

**WEST DUNBARTONSHIRE COUNCIL****Report by Chief Education Officer****Educational Services Committee – 7 July 2023**

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**Subject: Response on Statutory Consultation to discontinue arrangements for the provision of transport for pupils attending catchment schools**

**1. Purpose**

- 1.1** The purpose of the report is to inform the Educational Services Committee of the outcome from the statutory consultation under the terms of the Schools (Consultation) (Scotland) Act 2010 on the proposal to discontinue arrangements for the provision of transport for pupils attending catchment schools.

**2. Recommendation**

- 2.1** It is recommended that the Committee:

- (i) Notes the findings from the statutory consultation exercise and the content of the associated Education Scotland report;
- (ii) Agrees to keep the existing home to school distance of 1 mile for primary schools and 2 miles for secondary schools as prescribed in the existing school transport policy; and
- (iii) Agrees to implement an alternative transport related saving maximizing the use of the Under 22 Travel Pass scheme, in place of Council provided travel passes.

**3. Background**

- 3.1** At the meeting on 8 March 2023, the Educational Services Committee approved the launch of the statutory consultation document by the Chief Education Officer under the terms of the Schools (Consultation) (Scotland) Act 2010 on the proposal to discontinue arrangements for the provision of transport for pupils attending catchment schools.
- 3.2** Committee further agreed that a report outlining the results of the consultation and making appropriate recommendations be presented to a meeting of the Educational Services Committee provisionally scheduled to be held on Wednesday 5th July 2023, subsequently confirmed as Friday 7<sup>th</sup> July 2023.
- 3.3** The consultation has been undertaken in accordance with the Schools (Consultation) (Scotland) Act 2010 and copies of the proposal document were made available to all stakeholders as prescribed by the Act. The consultation

ran from Thursday 9th March 2023 until Tuesday 9th May 2023, a total of 31 days when the schools were open for pupils.

#### **4. Consultation Process / Considerations**

**4.1** The statutory consultation process was undertaken with a Proposal Paper setting out the proposal on which the Council was consulting being published on the Council's website and stakeholders invited to participate in the consultation exercise. An electronic link to the consultation page and Proposal Paper, was issued by email to the consultees listed within the document and was also published on the Council's website and publicised via the Council's social media channels.

**4.2** As part of the Council's consultation process we undertook the following activities:

- Publicising the consultation and dates of public meetings through the Council's website, through public notices in local newspapers and on social media.
- Advising relevant stakeholders by email of the consultation and providing an electronic link to the website.
- Holding a series of online and in-person public consultation meetings, one in each of the three main population centres of Dumbarton, Clydebank and the Vale of Leven.
- Utilising the Council's consultation web page to make documentation on the proposal, link to the online survey, background information and details on how to participate in the survey available.
- Setting up a direct telephone line and email address to deal with queries.

**4.3** Three public consultations meetings were held between 18 and 25 April 2023 to allow Officers to explain the proposal and enable interested parties to make comment and ask questions regarding the proposal.

**4.4** A total of 48 members of the public attended the public meetings in-person, with a further 8 member of the public attending online. A representative from Education Scotland was also in attendance at the Dumbarton meeting, as part of their role in the statutory consultation process. Minutes were taken at all three meetings (Appendix 1, 2 and 3).

**4.5** An online survey was available during the consultation period, with 542 respondents registering. In answer to the question "*Do you agree that West Dunbartonshire Council should bring transport provision for schools more in line with the safe walking distance to school?*" 347 (64%) stated 'yes', and 195 (36%) stated 'no'. It should be noted however that this response did not correspond with the comments received during the consultation. Comments received in the online survey, by email and during the public meetings were overwhelmingly against the proposed change. A total of 230 respondents chose to provide a reason for their answer in the online survey. On closer inspection, responses stating 'yes' did not reconcile with the comments

offered. When viewing only the 230 responses who also commented, 26 were in favour (11.4%), with 203 (88.6%) being against the proposal. (one comment was excluded, as the response was not a word).

**4.6** The main issues raised by participants in the consultation have been grouped into headings below and the education response to the points raised are detailed within the Consultation Report.

- Safety
- Impact on attendance
- Time taken to walk to school
- Weather
- Households with children attending different establishments
- Contracts for school transport
- Accessibility of consultation
- Identification and realization of benefits
- Provision of public transport
- Promise of provision of transport at the time of OLSP relocation
- Equity of provision
- Impact on denominational schools

**4.7** 15 responses were received by email, and one response was made by phone. Responses were also received from The Archdiocese of Glasgow of the Roman Catholic Church, Strathclyde Partnership for Transport (SPT) and First Bus. None of these responses supported the proposal.

#### Education Scotland Report and Considerations

**4.8** The Schools (Consultation) (Scotland) Act 2010 requires HM Inspectors from Education Scotland to be involved in the formal consultation proposal. The full report from Education Scotland (Appendix 6 of the Consultation Report) was published on their website and also published as part of the Consultation Report.

**4.9** As part of this process HM Inspectors undertook the following activities in considering the educational aspect of the proposal:

- attendance at a public meeting held on 18 April 2023 in connection with the Council's proposals;
- consideration of all relevant documentation provided by the Council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others;
- consideration of further representations made directly to Education Scotland on relevant educational aspects of the proposal;
- visits to St Eunan's Primary School, Knoxland Primary School, Clydebank High School, St Peter the Apostle High School, Dumbarton Academy, Vale of Leven Academy and Our lady and St Patrick's High School, including discussion with relevant consultees and;

- discussion with relevant consultees, including representatives from the Archdiocese of Glasgow.

### Education Scotland Summary and Recommendations

**4.10** Education Scotland produced a report whose purpose is to provide an independent and impartial consideration of West Dunbartonshire Council's proposal to alter arrangements for the provision of transport by West Dunbartonshire Council for pupils attending mainstream schools.

**4.11** Within the report, Education Scotland concluded:

*"In their proposal, West Dunbartonshire Council state that there will be educational benefits gained through active travel. HM Inspectors agree that the proposal is in line with national guidance and statutory walking distances. HM Inspectors agree that there are potential benefits through active travel. However, HM Inspectors do not agree that the Council have set out sufficiently the potential educational benefits to address concerns raised by stakeholders. Almost all stakeholders raised significant concerns. These include the safety of children and young people while walking to and from school, and the reliability, availability and capacity of public transport to meet increased demand. Most stakeholders also have a concern that the proposal, if implemented, would incur financial costs for families already facing significant financial hardship. Stakeholders are also concerned about the potential for lower attendance which will impact on attainment and achievement. Should this proposal be agreed, it will be important for the Council to work with stakeholders to address their concerns.*

*The online survey main question may have been misunderstood by respondents and therefore the outcome may not be accurate. The survey responses do not fully reflect the comments or the issues raised by stakeholders who met with HM Inspectors. The Council will need to consider if this data should be used to inform the final decision."*

### Next Steps

**4.12** Response to the consultation was overwhelmingly negative, with stakeholders raising significant concerns. As the grounds for the proposal were based on a saving to the Council, a reasonable alternative would be to maintain the existing home to school distance, but remove the provision of bus passes by the Council for use on public service buses, requiring children and young people who use public service buses to make use of their Under 22 travel pass instead. In the exceptional circumstance where a child or young person is unable to obtain or utilise an Under 22 Travel Pass, the Council would ensure the young person was provided with suitable support. This change would have no direct impact on stakeholders, and save the Council in the region of £185,000 per annum. This would be £15,000 short of the projected saving for 2023/24, and £115,000 short of the projected saving for 2024/25.

## Consultation Report

- 4.13** The Council is required to prepare and publish its final Consultation Report when the consultation exercise has been concluded. In preparing the report, the Council must consider the report from Education Scotland and other responses to the consultation. The consultation report must explain how the Council has reviewed the proposal, a summary of the points raised during the consultation and the Council's response to them. It should consider if there are any other reasonable alternatives to the proposal.
- 4.14** The Council is required to publish the Consultation Report and Educational Services Committee cannot take a decision on whether to formally implement a proposal until 3 weeks have elapsed from the date it publishes the Consultation Report. The Consultation Report was published on the website on Friday 16 June 2023.

## **5. People Implications**

- 5.1** There are no people implications within this report.

## **6. Financial and Procurement Implications**

- 6.1** Not implementing the proposal would see the Council fail to make an identified saving of £200,000 in 2023/24, and £300,000 in 2024/25. The alternative suggested in 4.12 above would realize an annual saving of £185,000 from 2023/24. This would be £15,000 short of the projected saving for 2023/24, and £115,000 short of the projected saving for 2024/25.

## **7. Risk Analysis**

- 7.1** HM Inspectors agree that the proposal is in line with national guidance and statutory walking distances. HM Inspectors agree that there are potential benefits through active travel. However, HM Inspectors do not agree that the Council have set out sufficiently the potential educational benefits to address concerns raised by stakeholders. Implementing the proposal of the statutory consultation would bring financial hardship to families, impact on school attendance and attainment and may indirectly influence parental choice of school.

## **8. Equalities Impact Assessment (EIA)**

- 8.1** This report was considered under the Council's Equalities Impact Assessment process. The Equalities Impact Assessment is included as Appendix 2.

## 9. Consultation

- 9.1 Consultation on the proposed changes was undertaken in accordance with the Schools (Consultation) (Scotland) Act 2010.
- 9.2 Legal Services and the Section 95 Officer have been consulted on the content of this report.

## 10. Strategic Assessment

- 10.1 Undertaking a statutory consultation ensures we meet our responsibilities as defined by the Schools (Consultation) (Scotland) Act 2010. It works towards all three of the Community Planning Partnership priorities of 'empowered', 'sustainability' and 'wellbeing' by ensuring that the views of local citizens are sought and incorporated into our plans, and that we work to promote the wellbeing of our children, young people and families.

Laura Mason  
Chief Education Officer

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| <b>Appendices:</b>        | Appendix 1 – Consultation Report<br>Appendix 2 – Equalities Impact Assessment  |
| <b>Background Papers:</b> | Report and Proposal Paper submitted to Education Committee on 08.03.2023<br>Equalities Impact Assessment No.749                      |
| <b>Wards Affected:</b>    | All wards  |