

Schools (Consultation) (Scotland) Act 2010

Report by Education Scotland addressing educational aspects of the proposal by Falkirk Council to make changes to free transport entitlement for Falkirk schools.

April 2023

1. Introduction

1.1 This report from Education Scotland has been prepared by His Majesty's Inspectors of Education (HM Inspectors) in accordance with the terms of the [Schools \(Consultation\) \(Scotland\) Act 2010](#) ("the 2010 Act"). The purpose of the report is to provide an independent and impartial consideration of Falkirk Council's proposal to change the distance criteria for home to school transport. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children and young people of the schools; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people in the council area;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.3 In preparing this report, HM Inspectors undertook the following activities:

- attendance at four public meetings held on 7 February, 16 February, 21 February and 7 March 2023 in connection with the council's proposals;
- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others;
- consideration of further information on all schools affected;
- visits to the sites of St Mungo's High School (HS), Graeme HS, Braes HS, Denny HS, St Francis Xavier's Primary School (PS), St Bernadette's PS, St Andrew's PS, Westquarter PS and St Margaret's PS, including discussion with relevant consultees; and
- discussion with relevant consultees, including the Archdiocese of St Andrews and Edinburgh.

2. Consultation process

2.1 Falkirk Council undertook the consultation on its proposal(s) with reference to the [Schools \(Consultation\) \(Scotland\) Act 2010](#).

2.2 The council undertook the consultation between 1 February 2023 to 17 March 2023. The council published the proposal paper, which included a definition of a safe walking route to school on their website. Paper and electronic copies of the proposal paper were provided for a wide range of stakeholders such as Parent Councils, parents, staff from affected schools and the

Roman Catholic church. An online survey was put in place for stakeholders to provide their views on the proposal. Written responses were also accepted by letter or email. Falkirk Council held four public meetings at Grangemouth HS, St Mungo's Roman Catholic HS, Braes HS and Denny HS. A total of 168 people attended across all the meetings.

2.3 1,681 stakeholders completed the online survey. A majority of stakeholders who completed the survey would be directly affected by the proposal. Almost all respondents are not in favour of the proposal. This includes responses from stakeholders who indicated that they were Roman Catholic. Approximately 10% identified themselves as a pupil and of these most are not in favour of the proposal, a few are in favour, and a few had no opinion. A few responses were received from education staff in the authority and the majority were not in favour.

2.4 Overall, almost all stakeholders who engaged in the consultation process are opposed to the proposal. Their concerns include the high cost of public transport and lack of, or condition of, proposed safe walking routes to school. Stakeholders are worried about the potential environmental impact from any increase in parents transporting their child to and from school. Almost all stakeholders who choose a Roman Catholic education believe the proposal has the potential to negatively impact more children of Roman Catholic Faith. A few stakeholders shared concerns that attainment may be adversely affected due to a potential decrease in school attendance and increased distances for children to travel. Stakeholders are also concerned that if agreed, the proposal may disproportionately impact negatively on the most disadvantaged families during the cost-of-living crisis.

3. Educational aspects of proposal

3.1 The council notes the current financial pressures faced by local authorities, including Falkirk Council. The council sets out proposed changes to their existing transport policy from August 2023 so that free home to school transport is provided for:

- primary pupils who live more than two miles from school by the nearest available safe walking route; and
- secondary pupils who live more than three miles from school by the nearest available safe walking route.

If the proposal is accepted, the council will still meet the expectation outlined in Scottish Government's School Transport Guidance 2021. The council asserts that if they do not proceed with this proposal, it would have an adverse impact on the level of resources that can be allocated to their schools due to financial pressures. The council may wish to provide further information to stakeholders on the impact of not proceeding with the proposal in their final report.

3.2 The council's proposal sets out a number of educational benefits for those affected. These include increased participation in active travel, improved physical activity, mental health and mental alertness and readiness to learn with an increase in concentration levels. They state that encouraging more active travel to school can also reduce traffic around schools, increase pupil safety and reduce carbon emissions associated with road traffic. A few parents, staff, children and young people agree that there are potential benefits to health and physical activity by walking to and from school. HM Inspectors also recognise the potential benefits from active travel to school. However, HM Inspectors consider that it may be challenging for all the educational benefits set out in this proposal to be achieved. HM Inspectors recommend that the council provides clearer evidence to support the proposal before the council makes its final decision.

3.3 If the proposal moves forward, the council estimates that around 40% of pupils (1,174) currently receiving free school transport would lose access to this. The number of school bus services would be reduced to accommodate children and young people that would continue to be entitled to transport. School transport would no longer be available to an increased number of pupils who travel on a fare paying basis. As a result, almost all stakeholders who met with HM Inspectors highlighted that the proposed changes would affect more children and young people than the numbers set out in the proposal. The majority are concerned about access to school transport given there may be reduced capacity in the future. HM Inspectors agree that this is a concern. A few stakeholders indicated that they are willing to work with the council to explore alternative solutions that they suggest may be more inclusive for children and families.

3.4 Almost all stakeholders that met with HM Inspectors stated that whilst young people may have access to transport through the Young Scot Under 22 travel scheme, this did not resolve the potential transport issue entirely. They noted that current public transport and timetables do not align with the school day and are concerned about affordability, reliability and frequency. Almost all are concerned that the transport infrastructure in Falkirk may not have the capacity to meet an increase in demand for travel to and from schools. A few stakeholders also suggested that should the proposal go ahead, a phased implementation approach would be beneficial. Almost all stakeholders disagree that the proposal will bring about environmental benefits. They highlight the potential increase in the number of cars being used to transport children and young people to and from school in areas that are already congested. A few stakeholders noted the importance of the council's commitment to consider climate change implications. HM Inspectors agree with the council that they should fully re-assess, re-organise and plan the future provision of school bus services ahead of a proposed implementation date.

3.5 The School Transport Guidance 2021 sets out that parents remain responsible for their child's journey to and from school. However, almost all stakeholders are concerned that the proposed change in distance is too much. Parents and staff are concerned that children and young people will arrive at school tired and not ready to learn. They also do not agree with the identified safe walking routes. They have concerns for the safety of children and young people who will walk to and from school at busy times of the day, on poorly lit pathways, and in all seasons. A few young people are concerned about the potential impact on accessing pre-school or after-school activities such as breakfast clubs, homework and study clubs or sports activities. A few children, young people and parents expressed concerns that bullying on route to school may be an issue. A few parents felt they needed additional information to better understand the criteria applied when designating a safe walking route. HM Inspectors recommend that the council work with stakeholders to mitigate against these concerns.

3.6 A minority of stakeholders who responded to the online survey and who met with HM Inspectors are concerned that the proposal disproportionately affects the most disadvantaged areas and families in the authority. A few children and young people also highlighted that this may negatively impact families with additional caring responsibilities, including those with siblings at different schools. They are concerned about the impact on working families, as working routines or employment may be negatively affected by this proposal. A few stakeholders noted the importance of the council's commitment to carry out an equality and poverty impact assessment of the proposal.

3.7 Almost all stakeholders who responded to the online survey or who met with HM Inspectors highlighted that the proposal may negatively impact on attendance and attainment. They are concerned that the potential lack of public transport may lead to an increase in absenteeism or arriving late to school. A few stakeholders asked if the council would consider a revision to the school start and finish times. If the council takes forward the proposal, they need to consider further potential impact on all stakeholders.

3.8 HM Inspectors met with representatives from the Archdiocese of St Andrews and Edinburgh. They do not support the proposal. They noted concerns that the proposal may negatively impact on baptised children and young people's right to access education in a Roman Catholic school. Overall, The Archdiocese would prefer that Falkirk Council retain their current transport arrangements. Almost all identified as Roman Catholic who met with HM Inspectors were not in favour of the proposal. Almost all are concerned that the proposal affects children and young people attending denominational schools more than those attending non-denominational schools. A few stakeholders noted that the catchment area for Roman Catholic schools is usually larger and there may be non-denominational schools closer to home. A few stakeholders believe that, should the proposal be approved, it may 'erode parental choice' due to individual circumstance such as poverty, geography or employment. As a result, they believe the proposed changes restrict their right to an accessible Roman Catholic education. HM Inspectors recommend that the council work closely with the Diocese and families from denominational schools to alleviate their concerns prior to making its final decision.

3.9 During the consultation period the council was notified of omissions in the proposal. These relate to the numbers of those affected by the proposal. The council responded during the consultation period by providing updated information on the council website.

4. Summary

Falkirk Council has identified the need to make financial savings through aligning their school transport arrangements more closely with Scottish Government's School Transport Guidance 2021. They state that if they do not proceed with this proposal, it would have an adverse impact on the level of resources that can be allocated to their schools. HM Inspectors agree that the proposal is in line with national guidance and statutory walking distances. However, almost all stakeholders have raised significant concerns should the proposal be approved. These concerns include whether there are safe routes to school and sufficient public transport to meet any increase in demand. Stakeholders raised concerns about a potential negative impact on pupils' attendance and attainment and on those of Roman Catholic faith. They are also worried that the proposal may disproportionately impact on those families who are already experiencing disadvantage. Should the proposal proceed, the council should work with stakeholders to find ways to mitigate these potential issues. HM Inspectors agree there are potential benefits to more active forms of travel to school. However, overall, HM Inspectors do not consider that the council have sufficiently demonstrated that the potential educational benefits from this proposal outweigh the concerns raised by stakeholders. It will be important for the council to undertake equality and poverty impact assessments and consider climate change implications to inform whether to proceed with this proposal.

**HM Inspectors
April 2023**