

Enterprise and Learning Committee

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Paper from Ieuan Wyn Jones AM, Deputy First Minister for Wales and Minister for the Economy and Transport

Proposed Learner Travel (Wales) Measure

The Assembly Government's draft proposals for an Assembly Measure for learner travel in Wales were published in June 2007. 'One Wales' reinforces the commitment to pursue legislation on improved school transport.' The consultation document sets out the proposals for a Measure which would:

- provide a separate, simplified Welsh legislative framework which can be developed to support education and transport policies as they evolve;
- provide a better level of entitlement to free transport for all primary school children, set at a limit of two miles or further from home to the nearest suitable school;
- maintain the current distance limit of 3 miles for secondary school pupils to qualify for free transport between home and the nearest suitable school;
- provide a regulation making power to create travel entitlement for post-16 students;
- provide a regulation making power to create travel entitlement for children in nursery education;
- place emphasis on co-operation between local authorities, schools and further education providers and environmental sustainability when planning and delivering travel arrangements;
- strengthen safeguards for behaviour and discipline on buses by making codes of conduct mandatory and linking them to school behaviour policies;
- provide local authorities with the power to change school session times if that can help make transport arrangements more effective, efficient or environmentally sustainable; and
- the draft Measure will enable Welsh Ministers to issue directions and statutory guidance.

Respondents to the consultation were invited to comment on any aspect of the proposals but, as a guide, ten specific questions were asked:

1. Do you agree that local authorities should be central to the assessment of the travel needs of children and young people in education and training?
2. Do you agree that the Measure should put in place the same legal framework across Wales or should local authorities have full discretion to propose their own arrangements?
3. Within the broad legal framework, do you agree that local authorities should have some discretion to provide more generous transport arrangements than required by the Measure if they judge that worthwhile? (For instance, transport over shorter distances, or to Welsh medium or denominational schools that are further away.)
4. Do you support using the concept of the age of a learner and the distance from home to the nearest suitable school to determine eligibility for free transport?
5. Do you agree that a common distance limit should apply to all primary school children in place of the current legal distinction made at age eight?
6. Do you think that the duties in the draft Measure for local authorities to work collaboratively with each other and governing bodies to work collaboratively with local authorities, are appropriate and effective?
7. Do you have comments on the duty on local authorities and Welsh Ministers to promote environmental sustainability when assessing travel needs and making travel arrangements?
8. Do you agree that local authorities should have the power to change school session times in order to make transport arrangements more effective, efficient, or environmentally sustainable?
9. Do you agree that local authorities should be under a duty to publish a code of conduct, informed by consultation with stakeholders, which sets standards for behaviour on school buses?
10. Do you agree that head teachers should apply sanctions for breaches of the code of conduct as part of a school's behaviour policy?

The background and issues relating to these questions were contained in the body of the consultation document. The consultation period officially ended on 28 September but a number of requests for a short extension have been accepted. At this stage I am not able to provide the Committee with details of the outcomes of the Assembly Government's consultation exercise. Many, if not all, of those who are currently providing evidence to the Committee on this matter will also have submitted responses to the Assembly Government's consultation. Clearly, I and my officials need to consider responses to our consultation very carefully and feed them into the development of the final proposals for the Assembly Measure and accompanying documentation which will then be brought forward

and introduced for the Assembly's consideration. I look forward to receiving the Committee's report as part of this process and wish to assure you and all those who have responded to the consultation that your views will be looked at extremely carefully and taken fully into account.