

Transport Toolkit:

Campaign against cuts affecting your local Catholic school



Welcome

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

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



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

Good luck with your campaign!

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

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

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

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

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

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



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

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

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

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

In some parts of the country local authorities have removed subsidies for transport routes to schools with a religious character, whilst retaining them for other schools. For example, in Leicestershire, one local authority has cut the bus route to the local Catholic school, yet other school bus routes have been retained. Dioceses are investigating whether this is a form of religious discrimination, since it appears to disproportionately affect the parents of children at the Catholic school.

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

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

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

In 2007¹ the Department for Education and Skills made it clear that it encouraged local authorities to continue to subsidise transport to schools with a religious character:

“Whilst under the European Convention on Human Rights (ECHR), parents do not enjoy any right to have their children educated at a faith or a secular school, or to have transport arrangements made by their local authority to and from any such school, the Secretary of State hopes that local authorities will continue to think it right not to disturb well established arrangements, some of which have been associated with local agreements or understandings about the siting of such schools.”²



The Guidance goes on to say:

“The Secretary of State continues to attach great importance to the opportunity that many parents have to chose a school or college in accordance with their religious or philosophical beliefs and believes that, wherever possible, Local Authorities should ensure that transport arrangements support the religious or philosophical preference parents express.”

The Government made additional funding available to local authorities this year, which some local authorities have used to enable them to continue to subsidise home to school transport.

¹This remains the current guidance from the DfE.

² *Home to School Travel and Transport Guidance* (DfES, May 2007 <https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFES-00373-2007>).

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

The local authority has a duty to provide transport to eligible children³ no matter which school they attend, so some children at schools with a religious character remain entitled to transport subsidies, notwithstanding any removal of discretionary subsidies. Individualised transport provision is normally more costly than school-wide provision. CESEW has heard of examples of local authorities transporting children with SEN statements by taxi very short distances to and from school, at considerable cost to the local authority. Such an approach makes inefficient use of public money. It



is suggested that the information about cost saving, bearing in mind the authority's continued transport responsibilities, should be thoroughly interrogated.

³ Eligible pupils means those pupils:

- who live beyond statutory walking distance;
- with mobility problems/special needs and who cannot therefore be expected to walk;
- who cannot be expected to walk because of the nature of their route to school;
- from low income families in certain circumstances (defined as families whose children are entitled to free school meals or who are in receipt of their maximum level of Working Tax Credit).

A guide to the law for school governors: Home-to-school transport (DfE, 20 July 2011 <http://www.education.gov.uk/schools/leadership/governance/guidetothelaw/b0065507/gttl/health-safety-welfare/travel/home-to-school-transport>).

Some background legal information

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

Section 7 of the Education Act 1996 provides that:

“The parent of every child of compulsory school age will cause him to receive efficient full-time education suitable -

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

Under section 444 of the Education Act 1996 a parent commits an offence if his child, being of compulsory school age and registered at a school, fails to attend regularly at that school. A parent has a defence to a charge under section 444 if it can be shown that:

- The qualifying school at which the child is a registered pupil is not within “statutory walking distance”;
- No suitable arrangements have been made by the local authority for boarding accommodation at or near to the school;
- No suitable arrangements have been made by the local authority for enabling a child to become a registered pupil at a qualifying school nearer to his/her home; and
- The local authority has a duty to make travel arrangements in relation to an eligible child and has failed to discharge that duty.



“Statutory walking distance” is two miles for children under eight and three miles for children aged eight and over.

Section 9 of the Education Act 1996 provides that:

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

Assistance with travel costs to denominational schools was enshrined within the 1944 Education Act

Section 508B and 508C of the Education Act 1996 (inserted by the Education and Inspections Act 2006) place a duty on local authorities to ensure suitable travel arrangements are made to facilitate a child’s attendance at school.

Section 508B places a duty on local authorities to make home to school transport arrangements in relation to “eligible children” which are defined in Schedule 35B (also inserted by the Education and Inspections Act 2006).

Section 508C places a duty on local authorities to make home to school transport arrangements in relation to other children i.e. those who are not “eligible”.



Section 509AD places a duty on local authorities in fulfilling their duties and exercising their powers relating to travel, to have regard to, amongst other things, any wish

of a parent for their child to be provided with education or training at a particular school or institution on grounds of the parent's religion or belief.

Put simply local authorities are under a duty to ensure suitable travel arrangements for

“eligible children” which include those who live beyond statutory walking distance, have mobility problems/special needs and who cannot therefore be expected to walk, who cannot be expected to walk because of the nature of their



route to school, are from low income families in certain circumstances (families whose children are entitled to free school meals or who are in receipt of their maximum level of working tax credit).

The Education and Inspections Act 2006 improved and extended the offer of free school transport first set out in the 1944 Education Act, containing a duty on local authorities to provide free transport for some of the most disadvantaged pupils to attend a secondary school selected on the grounds of religion or belief where that school is more than 2 and less than 15 miles from their home and there is no nearer suitable school. This extended provision was over and above the existing arrangements whereby local authorities had discretion to provide free home to school transport to denominational schools for pupils 5-16 attending the nearest suitable school beyond walking distance from their home.

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

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

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

2. Write to your local councillors.

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

3. Write to your local MP.

The decision regarding transport subsidies lies with your local authority, not Parliament or the Department for Education. However, your local MP may be prepared to lend his or her support to your campaign and might be prepared to raise your concerns in Parliament if you build a good working relationship with him or her. Our guide to contacting your local MP on page 12 will help you to get in touch with him or her.

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

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

5. Start organising your media campaign.

Our step-by-step guide on page 13 will help you with this.

6. Appeal to your local authority.

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

7. Raise your concerns with the Local Government Ombudsman.

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

8. Consider pursuing a claim for judicial review.

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

How do I get in touch with my MP?

The Parliament website has a 'Find your MP' section where you can enter your postcode and it will tell you who your local MP is and how to contact them. You can access this via <http://findyourmp.parliament.uk/>

You can write to your MP via the constituency office or contact him/her at the House of Commons:

House of Commons
London
SW1A 0AA

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



Gaining media coverage

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

1. Think about how to gain maximum publicity.

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

2. Write a press release.

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

3. Don't forget to send a photo.

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

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

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

5. Make use of websites and social media.

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

Writing a press release

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

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

PRESS RELEASE TEMPLATE

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

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

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

ENDS

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

The attached photograph shows [insert description].

Notes to editors

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

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

[Add details of your own website here]

Get in touch:

Email: general@cesew.org.uk

Telephone: 020 7901 1900

Website: www.cesew.org.uk

Twitter: @CESEWupdates