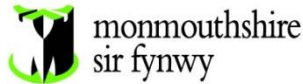


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Tuesday, 17 September 2024

Notice of Reports Received following Publication of Agenda.

Cabinet

Wednesday, 25th September, 2024 at 4.30 pm,
Steve Greenslade Room, County Hall, Usk

Attached are reports that the committee will consider as part of the original agenda but were submitted to democratic services following publication of the agenda.

Item No	Item	Pages
4.	<p>CALL IN OF THE HOME TO SCHOOL TRANSPORT POLICY 2025-26</p> <p><u>Division/Wards Affected:</u> All</p> <p><u>Purpose:</u> To provide Cabinet with the opportunity to re-consider the decision taken by Cabinet on September 11th concerning the proposed changes to distance eligibility criteria within the proposed Home to School Transport Policy for 2025-26. This follows the call-in of the decision and the subsequent recommendation of the People Scrutiny Committee to refer the matter back to Cabinet.</p> <p><u>Author:</u> Matthew Gatehouse, Chief Officer – People, Performance and Partnerships</p> <p><u>Contact Details:</u> matthewgatehouse@monmouthshire.gov.uk</p>	1 - 8

Paul Matthews
Chief Executive

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SUBJECT: CALL IN OF THE HOME TO SCHOOL TRANSPORT POLICY 2025-26
MEETING: Cabinet
DATE: 25th September 2024
DIVISION/WARDS AFFECTED: All

1. PURPOSE:

- 1.1 To provide Cabinet with the opportunity to re-consider the decision taken by Cabinet on September 11th concerning the proposed changes to distance eligibility criteria within the proposed Home to School Transport Policy for 2025-26. This follows the call-in of the decision and the subsequent recommendation of the People Scrutiny Committee to refer the matter back to Cabinet.

2. RECOMMENDATIONS:

- 2.1 That Cabinet decides whether to reaffirm its decision taken on 11th September to approve the distance eligibility criteria in the Home to School Transport Policy in light of the comments made by the People Scrutiny Committee on 19th September.
- 2.2 That the points highlighted by the People Scrutiny Committee are used to inform the way in which future consultation exercises are carried out.

3. KEY ISSUES:

- 3.1 The Council's constitution gives scrutiny committees the right to call-in, for reconsideration, decisions made but not yet implemented by the Cabinet. This is one of the ways in which the executive can be held to account. The committee has the option to:

- Accept the Cabinet decision; or
- Refer the matter back to the Cabinet with reasons; or
- Refer the matter to full Council for consideration with reasons.

- 3.2 On 19th September People Scrutiny Committee debated a call-in for the reasons:

“Insufficient public consultation, which took place over the school holidays preventing many families from expressing their views.”

- 3.3 A draft note of the meeting is attached as appendix 1. This has not yet been approved by the committee as a formal minute of proceedings. The original paper considered by Cabinet is contained as a link within the background papers of this report and a full recording of the meeting is available on YouTube to allow Cabinet members to fully appraise themselves of the views of the committee prior to reconsidering the decision.
- 3.4 The committee focussed, in particular, on the length/timing of the consultation. The example of Rhondda Cynon Taff was cited as good practice that could be learnt from.

It was recognised that there were more responses to the consultation than previous ones. The committee suggested that this might be due to the scope of the changes.

- 3.5 There were also concerns about whether the questions were clear, but officers assured the committee that parents found the consultation easy to understand and engage with. Explanations and reassurances were given about when safe walking route assessments would take place, though there are still concerns about them among members. The Cabinet Member agreed to share the legal advice from the Monitoring Officer with members regarding the decision to change the date of the consultation. There was a suggestion that changes could be delayed to the next academic year.
- 3.6 Following a vote the committee agreed to refer the decision back to Cabinet.

4.0 EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):

- 4.1 A full impact assessment was conducted as part of the original recommendation made to Cabinet.
- 4.2 The evaluation has highlighted the complexities of the provision of home to school transport including its substantial impact on resources, its impact on climate change and the need to continually evaluate provision to respond to changing social, economic, legislative and environmental needs. It is apparent that any reduction in the current provision will negatively impact on both existing and future users of the service as there is an expectation that the Council will continue to provide a service which exceeds its statutory functions.
- 4.3 There is particular concern that the proposed reversion to statutory distance eligibility criteria will disproportionately impact Welsh medium education. The current data and evidence does not support this supposition as of the 300 23-24 home to school transport users that would be impacted by this proposal only 10 of them are attending Welsh medium education. It is acknowledged however that the distance criteria may impact future decisions if parents can choose a closer English medium school. The proposals may also result in increased hardship or logistic difficulties for working families or those who are unable to access transport. If parents have evidenced medical needs that prevent them from accompanying primary aged learners to walk to school they are able to apply for discretionary transport. Similarly, learners who have evidenced medical conditions that prevents them from walking to school can also apply for discretionary transport.
- 4.4 There is the potential that carbon emissions will increase if all parents choose to drive their children to school, however this will be offset by a reduction in home to school vehicle movements which are predominantly diesel and highest emitters of carbon emissions.
- 4.5 The full integrated impact assessment can be viewed [here](#).

5. EVALUATION CRITERIA

- 5.1 As set out in the original report.

6. REASONS:

- 6.1 To reconsider the Cabinet's decision in line with the recommendation of the People Scrutiny Committee.

7. RESOURCE IMPLICATIONS:

- 7.1 As set out in the original report to Cabinet The forecast cost for the provision of mainstream home to school transport for the financial year 24-25 is £5,726,603 against a budget allocation of £5,125,025. The budget allocation for ALN transport is £2,451,243 and the annual expenditure forecast is currently being prepared.
- 7.2 If option 1 and 2 from the original report are implemented with no legacy protections, revenue savings of circa £665,000 could be realised. If option 3 is adopted this would enable the Council to work with willing parents to reduce the potential cost burden where personal transport budgets are adopted

8. CONSULTEES:

Chief Officer People, Performance and Partnerships

9. BACKGROUND PAPERS:

[Cabinet Report – 11th September 2024](#)
[Call-In Request](#)

10. AUTHOR:

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People Scrutiny Committee 19th September 2024

Note: the following draft minutes focus on the challenge from members – for the full discussion, the recording of the meeting at

www.youtube.com/watch?v=JyNJK3WKXB4&list=PLlmqn4nAaFJCbj_Cu0DbhGQkCrLYK7xM

The minutes has not been formally approved by the Committee and should be read as a draft note of the meeting.

Attendance

Members:

Laura Wright, Jackie Strong, Jan Butler, Maureen Powell, Chris Edwards, Sue Riley, Emma Bryn, John Crook, Louise Brown, Lisa Dymock, Phil Murphy, Tony Kear, Martyn Groucott

Officers:

Debra Hill-Howells, Will McLean, Frances O'Brien, Matthew Gatehouse, Robert McGowan

1. Apologies for Absence.

Peter Strong, with John Crook substituting. Penny Jones, with Louise Brown substituting. Simon Howarth, with Emma Bryn substituting.

2. Declarations of Interest.

None.

3. Call-In of the decision by Cabinet of 11th September 2024 regarding the Home To School Transport Policy 2025-26.

Members who requested the decision be called-in were asked to speak first, outlining their reasons for doing so.

Councillor Dymock:

Councillor Dymock stated that the consultation on the proposed changes was poorly timed and did not adequately inform or engage affected families as it took place in the summer holidays, when families are not in their usual routines. This reduced significantly the likelihood that parents or guardians would have had the time to engage fully with the process, and many families might not have even been aware that the consultation was taking place.

She noted that the Cabinet Member discussed the timing at the last meeting of People Scrutiny and referred to the general election as the reason for delay, but Rhondda Cynon Taf ran its consultation from 27th November 2023 to 8th February 2024, and it was extended by 3 weeks to give more people the chance to participate – she asked why MCC did not do the same. She suggested that the outreach was limited, with only 411 responses and 11 emails received – a low response rate that raises serious concerns about the sufficiency of the Council's outreach efforts, especially in regard to rural families. Many of these rely on school transport due to the lack of safe walking routes and limited public transport options; families therefore required detailed, localised information about how the proposed changes would affect specifically, but there was a lack of granular detail about the communities and individuals who would be affected, making it difficult for

families to fully grasp the consequences of the policy changes' implications – without this, many parents would not have been able to make informed contributions to the consultation or fully appreciate the potential impact on their children's daily lives.

Councillor Dymock sought clarity as to whether the Equality Impact Assessment was published at the same time as the consultation; if not, she argued this would have limited the ability of respondents to fully assess the implications of the proposals and would undermine the transparency of the consultation.

Councillor Kear:

Councillor Kear supported Councillor Dymock's comments. He asked if the Cabinet Member could advise who gave the legal advice regarding the timing of the consultation and whether that can be made available to members. **ACTION – to be shared with members**

Councillor Murphy:

Councillor Murphy highlighted safe walking routes as an example of the importance of proper consultation. He appreciated that the current numbers need consideration each year but fundamental routes, e.g. Caerwent-Caldicot, should have been identified. A resident whose children would be affected by the proposals informed Councillor Murphy that there is no safe walking route from Caerwent to Caldicot, with blind corners and a lack of pavement in some places – had the consultation been longer and at a more appropriate time, examples such as these, in which walking routes for children would be irresponsible, might have been put forward. This argument could surely be replicated in other parts of county.

Citing further examples of unsafe routes, Councillor Murphy asserted that work to adequately bring forward these measures should have been done sooner, as RCT did. Unsuitable routes would then have been discounted, relieving parents of their concerns. Not all parents would be able to transport children themselves. The need to save money was fully recognised, but the Councillor suggested that there must be a more considered process, and that bringing up such decisions so close to deadlines is unacceptable.

Cabinet Member Martyn Groucott gave the following response:

The Cabinet Member clarified that legal advice was given by the Council's Monitoring Officer, and reiterated the details of the consultation: this year, it took place between 12th July and 23rd August. 408 people completed the online survey and 11 emails were received. He noted that it had been planned to extend the consultation period, starting earlier: Cabinet considered this as early as 30th April, and plans were put in place for the consultation process to start on 3rd June, but the general election was announced on 22nd May, and the Monitoring Officer made it clear that the consultation could not proceed during that period. A strategy was therefore developed to enable a detailed and through consultation to be undertaken, despite not being able to extend its length. He asserted that the record number of responses received shows that although the consultation period was 6 weeks, shorter than planned, its effectiveness was greater than any previously held e.g. the consultation for 23-24 which ran between 5th August and 16th September 2022, for which 71 responses were received, and at which time People committee did not raise any concerns about the length or nature of the process, and there was no call-in. This year, despite the process being truncated by national politics, the consultation length was identical, and no objection was raised by People scrutiny.

The Councillor gave further details about this year's consultation: officers determined to ensure that every user of Home To School Transport was made aware of the consultation, particularly as important changes were being considered. Before breaking up for the summer, Headteachers made sure that all parents were aware of the consultation, which was followed by a monumental effort from officers to ensure its success:

every user was contacted personally, and the Comms team was very successful in a media blitz to ensure all communities were fully aware. Officers also undertook face-to-face meetings in each hub, and there were 12 articles in the 3 local newspapers. As a result, response to the consultation was dramatically better than any previously held, with 400+ completed responses – over 100 more than for the consultation over the council's budget, for example.

The Cabinet Member added further that another improvement was the use of social media. Material was put on Facebook and X on 16th, 19th, 22nd, 23rd, 28th, 30th and 31st July and 1st, 5th, 8th, 11th, 14th, 17th, 19th, 21st and 23rd August, for which there were nearly 60,000 views. A large-print version of the consultation was sent out by email, on request, ensuring that those with additional needs were part of the process. Involvement has therefore dramatically increased from consultations held previously. The Councillor stated that the evidence is therefore overwhelming that time for the process has not been reduced, though it would have been extended if circumstances had permitted. Officers' hard work in engaging the public and stakeholders through multiple channels resulted in the hugely improved response rate. Councillor Groucott concluded by saying that he could not accept, given the evidence of dramatically increased participation, that it can be reasonably argued that the consultation was ineffective and should have been changed, given the circumstances.

Key Points from Members:

- It was asked if members had had the opportunity to see the responses from the public in order to assess whether the consultation was done adequately. Officers responded that the Cabinet report provided statistics, but the full detail could be made available to members if they wished. In the survey, the public were given the opportunity to give comments through open questions but as it would have been impractical to include all 411 responses in the report, they were summarised around themes e.g. Welsh language, and respondents were asked what proposals they would put forward to make savings if they disagreed with the policy.
- A member expressed their opinion that consultations should take place in Spring, suggesting that increased responses in this instance might be due to the policy being a controversial one. She noted the example of one of her ward members having been unaware of the consultation, and a community councillor had expressed dissatisfaction with the timing and quality of questions. Officers expressed surprise that any users were unaware, with 3,173 emails having been dispatched on 12th July and a follow-up sent on 8th August to remind any who hadn't responded to do so.
- A member expressed their support for the Call-in and suggested that the consultation had failed two of the four Gunning principles, used as a guide for public engagement. The timing during the Summer holiday meant respondents would not have been around, and there would always be low engagement, as a result. He appreciated the dramatic rise in feedback from residents compared to other consultations but suggested this might reflect panic from respondents due to the timing and length of the consultation period. He proposed gaining an understanding as to why RCT's Monitoring Officer determined that they held their consultation between November 2023 and February 2024.
- Clarity was sought as to whether a school not being included in Appendix 1 meant that it was unaffected by the proposals. Officers confirmed that the appendix lists only those schools where a Home To School service is provided, and therefore those affected.
- The member asked for clarity as to whether Thornwell was affected. Officers responded that based on last year's figures, there was no-one affected at Thornwell. Because this policy would not take hold until September 2025, officers would not ask for safe walking assessments on routes that would not be

required next year. Route assessments will be undertaken but they will be based on current year applications once those have been assessed, which would include an assessment of Thornwell.

- Further explanation was requested for the timing of the assessments. Officers responded that the team will go through the data and ascertain which learners will still be with us from 1st September 2025, so those assessments can be undertaken. We will identify which learners will lose transport as a result of the policy, which learners are still with us, and any new applications we receive.
- Regarding the timing in relation to RCT's consultation, it was asked when MCC knew the relevant information and the decision was taken to consult later than the Spring. The Cabinet Member responded that the timing was based in part on historical precedent in this and the previous administration, though this could be changed in the future, and he reiterated that the plan had been to bring this consultation forward by several weeks. In addition, the consultation was undertaken in the Summer because the date of the policy's implementation would then not be as far away for parents who need to make the application, and if the window were longer between consultation and implementation there might even be new children moving into the county between those dates. Therefore, the Cabinet Member asserted that RCT is flawed in running its consultation so much earlier than the policy would start.
- A member expressed their appreciation for decisions that need to be made in light of the budget, but that Home To School Transport is one of the most important things that should be retained, and suggested that the policy being more of a drastic change than before might be why RCT consulted so much earlier. The member suggested that because the consultation did not take place earlier, the 24/25 policy should be retained for 25/26, especially as parents might not have understood the full implications of the proposals. Consultation could then run in the Spring when more information will be available.
- The member suggested further that this should come under the Education budget because of greater contact with schools and the input from Headteachers about the policy's implications.
- It was asked if assessing safe walking routes will be done by the Spring term so that parents have more time to go through the appeal process, if necessary. Officers responded that regarding timing, in order for members to have sufficient evidence and data to inform decisions, officers needed to ensure there was time to do that. The team is small, and its focus at the start of the year is assessing eligibility for the forthcoming school term. The timing was also determined so as not to conflate Home To School Transport with the budget consultation and its implications. Officers tried hard to ensure this be a standalone consultation, and that members and parents had all the information they needed to be able to respond properly. Any future consultations that are held earlier would need to be held when they would not be conflated with other discussions. It was highlighted that safe walking route assessments are carried out by independent road safety officers in the Highways team, and that there is no intention of putting learners in the position of walking unsafe routes.
- Regarding identifying cohorts and safe walking routes, it was asked how much notice could be given to parents. Officers responded that data from the current academic year will be looked at from the start of October. We will aim to contact parents who we think will be affected by the end of the current calendar year to make them aware.
- A member shared Councillor Murphy's concern about the Caerwent-Chepstow road and children's safety, but expressed their reassurance by the officers' comments about how seriously it would be taken by officers and the road safety assessment process.
- The Chair asked how targeted the social media campaign was. Officers responded that there was broad coverage, with efforts made to ensure a coordinated campaign to ensure anyone accessing Facebook or X would receive numerous notifications that there was an ongoing consultation. There were 2,123 views of the consultation page, from 1140 unique individuals, with a total of 59,526 views across the two

platforms. Targeting was not done via social media, but stakeholders were targeted by email, as explained above. It was also important to target those who may be parents or guardians in the future.

- In summing up on behalf of the call-in signatories, Councillor Murphy suggested that too much weight should not be given to online views. Ordinarily, the signatories would wish to refer the matter to full Council but given the short timeframe in which to do so before the statutory deadline of 1st October, in this instance they would recommend referring back to Cabinet for reconsideration.

Chair's Summary:

The committee expressed its appreciation to the officers for their hard work in conducting the consultation. The comments from the committee today focussed, in particular, on looking to the example of Rhondda Cynon Taf and the length/timing of its consultation, with a suggestion to have discussions with their officers about what might be learned for future consultations. It was noted that there were more responses to the consultation than previous ones, but that this might be due to the scope of the changes. A member suggested that partly because of this, perhaps the changes could be delayed to the next academic year. There were concerns about whether the questions were clear, but officers assured the committee that parents found the consultation easy to understand and engage with. Explanations and reassurances were given about when safe walking route assessments would take place, though there are still concerns about them among members. The Cabinet Member agreed to share the legal advice from the Monitoring Officer with members regarding the decision to change the date of the consultation.

The committee moved to a vote on one of the three options:

- 1) Accept the Cabinet's decision.*
- 2) Refer the matter back to Cabinet for re-consideration (with reasons).*
- 3) Refer the matter to Council for consideration.*

The committee voted unanimously for Option 2, to refer the matter back to Cabinet for reconsideration.