

## School buildings and transport

### Introduction

**School buildings** – in *Wales: A Better Country*<sup>i</sup>, the strategic agenda of the Welsh Assembly Government (2003), the Government set out a commitment to invest £560 million in the improvement of school buildings with a view to all schools in Wales being fit for purpose by 2010.

In *The Learning Country: Vision into Action*<sup>ii</sup>, (October 2006) the Welsh Assembly Government's strategic plan for education, lifelong learning and skills in Wales until 2010, the Minister sets out her plans for delivery under a number of headings. Under the heading of *Make all school buildings fit for purpose*, the Minister said that:

The Assembly Government will:

- Promote sustainability and security in the design of new schools and significant and to incorporate sprinklers when using Assembly Government grant
- Promote effective procurement and strong project management through collaborative action between local authorities
- Provide, on average, funding of £150m a year to 2009-10 for school buildings; keep under review the progress made by local authorities; consult and set target dates for individual authorities to reach the fitness target
- Consider developing a link between allocation of funding for capital investment in schools and effective strategic planning by local authorities
- Promote schools as a focus for the local community, providing opportunities for out of school hours activities (educational and otherwise) and as a base for other services

The Minister provided the Education, Lifelong Learning and Skills Committee (ELLS) with details of the repair and maintenance backlog (for existing buildings) at its meeting in July 2006. The overall backlog at that time was estimated to be £620.6m. The progress being made by local authorities is under review and it is anticipated that a target date to achieve fitness for purpose for all school buildings will be agreed with each local authority by the end of July 2007.

**School transport** – Local Education Authorities have a statutory duty to provide home to school transport under the Education Act 1996 (as amended). The entitlement of pupils to *free* transport depends upon their age and the distance from their home to school. The Education and Lifelong Learning Committee undertook a review into the provision of school transport in Wales in 2005.

Current guidance on school transport is contained in Welsh Office Circular 19/95 ('Home to School Transport'). The Assembly Government undertook a consultation (also called 'Home to School Transport'<sup>iii</sup>) in early 2007, setting out the Welsh Assembly Government's view of the law on school transport and inviting comments from schools, transport operators, parents and interest groups on draft guidance to Local Education Authorities (LEAs). When finalised, the guidance will replace Circular 19/95.

### Overview of current statutory powers of the Assembly

- The Education and Inspections Act 2006 received Royal Assent on 8 November 2006. Section 178 of the Act contained wide powers for the Assembly to make subordinate legislation, known as 'framework powers'. A draft Order in Council to convert the framework powers in the Act into powers for the Assembly to make Assembly Measures in the same policy areas was debated and approved by the Assembly in Plenary on 7 March 2007. Powers included in the Order include those in connection with school transport.
- "Education and training" is Field 5 of Schedule 5 of the *Government of Wales Act 2006*. This means that the National Assembly for Wales can seek Measure-making powers over education matters through Legislative Competence Orders.

<sup>i</sup> Wales: A Better Country – the strategic agenda of the Welsh Assembly Government, September 2003  
<http://new.wales.gov.uk/about/strategy/strategypublications/walesabettercountry/?lang=en>

<sup>ii</sup> *The Learning Country: Vision into Action* - the Welsh Assembly Government's strategic plan for education, lifelong learning and skills in Wales until 2010  
<http://new.wales.gov.uk/topics/educationandskills/educationandskillsnews/wales-action-on-learning?lang=en>

<sup>iii</sup> Welsh Assembly Government consultation (February 2007) – Home to School Transport  
<http://new.wales.gov.uk/docrepos/40382/4038232/403829/Consultations/2006/hometoschooltransport-con-e?lang=en>

## Legacy issues from the Second Assembly

- School buildings – the report of the School Funding Committee made a number of recommendations. Recommendation 26 stated: *We recommend that the Assembly Government should require that funding allocated to authorities for capital purposes is fully utilised on education capital spending and should consider making available additional resources if it remains committed to its target to make all schools fit for purpose by 2010*
- School transport - the ELLS Committee's final report and legacy paper noted the Committee's review into School Transport. The Committee recommended that attention be paid to monitoring the progress of the current Government's target for all school buildings to be fit for purpose by 2010.

## Useful links

1. The Welsh Assembly Government has a [website](#) covering education and lifelong learning issues.
2. The Assembly's former Education and Lifelong Learning Committee conducted a review into school transport. The Committee's report (April 2005), and the Education Minister's latest response (March 2007) are available on the National Assembly website [for 2005](#) and [for 2007](#).
3. The National Assembly for Wales (Legislative Competence) (Conversion of Framework Powers) [Order 2007](#) and [explanatory notes](#)

## Further information

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