

Public Document Pack

North Yorkshire Council
Children and Young People's Service - Executive Members & Corporate Director Meetings

Tuesday, 7 May 2024 / 1.00 pm

A G E N D A

1 **Apologies for Absence**

2 **Declarations of Interest**

Items for Executive Member decision

Items for Corporate Director decision

3 Home to school transport contribution fees for 2024-25 academic year (Pages 3 - 8) (Pages 3 - 8)

Any Other Business

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Circulation:

Executive Members

Janet Sanderson
Annabel Wilkinson

Officer attendees

Stuart Carlton
Howard Emmett

Presenting Officers

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NORTH YORKSHIRE COUNCIL

CHILDREN AND YOUNG PEOPLE'S SERVICE

CORPORATE DIRECTOR'S MEETING WITH EXECUTIVE MEMBERS

7 MAY 2024

Home to School Transport Contribution Fees for 2024-25

1.0 PURPOSE OF REPORT

- 1.1 This paper details proposals for the contribution rate for post 16 home to school transport and spare seats (paid permits) for the 2024/25 academic year.
- 1.2 The policy statement and transport provision ensure the Council provides travel assistance in line with the Department of Education Statutory Guidance, published January 2024, and the Post 16 transport to education and training, published January 2019.
- 1.3 This paper is to highlight the current contribution charge and to make a recommendation for increases to be applied for the 2024/2025 academic year which require publication no later than 31st May 2024.
- 1.4 The paper recommends that the contribution charge for the 2024/25 academic year should increase by 6% from £747.50 to £792. This increase is in accordance with the corporate policy in respect of fees and charges.

2.0 BACKGROUND

- 2.1 In 2019, following four years of no increases, it was agreed to increase the contribution rate from £495 to £600 in line with other similar councils at that time. This increase was endorsed by the Overview and Scrutiny committee in June 2019, and was implemented for the 2020-2021 academic year, with the recommendation that yearly gradual increases are adopted. This brought the contribution charge in line with the council's policy of reviewing fees and charges yearly.
- 2.2 Following the home to school transport policy review in 2018 – it was consulted upon and agreed, that the spare seat charging rate, for non-entitled statutory aged pupils, would also increase gradually to the same rate as the post 16-contribution charge. This has been increasing for three years with the expectation that a single rate would have been achieved for the 2022/23 academic year. The amounts that have been charged since 2018/19 are:

	2018/19	2019/20	2020/21	2021/2022	2022/2023	2023/24
Post 16	£495	£495 (PSVAR)	£600	£618	£650	£747.50
Spare seat	£390	£390 (PSVAR)	£490	£550	£600	£747.50

- 2.3 In 2019, under direction given from the Department for Transport to local authorities regarding charging, fees were suspended for most applicants due to the Public Sector Vehicle Accessibility Regulations.
- 2.4 Due to the rapid increase in inflation and the cost-of-living crisis that had developed post pandemic it was agreed in 2022 to add an additional phased year on the spare seat charging fee to keep the increase realistic to existing applicants, bringing the two amounts in line for 2023-24 academic year.
- 2.5 Data sets in Appendix 1 have been used to compare North Yorkshire Council to other statistically similar councils, such as in relation to population sparsity, but excluding those authorities in the South East of England.
- 2.6 The Data has confirmed that the council has increased its fees in line with other comparative authorities and the current fees puts the council at 7th place out of the 15 similar councils.

3.0 ISSUES

- 3.1 North Yorkshire's geographical profile presents challenges for young people who are expected to remain in education, employment or training until aged 18 – participation age.
- 3.2 With the exception of the major towns, most further education provision does not have a regular public transport service which can accommodate learners living in rural locations.
- 3.3 A significant number of post 16 applications are for learners attending specialist provision which is not local or accessible via alternative means.

4.0 Alternative Options Considered

- 4.1 In considering the proposals for the Post 16 charging arrangements for the 2024-25 academic year the following alternative options have been considered: -
- Applying no increase to the existing charge of £747.50; and
 - Applying an increase that is higher than the minimum inflationary increase of 6% that has been proposed for most fees and charges.
- 4.2 In the event that no increase to the contributory charge were to be agreed then this would not be compliant with the corporate policy for fees and charges and would be likely to result in further budgetary pressures in respect of the School Transport budget.
- 4.3 It was also considered that an above inflation increase should not be applied for the academic year 2024/25. This is because the revised statutory guidance on Post 16 transport is expected to be published later this year, and this may subsequently require a more fundamental review of the current policy including in respect of charging.

5.0 FINANCIAL IMPLICATIONS

- 5.1 The Post 16 charging arrangements are not intended to fully cover the cost of service delivery for the eligible young people, but rather to make a contribution towards the

overall cost of transport. If the council chooses to change this arrangement, it would require a full public consultation. The council currently consulting on its home to school travel policy but the post 16 arrangements are not part of this consultation.

5.2 The cost of providing home to school transport has increased significantly over the last ten years and by more than £3m in the last year.

5.3 The following table sets out the income that was achieved from post 16 and paid travel permits, and an estimate for the current year.

Academic year	2018/19	2019/20*	2020/21	2021/22	2022/23	2023/24** estimate
Contribution income	£414,233	£96,9723	£416,040	£514,499	£553,791	£577,817

* Significantly reduced due to PSVAR and the covid pandemic

** estimated

5.4 As part of the contribution charge, consideration should be given to the level of discount applied to parents from low-income families. The Department for Education extended rights policy already establishes criteria for eligibility which the council adheres to.

5.5 The low-income reduction rate varies across England. A small number of councils apply no discount. However, the majority are set at 50%, with a small cluster offering up to 100% reduction. The council is proposing to continue to offer a 50% discount. Appendix 3 shows the criteria for Low Income

5.6 The corporate fees and charges policy sets an expectation that all fees and charges will be increased annually in line with inflation, unless there are very specific circumstances that mitigate against such a course of action

5.7 The assessment of inflationary pressure relating to this particular service area (undertaken by the corporate finance team) is that there will be a 6% increase between the 23/24 and the 24/25 financial year.

5.8 This will increase the contribution fee for 2024/25 academic year to £792.00 for both Post 16 and spare seats

5.9 The table below breaks this cost down to a daily level, including the average post 16 offer of 540hrs /3 days a week and the 5-day offer for spare seats permits or specialist school post 16.

Year	Contribution	£	Price per day 3-day x 36 weeks (540hr)	Price per trip	Price per day 5 day x 38 week	Price per trip
2020/21	Full rate	£600	£5.50	£2.75	£3.15	£1.58
	Low income	300	£2.75	£1.38	£1.58	£0.79
2021/22	Full rate	£618	£5.72	£2.86	£3.25	£1.63

	Low Income	£309	£2.86	£1.43	£1.63	£.082
2022/23	Full Rate	£650	£6.02	£3.01	£3.42	£1.71
	Low Income	£325	£3.01	£1.51	£1.71	£0.85
2023/24	Full rate	£747.50	£6.92	£3.46	£3.93	£1.96
	Low income	£373.75	£3.46	£1.73	£1.96	£0.98
2024/25	Full rate	£792	£7.33	£3.66	£4.16	£2.08
	Low income	£396	£3.66	£1.83	£2.08	£1.04

- 5.10 This yearly increase shows that the cost for low-income families with a 5 day offer has only increase by 25p per journey over 5 years.
- 5.11 Since December 2022, the government has been operating a programme to encourage public bus travel in which a £2 cap was agreed with all operators who signed up. This included a number of North Yorkshire operators – The cap has currently been approved for a third extension until Dec 2024.
<https://www.gov.uk/guidance/2-bus-fare-cap>
- 5.12 A number of colleges provide transport directly to students – the main two providers in North Yorkshire are York college and Askham Bryan college
The cost of their transport is between £2.50 -£4.75 per trip for York College and £2.50 - £6.70 per day for Askham Bryan.

6.0 LEGAL IMPLICATIONS

Statutory Responsibility

- 6.1 Local authorities have a responsibility under Section 508B of the Education Act 2014 to make such travel arrangements as they consider necessary to facilitate attendance at school for 'eligible' children.
- 6.2 Schedule 35B of the Education Act defines eligible children as those categories of children of compulsory school age (5-16).
- 6.3 For students over the statutory school age (end of Year 11.) The local authority can use discretionary powers to provide travel assistance. These arrangements do not have to be provided free of charge as is the case with eligible statutory pupils.
- 6.4 Whilst Post 16 provision is beyond the statutory school age, local authorities have a duty to publish an annual transport statement outlining what the council will offer in terms of assistance by 31st May for the next academic year.
- 6.5 Local authorities may ask learners and their parents for a contribution to transport costs when exercising their discretion to assist, however they should:
- ensure that any contribution is affordable for learners and their parents.
 - ensure that there are arrangements in place to support those families on low income.
 - consider the likely duration of learning and ensure that transport policies do not adversely affect particular groups.

- 6.6 The Department for Education have recently published the Statutory Guidance for Home to School Transport, in June 2023 with an update in January 24.
- 6.7 The revised guidance has resulted in the home to school travel policy requiring review and updating to meet the statutory expectations. This requires a full public consultation, which is currently active.
- 6.8 On the publication of the guidance for statutory aged pupils, the DfE indicated that they are reviewing the post 16 policy statement and hope to publish this in 2024.
- 6.9 The council does not intend to make any significant changes to the policy statement at this time due to the expected publication of the revised guidance.
- 6.10 The Department for Education last published guidance for Post 16 Transport in January 2019. The council's current policy is compliant with the current guidance.

PSVAR

- 6.11 In April 2022 operators and council's received information from the Department for Transport (DfT) regarding the launch of medium-term exemptions from the Public Service Vehicles Accessibility Regulations 2000 (PSVAR).
- 6.12 From 1 July 2022, these medium-term exemptions will replace the current system of short-term exemptions for Home to School (HTS) and Rail Replacement (RR) services. These exemptions are qualified exemptions that require operators to take specific steps to make their HTS and RR fleet progressively more compliant with PSVAR within a specified timeframe, while allowing essential HTS and RR services to continue operating. The exemptions will be valid until 31 July 2026.
- 6.13 Following discussion with the council's legal team, operators that currently have exemptions during this academic year were asked to inform the council if they were seeking the new exemptions and all have done so and sent a copy of their exemption received from the DfT. This means that they have agreed to meet the requirements of the new medium term exemption guidance and the council was able to charge on its services from September 2022.

7.0 EQUALITIES IMPLICATIONS

- 7.1 The policy statement published each year requires an accompanying Equality Impact Assessment – this is included in Appendix 1
- 7.2 The council's current decision to provide assistance beyond year 11 is a discretionary commitment to improve access to education for young people aged over 16.
- 7.3 The application of adopting a single contribution fee, irrespective of distance travelled is to ensure that young people in rural communities are not disadvantaged when compared to those living in towns.
- 7.4 The recommendation to offer a reduction to low-income families increases the opportunity for young people to move into further education and supports aspirations of higher education and employment.

8.0 CLIMATE CHANGE IMPLICATIONS

- 8.1 It is not considered that the proposed increase in the contributory charge will have any impact upon climate change

9.0 REASONS FOR RECOMMENDATIONS

- 9.1 The cost of providing transport continues to grow at higher than inflation levels.
- 9.2 The government bus cap scheme has been extended and this proposal supports this incentive and does not compete with it.
- 9.3 The table in 4.12 shows that the cost to families averages between £2.04 - £7.33 per day. This is in line with other means of assistance
- 9.4 The transport provision provide by the two major colleges are of similar daily cost.
- 9.5 Th proposal ensures the council is not discriminating families who do not have a public service option.

10.0 RECOMMENDATION

- 10.1 The following recommendations are being made for consideration and approval:
- i. Increase the post -16 charge in line with corporate inflation uplift to £792.00
 - ii. Increase paid travel permits in line with corporate inflation uplift to £792.00
 - iii. To continue to support the 50% reduction for families with a low income.