

## Slough Borough Council

<b>Report To:</b>	People Scrutiny Panel
<b>Date:</b>	12 <sup>th</sup> September 2022
<b>Subject:</b>	Home to School Travel Assistance and Post 16 Travel Assistance Policies – Consultation Feedback
<b>Chief Officer:</b>	Andrew Fraser – Executive Director of People (Children)
<b>Contact Officer:</b>	Johnny Kyriacou – Associate Director, Education & Inclusion
<b>Ward(s):</b>	All
<b>Exempt:</b>	NO
<b>Appendices:</b>	<ol style="list-style-type: none"><li>1 Final Policy 5-16 Home to School Travel Assistance</li><li>2 Final Policy Post 16 Education Travel Assistance Policy Statement</li><li>3 Consultation Analysis</li><li>4 EqIA</li></ol>

### 1. Summary and Recommendations

- 1.1 This report sets out recommendations that will go to Cabinet regarding the continued delivery of Home to School and College Travel Assistance. The report highlights feedback from a recent public consultation and rationale regarding the proposed changes to policy. Cabinet decision is required regarding progression of the recommendations.

#### Recommendations:

- 1.2 People Scrutiny Panel is recommended to:
1. Scrutinise and make comments on the proposed policy changes for Home to School Travel (5-16) with effect from the 2023/24 academic year with transitional arrangements in place for the academic year 2022/23 (Appendix 1)
  2. Scrutinise and make comments on the proposed policy changes for Home to College Travel (Post 16) (Appendix 2) with effect from the 2023/24 academic year with transitional arrangements in place for the academic year 2022/23 *[please list by (a), (b), (c) etc where there are multiple recommendations]*

#### Reason:

- 1.3 Slough Borough Council (SBC) is committed to ensuring the public money we spend and the resources available, are used in the most efficient and effective way to meet the needs of the most vulnerable people within our community. The proposed policy changes ensure that the Council complies with its statutory responsibilities, whilst meeting its best value duties.

## **Commissioner Review**

- 1.4 [Sign off from the Commissioner(s) is required for all reports and any comments are to be recorded in the report. Commissioners must have reports one week before agenda publication to sign off. Legal and finance must have signed off reports before being sent to Commissioners.]

## **2. Report**

### **Introductory paragraph**

- 2.1.1 The proposed policy for Home to School and Post 16 travel provides a child/individual centric approach to travel assistance. Provision will continue to support individual needs and circumstances whilst increasing alternative and independent travel options available to the Council and families.
- 2.1.2 The proposed policies reflect the Council's statutory obligations. It also includes the strategic aims previously approved at cabinet, which includes:
- Social integration of children and young people whatever their needs
  - Independence for children and young people with SEND
  - Promotion of parental responsibility to make any necessary arrangements to ensure their children attend school
  - School responsibility to collaborate with the council on SEN travel
  - Environmentally sustainable travel
  - Efficient use of public resources
- 2.1.3 This inclusion of more independent travel and alternative travel options does not mean the Council will stop meeting the needs of vulnerable children and young people by providing unsuitable travel arrangements. The policy is centred around the child/young person's needs and considering the individual needs and circumstances of each person to identify the most appropriate form of travel.
- 2.1.4 A public consultation ran from Thursday 23<sup>rd</sup> June to 21<sup>st</sup> July 2022 to ask those with an interest in the service their views on the proposed policy changes, which included:
- Independent Travel Training to be offered to families as a suitable and appropriate travel provision, subject to a needs assessment.
  - A new Travel Bursary option will be created and offered to families. With family consent this will enable them to make their own travel/care arrangements that enable them to facilitate their child's attendance at School/College.
  - Introduced use of collection points for transport arrangements where a needs assessment identifies that a child is able to access travel arrangements away from the home address.
  - The removal of assistance with travel to faith Schools or same sex establishments where nearer establishments are identified as being able to meet educational need, unless qualification under statutory requirements.
  - Introduction of a contribution charge from those in receipt of assistance where the Council does not have a statutory obligation to provide free assistance to eligible individuals, such as those in post 16 education.

- 2.1.5 A range of engagement activities was undertaken to hear from people who access these or similar services, as well as families, carers, professionals and the wider public. This included 6 face-to-face public events, including a dedicated public meeting for families of Arbour Vale School, meetings with School representatives and other professionals, engagement with voluntary groups, as well as publishing information relating to the policy proposals on the Council's consultation pages, including an online survey
- 2.1.6 General feedback from public meetings focussed on individual circumstances as a way of evidencing that that the proposed independent and alternative travel options may not be suitable and would place individual children at risk where these arrangements are not appropriate. Where discussion existed that took into account all users of the service and the extreme range of needs, it was acknowledged that some children/young people may benefit from these new options if their needs were more moderate.
- 2.1.7 It is important to note that upon approval of the recommendations made above, Slough Borough Council will continue to assess each request for assistance with travel based on the merit (needs/circumstances) of each case. Therefore, it is expected that those children/young people with the greatest/most severe needs will continue to be reliant on door-to-door transport services with appropriate onboard support.
- 2.1.8 The proposed action will support the delivery of the Council's statutory obligations, ensure assistance with travel to School/College is available to those with the greatest need, and contribute towards Outcome 1 and 2 of the five-year plan: "to have happy, healthy and successful children in Slough" and "our people will be healthier and manage their own care needs".
- 2.1.9 The Council is taking steps to support the development of independence and preparation for adulthood amongst children and young people. The services identify individual needs and circumstance to decide which travel option is the most appropriate to meet short- and longer-term objectives for the individual.
- 2.1.10 The service believes that the updated policies provide the structure to effectively promote independence amongst children and young people with SEND whilst also assisting with preparing them for adulthood. The policy aims to enable effective assessment and review of individual needs and circumstances, and the introduction of more travel options will enable the service to work closely with schools and families to encourage and enable more independent travel.
- 2.1.11 The strengthening of the policy document will provide greater control and clarity for officers to effectively implement the policy in a consistent and sustainable manner, whilst providing clarity and transparency for families and schools/colleges.

## **Options considered**

### **2.2.1 No Change to Existing Policies or Service Provision**

The Council could choose to retain the existing policies; however, this does not meet the strategic aims set out above, nor does it reflect the best practice which exists elsewhere.

Deciding to not change existing policies or provision would also restrict the services ability to make the service more efficient and assist in addressing the Council's financial challenges whilst also not effectively supporting children and young people to develop life skills for preparation for adulthood or provide a range of appropriate travel options appropriate to need/circumstances.

**This option is not recommended.**

Independent Travel Training

- 2.2.2 The option of Independent Travel Training as a suitable form of travel to be introduced. For the majority of existing users of the service this travel option will not be suitable due to the risks associated to travelling alone as a result of an individual's SEND. Where children/young person's needs are less severe than training will be offered to those where individual needs assessments (following engagement with families and schools) have identified this as a suitable option.
- 2.2.3 Training will be conducted on a 1:1 basis with each training programme individually designed to reflect the specific needs and capabilities of each learner. The duration of training (number of sessions) will reflect the learner's progression with no pre-determined session numbers being set.
- 2.2.4 Learners will be supported to learn about how to travel safely independently on public transport and will include numerous training scenarios to reflect potential situations that the learner may experience whilst travelling.
- 2.2.5 Existing transport arrangements will be maintained throughout the training to ensure if a return to arranged travel was necessary then this can be facilitated quickly.
- 2.2.6 Out of current users of the service with an EHCP (SEN), based on the experience of other Travel Training organisations, it is only expected that a minority may be able to benefit from the training.
- 2.2.7 Other Council's and Travel Training organisations typically identify approximately 10-14% of existing transport users have the potential to travel independently. This would represent between 52 and 73 out of the 520 current users of the service.
- 2.2.8 Due to the slow nature of delivering Travel Training and the significant barriers that will exist, a conservative estimate (until January 2024) has been used when calculating financial savings. This will be validated, reviewed, and confirmed when undertaking the needs assessments of all users of the service. Where training is not appropriate/suitable for an individual then existing travel arrangements will continue, although for some children and young people there may be an opportunity to re-visit this as they get older. It is anticipated that increasing the numbers of independent travellers through the training will increase post January 2024.
- 2.2.9 Based against current service demand and requirement to build confidence in the programme, training up to 15 children/young people may reduce spend against the Home to School Transport budget by £0.085m per annum by January 2024. Training will continue beyond this date, with the aim to increase the total numbers travel independently building on the early success and confidence generated from the original cohort of beneficiaries.
- 2.2.10 As part of the needs assessment activity that is planned to begin within the service in October 2022, individual children/young people will be identified as potential

candidates for training. Through engagement with families and Schools any potential will be validated and where it is appropriate bespoke training programmes will be designed to reflect the specific needs and circumstances of the individual.

2.2.11 Training is not expected to commence in a “live” environment until February 2023. Training progression and sign off as an independent traveller will be conducted in conjunction with the family and the school. The Council will work in partnership with schools/colleges and parents/families. It is accepted that any period of change is difficult for many children, young people and their families, however this is particularly the case with children and young people with SEND. Experience in other areas has shown that well delivered independent travel training can be life changing, but also that families are very anxious about the change and how risks will be managed. It will be important to have an open dialogue with parents and carers during the process.

**This option is recommended.**

#### Travel Bursary

2.2.12 The introduction of a Travel Bursary will provide families with a more convenient option to make their own travel arrangements to reflect the needs and circumstances of the child/young person and the family.

2.2.13 In contrast to typical reimbursement arrangements an agreed budget will be paid monthly in advance to cover the costs associated with the family making appropriate travel and care arrangements to facilitate attendance at School/college. Whilst the bursary can be used to fund a variety of different travel options, this is particularly appropriate for parents or carers who have access to an adapted vehicle, which can be used to transport their child/young person.

2.2.14 Based on the feedback of the consultation and upon review of the original Travel Bursary proposal the Council is looking to introduce the following payment structure which is based on the driving distance from the child/young person’s home address and their place of education.

2.2.15 The Travel Bursary value is as follows:

<b>Distance Band (Home to School – Shortest Driving Route)</b>	<b>Travel Bursary Value (Per Annum)</b>
Less than 5 miles	£2500
5 – 10 miles	£4000
Over 10 miles	£6500

2.2.16 An option will exist where parent/carers can request an enhanced Travel Bursary where the value is insufficient to provide specialist travel provision. This will be reviewed and considered on a case-by-case basis. Where justifiable circumstances are evidence, an enhanced offer may be awarded as long as any award remains financially viable for the Council.

2.2.17 The award of a Travel Bursary can only be made with the parent/carer consent, and therefore if the use of a Travel Bursary is not viable/appropriate then the parent/carer can refuse the offer at which point the Council will make alternative travel arrangements in order to meet its statutory obligations.

2.2.18 The acceptance of a Travel Bursary by 21 families (out of approximately 520) is expected to reduce spend by £0.065m, based on current demand levels.

2.2.19 The development of the Travel Bursary infrastructure, process and protocols will begin in October 2022. Once appropriate processes and controls are established that enable effective delivery of the Travel Bursary as a viable travel option it will then be communicated to families who will then have the option to consider a Travel Bursary offer for travel as a replacement for their existing travel arrangements.

2.2.20 It is expected that Travel Bursary's will begin to be awarded and used as a travel option by families from April 2023 with a targeted sign up of 21 families by September 2023.

**This option is recommended.**

#### Collection Points

2.2.21 The introduction of the use of collection points to replace some current home collection arrangements will help to encourage the development of independence and enable the streamlining of existing transport routes.

2.2.22 Based on the consultation feedback the Council is proposing to only allocate a collection point to individual children/young people where a needs assessment has identified that this is an appropriate and suitable travel arrangement. It is expected that the majority of current users of the service will not be able to use a collection point and will continue to be collected from their home address.

2.2.23 Up to 10% of the current users of the service are expected to be identified as able to use a collection point. No spend reduction targets have been identified through the implementation of this proposed option.

2.2.24 The Council intends to begin conducting needs assessments of existing users of the service from October 2022. Working with Schools/Colleges and families it is expected that individuals able to effectively use collection points can be identified allowing a phased introduction with individuals beginning to use collection points early in 2023.

2.2.25 Completion of existing user needs assessments and full implementation of collection points across the service is expected to be established for the start of the 2023/24 academic year. Use of collection points will only be for individuals where a needs assessment has clearly identified this is an appropriate option for travel.

**This option is recommended.**

#### Faith Schools & Same Sex Establishment Travel

2.2.26 The Council will cease to provide assistance with travel for children and young people attending Faith Schools or Same Sex Establishments where appropriate, more local provision is available.

2.2.27 Where a child/young person is attending a Faith School or Same Sex Establishment, and this has been identified in their Education Health and Care Plan as their named school by the local authority then assistance will continue to be provided in accordance with the statutory eligibility requirements.

- 2.2.28 The Council is looking to cease existing provision, unless statutory eligibility thresholds continue to be met, at the end of the 2022/23 academic year, providing affected families with sufficient notice to make alternative travel arrangements if necessary.
- 2.2.29 The change in travel provision is expected to effect 20 children/young people, currently costing the Council £0.020m per annum, spend reduction benefits will be realised from September 2023.

**This option is recommended.**

Contribution Charge for Non-Compulsory Age Travel

- 2.2.30 The Council will introduce a contribution charge for those who are not compulsory school age and not eligible (under statutory regulations) for free assistance.
- 2.2.31 Where travel assistance provision has been identified as necessary, in accordance with criteria stated within the Council's travel assistance policies then a contribution charge must be paid before any travel arrangements are established for the individual.
- 2.2.32 Where families/individuals are unable to pay the contribution charge they are expected to exhaust all options of financial support, including accessing 16-19 Bursary via the School/College they are attending. Statutory guidance confirms that the Council can receipt of 16-19 bursary funding into account when assessing an individual's need for financial help with travel/transport.
- 2.2.33 Where family/individual financial circumstances are a limiting factor restricting access to education for the young person, then applications can be made to the Council to consider the circumstances to determine if adjustments to the contribution charge is necessary. Applications of this nature will be considered on its own individual merit.
- 2.2.34 A contribution charge will be initially set at £750 per annum (13% of the current average cost for travel) for the 2023/24 academic year. The charge value will be reviewed annually and adjusted as necessary. Any change to contribution charge will be published in advance of the academic year it comes into effect, typically in alignment with the publishing of the Post 16 Travel Assistance Policy Statement which should be updated and published no later than the 31st May each year as directed by statutory guidance.
- 2.2.35 The introduction of a contribution charge is expected to generate an income and spend reduction of £0.040m from September 2023 based on current demand levels.

**This option is recommended.**

**Background**

- 2.3.1 Currently 43% (520) of all Slough children and young people with an EHCP are provided travel assistance by the Council. Approximately 30% of those children and young people with an EHCP and travel assistance live within the statutory walking distance eligibility and are therefore supported with travel due to mobility issues which impact on their ability to walk to school. The mobility issues may relate to physical or learning disability. The remaining children or young people with EHCP

who are provided with travel assistance need to travel further than the statutory walking distances to get to their nearest suitable school.

- 2.3.2 The Council spent approximately £3.4m on transporting children to School and Post 16 establishments 2021/22. The Council currently provides assistance for 710 children and young persons, of which 520 have an EHCP (SEN).
- 2.3.3 To deliver the service approximately 134 routes operate daily supporting children and young people with SEND. Those routes serve 18 in borough education establishments and 43 out of borough.
- 2.3.4 The Council currently does not request a contribution for travel assistance for those aged 16-18 (and 19 if continuing their course). Other Councils require a fee to be paid, as demonstrated in the table below:

<i>Council</i>	<i>Maximum Annual Contribution Charge</i>
<i>Hertfordshire</i>	<i>£1,554</i>
<i>Buckinghamshire</i>	<i>£1,179</i>
<i>Essex</i>	<i>£900</i>
<i>Wiltshire</i>	<i>£850</i>
<i>Bexley</i>	<i>£400</i>
<i>Redbridge</i>	<i>£300</i>

- 2.3.5 The Association of Transport Co-ordinating Officers undertakes a survey with its member authorities across England, Scotland and Wales, benchmarking demand and spend growth in the process. Their latest survey (published late 2021) detailed that Urban Unitary Authorities (EUU) were paying £4,983 per annum for every child/young person they provided travel assistance to with SEND, this does not include any London Councils (LB). Slough is currently paying on average £5,769 per annum per passenger for SEN travel.
- 2.3.6 Within the provision provided to children and young people is a significant number who travel long distances on their own in a taxi, often well into young adulthood. This does not promote independence and preparation for adulthood, nor is it inclusive. The Council is currently delivering a service that fosters dependency and isolation for many children and young people with SEND.
- 2.3.7 Key features of the current policy, practice and culture that underpin poor outcomes for children and young people and high comparative costs are:
- Significant historic levels of travel assistance for Post 16 student without requiring a monetary contribution and for those under the Council discretionary powers, such as assistance to faith and single sex schools by comparison with other authorities
  - Independent Travel Training has not been an available option for officers to make available to young people as a valid alternative travel assistance offer
  - School and parental expectations of solo routes and passenger assistants rather than options that promote independence and integration of children and young people
  - Practice has not been coherent and consistent in determining 'exceptional circumstances', although it has improved in recent times
  - A need for more robust annual review process for children and young people as to travel provision or continued eligibility



## Consultation Feedback

- 2.4.1 A detailed consultation process was undertaken between 23<sup>rd</sup> June 2022 and 21<sup>st</sup> July 2022. This included an online questionnaire, a consultation booklet, 6 public meetings, and targeted meetings with key stakeholders.
- 2.4.2 Appendix 3 provides more detail about the results of the public consultation. Headline results from the consultation are described below in paragraphs 2.4.3 to 2.5.25.
- 2.4.3 Consultation responses were as follows:
- 58 responses of online questionnaire
  - 11 attendees of public meetings
  - 14 attendees of public meeting at Arbour Vale School
  - 1600 notifications of the consultation sent to current users and pupils with EHCP's
  - 91 notifications of the consultation sent to Schools/Colleges
  - 5 enquiries received via consultation email address
- 2.4.4 Engagement activity was planned to offer a range of options to encourage participation. Morning, lunchtime, afternoon, and evening public meetings were scheduled and a targeted meeting at Arbour Vale School also took place. Notification of the consultation was sent to all children and young people with active EHCP's irrespective of whether they are currently in receipt of travel assistance or not.
- 2.4.5 In addition to the wider communication to all stakeholders about the consultation a meeting were held directly with School, Post 16 and college representatives to explain the proposals and reasonings contained within the consultation. Representatives were able to verbally feedback during the meeting or choose to respond via the online questions, or via the consultation email address. Representatives feedback during the meeting confirmed an understanding of the proposals, that the proposals were reasonable with no significant objections/issues raised. Representatives did support the continued need for cases to be assessed based on individual merit and circumstance as there are always cases that may not fulfil the stated criteria for eligibility but may still warrant support due to the specific circumstances around the individual. Any further response in relation to the consultation would have been channelled through the questionnaire.
- 2.4.6 Ward councillors were invited to attend the scheduled public meetings during the main consultation period.

## Key Findings from Consultation

### Independent Travel Training

- 2.5.1 22 out of 58 (38%) of respondents agreed that if a young person had potential to travel independently on public transport, then they should be expected to participate in the training. 21 out of 58 (36%) disagreed believing even if an individual had potential to travel independently then they should not be expected to participate in the training.

- 2.5.2 General feedback presented many responses raising concerns about the high support needs required for their child, detailing the safety concerns and risks associated with undertaking training on individuals where it is not suitable or appropriate. Where feedback was received in support of training it acknowledges that a few children would benefit but that this should be on a case-by-case basis in a controlled environment but for the majority of children and young people with SEND this would not be a viable option.
- 2.5.3 *Council's response: The Council accepts that Independent Travel Training will not be suitable for all children and young people and that there will need to be a needs assessment process. It is the intention that through engagement with families, schools and other professionals' individual learners can be identified that would benefit from the training. This will be assessed through individual needs assessments and continually monitored and reviewed.*
- 2.5.4 *Feedback from other Councils, training providers and families that have benefits from training have reaffirmed that where this training is appropriate for the individual child/young person that it can significantly increase their confidence, independence, and contributes towards their preparation for adulthood. Families are often cautious when independent travel training is mentioned however where it can be demonstrated that training is detailed and comprehensive to effectively prepare the individual to travel independently, and that assessment and evaluation processes are robust and transparent, then confidence in the programme will improve amongst families and support effective delivery of this opportunity.*

#### Travel Bursary

- 2.5.5 34 out of 58 (59%) of respondents to the online questionnaire indicated that the Council should not encourage more families/young people to use a Travel Bursary to make their own travel arrangements.
- 2.5.6 A family or young person has the right to refuse a Travel Bursary to make their own travel arrangements where they meet the statutory eligibility requirements. 15 out of 58 (26%) of respondents indicated the Council should encourage families to use a Travel Bursary, it is assumed that if the Travel Bursary offer/value enabled a family to make their own arrangements then they would consider this offer. This option is not currently available under the existing policy.
- 2.5.7 The three biggest barriers facing families and restricting acceptance of a Travel Bursary is:
- Value of Travel Bursary is too low 18% (29 out of 163 choices)
  - Public Transport links are not suitable 19% (31 out of 163 choices)
  - Family/young person unable to identify and arrange suitable travel arrangements 20% (32 out of 163 choices)
- 2.5.8 Respondents also provided feedback in relation to the mechanism for calculating the value of the Travel Bursary. 34% of respondents (25 out of 73) feel that the value should be based on a cost per mile basis (driving route), a further 34% (25 out of 73) believe the value should reflect a percentage of the cost of transport if arranged by the Council, with 25% (18 out of 73) preferring pre-set mileage bands and value.
- 2.5.9 53% of respondents (31 out of 58) indicated that the rate of 45p per mile as a potential calculation mechanism for the Travel Bursary was too low.

2.5.10 Only 10 (17%) of respondents agreed that the proposed mileage bands and values were appropriate, 30% (18 out of 59) were in disagreement. This indicates respondents feel the values are understated and would not make the Travel Bursary a viable option. The proposed bands and values detailed in the consultation were as follows:

- Less than 5 miles = £2000 per year
- 5-10 miles = £3000 per year
- Over 10 miles = £5000 per year

2.5.11 When asked about calculating a Travel Bursary based on the Council's cost of providing transport 72% (43 out of 60) of respondents feel that 100% of the cost should be made available to families, the current average cost of transport arranged by the Council is £5,769 per person per year.

2.5.12 The general feedback from respondents supports the view that Travel Bursaries are not appropriate for every family due to the child's needs, family circumstances, access to transport. Therefore, families should not be required to have a Travel Bursaries placing additional unnecessary pressure and potentially a financial burden.

2.5.13 It should be noted that the award of a Travel Bursary can only be made with the consent of the family, if the bursary is not appropriate then the family can refuse the offer and the Council will identify an alternative form of travel support for the child/young person.

2.5.14 Council Response: A travel bursary gives flexibility to some families and may provide a more convenient alternative to Council commissioned services. The cost should reflect the cost of the parent/carer, not the cost to the Council of commissioning an alternative. A flat fee is easy to administer and will be more than 45p per mile for many families but will provide a minimum of 45p per mile for the vast majority of claimants. If there is evidence that the actual cost of transport is more, for instance the cost of public transport, this can be considered as part of an exceptional circumstances case.

#### Collection Points

2.5.15 39% (23 out of 58) of respondents do not think collection points for some children and young people would be beneficial, 28% (16 out of 58) felt that it would be beneficial for some children and young people.

2.5.16 44% (27 out of 62) of respondents indicated that the distance to a collection point should not be pre-determined and the distance any individual is required to walk is based on the outcome of an individual needs assessment.

2.5.17 The three most popular responses for locations of collection points were:

- Bus stops 17% (19 responses)
- Local points of interest 14% (15 responses)
- Suitable roadside locations 11% (12 responses)

2.5.18 The key barriers to a child or young person accessing transport via a collection point include:

- Specific health needs would make waiting at a collection point unsuitable 17% (46 responses)
- Limited awareness of danger/unable to keep safe, even when accompanied by an adult 18% (48 responses)
- Wouldn't be able to manage situations that aren't planned/out of routine, such as late running of transport 16% (41 responses)

This supports the Council's intention of adopting a needs assessment of child or young person's individual needs/circumstances to identify if the use of a collection point is appropriate. Where it is identified that a collection is not an appropriate arrangement then an alternative arrangement will be offered, which may be retaining the existing home collection arrangements.

2.5.19 General feedback in relation to the use of Collection Points reinforces the concerns amongst the public that this option may not be suitable for certain children/young people and that each child needs to be individually assessed for suitability, where the needs and circumstances do not allow the use of a collection point then home collection should remain.

2.5.20 Council response: It should be noted that the Council accepts a collection point will not be suitable for all children and young people. It is acknowledged that due to medical conditions, anxiety, sensory impairments, and a lack of awareness of danger may mean allocation of a collection point is not appropriate even if accompanied by a parent or carer, suitability is expected to be identified through individual needs assessments.

#### Travel to Faith Schools & Same Sex Establishments

2.5.21 Responses were equally split (36%/22 out of 61) between Strongly Agree/Agree and Strongly Disagree/Disagree when asked if provision to these establishments should cease if a closer suitable education establishment is available.

2.5.22 General feedback identified that some respondents felt that the individual needs and circumstances should be protected no matter what education establishment they attended. Other responses supported that if families have chosen to send their child to a School that isn't their closest then they should be responsible for getting them to and from School.

2.5.23 Feedback also identified potential issues with the proposal in relation to discrimination.

2.5.24 Council response: The Council intends to support and provide travel assistance to these establishments where children have additional needs and attend their nearest suitable school in accordance with the relevant eligibility criteria for their circumstances (e.g. SEND). However, where additional needs are not present and where closer education establishments are available then it is proposing that support with travel to faith or same sex schools will no longer be available. Families will continue to be able to be assessed on a case-by-case basis.

2.5.25 Families will continue to have the right to choose schools of a particular faith and the impact of this change has been considered in the equality impact assessment.

#### Contribution Charge for Non-compulsory School Age Travel

2.5.26 Post 16 education (Non-compulsory School age) travel is not required to be free, and the Council is allowed to request a contribution towards costs of travel from those accessing the service. Respondents to the questionnaire were asked to indicate the level of contribution that would be reasonable to request:

- £1500 per annum 16% (10 out of 61 responses)
- £1250 per annum 0% (0 out of 61 responses)
- £1000 per annum 0% (0 out of 61 responses)
- £750 per annum 7% (4 out of 61 responses)
- £500 per annum 16% (19 out of 61 responses)
- £250 per annum 61% (37 out of 61 responses)

2.5.27 When asked for feedback in relation to the expected use of a Vulnerable Person's Bursary 39% agreed that this funding should contribute towards costs where assistance is provided by the Council. 34% (20 respondents) disagreed and felt the funding should not be used to contribute towards travel assistance costs.

2.5.28 Council response: The Council believes it is reasonable to expect a bursary that includes a proportion of the funding specifically for travel costs to be used to contribute towards travel costs. However, it also acknowledges that it would be unreasonable to expect all of the Bursary to be used on travel and should be used to contribute towards other elements of their education. It has therefore concluded that a lower contribution (£750) towards travel costs than originally proposed (£1000) is more appropriate. The amount of contribution will continue to be reviewed annual and adjusted accordingly to ensure it remains fair and reasonable and reflective of actual transport costs.

2.5.29 The Council will also enable families to present evidence of exceptional circumstances and financial hardship where payment of the contribution charge may not be possible and result in non-attendance at their study programme. On a case-by-case basis the Council will be able to consider whether a reduce contribution is appropriate.

### Consultation Feedback Impact on Proposals

<b>Pre-Consultation Proposal</b>	<b>Consultation Feedback</b>	<b>Post Consultation Alteration</b>
<i>Independent Travel Training (ITT) to be provided where individual needs assessment identifies option as an appropriate form of travel (following a needs assessment)</i>	<i>Majority of those attending public meetings felt that ITT would not be appropriate for their child and would not benefit many children/young people</i>	<ul style="list-style-type: none"> <li>• <i>No change to original proposal as ITT offer was planned to be dependent on individual needs assessments identifying ITT suitability.</i></li> <li>• <i>Assessments will include consultation with families and Schools before assessment outcome is finalised</i></li> </ul>
<i>Travel Bursary offer to be introduced with more favourable terms to encourage sign up from families</i>	<i>Current reimbursement rate offered to families is not sufficient to enable families to make their own travel arrangements. This offer should not be forced upon</i>	<ul style="list-style-type: none"> <li>• <i>Proposed rate/calculation of Travel Bursary will be enhanced to make offer more viable for families.</i></li> </ul>

	<i>families as this may not be appropriate or viable.</i>	<ul style="list-style-type: none"> <li>• <i>A Travel Bursary can only be provided to a family with their consent, as per statutory obligations.</i></li> <li>• <i>Policy to include an option for consideration of an alternative value of the Travel Bursary where travel requirements are specialist and high cost, agreed on a case-by-case basis.</i></li> </ul>
<i>Collection points to be introduced and replace existing home collections where individual needs assessments identify option as appropriate</i>	<i>Majority of those attending public meetings felt that collection points would not be appropriate for their child and would not benefit many children/young people</i>	<ul style="list-style-type: none"> <li>• <i>No change to original proposal as collection point use was planned to be dependent on individual needs assessments identifying option as suitable</i></li> <li>• <i>Assessments will include consultation and input from families and Schools before assessment outcome is finalised</i></li> </ul>
<i>Removal of travel arrangements to Faith Schools and same sex establishments where nearer education provision is available and can meet educational needs</i>	<i>Responses were split between whether arrangements should continue or cease. General feedback suggest individual needs such as SEND should continue to be taken into account.</i>	<ul style="list-style-type: none"> <li>• <i>No change to original proposal</i></li> <li>• <i>If access to education is dependent on travel, then an application can be submitted, and individual circumstances can be considered on a case-by-case basis under other criteria in the policy.</i></li> </ul>
<i>Introduction of a contribution charge for non-compulsory age (post 16) travel assistance charged at £1000 per annum</i>	<i>Feedback supports the use of a Vulnerable Persons Bursary to contribute towards the cost of non-compulsory age travel with the majority favouring a £250 per annum contribution.</i>	<ul style="list-style-type: none"> <li>• <i>Proposed charge reduced to £750 per annum</i></li> <li>• <i>Option for applications to be submitted on exceptional circumstances grounds waiving fee to be allowed and considered on a case-by-case basis and will reflect free school meal thresholds and evidence that alternative financial</i></li> </ul>

		<i>support has been requested and rejected before requests will be considered</i>
--	--	-----------------------------------------------------------------------------------

### **3. Implications of the Recommendation**

#### **3.1 Financial implications**

- 3.1.1 The proposed changes to policy have the potential to contribute towards the improved cost effectiveness of the service. The overall budget for the service is approximately £3.640m
- 3.1.2 The service has an established savings plan, aiming to deliver a £0.550m reduction in spend by the end of the 2024/25 financial year. £0.490m is anticipated for delivery in 2023/24 with a further £0.060m realised in 2024/25.
- 3.1.3 The proposed policy changes contained in this paper are estimated to contribute £0.210m savings towards the overall savings programme. The remainder of the savings will be realised through route optimisation, procurement activity, and effective allocation of resources/provision. All savings forecasts are based on current demand levels for Home to School and College Travel Assistance.
- 3.1.4 The scale of such a saving will be subject to the extent to which travel assistance enables more children and young persons to transition from individual to shared travel arrangements, or where independence is increased. Travel arrangements will continue to be assessed on a case-by-case basis and it is not possible at this stage to say how this might affect any one individual, hence any saving can only be estimated at this stage.

#### **3.2 Legal implications**

- 3.2.1 Under the Education Act 1996, the Council has specific duties and powers as set out below:
  - (a) a duty to assess school travel needs and promote sustainable modes of travel in relation to children and young people of 6th form age (s.508A);
  - (b) a duty to provide home to school travel arrangements as considered necessary for eligible children of compulsory school age, such arrangements to be provided free of charge (s.508B). Eligible children is defined in legislation and further details are provided within this policy;
  - (c) a power to make school travel arrangements for children who are not eligible under s.508B. This power can be applied to children below compulsory school age, children attending faith schools or those living within the statutory walking distance. The Council may make a charge for provision of travel arrangements under this power (s.508C);
  - (d) a duty to prepare a transport policy statement specifying travel arrangements provided to persons of sixth form age (s.509AA). The statement shall specify the provision of transport, provision of financial support and provision of travel concessions. A person is of sixth form age if they are receiving education or

training and is over compulsory school age but (a) is under the age of 19; or (b) had begun a particular course of education or training at the establishment before attaining the age of 19 and continues to attend that course.

3.2.2 The statutory guidance for home to school travel arrangements for children of compulsory school age states:

(a) policies should be clear, easy to understand and provide full information on travel and transport arrangements, including the statutory provision and that provided on a discretionary basis;

(b) the appeal process should be set out;

(c) the sustainable modes of school travel strategies should ideally be integrated into the policy statement and published together;

(d) When changing a policy, there should be consultation for at least 28 working days during term time. This period should be extended to take account of any school holidays.

(e) Any changes should be phased in so that children who start under one set of transport arrangements can continue to benefit from them until they conclude their education at that school or move to another school.

The statutory guidance for Post 16 travel arrangements requires the Council to have regard to the following in assessing what transport arrangements of financial support may be required:

(a) The needs of those for whom it would not be reasonably practicable to access education or training provision if no arrangements were made;

(b) The need to ensure that young people have reasonable opportunities to choose between different establishments at which education and training is provided;

(c) The distance from the learner's home to establishments of education and training;

(d) The journey time to access different establishments;

(e) The cost of transport to the establishments in question;

(f) Alternative means of facilitating attendance at establishments;

(g) Preferences based on religion;

(h) Non-transport solutions to facilitate learner access

3.2.3 For young people with special educational needs and disabilities, consideration should be given to additional factors, including that it may take longer to complete a programme of learning or training and that the availability of an independent travel training scheme should be included in the policy statement.

3.2.4 When making public law decisions, the decision-maker should take account of all relevant information and disregard any irrelevant information. Relevant information includes the consultation feedback, equality implications and financial implications.



The Council should balance the need to deliver financial savings and best value, with its other overarching duties. When considering consultation responses in relation to a change and in particular a reduction in or charge for services, it is not uncommon for the majority of respondents to raise concerns and disagree with the proposal. These views must be taken into account and balanced with the other policy reasons for the proposal.

### 3.3 Risk management implications

- 3.3.1 The service is seeking approval to implement the proposed policies for travel assistance. A public consultation has been undertaken and interested parties have had opportunity to provide feedback.
- 3.3.2 Analysis of the public consultation engagement feedback has been undertaken to consider the impact of the proposed policies
- 3.3.3 The public consultation was conducted in accordance with DfE guidance and legislative requirements.
- 3.3.4 Proposed policies reflect current DfE guidance in relation to Home to School Travel and Post 16 Education transport.
- 3.3.5 Current request to consult is in line with statutory obligations and best practice as outlined by the DfE to avoid risk of legal challenge

### 3.4 Environmental implications

- 3.4.1 Promoting environmental sustainability is one of the strategic aims for the home to school and post 16 travel assistance policies and aligns with the objectives of the Councils Climate Change Strategy.
- 3.4.2 The proposed policies aim to encourage and support greater uptake and use of public transport to access education settings. Increasing numbers using this form of travel will reduce the use of smaller, dedicated transport services.
- 3.4.3 The promotion of Independent Travel Training, and use of collection points will support changes in behaviour outside of School, with expected increase in individuals/families using public transport at weekends, evenings and holidays to access services and activities.

### 3.5 Equality implications

- 3.5.1 The statutory duty assigned to councils in relation to Home to School travel ensures groups with protected characteristics, including age and disability will continue to have access to support with travel and access to their education place where it is necessary and Council support is required.
- 3.5.2 Requirements are established to support children of compulsory school age and ensure assistance is available if necessary for those attending Post 16 education establishments.

- 3.5.3 Families who are identified as low income are also supported through the statutory duty and this support will continue to be available.
- 3.5.4 Children/young persons with disabilities are also supported within the statutory duty with assistance being required where necessary to facilitate attendance, this is assessed on a case-by-case basis and will continue to be available.
- 3.5.5 Those families or individuals who may be disproportionately impacted by the proposal include those of a particular faith or sex who are or whose parents are expressing a preference for a faith school or a single sex school and will no longer be entitled to transport as it is outside the statutory eligibility. Proposed changes may impact on what travel support is available to these groups, however it will not impact on their right to choose an education establishment of a specific religion/faith or same sex establishment if that is their preference of the family. Under the proposed changes families would be expected to make their own travel arrangements where the establishment is not the nearest available that can meet their educational needs.
- 3.5.6 Within the proposed policies, the Council will continue to retain its right to award assistance if there are exceptional circumstances to justify this and the Council will consider the circumstances on a case-by-case basis.
- 3.5.7 The strategic aims to underpin proposals to refresh the Council's home to school and post 16 travel assistance policies are intended to foster the social integration, independence, and preparation for adulthood of children and young people with special educational needs and disabilities. The EqIA has identified some neutral, positive and negative impacts for groups with protected characteristics.
- 3.5.8 Positive impacts see the promotion of the equality of opportunities and improved relationships between children with SEND and those without.
- 3.5.9 Negative impacts relate to the impact of the contribution charge for families with financial difficulty and potential access to education. This is mitigated through the use of the 16-19 Bursary's that are available, and the Council retaining the right to handle cases of financial hardship on a case-by-case basis as detailed within the proposed policy.
- 3.5.10 A negative impact also exists for those impacted by the change in entitlement when attending Faith or same sex education establishments. The proposals are in accordance with statutory requirements and reflect DfE guidance. The Council also retains the right to review circumstances of each case on an individual basis where exceptional circumstances exist.
- 3.5.11 Where changes to provision and entitlement exist, these will be transitioned between Autumn term 2022 and the start of the 2023/24 academic year. Notification of changes of entitlement and communication of changes in advance of the new academic year will be undertaken to ensure all parties are aware. Proposed changes to provision affecting individuals will be communicated with affected families with the Council engaging and working closely with families, schools and other linked professionals to ensure any change is appropriate, reasonable and transition supports the individual.

### 3.6 Procurement implications

No procurement implications have been identified at this stage. Current contracts have been procured on the basis that demand will fluctuate. Mechanisms exist within current terms and conditions to enable changes to the service being provided to reflect demand requirements.

### 3.7 Workforce implications

3.7.1 No workforce implications have been identified at this stage.

### 3.8 Property implications

3.8.1 No property implications have been identified at this stage.

## 4. **Background Papers**

None