

# Transport Toolkit:

## Campaign against cuts affecting your local Catholic school



## Welcome

Welcome to CESEW's Transport Toolkit, which we hope that teachers, governors, parents and diocesan officials will find useful as they campaign against cuts to discretionary subsidies for transport to Catholic schools.

In this booklet you will find some background information about the cuts which have taken place across many local authorities in the last year and some resources to help your campaign, including advice about who to ask for support and tips on gaining media coverage.



We would welcome any feedback, particularly if you have successfully run a campaign to encourage a local authority to reverse its decision to cut discretionary subsidies for transport to Catholic schools. Please email [press@cesew.org.uk](mailto:press@cesew.org.uk).

Good luck with your campaign!

## A brief overview of the background to cuts to home to school transport

Historically, schools with a religious character have been established in places where there was a local need for them. Typically a Catholic school was situated in its present location with the agreement of the local Education Authority at the time it was established in an urban area to draw from a wider catchment area based on parish boundaries.

Most schools with a religious character draw children from a wider geographical area than other schools do. Consequently many students at schools with a religious character have further to travel to school, which means that they have to rely on school transport in order to get there.

Until recently, many local authorities offered additional subsidies to the families of children attending schools with a religious character, which covered the cost of transport to those schools in whole or in part. However, many local authorities have reduced or removed those subsidies in the last few years and the rate at which these cuts are occurring has increased significantly in the last year.

School transport can be hugely expensive. For example, in one area where the local authority has removed all subsidies, the cost of school transport will be up to £1379 per year.

In other cases, local authorities have removed the bus routes to schools with a religious character, meaning that children are either unable to get to school by public transport or have long and circuitous journeys on a number of buses. Some of the children making such journeys are as young as 11.



## Why should councils continue to subsidise transport to schools with a religious character?

### 1. It is those most in need who are hit hardest

It is those families with an income just high enough to ensure they are not eligible for the statutory subsidies that are most badly affected. These are often hardworking families on low incomes, and the prospect of having to find several hundred (or in some cases thousands) of pounds in order to enable their children to travel to school would cripple them financially.

### 2. Some local authorities have unfairly discriminated against schools with a religious character when making cuts

In some places local authorities have removed subsidies for transport routes to schools with a religious character, whilst retaining them for other schools. Dioceses are investigating whether this is a form of religious discrimination, since it appears to disproportionately affect the parents of children at the Catholic school.

### 3. Some local authorities only cut the subsidies after secondary school places had been allocated for 2011, or have cut subsidies for children already attending the school

This has meant that parents are now facing the prospect of huge transport bills which they did not anticipate when they applied for secondary school places for their children. If the child is already at the school the parents are saddled with these costs and cannot normally avoid these by removing their child from the school, since places at other schools are unlikely to be available and it would be incredibly disruptive to the child's education to move him or her.

#### 4. Transport subsidies to schools with a religious character are supported by the Welsh Government

In 2009<sup>1</sup> the Welsh Assembly Government issued guidance which made it clear that it encouraged local authorities to continue to subsidise transport to schools with a religious character:

*“The Welsh Assembly Government, like local authorities, recognise the value and role of faith based education and want local authorities to continue to use their discretionary powers to make transport arrangements which take account of parental preferences for schools with a religious character.”<sup>2</sup>*



#### 5. Cutting these subsidies often results in only minimal savings for the local authority

The local authority has a duty to provide transport to certain children, so some children at schools with a religious character remain entitled to transport subsidies, notwithstanding any removal of discretionary subsidies. Individualised transport provision is normally more costly than school-wide provision. CESEW has heard of examples of local authorities transporting children with SEN statements by taxi very short distances to and from school, at considerable cost to the local authority. Such an approach makes inefficient use of public money. It is suggested that the information about cost saving, bearing in mind the authority’s continued transport responsibilities, should be thoroughly interrogated.

<sup>1</sup> This remains the current guidance from the Department for Education and Skills.

<sup>2</sup> *Learner Travel Operational Guidance* (Welsh Assembly Government, April 2009 <http://wales.gov.uk/docs/det/publications/090401learnertraveguidanceen.pdf>).

## Some background legal information

Parents have the primary responsibility for ensuring that their children receive an effective education.

Section 7 of the Education Act 1996 provides that:

“The parent of every child of compulsory school age will cause him to receive

efficient full-time education suitable -

- (a) to his age, ability and aptitude, and
- (b) to any special educational needs he may have either by regular attendance at school or otherwise.”

Under section 444 of the Education Act 1996 a parent commits an



offence if his child, being of compulsory school age and registered at a school, fails to attend regularly at that school. A parent has a defence to a charge under section 444 if it can be shown that the relevant local authority has failed to discharge its duty

to make transport arrangements in relation to a child under section 3 or 4 of the Learner Travel (Wales) Measure 2008 (“the Measure”).

Section 3 of the Measure places a duty on a local authority to make transport arrangements for children of compulsory school age in specified circumstances and subject to certain conditions essentially:

- Children receiving primary education will be entitled to free transport if they live two miles from their maintained school, pupil referral unit, or non-maintained special school, unless the authority

has arranged for the child to become a registered pupil at a suitable establishment closer to home or has arranged for the child to board at or near the school;

- Children with a statement of special educational needs which name an independent school will be entitled to free transport if they live more than two miles from the school unless the authority has arranged for the child to become a registered pupil at a suitable establishment closer to home or has arranged for the child to board at or near the school;

- A similar entitlement is provided for children receiving secondary education if they live three miles or more from their maintained school, pupil referral unit, non-maintained special school or independent school named in a statement of special educational needs;



- A similar entitlement is provided for children of compulsory school age attending a further education institution as a full time student if they live three miles or more away;

- The entitlement include travel between the child's home and a relevant place other than the one at which the child is a registered pupil to take account of the fact that some children attend different places on different days.

Section 4 of the Measure places a duty on a local authority to make other travel arrangements for children of compulsory school age if the authority judges that it is necessary in order to facilitate a child's attendance at school or college. These arrangements must be free of charge (save that costs can be recouped from another local authority

if the child is looked after). The 2009 Guidance refers to this section as the basis for local authorities supporting children e.g. with a disability or learning difficulty.



Section 9 of the Education Act 1996 provides that:

“In exercising or performing all their respective powers and duties under the Education Acts, the Secretary of State and local authorities shall have regard to the general principle that pupils are to be educated in accordance with the wishes of their parents, so far as that is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure.”

Section 86 of the School Standards and Frameworks Act 1998 requires a local authority to enable parents to express a preference for the school they wish their child to attend.

Section 6 of the Measure gives a local authority a 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. In doing so it must ensure:

“...that any policies are fair, reasonable, and comply with relevant legislation including equality legislation and the Human Rights Act 1998. Local authorities must not discriminate unlawfully between learners when using their section 6 powers”.<sup>3</sup>

<sup>3</sup> *Learner Travel Operational Guidance* (Welsh Assembly Government, April 2009 <http://wales.gov.uk/docs/det/publications/090401learnertraveguidanceen.pdf>).

## Your step-by-step guide to running a successful campaign

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### 1. Write to the officials at the local authority who have made the decision.

Explain your concerns and ask them to reconsider. Ask them about the rationale behind the decision. In particular, ask for detail of the cost saving against the cost of the authority's duty to continue to provide transport to eligible children.

### 2. Write to your local councillors.

You'll be able to find their contact details on your local authority's website. Encourage everyone connected to the school community to write to them. Our guide to the arguments you might make to support your cause may help you with this.

### 3. Write to your local AM.

The decision regarding transport subsidies lies with your local authority, not the Welsh Government or the Department for Education and Skills. However, your local AM may be prepared to lend his or her support to your campaign and might be prepared to raise your concerns in the National Assembly for Wales if you build a good working relationship with him or her. Our guide to contacting your local AM on page 11 will help you to get in touch with him or her.

### 4. Encourage everyone connected with your school community to help with the letter writing!

That includes parents, teachers, governors, parishioners and anyone else who shares your concerns.

### **5. Start organising your media campaign.**

Our step-by-step guide on page 12 will help you with this.

### **6. Appeal to your local authority.**

You will need to check your local authority transport policy to ascertain how you can appeal against a decision made under the authority's transport policy where a request for transport has been refused. You should remember that your local authority is under a duty to consider each appeal on its facts and therefore cannot fetter its discretion by stating that it has a blanket policy that it will not provide transport in certain cases e.g. to a particular school.

### **7. Raise your concerns with the Local Government Ombudsman.**

This is a free service. You will normally need to have made a complaint to the authority before the LGO will consider your complaint and will therefore need to follow your authority's complaints procedure. Go to [www.lgo.org.uk](http://www.lgo.org.uk) to find out more about this and how to make a claim.

### **8. Consider pursuing a claim for judicial review.**

This may be possible if there has been a procedural flaw in the decision-making process. However, it can be an expensive and lengthy process and you should seek legal advice first.

## How do I get in touch with my AM?

The National Assembly website has a 'Find your AM' section where you can enter your postcode and it will tell you who your local AM is and how to contact them. You can access this via <http://www.assemblywales.org/memhome.htm>

You can write to your AM via the constituency office or contact him/her at the National Assembly:

National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

However, for local issues it is probably best to contact the constituency office directly. You can find contact details for constituency offices on most AMs' websites. Links to these websites can again be found using the 'Find your AM' section on the National Assembly website.



## Gaining media coverage

One important aspect of your campaign will be the media coverage. This helps you to spread your message to a wider audience and can be a way of encouraging the local community to rally round and support your campaign. Here are some tips to get you started.

### 1. Think about how to gain maximum publicity.

If you're running a campaign try to ensure that the story can 'develop'. Initially, the local paper might run a simple story outlining the problem. The following week they might cover how many parents have written to councillors. Then they might focus on your campaign rally outside the council offices. Try to make it at least a three-part story so that the media coverage continues for longer.

### 2. Write a press release.

If you're contacting your local paper about a story, they'll prefer a press release. A good press release will be no longer than one side of A4 and will answer the key questions: who, what, why, where and when? Keep it short and to the point and include some quotes from teachers, parents or students.

### 3. Don't forget to send a photo.

If you're sending a press release, remember to include a good photograph. It's also helpful if you include a contact name and telephone number in case the paper want more information.

### 4. Think about television and radio as well as the local newspaper.

Broaden the scope of your campaign by calling your local television or radio station. There are a range of commercial stations across the country or you can find contact details for your local BBC team by visiting <http://www.bbc.co.uk/news/wales/>. Emphasise the human interest side of the story - talk about the families who will be affected by these cuts.

### 5. Make use of websites and social media.

If your school has a website, keep it updated so that any visitors to it know about the problem and the action you're taking. If this isn't possible, consider setting up a blog using a website like [www.wordpress.com](http://www.wordpress.com) or [www.blogspot.com](http://www.blogspot.com). Use social media sites such as Twitter and Facebook to make sure that anyone who wants to follow your campaign's progress can do so.

## Writing a press release

There is no set formula for writing a press release but the following tips and template might help to get you started.

- 1. Keep it short.** A press release should never be longer than one side of A4 and ideally should only be a couple of paragraphs.
- 2. The 5 Ws.** The first couple of sentences should answer the questions Who? What? Where? When? Why?
- 3. It should be instantly printable.** Ideally a press release should be a ready-made article. Journalists are more likely to publish press releases that don't require additional research.
- 4. The beginning is very important.** Very few people read to the end of a news article, so make your point at the start!
- 5. Include a quote.** This could be from parents affected by the cuts, the headteacher of the school or a concerned councillor. Again, keep it brief.
- 6. What's your angle?** What makes this story stand out? What's new and interesting about this story? Link the story back to the national problem, highlight some families who will be particularly affected or think of another angle which makes your story worth printing.

## PRESS RELEASE TEMPLATE

[Insert name of local authority] is planning to remove/reduce the transport subsidies currently available to parents of children at [insert name of school].

[Provide additional information about the nature of the cuts and their likely impact on families in the school community].

[Headteacher/parent/governor etc] said “[insert quote]”.

ENDS

For further information please contact [insert name] on [telephone number] or email [email address].

The attached photograph shows [insert description].

### Notes to editors

[Provide a few bullet points with background information about the school here. Further information about the nature of the cuts could also be added here so that the press release itself is shorter and more succinct]

For further information about the national problem of cuts to transport subsidies for parents sending their children to schools with a religious character, please visit [www.cesew.org.uk](http://www.cesew.org.uk).

[Add details of your own website here]



## Get in touch:

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