



Rutland County Council

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Meeting: CABINET

Date and Time: Tuesday, 20 September 2016 at 9.30 am

Venue: COUNCIL CHAMBER, CATMOSE

Corporate support: Natasha Brown 01572 720991

Officer to contact: email: corporatesupport@rutland.gov.uk

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A G E N D A

APOLOGIES FOR ABSENCE

1) ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF THE PAID SERVICE

2) DECLARATIONS OF INTEREST

In accordance with the Regulations, Members are required to declare any personal or prejudicial interests they may have and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

3) RECORD OF DECISIONS

To confirm the Record of Decisions made at the meeting of the Cabinet held on 16 August 2016.

4) ITEMS RAISED BY SCRUTINY

To receive items raised by members of scrutiny which have been submitted to the Leader (copied to Chief Executive and Democratic Services Officer) by 4.30 pm on Friday 16 September 2016.

REPORT OF THE DIRECTOR FOR RESOURCES

5) FUTURE OF INTERNAL AUDIT (KEY DECISION)

Report No. 177/2016
(Pages 5 - 14)

REPORTS OF THE DIRECTOR FOR PLACES (ENVIRONMENT, PLANNING AND TRANSPORT)

6) HOME TO SCHOOL TRANSPORT POLICY CONSULTATION (KEY DECISION)

Report No. 157/2016
(Pages 15 - 64)

7) SPEED LIMIT AND ACCESS RESTRICTION REVIEW 2015/16 (KEY DECISION)

Report No. 175/2016
(Pages 65 - 88)

REPORTS OF THE DIRECTOR FOR PLACES (DEVELOPMENT AND ECONOMY)

8) RELOCATION OF THE CHILDREN'S CENTRE (KEY DECISION)

Report No. 181/2016
(Pages 89 - 116)

10) ANY ITEMS OF URGENT BUSINESS

To receive items of urgent business which have previously been notified to the person presiding.

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MEMBERS OF THE CABINET: Mr T King Chairman
Mr T Mathias
Mr R Clifton
Mr R Foster
Mr O Hemsley

Mr D Wilby

SCRUTINY COMMISSION:

Note: Scrutiny Members may attend Cabinet meetings but may only speak at the prior invitation of the person presiding at the meeting.

**ALL CHIEF OFFICERS
PUBLIC NOTICEBOARD AT CATMOSE
CORPORATE SUPPORT TEAM**

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CABINET

20th September 2016

FUTURE OF INTERNAL AUDIT

Report of the Director for Resources

Strategic Aim:	All	
Key Decision: Yes	Forward Plan Reference: FP/150716/01	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr T C King, Deputy Leader and Portfolio Holder for Places (Development and Economy) and Resources	
Contact Officer(s):	Saverio Della Rocca, Assistant Director (Finance)	01572 758159 sdrocca@rutland.gov.uk
	Debbie Mogg, Director for Resources	01572 758358 dmogg@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

1. That subject to satisfactory completion of due diligence and any consultations as appropriate, Cabinet approve the delegation of the delivery of internal audit services to LGSS under section 101 of the Local Government Act 1972.
2. That authority be delegated to the Director for Resources in conjunction with the Portfolio Holder for Corporate Finance to formalise, approve and enter into a collaboration agreement with the Local Government Shared Service for delivery of internal audit services from 2017/18 in accordance with the principles set out in this report.

1 PURPOSE OF THE REPORT

- 1.1 In accordance with Section 6 of the Accounts and Audit Regulations 2011, the Chief Finance Officer and the Chief Executive shall be responsible for maintaining an adequate and effective internal audit of the Council's accounting records, control systems and financial transactions including any operations affecting the financial arrangements or the finances of the Council.
- 1.2 This report proposes an option for the future delivery of the Internal Audit service.

2 BACKGROUND AND MAIN CONSIDERATIONS

2.1 Internal audit service

- 2.1.1 The primary role of the Internal Audit Service is to objectively examine, evaluate and report on the adequacy of the Council's internal control environment as a contribution to the proper, economic, efficient and effective use of resources and the management of risk. Internal Audit also advises on, carries out and directly supports investigations into suspicions of fraud or financial irregularity.
- 2.1.2 The requirement to maintain an adequate internal audit function is achieved presently through the Council directly employing the Welland Internal Audit team. The internal audit team provide internal audit services not only to Rutland but to other Welland authorities (Melton and East Northants) and other partners, Corby and Harborough. The work of the team is underpinned by a delegation agreement between the partners and there is a Welland Internal Audit Board (comprising the Section 151 Officers of each Council) which oversees its work and reports through to the Welland Joint Committee.
- 2.1.3 The internal audit team of 4.76 FTE is supported by interim external support including Head of Internal Audit provision from the Local Government Shared Service. The total cost of the service is c£320k of which the Rutland share is c£85k.
- 2.1.4 In terms of performance, the Council acknowledges that the existing service managed by LGSS (a public sector shared service venture wholly owned by Cambridgeshire, Northamptonshire County Councils and Milton Keynes Council) is very good and that the performance level is high (measured in terms of the % completion of the audit plan by the end of March and feedback from staff which has been very positive). The Audit and Risk Committee itself has also commented on the positive performance of the audit team and the quality of some of the work produced. Confidence in the team is high compared to a few years ago when the audit team was fully staffed in house. In that period, the audit plan was not delivered in fully in a timely fashion and an external review of the service concluded that significant improvements were needed (142/2013).
- 2.1.5 From a cost perspective, the main way in which cost is measured is on a per day basis. CIPFA produces various benchmarking reports on costs which indicate that costs per day per unitary authority is the range of £260 - £375 with the average around £320. The Council's day rate cost is c£265 so at the lower end¹.

2.2 Rationale for consideration of alternative delivery options

- 2.2.1 The current arrangement with LGSS is in place until 31 March 2017. The Welland Internal Audit Board acknowledges that whilst performance is good and costs are low, the existing model is not sustainable in the long term and has concluded that alternative arrangements need to be made to secure provision. The reasons for this are as follows:

- *Recruitment difficulties* – the Council has found it difficult to recruit when vacancies have arisen. The existing arrangement with LGSS was put in place

¹ The Council is not a member of the CIPFA benchmarking club for internal audit but has sourced publicly available information to arrive at an estimate of the current cost of internal audit.

following two unsuccessful recruitment exercises after the retirement of the Head of Audit. The total number of candidates applying for the post was less than 5 even with an additional £5k market supplement.

- *Resilience* – during periods of sickness or when there are vacancies, there have been difficulties for the team in delivering the internal audit plan. The limited size of the team gives a lack of resilience. This has changed during the last year as the arrangement with LGSS has allowed the Council to draw down additional resource as required albeit at an additional cost.
- *Quality* – whilst the quality of service is good, the Council recognises that a small team does not have access to the specialist expertise that larger teams enjoy. For example, the team has no specialist IT auditor.
- *Uncertainty and development of service* – the existing arrangement is short term and is not secure with LGSS able to give 3 months' notice. Furthermore, the insecurity of tenure has restricted investment in the service. A longer term arrangement needs to be put in place which will allow management to invest in both staff and service.
- *Limited capacity for growth* – the team has limited capacity to grow and bring in new partners with the lack of a Head of Audit a key barrier. An inability to grow reduces the potential for resilience.
- *Management involvement* – the Section 151 Officers and Welland Internal Audit Board have invested significant time into resolving management issues and this level of investment cannot continue.

2.3 The options and preferred way forward

2.3.1 The Welland Internal Audit Board has considered different delivery models, including:

- Full outsource – the procurement of an internal audit service from an external provider;
- Co-source – combination of an in-house team and one or more external providers;
- Fully staffed model (the original Welland model as designed) – internal audit delivered by an internal team, employed by one of the member organisations, and who work across member organisations; and
- Collaboration/delegation (current model in place)– internal audit delivered by another local authority under delegation/collaboration agreement.

2.3.2 Indicative costs and advantages/disadvantages for each model were discussed by the Board. The results are shown below with notes:

Option	Costs	Advantages/Disadvantages
Full outsource (1)	£534k - £668k	<u>Advantages</u> • Greater resilience

Option	Costs	Advantages/Disadvantages
		<ul style="list-style-type: none"> • Access to wider/specialist resources • No recruitment costs • Potentially better quality but experience of Welland partners has been mixed in the past <p><u>Disadvantages</u></p> <ul style="list-style-type: none"> • Contract management required • Continuity of staffing not guaranteed • Increased cost even if external providers argue 10-20% productivity gains • Takes time and cost as OJEU process is required (or use of framework if possible) • Change of scope may require changes in contract
Co-source (2)	£480k - £520k	Combination of models 1 and 3
Fully staffed model (3)	£300-£320k	<p><u>Advantages</u></p> <ul style="list-style-type: none"> • Continuity of staffing • Greater familiarity with clients • Scope of service easily modified <p><u>Disadvantages</u></p> <ul style="list-style-type: none"> • Lack of resilience • Access to specialist advice is limited • Some difficulties in recruitment as pay rates not always competitive in this market
Collaboration/ Delegated model (4) e.g. Another Council take over Audit service	£320k	<p><u>Advantages</u></p> <ul style="list-style-type: none"> • Greater resilience • Access to wider/specialist resources • No recruitment costs or sickness problems • Continuity of staff with TUPE transfer • Avoids any redundancy costs as staff TUPE • No OJEU required but negotiation needed over TUPE etc <p><u>Disadvantages</u></p> <ul style="list-style-type: none"> • Management of agreement required • Continuity of staffing not guaranteed • Lack of resilience if not collaborating with a partner of sufficient size • Potential for cost increases
<p>Costs based on days required (1335) multiplied by an estimated day rate range of £400-£500 per day following informal discussions with suppliers and knowledge of rates charged elsewhere. As current staff would TUPE transfer,</p>		

Option	Costs	Advantages/Disadvantages
<p>providers would wish to see terms and conditions before deciding rates.</p> <p>Assumes 400 days commissioned and the remainder provided in-house. Day rates higher as buying-in a Head of Audit would cost more per day (£500 - £650 per day) than a general composite rate.</p> <p>Costs are shared between 5 local authorities</p>		

- 2.3.3 The conclusion from the analysis was that the current model is favourable. The challenge for the Board therefore was to find a way of converting the existing temporary arrangement into a permanent model with LGSS or another local authority.
- 2.3.4 The Assistant Director – Finance discussed collaborative models with a number of local authorities albeit ones with which the Council has no direct experience of working with on internal audit. All were interested in principle but would need to undertake further due diligence to assess whether they could deliver the service for the existing fee. At the same time, LGSS came forward with its own proposal for the Welland partners to delegate the service to it for the same fee. On this basis, after some consultation (with the Chief Executive, Portfolio Holder and Chair of Audit and Risk Committee), Officers decided therefore that there was no compelling reason to continue deliberations with other authorities at this stage and that continuing to work with LGSS made the most sense for the staff and the Council generally. The reasons for this are as follows:
- LGSS are currently working with the Council and have demonstrated that they can deliver what is needed;
 - Current performance levels are very good;
 - There would be minimal disruption as LGSS are already managing the service;
 - LGSS know our audit staff (who would TUPE transfer under this proposal) and our staff know LGSS and how they work;
 - LGSS have confirmed that they can deliver within our existing budget;
 - LGSS have developed good relationships with senior management and have the confidence of the Audit and Risk Committee; and
 - The Council would gain access to a bigger team with wider skills.

3 CONSULTATION

- 3.1 As internal audit and fraud services are 'back-office' functions, this change will not impact on the public and so has not been subject to external consultation.
- 3.2 LGSS's proposal is for all Welland authorities to delegate their internal audit service to them and is predicated on at least 4 of the existing 5 authorities delegating their service. All other authorities have taken reports to their own committees and are, in principle, supportive of the proposal.

- 3.3 Since the implementation of the delegation involves the transfer of staff, statutory consultation will be undertaken. In the meantime, the Assistant Director - Finance has met with the team to discuss the proposed delegation in broad terms. The team understand the proposal and are aware that, subject to consultation, they would transfer to LGSS on the same terms and conditions and no longer be employees of this council. The team is also aware that it is LGSSs intention for them to continue working at the existing Welland sites although there may be opportunities to work on other LGSS clients. At this stage the team have raised no specific concerns but based on initial discussions it is expected that detailed questions will come through as part of the consultation.
- 3.4 The Audit and Risk Committee, which is responsible for oversight of the Internal Audit function, has also been consulted on the proposal and the Chair of Audit and Risk met separately with LGSS to discuss it. The Committee is supportive of the proposal having looked at the other options.

4 ALTERNATIVE OPTIONS

- 4.1 The Board and this Council considered various options as set out above. Cabinet could:
- support the proposed option as it stands;
 - request further work prior to making a decision; and
 - propose an alternative option.
- 4.2 Should an alternative option be proposed or the other Welland authorities not agree to the delegation then the Council would need to reassess the financial impact and determine whether a new arrangement could be put in place for the start of 17/18 or whether an extension to the existing arrangement would be required. The latter is most likely.

5 FINANCIAL IMPLICATIONS

- 5.1 The current Council budget for Internal Audit is £85k. There will be no change to this cost.
- 5.2 As the Council is the employer of all staff, LGSS will seek some agreement that the Council (and other Welland Councils) underwrite the cost of any staff redundancies should the agreement be terminated on non-performance grounds within an initial agreed period (say 2-3 years) and in the event that TUPE does not apply (i.e. that staff working for LGSS would not transfer back to the Council). The Council considers that such an agreement would be acceptable.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 There are various legal provisions that allow for collaborative working between local authorities. The delegation of functions to another local authority is permissible under sections 101 of the Local Government Act 1972 and sections 19 and 20 of the Local Government Act 2000.
- 6.2 The Constitution (Rule 130) states that the discharge of executive functions will be taken collectively by the Cabinet. Executive functions of the Cabinet may be

delegated by the Cabinet to be discharged by: a) a Committee of the Cabinet; b) an officer; c) joint arrangements; or d) another local authority. The Cabinet is therefore able to delegate the internal audit function to another local authority or joint arrangement under a delegation agreement.

6.3 The collaboration agreement will fall outside the scope of the Public Contracts Regulations 2015. Such administrative arrangements are expressly exempted from the EU procurement regime (Regulations 11 and 12 (7) of the Public Contracts Regulations 2015) so there is no requirement for Rutland County Council to tender these services.

6.4 The collaboration agreement with LGSS will amongst other key principles cover:

- Overall responsibility - the Assistant Director - (Finance) will be the RCC lead and an agreed representative from LGSS will be responsible for delivering the service;
- Welland Board – the Welland s151 Officers will form an officer board with LGSS representatives for oversight of the service;
- Delivery arrangements - how LGSS will deliver the service (this is set out in the proposal);
- Funding and cost sharing;
- Termination and other rights;
- Dispute resolution;
- Staffing and TUPE;
- Liability, indemnity and insurance;
- Data protection and information governance; and
- Exit provisions.

6.5 A schedule of key risks and how the Council will seek to manage them is included within Appendix A.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Either party chooses to terminate the delegation	LGSS permanently takes on the responsibility for and costs of providing the audit function. Either party may choose to end the arrangement, the arrangement fails, leaving LGSS with additional costs and	A formal legal agreement will be made to include exit arrangements with appropriate notice periods for seeking to vary or terminate the services.	Low

Risk	Description	Action to avoid or mitigate risk	Risk rating
	Rutland with no service		
Failure to deliver effective service	The proposed service is a new way of working; it may fail to deliver an effective internal audit for the Council.	Current arrangements work well. A formal legal agreement will be made to include required outputs and how performance will be measured, monitored and reported.	Low
Fee increases	Fees increases beyond original agreement.	The funding and cost sharing arrangements will require annual sign off but RPI and other assumptions will be built into the agreement.	Low
Council required to meet additional costs	Staff no longer required and Council asked to contribute to termination costs for those staff transferring	Due to longevity of existing staff, current costs of termination are low. Position to be agreed in agreement.	Low
Staff grievance	Transfer of staff may not be undertaken appropriately.	HR staff from both councils are involved in the project and will lead on this workstream.	Low

7 EQUALITY IMPACT ASSESSMENT (EIA)

7.1 This initial screening identified that a full EIA is not required.

8 COMMUNITY SAFETY IMPLICATIONS

8.1 There are no community safety implications.

9 HEALTH AND WELLBEING IMPLICATIONS

9.1 There are no health and wellbeing implications.

10 HUMAN RESOURCE IMPLICATIONS

10.1 *Pension Matters*

10.1.1 Employees are given protection by the TUPE Regulations if the service in which they are employed changes hands. In effect their employment and any associated liabilities, legally moves from the old employer to the new employer.

10.1.2 Employees' pension rights are not directly protected by the TUPE Regulations. However, employers that participate in the LGPS should be aware of the legal position regarding staff TUPE transferring from their organisation to an external service provider (i.e. a Contractor) including obligations to ensure 'pension protection' going forward.

10.1.3 In cases of delegation to another LGPS Employer, pension protection can be achieved by ensuring that transferring staff have either:

- continuing access to Membership of the LGPS, or
- access to a pension scheme which has been certified by the Government Actuary's Department (GAD) as being 'broadly comparable' to the LGPS.

10.1.4 LGSS have indicated that staff will transfer to the Cambridgeshire Pension Fund.

10.1.5 Risk relates to liabilities and deficits which have already accrued or can accrue over the course of an agreement, regarding funding the provision of Members' LGPS benefits. RCC, as the Scheme Employer will need to decide whether any pensions deficit which there may already be in respect of the employees to be TUPE transferred will be retained by ourselves (i.e. the transferred service is to be treated as fully-funded); or any pensions deficit is to be transferred to the contractor.

10.1.6 It is assumed that the Council will not look to transfer any pension deficit which may exist (at this stage the Council is not aware of any deficit or what the level of it is) but given the number of staff involved this is not considered to be significant. Should the pension deficit remain with the Council this would be funded through ongoing contribution rates. (Once staff have transferred the Fund Actuary may calculate a new Employer Contribution Rate - the charge made to a Scheme Employer of underpinning costs of providing the occupational pension scheme benefits provided by the LGPS not met by Member contributions and returns on Fund investments. Given the likely number of staff transferring, it is unlikely that the Council's contribution rate would change significantly). A lump sum payment to clear any deficit is not required.

10.1.7 Future pension risk will be borne by LGSS and this has been provisionally agreed. If this approach is agreed then any pensions deficit above which does exist at the end of the agreement will be met by LGSS.

10.2 *Transfer of Undertakings (TUPE)*

10.2.1 In order to give LGSS full control over resources, it is proposed that existing staff TUPE transfer from Rutland County Council. There is no risk around the number to be transferred as all staff are linked to the internal audit service. The transfer of undertakings (TUPE) was discussed with LGSS and they have confirmed that they have undertaken this process from other authorities.

10.2.2 There is a requirement to undertake a TUPE consultation process and this will involve formal consultation with staff and Trade Unions. The Trade Unions will need to be briefed.

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

11.1 The Council is required to have an internal audit service and this paper sets out alternative options and proposes a preferred option that will enable the Council to meet this requirement.

12 BACKGROUND PAPERS

12.1 There are no additional background papers to the report.

13 APPENDICES

13.1 There are no Appendices.

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

CABINET

20th September 2016

HOME TO SCHOOL TRANSPORT POLICY CONSULTATION

Report of the Director for Places (Environment, Planning and Transport)

Strategic Aim:	<ul style="list-style-type: none"> Meeting the health and wellbeing needs of the community. Creating a brighter future for all. 	
Key Decision: Yes	Forward Plan - FP/190216/01	
Exempt Information	No	
Cabinet Member(s) Responsible:	Councillor Tony Mathias, Portfolio Holder for Places (Highways, Environment, Transport and Community Safety) and Market Towns.	
Contact Officer(s):	D Brown, Director for Places (Environment, Planning and Transport)	Tel: 01572 758461 dbrown@rutland.gov.uk
	E.Odabas, Transport Operations Manager	Tel: 01572 720923 eodabas@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That Cabinet:

- Approves the home to school transport policy contained in Appendix 1 of this report (157/2016) for implementation from September 2017.
- Approves the special educational needs and disabilities (SEND) transport policy contained in Appendix 2 of this report (157/2016) for implementation from September 2017.

1. PURPOSE OF THE REPORT

- 1.1 To inform the panel of the responses received during the public consultation exercise on home to school and SEND transport policies and seek approval for implementation of the revised policies from September 2017.

2. HOME TO SCHOOL TRANSPORT POLICY PROPOSED AMENDMENTS

- 2.1 The existing policy was split down to into the following 3 elements:

a) Home to school travel and transport (general policy for mainstream pupils);

- b) Travel Assistance for children with special educational needs or disabilities (additional policy for parents/carers of SEN students to be used in conjunction with the general policy); and
- c) Post 16 transport (which will be considered separately at a later date and is not part of this report).

2.2 A summary of the proposed changes to the policies is contained in Appendix 4.

2.3 The policies were put out to public consultation between 6th June and 4th July 2016. The consultation was publicised via the following methods:

- Corporate press release circulated to the local media
- RCC website – main page and transport page
- RCC Twitter page
- Email to all Rutland schools to request publication via “Parentmail” and/or school websites. All Rutland schools had the opportunity to respond.
- Hard copies sent to any school requesting copies for parents not registered with “Parentmail”.
- Consultation packs sent via post to all parents/carers of SEN children currently receiving free transport via RCC.
- Email to RCC ward members.
- Email to all town & parish councils within Rutland.

2.4 Local bus and taxi operators were not directly consulted as they are not affected by the transport policy other than clauses relating to how RCC deals with behavioural issues. These clauses remain unchanged.

3. CONSULTATION

3.1 The total responses received during the consultation period amount to:

- 2 Telephone calls
- 3 Emails

3.2 Both telephone calls received were from parents of students due to move into the post-16 phase of their education in September 2016. Although the calls were initiated by the publicised consultation process, both sets of parents were simply seeking confirmation that the draft policies would not affect the current post-16 eligibility criteria.

3.3 The 3 emails received contained a variety of comments and suggestions relating to the policy documents but also contained personal opinions relating to issues such as seatbelt law, school admission ages and SEND case assessments which are issues that can be referred to within the home to school policy documents but cannot be amended/addressed/resolved. The points raised within the email responses are contained within appendix 3. They were submitted by:

- 1 Rutland County Council Ward Member
- 1 Parent of mainstream primary student/s
- 1 Parent of SEND year 11 student

- 3.4 Amendments have been made to the draft policies to address any valid points raised during the consultation process and also include amended text to cover issues raised at previous meetings. Revised policies are attached as appendices 1 & 2 with amended text highlighted in yellow.

4. ALTERNATIVE OPTIONS

- 4.1 The home to school transport policy is a statutory requirement and regular reviews of the policy are advisable to ensure that it remains current. However, the Council could choose to only update terminology and not revise the policy content.

5. FINANCIAL IMPLICATIONS

- 5.1 The proposed modifications are unlikely to have a significant financial impact. There may be some minor savings.

6. LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 Rutland County Council has a statutory duty under section 508B Education Act 1996 to make provision of travel arrangements for eligible children. Section 508C Education Act 1996 provides that a local authority has discretionary powers to go beyond their statutory duties and provide transport for children who are not entitled to free transport.

7. EQUALITY IMPACT ASSESSMENT

- 7.1 Equality impact assessment screening has been completed. No adverse or other significant issues were found and a full equality impact assessment is not required.

8. COMMUNITY SAFETY IMPLICATIONS

- 8.1 None

9. HEALTH AND WELLBEING IMPLICATIONS

- 9.1 The draft policy requires that any transport provided will take into account the individual assessed needs of the pupil, including any medical protocols that may be necessary.

10. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 10.1 The draft policies have now been through the required consultation process and proposed policies revised to address any valid issues raised.

11. BACKGROUND PAPERS

- 11.1 None.

12. APPENDICES

- 12.1 Appendix 1 – Revised Home to School Travel and Transport Policy.
12.2 Appendix 2 – Revised Travel Assistance for Children With Special Educational Needs.

12.3 Appendix 3 – Consultation responses and summary of action taken in respect of points raised.

12.4 Appendix 4 – Summary of policy changes

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

HOME TO SCHOOL TRANSPORT POLICY

Version & Policy Number	e.g. Version 1.0 Policy COMM/1234
Guardian	e.g. Joe Bloggs, Report Writers Manager, 01572 722 577 x000
Date Produced	e.g. 1 January 1900
Next Review Date	e.g. 1 January 2015

Approved by Scrutiny	e.g. 1 January 2015
Approved by Cabinet	e.g. 1 January 2015
Approved by Full Council	e.g. 1 January 2015

Document summary

This document sets out Rutland County Council's home to school transport policy for students who live in the county.

The policy may be subject to change at any time. Therefore, there is no guarantee that any service currently offered will continue to be offered in the future.

For ease of use, Rutland County Council has also produced a booklet for parents/carers entitled "Walk your way through Rutland Home to School Transport" which summarises the contents of the transport policy, provides answers to the most frequently asked questions and contains all applications forms and information relevant to the transport process. The booklet is available upon request by calling 01572 772577 or can be accessed online at <http://www.rutland.gov.uk/pdf/School%20Transport%202016%20A5%20Guide.pdf>

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- 2.6. Guide to eligibility
- 2.7. Transport assistance

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- 9.1. Reconsideration of cases and special circumstances
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10. Appendices

Appendix A – Current charges for fare paying transport

Appendix B – Hazardous Routes to School, Guidance and Assessment Criteria

Appendix C – Safe school transport – Top tips

Appendix D – Code of conduct for using school transport

Appendix E – Flow chart setting out eligibility for free home to school transport

1. Introduction

Parents and carers have a legal responsibility to ensure that their children attend school regularly. This includes arranging travel to and from school, meeting the costs of this and accompanying their child as necessary.

In some cases, the Council has a legal obligation to provide suitable free school transport. Transport will be provided in the most cost-effective and appropriate way for children's needs. This policy summarises the categories of eligible children, the provision offered, circumstances when assistance is not provided and how to appeal against a decision.

A separate document sets out additional provision made for children and young people with Special Educational Needs and Disabilities (SEND) who need to attend a special unit or school.

An additional document sets out the Council's provision for post-16 transport.
Insert link: Post 16 Transport Policy

2. Qualifying criteria for home to school travel assistance

The following section explains when support can be given to children of compulsory school age.

2.1. Eligibility

Free home to school transport will be provided for pupils who meet **all** the following criteria:

- a) Live in Rutland
- b) Are of compulsory school age (5 to 16 years), but extended in Rutland to include 4 year olds
- c) Attend their qualifying primary or secondary school
- d) Live over 2 miles from school if below the age of 8, and over 3 miles from school if aged between 8 and 16

2.2. Compulsory School Age

This is the age when a child must attend. It is defined from the term immediately following a child's 5th birthday up until the last Friday in June of the year the child is 16. In Rutland, this is extended to include pupils of 4+ years who are attending primary school.

2.3. Qualifying school

In Rutland, the qualifying school is taken to be either the nearest or designated catchment school for the home address, with places available, that provides education appropriate to the age, ability and aptitude of the child. Details of the catchment areas of Rutland schools can be found at: http://www.rutland.gov.uk/education_and_learning/admissions_information/catchment_areas.aspx

If there is more than one school, this is the nearest school to the home which is suitable for the child and at which a place is available.

For schools that do not have a designated catchment area, then eligibility will be based on nearest school only.

2.4. Statutory walking distance

Free transport will be provided for pupils living more than 2 miles (below the age of 8) or 3 miles (for 8-16 years) from, and attending, their qualifying school.

For distances below those described above, transport will not be provided, as the route is considered to be within the statutory walking distance. These distances are measured by the shortest available walking route (from home address to nearest school gate) using our Geographical Information System, taking account of public footpaths, along which a child, accompanied as necessary, can walk reasonably safely.

2.5. Route safety

Where a walking route to school is considered to be unsuitable, the Transport Operations team will conduct a physical assessment of the route on a school day, both morning and afternoon, and report on its safety against nationally set standards. These assume that the child is accompanied by a responsible adult. If alternative safe walking routes are available within the statutory walking distance, then no transport support can be given. Where no alternative safe walking route is available to the nearest or designated school, then free transport will be provided. Appendix B gives the guidelines used to assess routes. A link to the national guidelines for the assessment of the safety of the walking routes to school can be found here: <..\..\Transport Operations\Safe Routes\Safe Walking Guidelines.doc>

2.6. Guide to eligibility

Appendix A has a flow chart that provides a quick guide to whether a child is eligible for free school transport.

2.7. Transport assistance

Where the authority provides transport, this will usually be in the form of a bus pass to use a local bus service or to travel on a dedicated contract bus, coach or minibus. Where no other transport is available, parents may be offered a mileage allowance to convey their own child(ren) to school, or in some instances, a taxi or train pass may be provided if it is the most cost-effective way of providing the required transport.

The Council provides transport for one return journey from home to the school at the official beginning and end of the school day. Transport is not provided to meet a pupil's individual timetable, including breakfast or after-school clubs or extra-curricular activities. Transport is not provided for work experience placements, work-based learning or travel between establishments (school to school).

Transport is not usually provided from door-to-door. Children may be required to walk (accompanied by an appropriate adult as necessary) to and from

designated pick-up or set-down points. The distance to such a point will not normally exceed 1 mile for a primary-aged pupil and 1.5 miles for a secondary-aged pupil.

Generally, the driver of school transport vehicles will be the only adult present during journeys. Parents must ensure their children are instructed about good behaviour when travelling and to use seat belts at all times where fitted. A passenger assistant will only be provided where a risk assessment specifically for a particular service suggests that this is necessary.

3. Other circumstances

In certain other instances, there may be circumstances that mean pupils may be provided with transport. These are described below.

To apply for transport under any of the special circumstances listed, complete the form that can be downloaded from

[www.rutland.gov.uk/pdf/School%20Transport%202015%20A5%20Guide%20\(2\).pdf](http://www.rutland.gov.uk/pdf/School%20Transport%202015%20A5%20Guide%20(2).pdf)

3.1. Pupils who are unable to attend their qualifying school due to over subscription

Where a pupil is unable to obtain a place at their qualifying school because it is over subscribed, free travel will be provided to the next nearest school that has an available place, provided that it is more than the statutory walking distance from the home address.

3.2. Pupils with medical conditions

Some children may be unable to walk to school, even if it is only a short distance. In some cases, travel assistance may be considered if all other possible solutions (such as making arrangements with another parent) have already been explored.

To qualify for help, the child must be attending their qualifying school. Medical evidence from a consultant or GP will need to be presented to confirm the child's medical condition means that they cannot walk the necessary distance to school. The medical practitioner may charge for this, which it will be the responsibility of the parent to meet.

Regular reviews of the child's situation will be undertaken to ensure that assistance is still required.

3.3. Extended rights for low income families

For low income families where children are entitled to free school meals or parents are in receipt of one of the qualifying benefits, free travel will be provided for:

- Primary children aged between 8 and 11 who live more than 2 miles from school

- Secondary age students (11-16) to any of their 3 nearest qualifying schools that are more than 2 miles and less than 6 miles from their home
- Secondary age students (11-16) attending their nearest suitable school preferred on grounds of religion or belief, that is over 2 miles and under 15 miles from home. Documentary evidence of faith or belief will be required.

Once entitlement under the extended rights has been confirmed, then this will remain for the year. Entitlement will be reassessed annually.

3.4. Looked after children

Children under the care of Rutland County Council will have their transport requirements assessed by their Social Inclusion Development Officer in line with this policy.

3.5. Transport assistance for pupils on a Managed Move

Transport assistance will only be provided under the Authority's discretion outside the normal eligibility rules stated in this policy, according to the Fair Access Protocol, and as follows:

- Only at the start and end of each school day
- Subject to the distance from home to the new school exceeding statutory walking distances
- For a maximum of 10 weeks

3.6. Permanently excluded pupils

Where a pupil has been permanently excluded from school and admitted to an alternative school, that will be identified as the qualifying school for the purposes of determining travel assistance. In general, the pupil should be placed in the next nearest available school to the home address. If the parent elects to send their child to a different school then that school will be treated as a preferred school and ineligible for transport assistance.

3.7. Bullying at school

Where a parent wishes their child to move to another school, due to bullying, and the current school acknowledges that it cannot deal satisfactorily with the problem, the Social Inclusion Development Officer may decide that the new school will be considered as the qualifying school for transport assistance purposes, provided that it is the next nearest available school.

If the pupil was originally in a preferred school, then the follow-on school will also be designated as preferred, unless it is the qualifying school for the home address.

3.8. Split families and transport to alternative addresses

Transport will only be provided from and to the main home address of the child (i.e. the address where the child lives permanently or most often). It will not be provided to alternative addresses, such as child minders.

In the case of split families where a child spends more than 50% of their time during the school week at one or other of their parents' addresses, then that address will be the one used to determine eligibility for transport, irrespective of whether they would qualify from the address where they spend less time.

Where parents live at separate addresses and the child spends an equal amount of time during the school week at both addresses (and both addresses would qualify for free transport), then transport will only be provided from one address. Parents will be able to decide which address they wish to use.

Where parents live at separate addresses and the child spends an equal amount of time during the school week at both addresses (and only one address would qualify for free transport), then transport will only be provided from that one address.

Parents may be asked to provide documentary evidence of residency.

3.9. Pupils with dual residency

Where pupils have official dual residency recognised by the courts, and both addresses meet the eligibility criteria, transport will be provided from both. If only one address qualifies, then transport will only be provided from that one

3.10. Pupils who move address permanently during their final year at school

If a pupil in their final academic year of secondary school moves to a new address, then to facilitate continued attendance at the same school the authority may provide free transport if all the following apply:

- The move is due to reasons beyond the control of the parent(s)
- They have attended that school for more than one year
- The new address is in Rutland
- The distance to school is more than statutory walking distance
- The journey is a reasonable one in the view of the authority

3.11. Exceptional circumstances

In exceptional circumstances, where it may be very difficult for a parent to get their child to school, an application can be made for short-term transport assistance. Each case will be considered on its merits, and may require documentary evidence to be submitted in support.

4. Fare paying places

Parents of pupils who are not entitled to transport assistance may apply for a fare paying place on a Council-provided school bus where there are spare seats available. A flat rate charge is made for this (current charges are shown on the Council's website).

Places for fare paying pupils are entirely discretionary and offered on a first come, first served basis. Priority will be given to the needs of entitled pupils, and so there is no guarantee that fare-paying seats will be available throughout the time a pupil is at that school. The situation will be reviewed each term.

5. Service standards for hired transport

5.1. Seatbelts

For children aged 14 and over, it is a legal requirement that seat belts, where fitted in a bus or coach, must be used. It is not the driver's legal responsibility to ensure that seat belts are used.

For pupils aged 3-13 inclusive there is no legal requirement that seat belts, where fitted in a bus or coach, are used. The wearing of seatbelts cannot legally be enforced by drivers or others. Schools may wish to include a section on seatbelt wearing on parental consent forms. Forcing a seatbelt on to a child is not appropriate. If a member of staff, or other adult, is assisting a child to put on a seatbelt, in accordance with the parent's and child's wishes, physical contact with the child must be minimal and only such as is necessary to put on the seatbelt. ~~Staff are advised to undertake such actions in the presence of other adults.~~

5.2. Travel by taxi

Children travelling to and from school in taxis arranged by the authority will be required to use restraints (car seat, booster seat or seatbelts) appropriate to their age, height and weight.

5.3. Journey time

There are no set limits for what is a reasonable journey time. This will depend on the age and individual needs of pupils. However, we aim to make sure that no child will have a journey of more than 75 minutes (secondary school age) or 45 minutes (primary school age), with the exception of school placements outside of the county.

5.4. Disclosure and Barring Service (DBS)

Drivers and passenger assistants of taxis, minibuses and hired coaches arranged by the County Council are required to undertake a DBS check. This does not apply to those driving buses on services available to the public.

5.5. Monitoring operator performance

The County Council undertakes annual checks on transport operators to ensure that they comply with statutory and legal requirements. These checks include vehicle and public liability insurance cover, vehicle MOT and DBS clearance. Similar checks are undertaken on operators who are awarded a new contract service.

County Council staff undertake spot checks on services throughout the year to ensure that operators are complying with their contracts.

6. Poor behaviour and withdrawal of transport

In the interests of safety for everyone using school transport, it is important that pupils behave well while travelling.

Head teachers are empowered to take action to address unacceptable behaviour even when this takes place outside of the school premises, when it is reasonable to do so. This includes addressing any behavioural issues on school transport.

The County Council has a duty of care to ensure all children travel in reasonable safety and comfort. Any behaviour affecting other passengers, the public or the driver that endangers (whether intentionally or unintentionally) themselves or others may lead to the entitlement to travel being withdrawn, either temporarily or permanently. In such circumstances, the parent will need to arrange and pay for their own transport in order to meet their duty to ensure that their child continues to attend school.

7. Review of transport provision

Due to changing circumstances and numbers of entitled pupils, transport arrangements are reviewed at least annually and may, therefore, be subject to change. Consequently, pupils may experience different routes, timings and vehicles as they progress through their period at a school.

In making arrangements, the Council will seek to ensure the most cost-effective provision, as well as looking to its suitability for the pupils being carried.

8. Applications for transport assistance

Parents of pupils who are likely to be entitled to free transport will receive a form (X78). This must be completed and returned to the Council's Transport Office by the date indicated, in order for passes to be arranged. If, as a result of a late application, a pass is not issued until after the start of term, parents will be liable for any travel costs incurred.

9. Appeals and complaints procedure

9.1. Reconsideration of cases and special circumstances

Staff in the Council's Transport Office are not able to change the policy set out in this document.

1. If you wish to appeal against a decision relating to the assessment of a child's needs, **please contact the SEN team at Rutland County Council direct.**

2. If you wish to appeal against a decision regarding eligibility for transport detailed within this policy, you should follow the process outlined below:

Stage one: Review by a senior officer

A parent has 20 working days from receipt of the authority's home to school transport decision to make a written request asking for a review of the decision about:

- Transport arrangements offered
- Eligibility of a pupil
- Distance measurement in relation to statutory walking distances
- Safety of a walking route

The request should explain why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes should be taken into account when the decision is reviewed. Appeals should be sent for the attention of:

Transport Operations Manager
Rutland County Council
Catmose
Oakham
Rutland
LE15 6HP

Within 20 working days of receipt of the parent's written request, a senior officer will review the original decision and provide the parent with a detailed written notification of the outcome of the review, setting out:

- The decision reached
- How the review was conducted
- Details of who else was consulted as part of the process
- What factors were considered
- The rationale for the decision reached
- Information about how the parent can escalate their case to stage two (if necessary)

Stage two: Review by an independent appeal panel

A parent has 20 working days from receipt of the authority's stage one written decision to make a written request to escalate the matter to stage two. Within 40 working days of receipt of the request an independent appeals panel will consider written and verbal representations from both the parent and officers involved in the case. Written notification of the outcome of the panel will be made within 5 working days, setting out:

- The decision reached
- How the review was conducted
- Details of who else was consulted as part of the process
- What factors were considered
- The rationale for the decision reached
- Information about the parent's right to put the matter to the Local Government Ombudsman

If a parent wishes to appeal, a form can be requested from transport@rutland.gov.uk

The independent appeals panel will comprise 3 members of the Employment and Appeals Committee.

9.2. Compliments, comments and complaints

Compliments, comments and complaints can be submitted through the following:

- A 'Let us Know' form, available on the Council's website
- By email to Letusknow@rutland.gov.uk
- By telephone on 01572 722577
- In writing or in person at Customer Services
- By twitter @rutlandcouncil

Our Compliments, comments and complaints policy is available at:
http://www.rutland.gov.uk/customer_services/compliments_comments_and_comp.aspx

9.3. Ombudsman

If we do not resolve your complaint, you may wish to take your complaint to the Local Government Ombudsman. The Ombudsman is independent of all government bodies and can look into your complaint. They will usually only look into your complaint after you've given us a chance to deal with it.

Telephone: 0300 061 0614
Email: advice@lgo.org.uk
Website: www.lgo.org.uk

10. Appendices

Appendix A – Current charges for fare paying transport

Appendix B – Hazardous Routes to School, Guidance and Assessment Criteria

Appendix C – Safe school transport – Top tips

Appendix D – Code of conduct for using school transport

Appendix E – Flow chart setting out eligibility for free home to school transport.

APPENDIX A

HOME TO SCHOOL AND DENOMINATIONAL TRANSPORT CHARGES

The following charges and exemption criteria will apply with effect from September 2016:

Cat	Charges	Exemptions
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A	Students living in Rutland and attending their qualifying school but who live within the 2 mile primary or 3 mile secondary distance criteria.	£97 per year	Yes See note (1)
B	Students living in Rutland who do not attend their qualifying school	£258 per year	Yes See note (1)
C	Students resident outside Rutland	£483 per year	None
D	Denominational transport Transport will be provided for eligible primary school pupils to the nearest school of the appropriate denomination providing that the pupil lives more than 2 miles if under 8 years old or over 3 miles if over the age of eight and: a) the school is within Rutland b) the school is outside Rutland Students attending the nearest denominational secondary or post 16 school/college to their home address receiving assisted transport.	Free of Charge £450 per year £450 per year	Not Applicable See note (2) Yes See notes (1) & (2)
E	Post 16 Transport Students meeting the full eligibility criteria are eligible for assisted transport.	£339 per year	None

Notes:

(1) Only pupils entitled to Free School Meals (FSM) or whose families are in receipt of maximum level of Working Tax Credit (WTC) with no deductions will be exempt from any charges.

(2) Families with more than two children receiving transport to denominational schools will have the charge capped so that they only pay for the first two children.

Following the financial year 2008/09, the level of charges will be reviewed annually and amended in line with the previous year's percentage change in Council tax.

APPENDIX B

GUIDELINES FOR ASSESSING HAZARDOUS ROUTES TO SCHOOL

THE RUTLAND CRITERIA

Each case to be considered on its merits.

The child may be assumed to be accompanied by a caring parent or other reasonable person.

The factors to be considered

The Authority has to determine whether the route is one along which a child, accompanied as necessary, can walk with reasonable safety to school.

Consideration will be given to the following factors to determine whether a route is safe for an accompanied child. (definitions of these factors will be taken from the Guidelines for the Assessment of the Safety of Walking Routes to School)

The Child

1. The age of the child. (Secondary aged pupils are, broadly speaking, as competent as adults are when considered as pedestrians and only rarely will routes be unsuitable for them).
2. Any disabilities the child may have.

The Route

1. If there is a footway of adequate width the whole length of the route, then the route is safe. (some judgement will need to be exercised taking into consideration the speed and volume of traffic).
2. When there is a need to cross the road to use the footways, the appropriate crossing point might be advised, to minimise risk, or the "road crossing assessment guidelines" used.
3. "Traffic Interrupters" are any feature that creates gaps in an otherwise constant traffic flow.
4. On some country lanes the footway might not be continuous. In such cases a judgement is made on the safety of traversing the "nip" point (the point at which one footway ends and another begins).
5. Where on more lightly trafficked roads a verge exists that can be stepped on to when vehicles are passing, it can normally be assumed to provide safety for that part of the journey. (see guidelines for lightly trafficked roads)
6. When there is a need to use step off points, consideration should be given where there is evidence of vehicles travelling over these points. (i.e. Tyre tracks on a grass verge)
7. The absence of a verge that can be walked on or stepped on does not automatically mean that the route is unsafe. The behaviour of a prudent pedestrian should be assumed. Issues to be considered in such cases are:

- The volume, speed and type of traffic.
 - The degree of visibility.
 - Accident record of the road at the time of day children would use it.
8. Where a road with a speed limit in excess of 40 miles per hour needs to be crossed, the crossing facilities need to be considered.

The following factors would not be considered in their own right as dangerous for an accompanied child.

- Lonely routes.
- Moral danger.
- Routes alongside or crossing over rivers, ditches, canals, ponds.
- Unmanned level crossings.
- No street lighting.

Assessment

- Entitlement Officers in the council will use the above factors to assess whether a route is safe. (Safe Routes to Schools)
- There will normally need to be a combination of factors present for the route to be unavailable for an accompanied child.

A route will not normally be considered unsafe because a short length of it is difficult. It is reasonable to expect special care in particular places.

APPENDIX C

TOP TIPS FOR SAFE, SCHOOL/COLLEGE TRANSPORT

IN THE MORNING

- Please be at the stop at least 5 minutes before the scheduled time, wait for the bus sensibly, and at a safe place

- If the bus is late, please wait a reasonable time before going home (up to 30 minutes on a fine day). Please be sure you have somewhere to go if you don't catch the bus
- **Do not** catch any other coach as this may dangerously overload the vehicle
- **Do not** jostle and push to get on the bus; **wait until it has stopped** before moving towards it

ON THE BUS

- Always wear the seatbelt provided and store it properly at the end of the journey
- Make the most of the journey, catch up on the latest news with your friends
- Stay in your seat throughout the journey. **Do not** stand up.
- **Do not** distract the driver
- **Do not** eat or drink on the bus
- Respect the driver, the vehicle and each other
- **Do not** litter the bus, it may be used to transport other people after you

IN THE AFTERNOON

- **Do** go straight to your correct bus
- **Do not** catch any other coach as this may dangerously overload the vehicle
- If you miss your bus, contact the teacher on duty, or go back into school so you can arrange transport home

IMPORTANT

Do have a valid pass available for inspection at all times. If you lose your pass you must obtain a replacement from the School Transport Office on the contact details below.

Do not take friends home on your bus.

Do not swap coaches for any reason

If you see students bullying other passengers or causing damage to the vehicle please inform someone from the school as soon as possible.

All passes are renewed every year, please ensure yours is valid. If this pass is not required please return to the School Transport Office at the address overleaf, this could release space for another student requiring a pass.

OTHER SCHOLAR TRAVELLERS

If your travel pass is for use on a Local Service Bus you will have to show the pass in order to travel. Failure to do so will mean you will have to pay a fare. Every student must adhere to the passenger charter – which can be obtained through the contact details below.

TO ENSURE THE SAFETY OF ALL PUPILS **CCTV** MAY BE IN OPERATION
DURING THE JOURNEY

Student misbehaviour is not acceptable, and may lead to a travel pass being suspended, and in serious cases permanently withdrawn.

It is our aim to provide each student with a standard of transport that is safe. This can only be achieved with the co-operation of the students themselves by following our advice above and reporting any incidents to us immediately. To contact the school transport office, telephone 01572 722577. Email: Transport@rutland.gov.uk or the Rutland County Council website www.rutland.gov.uk All calls will be dealt with in the strictest confidence.

APPENDIX D





Rutland County Council

Passenger Code of Conduct

Where transport is provided by the Council, there is an expectation that all passengers and staff should have the right to travel without undue stress, strain or difficulty. In addition, passengers and staff should be able to travel safely and in a comfortable environment. In view of these principals, all passengers will be expected to conform to the standards of behaviour set out in this code of conduct.

Breaches of this code of conduct will be dealt with in accordance to their seriousness and in line with this, the Council have identified four separate categories of misbehaviour. To promote fairness and consistency, sanctions will be applied depending on the category of misbehaviour which is identified.

Category 1 – Nuisance or offensive behaviour

This includes irritating and unpleasant behaviour which, whilst not necessarily a threat to safety, may significantly impair the comfort of others including:

- i) Failing to respond appropriately to the driver or other staff.
- ii) Eating or drinking on the vehicle.
- iii) Smoking
- iv) Spitting.
- v) Using foul or abusive language.
- vi) Making excessive noise.
- vii) Putting feet up on seats.

First incident: Driver reports to supervisor.

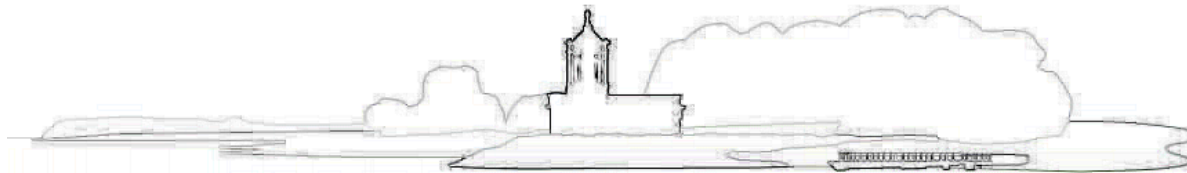
Supervisor to discuss with Service Provider.

Verbal warning given to client.

Second incident: as above except client receives **written warning**.

Third incident: client to receive a fixed period **ban of one or two weeks** (this will be agreed with Service Provider).

Subsequent incidents: **Extended ban** of up to one month.

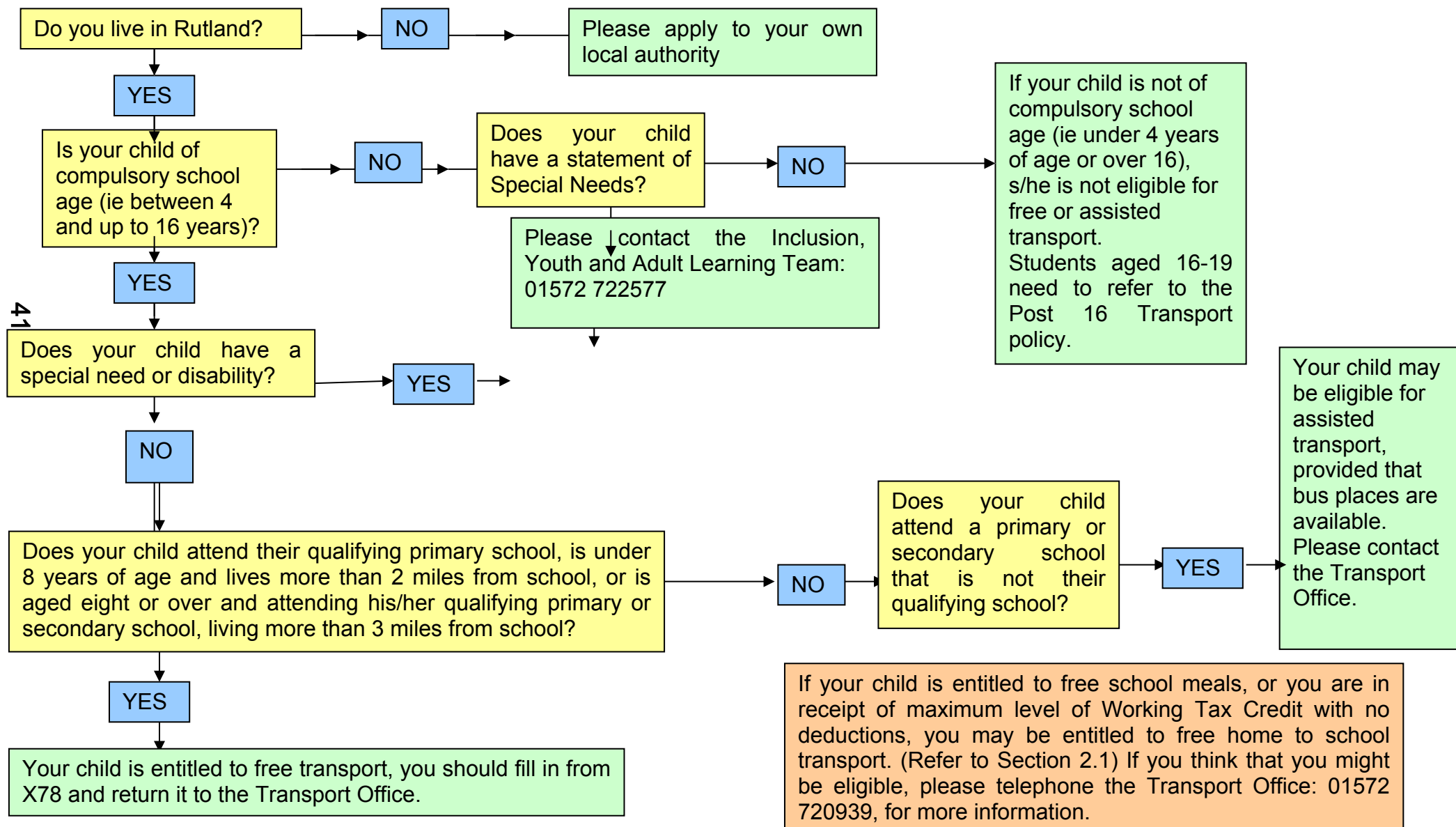


Category 2 – Dangerous behaviour	
This includes behaviour which may present some potential or actual threat to the physical safety of others and includes:	
i) Standing on the vehicle whilst vehicle is in motion. ii) Leaning out of the window or door. iii) Harrassing or verbally abusing the driver or other passengers. iv) Bullying. v) Running around vehicle or climbing on the seats.	<p>First incident: Driver reports to supervisor. Supervisor to discuss with Service Provider. Written warning given to client.</p> <p>Second incident: as above except client receives final warning.</p> <p>Third incident: client to receive a fixed period ban of up to two weeks (this will be agreed with Service Provider).</p> <p>Subsequent incidents: Extended ban with length to be agreed with Service Provider.</p>
Category 3 – Destructive or very dangerous behaviour	
This category includes behaviour which causes or has the potential to cause physical injury to others or damage to the vehicle, such as:	
i) Fighting. ii) Threatening physical violence to other passengers or the driver. iii) Throwing objects around or out of the vehicle. iv) Breaking windows. v) Interfering with the operation of the doors or emergency exit. vi) Graffiti, including etching glass. vii) Spraying aerosols. viii) Damage to seats , seatbelts or other equipment.	<p>First incident: Driver reports to supervisor or Group Manager. Supervisor/Group manager to notify Service Provider. Immediate suspension of transport pending investigation. Written warning with extension of ban if it is agreed as appropriate.</p> <p>Second incident: Final written warning with Extended or Permanent ban as agreed with Service Provider.</p> <p>Third incident: Permanent ban</p>

Category 4 – Highly dangerous or life-threatening behaviour	
This category includes behaviour which is likely to cause serious injury to others and includes:	
i) Physical assault on the driver or other passengers. ii) Lighting fires including lighting aerosols. iii) Threatening physical violence with a dangerous weapon. iv) Interfering with the vehicle controls.	First incident: Driver reports to Group Manager. Group Manager to notify Service Provider. Immediate suspension of transport pending investigation. Final written warning with extension of ban as appropriate. Second incident: Permanent ban

APPENDIX E

IS YOUR CHILD ELIGIBLE FOR FREE OR ASSISTED HOME TO SCHOOL TRANSPORT ?



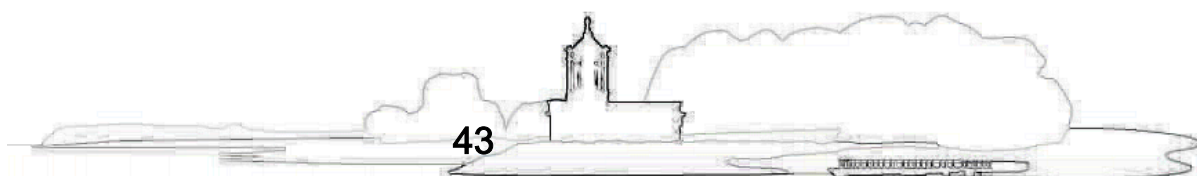


**A large print version of this document is available
on request**



Rutland
County Council

Rutland County Council
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www.rutland.gov.uk



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Rutland County Council

REVISED TRAVEL ASSISTANCE FOR CHILDREN WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

Version & Policy Number	e.g. Version 1.0 Policy COMM/1234
Guardian	e.g. Joe Bloggs, Report Writers Manager, 01572 722 577 x000
Date Produced	e.g. 1 January 1900
Next Review Date	e.g. 1 January 2015

Approved by Scrutiny	e.g. 1 January 2015
Approved by Cabinet	e.g. 1 January 2015
Approved by Full Council	e.g. 1 January 2015



Document summary

This document details the policy regarding assistance with home to school travel for children and young people with special educational needs and/or disabilities (SEND). This document is supplementary to the Home to School Transport Policy, which applies to all pupils and students.

Contents

- 1. Introduction**
- 2. Legal Framework**
- 3. Home to school travel assistance**
 - 3.1 Eligibility
 - 3.2 Early years
 - 3.3 Pupils aged 4-16
- 4. Transport assistance for Post-16 SEND students**
- 5. Travel assistance and support for pupils**
 - 5.1 Independent Travel Training
 - 5.2 Personal Travel Budgets
 - 5.3 Use of passenger assistants
- 6. Review of transport for SEND pupils**
- 7. Service standards for hired transport**
- 8. Application process**
- 9. Appeals and complaints procedure**
 - 9.2 Reconsideration of cases and special circumstances
 - 9.2 Complements, comments and complaints
 - 9.3 Ombudsman

1.Introduction

This policy explains how Rutland County Council assists with home to school travel arrangements for pupils with qualifying SEN, disabilities or other mobility needs, whether the pupil's school place is in a mainstream school, unit attached to a mainstream school or a special school. It should be read in conjunction with the Home to School Transport Policy, which applies to all pupils.

For ease of use, Rutland County Council has also produced a booklet for parents/carers entitled "Walk your way through Rutland Home to School Transport" which summarises the contents of the transport policy, provides answers to the most frequently asked questions and contains all applications forms and information relevant to the transport process. The booklet is available upon request by calling 01572 772577 or can be accessed online at <http://www.rutland.gov.uk/pdf/School%20Transport%202016%20A5%20Guide.pdf>

Assistance is not usually provided for pupils attending independent or fee paying mainstream schools and colleges. However, some pupils with statements of SEN attending independent & non maintained special schools, including academies, may be eligible for travel assistance.

1. Legal framework

The legal responsibility for ensuring that a child attends school lies with the parent or carer and this includes accompanying a child to school where necessary. In the event that parents are working or otherwise unavailable at the time their child travels to and from school it remains the parents' responsibility to make arrangements to ensure that their child attends school.

If the child's parents are, by reason of disability, unable to ensure that their child attends school, or are unable to make suitable alternative arrangements, eligibility for travel assistance will be considered based on the individual circumstances.

2. Home to school travel assistance

The following section explains when support can be given to children of compulsory school age.

2.1 Eligibility

Free home to school transport will be provided for pupils who meet **all** the following criteria:

- a) Live in Rutland
- b) Are of compulsory school age (5 to 16 years), but extended in Rutland to include 4 year olds
- c) Attend their qualifying primary or secondary school
- d) Live over 2 miles from school if below the age of 8, and over 3 miles from school if aged between 8 and 16

Please see the General Home to School Transport Policy for more details.

Where the authority agrees to provide travel assistance, it will make the most cost effective arrangements. Where possible this will be on a local bus **or train** service, or a bus, coach or minibus arranged by the authority. In certain circumstances, parents may **be offered- have the option** to take their own child to school and a personal travel budget will be provided to meet their expenses. If no other

transport options are available, the authority will arrange for a taxi, which may be shared with other pupils.

The transport provided will take into the account the individual assessed needs of the pupil. ~~Where appropriate, a risk assessment will be carried out.~~ All passenger transport procured by Rutland County Council is subject to a standard risk assessment. Any transport involving passengers with additional needs will also be subject to an enhanced risk assessment tailored to the individual circumstances. This will consider details of the child's needs and control measures, and will consider how they will be kept safe when travelling, including whether they need to be accompanied by a passenger assistant and any medical protocols that may be necessary.

The needs of pupils will be reviewed at least once per year, and transport provision, including the use of passenger assistants, amended accordingly.

Travel assistance is only provided at the normal school start and finish times. However, exceptions will be considered based on the long term medical needs of a child where they are only able to attend school for a reduced number of hours.

3.2 Early years

Children below compulsory school age, attending the nearest suitable special school for assessment purposes, may be entitled to transport assistance where exceptional circumstances can be demonstrated that result in the family being unable to get the child to the placement themselves.

3.3 Pupils aged 4-16

Travel assistance is provided to the child's nearest suitable school. This is the nearest maintained school or academy to the child's home that can meet the child's needs. If, by parental choice, a more distant school is attended, transport will remain the responsibility of the parent. If the child has a statement of special educational needs or an Education, Health and Care (EHC) Plan, this may name the parents' or carers' choice of school but this does not mean that the Council must provide travel assistance if, in the Authority's view, the child's needs could be suitably met at a nearer school.

Travel assistance is provided for children under 8 years with a statement of SEN who attend a special school or unit which has been designated by the Local Authority as the nearest appropriate school that meets the needs of the child and where the distance between home and school is more than 2 miles.

Travel assistance is provided for pupils aged 8-16 years with a statement of SEN who attend a special school or unit which has been designated by the Local Authority as the nearest appropriate school that meets the needs of the child and where the distance between home and school is more than 3 miles.

Where the distance to the appropriate school is less than the distances specified above and / or when a child has no statement of SEN or EHCP, travel assistance will be considered, taking into account the individual circumstances and the travel needs of children with significant sensory, physical, medical or behavioural difficulties that prevent them from getting to school even when accompanied by a parent or carer. In such instances, travel assistance will be considered using supporting written evidence, within the preceding 12 months, from a range of sources that describes the child as having:

- Long term severely restricted independent mobility, due to a physical disability.
- Long term severely restricted mobility due to a medical condition resulting in persistent pain or extreme fatigue.

- A sensory impairment resulting in severely restricted mobility.
- Severe behavioural emotional and / or social difficulties in comparison with other children of their age. This may be linked with cognitive ability or be as a result of a specific development disorder.

2 Transport assistance for Post-16 SEND students

Please refer to the separate Post-16 policy for the eligibility criteria for free and assisted transport for post-16 SEN pupils.

3 Travel assistance and support for pupils

It is for the local authority to decide on the travel arrangements to get pupils between home and school at the beginning and end of the school day. Local authority assistance will be provided in the most cost effective and appropriate way whilst meeting the child's assessed travel needs.

Our usual process is to consider assistance in the following order:

- A pass for use on existing public transport. For pupils who are able, independent travel training may be provided, in order for a pupil to be able to use public transport.
- A pass for use on a contract school bus or minibus.
- Personal Transport Budgets - parents may be offered **a the option of a** personal transport budget to make their own travel arrangements, if this is more cost-effective than other provision. This is not available to parents who prefer to make their own arrangements to transport their child to their designated school despite other suitable transport being available.

Where none of the above is suitable, then other options such as a taxi will be considered. Vehicles will usually be shared with other pupils attending the same school.

Door to door transport will only be provided where this is necessary to meet the assessed needs of the child. Therefore, pupils (accompanied by parent or carer) may be required to get to a designated pick-up point.

5.1 Independent Travel Training

Independent Travel Training can help support independence by developing personal, social and life skills by looking at the needs and capabilities of a young person. Where a young person is considered sufficiently capable, we will offer independent travel training for them to develop the skills to be able to travel more independently. **The assessment of this would be a joint decision taken by parents & carers / SEN team / school and any other professional bodies applicable. The training will be carried out to an agreed plan and conducted by the Road Safety Officer at Rutland County Council.** Where they attain the necessary confidence and ability, we will expect them to travel independently to and from school. ~~The training will be given by an approved trainer in partnership with schools and parents or carers.~~

5.2 Personal Travel Budgets

A Personal Travel Budget (PTB) provides the opportunity for parents to exercise some choice and control over the way their child gets to and from school. A PTB is offered at the discretion of the Council and where it is a cost-effective way of

arranging for a pupil to get to school. Parents are not obliged to take up a Personal Travel Budget where offered.

The PTB payment can help you to arrange your child's travel to school or college in a way which suits your circumstances and could offer more flexibility, for example, around breakfast and after-school clubs. The payments can be used in creative ways such as:

- Buy a travel pass for an adult to accompany the child to and from school.
- Pay for an escort to walk with the child to school
- Cover the cost of driving or cycling with your child to school
- Share travel arrangements with other parents
- Cover the cost of childcare arrangements for siblings to allow parents to take their child to school.

The amount you receive is based on the distance from your home to your child's nearest suitable school or college and any other relevant factors.

Payments are made from the Council into the parent's bank account on a termly basis, and do not affect any other benefits. The Council can be asked for advice on the PTB, and how the PTB can be changed or cancelled. A month's notice will be required of any intention to end a Personal Travel Budget arrangement, in order the authority to arrange alternative travel assistance.

If a student's punctuality or attendance at school is becoming affected by a PTB, the arrangement will be reviewed by the Council. Non-attendance of more than 10 days in a school year (5%) will result in the family being asked to return the overpayment (this could be done via a reduction in subsequent monthly payments).

5.3 Use of passenger assistants

Passenger assistants are provided on transport only where a child has a severe physical condition, a medical condition requiring immediate treatment, or severe behavioural difficulties meaning that the health and safety of the child, driver or anyone else travelling in the vehicle would be at risk. The use of an assistant will be reviewed regularly, since the need may change as the child grows older.

A passenger assistant's duty is to supervise students on a vehicle and to help with boarding and leaving the vehicle where the pupil has physical, sensory or medical difficulties. They are not able to collect pupils from home or take them into school if that would mean leaving other vulnerable children unattended.

5.4 Respite care

Travel assistance can be amended to take children directly from school to their respite care placement during school term time, if at least 2 weeks' notice is provided.

5.5 Residential schools

Where a child attends a residential school and is entitled to transport assistance, this is provided at the start and end of each half-term or, at the start and end of each week depending on the boarding arrangements. Transport is also provided for official school closures. Transport will not be provided at other times or for parental visits for meetings.

Where a pupil attends a qualifying residential school, transport will be arranged by the local authority as set out in section 3 and in accordance with the placement terms agreed by the LA. Alternatively, a personal travel budget may be offered to

parents to make their own arrangements. This will usually be in one of the following 2 ways:

- Weekly basis – a journey to and from school at the start and end of the school week
- Termly basis – this means a maximum of 6 return journeys will be provided / supported in any one academic year.

6. Review of transport provision for SEND pupils

Travel assistance will be reviewed **annually** with parents and education and care professionals who know the child and are part of the statement or EHC Plan review. The Council may also review eligibility by a scheduled meeting or by telephone contact. Parents will be told of all decisions in writing. We need to ensure that the service provided continues to be appropriate for the student's assessed needs.

In the event that there is a risk to health and safety of staff or pupils and others using the transport from the misbehaviour of a pupil, access to school transport may be suspended and in serious cases permanently withdrawn as set out in the main school transport policy. When considering suspension or withdrawal of provision regard will be given to the extent to which the child's disability has impacted on their behaviour and what steps can be taken to eliminate the effect of that disability on their behaviour.

The process for reviewing walking routes to school can be found in Appendix 2 of the Home to School Travel and Transport Policy.

7. Service standards for hired transport

These can be found in section 6 of the main Home to School Travel and Transport Policy.

Parents must ensure that their child is ready and prepared (including any medication) for the journey to school by the agreed pick-up time. At the end of the school day, parents must ensure that they, or someone they appoint, is at the designated drop-off point in time to meet their child.

Any requests for alterations to the transport or its times must be directed to the County Council's Transport Office.

8. Application process

Requests for travel assistance will be determined by the SEN team at the Council. **The SEN team follow a step by step assessment process and any queries relating to this process or a child's eligibility should be referred to the SEN team at Rutland County Council direct. The transport department do not have any involvement with the need assessment of any passengers.**

9. Appeals and complaints procedure

9.1 Reconsideration of cases and special circumstances

The Council's transport office staff cannot change the policy set out in this document.

1. If you wish to appeal against a decision **regarding the assessment of your child's transport needs** you will need to contact the Special Educational Needs team at Rutland County Council direct.
2. If you wish to appeal against a decision regarding eligibility for transport in-line with the criteria within the home to school transport policy, you should follow the process outlined below:

Stage one: Review by a senior officer

A parent has 20 working days from receipt of the authority's home to school transport decision to make a written request asking for a review of the decision about:

- Transport arrangements offered
- Eligibility of a pupil
- Distance measurement in relation to statutory walking distances
- Safety of a walking route

The request should explain why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes should be taken into account when the decision is reviewed. Appeals should be sent for the attention of:

Transport Operations Manager
Rutland County Council
Catmose
Oakham
Rutland
LE15 6HP

Within 20 working days of receipt of the parent's written request, a senior officer will review the original decision and provide the parent with a detailed written notification of the outcome of the review, setting out:

- The decision reached
- How the review was conducted
- Details of who else was consulted as part of the process
- What factors were considered
- The rationale for the decision reached
- Information about how the parent can escalate their case to stage two (if necessary)

Stage two: Review by an independent appeal panel

A parent has 20 working days from receipt of the authority's stage one written decision to make a written request to escalate the matter to stage two. Within 40 working days of receipt of the request an independent appeals panel will

consider written and verbal representations from both the parent and officers involved in the case. Written notification of the outcome of the panel will be made within 5 working days, setting out:

- The decision reached
- How the review was conducted
- Details of who else was consulted as part of the process
- What factors were considered
- The rationale for the decision reached
- Information about the parent's right to put the matter to the Local Government Ombudsman

If a parent wishes to appeal, a form can be requested from transport@rutland.gov.uk

The independent appeals panel will comprise 3 members of the Employment and Appeals Committee.

9.2 Compliments, comments and complaints

Compliments, comments and complaints can be submitted through the following:

- A 'Let us Know' form, available on the Council's website
- By email to Letusknow@rutland.gov.uk
- By telephone on 01572 722577
- In writing or in person at Customer Services
- By twitter [@rutlandcouncil](https://twitter.com/rutlandcouncil)

Our Compliments, comments and complaints policy is available at: http://www.rutland.gov.uk/customer_services/compliments_comments_and_comp.aspx

9.3 Ombudsman

If we do not resolve your complaint, you may wish to take your complaint to the Local Government Ombudsman. The Ombudsman is independent of all government bodies and can look into your complaint. They will usually only look into your complaint after you've given us a chance to deal with it.

Telephone: 0300 061 0614

Email: advice@lgo.org.uk

Website: www.lgo.org.uk

**A large print version of this document is
available on request**



Rutland
County Council

Rutland County Council
Catmose, Oakham, Rutland LE15 6HP

01572 722 577
enquiries@rutland.gov.uk
www.rutland.gov.uk

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APPENDIX 3

Response	Issue Raised	Action
Email 1	Do not agree with seatbelt law ages 3-13 no legal requirement to wear seatbelts	This is national legislation. No action required
	Checking seatbelts at the start of every journey and during if necessary	This is not a contractual requirement at present. To amend contracts to allocate seatbelt responsibility to the drivers would need to be investigated at length with local bus operators involved in discussions. No action required at this time.
	Passenger assistants on all primary buses required	The issue of passenger assistants on buses has previously been discussed and rejected.
	Policy not suitable for children aged 4 years old.	The policy relates to all school aged children in line with the national age of school admission
	Daily travel register	A daily log of all students travelling should be taken on every school bus by the drivers. Currently this happens on 1 primary school run only to resolve numerous complaints. No issues have been raised by any other parents. No action required as insufficient case to include a register as part of contract conditions.
Email 2	More detailed explanation of the safe route assessment process	A brief summary already included in the policy with a link to the national guidelines and forms utilised
	There is a need for routes to be inspected on-site and not from an office environment.	All routes are inspected by staff on-site currently. Text has been added to the policy to explain this.
	Consult with head teachers with regard to route inspections.	Route inspection information can be provided jointly by the highways team, the road safety officer and the transport inspector combined. Opinions of school staff may be requested in individual cases where additional information may be required. No reference is required to this

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		within the policy as standard procedure.
	Encourage usage of seatbelts with young children	The policy already states that training will be provided where necessary but that it is the parent's responsibility to encourage their children to put on their seatbelts. No action required.
	Assessment of SEN transport needs and annual review required	This issue is one which is already mentioned within the policy although additional reference to this has now been added. For any queries relating to the processes that the SEN follow and the annual review procedure for assessment, parents/carers should contact the SEN team direct for information.
Email 3	Assessment of SEN transport needs and annual review required	As above
	Meeting needs of students should be more of a priority than opting for the cheapest solution.	No action required. This concept does not feature within the policy documents.
	Independent Travel Training	More detail needed as to who carries out the training and how it is implemented jointly. Additional text has been added to this section to explain who conducts the training and how it would be implemented.
Cabinet	Post-16 policy - If the 2 proposed draft policies are introduced, where would the post-16 information be.	The current transport policy has been reduced to contain information relevant to post-16 transport only to form a 3 rd policy
Informal Cabinet	No mention of train travel	Added to transport options considered in both policies.
	More user-friendly language	The home to school transport booklet was produced for this very reason and is designed in a really user-friendly way in order for everyone to be able to make sense of the transport policy and process. Text and link to the booklet included in both policies.

APPENDIX 4

Rutland Home to School Transport Policy – proposed amendments

The current policy dates back to 2007, with some amendments made in 2014 when. As part of the Total Transport review, the policy has been revisited to consider potential amendments. These essentially aim to provide more clarity to what the Council is and isn't responsible for and to ensure parents are aware of their responsibilities.

Reference	Proposed amendment	Purpose
General	Policies for mainstream, SEN and post-16 transport split into separate documents. Mainstream and SEN policies have been rewritten. The post-16 transport statement will continue in the same form as in previous years, highlighting what provision is made for students in further education in line with DfE guidance.	Easier to find those policies that are relevant to individual circumstances. The majority of parents only need to know about the mainstream policies. Parents of SEN pupils will need to refer to the general and SEN policy documents
Introduction	Explanation about legislation removed. New introduction section sets out legal responsibilities of parents and refers to the separate policy documents.	Improves clarity of document and makes clear what the position is in Rutland. Provided that Rutland County Council meets the requirements of legislation there is no need to detail what that is. New introductory section makes clear what parents' responsibilities are.
Definitions	Definitions and glossary of terms included in an appendix. Key definitions such as qualifying school remain included in the main body of the document.	To help make the document more concise and clear.
Eligibility	Eligibility criteria more clearly and concisely stated.	To improve clarity of document.
Extended rights	Extended rights for low income families moved to a separate section under 'Other circumstances'.	Extended rights given more prominence as a separate section.
Compulsory school age	New separate section, also highlighting that Rutland includes 4 year olds attending their qualifying school.	Improves clarity of the document.
Qualifying school	New separate section highlighting that Rutland includes catchment as well as nearest school in its entitlement.	Clarifies position regarding qualifying school with details of catchment areas.
Statutory	New separate section setting out walking distances.	Improves clarity of the document. Makes clear that routes

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walking distance		are assessed based on the principle that children will be accompanied as necessary.
Route safety	New separate section detailing how routes will be assessed for safety and, if necessary, transport provided for pupils who live within statutory walking distances.	Provides more detail about the assessment of routes, and again makes clear that the assessment is undertaken on the basis of children being accompanied by an adult.
Accessibility to pick-up points	Section replaced by a paragraph within a new 'Transport assistance' section, with more precise definitions of circumstances for arrangements for pick-ups.	Provides greater definition about what is expected, in that pupils may be required to walk up to 1 mile (primary) or 1.5 miles (secondary) to reach a designated pick-up point for transport. This is to remind parents that there is no obligation on the authority to provide door to door transport and avoids any ambiguity.
Transport assistance	New section setting out what parents can expect from transport arrangements. Sets out that usually the driver will be the only adult on provided transport; passenger assistants will only be provided where a risk assessment of an individual route / service indicates that they should be provided for a specific reason.	Emphasises what the authority will provide and that generally this will be shared transport. Clarifies existing position regarding the provision of passenger assistants.
House move	Amended to only being applicable where the house move is due to circumstances beyond the parent's control. Such provision is restricted to year 11 and removed for years 6 and 10. Assistance will only be provided where the journey is considered to be reasonable. Additional conditions in place for considering the case of year 11 pupils.	Tighter eligibility criteria and restricted to key exam year only, in line with other authorities. Makes clear that under other circumstances it will be the parent's responsibility to make travel arrangements. Written evidence of house move circumstances may be required.
Dual residency	Makes clear that this is in circumstances recognised by the Courts. A separate section covers split families.	Improves clarity of the document.
Split families	New section detailing arrangements for pupils from split families. Includes possible requirement for documentary evidence.	Greater clarity; provides more definition about what will be provided under what circumstances, removing cause for ambiguity or misunderstanding.

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Medical needs	New section under 'Other circumstances'. Only considered for pupils attending their qualifying school. Reference to termly reviews replaced by regular reviews.	Covers temporary and long term medical conditions and provides tighter definition of what will be provided and that the child must be attending their qualifying school. Reviews of circumstances may be undertaken at anytime, dependent on circumstances.
Secondary admissions	Section removed as eligibility already defined earlier on.	Improves clarity of document.
Assisted transport	Replaced by new section entitled 'Fare paying places.' Makes clear that places are allocated on first come, first served basis and that there is no guarantee of on-going provision beyond a term at a time (currently a year with one month's notice).	Improves clarity of document. Moving to termly arrangement will avoid having to give notice and arranging refunds to parents. Parents will only need to pay for a term at a time instead of for a whole year.
Preference on grounds of religion or belief	Remove section on the basis that assistance on these grounds was previously withdrawn (2014-15), apart from eligibility under the extended rights provision that is already covered in a separate section.	Improves clarity of document.
Train travel	Section removed, as the document already makes clear what types of transport will be provided, and that it will be whatever is most cost-effective for the authority.	Removes duplication.
Pick-up points	Section removed, as already included elsewhere.	Removes duplication.
Exchange visits	Section removed, as clear from the criteria that exchange students would not be eligible.	Unnecessary section.
Sustainable Modes of Travel	Section removed, as doesn't form part of the Home to School Transport Policy. It is a separate strategy for encouraging sustainable travel behaviour.	Improves clarity of document.
Safe travel	Section removed as information covered in new 'Service standards' section.	More concise document.
Service standards	New section that sets out standards of provision, covering seatbelts, journey times and driver vetting.	Improves clarity of document.

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Hazardous routes	Detail of guidelines moved to appendix.	Improves clarity of document.
Behaviour	Replaced by new section on 'Poor behaviour', including sanction to withdraw transport in certain circumstances.	Gives greater clarity about what will be done in certain circumstances, including withdrawal of transport and requirement for parent to make own transport arrangements.
Smoking	Remove section as legal requirement anyway on transport services and covered by behaviour section.	More concise document.
Passes	Section removed, as operational matter rather than policy.	More concise document.
Parental mileage	Section removed, as mentioned elsewhere and operational matter rather than policy.	More concise document.
Fare-paying	Section removed, as covered elsewhere.	More concise document.
Appeals	Replaced by new section, detailing a more thorough 2-stage appeals process. Makes clear that the appeals process is for decisions regarding eligibility and entitlement for school transport, not for challenging the type of provision deemed appropriate by the authority. Same appeals process for mainstream and SEN transport eligibility.	More formal appeals process, with details of timescales and who is involved, offering more clarity for parents and improved decision making.
Special educational needs and disabilities	Dealt with in new separate policy document.	Clearer definition of eligibility and circumstances where transport will be provided. No change in actual policy, but will be clearer for its application.
Over 16	Section removed, as covered in separate post-16 transport policy.	Improves clarity of document.
Looked after children	Section removed as covered by mainstream policy. Scenarios are not about policy, but funding within the local authority.	Improves clarity of document.
Pre-school	Replaced by section entitled 'Early years.' No change in policy.	Improves clarity of document.
Escorts	Replaced by new section on passenger assistants,	Provides clarity that a passenger assistant is only provided

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	which indicates that these will only be provided where there is an assessed need.	where assessed as necessary, and may be taken away in the future following a reassessment.
Inclusion	Section removed.	Covered by other eligibility policies, provided that school attending is defined as the qualifying school on the days of attendance.
Parents	Section removed, as not a home to school transport policy issue, but an area of discretionary provision.	Can be dealt with as special circumstance.
Travel assistance and support	New section which clearly sets out that transport provided will generally be shared and will be the most cost-effective to the County Council. Also, makes clear that transport will not usually be door to door. Introduces the concept of Personal Travel Budgets.	Clearly sets out the types of assistance that parents can expect, and that the County Council will seek to provide transport in the most cost-effective way. Seeks to manage parents' expectations of what will be provided.
Independent Travel Training	New section setting out that where appropriate the authority will provide travel training to pupils, with the aim that all or part of their journey from home to school could be achieved independently (e.g. using public transport or mainstream school transport). Also, provides useful life skills for young people.	Makes it clear to parents that where appropriate young people will be trained to use transport independently.
Personal Travel Budgets	New section on personal travel budgets, offering choice to parents to make their own travel arrangements, where this would be more cost-effective to the County Council than other transport methods.	Another option for assistance to be adopted, whereby parents may be given a budget to arrange their own transport.
Use of passenger assistants	New section that sets out the circumstances when assistants will be provided, and what the responsibilities of assistants are.	Highlights that it is not the norm for assistants to be provided, and that they are only provided where assessed needs show a requirement. Also, reminds parents that the need for an assistant will be reviewed regularly and could be removed if deemed no longer necessary.
Review of transport	New section highlighting that regular reviews of needs will be undertaken and transport arrangements amended accordingly.	Clarifies the authority's position and reinforces current policy protocols. As individual circumstances can change, then so transport arrangements may need to change.

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Service standards	New section reminding parents of their responsibilities and that any requests for changes to transport should be made via the Transport Team.	Reminder to parents of their responsibilities.
Post-16	Dealt with in separate policy document.	Improves clarity of document.

CABINET

20 September 2016

SPEED LIMIT REVIEW

Report of the Director for Places (Environment, Planning & Transport)

Strategic Aim:	Creating a safer community for all	
Key Decision: Yes	Forward Plan Reference: FP/1231015/03	
Reason for Urgency:	n/a	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr T Mathias, Deputy Leader and Portfolio Holder for Places (Highways, Environment, Transport and Community Safety) and Market Towns	
Contact Officer(s):	Dave Brown, Director for Places (Environment, Planning & Transport)	01572 758461 dbrown@rutland.gov.uk
	Neil Tomlinson, Senior Highways Manager	01572 758342 ntomlinson@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

1. That (subject to funding by the Parish Councils) Cabinet approve:
 - a) The reduction of the speed limit from 30mph to 20mph in Pilton, as shown on Drawing SLR-07.
 - b) The reduction of the speed limit from 60mph to 50mph along Barnsdale Avenue, Exton, as shown on Drawing SLR-10.
 - c) That the speed limit be reduced from 60mph to 40mph on the approach to the A47, Morcott, as shown on Drawing SLR-13.
 - d) That the speed limit be reduced from 40 mph to 30 mph on Edith Weston Road/Station Road, North Luffenham, as shown on Drawing SLR-15.
 - e) That the speed limit be reduced from 60 mph to 40 mph on Station Road, North Luffenham as shown on Drawing SLR-04.
2. Notes the changes in the process for consideration of future requests for speed limit changes.

1 PURPOSE OF THE REPORT

- 1.1 To consider proposals to change speed limits.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Department of Transport (DfT) publishes guidance which local authorities should take into consideration when setting local speed limits (DfT Circular 01/2013). This sets out the circumstances in which particular speed limits should be applied in urban and rural locations.

3 KEY POINTS FROM DFT CIRUCLAR 01/2013

- 3.1 Local Authorities are responsible for determining speed limits on the local road network.
- 3.2 It is important that councils and police forces work closely together in determining, or considering, any changes to speed limits.
- 3.3 The full range of speed management measures should be considered before a new speed limit is introduced.
- 3.4 The underlying aim should be to achieve a 'safe' distribution of speeds. The key factors that should be taken into account in any decisions on local speed limits are:
- history of collisions;
 - road geometry and engineering;
 - road function;
 - composition of road users (including existing and potential levels of vulnerable road users);
 - existing traffic speeds; and
 - road environment.
- 3.5 While these factors need to be considered for all road types, they may be weighted differently in urban or rural areas. The impact on community and environmental outcomes should also be considered.
- 3.6 The minimum length of a speed limit should generally be not less than 600 metres to avoid too many changes of speed limit along the route.
- 3.7 Speed limits should not be used to attempt to solve the problem of isolated hazards, such as a single road junction or reduced forward visibility, e.g. at a bend.
- 3.8 The speed limits on all 'A' and 'B' class roads were reviewed in 2008 and 2009 in accordance with this guidance. Since 2009 annual reviews have been carried out to consider any requests for changes.
- 3.9 The requested changes are listed in Appendix A with a recommendation against each. They are also shown on the attached drawings in Appendix B.

4 CONSULTATION

- 4.1 Consultation has been carried out with Ward Members, Leicestershire Constabulary, Parish and Town Councils. The results are shown in Appendix A. The Police have objected to most changes which do not comply with DfT guidance.

5 PROCESS FOR CONSIDERING FUTURE REQUESTS

- 5.1 A new process is proposed to ensure that, although all future requests will be examined, proposals with little merit are filtered out at an early stage. It is proposed that speed limit modifications will only be considered if they are made by one of the following:
- A Town Council, Parish Council or Parish Meeting.
 - A Resident of a parish where there is no Parish Council or Parish Meeting, subject to them demonstrating that they have 8 assenters from the local community. Assenters must be on the electoral roll for the parish where the scheme is being considered.
 - Businesses or organisations where they can demonstrate at least 50% support from the owners or occupiers of the other properties directly affected by the proposals.
- 5.2 In certain cases the Council will reserve the right to progress specific schemes without this support – for example, in situations where a proposal is deemed to have merit that would benefit the wider community.

6 FINANCIAL

- 6.1 The cost of the recommended speed limit changes (including signs, legal orders and advertising) will be about £10k.
- 6.2 It is proposed that changes are only made where Parish Councils agree to meet the cost, unless the change is being implemented due to road safety concerns following accident investigations.

7 LEGAL AND GOVERNANCE CONSIDERATIONS

- 7.1 Local Authorities are responsible for determining speed limits on the local road network; however, the police are responsible for enforcement.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 Equality impact assessment screening has been carried out. No issues were identified and a full equality impact assessment is not required.

9 COMMUNITY SAFETY IMPLICATIONS

- 9.1 Speed limit changes are usually requested as a result of perceived road safety issues rather than recorded accidents. However, it is recognised that local communities may be aware of minor accidents and near misses that do not appear in the police statistics.

10 HEALTH AND WELLBEING IMPLICATIONS

- 10.1 Reduced speed limits could encourage more pedestrians and cyclists to use some rural roads, which would have associated health benefits

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 11.1 Requests for changes to speed limits have been assessed in line with DfT guidance and consultation has been carried out. The recommended changes are generally those that meet DfT guidance and have the support of the Parish Council, Ward Members and the Police.

12 BACKGROUND PAPERS

- 12.1 There are no background papers

13 APPENDICES

- 13.1 Appendix A – Overview of Speed Limit Change requests
- 13.2 Appendix B – Scheme Specific Drawings

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

Appendix A - Requested Changes														
Ref	Location		Requested By	Limit		Mean Speed	Description	Ward member Support Y/N/ No Comment	Parish Support Y/N	Police Objection	Meets Guidance	Recommended	Approx Cost (£)	Notes
	Village	Road		Existing	Requested									
01	Ashwell	Teigh Road	Parish	60	30	33	Extend 30mph limit out of village	Y	Y	Y	N	N	1500	Does not meet criteria for a 30mph as no frontage development
02	Barrowden	Morcott Road	Parish	60	40	TBC	40mph buffer zone when entering village	1xY, 1xNo comment	Y	Y	N	N	1500	Does not meet criteria for a 30mph as no frontage development
03	Belmesthorpe	Belmesthorpe approach from A6121	Parish	60	30	TBC	Extend 30 limit out of village	2xY	Y	Y	N	N	1500	Does not meet criteria for a 30mph as no frontage development
04	North Luffenham	Station Rd		60	40	31	Reduce limit from 60 to 40 or 50 between level crossing to existing 40mph limit, south of North Luffenham	1xY, 1xNo comment	Y	N	Y	Y	1500	Numerous hazards along stretch of road. Current average speeds are low.
07	Pilton	Village		30	20	17	Reduce limit from 30mph to 20mph	No comment	Y	N	Y	Y	2000	Self enforcing due to low average speeds.
08	Stretton	Clipsham Rd	Parish	60	30	32	Extend 30 limit out of village	Y	No Comment	Y	N	N	1500	Does not meet criteria for a 30mph as no frontage development
09	Whissendine	Pickwell Lane	Parish	60	30	28	40mph for entire length	No comment	Y	Y	N	N	1500	Does not meet criteria for a 30mph as no frontage development
10	Exton	Barnsdale Avenue	Terry King	60	50	42	Reduction from 60 to 50 mph. Parish, Ward Members and landowners would like to see this extended to Cottesmore	Y	Y	N	Y	Y	2500	Repeater signs required
11	Crossroads Farm	Grantham Lane	Mr Glick	60	40	N/A	40mph past houses and crossroads	No comment	Y	Y	N	N	2000	Does not meet criteria for a 30mph as no frontage development
12	Whissendine	Whissendine to Langham	Rhianne Platts	60	40	N/A	Reduce limit to 40mph to protect horse users	No comment	Y	Y	N	N	2500	Does not meet criteria for a 30mph as no frontage development
13	Morcott	A6121 village entrance to A47 junction	Parish	60	40	N/A	Reduce speed limit from 60mph to 40mph	No comment	Y	N	Y	Y	1500	
15	North Luffenham	Empingham Rd & Station Rd	Parish	40	30	31	Reduce 40mph to 30mph	No comment	Y	N	N	Y	2000	Police do not support unless additional traffic calming in place. SID signs being installed, funded by developer.
16	Caldecott	Main Street	Parish	30	20	25	Reduce 30mph to 20mph throughout village	Y	Y	Y	N	N	2500	Police object unless traffic calming installed.
17	Caldecott	Rockingham Road	Parish	60	30	36	Extend 30mph limit towards Rockingham	Y	Y	Y	N	N	1500	Police would support a 40mph buffer zone
18	Oakham	Cold Overton Road	Richard Gale	60	30	N/A	Extend 30mph limit out of town	1xY, 1xNo comment	Y	Y	N	N	1500	Does not meet criteria for a 30mph as no frontage development
19	Cottesmore	Burley Road	Parish	50	30	N/A	Extend 30mph towards Burley	2xY	Y	No Comment	N	N	1500	40mph buffer zone on entrance could be supported.
20	Oakham	Town Centre/Various	Oliver Bird	Unrestricted	7.5t	N/A	Impose 7.5t weight limit across town centre from all entry points	TBC	TBC	TBC	N/A	N	TBC	Weight restrictions could be introduced but would be difficult to enforce as access is required to businesses.

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Appendix B

Report 175/2016

Speed Limit Review Drawings



IT Services
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Catmos Street
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Rutland
LE15 6HP
telephone: 01572 722 577
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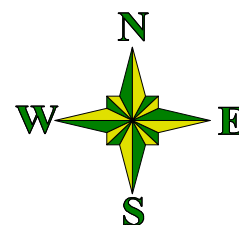
Speed Limit Review 2015

SLR-01ASHWELL

Teigh Road, Ashwell. Extend 30mph limit
outside village

72

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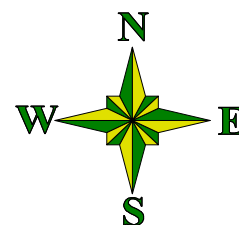
Speed Limit Review 2015

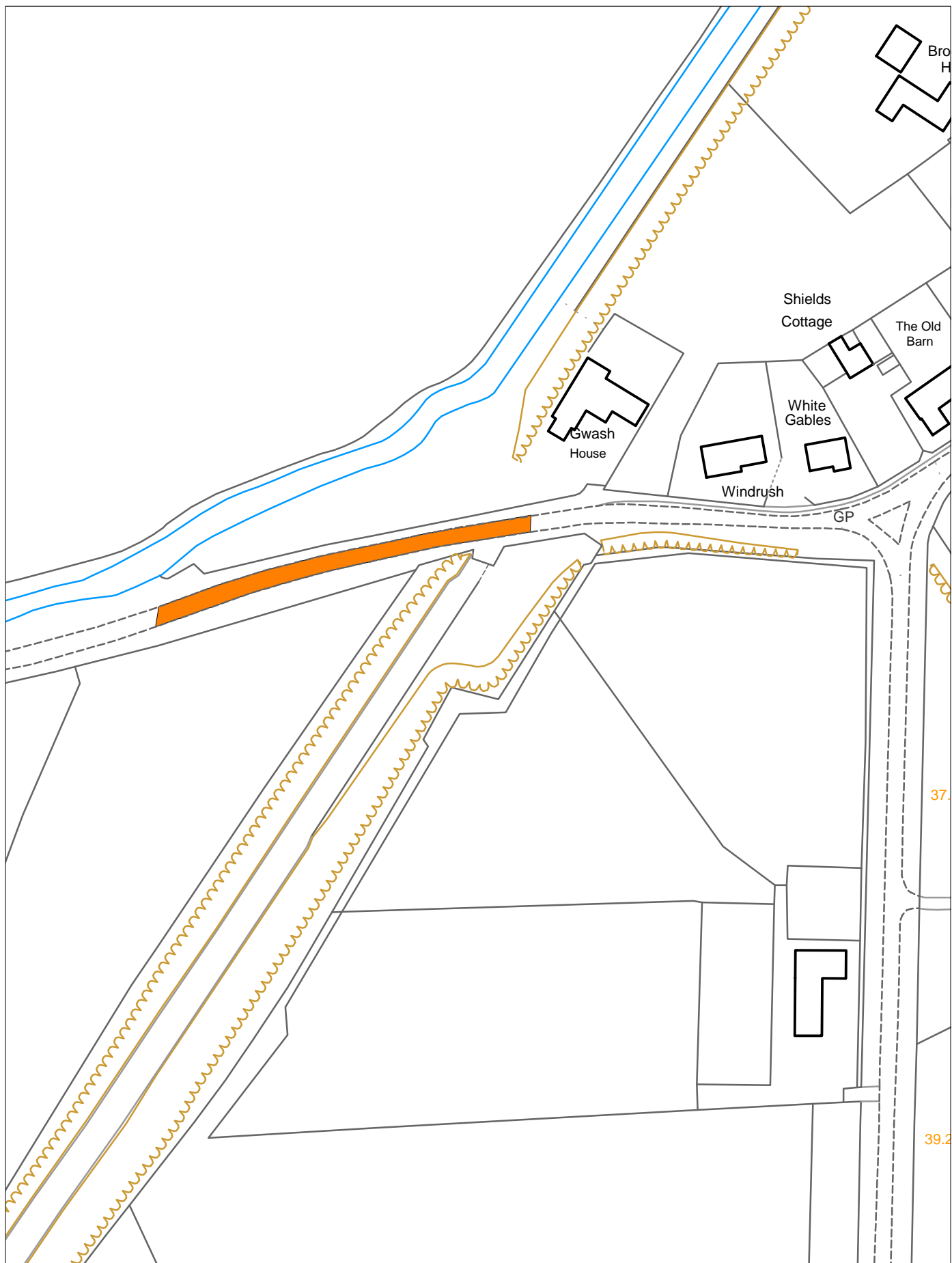
SLR-02BARROWDEN

Morcott Road, Barrowden
40mph buffer zone when entering village

73

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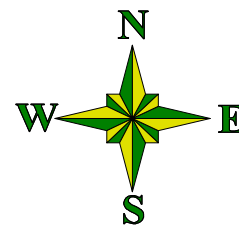
Speed Limit Review 2015

SLR-03BELMESTHORPE

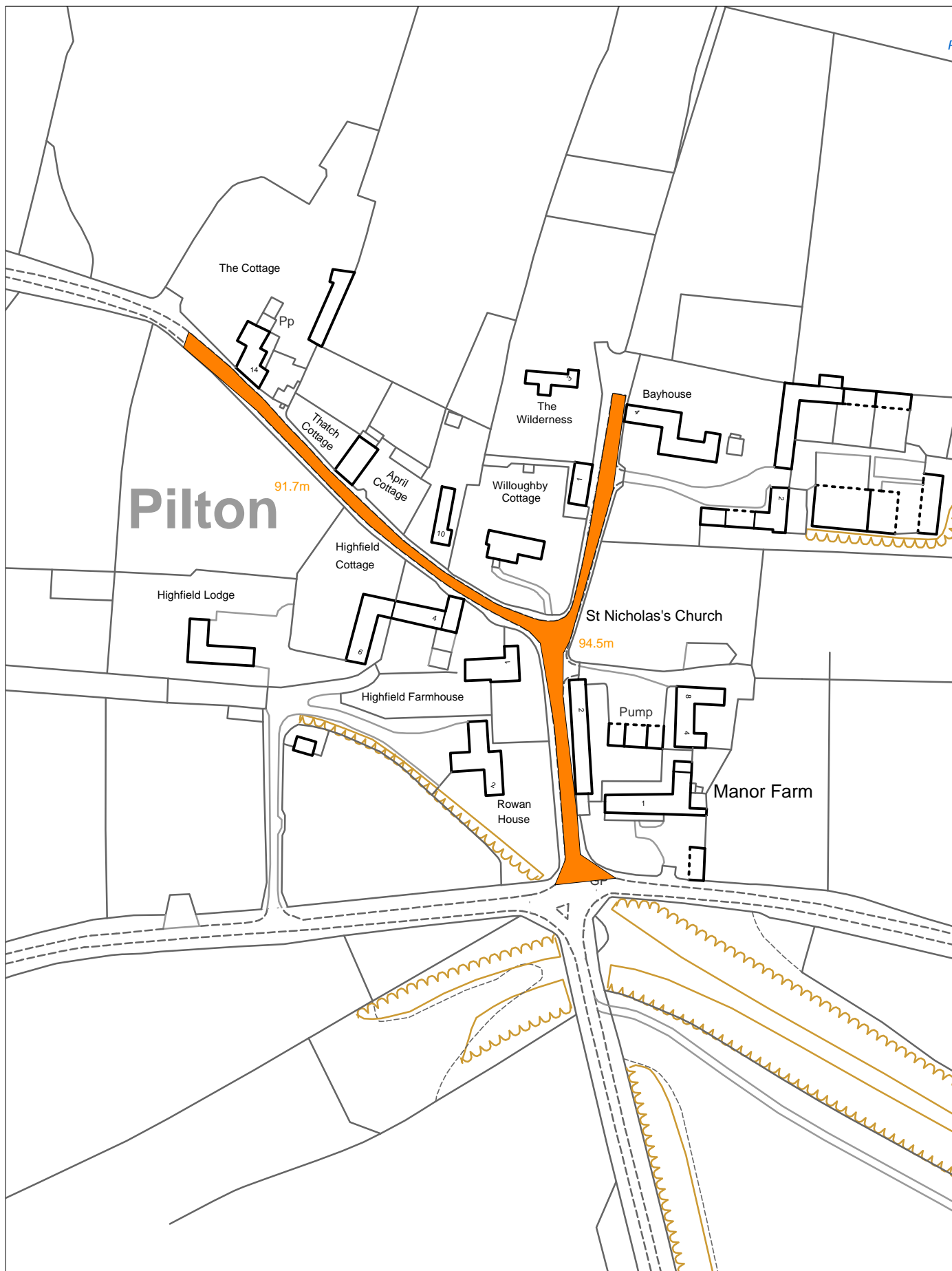
Belmesthorpe Approach from A6121, Belmesthorpe
Extend 30mph limit out of village

74

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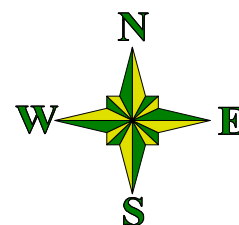
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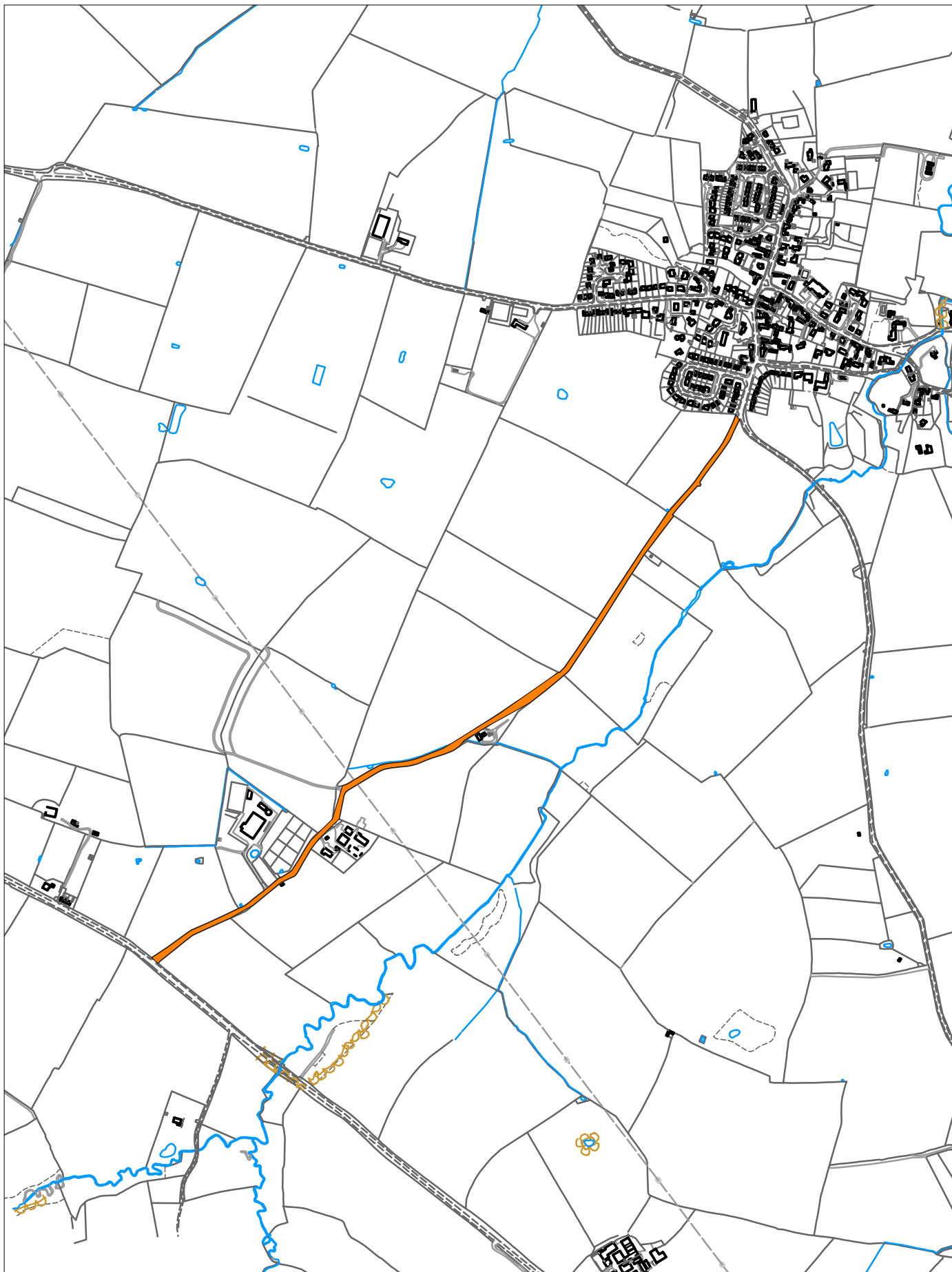
SLR07-PILTON

Pinfold Lane and Church Lane, Pilton
Reduce speed limit from 30mph to 20mph

76

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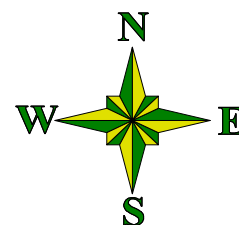
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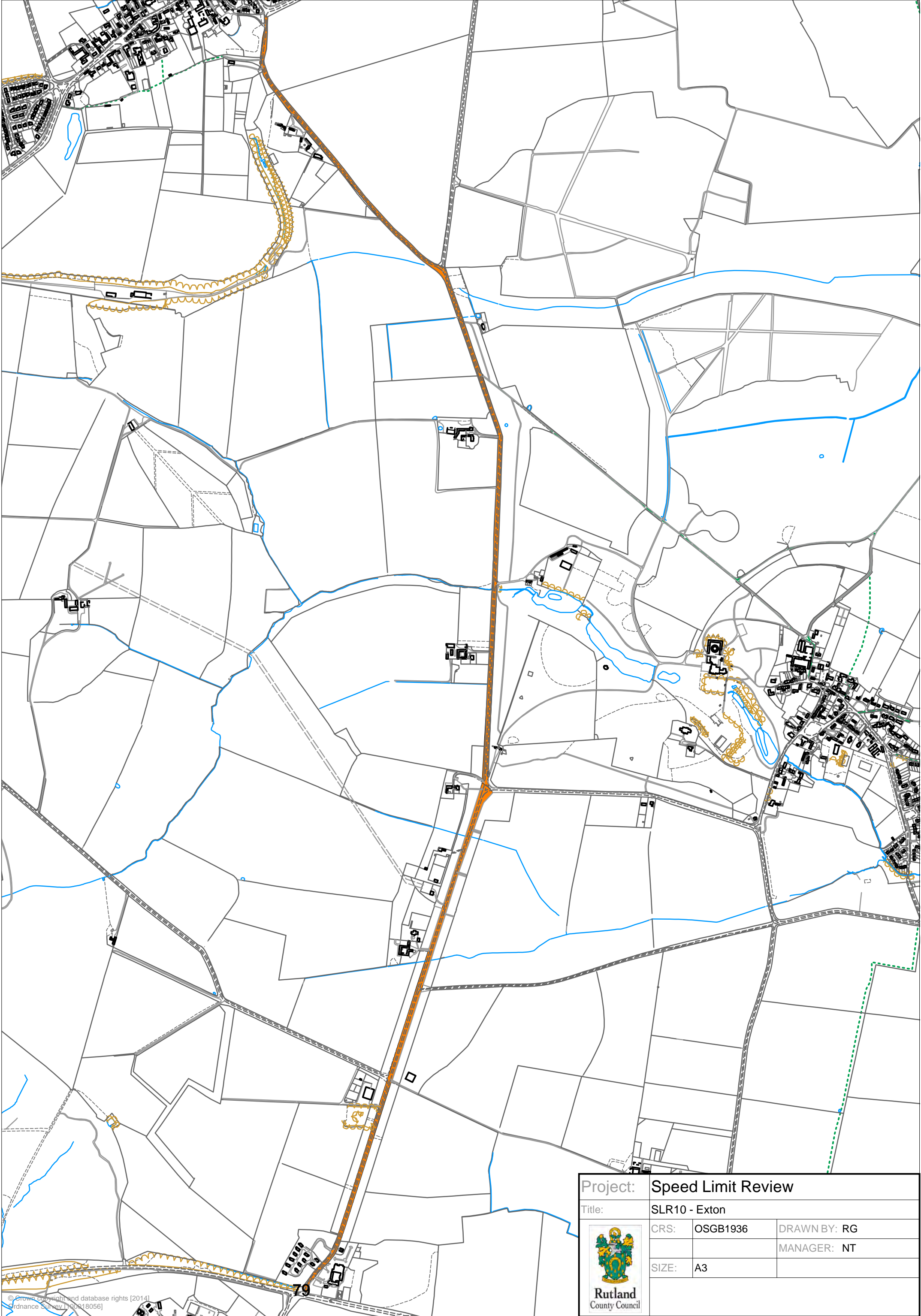
SLR09-Whissendine

Pickwell Lane, Whissendine
40mph for entire length of road


78

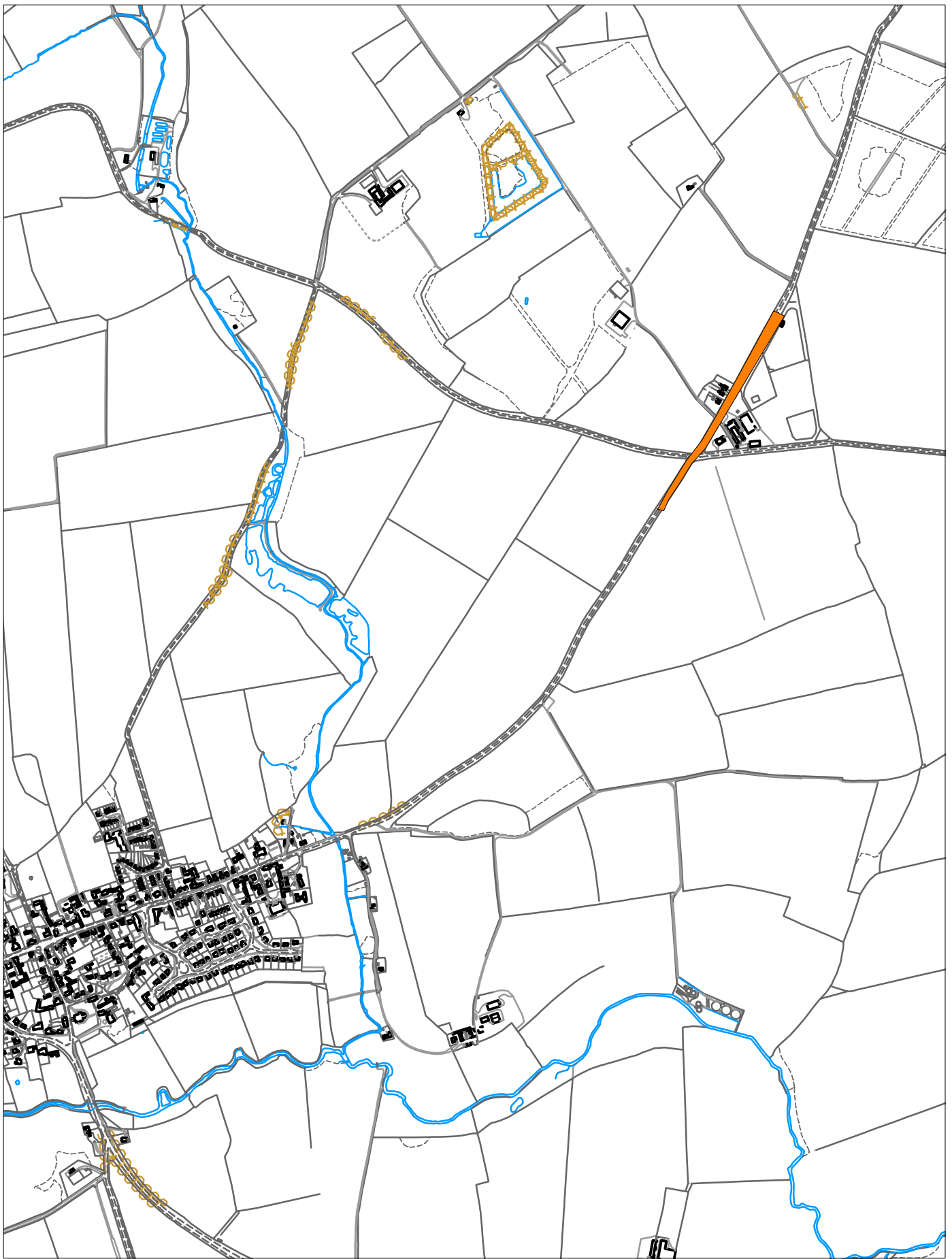
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Project: Speed Limit Review		
Title: SLR10 - Exton		
 Rutland County Council	CRS: OSGB1936	DRAWN BY: RG
		MANAGER: NT
SIZE:	A3	



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Speed Limit Review 2015

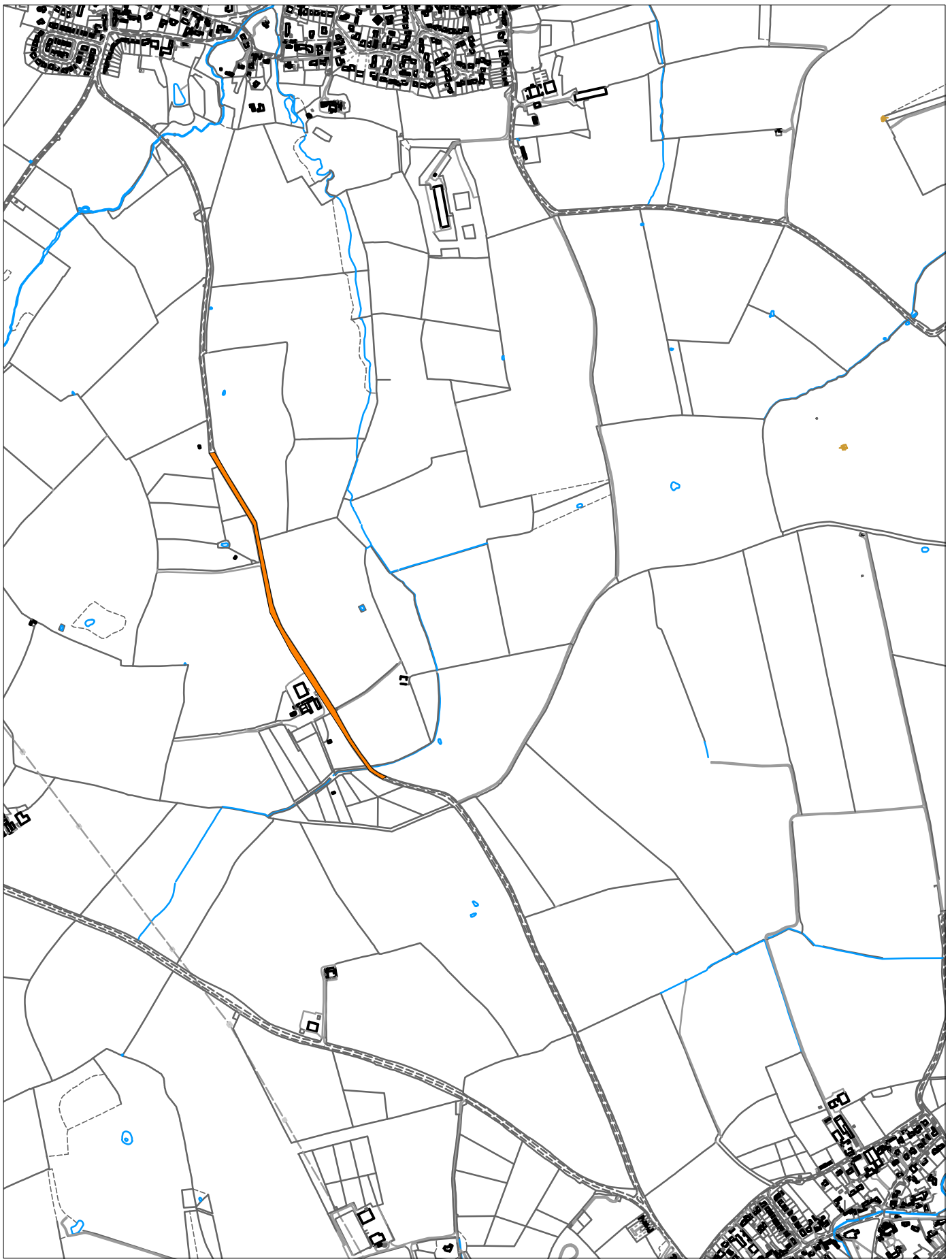
SLR11-CROSSROADS FARM

Crossroads Farm, Grantham Lane, Empingham
40mph limit past houses and crossroads

80

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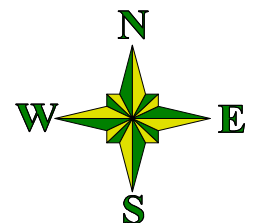
Speed Limit Review 2015

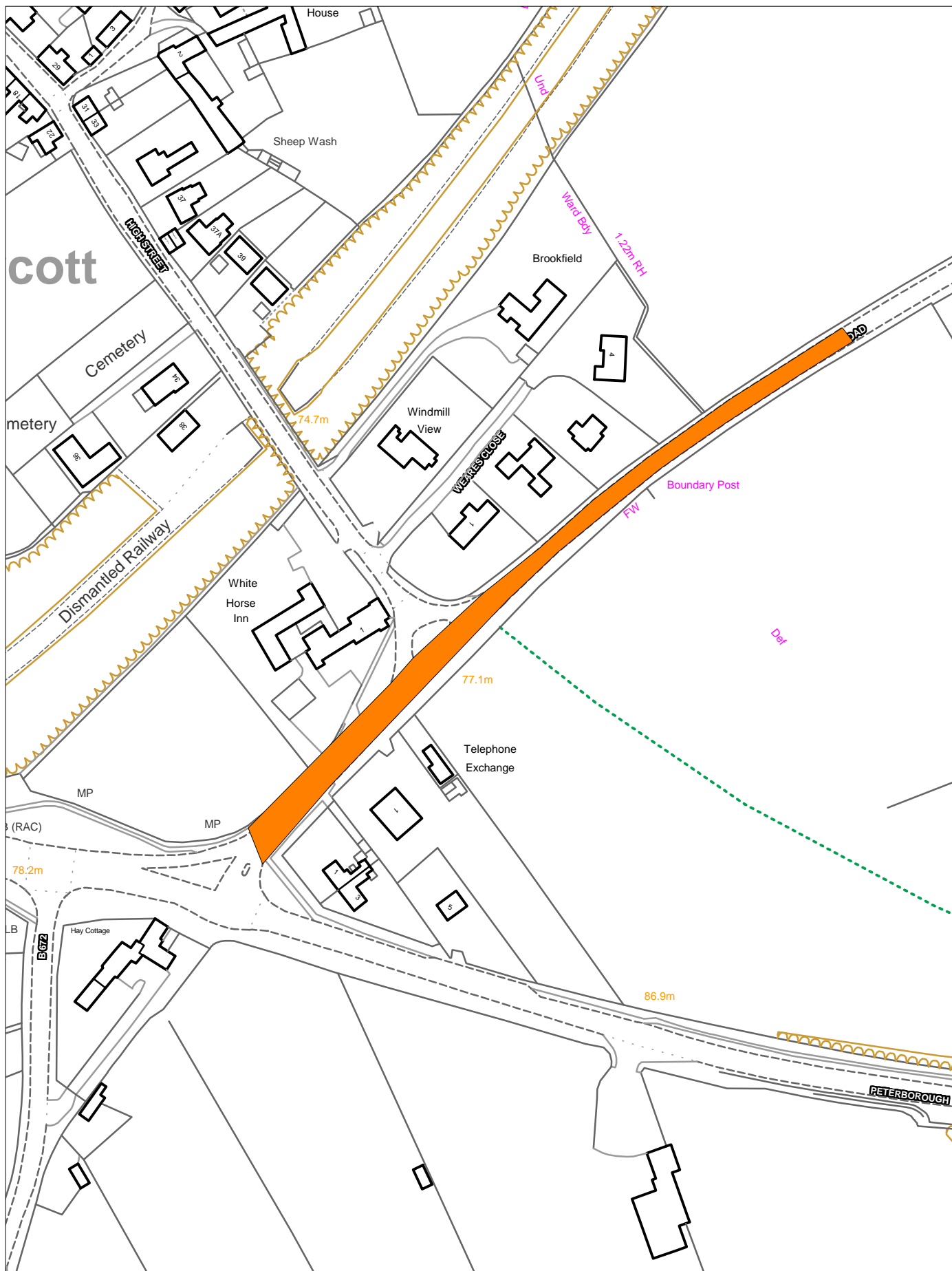
SLR12-Whissendine

Between Whissendine and Langham reduce speed
from 60mph to 40mph

81

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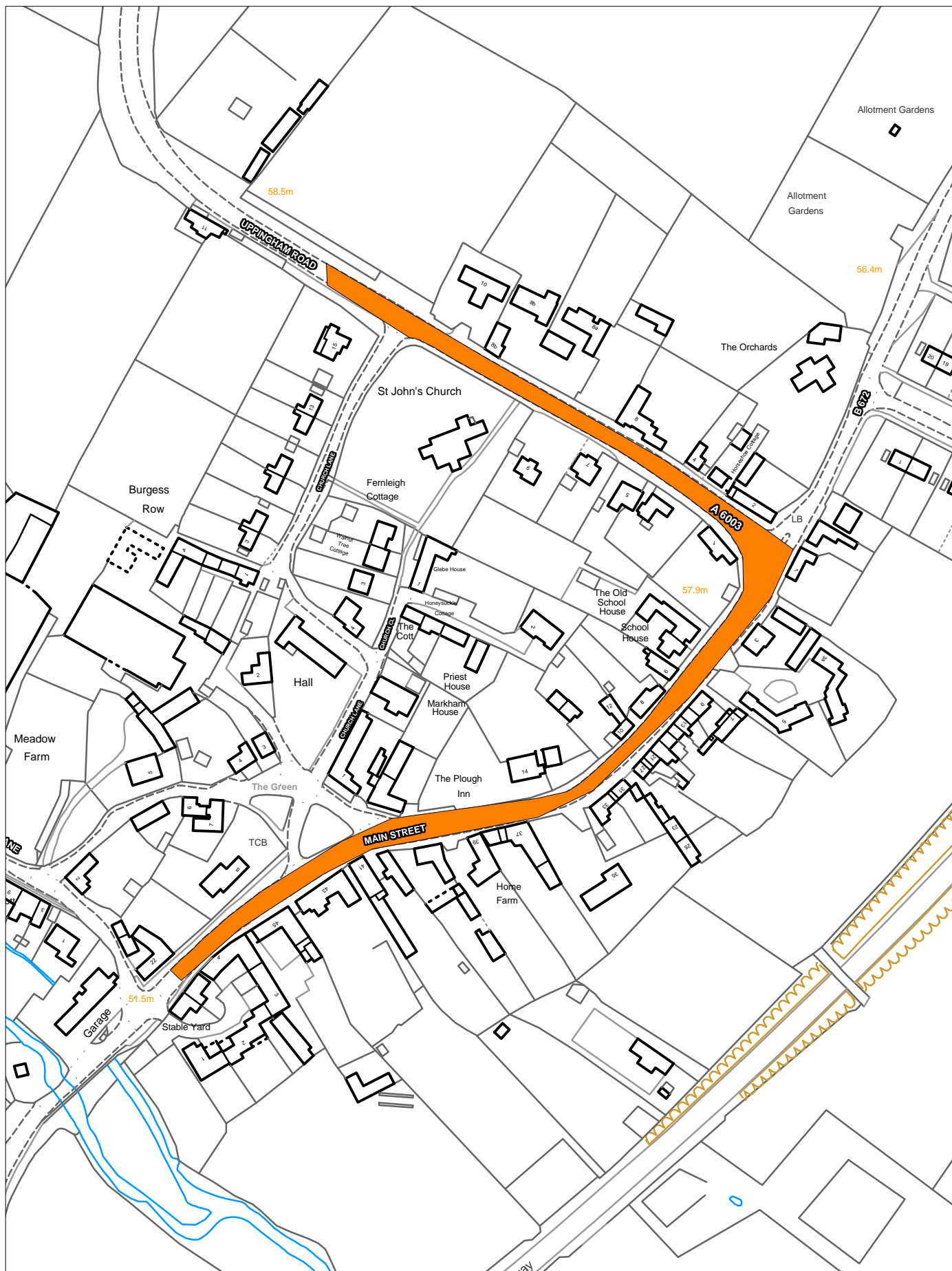
SLR-13MORCOTT

A6121 from A47 Morcott
Reduction from National Speed Limit

82

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Speed Limit Review 2015

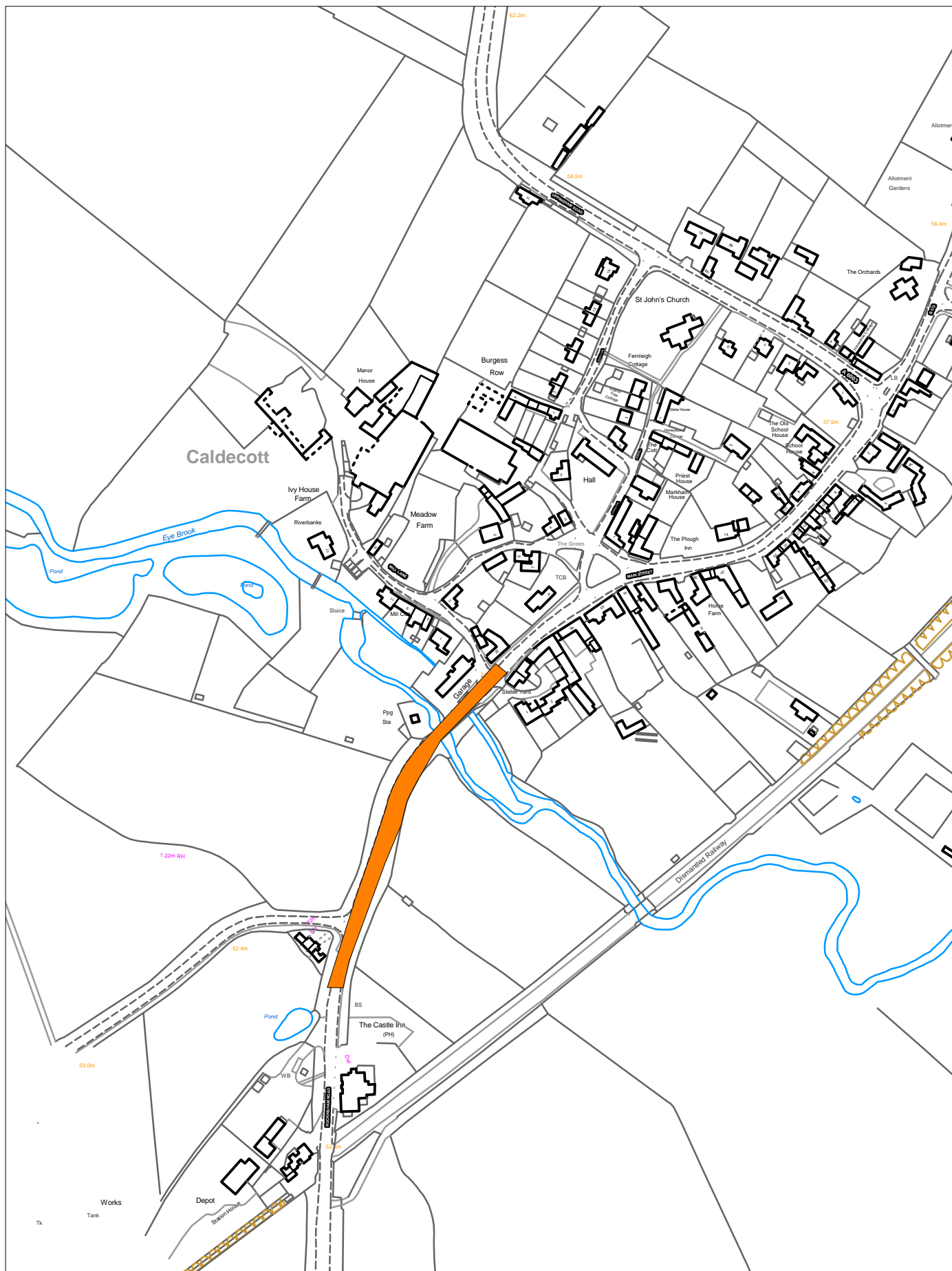
SLR-16CALDECOTT

Main Street, Caldecott
Reduce speed from 30mph to 20mph

84

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Speed Limit Review 2015

SLR17-CALDECOTT

Reduce speed from 60mph to 30mph

85

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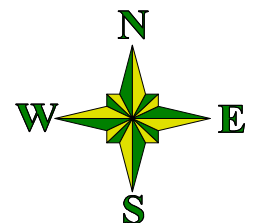
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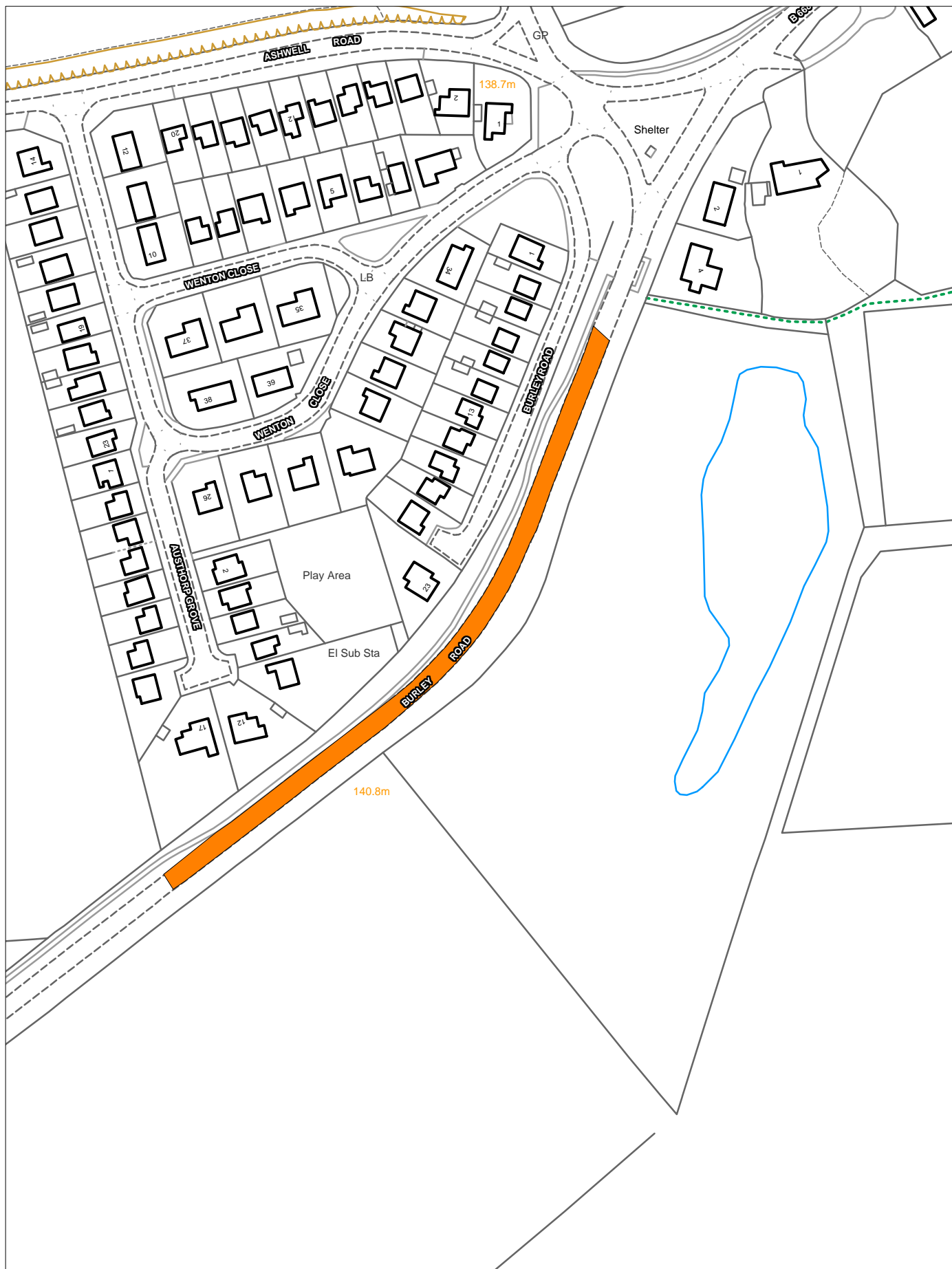
SLR18-COLDOVERTON

Cold Overton Road, Oakham
Reduce speed from 60mph to 30mph

86

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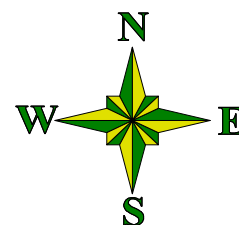
Speed Limit Review 2015

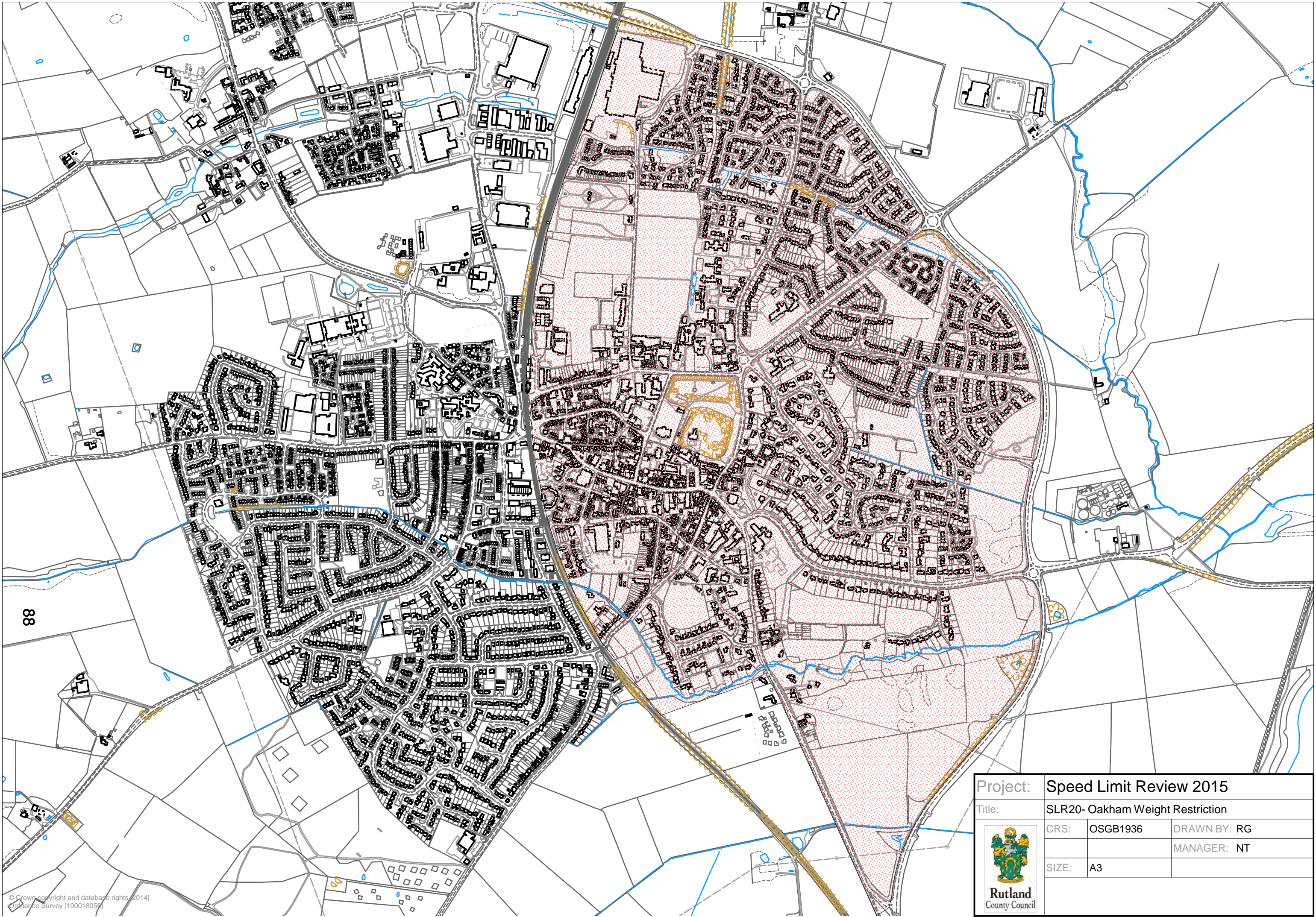
SLR-19 COTTESMORE

Extend 30mph limit towards Burley


87

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88

Project: Speed Limit Review 2015	
Title: SLR20- Oakham Weight Restriction	
 Rutland County Council	CRS: OSGB1936
	DRAWN BY: RG
SIZE: A3	MANAGER: NT

CABINET

20TH SEPTEMBER 2016

RELOCATION OF THE CHILDREN'S CENTRE

Report of the Director of Places (Development and Economy)

Strategic Aim:	Creating an active and enriched community, Creating a brighter future for all	
Key Decision: Yes	Forward Plan Reference: FP/161015/01	
Exempt Information	<p>Annexe E to this report contains exempt information and is not for publication in accordance with Part 1 of Schedule 12A of the Local Government Act 1972.</p> <p>Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p>	
Cabinet Member(s) Responsible:	<p>Cllr T King – Leader and Portfolio Holder for Finance and Development</p> <p>Cllr R Foster – Portfolio Holder for Safeguarding Children and Young People</p>	
Contact Officer(s):	Paul Phillipson, Director of Place (Development and Economy)	01572 758321 pphillipson@rutland.gov.uk
	Andrew Edwards, Head of Property Services	01572 758391 aedwards@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That Cabinet:

1. Approves the proposal to combine the project 'Oakham Library – Essential Works' (previously approved by Cabinet on the 21st June 2016) with this project – 'Relocation of the Children's Centre'.
2. Approves the release of up to £400k to support the relocation of the Children's Centre from Catmose College to the Oakham Library site, and an additional £60k to deliver the library refurbishment works.
3. Authorises the Director of Places (Development and Economy) in consultation with the Portfolio Holder for Places (Development and Economy), the Portfolio Holder for Safeguarding Children and Young People and the Director for Resources to progress

Option 2 that enables the most advantageous elements of a combined project.

4. Authorises the Director of Places (Development and Economy) in consultation with the Portfolio Holder for Places (Development and Economy), the Portfolio Holder for Safeguarding Children and Young People and the Director for Resources to select the procurement route, establish the award criteria and appoint the most advantageous supplier or suppliers dependent upon the procurement route selected for the combined project.

5. Authorises the Director of Places (Development and Economy) to appoint the Lead Designer for the combined project, in order to expedite the urgent works required.

1 PURPOSE OF THE REPORT

- 1.1 To seek Cabinet approval for the release of up to £400k to relocate the Children's Centre (Visions) from Catmose College to the Oakham Library site.
- 1.2 To seek Cabinet approval to combine this project with Oakham Library essential maintenance works, to minimise duplication of construction costs and site disruption.
- 1.3 To seek Cabinet approval to increase the funding identified for the library maintenance works from £220k (approved by Cabinet on the 21st June 2016) to £280k, as a result of further detailed review of the site maintenance issues.
- 1.4 To give powers to the Director of Places (Development and Economy), the Portfolio Holder for Places (Development and Economy), the Portfolio Holder for Safeguarding Children and Young People and the Director for Resources to appoint the Lead Designer; and to select the procurement route, establish the award criteria and appoint the contractor who will deliver the combined project, so enabling the provision of additional school places at the earliest opportunity.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 On the 14th March 2016 a report was presented to Informal Cabinet that set out various options for the relocation of 'Visions' to provide space at Catmose College for additional pupil numbers. That report advised that pupil demand would outstrip availability by approximately 180 places by 2020 and that these works would partially address the issue.
- 2.2 To partially address the short term requirement it is proposed that 'Visions Children's Centre' is relocated to the centre of Oakham; releasing space within Catmose College for the provision of up to an additional 30 secondary school spaces per year i.e. a total of 150 additional spaces.
- 2.3 The space (150 square meters) vacated by 'the Children Centre' will be converted for school use. To provide this additional capacity in time for Academic Year

2017/18, Catmose College have indicated that vacant possession will be required by the end of April 2017.

- 2.4 Visions Children Centre is currently located at Catmose College under an on-going lease arrangement. Provision of a Children's Centre is a legal requirement and defined in Part 1 section 5A of the Childcare Act. The Children's Centre service is inspected by Ofsted under Part 3A of the Childcare Act 2006 (as amended by the Apprenticeship Skills, Children and Learning Act 2009).
- 2.5 The Childcare Act 2006 sets out the requirements of Local Authorities to ensure that early childhood services are accessible, integrated and proactive in encouraging parents to take advantage of the available services in their community. There is a strong case for why children's centres should retain open access services as part of a pathway to delivering effective targeted work.
- 2.6 There is a lack of alternative provision that offers this range and combination of support to families on a daily basis in Rutland. The Visions Children's Centre plays a critical role in helping to achieve this by providing parents and children with access, at the earliest opportunity, to suitable support services that help contribute to their overall well-being, including children's emotional resilience and readiness for school and to support adult's parenting capacity.
- 2.7 The early year's services provided by the Children's Centre form an integral part of Rutland's Early Help Strategy 2015 and is a key priority in the Children, Young People and Families Plan (draft) 2016 – 2019. "Local authorities need to recognise the value that early intervention can play in reducing long-term costs, and to invest in children's centres as hubs for local improvement activity" Ref: *Measuring what matters - A Guide to Children's Centres* The service also contributes to a number of the Council's strategic aims including:
- Creating a brighter future for all.
 - Meeting the health and well-being needs of the community
- 2.8 *Ofsted Guidance April 2013 and Subsidiary Guidance - to support the inspection of Children's Centres 2014* reinforces the message from national research that it is vitally important to ensure collaboration between Children's Centres, local health services, particularly midwifery care and health visitors, as well as with wider partners such as Jobcentre Plus, housing, adult learning and other early childhood services, including those offered by the voluntary sector. Consistent, collaborative partnerships to achieve and monitor the essential outcomes will improve the health and development of children in the local area.
- 2.9 The existing Children's Centre at Catmose College allows the Children Centre team and key partner agencies to deliver key elements of the core offer of a Children Centre service, as well as services delivered in outreach centres in Uppingham, at the MOD Barracks and in families' homes. The use of the Children Centre space at Catmose has evolved to respond to national and local drivers for change to the Children's Centre programme;

- Greater collaboration and co-working with health, social care services and early years: the Children Centre team provide space each week at Catmose to enable the following health services to run; a weekly antenatal clinic for midwives and health visitors, antenatal support group for prospective parents, post natal support groups and breast feeding support group and then a range of support programmes for young babies and toddlers and parents, developmental assessment clinics, including children with additional needs and multiple births and a speech and language clinic. The Children Centre team and the health personnel use the **large group room and adjoining kitchen space**, as a flexible space that will accommodate 15 toddlers and parents. This space is also used for stay and play sessions involving a range of messy play activities alongside the existing library space to deliver story time and music sessions. The space is also used to conduct supervised contact visits for Children Centre staff, social workers and looked after children, often at the end of the day. The space is used regularly by the Child minding group, Homestart, and as the need arises to deliver welfare and employment advice by agencies such as Citizens Advice Bureau and Job Centre Plus. There is a small **quiet room** to do individual clinical/therapeutic work with a parent or child. The **large reception / meet and greet space** allows for parents to leave their prams and buggies in a warm and secure environment.
- Targeted family support to vulnerable families – there is a **small office space** for 5 members of staff, which operates as a hot desk space to allow the family support practitioners to complete and store case files and the data officer to complete the data tracking and performance monitoring on the e-start system which is a requirement for Ofsted monitoring of the Centre's performance. The small office space is also used to deliver case supervision,
- Meeting the needs of targeted groups – because of the restrictions on the space and it use out of hours, the groups for fathers and male carers, siblings of disabled children and the adult learning sessions happen off site, at Jules in the evenings and at the weekend and at the Enterprise Park as well as in Uppingham and on the Barracks.
- Supporting children's health and well-being and readiness for school. There is no **outdoor space** at Catmose College therefore any outdoor activity has to be arranged offsite in local parks which can involve funding transport.

2.10 The Children's Centre at Catmose College provides a wide range of services to families across the Rutland Area. As of September 2015 there were 1,566 children aged under 5 years registered, out of a total of 1,740 (90%). **Annex A** identifies the various locations of the families across the County.

2.11 In addition to utilising the space at Catmose, the Children's Centre delivers a range of groups and 1 to 1 support across Rutland. This includes a regular weekly

presence in Uppingham and a number of weekly sessions at the MOD sites. The Children's Centre staffs also deliver sessions at Jules and at the Enterprise Park. The space at Catmose has some spare capacity on Monday and Friday which represents the only flexible time available for use and as such usually supports sessions such as social care 'contact' meetings and family support worker sessions with families, however the majority of activities for the rest of the week are at 100% utilisation.

- 2.12 In addition to the formal activities there are a number of 'drop-in' activities when families will attend the centre for guidance and information. A full schedule of usage is provided at **Annex B**
- 2.13 Whilst providing an excellent service the asset at Catmose College does not fully meet the requirements of a 'Children's Centre'. A detailed requirement together with justification is provided at **Annex C**.
- 2.14 A significant number of options for the re-provision of a Children's Centre have been considered. These have been discounted and are outside the scope of this report. Focus is now on the provision of a Children's Centre within the greater curtilage of the Library.
- 2.15 As stated elsewhere within the report Cabinet has previously given approval for a project that will undertake 'Essential Works' within the Library. If Cabinet approves the additional funds for the relocation of the Children's Centre then the proposal is that the projects are combined for the following reasons:
- There will be economies of scale generated from the use of one contractor with reduced overheads
 - On site coordination will be significantly simplified with contractual conflicts between suppliers eliminated
 - Single point of client contact
 - Reduced potential Health and Safety issues.
- 2.16 The development of the Children Centre at Catmose was supported by a £317k grant from the Department for Education (DfE). Initial discussions with the DfE have indicated that they would positively consider a deferral of Clawback; provided that the Council continued to provide a Children's Centre and that the costs of the relocation were at least equal to the initial grant. In essence they are seeking to protect their investment. This is subject to a formal submission to the DfE being approved and is likely to be dependent on the suitability of the alternative provision being proposed.
- 2.17 Effective Children's Centre provision requires a number of critical components as outlined in the Ofsted Framework for Children Centre delivery. Rutland County Council will be required to ensure that the relocation of the Centre and the

services offered remains in line with the Statutory Guidance¹ for registered Children's Centres, and this will be one of the factors considered by the Educational Funding Agency in deciding whether or not to exercise their 'Clawback'.

2.18 The functional requirements for a relocated Children's Centre are as follows:

Description
Reception Space & seating
Accessibility Toilet including baby changing facilities
Health Room with sink and storage
Family meeting space with glass fronting
Staff Office
Kitchen facility large enough to run family cooking sessions
Open play space to be used for sessions with families
Creative play space
Adult learning space
Secure Buggy Shelter for up to 10 prams minimum.
Safe enclosed external Play Area
Bookable meeting space
Easily accessible
Integrated with other services
Welcome, non-stigmatised environment and location
Integrated flow – space.
Independent opening and closing flexibility
Parking facilities and on bus routes.

2.19 Each of the options considered in section 3 will meet the requirements as identified above, and in some areas provide additional resources.

2.20 Relocation of the Children's Centre to the Oakham Library site would generate additional benefits to the Council beyond the required provision of a Children's Centre. There is a significant overlap of users served by the public library and the Children's Centre. Provision of a single site will encourage use of both services by users, in a more convenient and easier to access town centre location. The library service will benefit from a regular flow of family visits, and improved facilities for the delivery of children's activities and events. Programmes of activity will be delivered through a partnership between the Children's Centre and the Library in a single location, rather than replicated at different times and in different locations. Users will benefit from having both groups of expert staff on hand to provide family and literacy support from one location.

2.21 Following the engagement of an architectural practice to review the outline estimates produced in-house for essential library maintenance, it has been identified that a further £60k is required, in addition to the £220k previously agreed

¹ Sure Start Children's Centre Statutory Guidance 2013, Department for Education

by Cabinet to deliver these works. This is due to the condition of the roofing being in a poorer state than previously believed, and the extent of the electrical works required.

- 2.22 There has been no significant refurbishment work undertaken on Oakham Library in the 19 years since Rutland took over the service in 1997. As maintenance works are undertaken, opportunities will be explored to improve the configuration and delivery of the service. A key potential improvement could be the introduction of self-service access to the building, using a library card and PIN, a system which is already in operation in Peterborough Libraries (branded “Library Plus”). This would allow out-of hours access to library services, greatly enhancing the reach of the service, with security being provided by CCTV coverage. These service improvements were originally intended to be delivered using the Oakham North Section 106 funding.

3 OPTIONS CONSIDERED

- 3.1 In reviewing the options the following points should be noted:

- All costs are indicative. The costs for the Modular Builds are based upon budget prices quoted by suppliers. The costs for Option 3 – Traditional Build are based on published unit rates. External works are based on existing information and again published rates. As design progresses, risk will be designed out, thereby increasing financial certainty.
- The programme dates are indicative and focus on ‘critical path’ items. The end date has been agreed with Catmose College, however in any construction project there can be unforeseen delays.
- Discussions are ongoing with planning. A final decision is dependent upon a full submission. Key to this is that this development is in a Conservation area. Any such development must enhance or maintain the conservation area. Any design will need to be sympathetic to these requirements and have minimum or little visual impact.
- The original ‘Visions’ in Catmose College benefited from a grant of £317k from the DfE Clawback. Initial discussions with DfE have indicated that they would not seek to exercise the ‘Clawback’ option if £317k or more is expended on relocating ‘Visions’ to provide a facility that is comparable. However this is to be formally confirmed.
- It has been assumed from the requirements above that the space required for ‘Visions’ is 200 square metres. The majority of suppliers offer units based upon a modular unit that is dictated by factors such as ease of transport. Some manufacturers will offer bespoke units but because of need to develop new jigs

and get revised certification for both, the programme will extend and costs will increase. Given this the most suitable size has been selected for the purposes of developing the cost estimate.

- 3.2 A number of options have been considered. The operational benefits of positioning the relocated Children's Centre next to the library far outweigh those offered by other locations. A 'Do-Nothing' Option is included for consideration, as this addresses the impact of the DfE exercising their 'Clawback'.

Option 1: Do Nothing

The 'Do-Nothing' option involves the Children's Centre remaining where it is.

Description of Works: This would involve the Children's Centre remaining where it is. Under the current lease agreements this is technically possible. However, Catmose College would then be faced with a number of options:

- Not to provide additional pupil places
- Provide alternative accommodation for the function they are planning to locate in the Children's Centre' space. This would entail moving to alternative accommodation within the College (if available) or acquisition of additional space via purchase or lease.

Planning Issues: Given the location of the building and the assuming that all works will be contained within the existing envelope there will be no planning issues.

Programme: Not possible to comment at the moment other than this will be by far the shortest programme.

Comment: For obvious reasons this option will not relocate the Children's Centre and could lead to Catmose College refusing to provide additional pupil places. However it will ensure that 'Clawback' is not applied in this instance thereby removing financial risk from the project.

Option 2: Modular Build

Modular Build adjacent and linked to the Library for use as a Children's Centre see plan at **Annex D**.

Description of Works: This would consist of a modular unit acquired from a supplier, with a linkage to the library building. It would provide similar space to that at 'Visions'. This is an asset with a 25 year plus design life. The indicative floor space would be 200 square metres, with the final internal area being determined by the configuration and size of the units specified.

Planning Issues: A range of external claddings are available to dress the building – these include vertical timber cladding and brick. Given the proposed location within the Conservation Area this will be an advantage as suitable cladding can be used to soften the impact of the building. Initial planning advice has indicated that

in order to break up the impact of the build, a contrasting finish should be considered, and the unit should be stepped back from the line of the existing building. These comments will be used to define the finish of the unit, if this option is approved.

Programme: Please see below

	Task	Action	Duration	Milestone
1	Complete concept design (RIBA stage 2)	Designer	3 weeks	08.09.2016
2	Submit planning application	Designer		09.09.2016 ¹
3	RCC approval & instruction	RCC		20.09.2016
4	Planning decision process	RCC	8 weeks	
5	Planning decision (DC meeting 27.10.2016)	RCC		27.10.2016
6	Developed design & technical design (RIBA stages 3 & 4)	Designer	5 weeks from 07.09.2016	20.10.2016
7	Building regulation	RCC	Ongoing	
8	Procurement internal process	RCC	2 weeks	03.11.2016
9	Out to tender	Designer		04.11.2016
10	Tender period	-	3 weeks	
11	Tenders returned	-		28.11.2016
12	Tender analysis & approvals	Designer / RCC	2 weeks	
13	Place order	RCC		09.12.2016
14	Contractor's lead in period	Contractor	3 weeks ²	
15	Start on site	Contractor		03.01.2017
16	Construction phase (RIBA stage 5)	Contractor	17 weeks ³	02.05.2017
17	Handover	Contractor		02.05.2017

¹ Assumes no requirement for specialist reports of trees, ecology, etc

² Allowance for Christmas period

³ Absolute minimum construction period and assumes no abnormal ground conditions; no prolonged material delivery periods; that the existing mains incoming electrical and water supplies do not require replacement.

Comment: This option is a tried and trusted approach to the provision of modular accommodation. It is based around 'classroom' sizes, and as a result the actual dimensions of the unit provided will be determined by standard units of the manufacturer. With suitable phasing with the maintenance works, it should be possible to provide the 'modular' element by the end of April 2017.

Option 3: Traditional Build

Description of Works: A traditionally built 150m² structure that will meet the requirements of 'Visions'.

Planning Issues: This option would provide an asset that is designed specifically for the location within the conservation area. Consideration would need to be given to the massing, finishes, orientation, and its impact on the surrounding area.

Programme:

	Task	Action	Duration	Milestone
1	RCC approval & instruction	RCC		20.09.16
2	Complete concept design (RIBA stage 2)	Designer	3 weeks	
3	Submit planning application	Designer		11.10.16 ¹
4	Planning decision process	RCC	10 weeks	
5	Planning decision	RCC		20.12.16
6	Developed design & technical design (RIBA stages 3 & 4)	Designer	5 weeks from 11.10.16	15.11.16
7	Building Regulations	RCC	ongoing	
8	Procurement internal process	RCC	2 weeks	29.11.16
9	Out to tender	Designer		02.12.16
10	Tender period	-	5 weeks ²	
11	Tenders returned	-		06.01.17
12	Tender analysis & approvals	Designer/RCC	2 weeks	
13	Place order	RCC		20.01.17
14	Contractor's lead in period	Contractor	3 weeks	
15	Start on site	Contractor		13.02.17

16	Construction phase (RIBA stage 5)	Contractor	16 weeks ³	02.06.17
17	Handover	Contractor		02.06.17

Assumes no requirement for specialist reports of trees, ecology, etc

² Allowance for Christmas period

³ Absolute minimum construction period and assumes no abnormal ground conditions; no prolonged material delivery periods; that the existing mains incoming electrical and water supplies do not require replacement.

Comment: Based on the above programme this option could not be delivered by the required date of April 2017.

Option 4: Combined Library and Children's Centre

Following consultation with the stakeholders in order to develop the Children's Centre requirements, integration of the Children's Centre within Oakham Library's existing footprint is unlikely to be successful. The existing site footprint simply does not offer enough floor area to successfully accommodate both the library's requirements and the Children's Centre's needs.

If the Children's Centre was integrated within the Library, both of the services would be negatively impacted, as they would not have enough floor area to deliver their respective services.

3.3 A full break down of costs are provided in exempt **Annex E** for Options 2 and 3.

3.4 Recommended Option

Having considered all options and having due regard to the timing of project delivery it is recommended that we progress with Option 2, modular build, due to costs and efficiency of the programme.

4. PROCUREMENT ROUTE

4.1 Selection of the procurement route will be largely dependent upon the option selected. It is likely that a number of different services will also need to be procured – e.g. designers, geotechnical surveys, topographical surveys etc.

4.2 Procurement will follow existing procurement rules and for the larger elements is likely to be via an existing 'Framework' or through a Two Stage (Restricted) tender. This will be decided when the preferred option is identified. However as works must commence immediately in order to achieve the April deadline, approval is sought to appoint a Lead Designer directly.

5. CONSULTATION

5.1 Internal consultation has taken place amongst officers and cabinet members to explore the most appropriate route to address the provision of additional spaces.

- 5.2 It is a statutory requirement to consult on the opening or closure of a Children's Centre. This process was started in January 2016 with a letter to all colleagues, parents and partners. We will ensure further engagement and consultation to enable the wishes of our users and partners to be considered.

6. ALTERNATIVE OPTIONS

- 6.1 All Options are considered in greater detail in Paragraph 3.2. Consideration has been given to the 'do-nothing' option.

7. FINANCIAL IMPLICATIONS

- 7.1 The relocation of the Children's Centre project was not in the capital programme approved by Council as part of the budget. However, various sources of unallocated funding were being held by the Council which could be used to support this project. Equally, the Council could choose to borrow to fund this project.

Currently these works, irrespective of which option is chosen, are not included within the Councils Medium Financial Plan (MFTP) and therefore no funding is allocated to this project. In addition and as mentioned earlier in the report there is a requirement to reinvest the sum of £317k (as originally provided by the Department for Education) into any new development.

The Council holds Basic Needs funding which is given by the DfE for local authorities to fulfil their duty to make sure there are enough school places for children in their local area.

As the report indicates in para 2.2 one of the key benefits is that (150 square metres) vacated by 'the Children Centre' will be converted into school space. This will release space elsewhere within the school for teaching purposes. On this basis, it is suggested that funding earmarked for this purpose (i.e. Basic Needs funding) is used for this project rather than using other sources which are not earmarked for specific purposes e.g. Oakham North Agreement and Capital Receipts. This will give the Council maximum freedom moving forward.

The Library project is included in the revised capital programme at £220k funded by the Oakham North agreement. It is recommended to fund the additional £60k being requested from these funds.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 It is proposed that Cabinet delegate authority to the Director of Place in consultation with the Portfolio Holder for Places (Development and Economy) and the Director for Resources to award the contract to whoever meets the approved criteria and demonstrates best value for money for the authority. This approach will minimise delay between the receipt and tenders and award of the contract
- 8.2 The Council's Contract Procurement Rules have been complied with in determining the award criteria for this procurement exercise. This contract opportunity is below the EU threshold for works contracts, therefore Part 4 Chapter 8, 'Below Threshold

Procurement' of the Public Contract Regulations will be complied with. Rutland County Council's Procurement Rules require that Cabinet authorises the award criteria used for all contracts over £50,000 so the only option would be to seek a contract exemption which is not justifiable in these circumstances.

- 8.3 Cabinet are allowed, in line with Para 5.7 of Finance Procedure Rules, to add a scheme to the capital programme using funds set out in the original budget.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 At a suitable time in the development process an EIA will be completed.

10. COMMUNITY SAFETY IMPLICATIONS

- 10.1 There are no community safety implications

11 HEALTH AND WELLBEING IMPLICATIONS

- 11.1 The completion of these works will ensure that this asset remains capable of delivering a high quality service to the People of Rutland for the next 25 years.

12. ORGANISATIONAL IMPLICATIONS

- 12.1 Environmental implications

Addressing the maintenance issues at Oakham Library, including the removal of asbestos materials, will have a positive environmental impact

- 12.2 Human Resource implications

The library will be closed for the period of the refurbishment and the service will be provided in the museum. Staff will be reallocated to support this provision and the hours extended to minimise disruption.

- 12.3 Procurement Implications

These have been covered under section 3.

13. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 13.1 If agreed the recommendations set out in this report will allow the combined project to move forward and lead to the provision of additional teaching space at Catmose College, and Library and Children's Centre facilities that ensure service delivery for the next 25 years.

14 BACKGROUND PAPERS

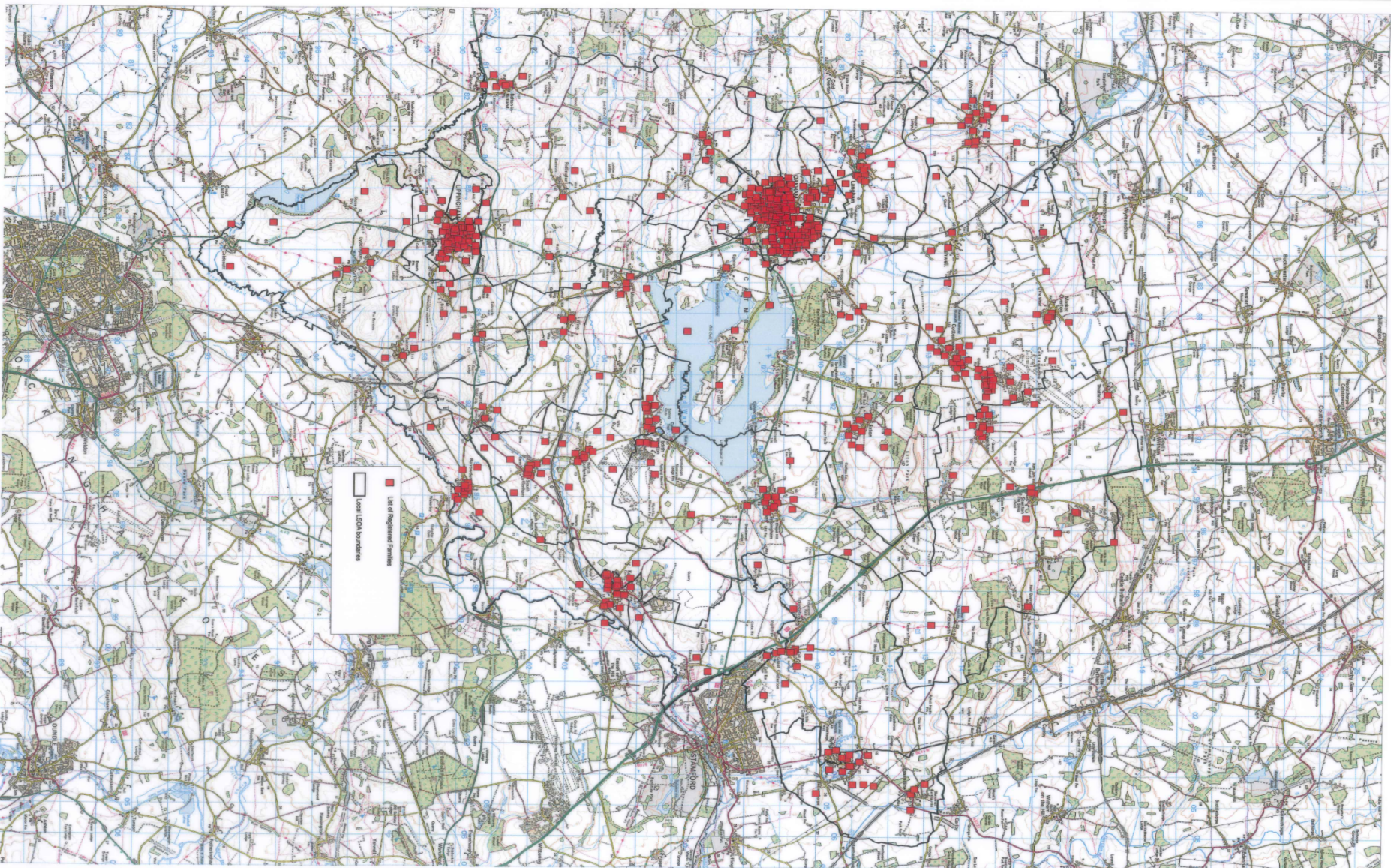
- 14.1 Cabinet Report 122/2016 dated 21st June 2016 – Oakham Library Essential Works.

15 APPENDICES

- 15.1 Annex A – Map of Rutland
- 15.2 Annex B – Children’s Centre Usage
- 15.3 Annex C – Basic Requirement
- 15.4 Annex D – Proposed Plan
- 15.5 Exempt Annex E

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

Visions Children's Centres Registered Families in Rutland - September 2015



Children Centre Usage – Visions Catmose Only!

The following table represents the current usage of Visions Children Centre at Catmose both in terms of frequency of usage and the amount of hours available in that period which are used. This is only based on fixed activities which are known to be taking place and in the calendar every week and does not include meetings planned with families, drop in support, contact meetings which take place as and when required.

Where rooms are below 100% utilisation this provides the capacity for additional meetings to take place. From the table below you will see that Monday and Friday are the days where more capacity is available to provide additional activities. Ultimately the frequency of meetings governs the usage of the centre. Whilst there are times where room are free this will only be for partial hours which means groups are required to run elsewhere e.g. parenting course by fun and families which is accommodated at Jules House.

Children Centre Fixed Activity Occupancy Rates (based on 9-5 opening hours for fixed activities only)												
Room	Availability %	Mon Am (3 hrs)	Mon PM (5hrs)	Tue AM (3hrs)	Tue PM (5hrs)	Wed AM (3hrs)	Wed PM (5hrs)	Thu AM (3hrs)	Thu PM (5hrs)	Fri AM (3hrs)	Fri PM (5hrs)	Overall Ave
Main Play	Hours	100%	60%	100%	60%	100%	0%	100%	50%	100%	50%	72%
Main Play	Frequency	75%	100%	60%	100%	100%	0%	100%	100%	100%	100%	84%
Health Care	Hours	100%	100%	100%	100%	100%	100%	100%	100%	0%	0%	80%
Health Care	Frequency	100%	100%	100%	100%	100%	100%	100%	100%	0%	0%	80%
Meeting	Hours	0%	0%	100%	100%	100%	60%	100%	60%	0%	0%	52%
Meeting	Frequency	0%	0%	100%	100%	100%	100%	100%	100%	0%	0%	60%
Main Office	Hours	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Main Office	Frequency	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Average take up hours		75%	65%	100%	90%	100%	65%	100%	77.5%	50%	37.5%	76%
Average Usage Frequency		44%	75%	90%	100%	100%	75%	100%	100%	50%	75%	81%

Most Used Services		
	Each Session	Monthly
Stay and Play	11.4	46
Baby Play	9	36.5
BSR group	9	36
Health Visitors	8.5	34
2yr Health Reviews	7	28
Homestart Group	5	20

Sessions Run at the Centre

[illegible]

The Following table provides the average footfall for the Centre over the last year. Attendance fluctuates by month depending, for example, on the number of new parents, school terms etc.

Children Centre Foot fall Jan – Dec 15				
	Daily	Weekly	Monthly	Annual Total
All	27	135	542	6500
Carers	19	74	298	3575
Children	12	61	244	2935

Basic Requirement

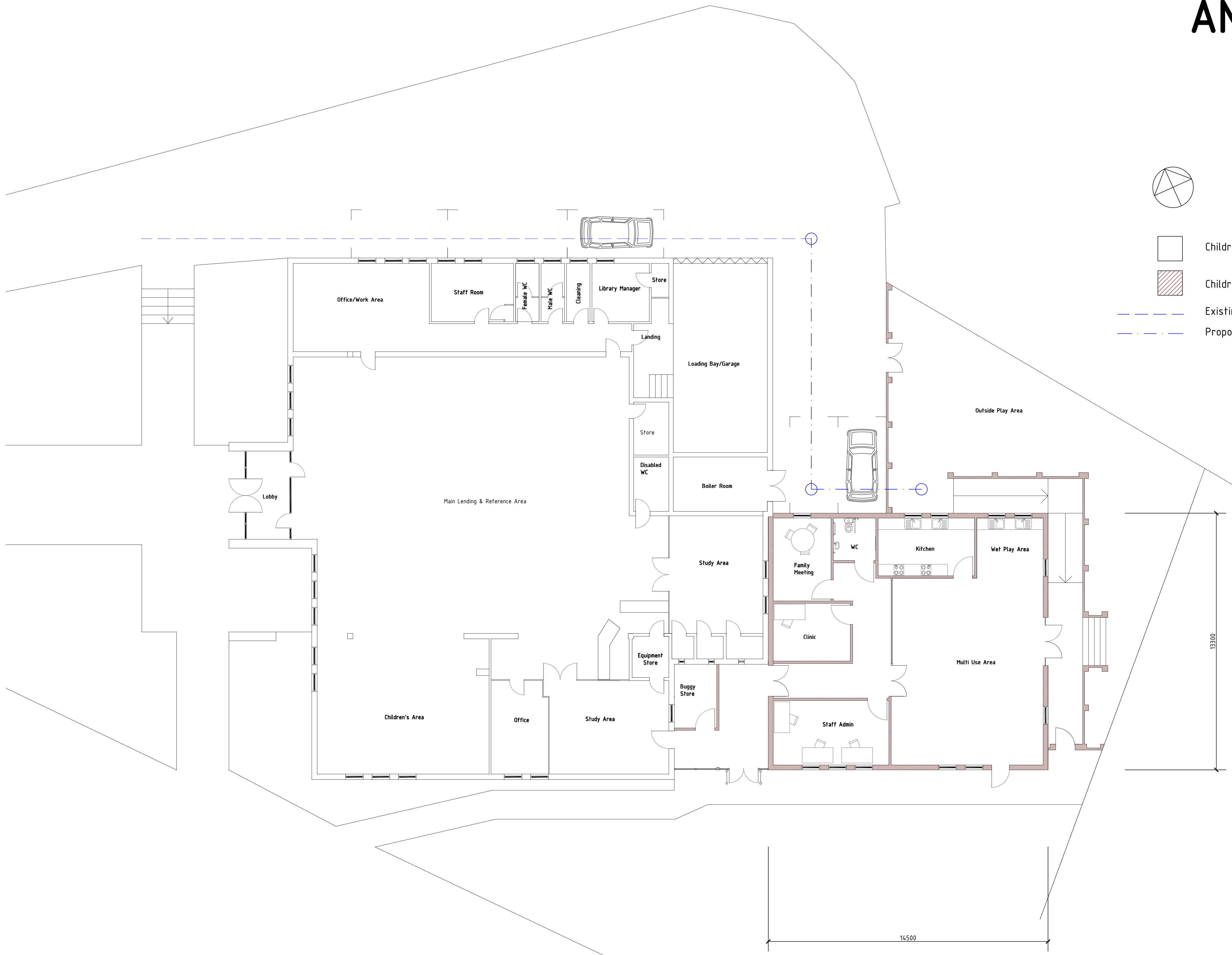
Description	Current	Essential	Desirable	Comments
All of the spaces described below are on the ground level, which maximises easy access for young children, parents carrying babies and for children and parents with disabilities. This would need to be the case in a new location unless there is access to a lift. Reception Space that allows meet and greet and sufficient space for parents and their prams (families drop in and this requirement is separate to a buggy store)	Y	Y		The entrance and reception space has to be a secure space so that children are safe when they are on the premises and the staff can monitor who enters and leaves the building. All visiting professionals, contractors are required to provide ID and sign in at reception. Current space is open and welcoming and allows families to drop in with prams ask advice etc. A small cramped space would deter this and limit access. Sessions run simultaneously and therefore reception needs to provide a holding space for families whilst they wait.
Reception – seating space to allow for waiting for health appointments and Speech and Language Therapy (SALT)	Y	Y		If supervised contact is to happen increasingly in the Children Centre space consideration needs to be given to a discrete and at times separate space for parents to wait and to receive children. Personal safety of workers needs to be considered, eg panic alarms
Accessibility Toilet including baby changing facilities	y	y		Child size toilets are not required
Health Room with sink and storage – this also includes computer space, internet and desk	y	y		
Family meeting space with glass fronting (Health and Safety) to allow meetings with families (big enough for 2-3 at any one time) - used for supervised contact, Crèche , professionals meeting or case conferences and additional space for family emergencies - also requires internet access	Y	Y		If this was larger than current space it would be more useable this allowing crèche, ante-natal and other sessions i.e. parenting programmes, one to one.
Staff Office – big enough for storage, printers and hot desk space for 4 staff – requires to be secure and confidential when needed for case supervision	Y	Y		Staff currently hot desk in Jules and at Catmose as the need arises
Kitchen facility large enough to run family cooking sessions and cleaning facilities. This includes cupboard space, oven, fridge, storage, dishwasher, sinks, table	Y	Y		Current space would benefit from separation from play room for health and safety reasons and to allow more regular family life skill sessions, parenting assessments, and health living programmes

Open play space to be used for sessions with families including ante-natal, post natal stay and play, early learning and education sessions. Space needs to be large enough to allow for a minimum of 20 parents and their children. Space needs to include internet access and facilities for presentations etc. Storage required for toys and play equipment.	Y	Y		Current space is limited and we have had to restrict numbers to some sessions to keep children safe... If the build was to be restricted to one such space i.e. no additional play area, it would make it difficult to deliver integrated education with early years and play. Space needs to be equipped and set up to accommodate children's different ages and stages of development. This space needs to be accessible to children with additional needs.
Creative play space – Area to encourage messy and interactive play which includes toy storage and sinks for cleaning.	P	Y		This space needs to be big enough to allow for separation of ages – babies and toddlers to ensure multi-use and safety.
Adult learning space to allow for adult education and return to work skills, including computers, internet, desks and literature.	N	N	Y	Requirement of Ofsted Framework to link adults into further education and employment. Historically adult learning sessions have not been sustainable, especially for young parents who are loathe travelling to the Enterprise Park. Use of the internal space in the library would support this.
Secure Buggy Shelter for up to 10 prams minimum. 110	Y	Y		Health and safety risk and cannot be stored in the main reception area due to fire regulations. Current space provides sheltered in door space. Consideration needs to be made for prams to have a weather proofed and secured space
Safe enclosed external Play Area	N	N	Y	Would improve opportunities for vulnerable families who may not have a safe and contained outside space such as at home. This is especially useful during contact visits when several siblings of different ages are attending This would allow for a full early years curriculum to be offered and adding value to existing provision within Rutland.
Easily accessible preferably within pram pushing distance for vulnerable communities	Partial	Y		Current provision is located close to communities and families can access this by foot however signage is very restricted and public transport is not as accessible as a more well-known central location.
Integrated with other services including universally accessible community services.	P	Y	Y	We are currently co-located with Health (SALT) and integrated with other health services to deliver the health targets relating to the 'Health y Child' programme and

				BCT targets. This includes health visitors (2 year old Health checks) and midwives (Antenatal). Increasing this to include further universal services such as library provisions and adult learning will increase the current offer and would impact favourably on Ofsted grading.
Welcome, non-stigmatised environment and location	Y	Y		A 'One Council' offer for families. This is a critical factor and essential for encouraging the most vulnerable families through the door. A space which vulnerable families find easy to access and non-judgemental will help improve scope of use and engagement e.g. to support CIN, CP, LAC etc.
Integrated flow - space flows between rooms and structure allows for management of families, young children and associated behaviours.	P	N	Y	We currently have this to an extent however improving this would likely mean families are more likely to return if their experience has been positive – a sense of being welcomed, having the needs of their babies met in a safe place
Independent opening and closing flexibility ⇒ ⇒	N	Y		Currently the Centre at Catmose College is unable to provide out of hours and out of school term activities – often at times when families are more likely to be stressed or at times that are accessible to working families including fathers. The siblings groups and fathers group are delivered at the weekends at Jules.
Parking facilities and on bus routes.	Y	Y		Children Centre reach covers the whole of Rutland which means any family in Rutland can access the service. Parking for families travelling in from rural communities or using a bus route or transporting a child with a disability is a consideration

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ANNEX D



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