

## **EXECUTIVE DECISION DAY NOTICE**

Executive Lead Member for Children's Services Decision Day &  
Executive Member for Education Decision Day

**Date and Time** Thursday 19th October 2023 at 3.00pm

**Place** Remote Decision Day

**Enquiries to** members.services@hants.gov.uk

Carolyn Williamson FCPFA  
Chief Executive  
The Castle, Winchester SO23 8UJ

## **FILMING AND BROADCAST NOTIFICATION**

This decision day is being held remotely and will be recorded and broadcast live via the County Council's website.

## **AGENDA**

### **EXECUTIVE LEAD MEMBER FOR CHILDREN'S SERVICES**

#### **DEPUTATIONS**

To receive any deputations notified under Standing Order 12.

#### **KEY DECISIONS (NON-EXEMPT/NON-CONFIDENTIAL)**

None Applicable

#### **NON KEY DECISIONS (NON-EXEMPT/NON-CONFIDENTIAL)**

**1. PERMISSION TO CONSULT ON PROPOSED CHANGES TO POST-16 POLICY (Pages 3 - 18)**

To receive a report from the Director of Children's Services advising the Executive Leader Member of Children's Services on proposed changes to the Hampshire County Council Post-16 Transport Policy Statement for 2024, and to seek permission to consult on these changes.

**2. PERMISSION TO CONSULT ON PROPOSED CHANGES TO SCHOOL TRANSPORT POLICY (Pages 19 - 54)**

To receive a report from the Director of Children's Services advising the Executive Lead Member for Children's Services on proposed changes to the Hampshire County Council School Transport Policy. The report seeks permission to consult on the changes to the School Transport Policy.

## **EXECUTIVE MEMBER FOR EDUCATION**

### **DEPUTATIONS**

To receive any deputations notified under Standing Order 12.

### **KEY DECISIONS (NON-EXEMPT/NON-CONFIDENTIAL)**

None Applicable

### **NON KEY DECISIONS (NON-EXEMPT/NON-CONFIDENTIAL)**

#### **3. ADDITIONAL SPECIALIST EDUCATION PROVISION (Pages 55 - 70)**

To receive a report from the Director of Children's Services seeking the Executive Leader Member of Children's Services approval to consult on the establishment of a SEND satellite provision run by Riverside Community Special School, Waterlooville on the site of Mill Hill Primary School, Waterlooville.

#### **4. SCHOOL TERM AND HOLIDAY DATES FOR 2025-26, 2026-27 AND 2027-28 (Pages 71 - 86)**

To receive a report from the Director of Children's Services seeking the Executive Member for Education decide the pattern of school term and holiday dates for the school years 2025-26, 2026-27 and 2027-28, note some changes to this process adopted by the County Council and to note the outcomes of the consultation process that has been followed.

### **ABOUT THIS AGENDA:**

**On request, this agenda can be provided in alternative versions (such as large print, Braille or audio) and in alternative languages.**

### **ABOUT THIS SESSION:**

**The press and public are welcome to observe the public sessions of the decision day via the webcast.**

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker</b>	Executive Lead Member for Children's Services
<b>Date:</b>	19 October 2023
<b>Title:</b>	Permission to Consult on Proposed Changes to Post-16 Transport Policy
<b>Report From:</b>	Director of Children's Services

**Contact name:** Jon Bramley, Head of School Transport

**Tel:** 0370 779 3077

**Email:** Jon.Bramley@hants.gov.uk

### Purpose of this Report

1. The purpose of this report is to advise the Executive Leader Member of Children's Services on proposed changes to the Hampshire County Council Post-16 Transport Policy Statement (the Policy) for 2024, and to seek permission to consult on these changes.

### Recommendation(s)

2. That the Executive Lead Member of Children's Services gives approval to proceed with a public consultation on the proposed changes to the Policy, with a further report to determine the Post-16 Transport Policy Statement for 2024 to be presented at a future Executive Member Decision Day by 31 May 2024.

### Executive Summary

3. The County Council is required by law to consult on its Post-16 Transport Policy every year. This report seeks permission from the Executive Lead Member to consult on proposed changes to the Policy for students, including those with special educational needs.
4. There is no automatic entitlement to local authority funded school or college transport once a student is over the age of 16. The County Council has considered its resources and the travel to college opportunities for students. Students can attend a college or school of choice and, if needed, apply to their education provider's student support for assistance.
5. The County Council recognises that some families may need a transport service to ensure that 16+ students with special needs or disabilities can access an education placement that is suitable for their needs and so do offer, under discretionary powers, a transport service that requires an annual

parental contribution.

6. The proposed changes to the Policy, as outlined in Paragraphs 10 – 24, are:
  - Annual increase in parental contributions in line with the Consumer Price Index
  - Update to the wording of the Independent Travel Training section
  - Explanation of Appeal and Complaints Process
  - Minor amendments to wording for clarity.
7. The proposed changes are intended to align Post-16 Policy with DfE statutory guidance and terminology used within the School Transport Policy, and so that charges rise in line with the increase in the cost of transport provision for Post-16 students.
8. The Policy would continue to allow for parental contribution charges to be waived when parents/carers are on a low income, in receipt of certain benefits or if the student is in receipt of free school meals. Families with exceptional circumstances can also apply for a discretionary waiver or reduction in parental contributions.
9. In 2022/23, for approximately 76.7% of Post 16 eligible students, the parental contribution was waived due to low income, in receipt of benefits, free school meals or exceptional circumstances.

### **Proposed Policy Changes**

10. **Parental Contributions Uplift (September 2024, and annually):** The County Council proposes an increase in the parental contributions to Post-16 transport arrangements in line with inflation (Consumer Price Index (CPI)) from September 2024, with inflation-linked increases applied in subsequent years.
11. The Policy outlines the level of contribution that will be applied to Post-16 transport but does not currently allow for contributions to be uplifted each year.
12. Transport costs have risen significantly above inflation over the last year and the County Council has experienced this cost pressure. The average cost per student for post-16 transport has increased by 27.1% during this time to a total of £3.7m across the Service.
13. It is proposed that contributions are uplifted in line with CPI each year, and the wording will be changed in the Policy to reflect this.
14. If this proposal is approved following consultation, an inflationary increase would be applied to the contribution for Post-16 transport arrangements. This would be applied in September 2024 and to subsequent academic years in line with inflation (CPI).

15. This proposal will result in an increase in the amount of parental contribution received but this will only partially offset the rise in costs already experienced and funded by the County Council. Parents would continue to contribute towards the costs of the transport arrangement, with the County Council funding the remaining amount as in previous years.
16. If the County Council were to continue to absorb the increased cost of the transport arrangements, this would impact and reduce the limited resources available for other essential services for vulnerable children.
17. The County Council offer the facility to pay Post 16 parental contributions in instalments on a termly basis.
18. For 76.7% of Post 16 eligible students in 2022/2023, the parental contribution was waived due to low income, in receipt of benefits, free school meals or exceptional circumstances. Parental contributions will continue to be waived under such circumstances in 2024/25.
19. The County Council works to limit the spend on school transport wherever possible, whilst ensuring statutory requirements continue to be met. There are robust procurement processes in place where the School Transport Service regularly review contracts to optimise and obtain best value. The County Council also continue to work with central government to maximise funding for vulnerable young people, and to ensure the challenges in respect of the increasing spend on local authority funded school transport is recognised nationally.
20. If this proposal is approved following consultation, an inflationary increase would be applied to the existing contributions. This would be applied in September 2024 in line with the CPI rate for March 2024, and then annually each September, based on the CPI rate in March of that calendar year.
21. To illustrate how this would be calculated, the table below shows the existing parental contributions for Post-16 transport, and the value of these contributions if they were to be uplifted by the latest rate of CPI (6.7% based on the 12 months to August 2023).

Distance to travel	2023/24 Annual charge	2023/24 Termly charge	Proposed 2024/25 Annual charge	Proposed 2024/25 Termly charge
Up to 5 miles	£783.19	£261.06	£835.66	£278.55
5.01 to 7.5 miles	£1,084.72	£361.57	£1,157.40	£385.80
7.51 to 10 miles	£1,519.39	£506.46	£1,621.19	£540.39
Over 10 miles	£1,736.07	£578.69	£1,852.39	£617.46

22. **Independent Travel Training:** The County Council proposes updating the language, wording and level of detail regarding Independent Travel Training within Section 7 of the Post-16 Transport Policy Statement, to bring it in line with the proposed changes in the School Transport Policy.
23. **Explanation of Appeal and Complaints Process:** The County Council proposes to update the Policy to improve the explanation of the Appeal and Complaints processes, bringing it in line with improvements to the wording in the proposed School Transport Policy which have been drafted based on the latest DfE statutory guidance.
24. **Minor amendments to wording for clarity:** The County Council proposes to make minor amendments to the wording within the Policy for better clarity. These include:
  - To add: '2. General Transport Available – The following link provides the information supplied by colleagues and sixth form establishments.'
  - Update to 'Other transport support' section and remove the link to 'Brain in Hand' as this is not relevant to the Policy.
  - Any other minor changes to wording to improve clarity.

### **Contextual information**

25. The Policy details the offer for sixth form age students aged 16 - 19 and adult students with an Education Health and Care Plan or a disability to the age of 25. The proposed Policy Statement explains that the County Council will provide local authority funded transport, when it is necessary, to facilitate attendance. It also explains, that where the young person is aged under 18, the expectation of the County Council is that parents or carers will be responsible for transporting their child, but individual circumstances of families will be considered when making eligibility decisions.
26. The Policy Statement is determined within a statutory timetable before the end of May each calendar year.

### **Finance**

27. The current expenditure on school transport is just over £50 million per annum for the 2022/23 financial year, of which £3.7 million was spent on Post-16 transport assistance. Expenditure has risen by 47% from £34 million per annum in the previous financial year.
28. Within this context, the costs associated with Post 16 transport have increased by 27.1% over the last financial year.
29. The County Council currently fund a high proportion of the cost of Post 16 transport arrangement from revenue budgets, with parental contributions funding the remaining proportion. Whilst the County Council will continue to fund the majority of this cost, absorbing the increased cost of the transport arrangements would impact and reduce the limited resources available for

other essential services for vulnerable children.

30. The County Council offer the facility to pay Post 16 parental contributions in instalments on a termly basis.
31. For 76.7% of Post 16 eligible students in 2022/2023, the parental contribution was waived due to low income, in receipt of benefits, free school meals or exceptional circumstances. Parental contributions will continue to be waived under such circumstances.
32. The County Council work to limit the spend on school transport wherever possible, whilst ensuring statutory requirements continue to be met. There are robust procurement processes in place where the School Transport Service regularly review contracts to optimise and obtain best value. Hampshire County Council also continue to work with central government to maximise funding for vulnerable young people, and to ensure the challenges in respect of the increasing spend on local authority funded school transport is recognised nationally.

### **Consultation and Equalities**

33. The consultation would seek views on the proposed changes to the Policy.
34. Consultation on the Policy will be separate to the overall School Transport Policy consultation; however the intention is that it will run in parallel against the same timescales.
35. It is proposed that the consultation lasts for 35 working days during term time, commencing from 30 October 2023 to 15 December 2023. During this time, views would be sought, including those of service users, their parents, providers, schools and other stakeholders.
36. The consultation would be published online on the County Council's website at: [Consultations | About the Council | Hampshire County Council \(hants.gov.uk\)](https://www.hants.gov.uk/consultations). Responses to the consultation could be made by calling, emailing or writing to the school transport service. Details would be provided on the above website and the School Transport website.
37. Communications to service users, parents, schools and other stakeholders to inform them of the proposed changes and provide opportunities to contribute their views would be made through multiple channels by the County Council.
38. If the recommendation to proceed to public consultation on the proposed changes is agreed, a further report would be brought to the Executive Lead Member for Children's Services by 31 May 2024 to share the findings of the consultation.
39. An initial Equality Impact Assessment has been undertaken and is provided in Appendix A. Outcomes from the consultation would also be used to complete

an Equality Impact Assessment, presented to the Executive Lead Member for Children's Services.

### **Recommendations**

40. That the Executive Lead Member for Children's Services:  
Gives approval to proceed with a public consultation on the proposed changes to the Post-16 Policy Statement for 2024, with a further report setting out the findings of the consultation to be presented at a future Executive Member Decision Day, by 31 May 2024.

### **Climate Change Impact Assessment**

41. Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience impacts of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the County Council does.
42. The carbon mitigation tool and climate change adaptation tool were not applicable because the decision relates to the annual determination of a statutory policy for determining the eligibility for local authority funded transport assistance for students aged 16 to 25. This is the first administrative step in meeting the duty to support post-16 students' journeys to and from their educational setting as it will ensure that help is provided when it is necessary to facilitate attendance.
43. The policy is important for meeting Hampshire County Councils' strategic priorities as it provides an opportunity for local authority funded transport that enables young people to get a good start in life and assists in overcoming inequality. Also, the Post 16 Transport Policy Statement helps people with special educational needs and/or a disability to find and access support within the community.

### **Equality Impact Assessment**

44. Outcomes from the consultation would be used to complete an Equality Impact Assessment, presented to the Executive Lead Member for Children's Services as part of the consultation final report.



**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	Yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	Yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	No
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	No
<b>OR</b>	
<b>This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because:</b>	

**Other Significant Links**

<b>Links to previous Member decisions:</b>	
<u>Title</u>	<u>Date</u>
<a href="#">Determination of Post 16 Transport Policy Statement 2023</a>	11 May 2023
<a href="#">Determination of Post 16 Transport Policy Statement 2023 (Decision Record)</a>	23 March 2023
<b>Direct links to specific legislation or Government Directives</b>	
<u>Title</u>	<u>Date</u>
<a href="#">Post-16 transport and travel support to education and training (publishing.service.gov.uk)</a>	<b>January 2019</b>

<b>Section 100 D - Local Government Act 1972 - background documents</b>	
<p>The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)</p>	
<u>Document</u>	<u>Location</u>
None	

## Equality Impact Assessment

What is an Equality Impact Assessment (EIA) and why does the County Council do them?

The Public Sector Equality Duty (PSED) is an obligation within the Equality Act 2010 (“the Act”), which asks public authorities, like Hampshire County Council, to give ‘due regard’ to equality considerations, in particular to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

This includes assessing the impact of policies and practices on individuals and communities with a protected characteristic, as defined in the Act and some other specific groups. The County Council uses EIAs to ensure it has paid ‘due regard’ to equalities considerations when there are changes to a service or policy, a new project or certain decisions.

**Title:** Permission to Consult on Proposed Changes to Post-16 Transport Policy (Oct 2023)

**Related EIAs:**

**EIA for Savings Programme:** No

**Service affected** School Transport - Post 16

**Description of the service/policy/project/project phase:** The provision of transport to an education setting for young people who are older than school age is not a statutory requirement. Hampshire County Council have exercised discretion beyond the statutory requirement to offer transport assistance to young people between 16 and 18 years old who have an Education Health Care Plans (EHCP) or disability.

The current expenditure on school transport is just over £50 million per annum for the 2022/23 financial year, of which £3.7 million was spent on Post-16 transport assistance. Expenditure has risen by 47% from £34 million per annum in the previous financial year. The County Council currently fund a high proportion of the cost of Post 16 transport arrangement from revenue budgets, with parental contributions funding the remaining proportion. Whilst the County Council will continue to fund the majority of this cost, absorbing the increased cost of the transport arrangements would impact and reduce the limited resources available for other essential services for vulnerable children. For 76.7% of Post 16 eligible students in 2022/2023, the parental contribution was waived due to low income, in

receipt of benefits, free school meals or exceptional circumstances. Parental contributions will continue to be waived under such circumstances.

The County Council works to limit the spend on school transport wherever possible, whilst ensuring statutory requirements continue to be met. There are robust procurement processes in place where the School Transport Service regularly review contracts to optimise and obtain best value. Hampshire County Council also continue to work with central government to maximise funding for vulnerable young people, and to ensure the challenges in respect of the increasing spend on local authority funded school transport is recognised nationally.

The Policy Statement details when and how the Council will support attendance in Post 16 education where travel/transport is perceived as a barrier. It allows parents/carers and users to understand how young people aged over 16 with an EHCP or a disability aged over 16 and in education may be eligible for a local authority funded transport service. The external (supplier) costs of providing transport to post 16 learners increased by 27.1% over the last financial year as a result of a shortage of drivers, decreased competition in the transport market and increased fuel costs.

This EIA supports a report to the Executive Member which seeks permission to consult on proposed changes to the Post-16 Transport Policy Statement, with the statement due to be published by 31 May 2024 as per statutory requirements.

**New/changed service/policy/project** The County Council would be consulting on the following changes:

1) An annual increase in parental contributions in line with the Consumer Price Index

The County Council proposes an increase in the parental contributions to Post-16 transport arrangements in line with inflation (Consumer Price Index (CPI)) from September 2024, with inflation-linked increases applied in subsequent years. The Policy outlines the level of contribution that will be applied to Post-16 transport but does not currently allow for contributions to be uplifted each year.

If this proposal is approved following consultation, an inflationary increase would be applied to the contribution for Post-16 transport arrangements. This would be applied in September 2024 and to subsequent academic years in line with inflation (CPI) based on the CPI rate for March each year. This proposal will result in an increase in the amount of parental contribution received but this will only partially offset the rise in costs already experienced and funded by the County Council. Parents would continue to contribute towards the costs of the transport arrangement, with the County Council funding the remaining amount as in previous years.

To illustrate, the annual parental contribution for a journey to school/college of between 5 and 7.5 miles was £1,084.72 for the 2023/24 school year. If these contributions were to be uplifted by the latest CPI rate (6.7% based on the 12 months to August 2023), this contribution would increase to £1,157.40 for the 2024/25 financial year.

For 76.7% of Post 16 eligible students in 2022/2023, the parental contribution was waived due to low income, in receipt of benefits, free school meals or exceptional circumstances. Parental contributions will continue to be waived under such circumstances in 2024/25.

## 2) Update to the wording of the Independent Travel Training section

The County Council proposes updating the language, wording and level of detail regarding Independent Travel Training within Section 7 of the Post-16 Transport Policy Statement, to bring it in line with the proposed changes in the School Transport Policy.

## 3) Explanation of Appeal and Complaints Process

The County Council proposes to update the Policy to improve the explanation of the Appeal and Complaints processes, bringing it in line with improvements to the wording in the proposed School Transport Policy which have been drafted based on the latest DfE statutory guidance.

## 4) Minor amendments to wording for clarity.

The County Council proposes to make minor amendments to the wording within the Policy for better clarity. These include:

- To add: '2. General Transport Available – The following link provides the information supplied by colleagues and sixth form establishments.'
- Update to 'Other transport support' section and remove the link to 'Brain in Hand' as this is not relevant to the Policy
- Any other minor changes to wording to improve clarity

## **Engagement**

The County Council proposes to carry out a public consultation designed to give Hampshire residents and wider stakeholders the opportunity to have their say about proposed changes to the Post-16 Transport Policy. The consultation is due to run from late October 2023 to mid-December 2023. Communications promoting the consultation will include a press release, details on the Council's website, communications sent to schools, emails to existing service users and post-16 settings and an email to County Councillors. The consultation will also be promoted via the Council's Facebook and Twitter social media channels

## **Equalities considerations - Impact Assessment**

### **Age**

**Impact on public Negative - Medium**

**Impact on staff:** Neutral

### **Rationale**

The established policy and legislation, from 2021 affects learners at specific ages differently, particularly those aged 16 on 1st September 2024 and those aged 17 on that date, although only until their 18th birthday. Therefore, the impact on age identified here is in respect to the legislative requirements and the subsequent considerations made by Hampshire County Council (HCC) when deciding on the support necessary in relation to travel and transport to facilitate a young person's attendance at their place of education.

As a young person becomes a Post 16 learner, HCC considers transport support is only necessary if it is essential to enable them to attend their programme of study. If the young person is able to access other forms of travel, support/funding, and has the available means to access their education setting, then they would be expected to use these in the first instance.

### **Mitigation**

Where transport is necessary to facilitate attendance, the Council will provide transport assistance. Each young person will be considered on a case by case basis to ensure provision reflects actual need with the contribution waived for learners from families in receipt of income based benefits or who are on a low income.

### **Disability**

**Impact on public:** Negative - High

**Impact on staff:** Neutral

### **Rationale**

The vast majority of young people over the age of 16 in education will attend placements which are accessible from their home address. However, where a young person or a family member (with responsibility for the young person) has Special Educational Need and Disability (SEND), a health issue/concern, or disability this may make accessing an education placement difficult or impossible without HCC providing support with travel/transport arrangements. The proposed policy change concerns provision for this cohort of learners (and their families) and recognises the potential impacts on this protected characteristic.

HCC ensure support is available if it is considered necessary in order for the young person to attend their education placement / training. Where possible and where appropriate, HCC will support young people to use public transport and make their own journeys independently, and will expect parents to provide transport assistance.

## **Mitigation**

Hampshire County Council recognises that families may need a transport service to ensure that 16+ special needs or disabled students can access a place that is suitable for their needs and so do offer a transport service, under discretionary powers. The transport arrangements require a parental contribution. This can be paid in instalments on a termly or monthly basis if required. The Post 16 2023 Policy will continue to allow for parental contribution charges to be waived when parents/ carers are on a low income, in receipt of certain benefits or if the student is in receipt of free school meals. Families with exceptional circumstances can also apply for a discretionary waiver or reduction in parental contributions.

## **Gender Reassignment**

**Impact on public:** Neutral

**Impact on staff:** Neutral

## **Rationale**

The School Transport service is provided based on geography, safety of route and on some occasions, the special educational needs of the eligible child. There is no identified impact based on gender reassignment and therefore the impact has been assessed as neutral.

## **Pregnancy and Maternity**

**Impact on public:** Neutral

**Impact on staff:** Neutral

## **Rationale**

The School Transport service is provided based on geography, safety of route and on some occasions, the special needs of the eligible child. There is no identified impact on this characteristic and therefore the impact has been assessed as neutral.

## **Race**

**Impact on public:** Neutral

**Impact on staff:** Neutral

## **Rationale**

The School Transport service is provided based on geography, safety of route and on some occasions, the special needs of the eligible child. There is no identified impact based on race and therefore the impact has been assessed as neutral.

## **Religion or Belief**

**Impact on public:** Neutral

**Impact on staff:** Neutral

**Rationale**

The school transport service is provided based on geography, safety of route and on some occasions, the special needs of the eligible child. There is no identified impact based on religion or belief and therefore the impact has been assessed as neutral.

**Sex**

**Impact on public:** Neutral

**Impact on staff:** Neutral

**Rationale**

The school transport service is provided based on geography, safety of route and on some

occasions, the special needs of the eligible child. There is no identified impact based on this characteristic and therefore the impact has been assessed as neutral.

**Sexual Orientation**

**Impact on public:** Neutral

**Impact on staff:** Neutral

**Rationale**

The school transport service service is provided based on geography, safety of route and on some occasions, the special needs of the eligible child. There is no identified impact based on sexual orientation and therefore the impact has been assessed as neutral.

**Marriage and Civil Partnership**

**Impact on public:** Neutral

**Impact on staff:** Neutral

**Rationale**

The school transport service is provided based on geography, safety of route and on some

occasions, the special needs of the eligible child. There is no identified impact based on this characteristic and therefore the impact has been assessed as neutral.

**Poverty**

**Impact on public:** Negative - Medium

**Impact on staff:** Neutral

### **Rationale**

The school transport service is provided based on geography, safety of route and on some

occasions, the special needs of the eligible child. HCC recognises there is a potential intersectionality link between disability and/or SEN and poverty characteristics. The Joseph Rowntree Foundation report - UK Poverty 2022 identified: "The poverty rate for individuals who live in families where someone is disabled is 31%, 12 percentage points higher than those who live in families where no-one is disabled. Of all families in poverty, just under half contain someone who is disabled, compared with 3 in 10 of families not in poverty." and "A key driver of the higher poverty rate is the lower employment rate both for disabled people and in families where someone is disabled. Among families where someone is disabled, the workless rate is 26%, compared with 10% of families where no-one is disabled. Among those families who are working, 17% of those where someone is disabled only work part-time, compared with 11% where no-one is disabled."

The Post 16 2023 Policy will continue to allow for parental contribution charges to be waived when parents/ carers are on a low income, in receipt of certain benefits or if the student is in receipt of free school meals. Families with exceptional circumstances can also apply for a discretionary waiver or reduction in parental contributions.

On this basis, the impact based on this characteristic has been assessed as negative - medium.

### **Mitigation**

The charge is waived where the child's parent(s) receive income-based benefits or are on a low income. Currently the charge is waived for 77% of parents. This proportion should not be affected by this change.

Families with a low income, but not in receipt of the above benefits, where the imposition of the charge would reduce their income to around £16,190; or those with exceptional circumstances, may apply for a discretionary waiver or reduction in charge.

Where a charge is made parents have the option to pay the annual charge in termly instalments, each of 1/3 of the total.

### **Rurality**

**Impact on public:** Negative - Medium

**Impact on staff:** Neutral

### **Rationale**



Families living in rural areas often face a longer journey in terms of distance and journey times to access Post 16 provision. Public transport may be a more restricted offer. The longer journey and restricted public transport may limit families' capacity to support their child's travel. As journeys from rural areas will tend to be longer, the cost of providing transport for young people from rural areas are greater on average. Therefore the charges are grouped into four bands based on distance. Due to the longer distances, rural families will be more likely to be in a higher band with a higher charge.

### **Mitigation**

Where transport is necessary to facilitate attendance, the Council will provide transport assistance. Each young person will be considered on a case-by-case basis, including the proposed journey and any limitations on infrastructure, to ensure provision reflects actual need. The Post 16 Policy will continue to allow for parental contribution charges to be waived when parents/ carers are on a low income, in receipt of certain benefits or if the student is in receipt of free school meals. Families with exceptional circumstances can also apply for a discretionary waiver or reduction in parental contributions.

**Geographical Impact:** All Hampshire

### **Equality Statement**

#### **Additional information:**

The updates to wording (including Independent Travel Training, Appeal and Complaints process and other minor wording changes) will improve the clarity of the policy and will not change how the service is delivered. Any impacts relate to the proposed increase in parental contributions.

This EIA principally focuses on assessing the impacts of the proposed change on the public with no proposed changes to staff working terms and conditions, therefore the impact on staff has been assessed as neutral throughout.

#### **Overview Statement:**

A summary assessment to show that due regard to the Public Sector Equality Duty has been paid, which is undertaken when a full EIA is not needed:

EIA reference number: 00483

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## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker</b>	Executive Lead Member for Children's Services
<b>Date:</b>	19 October 2023
<b>Title:</b>	Permission to Consult on Proposed Changes to School Transport Policy
<b>Report From:</b>	Director of Children's Services

**Contact name:** Jon Bramley, Head of School Transport

**Tel:** 0370 779 3077

**Email:** Jon.Bramley@hants.gov.uk

### Purpose of this Report

1. The purpose of this report is to advise the Executive Lead Member for Children's Services on proposed changes to the Hampshire County Council School Transport Policy. The report seeks permission to consult on the changes to the School Transport Policy.

### Recommendation(s)

2. That the Executive Lead Member for Children's Services:  
Gives approval to proceed with a public consultation on the proposed changes to the School Transport Policy with a further report setting out the findings of the consultation to be presented at a future Executive Member Decision Day in the first quarter of the 2024 financial year.

### Executive Summary

3. This report seeks permission from the Executive Lead Member to consult on proposed changes to the School Transport Policy for children, including those with special educational needs.
4. The proposed changes to the School Transport Policy outlined in the five proposals (paragraphs 15 to 59) would enable the County Council to be better able to provide flexible transport arrangements for children that respond to their changing needs, demand and external market pressures. The proposed changes would also bring the School Transport Policy in line with the updated Department for Education statutory guidance on [Travel to School for Children of Compulsory School Age](#).
5. The current expenditure on school transport is just over £50 million per annum for the 2022/23 financial year. Expenditure has risen by 47% from £34

million per annum in the previous financial year.

6. The School Transport Service is under substantial budget pressure. The rise in the number of children with Special Educational Needs and Disabilities (SEND) requiring transport and significant national issues with the external transport market have led to the significant rise in expenditure.
7. If the proposals set out in the consultation are approved, changes would be implemented across the 2024 financial year.
8. The County Council is not proposing to change eligibility criteria for School Transport or to remove the service from existing service users. Regardless of any decisions made, the County Council would continue to meet its statutory requirements in respect of school transport.
9. There are no expected savings as a result of any of the proposals.

### **Contextual and background information**

10. The County Council provides transport assistance for eligible children to attend school. This statutory service is largely provided to Hampshire children attending their catchment or nearest suitable school but living over two or three miles (depending on age) from school, as well as specialist school transport for children with Special Education Needs, a disability or mobility problems. Transport assistance is provided where children meet national eligibility criteria.
11. Expenditure on school transport has increased by £16 million from £34 million in 2021/ 22 to over £50 million in 2022/23. There are several factors that have contributed to these increasing costs:
  - Nationally, the number of Education Health and Care Plans (EHCPs) for children with SEND has been increasing at a rate of over 10% per annum since 2014. A rise in EHCPs typically leads to a rise in demand for transport. This is resulting in higher demand for transport overall, and at times, a requirement for more complex travel arrangements.
  - There is a higher demand for specialist school places, which are spread over a wider geographical area and require more specialist travel arrangements to ensure the needs of children are met.
  - External market factors affecting the transport market have meant that costs have risen significantly for operators, and the costs are being passed on to the County Council.
12. The purpose of the proposed changes to the Policy, outlined in paragraphs 15 to 59, is to enable the County Council to provide flexible transport arrangements that can respond to children's changing needs, demand and external market pressures as well as updating the Policy to reflect the updated Department for Education travel to school for children of compulsory school age statutory guidance.

## Regulation/ statutory duties

13. It is the responsibility of the local authority under the Education Act 1996 to provide school transport, free of charge, for children of compulsory school age in certain circumstances as prescribed by the legislation.

## Proposed Policy Changes

14. The Policy changes which the County Council proposes to consult on are set out in paragraphs 15 to 59.
15. **Proposal One: For Personal Transport Budgets (PTB) to be available to families where a child's needs or circumstances mean that suitable transport is difficult to find, or not available at all, in the local operator market.**
16. For the large majority of eligible children, traditional ways of providing Transport Assistance are successful at making their journey to school safe and without undue stress, strain or difficulty. However, in some situations more flexibility is needed.
17. Sometimes there are situations where a child's needs or circumstances mean that suitable transport is difficult to find, or not available at all, in the local operator market. For example, a child may require an adapted vehicle that is not available locally, or require skilled support tailored to their individual needs. In those cases, the County Council would like the ability to offer parents a PTB to enable them to make suitable travel arrangements for transport and/or passenger assistant support.
18. The current Policy includes a range of options to assist eligible children to travel to school. Parents can currently choose to accept a Parental Mileage Allowance to cover costs with approximately 350 eligible children currently travelling this way.
19. Introducing a PTB would offer flexible options for families to make suitable travel arrangements tailored to a child's individual needs.
20. A PTB may be explored at the request of a parent, schools or where the County Council thinks it could be suitable. The parent would not be obliged to accept a PTB and the arrangement would only be put in place where it is agreed between the County Council and the parent as the best means of supporting them.
21. The PTB would be paid directly to the parent/to enable them to make suitable travel arrangements for transport and/or passenger assistant support. The PTB would replace the children's existing travel arrangement.
22. For the majority of service users there would be no change in their transport provision. For a small number of children with needs best met by an

alternative arrangement the School Transport service will investigate to see whether a Personal Transport Budget would allow for their needs to be met more effectively.

23. If this proposal is agreed, it is anticipated that Personal Transport Budgets would be offered in circumstances where that is the most appropriate option.
24. **Proposal Two:** The development and delivery of an Independent Travel Training service for children with SEND as they prepare for adulthood.
25. It is proposed that the County Council provide Independent Travel Training for a small number of suitable children who may benefit from it to help them to prepare for approaching adulthood.
26. At present, eligible children with SEND are transported to educational settings by transport arranged by the County Council. The service does not currently offer support or training to prepare children for more independent travel.
27. For many children learning to travel independently is an important part of preparing for adulthood and will help them lead fulfilling adult lives.
28. Independent travel training may be offered to eligible children with parents' consent.
29. The County Council understands that some children may never reach a level of independence that allows them to travel without assistance. Others may do so if suitable training is put in place.
30. Readiness to complete Independent Travel Training would be determined by a discussion between the County Council, the school and parents.
31. Following completion of Independent Travel Training, the travel arrangements for some children may be reviewed, taking into consideration their greater independence.
32. The completion of independent travel training might not always result in the child being able to travel more independently and so once the training is complete, their needs would be assessed to consider what travel arrangement will be suitable for them.
33. The DfE statutory guidance for travel to school for children of compulsory school age recognises that for many children, learning to travel independently is an important part of preparing for adulthood and will help them lead fulfilling adult lives. Independent Travel Training is a service provided for within the Policy of many other local authorities such as Lincolnshire, Devon, Essex and Kent. The County Council would like to bring services offered in line with DfE guidance and other local authorities.

34. The purpose of seeking to consult on Independent Travel Training is to seek to include it as an option in Policy for the future.
35. If, following consultation, the Executive Lead Member approved the implementation of this proposal, the County Council would further explore approaches to Independent Travel Training provision and plan how best to provide it. This would include consulting with parent representative bodies, exploring and learning how other local authorities have done so, how successful the service has been and whether it is a service the County Council would want to implement. From Summer 2024, the County Council would then start considering appropriate children and young people for this service and would engage with schools and parents about the involvement of the child in the service.
36. **Proposal Three: The regular review of the provision of Passenger Assistants.**
37. A Passenger Assistant (PA) is assigned to support eligible children on school transport provided by County Council's School Transport Service to and from school. Their role is to enable children to travel safely and arrive at school ready and able to learn. For example, children with Learning Difficulties can become anxious during their journey to school. When they get to school, they can be too anxious to learn for quite a time. A Passenger Assistant could be assigned to provide support, so these children arrive at school in a calm state of mind and ready to benefit fully from their school time.
38. The County Council employ approximately 550 PAs to support children on school transport across the County who are assigned based on the needs of the child. On occasion a PA is assigned based on the combined needs of children in a vehicle as opposed just to the needs of one child.
39. At present, once a PA is assigned to support a child, this arrangement is not reviewed on a regular basis to take into account any changes in the child's needs or circumstances.
40. The County Council understands that some children will always need the support of a PA on their journey to and from school. Where this is the case, there will be no intention to trigger a regular review of a PA.
41. Children's needs in relation to support on school transport may change over time. Some may become more independent; for others, their needs may increase.
42. In order to ensure the right level of support is provided for children, there will be times where a review of the provision of a PA should be conducted to ensure the travel arrangement is safe and suitable for the child's current situation.

43. It is proposed that the School Transport Policy is amended to allow for the regular review of the requirement for a Passenger Assistant. The review would take into account information received and in consultation with all relevant parties and would take place at such a time as decided by the local authority, based on the child's needs.
44. If approved, from the Summer term 2024, the County Council would start to review the provision of PAs.
45. Parents, schools or passenger assistants themselves would be able to trigger a review if they have information that demonstrates that a child currently without a PA needs support, or a child currently with a PA allocated can travel without this support.
46. By allowing for the regular review of passenger assistants, the County Council would be able to optimise the PA workforce, and support children as their needs change.
47. **Proposal Four: Where parents are required to make a financial contribution to discretionary school transport arrangements, to increase this contribution in line with inflation (Consumer Price Index (CPI)) from September 2024, with inflation-linked increases also being applied in future years.**
48. Currently the School Transport Policy outlines the level of contribution that will be applied to spare capacity seats (previously referred to as privilege seats) where a spare place on a contract vehicle may be offered to a child who is not entitled to transport assistance and other discretionary arrangements. The current Policy does not allow for contributions to be uplifted each year.
49. Transport costs have risen significantly above inflation over the last year and the County Council has absorbed this cost pressure. The proposed increase in discretionary charges would bring them in line with the overall rise in transport costs.
50. It is proposed that contributions are uplifted in line with CPI each year.
51. If this proposal is approved following consultation, an inflationary increase would be applied to the contribution for spare capacity seats and discretionary arrangements. This would be applied in September 2024 in line with the CPI rate for March 2024, and then annually each September, based on the CPI rate in March of that calendar year.
52. These charges would only apply to a small number of children (approximately 200) who receive discretionary transport arrangements and would not affect children that are entitled to free transport assistance.
53. **Proposal Five: The rewording and updating of the Policy to ensure it reflects the latest Department for Education statutory guidance (Travel**



**to School for children of compulsory school age, issued June 2023<sup>1</sup>), is relevant to the Service and is easy to understand.**

54. Any changes to the School Transport Policy are required by law to be subject to a public consultation.
55. The Policy has been added to and amended in specific circumstances over several years to include changes that have been consulted on and approved by the Executive Member for Children's Services.
56. The Department for Education have updated the statutory guidance for Travel to school for children of compulsory school age and the current HCC School Transport Policy requires updating to bring it into line with this latest guidance. In addition, some of the wording and language has been revised to ensure that it is clear and easy to understand.
57. In line with the most recent DfE guidance, the following sections are proposed to be updated in the Policy:
  - Parental preference for children with Education, Health and Care Plans
  - Children with medical needs
  - Accompaniment of children
58. It is proposed that a number of updates are made throughout the Policy document to provide clarity in wording and language, ensure the Policy is relevant to the current School Transport Service, and to reflect the most recent DfE guidance.
59. Example of changes are given below, and a copy of the proposed Policy with all changes highlighted is included in Appendix A:
  - Clarification around how the County Council defines eligible children
  - Additional explanation of relevant factors that impact on eligibility
  - Further clarification of the Stage 1 and Stage 2 Appeals Process (Appendix 2 of the School Transport Policy)
  - Replacement of references to 'Home to School Transport' with 'School Transport' to reflect the change in name.
  - Replacement of references to 'School Escorts' to 'Passenger Assistants' to reflect the name change.
  - The Policy currently states unacceptable behaviour will be determined by the transport operator and passenger assistant. An addition has been made to the list to include the school and the County Council into those that will determine what is unacceptable behaviour.
  - At some point the following statement was removed from Policy in error: "Where a child lives at an address that is within the catchment area of more than one school, the qualifying school for the purpose of School Transport is the catchment school that is closest to their home as measured by walking route. Where both schools in question are

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<sup>1</sup> [Travel to school for children of compulsory school age - June 2023](#)

over the statutory walking distance, the route to the schools will be measured by the nearest available road route, passable for a suitable motorised vehicle, when determining which catchment school qualifies as a nearer school.”. It has been added back in in the draft Policy.

60. A draft of the amended School Transport Policy has been attached in Appendix A of this report. Changes are indicated by a red font.

### **Engagement and process for consultation**

61. The consultation would seek views on the proposed changes to the School Transport Policy. These changes may affect eligible and non-eligible children, including those in receipt of discretionary travel arrangements, those attending mainstream schools, and those attending special schools.
62. It is proposed that the consultation lasts for 35 working days during term time, commencing from 30 October 2023 to 15 December 2023. During this time, views would be sought, including those of service users, their parents, providers, schools and other stakeholders.
63. The consultation would be published online on the County Council’s website at: [Consultations | About the Council | Hampshire County Council \(hants.gov.uk\)](https://www.hants.gov.uk/consultations). An Easy-Read version of the consultation document would also be made available along with paper, braille and translation copies on request.
64. Children and young people, their parents or carers, and other stakeholders would also have the opportunity to attend consultation events. These events would be advertised on the County Council’s consultation webpage, in press releases and using the County Council’s social media channels.
65. Providers of school transport and other stakeholders would be contacted by the County Council about the consultation to inform them of the proposed changes and provide opportunities to contribute their views.
66. If the recommendation to proceed to public consultation on the proposed changes is agreed, a further report would be brought to the Executive Lead Member for Children’s Services early in the 2024/25 financial year, to share the findings of the consultation. Outcomes from the consultation would also be used to complete an Equality Impact Assessment, presented to the Executive Lead Member for Children’s Services.

### **Legal Implications**

67. The school transport statutory guidance published by the Department for Education states that local authorities should consult on proposed changes to Policy. A consultation is proposed to gather public feedback on the proposed changes.

68. Arrangements for post-16 age (sixth form) student transport are set out in a separate annual transport policy statement that is published by 31 May each year. Consultation on the post-16 policy will be separate to the overall School Transport Policy, however the intention is that it will run in parallel against the same timescales.

### **Recommendation(s)**

69. That the Executive Lead Member for Children's Services:  
Gives approval to proceed with a public consultation on the proposed changes to the School Transport Policy with a further report setting out the findings of the consultation to be presented at a future Executive Member Decision Day, likely to be in the first quarter of the 2024/25 financial year.

### **Climate Change Impact Assessment**

70. The County Council utilises two decision-making tools to assess the carbon emissions and resilience impacts of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does. The tools would be applied following the outcome of the consultation.

### **Equality Impact Assessment**

71. An initial Equality Impact Assessment (EIA) has been carried out and is attached in Appendix B of this report. If permission is granted to consult, then it is intended that another EIA be carried out following the completion of the consultation.

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	Yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	Yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	No
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	No
<b>OR</b>	
<b>This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because:</b>	

**Other Significant Links**

<b>Links to previous Member decisions:</b>	
<u>Title</u> <a href="#">Consultation on proposed changes to Home to School Transport, including a change to policy   About the Council   Hampshire County Council (hants.gov.uk)</a>  <a href="#">Plans agreed for updated home to school transport service   Hampshire County Council (hants.gov.uk)</a>	<u>Date</u> 12 July 2022
<b>Direct links to specific legislation or Government Directives</b>	
<u>Title</u> <a href="#">Department for Education (publishing.service.gov.uk)</a>	<u>Date</u> June 2023

<b>Section 100 D - Local Government Act 1972 - background documents</b>	
<p>The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)</p>	
<u>Document</u>	<u>Location</u>
None	

**Appendix A – Proposed draft Policy**

**School Transport Policy**

**HAMPSHIRE COUNTY COUNCIL**

**SCHOOL TRANSPORT POLICY**

**EFFECTIVE FROM April 2024**

## CONTENTS

Section	Description
1	<b>BACKGROUND AND SCOPE OF THE POLICY</b>
2	<b>LEGAL RESPONSIBILITIES FOR TRANSPORTING CHILDREN TO/FROM SCHOOL</b>
3	<b>DEFINITION OF 'ELIGIBLE CHILDREN'</b>
4	<b>FACTORS TO CONSIDER FOR 'ELIGIBLE CHILDREN'</b>
	- Compulsory school age
	- Statutory walking distances
	- Unsafe routes
	- Special educational needs (SEN), a disability or mobility problems
	- <b>Parental Preference for children with Education, Health and Care Plans</b>
	- Accompaniment
	- Extended rights eligibility (children entitled to free school meals or whose parents receive the maximum level of Working Families Tax Credit)
	- Definition of Home Address
	- Qualifying schools
	- School choice
	- Permanent exclusion
	- Suitability of arrangements
	- <b>Personal Transport Budgets</b>
	- <b>Children with medical needs</b>
	- <b>Promoting Independent Travel</b>
5	<b>DISCRETIONARY TRANSPORT ARRANGEMENTS AND EXCEPTIONS – CHARGEABLE</b>
	- <b>Spare Capacity Seats</b>
	- Voluntary driver schemes
	- Part-time attendance
	- Primary Age Siblings
	- Journey times of more than 75 minutes
	- Religion or belief
6	<b>CIRCUMSTANCES WHERE TRANSPORT WILL <u>NOT</u> BE PROVIDED</b>
7	<b>OTHER ISSUES</b>
	- <b>Review of Eligibility and Suitability</b>
	- Withdrawal of assistance
	- Delays
	- Errors
	- Complaints
	- Contacts
	<b>APPENDIX 1</b> <b>Schedule of Charges for <b>Discretionary</b> Arrangements</b>
	<b>APPENDIX 2</b> <b>School Transport - Review/Appeals Process</b>

## 1. BACKGROUND AND SCOPE OF THE POLICY

- 1.1. The Policy sets out the legal responsibilities that Hampshire County Council (**the County Council**) has in order to provide assistance with transport to school or another education setting for children living in the **County Council** local authority administrative area. It also supports **the County Council's** sustainable school travel strategy <sup>2</sup>.
- 1.2. This Policy reflects the requirements of the Education Act 1996 (**the Act**) and the Education and Inspections Act 2006. It also complies with the Department for Education's statutory guidance, **Travel to School for children of compulsory school age**, issued in **June 2023**<sup>3</sup>.
- 1.3. The changes to the previous Policy are included as **Section 2, Section 3, Paragraphs 4.8, 4.9, 4.11, 4.12, 4.15, 4.16, 4.17, 4.19 - 4.23, 4.27, 4.29, 4.31 – 4.39, 5.4, 6.2, 7.1 – 7.3, 7.9, 7.11, Appendix 1 and Appendix 2** of this version.
- 1.4. Charges for transport arrangements are set out in Appendix 1.
- 1.5. The process for appeals is set out in Appendix 2.
- 1.6. Arrangements for post-16 age (sixth form) student transport are set out in a separate annual transport policy statement that is published by 31 May each year.
- 1.7. **Note: References to parent in this document include birth parents, adoptive parents, foster parents, carers or legal guardians with parental responsibility.**

## 2. LEGAL RESPONSIBILITIES FOR TRANSPORTING CHILDREN TO/FROM SCHOOL

- 2.1. Parents have a legal duty and a responsibility to make the necessary arrangements to ensure that their child of compulsory school age attends school regularly. **For most parents, this means making arrangements for their child to travel to and from school.**
- 2.2. **It is the responsibility of those with parental responsibility to make suitable arrangements to ensure that their child is accompanied on walking routes to school, if it is considered by the parents that the child's age, ability and levels of understanding make this necessary. The Authority will therefore not provide transport solely because parents have not made such arrangements, unless there is good reason. 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.**

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<sup>2</sup> [Hampshire sustainable modes of transport for children and young people - January 2013](#)

<sup>3</sup> [Department for Education \(publishing.service.gov.uk\)](#)

- 2.3. **The** County Council has a statutory duty to make arrangements to provide free of charge school transport for **'eligible children' (defined in paragraph 3.1) only.**

### **3. DEFINITION OF 'ELIGIBLE CHILDREN'.**

- 3.1. Eligible children are defined<sup>4</sup> as children of compulsory school age (defined in paragraph 4.3):

- who attend their nearest or catchment school which is beyond the statutory walking distance. **Where a child lives within more than one catchment area, eligibility for School Transport will be based on the shortest walking route to any of the catchment schools.**
- who, because of their special educational needs, disability or mobility problems cannot reasonably be expected to walk to their school, **even if accompanied by an adult.**
- whose route to the nearest suitable school is unsafe **as determined in accordance with Road Safety GB guidelines.**
- children entitled to free school meals or whose parents receive the maximum level of Working Families Tax Credit (subject to a distance requirement).

- 3.2. All eligible children are entitled to free of charge transport to/from school at the beginning and end of the normal school day **only.**

### **4. 'ELIGIBLE CHILDREN' - EXPLANATION OF RELEVANT FACTORS.**

- 4.1. As a general rule, **the County Council** will only make provision for free of charge transport for the children referenced set out above.
- 4.2. The following paragraphs explain the eligibility for free of charge transport for **eligible children only** in more detail.

#### **Compulsory school age**

- 4.3. Children are of compulsory school age from the beginning of the term following their fifth birthday (*or from their fifth birthday if it falls on 31 August, 31 December or 31 March*) until the last Friday in June of the academic year in which they reach 16 years of age.

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<sup>4</sup> Schedule 35b of the Education Act 1996



## Statutory walking distances<sup>5</sup>

- 4.4. For **children** of compulsory school age, transport is provided if their nearest suitable or catchment school, measured from the child's home to the nearest available entrance to the school grounds', is:
- Beyond two miles (if below the age of eight); or
  - Beyond three miles (if aged between eight and 16).
- 4.5. A child living between two and three miles from their school ceases to be an eligible child on their 8th birthday.
- 4.6. **The above** are the statutory walking distances prescribed by legislation. However, different walking distances apply in respect of children who are entitled to free school meals or whose parents receive the maximum level of working tax credit (see paragraph 4.9).
- 4.7. When determining whether a non-catchment school qualifies as a nearer school distances greater than the statutory walking distances will be measured on 'road routes', passable for a suitable motorised vehicle.
- 4.8. **Where a child lives at an address that is within the catchment area of more than one school, the qualifying school for the purpose of School Transport is the catchment school that is closest to their home as measured by walking route. Where both schools in question are over the statutory walking distance, the route to the schools will be measured by the nearest available road route, passable for a suitable motorised vehicle, when determining which catchment school qualifies as a nearer school.**

## Extended rights eligibility

- 4.9. **A child is eligible for free travel to school if they are eligible for free school meals or a parent with whom they live receives maximum Working Tax Credit, and the child is:**
- **Aged eight or over but under 11, attend their nearest suitable school and it is more than 2 miles from their home by the nearest walking route; or**
  - **Aged 11 to 16 years, and attend one of their three nearest suitable schools provided it is more than 2 miles (nearest walking route) but not more than 6 miles (by road) from their home; or**
  - **Aged 11 to 16 years, attend a school that is more than 2 but not more than 15 miles from their home that their parents have chosen on the grounds of their religion or belief if, having regard to that religion or belief, there is no suitable school nearer to their home.**

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<sup>5</sup> Statutory walking distance defined in Section 444(5) of the Education Act 1996

## Unsafe routes

- 4.10. Transport arrangements will be made for children of compulsory school age who cannot reasonably be expected to walk to the nearest suitable school because the nature of the route is deemed unsafe to walk.
- 4.11. **Assessment of Walked Routes to Schools Guidelines**, published by Road Safety GB, support the assessment of routes. Officers apply the guidelines to determine the nature – safe or otherwise - of any walking routes.
- 4.12. **Where no safe walking route exists, for example where the road outside the child's home is unsafe, distances to schools, for the purpose of identifying the nearest suitable school, will be measured on 'road routes', passable for a suitable motorised vehicle.**

## Special educational needs (SEN), a disability or mobility problems

- 4.13. A child of compulsory school age with special educational needs, a disability or mobility problems who cannot reasonably be expected to walk to school, even if they were accompanied by an adult, will receive free school transport, regardless of distance.
- 4.14. Eligibility is assessed on an individual basis, which includes the following:
  - The child must be attending the nearest designated catchment area school, a nearer school, or the nearest school with a place or is attending the nearest appropriate school as determined by the Special Educational Needs (SEN) service.
  - By reason of their SEN, disability or mobility problem (including temporary medical conditions) the child cannot reasonably be expected to walk to school.
  - Eligibility will be assessed on a **case-by-case** basis, and any evidence submitted e.g., from a medical practitioner will be taken into consideration.

## Parental Preference for children with EHC Plans

- 4.15. **Where a parent would prefer their child to attend a school that is further away from their home than the nearest school that would be able to meet their needs, the County Council will consider whether arranging travel to the preferred school would be incompatible with the efficient use of resources.**
- 4.16. **The County Council will determine the cost of providing the child with free travel to each of the two schools. If travel to the parent's preferred school would cost more than travel to the nearer school, the County Council will decide whether the additional cost of providing travel to the parent's preferred school is incompatible with the efficient use of resources.**

- 4.17. If the County Council determines that providing travel to the parent's preferred school would be incompatible with the efficient use of resources, the County Council will either:
- A. name a different school that would be appropriate for the child's needs, or
  - B. name the parent's preferred school on the condition that the parent arranges the travel or provides some or all of the cost of the travel. This would normally be the difference between the cost of travel to the parents' preferred school and the cost of travel to the nearest suitable school.
    - o At this point, the parent may withdraw their request for the preferred school, and the County Council will therefore name the school that would have been named in option A.

### **Primary Age Siblings**

- 4.18. In the case of children with SEN, a disability or mobility problems (see paragraph 4.13), transport will be provided where there is a need for primary age sibling(s) to be taken to other school(s), provided that the school(s) is/are the catchment area school(s), a nearer school or next nearest school. **In addition, consideration would be given to the timing** of the school day or the direction of the other school(s) **that** would prevent the parent from accompanying the child(ren).

### **Accompaniment**

- 4.19. In determining whether a child cannot reasonably be expected to walk for the purposes of 'special educational needs, a disability or mobility problems eligibility' or 'unsafe route eligibility', **the County Council** will consider **on an individual basis** whether the child could reasonably be expected to walk if accompanied **by an adult** and, if so, whether the child's parent can reasonably be expected to accompany the child.
- 4.20. The general expectation is that a child will be accompanied by a parent where necessary, unless there is good reason why it is not reasonable to expect the parent to do so. **A child will not normally be entitled to free school transport solely** because their parents' work commitments or caring responsibilities mean they are unable to accompany the child to school. As set out in the Department for Education statutory guidance sections 47 – 52<sup>6</sup> (Travel to school for children of compulsory school age), reasons such as the parent's working pattern or the fact they have children attending more than one school, will not normally be considered sufficient reasons for a parent being unable to accompany their child. These reasons apply to many

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<sup>6</sup> [Travel to school for children of compulsory school age - June 2023](#)

parents, and, in most circumstances, it is reasonable to expect the parent to make suitable arrangements to fulfil their various responsibilities (for example, their responsibilities as an employee and as a parent).

- 4.21. The circumstances the County Council will consider when determining if a child can be reasonably accompanied include (but are not limited to) where the parent has a disability or mobility problem that would make it difficult for them to accompany their child, or other exceptional reasons provided by the parent as to why they cannot accompany their child or make other suitable arrangements. If a parent submits evidence that they are unable to accompany their child to school this will be assessed on an individual basis and any evidence submitted e.g., from a medical practitioner will be taken into consideration.

### **Definition of Home Address**

- 4.22. The home address will be that at which the child resides and spends the majority of his/her time. Occasionally a child will have more than one address, for example, because they live with parents who have different addresses. In this situation, the **home** address used for determining transport will be the one at which the child spends most of their time including weekends and school holidays as well as during the week. **Where the child spends equal time at two addresses, parents must nominate one address as the home address for transport even if both addresses are eligible for transport assistance. Parents must let the County Council know if the child's home address changes and will be asked to provide evidence of this if it affects entitlement to transport assistance.** When the child lives at the other address, they will not qualify for any transport arrangements other than the one provided from the home address.

### **Qualifying schools**

- 4.23. The schools covered by this Policy statement are: -

- community, foundation and voluntary **aided and voluntary controlled** schools;
- **academies (including those which are free schools, university technical colleges, studio schools and special schools);**
- **alternative provision academies;**
- **community or foundation special schools;**
- non-maintained special schools;
- pupil referral units (education centres)<sup>7</sup>;
- **maintained nursery schools (where attended by a child of compulsory school age); and**

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<sup>7</sup> Where they are receiving education by virtue of arrangements made under section 19(1) of the Education Act 1996

- city technology colleges (CTC), city colleges for the technology of the Arts (CCTA).
- for children with SEN, an independent school if it is the only school named in the child's Education, Health and Care Plan (EHCP), or if it is the nearest of two or more schools named in the EHCP and is not named on the basis of parental preference.

### **School choice**

- 4.24. Where parents apply for the designated catchment or a nearer school and the school is unable to offer a place, free of charge transport will be offered to the next nearest school with a place available providing the distance criteria are met.
- 4.25. The **child** will remain entitled to transport to the next nearest school with a place until they leave the school, or they **change** address.

### **Exclusion**

- 4.26. Transport is provided for pupils who have been permanently excluded from school who attend a new school or Education Centre, subject to the statutory walking distance criteria being applied.

### **Suitability of arrangements**

- 4.27. Transport arrangements **should** allow the child to reach school without undue stress, strain or difficulty. Shorter journey times are desirable in achieving this. **Where practicable**, maximum journey times should be 45 minutes **each way** for **children of primary school age** and 75 minutes **each way** for children **of secondary school age**. A **Passenger Assistant** will be provided on SEN transport when required, based on the needs of the **children** travelling.
- 4.28. The most economic form of transport available will be provided, having due regard to the availability of the transport as determined by the **County Council's** Passenger Transport Group (PTG) and the maturity, health or special needs of the **child**, as determined by the Head of **School** Transport in **the** Children's Services Department.
- 4.29. One vehicle may be used to transport children attending different schools. Mixing of children attending special schools and mainstream schools may occur when appropriate.
- 4.30. Transport will either be provided from designated pick-up and drop-off points or from a child's home address. A decision as to the collection point for transport will be made using the criteria in 4.27 and 4.28. Designated Pick up or drop off points will be no further than one mile walking distance from a child's home address.

### **Personal Transport Budgets**

4.31. In certain circumstances, and subject to parental consent, the most suitable arrangement might be for the parent to provide the transport. This may be because:

- Suitable transport is difficult to find, or not available at all, in the local provider market;
- The child requires an adapted vehicle that is not available locally;
- The child requires skilled support tailored to their individual needs; or
- The County Council's officers and the parent agrees that transport provided by the parent is the most suitable arrangement.

In those cases, the County Council may offer the parent a Personal Transport Budget (PTB) to enable the parent to make suitable travel arrangements for transport and/or passenger assistant support. The PTB would replace the child's existing travel arrangement.

4.32. A Personal Transport Budget will be calculated by considering:

- The mileage to the child's nearest suitable school (at the current HMRC mileage rate)
- The child's support needs and the level of skill required to support them on their journey to school
- Individual circumstances affecting the child's journey to and from school
- The efficient use of the County Council's resources

### **Children with Medical Needs**

4.33. Where a child has medical needs that might affect their journey to and from school, the County Council will ask parents about the support they need as part of the transport application process. The County Council will also seek information from the child's school, as it is likely that the school will have arrangements in place to manage their medical needs during the day.

4.34. Passenger Assistants will receive a range of training, including First Aid certification and awareness about common medical needs affecting children travelling to school. Where the County Council is made aware that a child has a specific medical need, we will ask the parent to provide the Individual Healthcare Plan which will be shared with the Passenger Assistant. The County Council will also ask the child's school to share information about the arrangements they put in place to manage their medical needs and to offer training to the Passenger Assistant. The County Council will also ask the school to identify whether the child's needs will affect the child on the journey to and from school.

4.35. Where unforeseen medical issues occur, or the child needs a medical intervention beyond what has been covered in training, the Passenger Assistant or driver will immediately call 999 and act in accordance with the 999 operator's instructions.

- 4.36. A child's routine medication will not be administered on the journey to and from school, and routine medical procedures will not be carried out. It may sometimes be necessary to administer a child's emergency medication. Emergency medication will only be administered in accordance with instructions from a health care professional, for example where a clear Individual Healthcare Plan written by a health care professional has been provided, or under medical supervision during a 999 call.

### **Promoting independent travel**

- 4.37. Transport arrangements for SEN children will, wherever possible, support them to develop independence, taking into account the health or special needs of the child, and any steps towards independence outlined in the EHCP.
- 4.38. Independent Travel Training may be offered to eligible children with parent's consent. Readiness to complete Independent Travel Training would be outlined in the EHCP or agreed by the County Council following a discussion with the school and parents. Once an eligible child has successfully completed Independent Travel Training, their travel arrangements will be reviewed.
- 4.39. The County Council will not withdraw free school transport from an eligible child who does not successfully complete the travel training programme.

## **5. DISCRETIONARY TRANSPORT ARRANGEMENTS – CHARGEABLE**

- 5.1. This section sets out the limited circumstances in which the County Council will use its discretionary powers (under Section 508C of the Act) for children who are not entitled to free transport (as set out under Section 4 of this Policy above).
- 5.2. Where this discretion is used, there will usually be a charge for the transport provided, as shown in Appendix 1
- 5.3. All arrangements within this section will be time limited. At the end of the specified period, parents will need to re-apply.

### **Spare Capacity Seats**

- 5.4. A spare place on a contract vehicle may be offered to a child who is not entitled to transport assistance. It will be withdrawn if the space is required for an eligible child or if there are changes to the route which reduces the number of concessionary seats. A flat rate charge will be made for such seats (set annually by the County Council), except where the child being transported is entitled to free school meals or the family is in receipt of the maximum level of working tax credit. Parents must make their own arrangements for the child to travel to the nearest existing pick-up point on the route. Spare capacity seats will be offered only once all arrangements are in place for eligible children.

### **Part-time attendance**

- 5.5. This will not normally be supported with a transport arrangement. Transport may be provided to facilitate part-time attendance, where a child is convalescing following medical treatment or illness. The child's progress will be reviewed at least on a termly basis. This is a discretionary arrangement and may be subject to the charge in Appendix 1 except when part-time attendance is in place with the agreement of the local authority.

### **Journey times of more than 75 minutes**

- 5.6. Unusually there may be situations where a journey time of more than 75 minutes is required. These may occur in transport:
- to Faith secondary schools;
  - to special schools;
  - to pupil referral units (Education Centres);
  - for pupils attending their next nearest school with an available place because no place available at designated catchment area school or nearest school; and
  - for pupils attending out of county residential schools.

### **Religion or belief**

- 5.7. Under the extended rights eligibility (paragraph 4.9), there is entitlement to free transport for certain children aged 11 to 16 attending the nearest school preferred on the grounds of religion or belief. Where extended rights eligibility does not apply, requests for transport will be considered applying this Policy and any grounds for an exceptional arrangement.

## **6. CIRCUMSTANCES WHERE TRANSPORT WILL NOT BE PROVIDED**

- 6.1. Transport will not be provided in circumstances other than those set out above for eligible children and where discretionary arrangements are made.
- 6.2. Specific examples of where transport will not be provided are:
- Temporary address. Transport will not be provided from a temporary address to a school that is not the designated catchment area or nearest school for that address.
  - Journeys to and from other destinations. Transport is not offered to or from points other than the school/ education centre and home or pick up/drop off points.
  - Victims of bullying. Dealing with bullying should be fully explored with the current school. If parents decide to move their child's school due to dissatisfaction with their current school, then there is no entitlement to free school transport.
  - To or from pick-up and drop-off points, except as outlined in paragraph 4.30.



- Unacceptable behaviour of a pupil, as determined by the school/the County Council/transport operator or passenger assistant (where applicable) with reference to the Mainstream and SEN Pupil Codes of Conduct. In such cases, requests for an allowance for parents to provide transport (paragraph 4.31) or for public transport will be considered.
- To take account of work/business commitments or domestic difficulties of parents.
- To accommodate attendance at after school activities or for arrival at start times other than the usual start time for the school. For example, individual exam timetables will not usually be accommodated.

## **7. OTHER ISSUES**

### **Review of eligibility and suitability**

- 7.1. Eligibility for school transport assistance, and the suitability of those arrangements including passenger assistants, will be decided based on evidence received from relevant parties and a timescale for a planned review of eligibility will be set at the same time as an eligibility decision is made.
- 7.2. The planned review timescale will be based on the child's needs and will typically be at the end of the academic year, at a change of school phase, or at the end of the child's compulsory school career.
- 7.3. Eligibility will also be reviewed if the County Council becomes aware of a change of circumstance, including where a parent notifies the County Council that the child's circumstances or needs have changed.

### **Withdrawal of Assistance**

- 7.4. Where the school transport Policy is changed and the level of discretionary provision reduced, transport may be withdrawn from children who are currently receiving assistance. In these cases, a reasonable notice period will be given to enable parents to make informed decisions about their child's education. Any change of Policy will be subject to a period of consultation with those affected.

### **Delays**

- 7.5. Where a delay occurs in providing transport which is over and above the normal operational timescale for doing so and the application for transport has been submitted in good time (with full information), reimbursement may be made to cover expenses incurred (upon production of evidence of expenditure) from the date from which transport would otherwise have been provided. Such reimbursement will be for use of the most cost-effective type of transport.
- 7.6. In the case of entitlement being granted upon appeal, reimbursement may be made of expenses incurred upon production of evidence of expenditure

from the date upon which the appeal was lodged or, if this falls within a school holiday period, from the start of the following term or half-term. Such reimbursement will be for use of the most cost-effective type of transport.

### **Errors**

- 7.7. Where assistance is found to have been granted in error, notice of one full term will normally be given that assistance will be withdrawn to allow families to make other arrangements.
- 7.8. Where entitlement has been denied in error, transport will be arranged as soon as possible and consideration will be given to reimbursing parents retrospectively, with a time limit of the start of the academic year in which the error was discovered.

### **Complaints/Appeals**

- 7.9. **Hampshire** County Council takes all complaints seriously and has a complaints procedure to ensure they are investigated and, where possible, resolved. The procedure is available on **our website: [Children's Services Complaints](#)**.
- 7.10. People are encouraged to raise their concerns using the appropriate contacts. Where necessary, complaints will be considered at a more senior level to ensure every effort is made to resolve the issue.
- 7.11. Parents wishing to make an appeal regarding a transport entitlement decision or subsequent transport arrangements should **contact** the Head of **School Transport**, **via email at [School.Transport.cse@hants.gov.uk](mailto:School.Transport.cse@hants.gov.uk) or in writing to** Children's Services Department, Hampshire County Council, The Castle, Winchester, Hampshire, SO23 8UG. The appeals process is provided in Appendix 3.

### **Contacts**

- 7.12. Please visit the School Transport page on **Hampshire** County Council's website (Hantsweb) for up-to-date contact information.  
**[Travel to school | Hampshire County Council \(hants.gov.uk\)](#)**

## Appendix 1

### Schedule of Charges for **Discretionary** Arrangements

**Spare Capacity Seats** to be reviewed annually and charges adjusted in line with the Consumer Price Index (CPI):

Distance to travel	Annual charge
Up to 5 miles	£640
5.01 miles to 7.5 miles	£887
7.51 miles to 10 miles	£1,242
Over 10 miles	£1,419

The contribution is waived for families when the travelling child is in receipt of Free School Meals on the grounds of low income or the family is in receipt of the maximum level of Working Tax Credit.

#### Exceptions to Policy

To be reviewed annually and charges adjusted in line with CPI. The following contributions apply based on the distance to travel. The exception to Policy will be time limited and the charge for discretionary arrangements can be pro-rated based on the length (in weeks) of the actual arrangement.

Distance to travel	Example annual charge
Up to 5 miles	£640
5.01 miles to 7.5 miles	£887
7.51 miles to 10 miles	£1,242
Over 10 miles	£1,419

If the child's parents are in receipt of Income Support; income-based Jobseekers Allowance; income-related Employment and Support Allowance; support under Part VI of the Immigration and Asylum Act 1999; the guaranteed element of State Pension Credit; Child Tax Credit (provided you're not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190); Working Tax Credit run-on-paid for 4 weeks after you stop qualifying for Working Tax Credit; or Universal Credit, the contribution will be waived.

Families in receipt of free school meals (due to low income) are not required to pay the contribution.

Families with a low income, but not in receipt of the above benefits, where the imposition of the **contribution** would reduce their income to around £16,190; or those with **discretionary** circumstances, may apply for a discretionary waiver or reduction in **contribution**.

## Appendix 2

### School Transport - Review/Appeals Process

Parents who wish to challenge a decision about:

- The **suitability of the** transport arrangements offered **to their child**;
- their child's eligibility;
- the distance measurement in relation to statutory walking distances; and
- the **inherent** safety of the route **in accordance with the Road Safety GB guidelines**

may do so **via email to [School.Transport.cse@hants.gov.uk](mailto:School.Transport.cse@hants.gov.uk) or in writing to, School Transport**, Elizabeth II Court, Children's Services Department, Hampshire County Council, The Castle, Winchester, Hampshire, SO23 8UG. **Parents should indicate their reasons for challenging the decision using the categories above.**

In the first instance a case will be reviewed by a Senior Officer **within the School Transport Service.**

In cases against refusal of a transport service there may be a further appeal to an Independent Appeal Panel made up of one or more Senior Officers outside of the School Transport **Service. Members of the Panel will** hold a comprehensive understanding of the school transport Policy and legislative framework **and** will make decisions on appeals against offers of transport.

#### Stage one: Review by a Senior Officer

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

The written request should detail why the parent believes the decision should be reviewed **using the categories above. They should** give details of any personal and/or family circumstances the parent believes should be considered when the decision is reviewed.

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

- **whether they have upheld the local authority's original decision;**
- **why they reached that decision;**

- how the review was conducted (including the standard followed e.g. Road Safety GB);
- the factors considered in reaching their decision;
- any other agencies or directorates that were consulted as part of the review.

Where they have upheld the original decision, they should also explain how the parent may escalate their appeal to stage two of the process.

### **Stage two: Review by an independent appeal panel, where it applies.**

A parent has 20 working days from receipt of the local authority's stage one written decision notification to make a written request to escalate the matter to stage two.

Within 40 working days of receipt of the parents request an independent appeal panel will consider written and verbal representations from both the parent and officers involved in the case and give a detailed written notification of the outcome (within 5 working days), setting out:

- whether they have upheld the local authority's original decision;
- why they reached that decision;
- how the review was conducted (including the standard followed e.g. Road Safety GB);
- the factors considered in reaching their decision;
- information about any other directorates and/or agencies that were consulted as part of the review; and
- information about the parent's right to put the matter to the Local Government and Social Care Ombudsman (see below).

**The independent appeal panel will be made up of one or more** members who will be independent of the original decision making process (but are not required to be independent of the local authority) and suitably experienced (at the discretion of the local authority), to ensure a balance is achieved between meeting the needs of the parents and the local authority, and that road safety requirements are complied with and no child is placed at unnecessary risk. **Members will be assigned by a senior manager within the County Council's Children's Services directorate.**

**Local Government and Social Care Ombudsman** There is a right of complaint to the Local Government and Social Care Ombudsman, but only if complainants consider that there was a failure to comply with the procedural rules or if there are any other irregularities in the way the appeal has been handled. If the

complainant considers the decision of the independent panel to be flawed on public law grounds, the complainant may also apply for judicial review.

## **Appendix B – EQUALITIES IMPACT ASSESSMENT**

### **Equalities Impact Assessment**

What is an Equality Impact Assessment (EIA) and why does the County Council do them?

The Public Sector Equality Duty (PSED) is an obligation within the Equality Act 2010 (“the Act”), which asks public authorities, like Hampshire County Council, to give ‘due regard’ to equality considerations, in particular to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

This includes assessing the impact of policies and practices on individuals and communities with a protected characteristic, as defined in the Act and some other specific groups. The County Council uses EIAs to ensure it has paid ‘due regard’ to equalities considerations when there are changes to a service or policy, a new project or certain decisions.

**Title:** Permission to consult on proposed changes to the School Transport Policy (Oct 2023)

**EIA for Savings Programme: No**

**Service affected:** The School Transport Service

**Description of the service/policy/project/project phase:**

Hampshire County Council (the Council) has a statutory duty to provide free of charge School Transport for eligible children (eligibility as set out in the Council’s School Transport Policy).

The School Transport Service currently arranges daily transport to school for approximately 13,500 children and young people. Of these, 9,600 attended mainstream schools and 3,750 attended schools and colleges that provide for their Special Educational Needs and Disabilities (SEND) or other needs.

A rise in complexity of transport needs, along with pressures affecting the external market, have meant that it is becoming more challenging for operators to provide transport that adequately meets the passengers' needs. The County Council needs to consider approaches that would allow them to be better able to respond to these pressures and provide adequate, safe, and efficient transport to children.



### **New/changed service/policy/project:**

Permission is being sought to undertake a full public consultation on five proposed changes within school transport. The proposed changes would enable the County Council to be better able to provide flexible transport arrangements for children that respond to their changing needs, demand and external market pressures. The proposed changes would also bring the School Transport Policy in line with the updated Department for Education statutory guidance on Travel to School for Children of Compulsory School Age. Feedback would be gathered on the following proposed changes:

- Proposal One: For Personal Transport Budgets (PTB) to be available to families where a child's needs or circumstances mean that suitable transport is difficult to find, or not available at all, in the local operator market.
- Proposal Two: The development and delivery of an Independent Travel Training service for children with SEND as they prepare for adulthood.
- Proposal Three: The regular review of the provision of Passenger Assistants.
- Proposal Four: Where parents are required to make a financial contribution to discretionary school transport arrangements, to increase this contribution in line with inflation (Consumer Price Index (CPI)) from September 2024, with inflation-linked increases also being applied in future years.
- Proposal Five: The rewording and updating of the Policy to ensure it reflects the latest Department for Education statutory guidance (Travel to School for children of compulsory school age, issued June 2023), is relevant to the Service and is easy to understand.

The impact of the changes on young people with different protected characteristics will be captured as part of this consultation.

### **Equality considerations**

This EIA accompanies an Executive Lead Member for Children's Services decision report on the 19 October 2023.

This EIA principally focusses on considering the potential impact of the proposed changes on the Public rather than Staff as there are no proposed changes to staff terms and conditions. Therefore, the impact has been assessed as neutral for Staff throughout.

A further EIA will be undertaken following the public consultation.

### **Equality considerations – Impact Assessment**

#### **Age**

**Impact on public:** Neutral

**Impact on staff:** Neutral

#### **Rationale**

**Consultation** – It is acknowledged that older people may be less likely to have access to the internet and may not be able to respond online to a consultation. The Council would ensure that paper copies of the consultation are available by request for postal submission.

As the school transport service is provided for eligible children and young people of school age (eligibility as set out in the Council's School Transport Policy), it is recognised that they and their families/carers would be disproportionately affected by the proposed change in regard to age as a protected characteristic.

**Proposal one – Positive** - Personal Transport Budgets (PTB). This service would be something that gives more flexibility to children and families although it is anticipated that it will only be an option for some families.

**Proposal two – Positive** – Independent Travel Training (ITT) would be a service offered to students as they prepare for approaching adulthood and would only be suitable for a small number of students. For the students that it is suitable for and who choose to take part in the training, ITT would be a strengths-based service that, for some, would result in greater independence. The Council would work closely with families and school to implement ITT.

**Proposal three – Negative low** - The review of the allocation of Passenger Assistants (PA) would see that some students who no longer require a PA would have their PA phased out and students whose needs have changed and require one, would be identified for allocation of a PA in a more timely way.

**Proposal four – Negative low** – The increase in contribution rates for children receiving discretionary transport arrangements will disproportionately affect children and young people of school age and their families. The number of families affected is approximately 100 of the approximate 13,500 students receiving school transport arranged by the council.

**Proposal five – Positive** – Changes to the school transport policy is anticipated to be positive as the changes would ensure it is up to date, relevant to the service and easy to understand.

## **Disability**

**Impact on public:** Neutral

**Impact on staff:** Neutral

## **Rationale**

**Consultation** – The Council acknowledge that people with disabilities may find it harder to engage with the consultation and will put in place measures to enable those with disabilities to take part. These include the consultation response form and information pack being available in an easy read format, a copy in another language or format (such as audio, large print, or Braille), or if they have any queries

about the consultation, they would be able to request this by either please emailing or calling the School Transport team.

**Proposal one – Positive** – PTBs will disproportionately affect Children and Young people with disabilities and their families. The change will mean that children, young people and their families with disabilities who are suitable for a PTB will have more flexible options for their transport arrangements.

**Proposal two – Positive** – ITT would disproportionately affect Children and Young people with disabilities and their families. Most people offered ITT would have SEND. For the students that it is suitable for and who choose to take part in the training, ITT would be a strengths-based service that, for some, would result in greater independence. The Council would work closely with families and school to implement ITT.

**Proposal three – Negative low** – The review of PAs would disproportionately affect children and young people and their families with disabilities as PAs are mostly used to support students with SEND. The proposal would see that some students who no longer require a PA would have their PA phased out and students whose needs have changed and require one, would be identified for allocation of a PA in a timelier way.

**Proposal four – Neutral** - The increase in contribution rates for students in receipt of discretionary travel arrangements would have no identified impact based on disability and therefore the impact has been assessed as neutral.

**Proposal Five - Neutral** - There is no identified impact based on disability and therefore the impact has been assessed as neutral.

### **Gender Reassignment**

**Impact on public:** Neutral

**Impact on staff:** Neutral

#### **Rationale**

There is no identified impact based on gender reassignment and therefore the impact has been assessed as neutral.

### **Pregnancy and Maternity**

**Impact on public:** Neutral

**Impact on staff:** Neutral

#### **Rationale**

There is no identified impact based on pregnancy and maternity and therefore the impact has been assessed as neutral.

### **Race**

**Impact on public:** Neutral

**Impact on staff:** Neutral

**Rationale**

There is no identified impact based on race and therefore the impact has been assessed as neutral.

**Religion or Belief**

**Impact on public:** Neutral

**Impact on staff:** Neutral

**Rationale**

There is no identified impact based on religion or belief and therefore the impact has been assessed as neutral.

**Sex**

**Impact on public:** Neutral

**Impact on staff:** Neutral

**Rationale**

There is no identified impact based on sex and therefore the impact has been assessed as neutral.

**Sexual Orientation**

**Impact on public:** Neutral

**Impact on staff:** Neutral

**Rationale**

There is no identified impact based on sexual orientation and therefore the impact has been assessed as neutral.

**Marriage and Civil Partnerships**

**Impact on public:** Neutral

**Impact on staff:** Neutral

**Rationale**

There is no identified impact based on marriage and civil partnership and therefore the impact has been assessed as neutral.

**Poverty**

**Impact on public:** Negative Low

**Impact on staff:** Neutral

## **Rationale**

**Proposals one, two, three and five** have no identified impact based on poverty and therefore the impact has been assessed as neutral.

**Proposal four – Negative low** – The increase in contribution rate would disproportionately affect families on a lower income.

### **Mitigation actions:**

This has been considered by the Council and the contribution rate would continue to be waived for families in receipt of certain benefits. Families with exceptional circumstances would also be able to apply for a discretionary waiver or reduction in parental contributions.

## **Rurality**

**Impact on public:** Negative – Medium

**Impact on staff:** Neutral

## **Rationale**

**Proposals one, two, three and five** have no identified impact based on rurality and therefore the impact has been assessed as neutral.

**Proposal four – Negative Medium** – Families living in rural areas often face a longer journey in terms of distance and journey times to access discretionary school transport provision. Public transport may be a more restricted offer. The longer journey and restricted public transport may limit families' capacity to support their child's travel. As journeys from rural areas will tend to be longer, the cost of providing transport for children from rural areas are greater on average. Therefore the charges are grouped into four bands based on distance. Due to the longer distances, rural families will be more likely to be in a higher band with a higher charge.

**Geographical Impact:** All Hampshire

### **Additional Information:**

This EIA accompanies an Executive Lead Member for Children's Services decision report on the 19 October 2023.

This EIA principally focusses on considering the potential impact of the proposed changes on the Public rather than Staff as there are no proposed changes to staff terms and conditions. Therefore, the impact has been assessed as neutral for Staff throughout.

A further EIA will be undertaken following the public consultation.

EIA reference number: 00470

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## HAMPSHIRE COUNTY COUNCIL

### Report

<b>Decision Maker:</b>	Executive Member for Education
<b>Date:</b>	19 October 2023
<b>Title:</b>	Additional Specialist Education Provision
<b>Report From:</b>	Director for Children's Services

**Contact name:** Sara Carey, Inclusion Commissioning Manager

**Tel:** 07565205125      **Email:** Sara.carey@hants.gov.uk

#### **Purpose of this Report**

1. The purpose of this report is to seek approval to consult on the establishment of a SEND satellite provision run by Riverside Community Special School, Waterlooville on the site of Mill Hill Primary School, Waterlooville. The satellite provision will create 12 additional places for children with severe learning difficulties (SLD) from January 2024.

#### **Recommendation(s)**

2. That approval be given to consult on the establishment of a satellite provision for Riverside Community Special School utilising existing accommodation at Mill Hill Primary school from January 2024.
3. That a further report is brought back to the Executive Member for Education following the public consultation period for final approval.

#### **Executive Summary**

4. Hampshire County Council is committed to ensuring that all children can access high-quality education, as near to their family and local community as possible.
5. Leaders and practitioners are highly ambitious for children and young people with Special Educational Needs and Disability (SEND) in Hampshire to succeed (Ofsted CQC (Care Quality Commission) 2020) <https://reports.ofsted.gov.uk/provider/44/80472>
6. There is a statutory duty to provide school places for all children, including those who have SEND. We are committed to further developing successful provision to meet this demand within the SEND sector.

7. The proposed additional SEND provision outlined within this report will help manage some of the school place pressures generated by the increase in the number of Education, Health and Care Plans (EHCPs) maintained by the Local Authority.
8. As of August 2023, the number of maintained EHCPs was 15,753. By 2030-31, Hampshire expect there to be c28,000 pupils who will have an EHCP if practices continue as they currently are.
9. Demand has resulted in a corresponding pressure for places in special schools and resourced provision. The County Council is committed to further developing successful provision or creating new provision where possible to meet demand for places.
10. The lack of sufficient provision within Hampshire Schools has led to an increase in placements within the independent and non-maintained sector (INMSS). The proposals contained within this report aim to build on good quality Hampshire school provision and meet the needs of children and young people within their local area. This will reduce the Local Authority's dependence upon independent and non-maintained provision (INMSS) and will aim to keep pupils as close to their home community as possible.
11. All Local Authorities have a duty to promote sustainable and active travel to school. Hampshire is made up of diverse urban and rural communities which can cause long travel times for already vulnerable children. However, having closer local provision minimises school transport costs and travel times.

### **Contextual information**

12. Riverside Community Special School is rated by Ofsted as a Good School. Please see link to their most recent Ofsted Report:- [50227688 \(ofsted.gov.uk\)](https://www.ofsted.gov.uk/reports/50227688).
13. The school provides specialist support for 137 pupils with moderate learning difficulties (MLD), SLD and autism spectrum conditions (ASC). All pupils attending the school have an EHCP.
14. Parental demand for the school continues to be high – the Local Authority has expanded the school three times in recent years. The school continues to be subject to increasing numbers of Tribunals where it has been directed.
15. There are more Tribunals expected in the coming weeks with appeals expected if placements cannot be agreed.



16. The school has expanded in size and increased its Agreed Pupil Numbers (APN) each year to keep up with the requirements. However further short-term sustainable development on the site is not possible.
17. Net Capacity Assessments (NCAs) [NCA Programme Guide \(publishing.service.gov.uk\)](https://publishing.service.gov.uk) have been used for mainstream schools for several years. The NCA tool and methodology is used to calculate the number of children a school can accommodate, based on the size and use of the space available. Recently the DfE created an NCA tool for special schools also.
18. The NCA for Riverside Community Special School suggests that the accommodation is suitable for 121 pupils however the current APN is 137. The current number on roll is 138. The Tribunal process often continues to place additional pupils at the school even when it takes total numbers beyond the NCA and APN. This can affect safeguarding, health, and safety, staffing and the quality of education being provided at the school.
19. Mill Hill Primary School has available accommodation – this is an adjoining building, not utilised by the school and currently rented to Growing Places Ltd a third-party who use part of it for after-school and holiday provision together with a Community Pantry. The building is of a size that enables Growing Places to retain the Community Pantry and a room for the after-school club with their own access. Two classrooms and other ancillary facilities, including an external play space will then be segregated for use by Riverside School.

## Finance

20. Costs to educate within a special school are considerably less than in the independent non-maintained sector (INMSS) as the table below illustrates.

Type of provision	Average revenue cost per place (March 2023)
Community Special School	£18,079
Resourced Provision (RP)	£17,636
Independent and non-maintained special school place (INMSS)	£61,200

21. It is expected that the special school place funding will be a mix of both step 5 and step 6\*; dependent on individual needs this will be c£215K per year. Costs shown in Appendix 1 are currently being analysed and assured by finance colleagues.
22. The spaces being made available at Mill Hill Primary School require some minor works to make them appropriate for use by pupils with severe learning disabilities. A range of refurbishment works, upgraded toilet area, sensory room, safeguarding measures, and a new segregated play space area are required. Estimates for these works are in the region of £350,000

and will be funded in full from the Childrens Service Capital Programme.

### **Consultation and Equalities**

23. A four-week statutory consultation will be undertaken in October & November 2023 if this proposal to consult is agreed.
24. An equality impact assessment has been submitted and draft included in appendix 2 below.

### **Climate Change Impact Assessment**

25. No Climate Change Impact Assessment has been completed at the time of writing this paper. If the proposal is agreed, then one will be completed and it will follow.

### **Other Key Issues**

26. Riverside Community Special School is at full capacity; therefore, we are unable to safely place any other additional pupils.

### **Conclusion**

27. The proposals contained within this report aim to build on good quality Hampshire special school provision and meet the needs of children and young people within their local settings.
28. This will reduce the Local Authority's dependence upon independent and non-maintained provision (INMSS) and will aim to keep pupils as close to their home community as possible.

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	Yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	Yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	Yes
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	Yes

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

## **EQUALITIES IMPACT ASSESSMENT:**

### **1. Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic.
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it.
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

### **2. Equalities Impact Assessment:**

Please see Appendix 2 below for draft Equalities Impact Assessment supporting this proposal.

## Appendix 1

### Funding

Place Funding per pupil £10,000	£120,000.00
Step 6 (£10,252) x 6	£61,512.00
Step 5 (£5,240) x 6	£31,440.00
<b>TOTAL funding</b>	<b>£212,952.00</b>



## Equality Impact Assessment

### What is an Equality Impact Assessment (EIA) and why does the County Council do them?

The [Public Sector Equality Duty](#) (PSED) is an obligation within the [Equality Act 2010](#) ("the Act"), which asks public authorities, like Hampshire County Council, to give 'due regard' to equality considerations, in particular to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

This includes assessing the impact of policies and practices on individuals and communities with a protected characteristic, as defined in the Act and some other specific groups. The County Council uses EIAs to ensure it has paid 'due regard' to equalities considerations when there are changes to a service or policy, a new project or certain decisions.

EIA author	Position & Department	Contact
Richard Bayless	Assistant Strategic Development Officer Children's Services	<a href="mailto:richard.bayless@hants.gov.uk">richard.bayless@hants.gov.uk</a> Tel:03707 794892

Title:	Satellite Site for Riverside Community Special School at Mill Hill Primary School
Related EIAs:	None



EIA for Savings Programme:	No
Service affected	Riverside Community Special School, Scratchface Lane, Purbrook, Waterlooville and Mill Hill Primary School, Mill Road, Waterlooville.
Description of the service/policy/project/project phase	<p>Riverside Community Special School provides specialist support for 137 pupils with moderate learning difficulties (MLD), SLD and autism spectrum conditions (ASC). Parental demand for the school continues to be high and the school is seeing an increase in the number of tribunals. Accommodation at the school is suitable for 121 pupils however the current number on roll is 138. The tribunal process often places additional pupils at the school even when it takes total numbers beyond what can be suitably accommodated. This can affect safeguarding, health, and safety, staffing and quality of education at the school. Mill Hill Primary School has available accommodation in an adjoining building currently rented to a third-party who use part of it for after-school / holiday provision and a Community Pantry.</p>
New/changed service/policy/project	<p>Riverside Community Special School provides specialist support for 137 pupils with moderate learning difficulties (MLD), SLD and autism spectrum conditions (ASC). Parental demand for the school continues to be high and the school is seeing an increase in the number of tribunals. Accommodation at the school is suitable for 121 pupils however the current number on roll is 138. The tribunal process often places additional pupils at the school even when it takes total numbers beyond what can be suitably accommodated. This can affect safeguarding, health, and safety, staffing and quality of education at the school. Mill Hill Primary School has available accommodation in an adjoining building currently rented to a third-party who use part of it for after-school / holiday provision and a Community Pantry.</p>



Engagement

Consultation will be undertaken following Decision Day on 15 October 2023. This will consist a four-week statutory consultation will be undertaken if proposal to consult is agreed.

This will include engagement with key stakeholders:

Parents of children attending both Riverside Community Special School and Mill Hill Primary School, Headteachers, school staff and Governing Body of the schools, Headteachers and Chairs of Governors of neighbouring schools, Havant Councillors, Local Diocese, Local MP, HCC Elected Members, Residents of the immediate areas area of Mill Hill Primary and other relevant community stakeholders

Equalities considerations - Impact Assessment

Age

Impact on public	Positive
Impact on staff	Positive
Rationale	This provision will support primary aged pupils with special education needs to thrive in an inclusive, and specialist environment; using skills and experience of Riverside Community Special School. This will provide accommodation to meet the needs of 12 primary aged pupils with Severe Learning Difficulties (SLD). The staff of Mill Hill Primary School will also benefit from working alongside; developing their skills, knowledge and training within the area of Special Educational Needs.
Mitigation	

## Disability

Impact on public	Positive
Impact on staff	Positive
Rationale	<i>This project will provide accommodation to meet the needs of 12 primary aged pupils with severe learning difficulties (SLD) and allow more pupils to attend schools in their respective local communities and alongside their peer groups; have access to trained staff and specialist resources, in order to support their needs, and in an environment that can adapt accordingly in an inclusive setting. The internal alterations that are being made to the building will allow for two fully accessible classrooms and specialist ancillary facilities and staff areas. These spaces will be accessible to all pupils. With the building designed to be fully accessible it will improve accessibility for all including those which share disability as a protected characteristic, this includes existing and any newly recruited staff.</i>
Mitigation	

## Gender Reassignment

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

## Pregnancy and Maternity

Impact on public	Neutral
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Impact on staff      Neutral

Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

### Race

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

### Religion or Belief

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

## Sex

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

## Sexual Orientation

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

### Marriage and Civil Partnership

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

### Poverty

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

## Rurality

Impact on public	Neutral
Impact on staff	Neutral
Rationale	There will be no change in benefits to this protected characteristic group, over and above the current circumstances and over other protected characteristics groups, therefore the impact has been assessed as neutral for both staff, children and young people.
Mitigation	

## Geographical Impact: Havant

### Equality Statement

#### Additional information:

Hampshire County Council has a statutory duty to provide school places for all children including those who have special educational needs and/or a disability. The County Council is committed to further developing successful provision to meet this demand within the Special Education Needs and Disability (SEND) sector within the County of Hampshire to reduce using the more expensive private and independent school sector. This is part of an ongoing drive to seek opportunities in Hampshire Schools to expand, develop or re-designate themselves, or increase their pupil numbers, in order to meet the increasing need for SEN places.

#### Overview Statement:

Assessment to show that due regard has been given and that there is no requirement for a full EIA:

EIA reference number: 480

Date of production of EIA for publication: 5 October 2023

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member for Education
<b>Date:</b>	19 October 2023
<b>Title:</b>	School Term and Holiday Dates for 2025-26, 2026-27 and 2027-28 Academic Years
<b>Report From:</b>	Director of Children's Services

**Contact name:** Nick Sadler, Head of Admissions

**Tel:** 0370 779 5375

**Email:** Nicholas.sadler@hants.gov.uk

### Purpose of this Report

1. The purpose of this report is to inform the Executive Member for Education on the need to decide the pattern of school term and holiday dates for the school years 2025/26, 2026/27 and 2027/28, to note some changes to this process adopted by the County Council and to note the outcomes of the consultation process that has been followed.

### Recommendation

2. It is recommended that the Executive Member for Education:
3. Approves the school term and holiday dates that have been consulted upon with all schools and considered by the County Council's Schools Union Group, for the school year 2025/26, as set out in appendix 2 of the report, with an adjustment to the start date of the autumn term from 1 September 2025 to 3 September 2025 and an adjustment to the end date of the autumn term from 17 December 2025 to 19 December 2025.
4. Approves the school term and holiday dates that have been consulted upon with all schools and considered by the County Council's Schools Union Group, for the school years 2026/27 and 2027/28 as set out in appendix 2 of the report.

### Executive Summary

5. This report seeks to inform the Executive Member for Education on the need to decide the pattern of school term and holiday dates for the school years 2025/26, 2026/27 and 2027/28, and recommends the term and holiday dates that have been subject to a consultation process with Hampshire schools.

## Contextual information

6. It is the responsibility of a local authority to schedule a school year which provides the statutory 190 pupil days (380 sessions) and 195 teacher days in voluntary controlled and community schools. The structure for delivering this entitlement has been the subject of national and local debate for many years. The Local Government Association (LGA) National Standing Committee on the School Year has, in the past, been active in seeking to establish a National School Year but this process has now ended.
7. In previous years, Hampshire has determined the school year 18 months before the start of each school year, with the 2024/25 school year determined in February 2023 by the Executive Member, following consultation with Hampshire schools and staff and engagement with the Conditions of Service Working Party (CoSWoP).
8. A new approach has been adopted by the County Council to determine the school year, to support longer term planning for schools, senior leaders and staff, as well as for parents and the Local Authority which entails determining several school years in advance. It also includes engaging and seeking views and comments from the Schools Union Group as this is considered more representative of the entire schools' workforce.
9. The effect of these changes is that:
10. three school years have been proposed, 2025/26, 2026/27 and 2027/28 for the Executive Member decision day on 19 October 2023.
11. In autumn 2024, the school year 2028/29 will be consulted on and brought to the Executive Member Decision Day for determination. This will continue annually, when the school year approximately four years away will be determined to support long term planning in the Hampshire school system.
12. Legal advice has been sought and considered before the County Council adopted this new approach. The approach is consistent with several other Local Authorities in England.
13. The Joint Council for Qualifications have confirmed that GCSE and A-level examinations are not scheduled during the week of the late Spring Bank Holiday in May. Therefore, examinations would not be scheduled on the Tuesday, Wednesday, Thursday or Friday of that week.
14. The proposals for 2025/26, 2026/27 and 2027/28 are attached to this document as appendix 2. The proposed school years try to take account of balanced half terms for holiday periods where possible, including trying to ensure two full weeks for both the Christmas and Easter holidays, including three weekends across both. The other dates for holidays fit a sensible pattern based on the positioning of the Easter weekend and the bank holidays



in May.

## **Finance**

15. There are no financial implications.

## **Performance**

16. The determination of dates several years in advance, supports longer term planning for schools, senior leaders, and staff, as well as the County Council.
17. The early determination of dates enables families to plan holidays and arrange childcare so that school attendance need not be compromised. Children benefit from good attendance in school; it supports educational achievement and lays the foundation for a positive contribution to society and economic well-being. Properly structured periods of learning and rest help children to remain healthy, enjoy their school time and achieve more.

## **Consultation and Equalities**

18. The Schools Union Group were invited to comment on the proposed pattern of dates at their meeting on Tuesday 19 September 2023. The group discussed the impact of the changing Easter date on the length of some terms, how going from an early Easter Sunday (as in March 2027) to a late Easter Sunday (as in April 2028), made the intervening year more demanding for staff and with reference to March 2027 asked if any work had been done to understand the impact on attendance of finishing on Maundy Thursday. The group however accepted these factors were largely outside of the County Council's control due to the changing Easter date. There was some general discussion about how length of term can affect exam preparation, but the group were supportive of the move to determining the school year several years in advance to support long term planning, and that in each year there were three weekends during the Christmas holidays, and two full weeks to give staff a good break after a long autumn term.
19. Schools were invited to comment on the proposed pattern of dates via a Schools' Communication dated 4 September 2023, comments being required by 29 September 2023. The full comments from three schools are provided in Appendix 1 and are summarised below:
20. One school suggested it would be better to finish the autumn term on 19 December 2025, and then to finish the academic year on Monday 20 July 2026, which would reduce the length of the summer term and reduce exhaustion. Another school commented on the early start to the academic year on each of the proposed years and raised the impact of partial weeks on attendance. A further school commented on the start date of the autumn term in September 2025 creating a very long first half term. It was suggested that the term could start two days later on 3 September 2025 and then conclude

two days later on 19 December 2025.

21. Regarding the first response, the impact of a long academic year in the summer was acknowledged, and it was agreed that most schools would use a standalone Monday before the summer holidays as an inset day. However, there was concern about increasing what was already a very long autumn term, alongside worries about attendance should a school choose not to have an inset day on the Monday before the summer holidays.
22. Regarding the second response, it was acknowledged that each proposed calendar started on September 1, but no summer holidays were shorter in length than 5 weeks and 3 days, and there was potential that by starting the autumn term later, the summer term would finish very late in July. It was noted that partial weeks are inevitable during the school year due to bank holidays, and the requirement to have 195 school days.
23. Regarding the third response, the autumn term is the longest term each year and it was acknowledged that eight weeks is a long half term to start. This adjusted proposal would lead to a summer holiday in 2025 of six weeks in length, and a late finish before the Christmas holidays, but the merit in the proposal was acknowledged. The school also commented on the short spring 2 term in 2027 being only four weeks and four days long, and the impact this had on GCSE preparation, but agreed that this was due to Easter being so early in 2027.
24. Therefore, all comments were considered, and it was proposed that the school year calendar be adjusted for the 2025/26 academic year from that proposed in the consultation. The effect of this would be that the autumn term starts later on Wednesday 3 September 2025 and concludes later on Friday 19 December 2025, which would reduce the first half of the autumn term and provide a better balance for staff and pupils during that term. The two schools who responded with differing views were contacted for their view on this adjustment and they agreed that this provided a better balance for staff and pupils in the 2025 autumn term. The other proposed term dates issued as part of the consultation have not been adjusted as it was considered that they continued to provide the best balance overall.

### **Climate Change Impact Assessment**

25. The decision for this report is to confirm the calendar that will apply to the School Years 2025/26, 2026/27 and 2027/28. It applies the usual restrictions of 195 days for teacher attendance and 190 days of pupil attendance (380 sessions in the school year). The carbon mitigation tool and/or climate change adaptation tool was not applicable because the decision to be made is strategic/administrative in nature.

## **Conclusions**

26. The proposed patterns, in Appendix 2, with the amendment to the 2025/26 calendar, as outlined in section 15, are recommended to the Executive Member for Education as accepted by the schools and best meeting the requirements that are applied to designing the school year for 2025/26, 2026/27 and 2027/28.

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	Yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	Yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	Yes
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	Yes

<b>Direct links to specific legislation or Government Directives</b>	
<u>Title</u>	
<a href="#">Working Together to Improve School Attendance Guidance</a> The Education Act 2002 - section 32 The Education Act 1996 – section 551(1) The Education (School Day and School Year) (England) Regulations 1999	

<b>Section 100 D - Local Government Act 1972 - background documents</b>	
<p><b>The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)</b></p>	
<u>Document</u>	<u>Location</u>
None	

## **EQUALITIES IMPACT ASSESSMENT:**

### **1. Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

### **2. Equalities Impact Assessment:**

The school year will apply to all voluntary controlled and community schools. It will form the basis for the school year in Hampshire academies, foundation, and voluntary aided schools (which are able to set their own school year). It is also utilised by sixth form providers. The setting of the school year has a neutral impact for all the protected characteristic groups and other policy consideration groups.

## **Appendix 1:**

### **Consultation Comments:**

#### **School 1**

“Regarding the 25/26, 26/27 and 27/28 school holiday proposals, please find the following comments.

2025/2026 - Would it not make more sense to work the 18<sup>th</sup> and 19<sup>th</sup> December 2025 week to make that a full 7 week half term, and then put those holiday dates back to 21<sup>st</sup> and 22<sup>nd</sup> July 2026? (We understand that this would then leave Monday 20<sup>th</sup> July 2026 as a working day and schools would then most likely use that as an INSET day. This would keep the Sum 2 half term to 7 weeks. We have had several comments from parents / carers in our feedback that the children have had enough and are exhausted by then. If the 20<sup>th</sup> to 22<sup>nd</sup> July are kept as school days, I can see that parents and carers will just take their families away for those days and not be fined as they aren't 10 sessions.

Thank you in advance of considering our feedback.”

#### **School 2**

“As a school we would like to share our views on the next three years calendar.

For the past few years and for the next two, the County Council's insistence on starting the school year ever earlier in September is resulting in disjointed weeks of holiday for school staff. Some weeks leaving only four weeks of holiday together. This would be resolved if an adjustment to previous date patterns was made. This would be easily conducted in the first year with the removal of the longer Christmas break.

The current pattern over the past few years, and in these plans, leaves partial weeks where parents/cares are more likely to remove children from school to save funds when travelling. Similarly the same situation was forced upon us this year, with school's being forced to use a day as an INSET to prevent these absence types.”

#### **School 3**

“Here is some feedback concerning School terms which are planned;

##### **2025-2026**

First half term is 8 weeks. This is very long. Suggestion – Start on 3<sup>rd</sup> Sept and work to Dec 19<sup>th</sup> inc. This will give better balance on half terms and still have a two-week Christmas holiday.

##### **2026-2027**

Spring 2 term is only 4.5 weeks which puts much pressure on GCSE preparation and coursework subjects. I appreciate that it is due to Easter dates being so early but this does have an impact operationally.

Thank you for the opportunity to consult on this.”

**Appendix 2: The proposal for 2025/26**

SEPTEMBER 2025							OCTOBER 2025							NOVEMBER 2025						
M	1*	8	15	22	29		M		6	13	20	27		M		3*	10	17	24	
T	2	9	16	23	30		T		7	14	21	28		T		4	11	18	25	
W	3	10	17	24			W	1	8	15	22	29		W		5	12	19	26	
T	4	11	18	25			T	2	9	16	23	30		T		6	13	20	27	
F	5	12	19	26			F	3	10	17	24#	31		F		7	14	21	28	
S	6	13	20	27			S	4	11	18	25			S	1	8	15	22	29	
S	7	14	21	28			S	5	12	19	26			S	2	9	16	23	30	
DECEMBER 2025							JANUARY 2026							FEBRUARY 2026						
M	1	8	15	22	29		M		5*	12	19	26		M		2	9	16	23*	
T	2	9	16	23	30		T		6	13	20	27		T		3	10	17	24	
W	3	10	17#	24	31		W		7	14	21	28		W		4	11	18	25	
T	4	11	18	25			T	1	8	15	22	29		T		5	12	19	26	
F	5	12	19	26			F	2	9	16	23	30		F		6	13#	20	27	
S	6	13	20	27			S	3	10	17	24	31		S		7	14	21	28	
S	7	14	21	28			S	4	11	18	25			S	1	8	15	22		
MARCH 2026							APRIL 2026							MAY 2026						
M		2	9	16	23	30	M		6	13*	20	27		M			4	11	18	25
T		3	10	17	24	31	T		7	14	21	28		T			5	12	19	26
W		4	11	18	25		W	1	8	15	22	29		W			6	13	20	27
T		5	12	19	26		T	2	9	16	23	30		T			7	14	21	28
F		6	13	20	27#		F	3	10	17	24			F		1	8	15	22#	29
S		7	14	21	28		S	4	11	18	25			S		2	9	16	23	30
S	1	8	15	22	29		S	5	12	19	26			S		3	10	17	24	31
JUNE 2026							JULY 2026							AUGUST 2026						
M	1*	8	15	22	29		M		6	13	20	27		M		3	10	17	24	31
T	2	9	16	23	30		T		7	14	21	28		T		4	11	18	25	
W	3	10	17	24			W	1	8	15	22#	29		W		5	12	19	26	
T	4	11	18	25			T	2	9	16	23	30		T		6	13	20	27	
F	5	12	19	26			F	3	10	17	24	31		F		7	14	21	28	
S	6	13	20	27			S	4	11	18	25			S	1	8	15	22	29	
S	7	14	21	28			S	5	12	19	26			S	2	9	16	23	30	

**Bank and Public Holidays 2025/2026**

Christmas Day	25 December 2025	Easter Monday	6 April 2026
Boxing Day	26 December 2025	May Day Holiday	4 May 2026
New Year's Day Holiday	1 January 2026	Spring Bank Holiday	25 May 2026
Good Friday	3 April 2026	Summer Bank Holiday	31 August 2026

\* First day after break



School Holidays



Bank Holidays and National Holidays

# Last day before break

**Autumn Term 2025** starts on Monday 1 September 2025 and ends on Wednesday 17 December 2025 (Half term from Monday 27 October to Friday 31 October 2025)

**Spring Term 2026** starts on Monday 5 January 2026 and ends on Friday 27 March 2026 (Half term from Monday 16 February to Friday 20 February 2026)

**Summer Term 2026** starts on Monday 13 April 2026 and ends on Wednesday 22 July 2026 (Half term from Monday 25 May to Friday 29 May 2026)

Term	Start date	End Date
Autumn 2025	1 September 2025	17 December 2025
	Half term 27 October- 31 October 2025	
Spring 2026	5 January 2026	27 March 2026
	Half term 16 February - 20 February 2026	
Summer 2026	13 April 2026	22 July 2026
	Half term 25 May – 29 May 2026	



**The proposal for 2026/27**

SEPTEMBER 2026						OCTOBER 2026						NOVEMBER 2026						
M		7	14	21	28	M		5	12	19	26	M		2*	9	16	23	30
T	1*	8	15	22	29	T		6	13	20	27	T		3	10	17	24	
W	2	9	16	23	30	W		7	14	21	28	W		4	11	18	25	
T	3	10	17	24		T	1	8	15	22	29	T		5	12	19	26	
F	4	11	18	25		F	2	9	16	23#	30	F		6	13	20	27	
S	5	12	19	26		S	3	10	17	24	31	S		7	14	21	28	
S	6	13	20	27		S	4	11	18	25		S	1	8	15	22	29	
DECEMBER 2026						JANUARY 2027						FEBRUARY 2027						
M		7	14	21	28	M		4*	11	18	25	M		1	8	15	22*	
T	1	8	15	22	29	T		5	12	19	26	T		2	9	16	23	
W	2	9	16	23	30	W		6	13	20	27	W		3	10	17	24	
T	3	10	17	24	31	T		7	14	21	28	T		4	11	18	25	
F	4	11	18#	25		F	1	8	15	22	29	F		5	12#	19	26	
S	5	12	19	26		S	2	9	16	23	30	S		6	13	20	27	
S	6	13	20	27		S	3	10	17	24	31	S		7	14	21	28	
MARCH 2027						APRIL 2027						MAY 2027						
M	1	8	15	22	29	M		5	12*	19	26	M		3	10	17	24	31
T	2	9	16	23	30	T		6	13	20	27	T		4	11	18	25	
W	3	10	17	24	31	W		7	14	21	28	W		5	12	19	26	
T	4	11	18	25#		T	1	8	15	22	29	T		6	13	20	27	
F	5	12	19	26		F	2	9	16	23	30	F		7	14	21	28#	
S	6	13	20	27		S	3	10	17	24		S	1	8	15	22	29	
S	7	14	21	28		S	4	11	18	25		S	2	9	16	23	30	
JUNE 2027						JULY 2027						AUGUST 2027						
M		7*	14	21	28	M		5	12	19	26	M		2	9	16	23	30
T	1	8	15	22	29	T		6	13	20	27	T		3	10	17	24	31
W	2	9	16	23	30	W		7	14	21#	28	W		4	11	18	25	
T	3	10	17	24		T	1	8	15	22	29	T		5	12	19	26	
F	4	11	18	25		F	2	9	16	23	30	F		6	13	20	27	
S	5	12	19	26		S	3	10	17	24	31	S		7	14	21	28	
S	6	13	20	27		S	4	11	18	25		S	1	8	15	22	29	

**Bank and Public Holidays 2026/2027**

Christmas Day	25 December 2026	Easter Monday	29 March 2027
Boxing Day	26 December 2026	May Day Holiday	3 May 2027
New Year's Day Holiday	1 January 2027	Spring Bank Holiday	31 May 2027
Good Friday	26 March 2027	Summer Bank Holiday	30 August 2027

\* First day after break



School Holidays



Bank Holidays and National Holidays

# Last day before break

**Autumn Term 2026** starts on Tuesday 1 September 2026 and ends on Friday 18 December 2026 (Half term from Monday 26 October to Friday 30 October 2026)

**Spring Term 2027** starts on Monday 4 January 2027 and ends on Thursday 25 March 2027 (Half term from Monday 15 February to Friday 19 February 2027)

**Summer Term 2027** starts on Monday 12 April 2027 and ends on Wednesday 21 July 2027 (Half term from Monday 31 May to Friday 4 June 2027)

Term	Start date	End Date
Autumn 2026	1 September 2026	18 December 2026
	Half term 26 October- 30 October 2026	
Spring 2027	4 January 2027	25 March 2027
	Half term 15 February - 19 February 2027	
Summer 2027	12 April 2027	21 July 2027
	Half term 31 May – 4 June 2027	

**The proposal for 2027/28**

SEPTEMBER 2027						OCTOBER 2027						NOVEMBER 2027							
M		6	13	20	27	M		4	11	18	25	M		1*	8	15	22	29	
T		7	14	21	28	T		5	12	19	26	T		2	9	16	23	30	
W	1*	8	15	22	29	W		6	13	20	27	W		3	10	17	24		
T	2	9	16	23	30	T		7	14	21	28	T		4	11	18	25		
F	3	10	17	24		F	1	8	15	22#	29	F		5	12	19	26		
S	4	11	18	25		S	2	9	16	23	30	S		6	13	20	27		
S	5	12	19	26		S	3	10	17	24	31	S		7	14	21	28		
DECEMBER 2027						JANUARY 2028						FEBRUARY 2028							
M		6	13	20	27	M		3	10	17	24	31	M			7	14	21*	28
T		7	14	21	28	T		4*	11	18	25		T		1	8	15	22	29
W	1	8	15	22	29	W		5	12	19	26		W		2	9	16	23	
T	2	9	16	23	30	T		6	13	20	27		T		3	10	17	24	
F	3	10	17#	24	31	F		7	14	21	28		F		4	11#	18	25	
S	4	11	18	25		S	1	8	15	22	29		S		5	12	19	26	
S	5	12	19	26		S	2	9	16	23	30		S		6	13	20	27	
MARCH 2028						APRIL 2028						MAY 2028							
M		6	13	20	27	M		3	10	17	24		M		1	8	15	22	29
T		7	14	21	28	T		4	11	18*	25		T		2	9	16	23	30
W	1	8	15	22	29	W		5	12	19	26		W		3	10	17	24	31
T	2	9	16	23	30	T		6	13	20	27		T		4	11	18	25	
F	3	10	17	24	31#	F		7	14	21	28		F		5	12	19	26#	
S	4	11	18	25		S	1	8	15	22	29		S		6	13	20	27	
S	5	12	19	26		S	2	9	16	23	30		S		7	14	21	28	
JUNE 2028						JULY 2028						AUGUST 2028							
M		5*	12	19	26	M		3	10	17	24	31	M			7	14	21	28
T		6	13	20	27	T		4	11	18	25		T		1	8	15	22	29
W		7	14	21	28	W		5	12	19	26		W		2	9	16	23	30
T	1	8	15	22	29	T		6	13	20	27		T		3	10	17	24	31
F	2	9	16	23	30	F		7	14	21#	28		F		4	11	18	25	
S	3	10	17	24		S	1	8	15	22	29		S		5	12	19	26	
S	4	11	18	25		S	2	9	16	23	30		S		6	13	20	27	

**Bank and Public Holidays 2027/2028**

Christmas Day	25 December 2027	Easter Monday	17 April 2028
Boxing Day	26 December 2027	May Day Holiday	1 May 2028
New Year's Day Holiday	3 January 2028	Spring Bank Holiday	29 May 2028
Good Friday	14 April 2028	Summer Bank Holiday	28 August 2028

\* First day after break



School Holidays



Bank Holidays and National Holidays

# Last day before break

**Autumn Term 2027** starts on Wednesday 1 September 2027 and ends on Friday 17 December 2027

(Half term from Monday 25 October to Friday 29 October 2027)

**Spring Term 2028** starts on Tuesday 4 January 2028 and ends on Friday 31 March 2028

(Half term from Monday 14 February to Friday 18 February 2028)

**Summer Term 2028** starts on Tuesday 18 April 2028 and ends on Friday 21 July 2028

(Half term from Monday 29 May to Friday 2 June 2028)

Term	Start date	End Date
Autumn 2027	1 September 2027	17 December 2027
	Half term 25 October- 29 October 2027	
Spring 2028	4 January 2028	31 March 2028
	Half term 14 February - 18 February 2028	
Summer 2028	18 April 2028	21 July 2028
	Half term 29 May – 2 June 2028	

**The adjusted proposal for 2025/26 following consultation with schools and unions**

SEPTEMBER 2025							OCTOBER 2025							NOVEMBER 2025						
M	1	8	15	22	29		M		6	13	20	27		M		3*	10	17	24	
T	2	9	16	23	30		T		7	14	21	28		T		4	11	18	25	
W	3*	10	17	24			W	1	8	15	22	29		W		5	12	19	26	
T	4	11	18	25			T	2	9	16	23	30		T		6	13	20	27	
F	5	12	19	26			F	3	10	17	24 #	31		F		7	14	21	28	
S	6	13	20	27			S	4	11	18	25			S	1	8	15	22	29	
S	7	14	21	28			S	5	12	19	26			S	2	9	16	23	30	
DECEMBER 2025							JANUARY 2026							FEBRUARY 2026						
M	1	8	15	22	29		M		5*	12	19	26		M		2	9	16	23*	
T	2	9	16	23	30		T		6	13	20	27		T		3	10	17	24	
W	3	10	17	24	31		W		7	14	21	28		W		4	11	18	25	
T	4	11	18	25			T	1	8	15	22	29		T		5	12	19	26	
F	5	12	19 #	26			F	2	9	16	23	30		F		6	13#	20	27	
S	6	13	20	27			S	3	10	17	24	31		S		7	14	21	28	
S	7	14	21	28			S	4	11	18	25			S	1	8	15	22		
MARCH 2026							APRIL 2026							MAY 2026						
M		2	9	16	23	30	M		6	13*	20	27		M			4	11	18	25
T		3	10	17	24	31	T		7	14	21	28		T			5	12	19	26
W		4	11	18	25		W	1	8	15	22	29		W			6	13	20	27
T		5	12	19	26		T	2	9	16	23	30		T			7	14	21	28
F		6	13	20	27 #		F	3	10	17	24			F		1	8	15	22#	29
S		7	14	21	28		S	4	11	18	25			S		2	9	16	23	30
S	1	8	15	22	29		S	5	12	19	26			S		3	10	17	24	31
JUNE 2026							JULY 2026							AUGUST 2026						
M	1*	8	15	22	29		M		6	13	20	27		M		3	10	17	24	31
T	2	9	16	23	30		T		7	14	21	28		T		4	11	18	25	
W	3	10	17	24			W	1	8	15	22 #	29		W		5	12	19	26	
T	4	11	18	25			T	2	9	16	23	30		T		6	13	20	27	
F	5	12	19	26			F	3	10	17	24	31		F		7	14	21	28	
S	6	13	20	27			S	4	11	18	25			S	1	8	15	22	29	
S	7	14	21	28			S	5	12	19	26			S	2	9	16	23	30	

**Bank and Public Holidays 2025/2026**

Christmas Day	25 December 2025	Easter Monday	6 April 2026
Boxing Day	26 December 2025	May Day Holiday	4 May 2026
New Year's Day Holiday	1 January 2026	Spring Bank Holiday	25 May 2026
Good Friday	3 April 2026	Summer Bank Holiday	31 August 2026

\* First day after break



School Holidays



Bank Holidays and National Holidays

# Last day before break

**Autumn Term 2025** starts on Wednesday 3 September 2025 and ends on Friday 19 December 2025 (Half term from Monday 27 October to Friday 31 October 2025)

**Spring Term 2026** starts on Monday 5 January 2026 and ends on Friday 27 March 2026 (Half term from Monday 16 February to Friday 20 February 2026)

**Summer Term 2026** starts on Monday 13 April 2026 and ends on Wednesday 22 July 2026 (Half term from Monday 25 May to Friday 29 May 2026)

Term	Start date	End Date
Autumn 2025	3 September 2025	19 December 2025
	Half term 27 October- 31 October 2025	
Spring 2026	5 January 2026	27 March 2026
	Half term 16 February - 20 February 2026	
Summer 2026	13 April 2026	22 July 2026
	Half term 25 May – 29 May 2026	