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| Report To: | Education & Communities Committee | Date: | 2 September 2025 |
| Report By: | Ruth Binks Corporate Director, Education, Communities and Organisational Development | Report No: | EDUCOM/47/25/TM |
| Contact Officer: | Tony McEwan Head of Culture, Communities and Educational Resources | Contact No: | 01475 712828 |
| Subject: | Consultation on Assessment of Transport for Pupils with Additional Support Needs | | |

1.0 PURPOSE AND SUMMARY

- 1.1 ☒ For Decision ☐ For Information/Noting
- 1.2 The purpose of this report is to seek approval by the Education and Communities Committee to begin a consultation process on the introduction of an assessment of school transport for pupils with additional support needs.
- 1.3 This consultation forms part of a wider review of school transport for pupils with ASN which seeks to reduce the significant budget overspend in relation to ASN transport.
- 1.4 The consultation would be based on the merits of aligning the mainstream transport policy distance criteria with that of ASN transport. This would mean that pupils who attend an ASN provision living within either 1 or 2 miles from school would not be automatically entitled to transport but would only qualify following an assessment of need. The consultation process would not be statutory in terms of the Education Act but rather seek views on refining the current custom and practice of allocating ASN transport without assessment.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Education and Communities Committee:
- agrees for the service to begin consultation on the introduction of assessments for transport for pupils with ASN who live within the qualifying distances, in line with the existing transport policy.

Ruth Binks
Corporate Director, Education, Communities and Organisational Development

3.0 BACKGROUND AND CONTEXT

- 3.1 As part of the Council's change management programme and in response to a significant budget pressure, a review of school transport is being undertaken for pupils with additional support needs.
- 3.2 Currently, free transport is provided to all pupils with additional support needs who attend Craigmarnock School. In addition, transport is also provided to pupils with ASN who have been assessed as requiring it in settings such as Hillend Children's Centre, Lomond View Academy, in one of our communication and language bases or within mainstream settings. It has been custom and practice for many years for transport to be provided to these settings, regardless of pupil need. The service also provides free transport for children and young people who require transport to meet a short-term need. All of which is funded from the ASN transport budget.
- 3.3 Transport is currently provided through a number of means such as bus or taxi, by a number of private and 3rd sector providers and our own internal transports service. All contracts, except internal transport, are arranged through our partnership with Strathclyde Partnership for Transport (SPT).
- 3.4 The overspend on ASN transport remains significant and the review detailed in a separate report being considered at this committee will not produce significant year on year savings. In addition, specialist transport is becoming increasingly difficult to secure and there is a need to protect specialist transport where there is an essential need or a legislative requirement to do so. The current custom and practice is that all pupils who are allocated a place at a specialist provision automatically receive transport regardless of distance from their provision and/or their specific needs. Analysis of 2024/25 pupil rolls shows that of 375 pupils with allocated places for ASN transport 97 pupils live within either one mile from their primary provision or two miles from their secondary provision. This means that a quarter of pupils are allocated places on transport over and above the council's own distance policy (which is more generous than the statutory requirements) without any additional assessment of need taking place. Officers seek approval to undertake initial work to identify if there is a possibility to review the allocation of school transport for ASN pupils and to introduce an application system which will assess their need for transport. The proposal, if agreed, would not remove transport for every pupil based on distance but would look at the types of assessment currently used in other authorities to allocate places for pupils living within accessible distance of their provision.
- 3.5 Provision already exists within the existing home to school transport policy for an assessment of need to be implemented for pupils with additional support needs. However, as stated at 3.2 above, the Council has through custom and practice, provided transport for pupils with additional support needs attending ASN settings, regardless of need.

4.0 PROPOSALS

- 4.1 It is proposed that the service develops and implements a consultation process which takes into account the views of stakeholders, namely, pupils, parents and head teachers and elected members. Results of the consultation will then be reported back to committee early in 2026, with any proposed changes being implemented from August 2026.

5.0 IMPLICATIONS

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

| SUBJECT | YES | NO |
|---|-----|----|
| Financial | | x |
| Legal/Risk | | x |
| Human Resources | | x |
| Strategic (Partnership Plan/Council Plan) | | x |
| Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing | | x |
| Environmental & Sustainability | | x |
| Data Protection | | x |

5.2 Finance

One off Costs

| Cost Centre | Budget Heading | Budget Years | Proposed Spend this Report | Virement From | Other Comments |
|-------------|----------------|--------------|----------------------------|---------------|----------------|
| N/A | | | | | |

Annually Recurring Costs/ (Savings)

| Cost Centre | Budget Heading | With Effect from | Annual Net Impact | Virement From (If Applicable) | Other Comments |
|-------------|----------------|------------------|-------------------|-------------------------------|----------------|
| N/A | | | | | |

5.3 Legal/Risk

Under Section 42 of the Education (Scotland) Act, the authority must provide free transport or make such other arrangements for all pupils up to age 8 who live more than 2 miles from their local catchment area school and to all pupils over age 8 who live more than 3 miles from their local catchment area school. The Act also makes provision for a number of exceptional circumstances and special conditions under which the authority may also provide free transport.

5.4 Human Resources

N/A

5.5 Strategic

In order to mitigate the impact of poverty, the local authority has amongst the most generous transport policies in the country.

5.6 Equalities, Fairer Scotland Duty & Children/Young People

(a) Equalities

This report has been considered under the Corporate Equalities Impact Assessment (EqIA) process with the following outcome:

| | |
|---|---|
| | YES – Assessed as relevant and an EqIA is required. |
| x | NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, assessed as not relevant and no EqIA is required. Provide any other relevant reasons why an EqIA is not necessary/screening statement. |

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

| | |
|---|--|
| | YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed. |
| x | NO – Assessed as not relevant under the Fairer Scotland Duty for the following reasons: Provide reasons why the report has been assessed as not relevant. |

(c) Children and Young People

Has a Children's Rights and Wellbeing Impact Assessment been carried out?

| | |
|---|---|
| | YES – Assessed as relevant and a CRWIA is required. |
| x | NO – Assessed as not relevant as this report does not involve a new policy, function or strategy or recommends a substantive change to an existing policy, function or strategy which will have an impact on children's rights. |

5.7 Environmental/Sustainability

Summarise any environmental / climate change impacts which relate to this report.

Has a Strategic Environmental Assessment been carried out?

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|---|---|
| | YES – assessed as relevant and a Strategic Environmental Assessment is required. |
| x | NO – This report does not propose or seek approval for a plan, policy, programme, strategy or document which is like to have significant environmental effects, if implemented. |

5.8 **Data Protection**

Has a Data Protection Impact Assessment been carried out?

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|---|--|
| | YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals. |
| x | NO – Assessed as not relevant as this report does not involve data processing which may result in a high risk to the rights and freedoms of individuals. |

6.0 **CONSULTATION**

6.1 The proposals set out in this report are to consult with relevant stakeholders.

7.0 **BACKGROUND PAPERS**

7.1 N/A