

Cabinet – 19th March 2014

New funding model for Category 2 School Crossing Patrol Wardens.

Portfolio: Councillor A Andrew, Deputy Leader, Regeneration and Transport

Related portfolios: Councillor C Towe, Portfolio Holder, Resources

Service: Regeneration and Neighbourhoods

Wards: All Wards

Key decision: Yes

Forward plan: Yes

1. Summary

1.1 On the 27th February Cabinet meeting budget savings proposals for the Financial Year 2014/15 were approved for the stopping of Council funding worth £85,000 for Category 2 School crossing patrols.

1.2 Walsall Council provides a School Crossing Patrol Function to 82 sites across the Borough and Property Services delivers the School Crossing Patrols Service on behalf of the Council.

1.3 Property Services currently manages the School Crossing Patrol Service, comprising 44 Category 1 crossings and 38 Category 2 crossings. The Budget for this service is £489,245 and is managed as a cost to the Council. There are two types of crossings and these are risk assessed by Council Road Safety team as to which criteria they meet in line with national standards for road safety.

Category 1 is for a School Crossing Patrol Warden to be on duty at specific times during school opening hours and not supported by secondary crossing facilities i.e. pedestrian, pelican, zebra, toucan crossings etc. In the case of absences or vacancies these are automatically covered by one of the mobile relief wardens. The score from the Road Safety Team sets the position on the Category 1 listing.

Category 2 is for a Warden supported by secondary crossing facilities; these are scored lower than a Category 1. In the case of absences/vacancies these are not covered by relief wardens. The score from the Road Safety team sets the position on the Category 2 listings.

1.4 Some school crossing patrol budget savings have been offered up previously, these have been approved by the Council but were only for vacant Category 2 posts in 2010. Property Services delivers the School Crossing Patrols service subject to budget provision.

- 1.5 In essence Cabinet is being asked to withdraw what is a discretionary service with qualification for that service being assessed by the Council's Road Safety Team. Currently these services are funded in full to the tune of £85,000.00 by the Council.

The in principle decision to approve withdrawal of the service, is however subject to consultation with Service users and others under Section 3 (2) of the Local Government Act 1999. It is anticipated that consultation will take up to 3 months to complete from the start of the 2014-15 financial year.

Part of the consultation process will be an offer from the Council to continue providing the discretionary (Category 2) School Crossing Patrol Service subject to payment from schools on a full cost absorption basis.

2. Recommendations

Cabinet is recommended:

- 2.1 Following consultation with Service Users and others to confirm withdrawal of funding for the Category 2 School Crossing Patrol Service.
- 2.2 Approve the recharging of schools that currently utilise the Category 2 School Crossing Patrol Service through a service charge on an individual crossing basis identified with the associated school(s). The current costs of this service are £85,000. It is anticipated consultation will be complete by end of June 2014.
- 2.3 To approve the cost recharging for any new requests for crossings and where they do not meet the criteria for Category 1 can be recharged to the requesting school.

3. Report detail

- 3.1 Property Services manage the School Crossing Patrol Service. The service provides 2 types of service, Category 1 and Category 2 crossings. Category 1 is for a School Crossing Patrol Warden to be on duty at specific times during school opening hours and is not supported by secondary crossing facilities i.e. pedestrian, pelican, zebra crossings. Category 2 is for a Warden supported by secondary crossing facilities; these are risk scored lower than a Category 1.
- 3.2 The School Crossing Patrol Service currently has 38 Category 2 schools crossings and there have been requests for further crossings within the borough. These crossings are risk assessed by Council Road Safety team as to which Category they meet in line with national standards for road safety.
- 3.3 The current staff that are employed by Walsall Council as School Crossing Patrol Wardens are trained and managed by the Council in line with Road Safety GB guidelines and are subject to regular monitoring and refresher training. The Council has a statutory duty to ensure that anyone who is operating as a school crossing patrol warden is suitably trained to perform this role. This duty will remain irrespective of who employs or pays for the wardens.

- 3.4 It is proposed that schools pay the cost of the Category 2 School Crossing Patrol Wardens including associated management costs and other overhead costs such as Central Support Charges (CSS) for the crossing that serves their school. Due to the nature of the service this could mean that some schools will be able to share the cost amongst them.
- 3.5 All new requests for School Crossing Patrol Wardens will be continued to be made to Property Services who will arrange for the site to be assessed with the Council's Road Safety team who will determine which Category it meets.
- 3.6 All Category 2 crossings service provision will be governed by a service level agreement between the Council and the school(s) which will deal with service standards, times of operation and cost recovery.
- 3.7 As part of the review into the proposed charging process Property Services has contacted other Local Authorities who are members of the Mercia Group whose purpose, amongst other things, is to meet and discuss road safety and school crossings. Some Authorities have reviewed the cost modelling process and currently recharge for all new Category 2 crossings, and others charge for all Category 2 crossings.
- 3.8 It is anticipated that any school that wished to buy into the School Crossing Patrol Service would be able to negotiate with other schools within close proximity a best value option for them and the needs of the school, such as mutually agreed start and finish times.

4. Council priorities

The approved budget saving requires the Council to make the most effective and efficient use of its resources. This proposed model allows schools to continue with the service on a site by site needs basis as determined by schools in the locality. There is no statutory duty for a Local Authority to provide a school crossing patrol. The Local Authority does have the power to provide this service as a discretionary service. There is however, a statutory duty for the Local Authority to provide training to any person who does operate a school crossing patrol.

5. Risk management

- 5.1 The management of the crossing will still be undertaken by Property Services and the criteria established by the Council Road Safety team, however the local needs of the school will be assessed by the Headteacher and governors of the school.
- 5.2 Furthermore in some particular cases e.g. "rat runs" where there have been risks associated with crossing locations and these have still been classed as Category 2 crossings by the Council Road Safety team (notwithstanding them not meeting all the criteria for a Category 2 crossing), the option to procure a service for a Crossing Warden will also then be available to the schools and their governing bodies on a full cost absorption basis.

6. Financial implications

- 6.1 The decision to withdraw the £85,000 of funding from the Category 2 School Crossing Patrol Service has been approved at the February Cabinet meeting as part of the budget process inline with the Council savings targets. The option to provide a service that schools could procure would be costed out on a full absorption cost recovery basis from Property Services and would include all associated costs such as management and CSS associated with the service delivery.
- 6.2 It should be noted that if schools do not agree to fund the cost of the provision of Category 2 school crossing patrol wardens then this report does not seek authority for the service to be withdrawn and so the Council would need to undertake service user consultation before any subsequent report to Cabinet to seek authority to withdraw the service.
- 6.3 On the document Findings from Budget Consultation: Financial Year 2014/15, over two thirds of participants (67%) in the consultation expressed support for this proposal.

Those in support of the proposal agree with the rationale but emphasise the need to maintain services on busy a road routes and to only cut funding where schools agree to take over responsibility. There are other suggested alternatives such as using volunteers, parents, teaching assistants and Police Community Support officers who would have to be trained in the role to the appropriate standard by Walsall Council.

- 6.4 The guideline cost for each School Crossing Warden based on a 5 hr shift per week is approximately £3,600.00 per year. This includes national insurance, pensions, management costs and CSS.

7. Legal implications

- 7.1 There is no statutory duty for a Local Authority to provide a school crossing patrol. The Local Authority does have the power to provide this service as a discretionary service (section 26 of the Road Traffic Regulations Act 1984("the RTR Act")). There is however, a statutory duty for the Local Authority to provide training to any person who does operate a school crossing patrol and to be satisfied that the person appointed has adequate qualifications (sections 26 and 28 of the RTR Act).
- 7.2 In addition, section 508B of the Education Act 1996 imposes a statutory duty on the Council to provide free transport from / to home and school (or pay a mileage allowance) to each child where the child's walking route to / from school involves a road crossing that would be considered unsafe. The potential costs of complying with this duty if school crossing patrol wardens were no longer provided need to be factored into any future decision to withdraw the service of providing a school crossing patrol warden.

- 7.3 This report does not seek authority to withdraw the service as service users have not been consulted on that proposal and section 3(2) of the Local Government Act 1999 obliges the Council to consult with service users and others before taking any decision to withdraw a service.

8. Property Implications

Property Services will continue to manage the School Crossing Patrol Service and work with Schools and interested parties to deliver the service.

9. Health and wellbeing implications

Should the service continue, it is not envisaged that there will be any health or well being issues for staff in positions of crossing wardens or for users of the service. Where a new crossing is implemented this will improve the health and wellbeing of users of this service.

10. Staffing implications

There will be no direct impact on employees if the service continues to be procured and delivered through Property Services and paid for by schools budgets. . This report does not seek authority to withdraw the service and so there are not any staffing implications at this time.

11. Equality implications

There are no direct equality implications arising from this proposal.

12. Consultation

- 12.1 Section 3(2) of the Local Government Act 1999 obliges the Council to consult with service users and others before taking any decision to withdraw a service. Schools consultation has commenced via Childrens Services at head teacher level.
- 12.2 Further consultation will be required with users of the service and this will need to be presented to Cabinet before any withdrawal of the service.

Background papers

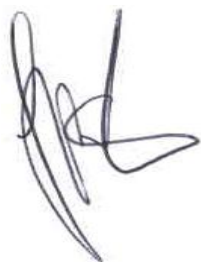
Cabinet – 27th February

Regeneration Scrutiny and Performance Panel Report 5th September 2013.

Financial Plan 2014/15 to 2018/19: Update on Draft Revenue Budget and Capital Programme, and outcome of budget consultation to date - Appendix 2 - Findings from Budget Consultation: Financial Year 2014/15

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A handwritten signature in black ink, appearing to be 'SN', written on a light blue background.

Simon Neilson
Executive Director
Regeneration
10 March 2014

A handwritten signature in blue ink, appearing to be 'Adrian Andrew', written on a light yellow background.

Councillor Adrian Andrew
Deputy Leader
Portfolio holder: Regeneration and Transport
10 March 2014

Appendix 1

Category 2 crossings

Crossing Number	Ward	Schools Served
H001	Pleck	Alumwell Junior + Infant & Nursery
H005	Bentley & Darlaston North	County Bridge Primary
H008	Pleck	Birchills CE Primary
H011	Willenhall North	Beacon Primary
H014	Bloxwich East	St Peters RC Primary
H016	St Matthews	Blue Coat CE Junior + Infant
H017	St Matthews	Blue Coat CE Junior + Infant
H025	Birchills Leamore / Blakenall	Croft Community Primary
H026	Palfrey	Delves Junior + Infant & Nursery
H027	Darlaston South	Moorcroft Wood Primary
H028	Blakenall	Edgar Stammers Primary
H031	Willenhall South	Barcroft Primary
H032	Bloxwich West	Elmore Green Primary
H037	Pleck	Hillary Primary
H038	St Matthews / Paddock	Hydesville Tower
H040	Palfrey	Whitehall Infant + Fulbrook Nursery
H043	Birchills Leamore / Blakenall	Leamore Primary
H047	Bloxwich East	Lower Farm Primary
H051	Willenhall North	New Invention Junior + Infant
H053	Palfrey	Palfrey Junior & Infant
H055	Darlaston South	Pinfold St JMI + Old Church
H056	Darlaston South	Pinfold St JMI + Old Church
H060	Willenhall South	St Giles CE Primary
H067	Willenhall North	Beacon Primary + New Invention Infant & Junior
H070	Short Heath	Woodlands Primary
H082	Rushall Shelfield	Greenfield Primary
H091	Brownhills	St James Primary + St Bernadette's
H094	Pelsall	Pelsall Village
H101	Rushall Shelfield	St Francis RC Primary + Greenfield Primary
H109	Aldridge Central & South	St Mary of the Angels RC Primary
H121	Paddock	Mayfield Prep
H133	Rushall Shelfield	Greenfield's Primary
H137	Bloxwich East / Blakenall	Blakenall Heath Junior + Sunshine Infant
H139	St Matthews / Paddock	Hydesville Tower
H144	Willenhall North	New Invention Junior + Infant
H145	Willenhall North	New Invention Junior + Infant
H147	St Matthews	Butts Primary
H149	Pelsall	Ryders Hayes

Appendix 2

Accident/Incident statistics for category 2 crossings (Warden reported)

Date range February 2013 to February 2014

Crossing and School	Date	Detail
Crossing no H051 - New Invention Junior and Infant schools.	13.06.13.	Accident type - Drive through This is when the crossing warden has attempted to stop the traffic and the car has no stopped when requested.