

# Report

Report to:	<b>Education Resources Committee</b>
Date of Meeting:	<b>8 February 2022</b>
Report by:	<b>Executive Director (Education Resources)</b>

Subject:	<b>Proposal to Cease Charging for Privilege Transport Places on Mainstream School Transport</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ inform the Committee on the outcome of forthcoming changes in legislation that prohibit charging for privilege transport places on mainstream school transport
- ♦ in advance of this change in legislation, consider the early removal of charging for privilege transport places on mainstream school transport

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendations:-

- (1) that the proposal that, as of 1 January 2022, South Lanarkshire Council no longer charge for those pupils accessing a privilege transport place in advance of the change in legislation expected in July 2022 as detailed in paragraph 6 be endorsed; and
- (2) that the recommendation to amend the policy be referred to the Executive Committee for approval

## 3. Background - Privilege Transport Existing Policy

- 3.1. Paid privilege transport, where dedicated school transport vehicles may have spare capacity, was introduced in 2010 and allowed those not entitled to mainstream transport to access a seat on the school bus for a charge of £1 per day.
- 3.2. Any spare seats within a vehicle are normally allocated as privilege places by September each year. The charge levied equates to £1.09 per day and generates a very modest level of income of approximately £12,000 per annum.
- 3.3. An amended set of priorities for the allocation of privilege places was introduced in August 2018 and can be found in Appendix 1. This included a change in priority 3 where a new criteria was introduced:-
  - ♦ children entitled to Free School Meals (FSM) who live between 1.5 miles and 2 miles from their catchment secondary school and between 0.75miles and 1 mile from their catchment primary school would be allocated privilege places if available, with those who live furthest away from school being allocated a place first
- 3.4. There was a further change in August 2019 where all privilege transport allocations for FSM pupils were allocated at no cost to the families.

#### **4. New Regulations**

- 4.1. The Public Services Vehicles Accessibility Regulations 2000 (PSVAR), require buses and coaches designed to carry over 22 passengers on local and scheduled routes to incorporate features to enable disabled people to travel on them comfortably and safely, including a wheelchair space and a ramp or lift. The regulations have applied to vehicles progressively over the past 19 years, including coaches manufactured from 2005 onwards. It was then proposed as of 1 January 2020 (extended to 31 December 2021 due to the impact of the pandemic) that the regulations would also apply to any coaches which were manufactured before 2005.
- 4.2. In addition, it is also the case that if a bus or coach provider does not incorporate features to enable disabled people to travel on them comfortably and safely, including a wheelchair space and a ramp or lift, then a charge cannot be levied for any spare seats on the vehicle allocated under the paid privilege scheme.

#### **5. Impact on Paid Privilege Places**

- 5.1. Due to the fact that not all school transport contract providers will be able to comply with PSVAR, as a council we would only be able to charge for privilege places on contracts that use vehicles that comply with PSVAR but not on other contracts with vehicles that do not comply with PSVAR.
- 5.2. This would lead to an inconsistent approach where some families would be charged for privilege transport and others would be able to access it for free depending on which vehicle was transporting their child to and from school.

#### **6. Proposals**

- 6.1. The Council has received recent notification of a change in the date of enforcement of the PVSAR regulations, namely an extension until July 2022.

The original proposal with regulation changes coming into force from 31 December 2021 would have been that:-

- a) privilege transport charges cease from 31 December 2021
- b) as of 1 January 2022, privilege transport charging ceases to allow a consistent approach for all families accessing this service regardless of the vehicle being used.

In addition, it was recognised that:-

- c) this change would be consistent with the principles of free travel for children and young people within the new national free travel scheme for under 22s being introduced in January 2022.
- d) the removal of the charge may assist families who are continuing to face financial challenges due to the impact of the pandemic.

- 6.2. Education Resources has given thought to the option of continuing with charging for privilege transport places until the end of the school year as a result of the delay in the regulation change until July 2022. However, the factors listed in 6.1. (c) and (d) above

feel more pertinent, aligned and relevant to both current national policy and local family circumstances than to securing income of a nominal amount.

- 6.3. The proposal is that of 1 January 2022 South Lanarkshire Council should no longer charge for those pupils accessing a privilege transport place in advance of the change in legislation expected in July 2022.

## **7. Employee Implications**

- 7.1. None.

## **8. Financial Implications**

- 8.1. The annual cost to the council of non-recovery of income against the annual budget is minimal, at approximately £20,000 and would be managed from within existing Education Resources budgets.

## **9. Climate Change, Sustainability and Environmental Implications**

- 9.1. There are no implications for climate change, sustainability or the environment in terms of the information contained within this report.

## **10. Other Implications**

- 10.1. There are no issues in terms of risk associated with this report.

## **11. Equality Impact Assessment and Consultation Arrangements**

- 11.1. This report does not introduce a new policy, function or strategy.
- 11.2. Consultation and updates on the impact of the changes to the privilege transport scheme have been on-going with SPT and transport providers.

**Tony McDaid**

**Executive Director (Education Resources)**

18 January 2022

## **Link(s) to Council Values/Ambitions/Objectives**

- ◆ Improve achievement, raise educational attainment and support lifelong learning
- ◆ Ensure schools and other places of learning are inspirational

## **Previous References**

None

## **List of Background Papers**

None

## **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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## Priorities for Allocating Privilege Transport

Any available places will be allocated using the following priorities:

- **Priority 1** - pupils whose family circumstances have been disrupted due to a health condition which affects their immediate carer. In these circumstances we will need supporting documentation from an appropriate agency such as the NHS or Social Work;
- **Priority 2** - pupils whose family circumstances have been disrupted due to a significant change to the child or young person's home life. In these circumstances we will need supporting documentation from an appropriate agency such as the NHS or Social Work;
- **Priority 3** – pupils who are entitled to free school meals. Places will be issued to pupils who live further from the school until all the places have been allocated;
- **Priority 4** - pupils whose permanent home address is within the catchment area. Places will be issued to pupils who live further from the school until all the places have been allocated;
- **Priority 5** - pupils whose permanent home address is outwith the catchment area. Places will be issued to pupils who live further from the school until all the places have been allocated.