

BIRMINGHAM CITY COUNCIL

EDUCATION AWARDS (REVIEW) SUB-COMMITTEE

THURSDAY, 20 SEPTEMBER 2018 AT 10:00 HOURS
IN HMS DARING ROOM, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chairman to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 APOLOGIES

To receive any apologies.

3 DECLARATIONS OF INTERESTS

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

4 MINUTES

To confirm the public section of the Minutes of the meeting held on 19 July, 2018,

5 DATE OF FUTURE MEETINGS

To note the date and time of future meetings of the Sub-Committee at 1000 hours on the following Thursdays:-

2018
18 October
15 November
13 December

2019

5 - 8

17 January
14 February
21 March
18 April
16 May

9 - 12

6 **TO RECEIVE BRIEFING NOTES AND POLICIES FOR GUIDANCE OF MEMBERS ON REACHING DECISIONS ON APPLICATIONS FOR REVIEW - EDUCATION TRANSPORT**

7 **UPDATE ON OMBUDSMAN REPORTS (IF ANY)**

8 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

9 **AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

'In an urgent situation between meetings, the Chairman jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

10 **EXCLUSION OF THE PUBLIC**

Chair to Move:-

"That, in view of the nature of the business to be transacted, which includes the following exempt information, the public be now excluded from the meeting:-

<u>Agenda Item etc.</u>	Relevant Paragraph of Exempt Information Under Revised Schedule 12A of the Local Government Act 1972
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'Private' Minutes of the last meeting	1
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Applications for a Review of the Decision of the Strategic Director for People not to make an Award	1
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PRIVATE AGENDA

1 **MINUTES - TO CONFIRM AND SIGN THE MINUTES OF THE LAST MEETING.**

2 **UPDATE ON CASES HEARD AT THE LAST MEETING**

Schedule attached for information.

3 **APPLICATIONS FOR A REVIEW OF THE DECISION OF THE CORPORATE DIRECTOR, CHILDREN AND YOUNG PEOPLE NOT TO MAKE AN AWARD**

4 **OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

BIRMINGHAM CITY COUNCIL

EDUCATION AWARDS (REVIEW) SUB-COMMITTEE 19 JULY, 2018
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**MINUTES OF A MEETING OF THE EDUCATION AWARDS (REVIEW)
SUB-COMMITTEE HELD ON THURSDAY, 19 JULY, 2018 AT 1000 HOURS
IN THE HMS DARING ROOM, COUNCIL HOUSE, BIRMINGHAM**

PRESENT:- Councillor Diane Donaldson (in the Chair); Councillors
Matt Bennett, Chauhdry Rashid and Mike Ward.

ALSO PRESENT:- Jennifer Langan – Travel Assist Manager
Louisa Nisbett – Committee Manager

NOTICE OF RECORDING

2395 The Chairman advised that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site (www.birminghamnewsroom.com) and that members of the press/public may record and take photographs except where there were confidential or exempt items.

2396 It was agreed that Councillor Mike Ward would be accompanied by the work experience student who was shadowing him in his role. It was noted that the Education Health and Care Plans accompanying the paperwork would only be viewed by Members of the panel.

APPOINTMENT OF SUB-COMMITTEE AND CHAIRMAN

2397 The appointment of the Education Awards (Review) Sub-Committee by the Council Business Management Committee with the following membership for the current Municipal Year was noted as follows:-

Membership:

Councillors Alex Aitken, Matt Bennett, Diane Donaldson (Chairman), Chauhdry Rashid and Mike Ward.

(Quorum: 3 Members)

APOLOGIES

2398 No apologies were submitted.

DECLARATIONS OF INTERESTS

2399 Members were reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting. If a pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

MINUTES

2400 Part I Minutes of the meeting held on 15 February, 2018, which had been circulated to Members, were agreed and signed by the Chairman.

DATES OF FUTURE MEETINGS

During a brief discussion it was suggested that an additional date be provisionally booked for August, 2018 (Jennifer Langan to advise if date is needed) and that the meeting in September be agreed for 13 September, 2018.

2401 **RESOLVED**

That it be noted that meetings of the Sub Committee will be held at 1000 hours on the following Thursdays:-

<u>2018</u>	<u>2019</u>
23 August (tbc)	17 January
13 September (tbc)	14 February
20 September	21 March
18 October	18 April
15 November	16 May
13 December	

BRIEFING NOTE AND POLICY FOR GUIDANCE OF MEMBERS ON REACHING DECISIONS ON APPLICATIONS FOR REVIEW – EDUCATION TRANSPORT

2402 The following briefing note was received and noted:-

(See document No 1)

Councillor Matt Bennett suggested that in view of the appointment of new Councillors to the Committee that they be provided with a copy of the relevant documents to assist in their decision making. The Committee was advised that the Chairman would be arranging to meet with Ian Burgess, the Solicitor for the Committee.

UPDATE ON OMBUDSMAN REPORTS (IF ANY)

2403 No updates were reported.

OTHER URGENT BUSINESS

2404 There was no other urgent business.

AUTHORITY TO CHAIRMAN AND OFFICERS

2405 **RESOLVED:-**

That in an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee.

EXCLUSION OF THE PUBLIC

2406 **RESOLVED:-**

That, in view of the nature of the business to be transacted, which includes the following exempt information, the public be now excluded from the meeting:-

<u>Agenda Item etc.</u>	<u>Relevant Paragraph of Exempt Information Under Revised Schedule 12A of the Local Government Act 1972</u>
'Private' Minutes of the last meeting	1
Applications for a Review of the Decision of the Corporate Director, Children and Young People not to make an Award	1

BRIEFING FOR
EDUCATION AWARDS (REVIEW) SUB COMMITTEE

EDUCATION TRANSPORT

BACKGROUND

The Education Act 1996 sets out a minimum level of provision required of Local Authorities for providing transport assistance between home and school. It also gives Local Authorities considerable discretionary powers.

The Education and Inspections Act 2006 (Part 6) has inserted Section 508B to the Education Act 1996. This means that from September 2008 this Act has extended provision for some pupils from low income families.

Transport assistance can be in the form of a travel pass for use on public transport, or as necessary, specialised transport such as taxis, minibuses, wheelchair accessible vehicles, etc. Other forms of travel assistance might include: access to independent travel training; personal transport budgets; escorted public transport; and provision of pupil guides.

POLICY

PUBLIC TRANSPORT

In Birmingham the statutory walking distances (for existing users) are modified by discretionary power to the benefit of pupils up to 11 years of age. Bus passes will be issued to those pupils who have to travel more than the following distance criteria to the nearest available school measured by the shortest available walking route.

Up to 8 years of age	1 mile
Between 8 years and 11 years of age	1.5 miles
11 years and over	3 miles

From **1st September 2013** for all pupils starting school the statutory walking distances apply as follows:

Under 8 years of age	2 miles
8 years and over	3 miles

LOW INCOME FAMILIES

Primary Aged Children

Children aged between 8 and 11 years of age from low income families are entitled to free travel assistance where they are attending their nearest available qualifying school and that school is more than 2 miles from their home.

Secondary Aged Pupils (Year Groups 7 to 11)

Children from low income families (children who are in receipt of free school meals or whose parents are in receipt of the maximum level of working tax credit) may be eligible for free transport assistance to either:

- one of the 3 nearest qualifying schools, where they live more than 2 miles but less than 6 miles from that school;

OR

- the nearest qualifying school preferred on the grounds of the parent's religious or philosophical beliefs where that school is more than 2 miles but less than 15 miles from their home.

Sub Committee will consider those applications that fall outside these criteria. Applications will either have been refused because (a) the distance criteria have not been met or (b) there are nearer schools available within the stated distance.

SPECIALISED TRANSPORT

This will be provided for those pupils if they are attending the nearest qualifying school to their home that can meet their needs but have special educational needs, a disability or mobility problem and for this reason could not be expected to walk to that school.

APPLICATIONS FOR REVIEW

If parents are not entitled to assistance then they can request that their application is reviewed. Evidence would need to be provided of other exceptional family circumstances. Consideration should also be given to any up to date medical advice from health care/educational professionals and details of any financial hardship.

EXAMPLES OF EXCEPTIONAL CRITERIA

- Have any medical and/or special educational needs reasons been presented to support why either it would be unsafe for the pupil to walk to school and or use public transport to attend that school? Has any medical/ professional advice, such as advice from the school, been provided to support this?
- Are there any special reasons as to why a pupil would not be able to attend a closer school? Has any medical/ professional advice been provided to support this?
- Are there any special reasons as to why the parent/carer would not be able to accompany the child to school?

- Does the parent/carer have any mobility problems occurring as a result of the disability of a parent?
- Does the family have any financial hardship? Has there been a sudden drop of income? Has there been a sudden change in family circumstances?
- Are there any other available schools within walking distance?
- Has the pupil moved house after deciding in Year 9 GCSE options? Have the family been forced to move house?
- Have exceptional reasons been provided as to why a pupil cannot attend a particular school? E.g. bullying, harassment etc.
- Secondary Transfer Choices – what choices did parent make? What schools were offered?
- Medical Reasons – has evidence been provided by a medical practitioner to show that a pupil would have difficulty either walking or using public transport e.g. broken bones, temporary medical conditions, etc? Do parents have a car? Could pupil travel on public transport with an escort?
- Is there some exceptional reason as to why pupil cannot walk or go on public transport, e.g. bullying, harassment, etc?
- Is there medical or professional advice provided to show it would be unsafe for the pupil to either walk or use public transport to attend school

NB: please note each application should be considered on its own merits taking account of individual circumstances

