

## Research Briefing:

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Petition number: P-05-746

Petition title: **Free school transport for all children in Wales**

Petition text:

*Due to UK government cuts to public sector funding and the resultant need for the council to make substantial savings Rhondda Cynon Taff council now want to make charges from September 2016 of £285 per annum per child for transport to and from school or £95 for those receiving free school meals*

*I am setting this petition up for all children in Wales to receive free school transport to and from school where they fall within the catchment area, and for cuts to be made elsewhere from the council. I. E plants in the community is that really needed?*

### Legal background

The [Learner Travel \(Wales\) Measure 2008](#) sets out the legal requirements for local authorities providing home to school transport. The Welsh Government has also published [Learner Travel Statutory Provision and Operational Guidance](#) (June 2014).

Section 444 of the *Education Act 1996* creates the offence on the part of a parent of failing to secure the regular attendance at school of a registered pupil. Section 20 of the *Learner Travel (Wales) Measure* amends section 444 to provide that a parent will have a defence to a prosecution if a local authority has failed to discharge, where required, their statutory duties under the Measure to make travel arrangements to facilitate the attendance of their child at school.

## Statutory and discretionary provisions

As set out in the Cabinet Secretary for Economy and Infrastructure's letter to the Committee, local Authorities **must** provide free home to school transport if a pupil is living either at, or further than specific distances from the nearest, suitable school. The distances are 3 miles or further from a pupil's nearest, suitable secondary school and 2 miles for primary schools.

Local authorities also have **discretionary powers** to provide free home to school transport. Section 6 of the Measure gives local authorities the power to make any arrangement they think fit to facilitate the travel of learners to and from a place where they receive education or training. The power applies in relation to a learner living or studying in the authority's area.

However, due to budgetary pressures, a number of local authorities in Wales have reviewed their non-statutory free home to school transport provision in recent years.

## Rhondda Cynon Taf

Between 2 June –28 July 2015, [Rhondda Cynon Taf consulted upon proposed changes to its home to school transport policy](#). On 8 September 2015, Rhondda Cynon Taf's Cabinet agreed to begin charging **for the discretionary elements** of their home to school transport service with effect from September 2016. However, on 16 March 2016, [this decision was overturned](#) by the Leader of the Council.

## Statistical information

There are no centrally published statistics on the numbers of pupils who currently are entitled to free home to school transport or those who are not. In 2016/17, [the total budgeted outturn cost of home to school transport](#) by local authorities in Wales was £101,910,000.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.