date of Publication of decision:

20th March 2024.....

Subject of Decision...

Review of the Council's Home to School Transport Policy

Decision Called in (Please quote from the record of decision)

1. To consider the content of the report and outcome of the public consultation, together with the associated Equality and Welsh Language Impact Assessments appended to the report;
2. To consider, in light of the feedback from the public consultation and analysis of the Equality and Welsh Language Impact Assessments, whether it wishes to amend the proposal as consulted upon, including consideration of alternative options presented within section 14 of the report;
3. To proceed with implementation of a revised Home to School Transport Policy as follows:
  - To change Home to School transport provision to all secondary schools and colleges (English, Welsh and Faith) in line with the relevant statutory distance criteria as set out in the Learner Travel (Wales) Measure 2008
  - To continue to allow a learner to select their nearest suitable school in accordance with the choice of English or Welsh Medium language or preferred religious denomination."
4. To publish the revised Home to School Transport Policy by 1st October 2024, in accordance with statutory requirements, and for the policy to be implemented for the commencement of the 2025/26 academic year; and

5. To delegate authority to the Director of Highways, Streetcare and Transportation Services to develop, introduce or amend any operational policies/guidance incidental to the implementation of the revised Home to School Transport Policy.

Has the matter previously been subject to Scrutiny?

Y	X
<input type="checkbox"/>	
<input type="checkbox"/>	
N	

**Reason for calling in decision (Please use separate sheet if necessary)**

1. There is a need to further consider the negative impact of the decision for pupils, parents/carers and the communities of Rhondda Cynon Taf.
2. The decision to proceed did not fully consider the negative impact in relation to legal implications, equality impact assessment and welsh language assessment.
3. To further scrutinise if the Cabinet decisions being called in are legally compliant and in accord with duties under the Future Generation Wales Act 2015, the UN Convention on the Rights of the Child as well as the Equalities Act and Welsh Language Acts.
4. To further scrutinise the practicalities in delivering Decision Notice point 5 (recommendation 2.5 of the Cabinet report), relating to the delegated authority as agreed.

<b>Names</b>	<b>Signature</b>	<b>Group</b>
<b>Cllr Karen Morgan</b>	<b>K. Morgan</b>	<b>Plaid Cymru</b>
<b>Cllr Karl Johnson</b>	<b>K.Johnson</b>	<b>Welsh Conservatives</b>
<b>Cllr Paul Binning</b>	<b>P.Binning</b>	<b>Independent</b>

Date: ...25<sup>th</sup> March 2024.....

For Office use only by the Service Director, Democratic Services & Communications.

Date & Time of Receipt...25<sup>th</sup> March 2024

Officer Receiving...Christian Hanagan

**Accepted as a valid Call-in:**

To be submitted to the Overview & Scrutiny Committee.

Signature: ..... Date: .....