



Shropshire Council
Legal and Democratic Services
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Date: Tuesday, 14 May 2019

Committee:
Cabinet

Date: Wednesday, 22 May 2019
Time: 11.00 am
Venue: Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

You are requested to attend the above meeting.
The Agenda is attached

Claire Porter
Head of Legal and Democratic Services (Monitoring Officer)

Members of Cabinet

Peter Nutting (Leader)
Steve Charmley (Deputy Leader)
Gwilym Butler
Dean Carroll
Lee Chapman
Steve Davenport
Robert Macey
David Minnery
Lezley Picton
Ed Potter

Deputy Members of Cabinet

Nick Bardsley
Rob Gittins
Simon Harris
Roger Hughes
Elliott Lynch
Alex Phillips

Your Committee Officer is:

Amanda Holyoak

Tel: 01743 257714

Email: amanda.holyoak@shropshire.gov.uk

AGENDA

1 Apologies for Absence

2 Disclosable Pecuniary Interests

Members are reminded that they must not participate in the discussion or voting on any matter in which they have a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

3 Minutes (Pages 1 - 4)

To approve as a correct record and sign the Minutes of the Cabinet meeting held on 1 May 2019, attached

4 Scrutiny Items

5 Public Question Time

To receive any questions or petitions from members of the public, notice of which has been given in accordance with Procedure Rule 14. Deadline for notification for this meeting is no later than 24 hours prior to the commencement of the meeting.

6 Member Question Time

To receive any questions of which members of the Council have given due notice, the deadline for notification for this meeting is 5pm on Friday 17 May 2019.

7 Financial Outturn 2018/19

Lead Member – Councillor D Minnery – Portfolio Holder for Finance and Corporate Support

Report of Director of Finance, Governance and Assurance, TO FOLLOW

Contact: James Walton, tel 01743 258915

8 Discretionary School and College Transport (Pages 5 - 38)

Lead Member – Councillor E Potter - Portfolio Holder for Children's Services

Report of Director of Children's Services

Contact: Karen Bradshaw tel 01743 252407

9 Consultation on Prescribed Alterations - Shropshire Hills Federation (Pages 39 - 56)

Lead Member – Councillor E Potter - Portfolio Holder for Children's Services

Report of Director of Children's Services

Contact: Karen Bradshaw Tel 01743 252407

This page is intentionally left blank



Committee and Date

Cabinet

22 May 2019

CABINET

Minutes of the meeting held on 1 May 2019

In the Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

11.00 - 11.15 am

Responsible Officer: Julie Fildes

Email: julie.fildes@shropshire.gov.uk Tel: 01743 257723

Present

Councillor Peter Nutting (Chairman)

Councillors Steve Charmley (Deputy Leader), Dean Carroll, Steve Davenport, Robert Macey, David Minnery, Lezley Picton and Ed Potter

22 Apologies for Absence

Apologies were received from Councillors Lee Chapman and Gwilym Butler.

23 Disclosable Pecuniary Interests

None were declared.

24 Minutes

RESOLVED:

That the minutes of the meeting held on 20 March 2019 be approved as a correct record and signed by the Leader.

25 Public Question Time

No public questions were received.

26 Member Question Time

No Member questions were received.

27 Scrutiny Items

There were no Scrutiny items.

28 Relocation of Pontesbury Library

The Portfolio Holder for Culture, Leisure, Waste and Communities introduced the report of the Director of Place, seeking approval for the relocation of Pontesbury Library from its current position in Bogey Lane to the new community hub building being constructed as

part of Hall Bank development in Pontesbury. Members attention was drawn to an additional recommendation which had been circulated.

The Portfolio Holder for Culture, Leisure and Waste explained that the existing library building and land would be transferred to the converted Webb Academy Trust once the new library building was ready for use. Members noted that the relocation proposal was the result of close working with key local stakeholders including Pontesbury Parish Council and the Friends of Pontesbury Library and provided a sustainable solution to the continued delivery of library services in Pontesbury and surrounding areas. It would also deliver savings in accordance with the Library Service Strategy.

RESOLVED:

- a) That the relocation of Pontesbury Library to a new Community Hub building at Hall Bank, Pontesbury be approved.
- b) That the Strategic Asset Manager be authorised to surrender the existing lease with the Academy Trust and agree terms to lease accommodation at Community Hub, Hall Bank, Pontesbury.
- c) That any finance received from easements at the Hall Bank development site be allocated to fitting out the library and community rooms being provided on site by the developers.

29 Membership of the Marches Local Enterprise Partnership Limited

The Director of Place presented the report seeking approval for Shropshire Council to become a Public Sector Member of The Marches Local Enterprise Partnership Limited company. This was due to a central Government directive requiring all Local Enterprise Partnerships to have a legal personality.

RESOLVED:

- a) That Shropshire Council becomes a Public Sector Member of the Marches Local Enterprise Partnership Limited;
- b) That the Leader of the Council shall be nominated as a Director and the Council's representative on the Board of the Marches Local Enterprise Partnership Limited; and
- c) The Marches Local Enterprise Partnership Limited be added to the Council's list of outside bodies to which the Council makes appointments.
- d) Shropshire Council will continue as the Accountable Body for the Marches LEP.

30 Proposed Tilley Conservation Area

Members considered the report to designate the Tilley Conservation Area as set out in the proposal.

RESOLVED:

that the proposed Tilley Conservation Area be approved in accordance with the area boundary identified in Appendix 1 of the report.

Signed (Chairman)

Date:

This page is intentionally left blank



Committee and Date

Cabinet

22 May 2019

Item

Public

Discretionary School and College Transport

Responsible Officer Karen Bradshaw

e-mail: karen.bradshaw@shropshire.gov.uk Tel: 01743 254201

1. Summary

The Council is committed to providing efficient, integrated transport services whilst ensuring that its statutory duties are met. Financial pressures mean that the Council has identified a £717k savings target attributed to school transport, including those transport functions which are discretionary in nature.

The Council's Passenger Transport Services has introduced a number of innovative transport solutions in recent years to reduce the pressure on the home to school transport budget and whilst these have been and continue to be successful, in order to realise a significant budget reduction a policy change is needed.

There are a number of other projects that are being undertaken to achieve this savings target in addition to the proposals within this report. These include a further development of the Personal Transport Budget programme, network reviews and digital procurement. Personal Transport Budgets (PTBs), in particular, have been a popular choice for parents and carers enabling them to have a greater freedom of choice in how their child travels to school, whilst also reducing the Council's spend on high cost single occupancy vehicles.

The Council has undertaken a seven-week consultation about the proposals within the report during March, April and May 2019 with various stakeholders including elected members, schools and colleges, parent advocacy groups, voluntary and community sectors and Town & Parish Councils. The consultation was extended into May 2019 following feedback received by parents and carers during the consultation period. Following this period, the results of this consultation have now been analysed and compiled before returning to Cabinet for a decision. It is important to note that the original proposals were amended in light of the comments received during the consultation. Details of the feedback received from the consultation can be found in Appendix A.

The initial proposals were as follows:

- A. To increase the lower rate contribution to 50% of the cost of the full Post 16 mainstream scheme (£437.50), maintaining the upper limit of the scheme at its current £875 pa. This is consistent with many other councils' Post 16 schemes.
- B. To expand the contribution scheme to include SEND Post 16 students, ensuring a consistent approach across all Post 16 transport, whilst also reflecting practice in a number of other councils.

- C. To withdraw the council's financial support for nursery, SEND transport assistance. Nursery transport numbers have reduced significantly year on year as local provision has become more widely available. A phased approach to the implementation of this proposal would ensure there is no impact on existing pupils.

Having considered the views and concerns raised within the consultation responses from the various stakeholders, parents and carers the recommendations set out below have been amended from the initial proposals submitted to Cabinet on 6 March 2019.

2. Recommendations

- 2.1 To note the feedback received from the various consultees and stakeholders, detailed in Appendix A of this report. and to approve the amended Recommendations as follows:-
 - A. To set the lower rate of the contribution to £280 per student, whilst maintaining the upper limit of the Post 16 mainstream scheme at its current £875 pa.
 - B. To expand the contribution scheme to include SEND Post 16 students at the contribution rates, ensuring a consistent approach across all Post 16 transport, whilst also reflecting practice in a number of other councils.
 - C. To continue to support nursery SEND transport assistance, incorporating nursery school SEND transport within the Council's contribution scheme for discretionary travel as laid out in the amended recommendation above.
- 2.2 That any changes would come into effect from 1 September 2019 and will only be applicable to new applicants. As with previous practice, the removal of provision will be on a phased basis, protecting all those pupils and students entitled within the existing schemes.

REPORT

3. Risk Assessment and Opportunities Appraisal

- 3.1 Proposals to withdraw all financial support for discretionary school and college transport, which would have resulted in £512k savings, were considered by officers during 2018. An ESIIA was undertaken which identified high negative impact on protected characteristic groupings
- 3.2 As a result, proposals were amended in order to mitigate the impact. The ESIIA also recommended a further Stage One screening ESIIA for the proposals (contained in this report) would need to be undertaken. This has been completed and is attached at Appendix B.

- 3.3 The ESIIA has identified that there is potential of Medium Negative Impact on protected characteristic groupings, in particular those for age, disability, and social inclusion. It would also potentially be seen as running against the corporate aims of the Council with regard to children and young people and their life chances.

4. Background

- 4.1 The Council currently provides the following support for mainstream Post 16, SEND (Special Educational Needs and Disability) Post 16 students and nursery SEND pupils.

4.2 Post 16 – Mainstream Sixth Forms and Colleges

- The Council currently provides transport assistance for 200 post 16 students to mainstream school sixth forms or other Further Educational (FE) establishments.
- Of the 200 Post 16 students currently receiving transport assistance, 59 students are paying the higher rate of the contribution of £875 pa and 141 students are paying the lower rate of contribution of £142.50 pa.
- These students are provided with either a bus pass on a public service vehicle or a seat on a school transport contract. This is usually dependent upon which type of FE establishment they are attending.
- Transport entitlement is defined as “a student living 3 miles or more from their designated FE establishment”.
- The Council does not normally offer bespoke transport solutions such as minibuses or taxis.
- The Council’s annual spend on mainstream Post 16 transport has reduced significantly year on year from circa £900k pa to its current level of £105k pa (2017/18), following the introduction of the revised contribution scheme as well as reduced season ticket rates for students negotiated with local operators.
- Following negotiations with our transport operator’s students can continue to access their respective Post 16 establishments, but now with greater flexibility of travel and in many cases a significantly lower rate. At the same time the number of students accessing the Council’s scheme has reduced from circa 900 to 200, as many have opted to purchase tickets directly from the operators to access these benefits.
- The Council currently provides a contribution scheme for those entitled mainstream students that qualify for Post 16 transport assistance. The contribution levels for this scheme are currently set at £875 for the higher level and £142.50 for those parents of students who are on a low income.
- Those students who face hardship in paying for their travel are also able to access support through sixth form and college bursaries and a number of students are currently accessing this support.

4.3 **Post 16 – SEND Students**

- The Council currently transports 144 Post 16 SEND students to a number of specialist FE establishments for which no contribution is applied.
- These students will travel to their FE establishment in either a shared vehicle with other SEND pupils, or a bespoke vehicle as a result of their additional needs or geographical location.
- Before a seat on a vehicle is allocated, if appropriate, the initial offer to parents will be in the form of Independent Travel Training, where by the student receives one to one training to give them the confidence and skills to use public transport. This has proven to have much wider benefits to the students and their families than just accessing college transport, through creating independence and establishing life skills.
- The proposal to include SEND Post 16 students will ensure a consistent approach across all Post 16 transport and also reflects practice in a number of other councils.
- The Council's annual spend on SEND Post 16 transport stood at £502k for the 2017/18 financial year with entitled student numbers of 144. Student numbers in this category continue to increase year on year by an average of 5%. SEND Post 16 pupils are not currently subject to the contribution scheme.
- Those students who face hardship in paying for their travel are also able to access support through sixth form and college bursaries and a number of students are currently accessing this support.
- Introducing a contribution for students with SEN in line with the mainstream scheme, i.e. £875 for the higher level and £280 for those parents of students who are on a low income, would result in an estimated £81,970 savings for the Council (full year effect).

4.4 **Nursery SEND Pupils**

- The Council currently transports 17 nursery aged students, who all attend Severndale Specialist Academy Nursery for which no contribution is applied.
- Nursery pupils who attend Severndale Specialist Academy receive free transport if it is deemed appropriate because of their additional needs.
- These pupils are located county wide, which represents a logistical challenge in order to keep costs to a minimum.
- Before a vehicle is allocated for a pupil, parents are offered travelling expenses at a pre-agreed daily mileage.
- The council's annual spend on SEND nursery transport stood at £72k for the 2017/18 financial year with entitled pupil numbers of 17. Nursery transport

numbers have reduced significantly year on year as local nursery provision has become more widely available.

- Introducing a contribution scheme for SEND nursery transport would result in £8,925 savings for the Council (full year effect).

5. Financial Implications

5.1 Table A below shows the discretionary areas of transport currently supported by the Council via £679,000 of funding, alongside the estimated net financial impact that would result from the recommendations.

Entitlement Category	Number of Pupils/Students	Net Spend 2017/18	Estimated Net Financial Impact (full year effect)
Post 16 Mainstream	200	£105,000**	+£19,388
Post 16 SEND	144	£502,000	+£81,970
Nursery SEND	17	£72,000	+£8,925
Total	361	£679,000	+£110,283

(** It should be noted that this figure does not include the proportionate costs of Post 16 students travelling on contracted routes to their local school sixth form)

The revised recommendations will at full year maturity provide £92,342 less of budgetary savings, compared to the recommendations consulted upon. To address this shortfall the Council's Passenger Transport Team will continue to develop innovative transport solutions, such as Personal Transport Budgets and Independent Travel Training, as well as reducing costs in the areas of single occupancy taxis, TMBSS (Tuition, Medical and Behaviour Support Service) and Exclusion transport.

5.2 Net Financial Impact to the Council of Consultation Proposals

In respect of the potential savings to the Council, as laid out in section 5 above, the following budget reductions would be realised:

- Nursery SEND transport: £8,925 saving at maturity
- Mainstream: £19,388 of estimated increased revenue at maturity
- SEND Post 16 (full year effect): £81,970 of estimated increased revenue at maturity
- **Total: £110,283**

6 The consultation and how feedback was generated

The Council carried out a seven-week consultation and contacted various stakeholders including elected members, schools and colleges, parent advocacy groups and Town and Parish Councils. A press release was issued and all media outlets utilised including social media, as well as placing the consultation on the Council's online portal.

The following proposals went to consultation:

- To increase the lower rate contribution to 50% of the cost of the mainstream Post 16 scheme from £142.50 to £437.50, maintaining the upper limit of the scheme at its current £875 pa.
- To expand the contribution scheme to include SEND Post 16 students, in line with the mainstream Post 16 scheme.
- To withdraw the Council's financial support for nursery SEND pupil transport.

Feedback was received from a number of different groups, including: parents and carers, schools and colleges, members of the public, Town and Parish Councils, and Shropshire's Parent and Carer Council (PACC), which represents some parents of pupils with SEND within Shropshire.

There are 361 families that are currently in receipt of the services described above and 33 responses were received from these families which is a 9% response rate - all of the responses were opposed to the proposals.

Many of the consultees/stakeholders commented on all three areas of the consultation, a small minority commented on only one area.

The responses received were varied and detailed, focusing on a number of areas, with the key themes including:

- Equality and discrimination
- Social isolation
- Significant negative impact on the ability of disabled students to access education
- Hindering young people from accessing education and reaching their full potential
- Increasing the number of young people in Shropshire who are not in Education, Employment or Training (NEET)
- Negative impact on the equality of opportunity for disabled learners
- Further isolation of rural communities and the students within them
- Further disadvantage to already vulnerable or low-income families
- Affordability
- Cumulative impact on parents and carers of financial hardship through reductions in other grants and benefits e.g. universal credit.
- Negative impact on the Councils own Economic Growth Strategy, by restricting learners from gaining skills and qualifications that perspective employers will require.

Please refer to Appendix A for full comments and feedback.

7. Net Financial Impact to the Council of Consultation Proposals

In respect of the potential savings to the Council, as laid out in section 5 above, the following budget reductions would be realised:

- Nursery SEND transport: £8,925 saving at maturity
- Mainstream: £19,388 of estimated increased revenue at maturity

- SEND Post 16 (full year effect): £81,970 of estimated increased revenue at maturity
- **Total: £110,283**

8. Additional Information

- 8.1 Officers have engaged with a number of other local authorities and gained direct comparisons on what travel assistance is offered for these discretionary areas, as shown in Table B.
- 8.2 This research has highlighted that some local authorities do not offer nursery SEND travel assistance and some do not offer mainstream Post 16 travel assistance. However, officers have not been able to identify another local authority that currently does not offer Post 16 SEND travel assistance. It is important to note that the list of local authorities contacted is not exhaustive, and a number did say that they were considering similar options to Shropshire.
- A number of local authorities do not provide nursery transport.
 - Where they do provide nursery transport it is in the form of a seat on an existing vehicle and not bespoke (e.g. a separate taxi).
 - Post 16 contribution schemes are applied to those SEN students entitled to assistance (as with Shropshire's current mainstream Post 16 scheme).
 - In some cases, Independent Travel Training and a bus pass are the only Post 16 offers available to students and their families.
 - The research has not identified a local authority that has completely withdrawn SEND Post 16 (although not every local authority nationally has been contacted).
- 8.3 The revised recommendations as laid out in section 2, would still see the Council's contribution scheme represent better value than others shown within the table below, with the Council continuing to recognise a need for a lower level contribution for those families on benefits. In addition, the Council will continue to support nursery SEND travel through the contribution scheme, whereas many other councils do not offer any assistance.

Table B

	Post 16 Transport Provided	Contribution	SEND Contribution if different	Nursery SEND Transport Provided	Independent Travel Training Provided
Shropshire (Existing levels)	16-19	£875 / £142.50	Free	Y	Y
Herefordshire	16-19	£789	-	N	Y
Worcestershire	16-19	Variable charges based on zones	-	N	Y

Cheshire West	16-19	Only on hardship grounds	-	N	Y
Chester & Cheshire East	16-19	£800 / £440 on hardship grounds	-	Y	Y
North Yorkshire	16-19	£490 / £245	-	Y	Y
Wiltshire	16-19	£710 / £210	£499 / £184	N	Y
Devon	16-19	£600	-	N	Y
Solihull	16-19	£680	£645	N	Y
Warwickshire	16-19	£780 / £390	-	N	Y
Staffordshire	16-19	£494 (low income only)	£625 / £494	N	Y
Lincolnshire	16-19	£570	-	N	Y
Cumbria	16-19	£410	-	N	N
Lancashire	16-19	None, only SEN Post 16 provided	Free	N	Y
Wolverhampton	16-19	Free	Free	Y	Y

		0 to 5 miles = £600 5 to 7.5 miles = £831 7.5 to 10 miles = £1164 10+ miles = £1330			
Hampshire	16-19		-	N	N
Buckinghamshire	16-19	Free	Free	N	Y
Powys	16-19	Free	Free	N	N
Monmouthshire	16-19	£440	-	N	N

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Cabinet Report 6 March 2019: Discretionary School and College Transport.

Application for Post 16 Transport Contribution Scheme & Information for Parents/Students (available on the Shropshire Council web page)
(<https://www.shropshire.gov.uk/media/9976/37034-app-for-post-16-trans.pdf>)

Cabinet Member (Portfolio Holder)

Councillor Ed Potter

Local Member

All

Appendices

Appendix A – Responses from consultation
Appendix B - ESIIA

This page is intentionally left blank

Appendix A

Discretionary School & College Transport – Consultation responses

- *Discrimination against some of the most vulnerable groups in society, this proposal could significantly hinder the educational and future opportunities for nursery and post 16 aged children*
- *Discrimination against poorer families*
- *Cause a great degree of stress to current users and their families*
- *The lack of joined up thinking on the impact that these cost savings will have on the wider Shropshire Council budget in future years is frustrating.*
- *The withdrawal of free transport to SEND nursery students whose needs are unable to be met in any other setting than Severndale – regardless of the family location within the county – is likely to make that attendance a huge challenge for many families and could result in children not receiving the early intervention so vital for their lifelong progress and achievement*
- *My concern relates specifically to the proposed removal of transport for nursery aged children attending Severndale (new applications).
Is this even legal? Children who are allocated those places are needing specialist assessment and support. If their parents cannot afford to transport them to Severndale or have no transport of their own, they won't be able to access the support and assessment that they need. This is grossly unfair.*
- *Having read your proposal, all I can say is what a terrible idea. Families with a disabled child are already having their money cut on universal credit. Children under 5 with disabilities need early educational input to get the most out of the brains learning capacity. Children struggle to get places at ordinary nurseries, they choice is more limited if they have special needs, put an extra barrier of charging for transport in the way and many parents will just give up, their children will miss out and there is potential for the educational cost to increase later. Post 16 education is now a legal requirement, I think charging the rates you do at present are exorbitant and increasing them will prevent these young people from having the choices they want, many children need out of locality places and would not be able to attend without your help. This move will make some families encourage their children to take low paid work as an alternative to education as they simply will not be able to manage. These plans also affect such a small number of children that it is surely not even cost effective to hold a consultation. Once again, the council are targeting the most vulnerable in society, taking the lead from a government that is doing the same.*
- *Early years support is crucial to the development of pre-school aged students and for those with special education needs it is vital that the earlier a child can access education suited to their needs the better. If a nursery aged child is prevented from accessing specialist nursery care due to transport costs this could long term result in a further drain on the support from social services.*
- *We are a rural parish and transport services are key to ensuring that parishioners can access the same levels of service as others in the county.*
- *Nursery age children who go to Severndale special school currently get travel paid but new students will get no funding if these proposals are implemented. This could be very serious for parents with SEND children because Severndale is the only school in Shropshire which caters specially for these children.*
- *Church Stretton Town Council appreciates that Shropshire Council is faced with having to make unpalatable financial savings. However, it is incumbent on the*

Council to make those savings in as fair a way as possible. These proposals load the responsibility for realising these savings disproportionately on just the small number of new pupils requiring education transport, allegedly exempting existing recipients of this service from any change. However, as a matter of fact, it is inconsistent to state, in the proposal, that the lower rate contribution of £142.50 (currently paid by 141 mainstream students) will increase to £437.50 and then to state “The implementation of this proposal would ensure there is no impact on existing pupils.”

The proposed imposition of these greatly increased costs, particularly on pre-school and post 16 children with specialist needs, raises particular concerns as it is widely accepted that existing state allowances do not adequately compensate families for the additional costs consequent upon many forms of disability.

The same applies, to a lesser degree, to the proposed increases in travel costs for mainstream post 16 students. This will disproportionately affect families living in more rural parts of the county, where bus services have already been significantly reduced. Given the Shropshire Council’s policy of wanting to redress the growing demographic imbalance in rural communities, these proposed increases will be a further disincentive to families to live in more rural communities.

- The proposal to withdraw all transport assistance for nursery/pre-school aged students will have a significant impact on all new such students with very specialist or complex needs, especially those living outside of Shrewsbury. Once a child has been assessed as requiring an Education and Health Care Plan (EHCP), the parents have a legal right to make a parental choice of the appropriate educational provision. It is the local experience of St. Lawrence Primary School, which is a “Preferred Provider”, that parents are increasingly opting for more local specialist provision. Greater inclusivity in more local provision is to be applauded. However, there will always be a small minority for whom more specialist provision is needed. Therefore, it is vital that the option of such specialist provision is retained in the “Local Offer” to parents, if their legal right of choice is to be meaningfully upheld. The alternative would be to increase significantly the funding of local specialist provision, which is likely to be much higher than the specialist transport costs for such small numbers (17 currently). If the cost to such families precludes attendance at a specialist nursery, limiting the realisation of their potential, the public cost of their future through life care is likely to be that much greater. It is in everyone’s interests that the potential of those with very specialist needs is optimised in their formative years. It is already increasingly problematic that local specialist provision has to make termly application to Shropshire Council to cover their increased staffing costs. This makes it extremely difficult for such schools to plan, especially given the increasing numbers requiring some degree of specialist provision.
- Given that the Part One Screening assessed the impact as a “Medium Negative at this stage: could be high negative) Impact” in relation to Age, Disability and Social Inclusion, it is surprising that it was not deemed necessary to undertake a full ESI Assessment, as the proposals will have a very high impact on the families affected, especially those with more limited financial means. It is worth noting also that Shropshire already has a significantly higher set of charging rates than those comparable rural authorities listed in the ESI Assessment. That Assessment states that some local authorities do not offer SEND travel assistance or mainstream Post 16 travel assistance, but it does not state whether they are comparable rural authorities.
- ...very concerned that the reduction in travel services will make families who already experience difficulties in their family situation even worse with increased pressures

added to their lives. Access to school transport is already not easily accessed and this will exasperate the situation.

Transport through SEND is a big help for families and the need is great to keep the service. The impact on children of school and college age will be huge.

- I know that Officers and I hope Councillors are aware of the intense pressure on families in this category. As an elector and council taxpayer I wish Shropshire to do everything possible to help such families, not add to their difficulties. If this means increasing my council tax, so be it to maintain Shropshire as a decent and caring place*
- ...the proposals affecting SEND students, some of the most vulnerable people in our communities, constitute a backwards step for Shropshire County Council. Whilst the proposals would be phased so that existing students would not be affected, the financial impact on the families of new students, both under 5 and post 16, would be disproportionate under these proposals. Families of children with special educational needs and/or disabilities are already under significant financial pressure, such as expensive adaptations for their homes and family vehicles, time off work and travel costs for hospital appointments, and often such families are unable to work full time hours due to the additional needs of their children, which creates additional financial pressures to make ends meet. Accessing SEND provision often involves considerable travel which would add significant cost to families not living locally to that provision, and it may not even prove possible to access the provision using public transport. For many families who are already struggling, they may not be able to afford to transport their children to school, which begs the question of what Shropshire Council proposes to do in these circumstances? Many of these families already feel overwhelmed by concerns about the welfare of their children, in terms of their physical health and emotional well being, but also in terms of their future prospects, so to add another financial burden on top of those concerns is wholly unfair and unacceptable.*

*The result of these proposals would be to actively discourage SEND children from continuing their education post 16, which is not only tantamount to discrimination, but it would also have a long-term knock-on effect on their future employment prospects. Just because an individual has a special educational need and/or disability does not mean that they cannot contribute to society and participate actively in the economy, and many programmes across the USA have shown that supporting education and future employment opportunities for this significantly under-employed demographic has far-reaching, long term benefits for the economy (see the documentary *This Business of Autism*, which is on the official selection list for numerous film festivals including Cannes). By discouraging such individuals from continuing post-16 education, Shropshire Council would be completely undermining the desired outcome of any independence training (like the *Independent Travel* training mentioned above), which would result in increased dependence, as well as a continued reliance on welfare benefits, with a resulting cost to the government and tax-payer.*

- I strongly believe that intervention at an early age can have the biggest impact on children with special educational needs. Some of the more able students have been*

able to successfully transition to mainstream and many of those joined us at nursery age.

Pupils with SEND cannot always have their needs met in a mainstream provision for example many of our current cohort have medical and behavioural needs, which a mainstream provision would struggle to manage. We are also able to start the foundations of learning and communication systems are already in place.

Mainstream provisions may also need adapting or specialist resources including building work and adaptations to meet pupil needs

Staff in these settings may not have the skill set or knowledge to support pupils and may need extra training or staff to manage the pupils' needs. Also the parents of these children are going through a difficult time coming to terms with their young child's diagnosis and need to feel supported by experienced staff with awareness of their child's needs. The children need time to settle and if they have to transition from a mainstream setting after settling in to join us in reception this can be more difficult for parents and can be a very stressful experience for some children. By attending at nursery age it prevents extra transitions and allows the parents' time to build relationships with school and feel safe and secure in the knowledge that their child is being looked after by people with the specialist skills needed.

Professionals visit these students on site including speech and language, physiotherapists and many others – saving the local authority money and saving these professionals time traveling around settings or parents commuting to various different locations.

Post 16 (Generic feedback)

- *Families will face a considerable and increased financial burden which may result in young people no longer accessing College as parents will simply not be able to get them there*
- *These proposals will affect low income families and could make the difference as to whether a student a student is able to continue their education post 16 or not.*
- *This short-sighted proposal could result in an increase in the number of post 16 residents falling into the NEET (not in education, employment or training) category and ultimately cost the Council more money in the long run albeit from a different budget heading*
- *The proposal is in direct opposition to Shropshire Council's Economic Growth Strategy priority action 4 which states that the Council wants to:*

'Meet skills need of businesses and peoples aspirations for work'

The second paragraph of this priority action states

'We recognise that the Council has a role to play in helping to match the skills needs of existing companies, and future projections of business activity, with training and learning provision from our educational institutions and providers. This will apply through all stages of learning from schools, FE colleges, the HE sectors and adult training providers'

Thomas Adams School considers that the reduction of transport assistance to those students eligible for it will do nothing to help Shropshire Council achieve priority 4 and it will reduce the opportunities for some students.

- There is a real danger that if these proposals are implemented then more students may choose to leave the County to study. This will further impact on the economy of the County as it could lead to job losses at local sixth forms and colleges if students turn down places.*
- The system is unsatisfactory where post 16 students are required to remain in education until they are 18, yet there is no provision for transport as currently proposed, this is a particularly expensive issue for parents who live in rural areas where the nearest college/sixth form is many miles away.... those of us living in rural areas are penalised.*
- One only has to take a look at your map of the south and west of the county which is distant from the available colleges. Long journeys are tiring and unwelcome additions to the school day, and, with very limited (virtually non-existent) alternative public transport services available, restrict the student's participation in the social life of their new colleges. Now there is added to that the transport charge. I would urge the Council to consider carefully whether free or at least more generously subsidised transport should not be provided for students in outlying areas of the county. Failure to do this means, with the removal of local post 16 provision, such students are not enjoying equal opportunities to continue their education. To offer fuller support would be some recognition of the difficulties facing those who live long distances from Colleges but who wish to pursue their studies.*
- Appreciate the challenging economic implications of this are challenging but feel most strongly that encouraging young people living 'on the fringes' to continue their studies is of paramount importance and a basic duty of a rural county like Shropshire*
- The changes would have a negative and discriminatory impact on young people living outside the main towns in the county who wanted to continue their education at sixth form or college. Young people from Ellesmere have no choice but to travel to Oswestry, Wem, Whitchurch or Shrewsbury (all more than 3 miles away) to gain access to further education, and as such a large increase in the cost of travel could deter some students and impact disproportionately on less well-off families. Even Shropshire Council's own equality assessment says that the impact may be deemed high negative.*
- I completely understand the need for the treasury to tighten its belt and for local authorities to do the same. What I see happening though is that this is not joined up and the same band of people (16 to 19 year olds) are being hit from all sides: no EMA (understandable although still available in Wales), frozen educational funding (a frequent topic of conversation between us) and now a squeeze on transport support which will inevitably lead to many disappearing.*
- I write to oppose the proposed increase in charges for around 140 young people who have to travel more than 3 miles to post-16 places of study from £142.50 to £437.50 p.a. I consider that there is a high risk that some young people or their families will calculate that running a car is suddenly less uneconomic. This could affect their travel behaviour for years to come, & not just for getting to college, once taking the car becomes a habit. If this leads to less young people using local buses, then routes will struggle to keep going even more than now. Congestion, CO2 emission and parking problems will keep getting worse. We need to be move in entirely the opposite direction, but for now, to meet our commitments to sustainable transport*

and reduced CO2 emissions this policy proposal needs to be withdrawn, at least until a risk assessment regarding CO2 emission and the impact on sustainable transport is carried out.

- I strongly object to the principle of such students being charged for transport. The law says that they must attend full-time training or education until aged 18 years. Yet they then have to pay to get there – to me that is a fundamental breach of equity and the rule of law. Particularly hard hit are low-income parents (or single parents) of students who live in very rural areas but where the nearest college is, say, 20 miles away.*
- This is outrageous, if it goes up to over £400 a year then I won't be able to afford to transport my child to college next year. Government says children should stay in full time education till 18, transport should be free. I think a lot of low income families will be in up roar.*
- With regard to the proposal to alter the post 16 FE travel contributions - my concern is that £875 a year is a huge contribution for many families, especially as post 16 education is compulsory, therefore there is no choice for families. We pay £875, have a reasonable household income and we are struggling. So, for those children in lower income families, it must be impossible. This will surely affect attendance, especially on days when students may only have a couple of hours of lessons. Parents who cannot afford the annual pass, are more likely to support non-attendance to avoid paying the daily bus fare (of nearly £15 a day from somewhere like Bishops Castle). It means that rural children are further disadvantaged compared to those living in Shrewsbury.*
- Shrewsbury Colleges Group has the largest provision of post 16 education in the county and serves a large number of students who travel in order to access the course offer, the high levels of delivery and the excellent results as well as all the enrichment and opportunities to ensure positive destinations are secured. Students travel from the local catchment area as well as from all areas of the county and beyond
The proposed changes to transport assistance would affect all families that live over 3 miles away from the college and whose income is less than £16,190. We currently support 46 students with the purchase of a council travel pass this type of pass through the student bursary.
The price increase for this number would add an additional £14,000 per year based on this year's applicants. This means we would have to say no to a high number of other students who need financial assistance to get to college as the bursary allocation for the college is set annually by the ESFA. We are unable to request more from the ESFA.
We encourage families to purchase the pass over the summer holidays to ensure they have it time for students starting in September and we then reimburse them once they have enrolled. These families are going to struggle to find such a large amount of money upfront and it will cause delays in them receiving their travel passes and able to attend college and will put many people off attending which will add to the NEETS numbers.
Introducing the price structure for students with SEND will affect a high number of students who need to travel to access the breadth of college provision to enable them to progress and develop independence and secure positive destinations. The SEND student numbers will make the bursary allocation even more thinly spread and have wider and greater impact across all post 16 families.*

Shrewsbury Colleges Group recommends you do not make this change as it will unfairly disadvantage those already classed as disadvantaged.

- *My 2 children Both use daily bus service to Shrewsbury college and both have council subsidised Arriva bus pass. They must be 2 of the 141 pupils who paid the lower contribution of £142.50 x 2 =£285 in total. The proposal to raise this huge jump cost to £437.50 will make it impossible for me to afford x 2 children totalling at £875. I am a single parent earning £9,000 approx. this tax yr and estimate £11,000 next yr (as have new job of more hrs.) I would have to consider my children not continuing their courses as simply cannot afford such a jump in cost.*
- *This Parish Council is concerned that the proposed increase will negatively impact low income families in the Parish who have no option, but to use the bus services to access Sixth Form and Colleges in Shrewsbury and Ludlow, as there is currently no local provision for Post 16 education. This parish Council would like to point out that bus passes issued for the same money do not allow for the same usage on all routes. Some passes can be used 7 days a week all year and others only 5 days a week during term time. Consistency on policy and usage across the country should be introduced as residents in the rural areas are again being negatively impacted.*
- *The proposed increase in parental contribution to travel costs for post 16 students could seriously affect the ability of some students from Clungunford to complete their post 16 education. All live more than 3 miles from the nearest college.*
- *....the proposed new charges for all such students, old and new, in that they would face a substantial increase of at least £295 as from September, that their parents would not have been anticipating. Relative to the increased costs that others are facing, owing to the service cutbacks, this immediate increase is disproportionately high and should be phased in at a more gradual rate for all such students.*
-

Post 16 (SEND student specific feedback)

- *These proposals are aimed at some of the County's most vulnerable residents. Financial support in terms of travel assistance is vitally important to these students and their families. It is crucial that post 16 SEND students continue to be given free transport to enable them to access support and training which in turn will help them gain confidence and skills so that ultimately, they will need less support as adults and enable them to gain employment.*
- *Any savings made through these proposals will ultimately result in long term increase in costs from the adult social care budget due to the fact if a SEND student has been prevented from accessing education post 16 they will have missed out on an important part of their education and consequently will have to rely more heavily in the future on the support of social services*
- *Understand the need for Shropshire Council to make savings but feel that to target the most vulnerable members of society in this way is wholly unjustified and is more than a tax on and a disincentive to learning. A joined-up approach to cost savings must be taken and the impact of proposals to cut costs must be considered holistically across all departments not by individual departments.*
- *We deplore the way Shropshire Council is discriminating against vulnerable and poorer families*
- *We wish to strongly oppose the changes, as outlined, that it is considered will impact on the less well off, the vulnerable and those with social mobility difficulties*

- *I am writing to you full of concern, about our local authority proposals of the cutbacks to SEN transportation.*

I have a son who is 13yrs old, with an EHCP and attends a specialist school in Staffordshire. He is unable to attend mainstream schools, due to his Autism, Sensory processing disorder and high anxieties and they can't provide or meet his needs.

There are no public transport and I can't drive, so he is provided a taxi for transportation.

His specialist school provides post16 and I am hoping that when he reaches this age, he will go onto further education there. I am aware that by law, he needs to stay in full time education until then, but because he is SEN can access further education until the age of 25yrs.

If these cutbacks go ahead, it means my son will not be able to access education at post16 as I won't be able to afford the transportation costs. I am in receipt of Carers Allowance topped up by Income Support. My son gets DLA until it switches over to PIP (and that's another battle in itself).

Surely without him being able to access education, providing his rights and to meet his needs, this is classed as discrimination?

As it is, it's so unfair that I should always have to battle and fight for the needs of my son. You just end one battle when you have to start on another battle. And it becomes tiring, time should be spent in enjoying my son and helping him to become the best that he is.

- *The withdrawal of free transport to Post 16 SEND students to the provision identified as being able to meet their needs and promote their best outcomes is also likely to have a very significant negative impact, to add to the already limited options available for such students in our county. Travel training will benefit a very small minority due to their capacity and limited independence skills – but also due to public transport provision in our predominantly rural county (my own school has no public transport links at all)*
- *My daughter is 13 and has Down's Syndrome. I am very concerned about the post 16 SEND Transport proposals. It will directly affect her future education, contribution to society and reduce her independence. We are a low-income family who live in rural north Shropshire, so my daughter has no local post 16 education provision. This means she will rely on transport to access any further education. As a low-income family, we could not afford to pay the contributions stated in the consultation. Surely this is preventing my daughter's inclusion within society and increasing inequality by making it impossible for her to access further education. My daughter deserves to for-fill her ambitions and is entitled to further education. As my daughter cannot access post 16 education locally she will need transport that we cannot afford, this is discrimination and will have an impact on the rest of her life. My daughter tries so hard at everything she does and loves to learn new things. If this became impossible then it would not only affect her ability but also her mental health. It is a known fact that young people with Down's Syndrome carry on developing later than their typically developing cohort. This makes post 16 education even more vital. My daughter has ambitions to live independently to work and get married. Without access to further education this will not happen. Are you, the council, prepared to jeopardise my daughters future?*
- *Local SEND post-16 students often have to travel long distances, and family income can be low because parents have to work less hours to cater for child-care needs.*
- *Wherever possible, it is accepted that travel training for such students is of most benefit in preparing for a more independent life. However, with the progressive withdrawal of rural bus services, that option is less available to most in rural communities. Given the imperative to make financial savings, it is appreciated that*

perhaps families of post-16 SEND students should make some financial contribution to their transport costs. However, it is inequitable for existing families to pay nothing and new families to pay either £437.50 or £875 per year. This year, finding that money would be at less than three months' notice! It would be fairer if all families, old and new, were required to pay gradually increased contributions according to their financial means. This would follow a previous precedent, adopted by the Council in respect of other increased charges, when it was agreed, post consultation, to phase in the new charges.

Shropshire's Parent and Carer Council (PACC) met with Cllr Nick Bardsley, following this meeting they have sent the following:

What difference does free SEND transport to nursery and Post 16 settings make to Shropshire SEND families?

'That I could go and pick up my other children from school. Nursery was Severndale, my other son was in school in Wellington and I couldn't be in two places at the same time. It was also extremely difficult to take my ASD son to pick up his brother because of his challenging behaviour; transport meant we avoided daily meltdowns.'

Distance travelled to nursery: 6 miles

'Rachel was able to attend CDC nursery with the help of transport. Not being able to drive myself, meant that Rachel wouldn't have been able to go to nursery and get the specialist help and support she needed.'

Distance travelled to nursery: 3 miles

'My daughter got the specialist services at Severndale Nursery, as she couldn't walk or talk. The local nursery would not have coped with her needs and confirmed this. As she was a twin no- way I could have taken her to the specialist nursery. Having given up my career to care for a disabled child I could not have financed the travel cost.'

Distance travelled to nursery: 25 miles (one way)

'Less financial pressure (cost of fuel), enhanced mental and physical well-being of myself and helped my son transition to school'

Distance travelled: 25 miles

A ' Stress free experience for me and son. Son is not able to negotiate public transport. I am not able to drive and financially we couldn't afford a second car in the household – because I can't work due to son not being in full time provision. Driving would have involved a 40 mile round trip twice a day.'

Distance travelled to Post 16 Site: 20 miles

'It has enabled my son to choose the course and career of his choice. Had he not been given free transport, he would have had a very limited choice which was not appropriate to his level of skills and qualifications.'

Distance travelled to Post 16 Site: 25 miles

'Transport allowed my son and daughter to access the college and course to suit their needs. As a carer of 3 disabled children, I've had to give up my career and there is no way I could finance travel to college.'

Distance travelled to Post 16 Site: 30 miles (round trip).

'If they start charging for transport after 16 then my 11year daughter will not be able to attend Severndale as we live just outside Market Drayton and I definitely cannot afford transportation prices, I wouldn't be able to take her and pick her up as I have younger child in our local school we can't be in 2places at once.'

'Having the transport for my son has been essential, for independence etc and taking the worry out of it. How much more pressure is going be put on the parents having to pay and organise something else? All ready no short breaks services in Shropshire, how much more pressure can parents take to cut costs and it would be money for us, one wage and already paying out for extras like wheelchair tyres repairs etc'

Distance travelled: 25 miles

A ' Stress free experience for me and son. Son is not able to negotiate public transport. I am not able to drive and financially we couldn't afford a second car in the household – because I can't work due to son not being in full time provision. Driving would have involved a 40 mile round trip twice a day.'

Distance travelled to Post 16 Site: 20 miles

'It has enabled my son to choose the course and career of his choice. Had he not been given free transport, he would have had a very limited choice which was not appropriate to his level of skills and qualifications.'

Distance travelled to Post 16 Site: 25 miles

'Transport allowed my son and daughter to access the college and course to suit their needs. As a carer of 3 disabled children, I've had to give up my career and there is no way I could finance travel to college.'

Distance travelled to Post 16 Site: 30 miles (round trip).

'If they start charging for transport after 16 then my 11year daughter will not be able to attend Severndale as we live just outside Market Drayton and I definitely cannot afford transportation prices, I wouldn't be able to take her and pick her up as I have younger child in our local school we can't be in 2places at once.'

'Having the transport for my son has been essential, for independence etc and taking the worry out of it. How much more pressure is going be put on the parents having to pay and organise something else? All ready no short breaks services in Shropshire, how much more pressure can parents take to cut costs and it would be money for us, one wage and already paying out for extras like wheelchair tyres repairs etc'

Distance travelled to Post 16 Site: Shrewsbury to Oswestry

'Thank you for the opportunity to comment. It has been life changing for my daughter to have an education placement which fully meets her needs and has fostered independence. As a single parent caring for my daughter primarily and also now my elderly mother with Parkinson's I have had to give up part time employment. We are immensely grateful for the school transport service which has greatly helped in developing travel, social and independent living skills. Financially we would really struggle and our situation will be pushed into hardship if charges are introduced.'

My daughter is 17 and taking GCSEs (had a disrupted few years until the special education placement hence year older than year 11s - we are really grateful for the placement continuing and she is staying on for a levels). Journey time is 1 hour each way.'

'My son is 8years old in August. He was 4 years of age when he started using transport. If we had to pay for the transport it would reduce our disposable single income drastically and would cause massive financial stress upon the family.'

We would struggle to live a simple lifestyle that is already difficult due to the stress levels of caring for a disabled child and the isolation. It really doesn't bear thinking about... as unsure where we could cut back ...

Also it would take two hours of my day to take George to school and would cost around £30.00 a week in fuel... not taking into account maintenance and depreciation of the car used.'

It is clear from the responses above that the provision of free SEND transport is a valuable service that helps to maintain family resilience and improves outcomes for their children with additional needs. All of which would be put at risk if this provision was removed or became chargeable.

This is further evidenced by findings of the **Contact School Transport Inquiry** <https://contact.org.uk/get-involved/campaigns-research/school-transport-inquiry/> (2017/18) and the recognition that the current legislation does not support the new 'Participation' requirements, which expect young people to be in education or training up to the age of 18. The School Transport Inquiry states that school transport is an integral part of a child's education. If a child can't get to school or has a stressful experience getting to school, they are not able to learn and take part in the school day like other children. The report identifies that where transport is not provided it places families under greater financial strain, in most cases as a result of parents having to reduce work hours. In these circumstances, families report an increase in stress levels and a reduction in the independence of their disabled child. It should also be noted that national evidence shows that disabled pupils / students nearest suitable nursery / college may not be the local nursery or college. It may be some distance from their home and therefore travel costs might be higher. This also means that travel times are likely to be longer meaning, so there is a greater impact on the family if they have to transport their child to a nursery or Post 16 setting.

In addition to highlighting the negative impact on families of removing free SEND transport for nursery or Post 16 pupils, Contact's report also states;

"The introduction of a charging policy may be within the law as far as transport law goes. However, a local council may be failing in their duty under the Equality Act to:

'advance equality of opportunity for disabled learners'

if the charge in their transport policy has a:

'significant negative impact on the ability of disabled students to access education'."

The Report concludes that;

"Families with disabled children often face significant additional challenges in their daily lives, and the difficulty of obtaining suitable transport to school or college is adding to this. Unsuitable transport is affecting children or young people's wellbeing and progress in education, as well as family life. The cost of school transport for some is causing additional financial hardship. Many parents are unable to work due to the need to make school transport arrangements for their child. Families with disabled children face additional challenges around school transport not experienced by other families including:

- ***disabled children may go to different schools to siblings – requiring separate journeys and pick up times disabled young people may need longer to complete their education – so families are bearing the cost of transport for longer***
- ***lack of local specialist provision for disabled children and young people. This often means they are travelling further to their nearest suitable place of education – families struggle to provide transport as it is more expensive and time consuming."***

As a result of the Inquiry the Secretary of State for Education has announced plans to review school transport statutory guidance to make sure all local authorities are providing school travel for eligible disabled children. The need for this was further supported in March 2019 by an **Early Day Motion tabled by Stephen Lloyd MP** <https://edm.parliament.uk/early-day-motion/52648/school-transport-for-disabled-young-people>

The legality of the current situation and proposed reductions in transport provision for nursery and Post 16 aged children and young people is also being examined in the Courts.

<https://contact.org.uk/news-and-blogs/school-transport-jr/>

<https://www.leicestermercury.co.uk/news/local-news/hundreds-desperate-families-fight-changes-2754231>

All of this is in the wider context of the recognised additional responsibility and costs experienced by families when they raise a disabled child. This is evidenced in **Contact's 'Counting the Costs survey and report 2018** <https://www.contact.org.uk/get-involved/campaigns-research/counting-the-costs-2018/> . The key finding of the survey showed that;

33 per cent of families have extra disability and care related costs of £300+ per month.

40 per cent of disabled children are going without birthday and Christmas presents; 26 per cent are going without essential therapies.

26 per cent of parents said their child's condition has worsened due to going without basics (up 4 per cent since 2014).

33 per cent have taken out a loan to pay for food (compared to only 4 per cent a decade ago).

36 per cent said that changes to the benefits system in the past two years have left their family worse off.

It is clear to see that the changes proposed by Shropshire Council to the current SEND transport provision will further disadvantage the already vulnerable families of children and young people with SEND and therefore will have a high negative impact on the families affected.

With this in mind it is a concern therefore that the **Equality and Social Inclusion Impact Assessment** <https://shropshire.gov.uk/media/12260/esia-part-one.pdf> produced by Shropshire Council fails to recognise any of these issues.

The issues identified by the ESIIA are limited and do not reflect the true impact of this proposal on Shropshire SEND families if they are implemented. Most of the document is taken up with a description of what has happened in other areas in regard to SEND transport, which while might be of interest, does not explore the potential impact on Shropshire SEND families.

Shropshire SEND families face specific difficulties due to a combination of geographical and demographical factors. It is a large rural area, with a very disperse population including a relatively small number of SEND children and young people spread across the county area. These factors are further exacerbated by the fact that, very unusually, the local area is only served by two special schools, with the majority of children and young people with complex needs attending Severndale Academy in Shrewsbury. This means that for some young people the travel distance to nursery or school is significant. Many students stay at Severndale until the year in which they are 19 and therefore some young people continue to have significant journeys Post 16.

The Shropshire Council ESIIA does recognise the issue of the lack of local provision in terms of nurseries who can meet the need of young people with SEND. The 'preferred provider' scheme introduced by Shropshire Council and supported by PACC, has improved the availability of local nursery provision for children with additional needs in Shropshire, but it is very unlikely that this scheme will remove the need totally for some young people to attend Severndale nursery, where a higher level of specialist care can be provided, including medical care if needed. If the new SEND Transport proposals are implemented it would severely disadvantage those young people whose needs, for no fault of their own, can not be met in their own community. It also potentially removes the element of choice from families to choose between using a specialist or mainstream setting.

It should also be considered that the 'preferred provider' scheme is only reasonably new and has been introduced into a sector that is in a state of flux. Already two of the 'preferred provider' have closed and it is possible that others might follow due to the impact of the free 30 hours child care entitlement. Neil Leitch, chief executive of the Pre-school Learning Alliance's, commented on current CEEDA research;

“Unfortunately this is an inevitable consequence of a situation where, according to sector experts Ceeda, more than two in every five (44 per cent) childcare providers have seen their funding fall in in real-terms in the last five years. This has meant that funded places for two-year-olds – which are more expensive to run – have become too costly for providers already struggling to stay open and reliant on parents who are able to afford "voluntary" charges to make up the funding shortfall.”

It would seem premature to conclude that demand for Severndale Nursery will continue to reduce or that the needs of the majority of younger children with complex needs, can be met in their own community.

Summary

- **Shropshire SEND Families are clear that free SEND transport to nursery and Post 16 settings has been an essential element in enabling their child to receive the support they need and has made a positive contribution to their family’s ability to continue to operate. The proposed changes to Shropshire SEND Transport is highly likely to negatively impact the resilience of Shropshire families of disabled children and young people.**

- **SEND Families in general are known to be financially vulnerable and would face further financial hardship if additional transport costs were placed upon them. Since SEND families often have to travel further to nursery or Post 16 settings than none SEND families, these additional costs are likely to be higher than for families who do not support a disabled child.**

- **Many SEND families are financially vulnerable because they have reduced capacity for both parents to work due to the caring role. These proposed changes to SEND transport provision are likely to reduce parent carers capacity to work even further and place SEND families under further financial stress.**

- **Transport provision provides an element of independence for children and young people with SEND, reducing their dependency on their parent carers and providing a positive experience of developing relationships outside of their immediate family. The proposed changes to Shropshire SEND transport provision will take away this opportunity for many children and young people with SEND.**

- **In many cases SEND families have children that at different nurseries / schools, with children in both mainstream and specialist settings. In Shropshire because the main specialist nursery or Post 16 provision is in Shrewsbury only, the distance between these settings can be significant. The proposed SEND transport changes potentially make it physically impossible for parent carers to get all of their children to school as required.**

- **There is a national recognition that there is a legal loop hole in SEND transport legislation, that does not align with the required ‘participation’ age of 18, however equality duties do require disabled learners to be able to access education to the same extent as their non-disabled peers. These proposed changes to SEND transport provision in Shropshire place this equality at risk.**

- **The ESIIA Report produced by Shropshire Council fails to identify key issues facing Shropshire SEND families in relation to the proposed changes to SEND transport provision and is therefore incomplete. The decision that a ‘Part One ESIIA Only’ is required is not sufficiently evidenced and not accepted by PACC.**

PACC recognises that Shropshire Council is currently facing financial challenges and needs to consider all options to reduce expenditure. PACC however believes that the proposed changes to SEND transport is short sighted and while it might deliver a short term reduction in costs, in the long

term it will decrease family resilience and reduce the independence of young people with SEND, meaning that they will need more support from services in the future.

Shropshire Council has shown a significant commitment to supporting SEND families in the past and PACC has acknowledge this positive approach to improving outcomes for children and young people with SEND. This approach is captured in the vision articulated in the Shropshire SEND Strategy;

Our vision sees Shropshire children and young people with SEND that are healthy, happy and safe, and able to achieve their full potential with support from a strong partnership between families, the voluntary sector and service commissioners.

[https://shropshire.gov.uk/committee-](https://shropshire.gov.uk/committee-services/documents/s13829/9%20Appendix%20A%20SEND%20STRATEGY%202016.pdf)

[services/documents/s13829/9%20Appendix%20A%20SEND%20STRATEGY%202016.pdf](https://shropshire.gov.uk/committee-services/documents/s13829/9%20Appendix%20A%20SEND%20STRATEGY%202016.pdf)

It would be disappointing in the extreme if a change to service provision was introduced, that would so clearly reduce the opportunity for children and young people with SEND to achieve their full potential and which is so clearly not based in working in partnership with families.

PACC thanks all Shropshire parent carers who contributed to this response. If you have any questions about this documents please contact PACC via enquiries@paccshropshire.org.uk

Shropshire Council Equality and Social Inclusion Impact Assessment (ESIIA)

Name of service change:

Proposal to withdraw Transport Provision for SEND Nursery pupils, to include SEN Post 16 students within the council's contribution scheme for mainstream students and to increase the lower level of the contribution scheme to 50% of the higher level.

The What and the Why:

The Shropshire Council Equality and Social Inclusion Impact Assessment (ESIIA) approach helps to identify whether or not any new or significant changes to services, including policies, procedures, functions or projects, may have an adverse impact on a particular group of people, and whether the human rights of individuals may be affected.

This assessment encompasses consideration of social inclusion. This is so that we are thinking as carefully and completely as possible about all Shropshire groups and communities, including people in rural areas and people we may describe as vulnerable, for example due to low income or to safeguarding concerns, as well as people in what are described as the nine 'protected characteristics' of groups of people in our population, eg Age. We demonstrate equal treatment to people who are in these groups and to people who are not, through having what is termed 'due regard' to their needs and views when developing and implementing policy and strategy and when commissioning, procuring, arranging or delivering services.

It is a legal requirement for local authorities to assess the equality and human rights impact of changes proposed or made to services. Carrying out ESIIAs helps us as a public authority to ensure that, as far as possible, we are taking actions to meet the general equality duty placed on us by the Equality Act 2010, and to thus demonstrate that the three equality aims are integral to our decision making processes. These are: eliminating discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations.

The How:

The guidance and the evidence template are combined into one document for ease of access and usage, including questions that set out to act as useful prompts to service areas at each stage. The assessment comprises two parts: a screening part, and a full report part.

Screening (Part One) enables energies to be focussed on the service changes for which there are potentially important equalities and human rights implications. If screening indicates that the impact is likely to be positive overall, or is likely to have a medium or low negative or positive impact on certain groups of people, a full report is not required. Energies should instead focus on review and monitoring and ongoing evidence collection, enabling incremental improvements and adjustments that will lead to overall positive impacts for all groups in Shropshire.

A **full report (Part Two)** needs to be carried out where screening indicates that there are considered to be or likely to be significant negative impacts for certain groups of people, and/or where there are human rights implications. Where there is some uncertainty as to what decision

to reach based on the evidence available, a full report is recommended, as it enables more evidence to be collected that will help the service area to reach an informed opinion.

Shropshire Council Part 1 ESIIA: initial screening and assessment

Please note: prompt questions and guidance within boxes are in italics. You are welcome to type over them when completing this form. Please extend the boxes if you need more space for your commentary.

Name of service change

Proposal to withdraw Transport Provision for SEND Nursery pupils, to include SEN Post 16 students within the council's contribution scheme for mainstream students and to increase the lower level of the contribution scheme to 50% of the higher level.

Aims of the service change and description

The Council is committed to providing efficient, integrated transport services whilst ensuring that its statutory duties are met. Financial pressures mean that the Council has identified a £717k savings target attributed to school transport, including those transport functions which are discretionary in nature.

The Council's Passenger Transport Services have introduced a number of innovative transport solutions to reduce the pressure on the home to school transport budget and whilst these have been and continue to be successful, in order to realise a significant budget reduction a policy change is needed.

Intended audiences and target groups for the service change

The intended audience and target groups/stakeholders are:

- Existing students and their families
- The whole community including children as yet unborn/siblings
- All elected members
- Schools and Colleges
- Transport Operators
- Licensed Taxi providers
- Parent Advocacy Groups
- Marches LEP
- West Midlands Combined Authority
- Voluntary and Community Sector
- Town and Parish Councils
- Neighbouring Authorities
- Youth Parliament
- Local Members of Parliament

This list is not intended to be exhaustive and may be updated during the course of and subsequent to any consultation and engagement activity.

Evidence used for screening of the service change

SEND (Nursery & Post 16)

Although there is no mandatory requirement to provide transport for Nursery and Post 16 students, Councils can provide discretionary travel assistance over and above the statutory requirements (aged 5-16), as we do in Shropshire for SEND Nursery and Post 16 travel.

- In Shropshire, we currently transport 17 Nursery pupils (circa 45 two years ago) and 144 Post 16 SEND students.

We have and continue to liaise with many other local authorities and organisations, to identify what travel assistance is currently provided in these areas.

These latest findings show that:

- A number of Local Authorities do not provide nursery transport
- Where they do provide Nursery Transport it is in the form of a seat on an existing vehicle and not bespoke (a separate taxi).
- Post 16 contribution schemes are applied to those SEN students entitled to assistance (as with our current mainstream post 16 scheme).
- In some cases Independent Travel Training and a bus pass are the only Post 16 offers available to students and their families.
- We are unable to find a local authority that has completely withdrawn SEND Post 16 (although we have not exhausted every LA nationally)

Challenges to consider

- Any changes to our current offer will only apply to new applications, with current Nursery and Post 16 students protected for the duration of their course (as per Ombudsman guidance issued in 2017) and therefore the associated savings will take a minimum of 2 years to mature.
- There is currently one assessment Nursery located at Severndale and this proved to be an issue in the last consultation, as parents highlighted they didn't have a local alternative that could meet the needs of their child. However, we understand that this may be due to change with needs being met at local Nursery provision.
- We have not been able to identify any local authorities who have fully withdrawn SEND travel assistance for Post 16, although we understand a number are looking at the possibility.
- Parents and carers will still be able to access the same transport network as is currently provided to get their child to school.

Post 16 SEND students currently access Colleges and Sixth forms across Shropshire dependent on their needs and courses they are wanting to undertake, many attend 'Futures' at Shrewsbury College which is a specialist provision for Post 16.

SEND numbers are continuing to rise and families are choosing to move into Shropshire to access the specialist provisions available for their SEND child.

We have engaged with a number of other Local Authorities and gained direct comparisons to what and how they offer travel assistance for discretionary areas. From our findings, some Local Authorities do not offer Nursery SEND travel assistance, some do not offer mainstream Post 16 travel assistance. We are unable to source another Local Authority that does not offer Post 16 SEND Travel Assistance. It is worthwhile noting that we did not contact every Local Authority so this is a sample of information gathered at a point in time.

	Post 16 Transport Provided	Contribution	SEN Contribution if different	Nursery Transport Provided	Independent Travel Training Available
Herefordshire	16-18	£789.00		N	Y
Worcestershire	16-18	Variable charges based on zones		N	Y
Cheshire West	16-18	Only provided on hardship grounds		N	Y
North Yorkshire	16-18	£490/£245		Y	Y

Wiltshire	16-18	£710/£210	£499/£184	N	Pushed as 1st option	
Devon	16-18	£600.00		N	Y	
Solihull	16-18	£680	£645	N	Y	
Warwickshire	16-18					
Staffordshire	16-18	£494 – only provided for low income household	£625/£494	N	Y	

Specific consultation and engagement with intended audiences and target groups for the service change

These policy changes could come into effect from 1 September 2019

A consultation has not been carried out to date, with the focus more on comparator research into other local authority approaches and a detailed analysis of the situation in Shropshire. It would be vital that any consultation carried out be comprehensive and far reaching and includes evidence gathering from healthcare and social care professionals.

The indicative schedule is as follows

Key Dates

March 2019

Consultation Launches

April 2019

consultation closes

April/May 2019

Recommendations and final report to cabinet

May 2019

Publish findings of consultation and new policy

Letters would be sent to all schools & colleges within Shropshire and the surrounding areas (out of county), published on the Councils website and a copy provided to all stakeholder groups:

- Existing students and their families
- All elected members
- Schools and Colleges
- Transport Operators
- Licensed Taxi providers
- Parent Advocacy Groups
- Marches LEP
- West Midlands Combined Authority
- Voluntary and Community Sector
- Town and Parish Councils
- Neighbouring Authorities
- Youth Parliament
- Local Members of Parliament
- Joint Adoption Service
- Educational Psychology: experience in identifying attachment issues etc
- Community paediatricians: as above

Potential impact on Protected Characteristic groups and on social inclusion

Using the results of evidence gathering and specific consultation and engagement, please consider how the service change as proposed may affect people within the nine Protected Characteristic groups and people at risk of social exclusion.

1. Have the intended audiences and target groups been consulted about:
 - their current needs and aspirations and what is important to them;
 - the potential impact of this service change on them, whether positive or negative, intended or unintended;
 - the potential barriers they may face.
2. If the intended audience and target groups have not been consulted directly, have their representatives or people with specialist knowledge been consulted, or has research been explored?
3. Have other stakeholder groups and secondary groups, for example carers of service users, been explored in terms of potential unintended impacts?
4. Are there systems set up to:
 - monitor the impact, positive or negative, intended or intended, for different groups;
 - enable open feedback and suggestions from a variety of audiences through a variety of methods.
5. Are there any Human Rights implications? For example, is there a breach of one or more of the human rights of an individual or group?
6. Will the service change as proposed have a positive or negative impact on:
 - fostering good relations?
 - social inclusion?

Initial assessment for each group

Please rate the impact that you perceive the service change is likely to have on a group, through inserting a tick in the relevant column. Please add any extra notes that you think might be helpful for readers.

Protected Characteristic groups and other groups in Shropshire	High negative impact <i>Part Two ESIIA required</i>	High positive impact <i>Part One ESIIA required</i>	Medium positive or negative impact <i>Part One ESIIA required</i>	Low positive or negative impact <i>Part One ESIIA required</i>
Age (please include children, young people, people of working age, older people. Some people may belong to more than one group eg child for whom there are safeguarding concerns eg older person with disability)			Medium Negative (at this stage: could be high negative)	
Disability (please include: mental health conditions and syndromes including autism; physical disabilities or impairments; learning disabilities; Multiple Sclerosis; cancer; HIV)			Medium Negative (at this stage; could be high negative)	
Gender re-assignment (please include associated aspects: safety, caring responsibility, potential				Low Negative

for bullying and harassment)				
Marriage and Civil Partnership (please include associated aspects: caring responsibility, potential for bullying and harassment)				Low Negative
Pregnancy & Maternity (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				Low Negative
Race (please include: ethnicity, nationality, culture, language, gypsy, traveller)				Low Negative
Religion and belief (please include: Buddhism, Christianity, Hinduism, Islam, Judaism, Non conformists; Rastafarianism; Sikhism, Shinto, Taoism, Zoroastrianism, and any others)				Low Negative
Sex (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				Low Negative
Sexual Orientation (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)				Low Negative
Other: Social Inclusion (please include families and friends with caring responsibilities; people with health inequalities; households in poverty; refugees and asylum seekers; rural communities; people for whom there are safeguarding concerns; people you consider to be vulnerable)			Medium Negative (at this stage; could be high negative)	

Guidance on what a negative impact might look like

High Negative	Significant potential impact, risk of exposure, history of complaints, no mitigating measures in place or no evidence available: urgent need for consultation with customers, general public, workforce
Medium Negative	Some potential impact, some mitigating measures in place but no evidence available how effective they are: would be beneficial to consult with customers, general public, workforce
Low Negative	Almost bordering on non-relevance to the ESIA process (heavily legislation led, very little discretion can be exercised, limited public facing aspect, national policy affecting degree of local impact possible)

Decision, review and monitoring

Decision	Yes	No
Part One ESIA Only?	Yes	

Proceed to Part Two Full Report?	N/A	N/A

If Part One, please now use the boxes below and sign off at the foot of the page. If Part Two, please move on to the full report stage.

Actions to mitigate negative impact or enhance positive impact of the service change

At present, and in advance of feedback from the proposed consultation, the impact in equality terms is identified as medium negative for the groups Age, Disability, and Social Inclusion. It is possible that the impact may be deemed as high negative. The consultation will need to include efforts to gain as many views as possible from as wide ranging an audience as possible, not only from those who are likely to be affected but also from healthcare and social care and education professionals, who are well placed to provide informed assessments of anticipated future needs in terms of numbers and suitable modes of transport. Links will also need to be drawn with other Council policy, on young people and on Early Help approaches. This will help to mitigate against the risk that any decisions are seen to be made on financial grounds alone.

For SEND Post 16 and Mainstream Post 16 the existing networks and transport provision will remain the same in that students will be able to travel on the same routes. For those families who are identified as being on low income they will be able to access the lower level of the contribution scheme.

There is also the potential that students can be supported for transport costs through college bursaries that are allocated at their discretion, should the Council amend the contribution scheme to include these discretionary areas.

Nursery numbers that we transport have reduced significantly over the last few years as local provision has become more widely available and will continue to develop meaning that pupils may no longer need transport to Severndale Specialist Academy.

Actions to review and monitor the impact of the service change

There are twinned strategic and pragmatic courses of action to review and monitor the impact of the service change, whichever route the Council may decide to go down following consultation and engagement, and decisions then made by Cabinet.

The first would be to commit to a further Stage One screening ESIIA, for whichever preferred scenario or scenarios that may be laid before Cabinet, at a timely opportunity to further assess impacts.

The second would be to continue to liaise with and share approaches towards school and college transport with other local authorities, particularly those with whom the Council shares commonalities in terms of geographical size and sparsity of the population.

The service area also proposes to undertake to develop a communications plan at this stage, for the Council and the service area, involving timely press releases fronted by the portfolio holder, and shared with all Shropshire Council councillors.

Scrutiny at Part One screening stage

People involved	Signatures	Date
Lead officer carrying out the screening		
Any internal support*		
Any external support** Mrs Lois Dale, Rurality and Equalities Specialist	Lois Dale	26 th February 2019
Head of service James Willocks – Transport Commissioning Group Manager	James Willocks	26 th February 2019

*This refers to other officers within the service area

**This refers either to support external to the service but within the Council, eg from the Rurality and Equalities Specialist, or support external to the Council, eg from a peer authority

Sign off at Part One screening stage

Name	Signatures	Date
Lead officer's name		
Head of service's name		

Note: Shropshire Council has referred to good practice elsewhere in refreshing previous equality impact assessment material in 2014 and replacing it with this ESIIA material. The Council is grateful in particular to Leicestershire County Council, for graciously allowing use to be made of their Equality and Human Rights Impact Assessments (EHRIAs) material and associated documentation.

For further information on the use of ESIIAs: please contact your head of service or contact Mrs Lois Dale, Rurality and Equalities Specialist and Council policy support on equality, via telephone 01743 255684, or email lois.dale@shropshire.gov.uk.

This page is intentionally left blank



<u>Committee and Date</u>	<u>Item</u>
Cabinet	
Wednesday 22 May 2019	
	<u>Public</u>

Consultation on Prescribed Alterations – Shropshire Hills Federation

Responsible Officer Karen Bradshaw – Director of Children's Services

e-mail: karen.bradshaw@shropshire.gov.uk Tel: 01743 254201

Summary

On 27 February 2019, the governing body of the Shropshire Hills Federation agreed to formally consult on the proposal to transfer provision for the education of the pupils at Stiperstones CE Primary School to the site of Norbury Primary School and Nursery, with the opportunity for parents to opt to have their children educated at the Federation's other school, Chirbury CE Primary School. A statutory four-week consultation was undertaken between 12 March and 9 April 2019.

Under Department for Education statutory guidance for making significant changes to maintained schools (termed 'prescribed alterations') - including the transfer of education provision to a new site - a governing body can propose the transfer, but it is the local authority that is the decision-maker.

This report therefore details the outcomes from the Federation's consultation and, based on these outcomes, the recommendation of the Director of Children's Services to agree the prescribed alterations so that the governing body can proceed to implementation from January 2020.

Recommendations

Cabinet is recommended to:

- note the outcomes from the statutory consultation undertaken by the Shropshire Hills Federation
- agree to the prescribed alteration to transfer education provision from Stiperstones CE Primary to Norbury Primary from January 2020, with the option for parents to elect for their children to be educated at the Federation's other site at Chirbury CE Primary.

REPORT

1. Risk Assessment and Opportunities Appraisal

- 1.1 There are no identifiable risk management issues involved in this proposal. School places will be available at Norbury Primary for pupils from Stiperstones CE Primary, as well as Chirbury CE Primary for those parents who elect for this option. There are no known human rights issues resulting from this proposal.
- 1.2 The revised transport arrangements for the Stiperstones pupils may lead to some increase in traffic and carbon emissions in the area and may result in some congestion outside the Norbury Primary site at key times of the day.
- 1.3 The communities serving all of the three schools, together with those in neighbouring areas, have been given the opportunity to comment on the proposal as part of the statutory consultation process undertaken by the Shropshire Hills Federation in the Spring term.
- 1.4 In the context of the Department for Education statutory guidance *Making significant changes ('prescribed alterations') to maintained schools*, the proposal is classified as a transfer to a new site, which applies when the main entrance of the proposed new site is more than two miles from the main entrance of the current school site. The main entrances for the sites at Chirbury (6.3 miles) and Norbury (5.0 miles) are more than two miles from the main entrance for the Stiperstones site.
- 1.5 The statutory guidance states that the local authority should decide on a proposal within two months otherwise it will fall to the Schools Adjudicator. There is no prescribed timescale for the implementation of the decision, though the Shropshire Hills Federation have made it clear that their intention is to complete the transfer of provision from January 2020.

2. Financial Implications

- 2.1 The majority of school revenue funding is pupil-led which means that the funding for the pupils transferred to Norbury Primary or Chirbury CE Primary will be retained within these schools or will follow any pupils whose parents elect to transfer to another Shropshire school. The local authority will continue to allocate funds to the three individual schools through the funding formula. The consolidation of provision from three school sites to two within the Federation will make the overall cost of provision more financially viable and sustainable.
- 2.2 The redistribution of income, which will largely be retained within the Federation, means that there is no direct saving to the local authority or to the overall Shropshire schools' budget. It is anticipated that the cost of transport will increase as a result of the proposal, which the

Federation has budgeted for, meaning that no costs will fall to the local authority for this provision.

- 2.3 The Federation is planning to expand provision at the Norbury site, with the majority of the required capital funding being met from other Federation resources and external grant funding. The local authority has earmarked around £75,000 in capital funding from the School Condition Allocation for a part of the project. The release of these funds is dependent on the Cabinet approval of the prescribed alteration and confirmation from the Federation of the securing of the external grants.

3. **Background**

- 3.1 Following a separate consultation in the summer of 2018, the Federation of the primary schools in Chirbury, Norbury and Stiperstones was approved and the Shropshire Hills Federation established in September 2018. This consultation made it clear that unless significant increases in school funding were identified by December 2018 to support provision at Stiperstones CE Primary, it was likely that provision would have to transfer to the primary school sites at Norbury or Chirbury, with parents having the option to choose. At the time, the majority of parents stated a preference for their children to transfer to the Norbury site, with a small number preferring Chirbury.
- 3.2 As the schools funding position has not improved, the governing body of the Shropshire Hills Federation agreed at a meeting on 27 February 2019, to undertake a statutory consultation on the transfer of provision from Stiperstones CE Primary to the Norbury Primary, with an option for parents to elect for their children to be educated at the other school in the Federation, Chirbury CE Primary.
- 3.3 The statutory process for significant changes in maintained schools – ‘prescribed alterations’ - requires a four-week representation stage or formal consultation period. The Federation undertook this consultation in the Spring term, between 12 March and 9 April 2019. The consultation document outlining the proposal, is appended to this report (Appendix A).
- 3.4 A broad range of strategies were employed to inform stakeholders of the consultation process and collect views, including: the publication of the consultation document, the posting of the document on the Federation’s website, and meetings with staff, governors and stakeholders (separate meetings were held at each of the Stiperstones and Norbury school sites).
- 3.3 The responses to the consultations have informed this report.

4. Proposal

- 4.1 The Federation's consultation proposal appended to this report details the reasons for the prescribed alteration, the expected benefits and specific information on a range of future operational issues that are relevant and impacted upon by the proposal.
- 4.2 The Federation leaders are clear that 'children have only one opportunity at education and deserve excellence' and that without 'making cuts to current provision, it would not be possible for education to remain as it is now'.
- 4.3 The Federation governing body has made it clear in the proposal document that this is not a proposal to close Stiperstones CE Primary. In the event that they do propose to formally close the school, a separate statutory consultation process will need to be initiated, for which the Council will be responsible for the final decision. In relation to this possible scenario, the appended proposal document states that whilst 'no assumptions should ever be made, it is the intention of governors to take further steps in the future to amalgamate Stiperstones CE Primary and Norbury Primary schools, forming a much stronger school, to secure outstanding education for future generations of children from Stiperstones, Snailbeach, Norbury and surrounding areas.

5. Consultation

- 5.1 A number of meetings were held during the consultation period:
- meeting with all staff from across the Federation schools on 18 March
 - drop in meeting with parents and the community at Stiperstones CE Primary on 19 March
 - drop in meeting with parents and the community at Norbury Primary on 20 March
- Key points raised and responded to at these meetings are appended to this report (Appendix B)
- 5.2 A total of 43 response forms were returned or email responses received, broken down as follows:
- Stiperstones parents – 16 returns
 - Norbury parents – 12 returns
 - Stiperstones staff – 6 returns
 - Norbury staff – 3 returns
 - Hereford Diocese
 - Chirbury and Brompton Parish Council
 - Local primary schools – 3 returns
 - Other – 1 return
- The full set of responses are available in the Member's Library.
- 5.3 No major concerns were raised in these responses. One of the local primary schools wanted assurance that the additional provision at the Norbury site was not intended to grow further than what was planned or

that the Federation would not seek to attract additional numbers from neighbouring catchment areas. The planned expansion is meeting the requirements of the Federation's schools and does not impact on other schools.

- 5.4 Besides a number of queries on detail and specifics, for which response have been provided, the Federation governing body is satisfied that there are no objections to the proposal and are advising the local authority that they have unanimous support for the prescribed alteration.

6. **Decision Making**

- 6.1 As decision-maker, Cabinet has to be satisfied that the appropriate, fair and open local consultation and/or representation period has been carried out and that the Federation governing body has given full consideration to all the responses received. Officers in Learning & Skills are satisfied that this threshold has been met and so the Director of Children's Services is recommending that Cabinet agree to the proposed prescribed alteration detailed in this report.
- 6.2 Within one week of Cabinet making a decision, the local authority must publish their decision, and the reasons for it, on the Federation's website and send copies to:
- the Schools Adjudicator
 - the Federation governing body
 - the trustees of the Stiperstones CE Primary
 - Hereford Diocese, and
 - any other appropriate body deemed appropriate.

Cabinet Member (Portfolio Holder)
Cllr Ed Potter
Local Member
Cllr Heather Kidd – Chirbury & Worthen
Cllr Jonny Keeley – Bishop's Castle
Appendices
Appendix A: Consultation document outlining the proposal to make a prescribed alteration to Stiperstones CE Primary School
Appendix B: Meetings held during the consultation and key points raised

This page is intentionally left blank

Consultation Document Outlining the Proposal to make a Prescribed Alteration to Stiperstones CE Primary School

Published to all Interested Parties on the 12th
March 2019

Consultation Period Concludes on the 9th April
2019

The Governing Body of Shropshire Hills Federation presents this document for consultation.

This is your opportunity to let us know what you think about the proposal. Please take time to read it carefully, attend a consultation meeting and have your say on the proposal. The outcome of this proposal will help to inform the final decisions that will affect educational provision for the children of Stiperstones CE Primary School.

This paper contains:

1. An explanation of the proposal; the reasons why we are recommending the changes to education for Stiperstones CE School.
2. A response form for you to complete and return to us, letting us know your views.
3. Details of 'surgery style', meetings for parents/carers and the wider community that have been arranged to help the consultation.

Circulation:

Parents and Carers

Staff

Children (via a simplified explanation)

Governors

Worthen with Shelve Parish Council

Chirbury with Brompton Parish Council

Myndtown Combined Parish Council

Local Shropshire Councillors – Jonny Keely and Heather Kidd

Philip Dunne MP

The wider communities of each school

School websites

Other local primary schools (to Stiperstones, Norbury and Chirbury)

Mary Webb School

Community College Bishop's Castle

Hereford Diocese – Andrew Teale / Sian Lines

Shropshire Council – Karen Bradshaw - Director of Children's Services

- Nick Bardsley – Portfolio Holder for Children and Young People

The Proposal

To make a prescribed alteration to Stiperstones CE Primary School, to educate all children on another site.

Which site would be used?

Governors propose to transfer provision to the site at Norbury Primary School with the opportunity for parents to opt to have their children educated at Chirbury CE Primary School should they prefer.

In a previous consultation document (22nd May 2018), proposing the federation of Chirbury, Stiperstones and Norbury primary schools, governors stated that unless significant increases to funding were identified by December 2018, to support Stiperstones CE Primary School, provision would be likely to transfer to either the Chirbury or Norbury primary school sites, with parents having the option to choose. The majority of parents stated that they would prefer their children to transfer to the Norbury site with a small number preferring Chirbury.

Governors would encourage parents to visit both sites and make an informed choice. Chirbury CE Primary is a Church of England School, as is Stiperstones; Norbury Primary School is not. It is a Foundation school, with no religious affiliation.

Governors are keen to stress that both schools have a similar ethos and both promote strong Christian values equally well. Both have similar links with local churches and both schools operate equally for families of children from any faith and of no faith. Both schools respect other faiths and the right to no religious beliefs at all. Discussions will be held with Hereford Diocese to ensure that the Christian character of education of Stiperstones pupils is not compromised.

Although the two schools proposed to receive children have differing OFSTED ratings, Chirbury – Requires Improvement and Norbury – Outstanding, both schools have been under the leadership of one headteacher since December 2017 (acting at Chirbury). This arrangement became permanent in July 2018. A single governing body and one Federation Headteacher has operated Norbury, Chirbury and Stiperstones primary schools since July 2018. **Governors firmly believe that the education offered across the Federation is now at least good, with much that is outstanding across all three schools. In April 2019, Busy Bees Nursery will become part of Chirbury CE Primary School, further enhancing provision on this site. Children at each school within the Federation will receive similar opportunities in all aspects of their learning.**

Important: This is not a proposal to close Stiperstones CE Primary School. Depending upon decisions made, positive changes to provision for our children will probably go through several stages. Whilst no assumptions should ever be made, it is the intention of governors to take further steps in the future to amalgamate Stiperstones and Norbury Schools, forming a new much stronger school, to secure outstanding education for future generations of children from Stiperstones, Snailbeach, Norbury and surrounding areas

Why Now?

Since the formulation of the Federation, savings totalling tens of thousands of pounds have been made, which in turn, have led to significant investment and improvements at Stiperstones. This in turn has led to an OFSTED judgement on 27th June 2018, of “Good” with “Outstanding” in Personal Development, Behaviour and Welfare. However, as predicted, the income for coming years at Stiperstones is not sufficient to maintain these high standards in the future. Although the funding gap has been narrowed, latest budget setting plans for 2019/20 show a shortfall of around £25,000.

This would lead to setting a deficit budget, which is not allowed under current financial rules for schools, unless governors have a plan to rectify in future years. As future years would be even more financially challenging, this would not be possible. **As always stated, governors and managers firmly believe that children have only one opportunity at education and deserve excellence. Without making cuts to current provision, it would not be possible for education to remain as it is now. In recent times, the children of Stiperstones have enjoyed excellent opportunities and we wish this to continue and to improve further.**

Changes to the way that we run our schools will secure excellent provision for all children of the Federation. Governors have a vision for the future which aims for outstanding education and opportunities for all children. Our aim is for four classes on both the Norbury and Chirbury sites, accommodating between 100 and 120 children in each site, which we believe would retain the small school ethos, whilst ensuring sufficient funding to maintain excellence.

Who Will Make the Final Decision and When?

Although this proposal has been made by the Governing Body of Shropshire Hills Federation, in consultation with the Local Authority and Hereford Diocese, the final decision will be made by Cabinet of Shropshire Council. They will take into account your views; our financial and educational planning; and the impact upon other local schools. Cabinet will make their final decision on 22rd May 2019.

What are the benefits?

Governors believe that the benefits of working on one site (Norbury, with the option to attend Chirbury) are numerous and are already being felt by children:

- Financial security allowing us to concentrate on outstanding education in the future.
- Stiperstones catchment would have the benefit of full-time nursery provision, currently only available at Chirbury and Norbury.
- Improved efficiency of non-teaching staff and management, ensuring more of our budgets are spent directly on teaching and learning.
- Ability of governors to recruit and retain high quality teachers and support staff.
- Working on one site means a greater number of staff, allowing for: improved professional development; improved continuity in cases of staff illnesses etc; improved efficiency; and greater opportunities for extra-curricular activities for children.
- Improved resources for all children to access the curriculum at the highest standard.
- A wide range of off-site visits and residentials, which provide practical learning for children. Shared costs allow exceptional opportunities and we believe that these improve life chances

for all children. Residential opportunities include trips to Borth, Llangollen, London, New Quay and Normandy, from Year 2 to Year 6.

- Improved sporting opportunities.
- Improved creative opportunities such as music lessons, theatre trips and opportunities to perform.
- Improved social interaction and opportunity to make friends.

What Needs to Happen to Provide Necessary Accommodation Space at Norbury?

In order for this proposal to be realized, the governors of Shropshire Hills Federation will need to build one extra classroom on the Norbury site. This will consist of a purpose built Nursery and Reception unit for a maximum of 30 children. We will also need to refurbish one classroom to accommodate Years One and Two. Full planning permission and the majority of funding is already secured for this, but the timescale to deliver the provision is tight. We will not be able to award the contract to build the classroom until Cabinet has made its decision. However, we aim to have everything in place ready for if the decision is favourable. We will then aim to complete the building and refurbishment work by mid-August 2019.

When Might Children Move Site?

We want to ensure that everything is perfect and ready for outstanding education before we transfer any children. Therefore governors propose to continue provision on the Stiperstones site until at least the end of December 2019. Whilst we would prefer to begin at the start of a new school year, if there should be any delays in the building, this would cause uncertainty. Governors will endeavour to make the transfer as smooth and as quickly as possible, as delays will cost valuable resources. However, we are dedicated to excellence and should delays in the building process occur, we may choose to remain on the Stiperstones site beyond January 2020, until all facilities are properly in place.

How Will Children Travel to the Norbury Site and Who Will Pay?

Children will travel to the Norbury site by minibus from either near to their home address, if currently entitled to free transport, or from Stiperstones CE Primary School if they are not. All current pupils at Stiperstones CE Primary School will be provided with free transport to the Norbury site. Parents electing to send children to the Chirbury site would be entitled to free transport either if in Chirbury CE Primary School catchment or if Chirbury is their closest school. Under the proposal for the prescribed alteration, Shropshire Hills Federation will be responsible for transport costs to Norbury. The Federation has allocated funding within budgets for at least the next three years to lease two brand new, high quality minibuses which will accommodate 32 children in total. These buses will be used for many purposes and we will decide after Cabinet make their decision whether we provide transport ourselves, or sub-contract it to Shropshire Council.

The shortest distance from Stiperstones CE Primary School to Norbury Primary School is 6.9 miles. By minibus it takes 15 – 20 minutes. The route is very hilly and unsuitable in icy conditions. We would need to use a longer flatter route. Safety will be paramount at all times.

Through our existing close relationship, Stiperstones and Norbury have been running minibuses on a regular basis for the past year and have not experienced any problems during this time. On rare occasions when weather proved too dangerous to travel, other arrangements were made and this may be possible in the future.

What Would Happen to the Stiperstones Building?

This is a complicated issue. The building is held in an educational trust by the founding site trustees. It is what is known as a “reverter site”. This means that neither Shropshire Council, nor Hereford Diocese own the site and should it stop being used for its intended purpose, it is handed back to the original trustees or their descendants.

How Would the Proposal affect School Admissions?

The proposal does not affect school admissions in any way. Stiperstones pupils would remain on record as such. The same admission policy would apply. Admissions to Mary Webb School would not be affected in any way and our close relationship with Mary Webb would continue. In future, if Stiperstones did amalgamate with Norbury, the catchment areas would be reviewed. We have requested that the two catchments would remain as they are and be joined together to ensure all parents are entitled to the exact provision that they would have under this proposal. In future we propose that children within Mary Webb catchment would remain so and be entitled to the same admissions and transport rights as they are now.

How Would the Proposal Affect Other Local Schools?

Providing additional accommodation space on the Norbury site should not have any negative impact upon other local schools, as all of the additional places are proposed to be taken up by existing children of the two schools. A small number of children in the catchment area of Long Mountain CE Primary School currently attend Stiperstones and we presume that they would wish to remain within the Federation. Parents of current pupils who live within Chirbury CE Primary School catchment, may also choose either site. Any future proposed amalgamated school would not seek to attract children from other local schools and governors value our positive working relationships with these schools for the benefit of all children.

How Would the Proposal Affect Staff Members?

Decisions affecting members of staff will not be able to be made until governors are aware of the numbers of children who will transfer to the Norbury and Chirbury sites. If the proposal is successful and sufficient numbers of children transfer, it is likely that one full time additional class will be formed at the Norbury site, requiring one additional full time teacher plus additional teaching support staff. In addition, dependent upon numbers in each year group, it would be likely that additional teaching support staff members may be required in other areas. Dependent upon numbers, it would be likely that additional administrative staff, catering and cleaning hours would be required.

When considering staff transfers, preference will be given to members of staff from across the Federation with existing permanent contracts, who can successfully fulfil the criteria for each post.

How Will the Proposal Affect the Community?

Governors are very aware that Stiperstones CE Primary School is a very important part of the local community and will make every effort for it to remain so. If the proposal is successful, governors would endeavour to ensure that once the two schools are on one site, school events such as church services, performances, concerts, sports activities and community events etc, will continue to take place within both communities and that, where possible, provision will be made for both communities attend all events.

How Will the Proposal Affect Traffic and Parking at the Norbury Site?

At the Norbury site, there is a staff, parent and visitor car park and on road parking outside of the school. There is a newly installed school warning light system in place to calm traffic from both approaches. One minibus and one taxi currently provide school transport for entitled pupils. As the school will provide transport for children from Stiperstones to Norbury, it is not envisaged that any significant increase in private cars will occur. However, there will be additional minibus transport and consideration to this will need to be made on the Norbury site for minibus parking.

How Will the Proposal Affect Access to Breakfast and After-School Clubs?

Stiperstones CE Primary School does not currently have a breakfast club as it is not currently viable. Under the proposal, parents would have access to breakfast club from 7:45am Monday – Friday. Parents would need to provide their own transport for this. A full range of after-school clubs would be available, Monday – Friday until 4:30pm. Parents would be responsible for transport after clubs, but dependent upon numbers and availability, governors would consider the use of school minibuses to reduce environmental impact and provide help for parents. After-school clubs provide excellent learning and social opportunities and wherever possible, governors will seek solutions any situations which make access difficult.

What Will Happen About School Uniforms?

If the proposal goes ahead, it is expected that children who transfer to the Norbury site would continue to wear the Stiperstones School uniform. If, in the future, governors decide to apply to amalgamate the two schools, it is likely that one new school uniform would be proposed. Measures would be put in place to phase in any proposed changes to prevent unnecessary costs and waste.

As of 12th March 2019 there is currently no school uniform at Chirbury CE Primary School. However, also from 12th March 2019, a consultation has been launched at Chirbury regarding governors' proposal to introduce a uniform. Should governors decide to introduce a uniform at Chirbury, it would be expected that children transferring from Stiperstones would wear the Chirbury uniform. However, to prevent additional costs or waste, it would be reasonable for children to continue to wear the Stiperstones uniform for as long as parents wish.

How Do I Find Out More Information, Before I Make My Decision?

During the consultation you will have the opportunity to ask questions and governors will try to provide as much additional information as they can. You can do this in person at community or staff consultation meetings (dates shown below). You may also email or write to governors (details shown below).

How Do I Let Governors and Shropshire Council Know My Views?

Once you are sure that all of your questions have been answered, it is vital that you make governors aware of your views, as they will inform Cabinet's final decision. Please complete the form attached to this document. All members of the community are able to submit their views but anonymous or unsigned forms will not be accepted. If both parents from each family share the same views, please could both sign the form? If parents have different opinions, please request an additional form from the school office.

Current Numbers on Each Federation Site

School	Age Range	Number on Roll
Chirbury CE Primary School (Including Busy Bees Nursery)	2 -11 Years	73
Norbury Primary School and Nursery	2 Years 9 Months – 11 Years	78
Stiperstones CE Primary School	4 – 11 Years	35

Timeline for Proposed Prescribed Alteration:

12 th March 2019	Consultation period begins.
18 th March 2019	Staff consultation meeting 4:00pm at Norbury School
19 th March 2019	Drop-in consultation meeting 3:30-6:00pm at Stiperstones CE School
20 th March 2019	Drop-in consultation meeting 3:30-6:00pm at Norbury School
9 th April 2019	At 12:00 noon, consultation closes.
10 th April 2019	Presentation of responses from public consultation to all governors.
22 nd May 2019	Proposal and views of communities and governors presented to Cabinet.
June 2019	If proposal approved, building of additional accommodation space at Norbury site to commence.
January 2020	If proposal approved and subject to completion of new accommodation space at Norbury site, Stiperstones children to transfer to either Norbury or Chirbury sites.

How do I respond?

The governing body of Shropshire Hills Federation would really like to hear your views. If you have any questions or comments please let the governing bodies know by the deadline of 12:00 noon on Tuesday the 9th April 2019.

You can share your comments by:

- 1) Completing the attached questionnaire or writing a letter and sending it to one of the following addresses:

School Alterations, Stiperstones C of E VC Primary School, Snailbeach, Shrewsbury. SY5 0LZ

School Alterations, Norbury Primary School and Nursery, Norbury, Bishop's Castle, Shropshire. SY9 5EA

School Alterations, Chirbury C of E VC Primary School, Chirbury, Montgomery, Shropshire. SY15 6BN

- 2) By emailing your comments to any of the following:

s.lennox@chirbury.shropshire.sch.uk (Chair of Governors)

head@norbury.shropshire.sch.uk

heather.kidd@shropshire.gov.uk

admin@stiperstones.shropshire.sch.uk

Responses will then be shared with the governing body, Shropshire Council and Hereford Diocese.

RESPONSE FORM

To make a prescribed alteration to Stiperstones CE Primary School, to educate all children on another site.

Responses must be received by 12:00 noon on Tuesday 9th April

If both parents from each family share the same views, please both sign and send in one form.

Should views differ, please request an additional form.

Name: _____ Signed _____

Name: _____ Signed _____

Should you require a response, please complete your details below:

Phone number:

Email:

- 1) I am a: (please tick box as appropriate)

Parent/Carer of a pupil at Stiperstones CE Primary School	<input type="checkbox"/>
Parent/Carer of a pupil at Norbury Primary School and Nursery	<input type="checkbox"/>
Member of staff at Stiperstones CE Primary School	<input type="checkbox"/>
Member of staff at Norbury Primary School and Nursery	<input type="checkbox"/>
Other interested party (Please state).....	<input type="checkbox"/>

- 2) What is your view of the proposal to educate the children of Stiperstones CE Primary School at Norbury Primary School and Nursery, with the option to choose to send children to Chirbury CE School?

I/we support the proposal	<input type="checkbox"/>
I/we do <u>not</u> support the proposal	<input type="checkbox"/>
I/we am/are not sure	<input type="checkbox"/>

- 3) Please share any comments that you may have about the proposal (Use overleaf if required).

Please send your response to any of the three schools, details above. Please note that your responses will remain confidential to the Governing Body.

Thank you for your response,

The Governors of Shropshire Hills Federation.

Consultation on the proposal to make a proposal to make a prescribed alteration to Stiperstones CE Primary School

Meetings held during consultation and key points raised

18 March 2019 - Meeting with all Federation Schools staff members

- It was explained that remaining on the Stiperstones site would incur a deficit budget in 2019/20 with the situation worsening in future years.
- Staff members from Stiperstones CE Primary raised concerns about possible redundancies - *The headteacher explained that new roles would be created subject to numbers of children who would transfer to a new site, but that some redundancies could not be ruled out.*
- Discussions were held about probable new class structures in the future at Norbury Primary School and Chirbury CE Primary School.

19 March 2019 - Drop in Meeting for Parents and Community at Stiperstones CE Primary School

- The meeting was very well attended with representatives from most families.
- A presentation was made by governors to explain the proposal in detail.
- Parents wanted to know what will happen to staff members from the school if the proposal goes ahead - *We explained that it would depend upon number of children who transfer, and to where; new positions which may be created as a result; and the wishes of staff members. We explained that this would be a separate consultation with staff if this one goes ahead.*
- Parents wanted to know whether we would move children at any time or at the start of a new term - *Governors explained that the move would take place at the beginning of a term (aiming for January 2020). However, from summer 2019, schools would organise transition sessions which would become more frequent during autumn 2019, so that all children would become accustomed to the changes in advance.*
- Parents wanted to know the distances that would be travelled by children to Norbury - *The distance, door to door between the two sites is 6.9 miles by road. The distance travelled by children in catchment who may be collected nearer to their homes may be greater or lesser than this. Transport arrangements are to be decided, but it was explained that the Federation would have its own transport (two new minibuses) by the 29 April 2019.*
- One parents felt that it would be difficult to make a decision until they knew if their child's teacher would definitely be transferring to the new site. - *It was explained that this was not possible. Teachers may change regardless of consultation: they change roles within schools and move schools for numerous reasons at a half term's notice.*
- Parents felt that an amalgamation of school uniforms would be a good way forward to integrate children as quickly as possible. Parents did not like the idea of two separate uniforms within one setting.

20 March 2019 - Drop in Meeting for Parents and Community at Norbury Primary School

- The meeting was attended by four parents from three families.
- A presentation was made by governors to explain the proposal in detail.
- A concern was raised about the amount of space that children would have to play - *It was noted, but also pointed out that children at Norbury generally have much greater space currently than at other schools and that with some careful planning safe play space for all could be achieved.*
- A question was raised about class sizes. - *We have worked out all class sizes for known children as they move through the school over the next four years. Average class sizes are between 26 and 30. In two years, the Year 3/4 class would be at 32 for one year.*
- A question was asked about extra-curricular activities. Norbury's are extensive and well-funded by PTA. Would we be able to continue this in the future with additional children? - *We stated that our aim was to extend and improve this further and that if our two communities continue to raise funds, there*

would be no reason why this could not happen. A parent asked if it would be appropriate to get in touch with Friends of Stiperstones School (FoSS) to discuss how this might happen in the future. We agreed that this would be a good gesture.

- One new family was unsure about the proposal and on the form that they brought in with them stated that they were unsure whether or not they thought it was a good idea. Once we explained the history and reasoning behind it, they were much clearer that it was the correct plan for the future and altered their form.
- School uniform was raised and we explained what had been suggested by Stiperstones parents to merge the uniforms somehow. This was thought to be a positive move which would reduce additional costs and waste.

Since the Consultation Closed

Parents and staff members from Stiperstones CE Primary and Norbury Primary School and Nursery met at a joint PTA and FoSS meeting to discuss ways of working together in the future. This was organised solely by parents of both organisations. It was an incredibly positive meeting where all present agreed to work together on all fund-raising projects in the future and that funds from both organisations should be utilised to support all children. A completely new annual fund-raising project was proposed by FoSS to generate additional funding to ensure that all families would receive the same level of subsidy for extra-curricular activities once the two schools were working closely together, should the proposal be approved by cabinet. Everyone agreed that this was a good idea and parents from both schools agreed to organise it.