

From: Sue Hudson/Customers and Education Support/DCC
To: WG
Cc:
Date: 19/06/2015 08:49
Subject: Learner Travel and Adoption of Central Pick-up Points

Dear

Over the last year we have been in contact with you a few times regarding our proposed plans for changes to our Home to School Transport policy. I have had a couple of telephone conversations with John, and verbal confirmation that our move to central pick-up points within 3 miles of the home address for all secondary-aged pupils does fall within the requirements of the Learner Travel Measure for us to provide suitable transport to pupils living 3 miles or more from their nearest suitable school.

Our elected members voted to adopt the proposed changes and parents were notified in October 2014 that changes will take effect from September 2015. We recognise that this is a big change if pupils previously had a feeder vehicle direct from home to meet the bus, or take them directly to school.

As we get closer to this date and start to inform parents of the proposed pick-up points we are becoming inundated with complaints from parents who feel that we are not complying with legislation. As there is nothing in the Learner Travel Measure that we are able to quote in order to assure parents that we are still fulfilling our duties, I have been asked to contact you again to request some written support from Welsh Government, confirming that there is no requirement for an Authority to provide door-to-door transport, and that asking a parent to get a child to a pick-up point within 3 miles of home is not unreasonable in itself. Also, as the Measure continuously refers to home to school travel, this raises the expectation that entitlement is for transport from the doorstep.

We urgently require confirmation that;

1. introduction of central pick-up points is lawful
2. introduction of central pick-up points, where the route between home and pick-up point may be hazardous is lawful

Would you be able to respond to this request please?

Regards

Sue
Sue Hudson
Swyddog Cefnogi

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Sue Hudson
School Support

Ysgolion
Cwsmeriaid a
Chymorth Addysg
Cyngor Sir
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Officer
Customers and
Education Support
Denbighshire County
Council

----- Forwarded by Sue Hudson/Customers and Education Support/DCC on
19/06/2015 08:24 -----

From: Sue Hudson/Customers and Education Support/DCC
To: [WG](#)
Date: 04/12/2014 15:27
Subject: Learner Travel

Dear

In June 2014 I contacted you about Denbighshire plans to review our School Transport Policy with the aim of moving to central pick up points for secondary school aged pupils, even if part of a route was deemed hazardous. We were unclear whether our responsibility was to transport door-to-door if part of the route was deemed hazardous.

You called me back to say that the advice from your Legal Team was:

The Learner Travel Measure 2008 sets out the LA duty to transport learners to / from relevant places. Therefore, if we are providing transport to the school from a pick up point, we are fulfilling our duty and it would be the parent's responsibility to get the child to the pick up point even if it was deemed hazardous. We are only required to assess a route for hazards if the child is expected to walk the whole route to school. However, in a few cases we may need to consider the requirement of Section 4 of the Measure to make suitable travel arrangements to facilitate attendance at school for a particular child.

There is also a general caveat from the WG Legal Team that this is only their interpretation and it is ultimately a matter for the courts.

Would it be possible for us to get a written response from Welsh Government to the two questions below please?

1. Our plan is to allocate a school transport pick up point within 3 miles of all eligible

secondary school pupils' home addresses. It will be the parents' responsibility to ensure the child gets safely to and from the pick up point, even if part of the route between home and pick up point is deemed hazardous. Are we fulfilling our LA duties by adopting this policy?

2. Where secondary school pupils live nearer to their school than 3 miles, but currently qualify for door-to-door transport because part of the route between home and school is deemed hazardous, we have the option of providing free transport from a pick up point further away, i.e. at least 3 miles from school. However, in some instances this could be seen as unreasonable, since the pupil might need to be taken 2 miles further away from a school only 1 mile from home. The hazardous part of the route is likely to be between home and pick up point, but it is the parents' responsibility to ensure the child safely reaches the pick up point.

Our issue with providing a pick up point nearer to the school is that this pupil would get to the pick up point, and be granted a free travel pass from a point on an available route under 3 miles from the school, where fellow pupils who live near the pick up point either walk, cycle or pay for the bus. If the only option of free transport is from a pick up point at least 3 miles from school, are we acting reasonably ? The parent then has the option of getting the child to the pick up point further away from school, taking them to a point on the safe walking route, or otherwise getting them safely to school.

We would be grateful for advice from Welsh Government regarding your view of these proposals.

Regards

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