

## **DECISION NOTICE OF AN INDIVIDUAL MEMBER OF GWYNEDD COUNCIL CABINET**

**DATE OF DECISION 14 March 2019**

**DATE DECISION PUBLISHED 15 March 2019**

**DATE DECISION WILL COME INTO FORCE** and implemented,  
unless the decision is called in, in accordance with section 7.25 of  
the Gwynedd Council Constitution 22 March 2019

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Cabinet Member: Councillor Gareth Thomas, Cabinet Member for Education

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### **SUBJECT**

To update the post-16 transport policy, extending the age range to allow those over the age of 19 years, receiving education or training and who are ordinarily resident in the authority's area, to have access to post-16 transport.

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### **DECISION**

To adopt the Post-16 Transport Policy — Sept 2019' (see Appendix 1), extending the age range to allow those over the age of 19 years, receiving education or training and who are ordinarily resident in the authority's area, to have access to post-16 transport.

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### **REASON WHY THE DECISION IS NEEDED**

Please see attached officer report

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### **DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE COUNCIL'S STANDARDS COMMITTEE**

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### **ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION**

Consultation with  
Gwynedd Council Statutory Officers

The results of the consultations are reported upon in the attached report

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**DECISION NOTICE OF AN INDIVIDUAL MEMBER OF GWYNEDD COUNCIL  
CABINET – OFFICER REPORT**

Name and title of Cabinet Member/s:	Councillor Gareth Thomas Cabinet Member Education
Name and title of Report Author :	Owen Owens Senior Manager Education Resources Service
Date of Decision :	14 / 3 / 19
Signature of Cabinet Member/s :	

**Subject:** Update the post-16 transport policy, extending the age range to allow those over the age of 19 years, receiving education or training and who are ordinarily resident in the authority's area, to have access to post-16 transport.

**Recommendation for the Decision :** Adopt the 'Post-16 Transport Policy – Sept 2019' (see Appendix 1), extending the age range to allow those over the age of 19 years, receiving education or training and who are ordinarily resident in the authority's area, to have access to post-16 transport.

**Reason why Decision is needed:** In the current policy there is an age restriction of 19 years on those for whom post-16 transport is provided. It has become apparent that there is a desire to remove the age restriction which would then open up the transport network so that any post-16 learner has access to the current post-16 transport network.

**Reason and justification behind the Decision:** The change proposed is an improvement on the service currently offered to post-16 learners and goes further than the requirements of the Learner Travel (Wales) Measure 2008.

By extending the age range, there is an opportunity for the Council to increase income obtained by selling post-16 travel tickets.

**Declarations of personal interest by any Cabinet Member consulted with and any relevant dispensations approved by the Standards Committee :** None

**Any consultations undertaken prior to making the decision :**

Head of Finance – “I understand that in adapting the policy it is foreseen that the number of extra transport applications would be small, and that the majority of those applications would be implemented through the current transport arrangements. The fee from the travel ticket would provide extra income in those instances, and therefore it is not foreseen that there will be an increased net cost in adapting the policy.”

Monitoring Officer – “The proposed change is comparatively small and therefore I have no observations to propose from a propriety perspective.”

Local Member/s – Not a local mater.

## APPENDIX 1

### GWYNEDD COUNCIL

#### EDUCATION DEPARTMENT

#### POST 16 TRANSPORT POLICY (September 2019)

##### 1. Introduction

- 1.1 Section 2 of the Learner Travel (Wales) Measure 2008 requires Local Authorities to assess the travel needs of all learners under the age of 19 who require education or training and who are ordinarily resident in the Authority's area.
- 1.2 There is no statutory duty for a Local Authority to provide free transport to post 16 learners who continue their studies in mainstream further education or training.
- 1.3 It is the Council's intention to provide transport for learners aged 16 who live three miles or more from an eligible school or college. A fee will be charged for this transport.
- 1.4 The Council will provide transport for post 16 learners who receive their education or training and who usually live within the Gwynedd Authority. The Council will not limit the age to under 19 only.
- 1.5 This new policy will come into force on 1 September 2019 and will affect every learner starting an eligible course from this date. The policy will not affect learners that have started a course prior to 1 September 2019.

##### 2. Who is eligible?

- 2.1 This Policy is for learners residing in the County of Gwynedd.
- 2.2 Learners must be following a course / courses that are included in the Database of Approved Qualifications in Wales (DAQW). [ See [www.dagw.org.uk](http://www.dagw.org.uk) for details. ]
- 2.3 Learners must be, with minor exceptions noted below, under 19 years old on 31 August in the year in which the course commences, in order to take advantage of this Policy. Learners who are eligible for transport and who reach the age of 19 during the second year of their course will continue to receive transport until the end of the academic year in which they reach their nineteenth birthday. The Council will not provide transport for learners that are over 19 on 31 August at the beginning of the academic year excepting the minor exceptions below.
- 2.4 Learners with additional educational needs will be able to take advantage of the Council's post 16 transport scheme by paying the appropriate fee for a period of up to four years from the beginning of their first term, or until the end of the academic year after their 21<sup>st</sup> birthday.

### **3. Distances**

- 3.1 The Council will not provide transport for learners that live less than three miles from an eligible school or college.
- 3.2 The Council will use the distances from the home to the educational establishment measured by means of the Council's Geographic Information System (G I S) to ascertain the true distances.

### **4. Relevant schools and college sites**

- 4.1 The Policy is relevant for travelling to the following educational establishments:
- secondary schools maintained by Gwynedd Council with a provision for Years 12 and 13.
  - special schools maintained by Gwynedd Council with a provision for Years 12 and 13.
  - sites in Dolgellau, Pwllheli, Glynllifon, Bangor, Parc Menai, Llangefni and Caernarfon of Llandrillo Menai Group.
- 4.2 The courses available in each of these establishments can be seen in their prospectuses that are available directly from the establishments. An initial application form for taking advantage of the post 16 transport network will be available at the same time learners consider their choices from the Local Curriculum.
- 4.3 Also, under the 'empty seats' scheme, higher education students at Bangor University and Menai Site, Llandrillo Menai Group will be able to travel on routes serving the Bangor Menai Site, Llandrillo Menai Group on the term days of the Menai Site, Llandrillo Menai Group only.

### **5. Post 16 Transport Network**

- 5.1 As a result of the geographic nature of Gwynedd, it is not always possible to arrange transport routes that go past the homes of every learner wishing to travel. Learners will have to make their own way to the nearest picking-up point. Every effort will be made to keep this distance as short as possible.
- 5.2 Transport will be available on specific routes leading to the relevant establishment(s). Learners will be informed on the Council's Website the exact routes that are anticipated will be available the following September at the time of completing the application for a place at the relevant school or college.
- 5.3 It is the responsibility of individual learners to reach the nearest picking-up point on any of the routes. The Council will not provide additional transport to reach any picking-up / dropping off points on any of the routes.
- 5.4 It is the transport provider's responsibility to assess the safety of any picking-up / dropping-off point. Learners will have to use the safest picking-up point that is nearest to their home.

5.5 The Council will review the network of routes on an annual basis to improve efficiency. Any changes will be known prior to the Easter Holidays and will only be introduced at the beginning of the following academic year.

## **6. Charges**

6.1 There will be one price for travelling on the Transport Network.

6.2 By paying the price the learner will be able to travel anywhere on the Transport Network from their homes to any establishment which is named at the end of the Policy.

## **7. Applying for and paying for transport**

7.1 A ticket will be sold to a learner that is eligible for transport on condition that he / she accepts the Travel Behaviour Code and pays the current fee.

7.2 A permanent ticket will only be issued during the first term at the college or school after receipt of the current fee. At the beginning of the first term of post 16 aged learners there will a period when they may travel without a ticket at the beginning / end of journey subject to then carrying an appropriate letter from the school / college which confirms that they registered in the school / college.

7.3 For subsequent terms payment for the ticket will be required prior to the start of term, namely prior to 1 September (Autumn Term), 15 December (Spring Term), 1 April (Summer Term).

7.4 A photograph of the learner entitled to use the ticket will be on each ticket with the number(s) of the valid travel routes.

7.5 The tickets must be carried every day and must be available for inspection by those authorized to do so, e.g. bus driver, bus inspector, Council officer. Learners without a ticket in their possession at the time can be refused the right to travel, unless payment is made of the appropriate amount that would be due on public transport or the current amount fixed by the Council for every journey on contracted transport.

7.6 There will be a charge for issuing a new ticket if lost, disfigured or otherwise destroyed. This will in accordance in accordance with the current rate.

7.7 Each ticket is for the use of the individual only. Allowing another individual to use a ticket that another learner has paid for, or using a ticket paid for by another learner, is contrary to the Policy. This type of misuse will lead to the individual(s) losing the privilege of using transport subsidised by the Council and those individuals' ticket(s) will be withdrawn.

7.8 The application form for a ticket can be found on the Council's Website - [www.gwynedd.gov.uk/](http://www.gwynedd.gov.uk/) or by applying to....

7.9 Should learners change course, or the location of their course changes, a new application must be made. These applications will receive urgent priority.

## **8. Travel Times**

- 8.1 Transport will be available between Monday and Friday during the relevant school / college terms only.
- 6.2 A journey to a school or college must be completed before 12:00.
- 6.3 A journey home from college or school cannot be made before 13:00. A journey to home must commence before 18:00, excepting if the learner has an official letter from the school / college which confirms that the time of the last lesson / lecture on specified day(s) prevents travel commencing before 18:00.

## **9. Type of transport provision**

- 9.1 The Council will provide transport in the most effective and appropriate way. The Council will mainly arrange the use of public bus and train services.
- 8.2 The Council will also provide transport on buses, mini-buses or taxis under contract to the Council.
- 8.3 The Council expects operators to ensure the punctuality of their services, that the vehicles are clean and of quality with drivers trained specifically for the type of work and type of passengers.

## **10. “Empty Seats” Scheme**

- 10.1 Under certain circumstances not every seat in a vehicle that provides learners transport to a school or college utilised under the provisions of this Policy. Under certain circumstances other post 16 year old learners may pay for the use of any empty seats.
- 10.2 The categories of learners in question are as follows:
- those living less than three miles from the educational establishment
  - learners that have had their 19<sup>th</sup> birthday during the previous academic year
  - students in higher education at Bangor University or Menai.Site -Llandrillo Menai Group
- 10.3 Applications for an empty seat ticket will be in the same way as a normal ticket. However applications will not be decided upon until after the first day of the Autumn Term.
- 10.4 During any academic term, as a consequence of an increase in the number of learners entitled to transport, there may be no empty seats remaining. Under such circumstances, it will not be possible for learners in any of the additional categories above to continue to travel in the vehicle. Under such circumstances the Council will refund the full fee to the learner for the term. Then it will be the individual learner’s responsibility to reach the school or college.

## **11. Travel Behaviour Code**

- 11.1 The Council supports the Travel Behaviour Code prepared by the Welsh Assembly Government. The Code establishes the expectations of individual learners, fellow passengers and transport providers. The Code can be seen on the Council's Website.
- 11.2 When learners submit an application for post 16 transport, they must state on the application form that they understand and are committed to keeping the Travel Behavior Code and are aware of the possible results of breaching the Code.
- 11.3 An unacceptable action by a learner that is contrary to the Code could lead to:
- recovering the cost of deliberate damage from learners and / or their parents / guardians
  - cancelling the travel arrangements agreed for learners for a specific period or an unspecified period. [ It will be the learners' responsibility to make their own transport plans under these circumstances .]
  - disciplinary action by the relevant school or college
  - passing the report of the incident to the Police.

## **12. Transport on medical grounds**

- 12.1 As a consequence of physical disability and / or other special needs, some students may face problems when using the Council's post 16 Transport Network.
- 12.2 The Policy attempts to develop inclusion along with the independence of every learner. Encouraging their educational and social development will be of great benefit to all learners and it includes working towards travelling independently. Learners will receive encouragement to achieve this as soon as possible and this of course will be in consultation with parents / guardians.
- 12.3 The Council will endeavour to ensure that it will be possible for learners with travelling difficulties to be able to use vehicles that provide the core network. In order to make it easier for them the Council will consider the use of easy access vehicles, adapting the picking-up / dropping-off points, providing an assistant, a 'buddy' scheme, transitional relief, etc. The aim is to develop confidence and independence when travelling that will be of additional assistance after the end of the educational period.
- 12.4 When making a decision, the following will be considered before allocating special transport for learners:
- the nature of the special needs of the learner
  - whether the usual journey is accessible or not to the learner ?
  - does the learner have either short-term or long-term specific medical problems ?
  - does the learner have mobility problems ?
- 12.5 Under certain circumstances, it will not be possible to use the Transport Network – or the usual vehicle. Evidence from a specialist, e.g. a Paediatric Consultant, must be submitted in writing with the application form, detailing the personal



difficulties that prevents a learner from using the usual transport and an assessment of the learner's ability to travel under certain circumstances. The Council will consider the best way of providing transport for the individual learner, namely by using the core Network or a special arrangement under some exceptional circumstances.

12.6 The needs of learners with transport needs for medical reasons will be reviewed annually.

### **13. Financial support for learners**

13.1 Since 2004/05, the Welsh Assembly Government has offered the Education Maintenance Allowance for learners over 16 years old that attend a local school or college. The main element is a weekly allowance that is associated with attending the educational establishment and a sufficient studying effort is made.

13.2 The Allowance is dependent on the income of the household. The allowance is paid in order to assist those who are post 16 with the cost of travelling, books and equipment when following a course in a school or college.

13.3 Learners can find out more about these sources on the Website [www.cyllidmyfyrwrcymru.co.uk](http://www.cyllidmyfyrwrcymru.co.uk)

### **14. Changes to the Policy and Fees**

14.1 From time to time, the Council will change its Post 16 Transport Policy. Any changes will be decided prior to the academic Easter holidays before the start of the following academic year. The changes will come into force on the following 1<sup>st</sup> of September.

14.2 The Council will review its fees for post 16 transport on an annual basis. Any changes will be decided prior to the Easter holidays before the start of the following academic year. The changes will come into force on the following 1<sup>st</sup> of September.

### **15. Complaints and Observations**

15.1 Any complaints or observations regarding this Policy must be submitted in accordance with the Council's Complaints and Observations Procedure.

## **ADDITIONAL INFORMATION**

The following are available on the Council Website: [www.gwynedd.gov.uk/](http://www.gwynedd.gov.uk/)

- A. Timetables and maps of the Transport Network to the relevant establishments
- B. Travel Behaviour Code
- C. Application Form
- Ch Complaints and Observations

The details and the application form for the Education Maintenance Allowance and Assembly Learning Grant are available on the following Website:

[www.cyllidmyfywrycymru.co.uk](http://www.cyllidmyfywrycymru.co.uk)

or from individual schools and colleges.

The relevant schools and colleges can be contacted as follows:

Ysgol y Berwyn : 01678 520259

Ysgol Dyffryn Nantlle : 01286 880345

Ysgol Syr Hugh Owen : 01286 673076

Ysgol Brynrefail : 01286 672381

Ysgol Tryfan : 01248 352633

Ysgol Friars : 01248 364905

Ysgol Dyffryn Ogwen : 01248 600291

Ysgol Pendalar : 01286 672141

Ysgol Hafod Lon : 01766 810626

Uned Tŷ Meirion, Ysgol y Gader : 01341 422578

Llandrillo Menai Group

Dolgellau : 01341 422827

Pwllheli : 01758 701385

Glynllifon : 01286 830261

Bangor : 01248 370125

Llangefni : 01248 383348

Parc Menai : 01248 67434

Caernarfon : 01248 673450

# Asesiad Effaith Cydraddoldeb

Gweler y daflen *Sut i Wneud Asesiad Effaith Cydraddoldeb* am gymorth i lenwi'r ffurflen yma. Mae croeso hefyd i chi gysylltu gyda Delyth Williams, Swyddog Polisi a Chydraddoldeb ar, est 32708, neu [DelythGadlysWilliams@gwynedd.llyw.cymru](mailto:DelythGadlysWilliams@gwynedd.llyw.cymru), am gymorth pellach

## I Manylion

### I.1 Beth yw enw'r polisi / gwasanaeth dan sylw?

Polisi Cludiant Ôl-16

### I.2 Beth ydi pwrpas y polisi/gwasanaeth sy'n cael ei greu neu ei newid? Pa newidiadau sy'n cael eu hystyried?

Diweddarau Polisi Cludiant Ôl-16 a fyddai'n ymestyn yr oed i rai dros 19 oed gael mynediad at gludiant i ddysgwyr ôl-16 oed sy'n derbyn addysg neu hyfforddiant ac sydd â chartref arferol o fewn ardal yr awdurdod.

### I.3 Pwy sy'n gyfrifol am yr asesiad yma?

Owen Owens, Uwch Reolwr Gwasanaeth Adnoddau Addysg

### I.4 Pryd wnaethoch chi gychwyn yr asesiad? Pa fersiwn yw hwn?

6 Rhagfyr, 2018.  
Fersiwn 1af.

## 2) Gweithredu

### 2.1 Pwy yw'r partneriaid fydd yn rhaid gweithio hefo nhw i wneud yr asesiad yma?

Fforwm Defnyddwyr Cludiant Ôl-16.

### 2.2 Pa gamau ydych chi wedi ei gymryd i ymgysylltu gyda pobl hefo nodweddion cydraddoldeb?

Y mater wedi'i godi gan gynrychiolwyr Coleg Llandrillo Menai trwy gyfrwng y Fforwm Defnyddwyr Cludiant Ôl-16.

Penderfyniad wedi'i gymryd i weithredu ar gais y Coleg.

### 2.3 Beth oedd canlyniad yr ymgysylltu?

Penderfyniad i ddiweddarau Polisi Cludiant Ôl-16 a fyddai'n ymestyn yr oed i rai dros 19 oed gael mynediad at gludiant i ddysgwyr ôl-16 oed.

### 2.4 Ar sail pa dystiolaeth arall ydych chi'n gweithredu?

Ar y sail bod galw wedi'i adnabod o bod y galw yn gallu cael ei gyfarch.

### 2.5 Oes yna unrhyw fylchau yn y dystiolaeth sydd angen ei gasglu?

Na.

### 3) Adnabod yr Effaith

3.1 Beth yw'r effaith fydd y polisi/gwasanaeth newydd neu'r newidiadau yn y polisi neu wasanaeth yn ei gael ar bobl hefo nodweddion cydraddoldeb? Mae'n rhaid i'r Cyngor roi sylw dyledus i'r effaith fydd unrhyw newidiadau'n ei gael ar bobl hefo nodweddion cydraddoldeb.

<b>Nodweddion</b>	<b>Sut fath o effaith?</b> (dylech ddileu'r rhai amherthnasol)	<b>Ym mha ffordd? Beth yw'r dystiolaeth?</b>
<b>Hil (gan gynnwys cenedligrwydd)</b>	Positif / negyddol / dim	Dim.
<b>Yr iaith Gymraeg</b>	Positif / negyddol / dim	Dim.
<b>Anabledd</b>	Positif / negyddol / dim	Dim.
<b>Rhyw</b>	Positif / negyddol / dim	Dim.
<b>Oedran</b>	Positif / negyddol / dim	Positif.
<b>Cyfeiriadedd rhywiol</b>	Positif / negyddol / dim	Dim.
<b>Crefydd neu gred (neu ddiffyg cred)</b>	Positif / negyddol / dim	Dim.
<b>Ailbennu rhywedd</b>	Positif / negyddol / dim	Dim.
<b>Beichiogrwydd a mamolaeth</b>	Positif / negyddol / dim	Dim.
<b>Priodas a phartneriaeth sifil</b>	Positif / negyddol / dim	Dim.

**3.2 Ydi'r polisi neu wasanaeth yn cael effaith ar eu Dyletswyddau Cyffredinol o dan Ddeddf Cydraddoldeb 2010? Mae'n rhaid i'r Cyngor roi sylw dyledus i'r ffordd mae unrhyw newid yn effeithio'r dyletswyddau yma.**

<b>Dyletswyddau Cyffredinol y Ddeddf Cydraddoldeb</b>	<b>A yw'n cael effaith? (Dylid dileu'r rhai amherthnasol)</b>	<b>Ym mha ffordd? Beth yw'r dystiolaeth?</b>
<b>Cael gwared â cham-wahaniaethu anghyfreithlon, aflonyddu ac erledigaeth</b>	Nac ydi	
<b>Hyrwyddo cyfleoedd cyfartal</b>	Ydi	Creu cyfle cyfartal ymysg myfyrwyr ôl-16, heb gyfyngu ar oedran.
<b>Meithrin perthnasau da</b>	Nac ydi	

#### 4) Dadansoddi'r canlyniadau

##### 4.1 Ydi'r polisi felly'n debygol o gael effaith sylweddol, bositif ar unrhyw un o'r nodweddion cydraddoldeb neu'r Ddyletswydd Gyffredinol a beth yw'r rheswm am hyn?

Ydy, ar fyfyrwyr dros 19 oed sydd angen cludiant i fynychu eu haddysg.

##### 4.2 Ydi'r polisi felly'n debygol o gael effaith sylweddol, negyddol ar unrhyw un o'r nodweddion cydraddoldeb neu'r Ddyletswydd Gyffredinol a beth yw'r rheswm am hyn?

Nac ydi.

##### 4.3 Beth ddylid ei wneud?

Dewisiwch un o'r canlynol:

Parhau gyda'r polisi / gwasanaeth gan ei fod yn gadarn	la
Addasu'r polisi i ddileu unrhyw rwystrau	
Atal a dileu'r polisi gan fod yr effeithiau niweidiol yn rhy fawr	
Parhau a'r polisi oherwydd gellir cyfiawnhau unrhyw effaith niweidiol	

##### 4.4 Pa gamau fyddwch chi'n gymryd i leihau neu liniaru unrhyw effeithiau negyddol?

Does dim effeithiau negyddol wedi'u hadnabod.



**4.5 Os nad ydych yn gweithredu ymhellach i ddileu neu leihau effeithiau negyddol, esboniwch pam yma.**

Dim yn berthnasol.

**5) Monitro**

**5.1 Pa gamau fyddwch chi'n gymryd i fonitro effaith ac effeithiolrwydd y polisi neu wasanaeth (cynllun gweithredu)?**

Fe fydd yn rhan annatod o drefn fonitro'r gwasanaeth.