



Proposals for Learner Travel (Wales) Assembly Measure

September 2007



WLGA • CLILC

INTRODUCTION

1. The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales, and the three national park authorities, the three fire and rescue authorities, and four police authorities are associate members.
2. It seeks to provide representation to local authorities within an emerging policy framework that satisfies the key priorities of our members and delivers a broad range of services that add value to Welsh local government and the communities they serve.
3. In developing this response the WLGA has worked closely with the Directors of Education in Wales (ADEW) and a sub-group of ADEW that represents the school transport leads from the 22 local authorities in Wales.
4. The WLGA welcomes the opportunity to respond formally to the consultation on the measure for learner travel in Wales. The WLGA would like to take the opportunity to commend the Assembly Government on the pre-consultation process which was fully inclusive and took into account comments from both local authorities and the WLGA. It is hoped that the process following this formal consultation will continue to be as inclusive and the WLGA will be keen to have continued involvement during the implementation of the proposed measure.
5. Broadly the WLGA supports the measure as outlined in the consultation document. Provision of appropriate learner transport is crucial to the ability of local authorities to deliver quality education services to children and young people. In recent years education policy developments from the Assembly Government, such as the introduction of the 14 – 19 Learning Pathways, created an increased need for additional provision of transport in order to meet the requirements of these policies. In order to continue to fulfil policy commitments it is recognised that the legislative framework as it is currently defined does not allow for the necessary changes to be made. Therefore the WLGA welcomes the decision of the Assembly Government to consult on this measure which will allow for the development of a framework that meets the needs of learners in Wales.
6. The WLGA fully endorses the statement in the consultation document with reiterated the Assembly Government's commitment to supporting the policy that children and young people should attend the nearest possible school to their home, allowing for a

realistic option of Welsh medium education and denominational education should that be the parental choice. This commitment supports the policy of local authorities in Wales and provides the basis for the development of local learner transport arrangements.

7. The Association is particularly supportive of comments within the document which continue to recognise the central role of the local authority in the planning and provision of travel arrangements and also recognition of the necessity to preserve the discretionary function of the local authority. It is hoped that this understanding will continue to inform the thinking of the Assembly Government should this measure become legislation; this will be crucial should the Minister choose to exercise the power to issue statutory guidance.
8. The WLGA agrees that the age and distance criteria is still the best available tool for determining learner transport needs and that the current criteria can be viewed as out of date. In terms of distance it is agreed that what is considered as a reasonable walking distance has changed since the current legislation was enacted. There is a clear beneficial impact of reducing the statutory distance as this will most likely lead to a decrease in the numbers of private vehicles that will be engaged in the school run, replacing them with fewer numbers of buses. This not only impacts in terms of environmental benefits but also in terms of safety in and around the school gates. However, this will have a considerable financial impact on local authorities which will need to be taken into consideration when assessing the budgetary implications of this measure.
9. When considering the change to a common age criteria, this is broadly supported by the WLGA. The practise of changing the transport arrangements at eight years old has long been considered to be an administrative burden and the replacement with a primary secondary split will be welcomed. However, as with the adjustments in the distance criteria, this will have cost implications that will need to be addressed.
10. Codes of conduct governing the behaviour of pupils on buses travelling to school are already being used effectively by local authorities across Wales and the introduction of a statutory obligation for the introduction of a code is cautiously welcomed. Although the benefits of having codes of conduct are clear and local authorities support the use of a code, it should be at the discretion of each local authority to implement policies concerning the behaviour of pupils according to local circumstance. Examples of good practise regarding codes of conduct is available and should include the involvement of

the school, pupils, local authority and parents, carers and families and transport providers. The process of introduction of a code of conduct should also take into account the provisions in the Children Act 2004 and associated Assembly Government Guidance regarding the participation of children and young people in the development and implementation of policies that impact on them.

11. It is clear from the measure as outlined in the consultation document that the Assembly Government is committed to fulfilling obligations regarding sustainable development; a commitment which is fully supported by the WLGA. The Association feels that it is imperative that local authorities, governing bodies work closely with transport providers, as well as the highways and environmental departments within the local authority to ensure that the transport provided for learners is not only safe and efficient but also takes into account environmental issues.
12. The measure also proposes to give local authorities the power to adjust school times if changes will result in the improvement in transport provision or for environmental reasons. This proposal is supported and local authorities will continue to work with schools and governing bodies to ensure that any changes are suitable, appropriate and necessary.
13. In respect to the emphasis placed on collaborative working within the measure, again this is fully supported by the WLGA. In recent years collaboration between agencies both within the local government family and with partners has become essential for the implementation and delivery of many policies. In order to ensure that learner transport enables children and young people to access education, whether in a school, further education or specialist setting, it is essential that institutions, providers and the local authority work together.
14. In the consultation document there is also reference to Assembly Government powers in the areas of post-16 education and nursery provision. The WLGA cautiously endorses the Assembly Government taking additional powers in respect of these areas. However, the WLGA would be keen to stress the need for consultation regarding any future changes regarding learner transport in these areas and would urge the Assembly Government to continue to take the views of local authorities in Wales into account, as was the case in the development of this consultation document.

15. Finally, it has been highlighted in this document that there will be cost implications for local authorities should the proposals in this consultation be implemented. It is essential therefore, that the necessary financial support is provided by the Assembly Government and that the timescales relating to the implementation of any changes are realistic.

16. The WLGA broadly supports the proposals in the consultation document. However whilst developing a home to school transport policy the varying needs of rural and urban local authorities need to be taken into account, by continuing to allow a significant degree of flexibility and discretion for councils. In addition the reliance on public transport in some areas will have to be carefully considered. The safety of the journey to and from educational institutions is paramount and it is imperative that a two tier transport system with variations in standards between private and public transport does not develop as a result of these proposals.

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