

## ISLE OF ANGLESEY COUNTY COUNCIL Scrutiny Report

<b>Committee:</b>	Corporate Scrutiny Committee
<b>Date:</b>	19 <sup>th</sup> March, 2019
<b>Subject:</b>	<b>Revised School Transport Policy</b>
<b>Purpose of Report:</b>	Consider the proposed revised school transport policy
<b>Scrutiny Chair:</b>	Cllr Aled Morris Jones
<b>Portfolio Holder(s):</b>	Cllr R Meirion Jones
<b>Head of Service:</b>	Arwyn Williams
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<b>Local Members:</b>	Not applicable

### 1 – Recommendation(s)

The Corporate Scrutiny Committee is requested to:-

- R1** Recommend adoption of the revised school transport policy by the Executive
- R2** Note the comments of the Finance Scrutiny Panel

### 2 – Link to Council Plan / Other Corporate Priorities

Direct link with the Council Plan / transformation priorities:

Ensuring a robust revised policy for school transport will set the framework for us to plan and deliver services in accordance with the Authority's policy and shape our expenditure on taxis and buses. The framework will support the Schools' Modernisation Programme.

### 3 – Guiding Principles for Scrutiny Members

To assist Members when scrutinising the topic:-

- 3.1** Impact the matter has on individuals and communities [**focus on customer/citizen**]
  - 3.2A** look at the efficiency and effectiveness of any proposed change, both financially and in terms of quality [**focus on value**]
  - 3.3** A look at any risks [**focus on risks**]
  - 3.4** Scrutiny taking a performance monitoring or quality assurance role [**focus on performance and quality**]
  - 3.5** Looking at plans and proposals from a perspective of:
    - Long term
    - Prevention
    - Integration
    - Collaboration
    - Involvement
- [**focus on wellbeing**]

### 4 – Key Scrutiny Questions

1. Who have you included in developing the new policy? How have you included others?

2. When will the new proposed policy be fully active?
3. What long term effects will occur due to the new policy?
4. How have you used the 5 ways of working to consider how the policy contributes towards the 7 national well-being goals?
5. What financial effects are there to the policy?
6. Does the Scrutiny Panel support the revised school Transport policy?

## **5 – Background / Context**

An audit report was published on School Transport in September 2017 which highlighted areas for improvement. One of these areas included a revision of the School Transport Policy.

There have been no fundamental changes to the eligibility criteria for school transport. The revised policy provides detailed clarification on :-

- Qualifying Schools
- Distance Criteria
- Measurement of Distance
- Parental/Carer Preference of School
- Hazardous Routes
- Additional Learning Needs
- Looked After Children

The Local Authority will provide free transport to learners who meet the entitlement criteria. The criteria includes :-

- 1) Distance Criteria outlines how the local authority complies with the Learner Travel (Wales) by only providing free transport to learners of compulsory school age if the distance from the home to their nearest suitable school is at least:
  - a) 2 miles for Primary School pupils
  - b) 3 miles for Secondary School pupils

Measurements of Distance –

For learners who are eligible under the above criteria, the route to school will be measured from the home boundary to the nearest school gate, and may include public footpaths and other pathways, as well as adopted roads. It is not necessarily the shortest distance by road.

For learners who are not eligible under the distance criteria mentioned above, the distance from home to the nearest suitable school will be measured along the shortest available road route i.e from the home boundary to the nearest school gate using the Authority's chosen software package.

Hazardous Routes –

For learners who live below the statutory qualifying distance mentioned above the Authority will provide transport to school if the route is deemed hazardous. Hazardous routes are assessed by an appropriate Isle of Anglesey County Council officer following the guidance provided in the Learner Travel: Statutory Provision and Operational Guidance June 2014.

Additional Learning Needs –

The Local Authority will make suitable and relevant educational provision for all children with additional learning needs to ensure they are able to develop to their maximum potential. However, free transport may not be provided if parents / carers exercise their right to preference of school which is not the nearest suitable.

#### Looked After Children –

Looked after children (as defined in the Children’s Act 1989) have the same access to the assistance with travel as any other child. When transport is requested by Children’s Services, transport will be provided unless Children’s Services opts to retain the child at the former school even though appropriate provision can be found at a nearer school within the catchment area. In such cases, transport costs will fall to Children’s Services.

#### Parental / Carer Preference of School

Parents / carers have the right to express a preference for admission of their child to any school, subject to availability of places. If the application is accepted, the parent / carer lose their entitlement to free transport if it is not their nearest suitable school or, the designated secondary school for the primary feeder school they attended.

#### Post 16 Transport

There has been no change in the Local Authority’s policy on the provision of post 16 transport. The revised policy therefore states that free transport is not available for 16 to 19 year old learners.

Detailed consideration was given to the financial impact of the prospective reformed transport policy by the Finance Scrutiny Panel in its meeting on 14 February 2019, and the following points were noted:

- A great deal of taxi route reconciliation had occurred over the last period in order to confirm that only eligible children received the service in accordance with the policy
- The number of children receiving the service has decreased from 347 to 297 as a result of the reconciliation work. The Service now has a clear picture of the true need for transport services
- True to say that the historical budget is inadequate to meet the demand costs for services
- Substantial partnership work is now afoot between the Learning, Highways and Resources Services.

The panel also looked at any scope of the One System to create more savings for the future school transport budget

### **6 – Equality Impact Assessment [including impacts on Welsh Language]**

See attached

### **7 – Financial Implications**

Implementation of the revised school transport policy will be within the current budgetary allocation of the Service. It is anticipated that full implementation of the policy will in time have a positive impact on current budgetary pressures.

<b>8 – Appendices</b>
1. Revised School Transport Policy 2. Equality Impact Assessment
<b>9 – Background papers (please contact the author of the report for any further information):</b>
Arwyn Williams, Head of Learning, Isle of Anglesey County Council, Council Offices, Llangefni LL77 7TW

1. Revised School Transport Policy
2. Equality Impact Assessment

**9 – Background papers (please contact the author of the report for any further information):**

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**Learning Department**

# **School Transport Policy**

**February 2019**

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## 1.0 INTRODUCTION

- 1.1 The Isle of Anglesey County Council has a duty to provide school transport in accordance with Learner Travel (Wales) Measure 2008 and the Learner Travel: Statutory Provision and Operational Guidance 2014. This Learner Transport Policy outlines how the Authority provides transport for Isle of Anglesey County Council's school and college pupils, and the eligibility criteria.
- 1.2 To meet this requirement, the Authority will have regard to the following when making arrangements for learners who are ordinarily resident within Anglesey:
  - The age of the learner;
  - The distance from home to school;
  - The nature of the route from home to school;
  - Requests for Faith based education;
  - The needs of learners with disabilities or additional learning needs;
  - The needs of learners who are 'looked after' by the Local Authority;
  - The needs of learners with dual residency.
- 1.3 This list is not exhaustive and the Authority must consider each learner's individual circumstances, taking into account any representations made by parents/carers and relevant professionals. In certain circumstances the Measure permits the Local Authority to apply discretion in relation to the services provided. These discretionary elements are outlined in section 3 of this policy.
- 1.4 Transport for post 16 students to Further Education (F.E.) Colleges is provided under the policy as a **discretionary** arrangement. See section 3.4.
- 1.5 The Authority must provide free home to school transport in certain circumstances. These are outlined in section 2. The duty to provide such transport only applies if a child is ordinarily resident in the Authority's area.
- 1.6 The Local Authority will endeavour to provide safe, efficient and cost effective transport to those learners who qualify under this policy at all times.
- 1.7 There may be circumstances where additional or alternative transport arrangements would prove more cost effective than the provision stated in the policy. **The Local Authority therefore reserves the right**



**to apply discretion where appropriate if it can be demonstrated that the alternative is more cost effective and efficient.**

- 1.8 Home to school transport is provided for eligible learners between their **home address or allocated pick-up point**, and the qualifying school where they are registered. **Free transport is not provided from or to addresses of other family members or friends, parents' work addresses or child care facilities of any sort.**
- 1.9 This Policy is effective from **August 2019**. Transport arrangements assessed and provided under Isle of Anglesey County Council's previous policy will continue unless there is a material change in circumstances which would necessitate a new application being made, e.g. moving home or school / F.E. College. Details of how to make an application are outlined in section 4.

## **2.0 HOME TO SCHOOL TRANSPORT**

### **2.1 Qualifying Schools**

The Isle of Anglesey County Council will provide free transport to learners who meet the entitlement criteria set out in this policy. The policy refers to transport to and from qualifying schools in the following categories:

- a community, controlled or voluntary aided school;
- a non-maintained special school;
- an independent school named in a statement of special educational needs;
- a voluntary aided trust school.

### **2.2 Distance Criteria**

The Learner Travel (Wales) Measure 2008 stipulates that free transport will only be provided to learners of compulsory school age if the distance from home to their nearest suitable school is at least:

- (a) 2 miles for Primary School pupils;
- (b) 3 miles for Secondary School pupils.

### **2.3 Nearest Suitable School**

The nearest suitable school is a school that provides education appropriate to the age, ability and aptitude of the learner, and any learning needs that they may have. It will normally be a school in the area the learner resides, or another school, if this is closer to home.

Anglesey residents can find their nearest local school by visiting [https://mapiau.ynysmon.gov.uk/anglesey\\_cy.aspx](https://mapiau.ynysmon.gov.uk/anglesey_cy.aspx)

## 2.4 Feeder Schools

The Authority recognises that certain Primary Schools are natural feeders for certain Secondary Schools. The relationships between these schools are shown in Appendix 1.

## 2.5 Measurement of Distance

For assessments under the distance criteria in section 2.2, the calculation from home to school will adhere to guidance provided in the Learner Travel: Statutory Provision and Operational Guidance 2014. The route to school will be measured from the home boundary to the nearest school gate, and may include public footpaths and other pathways, as well as adopted roads. It is not necessarily the shortest distance by road.

Where learners are reasonably expected to walk to school, the distance is measured by the shortest available route along which a child, accompanied as necessary by a responsible adult, may walk in reasonable safety; whilst having regard to the age and needs of the child. If the property is on an un-adopted road it will be measured from where the property meets the adopted highway or adopted path. All calculations of distance will be made using the Authority's chosen software package.

For assessments over the distance criteria mentioned in section 2.2, the distance from home to the nearest suitable school will be measured along the shortest available road route, i.e. from the home boundary to the nearest school gate using the Authority's chosen software package. However, if the property is on an un-adopted road it will be measured from where the un-adopted road meets the adopted highway.

For all calculations the measurement of distance will be to the nearest 0.1 of a mile, as measured by the Authority's chosen software package.

**Note:** Parents / carers should also refer to section 5.6 for information on sustainable modes of transport to school.

## 2.6 Primary and Secondary School Transport

For Primary and Secondary Schools, the Authority will provide free transport to the nearest suitable school in line with the criteria of this policy. Discretionary provision may also apply, by virtue of the criteria shown in section 3.

## 2.7 Parental / Carer Preference of School

Parents / carers have the right to express a preference for admission of their child to any school, subject to availability of places. If the application is accepted, the parent / carer lose their entitlement to free transport if it is not their nearest suitable school or, the designated secondary school for the primary feeder school they attended.

This is consistent with meeting the requirements as outlined in the Learner Travel: Statutory Provision and Operational Guidance June 2014.

**IMPORTANT – Parents / carers are advised to consider the school transport implications before making an expression of preference for a school place. See section 2.3 on nearest suitable school and section 5.5 on the impact of transport.**

## 2.8 School Admissions

If parents / carers have been unable to secure a place for their child at their nearest suitable school, or if their designated secondary school (from the appropriate feeder primary school) is full, then free transport will be provided to the next nearest suitable school, providing the distance criteria in section 2.2 is met.

## 2.9 Pick-up Points

The Isle of Anglesey County Council considers that, in general, the provision of shared pick-up points can be part of a suitable transport arrangement within the meaning of section 3 of the Learner Travel (Wales) Measure 2008.

For learners who qualify for transport there will be an expectation that they will depart from a pre-determined pick-up point, unless otherwise stated when the application is processed. The Authority will endeavour to locate pick-up points reasonably close to learners' homes, and no more than the statutory distances shown in section 2.2. This is in expectation that parents / carers will be able to make use of their designated pick-up point in order to ensure for their child a

safe and timely journey to and from school. Any measurement of distance will follow the principles as outlined in section 2.5. The assessment will also have regard to hazardous routes, following the principles set out in section 2.10.

**It is the parent's / carer's responsibility to ensure that their child reaches the pick-up point in a timely manner and that they board the vehicle safely. They must also ensure there is a responsible adult to meet their child on the return journey, if the age or needs of the child call for the provision of a Passenger Assistant.**

**If a responsible adult is not there to meet a child, whose age or needs call for the provision of a Passenger Assistant, then additional costs will be recharged; as it may be necessary for Officers to seek guidance from Children's Services and, if required, arrange for the child to be taken to a Local Authority place of care.**

**Note:** Nothing in this Policy creates an expectation that all children should walk to the pick-up points, as in some cases this will be inappropriate. The Authority keeps a register of known hazardous routes, and this forms part of the consideration given when assessing transport applications. However, if a parent / carer believes that the use of a pick-up point is not suitable for their child, they should bring their concerns to the attention of the Authority, which will then investigate the circumstances to determine whether any additional or alternative transport arrangements are required for that child; to ensure that the requirements of the Learner Travel (Wales) Measure 2008 are met.

The Local Authority reserves the right to review the pick-up points to ensure a safe route is maintained at all times and subject to ensuring the most cost effective provision is in place.

Once eligibility for school transport has been confirmed, the Transportation Section will inform the school with a request that the school share relevant information with the parents / carers.

Where feeder services are used to transport learners to pick-up points, learners must stay with the taxi until the ongoing vehicle has arrived. Drivers are expected to report any learners refusing to do this to the Transportation Section.

Contractors providing these services have been instructed to wait with learners to ensure they access the ongoing vehicle. Parents / carers

are also encouraged to report any instances where drivers are not doing this to the Transportation Section.

## 2.10 Hazardous Routes

For learners who live below the statutory qualifying distance shown in section 2.2, the Local Authority will provide transport to school if the route is deemed hazardous. Hazardous routes are assessed by an appropriate Isle of Anglesey County Council officer following the guidance provided in the Learner Travel: Statutory Provision and Operational Guidance June 2014.

Where pick-up points are used, the Local Authority will also consider if there are hazardous routes which could reasonably prevent learners walking to these locations, accompanied as necessary by a responsible adult. In such instances the Local Authority, after assessment, will provide transport from home to the pick-up point, or directly to school (whichever is more efficient).

It is noted that where parents / carers have exercised their right to a school by parental / carer preference (see section 2.7), the requirement for arranging home to school transport is the responsibility of the parent / carer.

The Local Authority will maintain a register of all Anglesey routes which have been assessed, and as new routes are evaluated these will be added to the register. The Authority will review the completed register every 5 years to ensure that all routes are still categorised correctly.

If a parent / carer believes that a particular route is hazardous they should bring their concerns to the attention of the Authority, which will then investigate to determine whether any additional or alternative transport arrangements are required.

## 2.11 Additional Learning Needs (ALN)

The Local Authority will make suitable and relevant educational provision for all children with additional learning needs to ensure they are able to develop to their maximum potential.

The level of need is assessed by relevant professionals in the Isle of Anglesey County Council's Learning Department, and this informs the type of transport provided. Transport will then be provided in line with the advice given and **reviewed on a regular basis.**

If a child has a Statement of Special Educational Needs, an Individual Development Plan (IDP) or an Education Health and Care Plan (EHC Plan), school transport **may** be included as part of the non-educational provisions made for the child as part of their Statement/EHC/IDP Plan. If it is, then transport will be provided.

**However, free transport may not be provided if parents / carers exercise their right to preference of school which is not the nearest suitable (See section 2.7).**

If school transport is not included in a child's Statement/EHC/IDP Plan then they may still be entitled to home to school transport under the policy provided that the school they are attending is the nearest appropriate school with a place or if they have attended a designated primary feeder school for a particular secondary school; subject to the eligibility criteria being met.

## **2.12 Looked After Children (LAC)**

A Looked After Child is the term used within the Children's Act 1989 to describe children who are under the age of 18 and are provided with care and accommodation by the Local Authority's Children's Services department; often with foster carers.

Looked after children (as defined in the Children's Act 1989) have the same access to the assistance with travel as any other child. When transport is requested by Children's Services, transport will be provided unless Children's Services opts to retain the child at the former school even though appropriate provision can be found at a nearer school within the catchment area. In such cases, transport costs will fall to Children's Services.

If the only appropriate educational provision for a LAC pupil with a Statement of Special Educational Needs is continued attendance at the same school, special needs transport will be provided at no cost to Children's Services.

If the Looked After Child attends a school closer than the minimum distance shown in section 2.2, free transport will not be provided.

## **2.13 Dual Residency**

The Local Authority will provide transport for learners who, due to their family circumstances, may reside in more than one residence; with at least one residence being in Anglesey. However, this is provided that the school attended is the nearest suitable school from the main

residence, or agreed to be the most suitable school, taking account of the locations of both residences. **Proof of dual residency must be provided and the main residence is usually the property to which child benefit is paid.**

**If the second residence is in a different Local Authority area, then it is the responsibility of that Authority to consider transport arrangements for that route to school. Parents / carers should therefore apply to the relevant Local Authority.**

### **3.0 DISCRETIONARY SCHOOL TRANSPORT**

#### **3.1 Discretionary Arrangements**

Within the Learner Travel (Wales) Measure 2008, discretionary arrangements can be made under section 6 of the Measure. In some instances the cost of such arrangements can be charged to the parent / carer responsible.

#### **3.2 Faith Schools**

On a **discretionary basis**, the Authority will consider applications for transport to the nearest suitable Faith school if this is the parental / carer's preference. This will apply even if the school is not their nearest suitable school but is within the Local Authority area. The Local Authority will have regard to all relevant information when making its final decision.

The distance criteria in section 2.2 will still apply.

#### **3.3 Feeder School Arrangements**

On a discretionary basis, the Authority recognises that certain Primary Schools are natural feeder schools for certain Secondary Schools. Therefore in regard to Secondary education, free school transport may be provided to either the nearest suitable Secondary School or the recognised feeder Secondary School; providing that the learner lives over the distance criteria in section 2.2, and the journey is agreed to be reasonable; this criteria is shown below.

The Authority reserves the right to apply a test of reasonableness to those parents / carers requesting secondary school transport on the basis of feeder schools. To receive free transport on this basis the learner must:

- Have been attending their nearest suitable primary school from their home location as assessed at the point of admission;
- Meet the distance criteria in section 2.2 for secondary schools.
- If learners move house before commencing secondary school, their entitlement will require re-assessment, as per the criteria shown in section 2;
- **In instances where learners have not attended their nearest suitable primary school by parental / carer preference, section 3.3 will not apply.** The assessment of school transport applications will then be based solely on the nearest suitable secondary school.

### 3.4 Post-16 Transport

**Free Transport is not available for 16 to 19 year old learners.**

However, students may be able to purchase a Vacant Seat Pass from the education authority. They will be required to pay a fee (The fee is reviewed annually so please see the most up to date Information to Parents for the current fee).

Pupils with SEN who were provided with free transport to school, whose assessment of need continues to indicate that they cannot safely use the usual transport provided, despite being given mobility/independence training, are provided with transport to and from the nearest educational establishment offering an appropriate course. The LA does not provide mobility/independence training for learners who face difficulty with transport but such training is provided by the school/college when deemed necessary.

College students' passes are issued by the appropriate site of Grŵp Llandrillo Menai (Llangefni, Bangor and Glynllifon).

School pupil passes are issued by the Transport Officer for Education in the Transportation Section, Highways Department - Telephone 01248 752458.

Transport may be available from the home to the nearest appropriate school/college for learners who:

- are residents of Anglesey;



- are full-time students (i.e. who receive formal instruction for a minimum of 15 hours per week);
- are under 19 years old on 31 August or are on a course which started before they reached the age of 19;
- who live 3 miles or more from the nearest appropriate school/college as measured by the shortest route.

The nearest appropriate school/college is deemed to be:

- The catchment area secondary school;
- The nearest secondary school to the home if it is not the catchment area school;
- To an approved further education establishment within the county or located within 15 miles (measured along roads).

Transport is provided to and from the school/college at the normal start and end of the day. Students who travel to school/college on vehicles operated by operators who run other services on the same route may be offered travel outside these hours.

School sixth-formers applying for a bus pass must do so once they have received their GCSE results.

Pupils from low-income families who wish to remain in education beyond the statutory school leaving age may be able to claim the Welsh Government's Education Maintenance Allowance. This can then be used to contribute towards transport costs. EMA Wales website at [www.studentfinancewales.co.uk](http://www.studentfinancewales.co.uk) / Helpline 0845 602 8845.

### 3.5 School Reorganisation

In cases where school reorganisation has taken place, the Local Authority will consider the most appropriate options for school transport. This may include providing free transport for a specified period of time dependant on circumstances. Such arrangements will be provided on a **discretionary basis** and will be documented within the reorganisation process; so that relevant schools, governing bodies, parents / carers, and any other stakeholders are all aware of the terms of the arrangement.

### 3.6 Moving Home

In cases where a learner, who has been in receipt of free school transport, moves home part way through the academic year, transport will cease if they are no longer attending their nearest suitable school.

If part way through a GCSE year (school years 10 and 11) the Authority will continue to provide **discretionary** transport until the academic years have been completed, i.e. until the end of year 11.

This undertaking is dependant upon the learner being ordinarily resident in the Authority's area. **Note: The Local Authority also reserves the right to test the reasonableness of the transport requested under this condition, having regard to the distance, time of journey and the proximity of other suitable establishments.**

All other reassessments of eligibility will follow the criteria set out in section 2. This section shall not apply where parents / carers have previously exercised a preference as detailed in section 2.7.

### 3.7 Managed School Transfers

Where managed school transfers are supported by both the new destination school head teacher and Education Services, parents / carers will be aware of this action and be included in these discussions at school level. School transport in these circumstances may be supported on a **discretionary basis** where it forms part of the action and agreement of all parties to pursue a change of school in the interests of the learner.

It is the parent's / carer's responsibility to ensure that they fully engage with the Authority and the school when pursuing a managed transfer. These matters need to be verified and evidence available. This allows the Learning Department to make an informed decision based upon the evidence supporting the transport request.

Where no evidence is available, and/or where parents / carers refuse to engage in the process with the school and Education Services, the transport request will be refused. This will be based upon the lack of evidence available for an informed decision to be made.

### 3.8 Withdrawal of Discretionary Transport

A Local Authority can withdraw the provisions of discretionary school transport, provided it has agreed and published the relevant changes

to the policy before 1<sup>st</sup> October of the year preceding the academic year in which the changes will come into force.

### 3.9 Other Discretionary Provisions

Other discretionary arrangements regarding school transport can be made under section 6 of the Measure. The Head of Learning may apply these powers for free transport in cases such as:

- The safeguarding of a learner, or where there is likely to be significant detrimental impact to that learner's welfare;
- Transport on medical grounds may also be applicable under this criteria, including cases where the parent has a disability that restricts the ability of a learner to travel to school without transport **for period of time**; or where a learner is **temporarily** incapacitated through illness or injury;
- Temporary housing of a family outside of the previous residential area due to emergency, normally through the Authority's Housing Service, to minimise disruption of education.

This list is not exhaustive and there may be other circumstances where discretion can be applied; however, to ensure consistency of approach regarding discretion **evidence may be requested from relevant professionals and the assessment will be recorded.**

Where short term discretionary transport arrangements are put in place the Authority will inform parents / carers when these arrangements are to end.

### 4.0 MAKING A TRANSPORT APPLICATION

4.1 A school / F.E. College transport application is required when:

- Starting Primary School (**not nursery**);
- Starting Secondary School;
- Going from year 11 to sixth form / F.E. college; or
- Changing home location or school.

4.2 Applications for bus passes can be made through obtaining the relevant form from the school or, alternatively, by contacting the Transportation Section on 01248 752458 / 01248 752456.

Applications for taxi transport are made **through the school/college** – **applications for taxi transport made directly to the Authority by parents/carers will not be accepted.**

- 4.3 The Authority will inform you (or inform the school/college if the application is in respect of taxi transport) of the outcome of the application within **15 working days** of receiving the application.
- 4.4 If your circumstances change during the school year, you must inform the Local Authority. If, for example, you move home or change school then your current transport arrangements will be terminated and you will need to reapply for school transport at that time. If you are applying for transport during the school year, please do so as soon as you can after your new address is confirmed.

**IMPORTANT** – Parents / carers are advised to consider the school transport implications. Section 2.3 provides information on nearest suitable school and section 3.6 on moving home.

- 4.5 Full details of all transport related issues can be found in the Isle of Anglesey County Council's Information for Parents document.

## **5.0 OTHER INFORMATION**

### **5.1 Nursery Education**

The Authority does not provide transport for children attending nursery school or nursery classes at the age of 3 or 4. Transport is provided for eligible children from the commencement of the school year in which the child attains the age of 5 and starts full-time education, normally in reception class.

### **5.2 Out of School Clubs**

The Authority will not provide transport to or from out of school clubs (i.e. breakfast club, after school clubs etc.) or extra-curricular activities that fall outside the statutory curriculum. It is the parent's / carer's responsibility to ensure that appropriate transport arrangements are put in place if these services are accessed.

### **5.3 Length of Journey**

Where possible, the Authority adheres to the Learner Travel Operational Guidance issued by the Welsh Government. This allows for a maximum 60 minute journey time for secondary school pupils,

and a maximum 45 minute journey time for primary school pupils. A walk of 1 mile to the bus stop is deemed reasonable.

#### **5.4 Policy Changes**

Should it be required to amend this policy, the Authority must follow the requirements as set out in the Learner Travel Information (Wales) Regulations 2009. This requires that the Authority consult, agree and publish changes to the policy before the 1st October of the year preceding the academic year in which the changes come into force.

Should it be required, the Authority can also issue additional clarification guidance alongside this policy. Any such guidance will be available on the Authority's website.

#### **5.5 Impact of Transport**

Parents / carers should consider the implications of their school choice on the use of private cars and the effect this could have on traffic outside their chosen school. The Authority urges parents / carers to consider active and sustainable transport to their school of choice. See section 5.6 below.

Schools are also encouraged to work with parents / carers and the Authority to consider options for developing active and safe 'walking bus' facilities to school. Parents / carers should contact their school to enquire about such provisions. The Authority's Road Safety and Sustainable Transport officers are also available to provide guidance.

#### **5.6 Sustainable Modes of Travel**

Parents / Carers should consider options for active travel to school. Relevant links are provided in section 9 to information on Active Travel Routes in Isle of Anglesey and Sustrans website; which shows cycle routes throughout the county.

### **6.0 TRANSPORT PROVISION**

#### **6.1 Council Transport Provision**

The Authority will endeavour to provide the most suitable mode of transport for all eligible learners that is safe and provides the most cost effective method of transport. This may be via bus, coach, minibus, or taxi school contracts, or existing public transport. These services and the associated contracts are arranged and managed by Isle of Anglesey's Transportation Section.

## 6.2 Concessionary Transport

If a learner does not qualify for free school transport as set out in this policy, and there are spare seats available on an Authority bus service these may be offered as concessionary seats. The following conditions will apply:

- A reasonable charge per term will be applied. This will be reviewed annually before the new school year. If the Authority grants a concession parents / carers will be charged on a termly basis. If a learner only partially uses the service, e.g. in the morning or afternoon or on particular days, then a full termly charge is payable.
- Parents / carers may apply for a concession at any time for their child. Applications will be dealt with in the order in which they were received and those agreed must be paid for termly. If a parent / carer successfully applies during a previous academic year, their ongoing requirement is recorded ahead of new applications. However, concessions cannot be granted until the number of spare seats has been determined, once entitled learners are accounted for on a specific vehicle. The Transportation Department cannot therefore confirm concessions before the start of the academic year and it may take a number of weeks to determine spare seat availability on any given service.
- Concessions may be withdrawn at short notice when seats become unavailable or if they are required for an eligible learner. In such cases a proportional refund will be calculated and given back to the parent / carer. In such circumstances seven days' written notice will be given.
- Concessionary passes cannot be issued at short notice at the start of the academic year as it is necessary to identify whether there are spare seats on contract vehicles.
- Concessionary seats would not normally be offered where public transport runs alongside school transport or where public transport is the only available option. In such circumstances, parents / carers are expected to use existing public transport.

### 6.3 Transport Payments

There may be circumstances where parents can be offered a nominal payment towards the cost of transporting their children. This is an option used only in **exceptional circumstances**, and if there are difficulties in arranging school transport for eligible learners. Parents / carers are under no obligation to accept the offer of reimbursement which would usually be a set mileage rate for the miles travelled during two return journeys per day; however this may be deemed the most reasonable mode of transport.

### 6.4 Right to Withdraw Transport

If it is subsequently found that free transport has been provided in error, e.g. route measured incorrectly, the Council has the right to withdraw the transport subject to reasonable notice (normally to the end of the term in which the error is discovered).

Where circumstances have changed e.g. following a review of transport provision, where new footpaths are provided etc. the council also has the right to withdraw free transport at the end of the academic year.

### 6.5 Behaviour on Transport

Learners travelling on service or contract vehicles provided by the Authority are expected to behave well at all times and comply with the requirements of the School Travel Code, see Appendix 2.

**Any learners who misbehave, cause, or risk causing damage or injury to the vehicle, driver or passengers, or in any way threaten the safety of the other passengers and/or vehicle, may have their transport eligibility withdrawn.** Any learners who are not entitled to free school transport but travel on contract services on a concessionary basis, will also be subject to the same rules.

The behaviour of learners on school transport services is of the utmost importance, so parents / carers are therefore expected to support the Authority, the schools, transport operators and their staff in maintaining good behaviour. **It should be clearly understood that in cases of misbehaviour the ultimate sanction is the removal of the right to receive transport. In such cases the responsibility and full cost of transport to and from school will then fall to the parent / carer.**

The Authority encourages feedback from service providers and schools regarding use of the school transport services provided. A log will be maintained of incidents and any related investigation. If necessary, parents / carers will be informed of incidents if it can be shown that a child or children have been causing problems.

**Parents should be aware that school buses may be fitted with CCTV cameras and operated in accordance with current legislation.**

## **6.6 Conditions of Use of Travel Passes**

Travel passes must be presented to the bus driver at the start of each journey made. Transport may be refused if the pass is not shown. Travel passes are not transferrable, and are valid only for the learner named on the pass and for the journey(s) shown on the pass. Misuse or fraudulent use of a travel pass is treated very seriously, and may result in the learner being subject to the school/college's disciplinary procedure in addition to losing their right to travel.

If any details change from the original application form, you must contact the Authority's Transportation Section immediately, so that the details can be amended and eligibility for transport reassessed if necessary. If a new travel pass is required as a result of such change, the existing pass must be returned along with the application. If the travel pass is no longer required, please return it to the Authority's Transport department as there may be other learners wishing to take up the allocated seat.

## **6.7 Monitoring of Services**

The Authority reserves the right to randomly check school transport services to ensure that those travelling are all eligible. Where learners are found to be travelling who are not eligible, the Transportation Section will record these instances and contact the relevant parents / carers to inform them of their options.

## **6.8 Disclosure and Barring Service (DBS) Checks**

The Isle of Anglesey County Council's Transportation Section manage and arrange all the necessary school transport contracts with the appropriate service providers. This includes undertaking DBS checks for all drivers and school Passenger Assistants. Note: school Passenger Assistants are only employed on Primary School Services where it is deemed appropriate, or if the child's additional learning needs make it appropriate.



## 6.9 Adverse Weather Conditions

Adverse weather can have an impact on school transport services and their continued provision; therefore, with safety paramount, the transport providers will take the ultimate decision as to whether a service will operate. In severe weather, especially if forecasts are predicting worsening weather, contractors will be advised not to run services.

The Transportation Section will make every effort to inform schools when home to school transport is likely to be disrupted. Details of such changes will also be available on the Council's website. The Authority is aware that some schools have the ability to text parents / carers with information once the Transportation Section have informed them. It is therefore important that the parents / carers ensure their contact details with the school are always up to date.

Those contractors which provide feeder taxi services to school / pick-up points are also required to contact parents / carers directly with any changes to services during adverse weather, or for any other reason. Information on school closures due to adverse weather, or for any other reason, will also be posted on the Isle of Anglesey's website. Parents / carers are encouraged to look at the website for such updates.

## 7.0 APPEALS

7.1 The parent / carer will normally be notified in writing within 15 working days of an unsuccessful school transport application. The Authority will also offer the parent / carer an opportunity to appeal the decision and advises on the process below.

### 7.2 Stage 1 – Review of Decision

A request to review a Learner Transport decision must be sent to the Authority within 20 working days after the date of initial refusal. Parents / carers should write to the Authority indicating their wish to review the decision.

This request should be sent to [addysg@ynysmon.gov.uk](mailto:addysg@ynysmon.gov.uk) stating the reasons and raising any relevant circumstances which may impact the decision. Additional evidence in support of these circumstances should also be provided to the Local Authority. This additional information and the appeal may also be posted to the following address:

**Learning Department  
Isle of Anglesey County Council,  
Council Offices  
Llangefni  
LL77 7TW**

Within 20 working days of receipt of the written request, a Senior Officer from Education Support will review the original decision and will respond detailing the outcome. This response will outline:

- The nature of the decision reached;
- How the review was conducted;
- Information about other departments / agencies consulted as part of the process;
- What factors were considered;
- The rationale for the decision reached;
- Information about escalation to Stage 2, if appropriate

It is noted that records of previous reviews and appeals will be maintained by Education Support to ensure consistency of approach. If any additional supportive information provided by the parents / carers is consistent with previous reviews which have been upheld, then a Stage 2 appeal stage may not be required and after assessment the relevant parent / carer will be informed of the outcome.

### **7.3 Stage 2 – Appeal**

Within 20 working days of receiving a Stage 1 decision notification, parents / carers can make a request to escalate the matter to a Stage 2 Appeal.

Within 40 working days of receipt of a Stage 2 request, an independent appeal panel will be convened to consider the appeal.

A panel of independent officers will consider the appeal against the School Transport Policy and make a decision based on the information provided. No member of the appeal panel will have been involved in the original transport decision. The panel meeting will be recorded and the minutes available. The panel will consider all the evidence provided in support of the appeal. If they so wish, parents / carers may attend to provide a summary of their appeal. Education Support officers will also have the opportunity to provide details of their assessment to the panel.

After the appeal hearing the parent / carer will be notified by Education Support of the outcome of their appeal in writing. The response will set out the following information:

- The nature of the decision reached;
- How the review was conducted;
- Information about other departments and/or agencies that were consulted as part of the process;
- What factors were considered;
- The rationale for the decision reached;
- Information about escalation to the Local Government Ombudsman.

Following this decision there are no further grounds for appeal to the Local Authority. Any further escalation would be to the Local Government Ombudsman.

## **8.0 CONTACT DETAILS**

### **8.1 Transport Applications**

For queries related to applications:

Bus Passes: [IWHHT@ynysmon.gov.uk](mailto:IWHHT@ynysmon.gov.uk) / [ampht@ynysmon.gov.uk](mailto:ampht@ynysmon.gov.uk)

Taxi: please contact the relevant school or [addysg@ynysmon.gov.uk](mailto:addysg@ynysmon.gov.uk)

### **8.2 Transportation Section**

For queries relating to operational service issues please email [IWHHT@ynysmon.gov.uk](mailto:IWHHT@ynysmon.gov.uk) / [ICXPL@ynysmon.gov.uk](mailto:ICXPL@ynysmon.gov.uk) or telephone 01248 752458 / 01248 752455.

### **8.3 14-19 Transport**

For queries related to inter-establishment transport for the 14-19 learning network, please email: [ElfedMorris@gwynedd.llyw.cymru](mailto:ElfedMorris@gwynedd.llyw.cymru) or telephone 01286 679925.

### **8.4 Transport Complaints**

If you wish to make a complaint, please email [IWHHT@ynysmon.gov.uk](mailto:IWHHT@ynysmon.gov.uk) / [ICXPL@ynysmon.gov.uk](mailto:ICXPL@ynysmon.gov.uk) or telephone 01248 752458 / 01248 752455.

## 8.5 School Admissions

For queries related to School Admissions please email [DAJED@ynysmon.gov.uk](mailto:DAJED@ynysmon.gov.uk) / 01248 752915.

## 8.6 ALN Transport

For queries related to ALN Transport please contact 01286 679007.

## 9.0 LINKS TO RELEVANT DOCUMENTATION

### **The Learner Travel (Wales) Measure 2008**

[http://www.legislation.gov.uk/mwa/2008/2/pdfs/mwa\\_20080002\\_en.pdf](http://www.legislation.gov.uk/mwa/2008/2/pdfs/mwa_20080002_en.pdf)

Available by clicking here

### **Mesur Teithio gan Ddysgwyr (Cymru) 2008**

[http://www.legislation.gov.uk/mwa/2008/2/pdfs/mwa\\_20080002\\_we.pdf](http://www.legislation.gov.uk/mwa/2008/2/pdfs/mwa_20080002_we.pdf)

Available by clicking here

### **Learner Travel Statutory Provision and Operational Guidance 2014**

<http://gov.wales/docs/dcells/publications/140616-ltog-en-v2.pdf>

Available by clicking here

### **Teithio gan Ddysgwyr Darpariaeth Statudol a Chanllawiau Gweithredol Mehefin 2014**

<http://gov.wales/docs/dcells/publications/140616-ltog-cy-v2.pdf>

Available by clicking here

### **The Travel Behaviour Code**

<http://gov.wales/topics/educationandskills/allsectorpolicies/LArner-travel/travel-code/?lang=en>

Available by clicking here

### **Côd Ymddygiad wrth Deithio**

<http://gov.wales/topics/educationandskills/allsectorpolicies/LArner-travel/travel-code/?skip=1&lang=cy>

Available by clicking here

### **Learner Travel Information (Wales) Regulations 2009.**

### **Rheoliadau Gwybodaeth am Deithio gan Ddysgwyr (Cymru) 2009**

[http://www.legislation.gov.uk/wsi/2009/569/pdfs/wsi\\_20090569\\_mi.pdf](http://www.legislation.gov.uk/wsi/2009/569/pdfs/wsi_20090569_mi.pdf)

Available by clicking here

**Dolenni i dudalennau teithio llesol ar wefan Ynys Môn:**

**Active Travel (Wales) Act 2013**

<http://www.anglesey.gov.uk/transport-and-roads/active-travel/>

Ar gael yma

**Deddf Teithio Llesol (Cymru) 2013**

<http://www.ynysmon.gov.uk/trafnidiaeth-a-ffyrdd/teithio-llesol?redirect=false>

Ar gael yma

**Road Safety / cycling pages:**

**Road Safety - Cycling**

<http://www.anglesey.gov.uk/transport-and-roads/public-rights-of-way/walking-cycling-and-horseriding/road-safety-cycling/100346.article>

Available by clicking here

**Diogelwch ar y Ffordd - Beicio**

<http://www.ynysmon.gov.uk/trafnidiaeth-a-ffyrdd/hawliau-tramwy-cyhoeddus/cerdded-beicio-a-marchogaeth/diogelwch-ar-y-ffordd-beicio/346.article?redirect=false>

Available by clicking here

**10.0 APPENDIX 1 – FEEDER SCHOOLS**

**11.0 APPENDIX 2 – SCHOOL BUS BEHAVIOUR CODE**



## Anglesey County Council – Equality Impact Assessment

<b>Revision history:</b>		
<b>Version</b>	<b>Date</b>	<b>Summary of changes</b>

<b>Step 1: Background</b>	
<b>1 – What is being assessed?</b>	The impact of a new Transport Policy
<b>2 – Is this a new proposal or one that already exists?</b>	New
<b>3 – What are the aims and purpose of this proposal?</b>	Update the current policy in accordance with Welsh Government Guidelines in order to ensure consistency, fairness, and value for money in terms of carrying out our statutory duties.
<b>4 – Who is responsible for the proposal being assessed?</b>	Learning Service
<b>5 – Who is the leading officer for the conduction of this assessment?</b>	Enid Christie / Arwyn Williams
<b>6 – Who else is participating in this assessment?</b>	Bethan Edwards

<b>Step 1: Background</b>	
<b>7 – Is there any link between this proposal and other work areas?</b>  For example, are there any other proposals or policies that should be considered in assessing the impact?	-
<b>8 – Who would be affected by the proposal(s) (negatively or positively, directly or indirectly)?</b>	Families who no longer qualify for free transport.

<b>9 – Is the proposal relevant to how the Authority conforms to the general duty of the public sector in relation to people whom are protected under the Equality Act 2010?</b>	<b>Yes'</b>	<b>No'</b>
<b>Elimination of discrimination and harassment</b>	√	
<b>Promotion of equal opportunities</b>	√	
<b>Nurturing of good relationship</b>	√	
<b>Safeguarding and promotion of human rights</b>	√	
Note: Usually, any proposal that impacts people is likely to be relevant across all protected groups.		



<b>Step 2: Collection of Information</b>	
<b>10 – Does this proposal ensure that the Welsh language isn't treated less favourably than English in accordance with the County Council's Welsh Language Policy?</b>	Yes
<b>11 – Is there an opportunity here to offer more opportunities for people to learn and / or use the Welsh language in their everyday lives?</b>	Not applicable
<b>12 – Will this work area make a proactive attempt to provide Welsh services to users?</b>	Language applicability is a criterion in the tender process
<b>13 – Is this proposal likely to protect and promote the Welsh language within the community?</b>	Yes, will also employ local companies
<p><b>Appendix 1</b> of the Impact Assessment Guidelines list a series of questions that should be considered when looking at how proposals will generally affect the Welsh language. The degree of which these questions are relevant depends of the proposal at issue. The intention is to make you think about impact or possible wider contribution and there are means to use them as a basis to consider questions 10 – 13 above.</p> <p>However, whilst looking at how the Council's <b>main</b> policies and strategies impact the Welsh language, it is recommended that these questions should be considered in more detail in order to conduct a comprehensive assessment – <b>a separate template is available with these papers on MonITor for completion if relevant.</b></p>	
<b>14 – Are there any matters that require consideration in terms of Human Rights? If so, what are these matters?</b> (For example, would the proposal lead to failure to safeguard privacy rights?)  (The 16 basic rights are listed in Appendix 1).	N/A

<b>Step 2: Collection of Information</b>		
<b>15 – Does the proposal fulfil any of the seven well-being goals outlined in the Well-being of Future Generations Act (Wales) 2015?</b>  (Descriptions of the well-being goals are listed in Appendix 2)	A prosperous Wales	√
	A resilient Wales	√
	A healthier Wales	√
	A more equal Wales	√
	A Wales of cohesive communities	√
	A Wales of vibrant culture and thriving Welsh language	√
	A globally responsible Wales	√
<b>16 – What has been done up to now in terms of participation and consultation in relation to this proposal?</b>	Have consulted with stakeholders	
<b>17 – Have you used any other information relevant to your proposal as part of your assessment? If so, please provide details here.</b>	-	
<b>18 – Are there any spaces in the information collected up to now? If so, how will these be addressed?</b>	-	

### Step 3: Assessing the probable impact and identifying alleviation steps

19 – Note below any probable effect on individual groups in terms of equality, alongside identifying which steps can be taken to reduce or improve these effects.

\*In order to decide on the nature of the probable impact, please select one of the following – **Negative / Positive / No effect**

Protected group	*The probable impact	Details of impact	Steps to alleviate negative impact
Age		No particular impact on any individual group	
Disability			
Gender			
Transgender			
Pregnancy and Maternity			
Race / Ethnicity / Nationality			
Religion or Beliefs			
Sexual Orientation			
The Welsh language			
Human Rights			
Marriage or Civil Partnership			
Any other relevant matter, e.g. poverty, access to services in rural areas			

<b>Step 4: Result of assessment</b>	
<b>20 – Note the main effects identified and how it is intended to alleviate the negative effects</b> (namely a summary of the table above).	No effect
<b>21 – Is there a strategy for dealing with any effects that aren't illegal but cannot be avoided nor alleviated?</b>	Pupils' needs and Additional Learning Needs (ALN) are discussed by the education forum. And appropriate transport is provided as required.
<b>22 – Describe any action that has been taken or is intended to be taken to make the most of the opportunity to promote equality and/or the Well-being of Future Generations Act (Wales) 2015 goals (sustainability).</b> (The seven well-being goals are listed in Appendix 2)	Actions match the goals.
<b>23 – Does the proposal need to be reconsidered following the conduction of this assessment?</b>  (Evidence of negative impact could make the proposal illegal. If you have identified a negative effect, it should be considered whether there are means to move forward with the proposal at this stage)	No
<b>24 – Will the proposal be adopted / forwarded for approval? Who will make the decision?</b>	Learning Service is in consultation with the Senior Leadership Team / Elected Members
<b>25 – Are there monitoring arrangements in place? What are those arrangements?</b>	Learning Service continues with monitoring

## Step 5 – Action Plan

Give details here of any actions planned following completion of the assessment. Any changes made to reduce or eliminate a probable or actual negative effect should be included, in addition to any arrangements to collect data or to carry out further research.

Ref	Planned actions	Leading officer	Timetable
	No changes		

## Appendix 1 – Human Rights

Human rights mean rights and freedom for all individuals, no matter what their nationality or citizenship. There are 16 basic rights in the Human Rights Act – all extracted from the European Convention for Human Rights. For the purpose of the Act, they're referred to as 'Convention Rights'. They are listed below:

(Article 1 is an Introduction – it hasn't been incorporated into the Human Rights Act)

- Article 2: Right to life
- Article 3: Freedom from torture and inhuman or degrading treatment
- Article 4: Freedom from slavery and forced labour
- Article 5: Right to liberty and security
- Article 6: Right to a fair trial
- Article 7: No punishment without law
- Article 8: Respect for your private and family life, home and correspondence
- Article 9: Freedom of thought, belief and religion
- Article 10: Freedom of expression
- Article 11: Freedom of assembly and association
- Article 12: Right to marry and start a family
- Article 14: Protection from discrimination in respect of these rights and freedoms
- Protocol 1, Article 1: Right to peaceful enjoyment of your property
- Protocol 1, Article 2: Right to education
- Protocol 1, Article 3: Right to participate in free elections
- Protocol 13, Article 1: Abolition of the death penalty

## Appendix 2 – Well-being of Future Generations (Wales) Act 2015

This Act pertains improving the social, economic, environmental and cultural well-being of Wales. Public bodies must ensure that they consider the impact of their decisions on people of whom will live their lives in Wales in the future.

The act determines seven well-being goals:

Goal	Description of goal
<b>A prosperous Wales</b>	An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.
<b>A resilient Wales</b>	A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).
<b>A healthier Wales</b>	A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.
<b>A more equal Wales</b>	A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).
<b>A Wales of cohesive communities</b>	Attractive, viable, safe and well-connected communities.
<b>A Wales of vibrant culture &amp; thriving Welsh language</b>	A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.
<b>A globally responsible Wales</b>	A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.