

TITLE OF REPORT: SEND Post 16 Home to School/College Travel contribution and review of Travel Care policies

REPORT OF: Jon Tomlinson, Interim Service Director - Commissioning, Care, Wellbeing & Learning

Purpose of the Report

1. This report asks Cabinet to approve the proposed changes to Travel Care policies and a funding contribution towards the provision of Post 16 Home to School/College Travel from September 2017.

Background

2. The Home to School and College transport budget (£1.3m 2016/17 and £1.4m 2017/18) has been under pressure for a number of years because of growing demand and the complexity of the students transported. This has increased significantly over the last 2-3 years. Previous budget cycles have included ambitious savings targets linked to greater roll-out of personal transport budgets. These savings have not materialized, creating an additional pressure on the budget. In the financial year 2016/17, the Council spent £1.7m on the provision of home to school and college transport, resulting in an overspend of £0.4m.
3. The Council previously consulted on the proposal to introduce charging for Post 16 SEN Transport October – December 2013 and subsequently agreed this in September 2015 as part of its budget consultation exercise for the period 2014/16. However, it was subsequently decided to defer the introduction of a charge until September 2016 and then to September 2017 in part due to continued work with regional colleagues aiming to introduce a more consistent approach across Tyne and Wear. In addition the deferral was due to the period of purdah in regard to the General Election in May 2015.
4. If the Council agrees to introduce a contribution charge from September 2017 for the provision of Post 16 travel support this needs to be published in the Council's Post 16 Home to School/College Travel Policy by 31 May 2017.
5. 72% of respondents to the 2014/16 budget consultation agreed that a contribution charge should be introduced. The proposed financial contribution charge is £650 per year, with low income families (Highest Working Tax Credits or Free School Meals) and Looked After Children being exempt from the payment. This figure is based on an all zone post 16 annual travel pass from Nexus. Payments from families can be made in one amount or through a monthly direct debit. If they opted for a Personal Travel Budget, £650 would be deducted from the annual total budget allocated to them.

6. The Council consulted on proposed changes to the Home to School, Post 16 and Adult Assisted travel policies and on the proposed Post 16 charge amount between 29 March 2017 and 12 May 2017 (see responses in Appendix 1).
7. There is no statutory requirement for the Council to provide free discretionary travel for post 16 learners but historically it has done so.
8. The position regionally is that Sunderland have already introduced a charging contribution and through the North East regional transport group the aim is to adopt a regional approach with our neighbouring authorities.
9. The introduction of charging a contribution for Post 16 transport is only one of a number of identified actions aimed to reduce the amount the Council spends on the home to school/college transport budget. The other elements identified are:
 - Changing the nature of the procurement contracts to single school providers;
 - Implementation of an enhanced Independent Travel Training programme, promoting greater independence, health and social inclusion for children and young people, this has also been extended to a 'Training the Parent' programme;
 - Review of application, assessment and appeals process;
 - A greater focus on the roll out of personal transport budgets and wider range of options which are cost effective alternatives to taxi based travel;
 - Working in partnership with schools and colleges to promote independent living and travel skills;
 - Adopting a regional approach with our neighbouring authorities through the North East Regional Transport Group;
 - Reviewing and revise the Transport policies (Home to School (pre-16), Home to School/College (post-16) and Adult Social Care);
 - Introducing a two tier appeals process in line with DfE guidance.

Proposal

10. In line with budget proposals, it is proposed that from September 2017 the Council introduces a funding contribution from the parents of a post 16 learner or the young person themselves towards the cost of home to school/college/ training provider travel. It is proposed that the Council would continue to arrange, commission and manage the travel but parents/learners would contribute an amount of money towards the provision of this. Taking into account the affordability aspect of requesting a contribution from families as set out in the DfE guidance, it is proposed to set a contribution level which reflects the cost of an all zone Nexus travel pass for travel, currently £650 per annum.
11. In addition, in recognition of the requirement to consider the needs of low income families, there will be no contribution required for learners from low income families
12. It is also proposed to endorse the following changes to the Travel Care Policies:

Home to School (Pre 16):

- Parents/carers would be required to provide their own car seats
- All pupils moving into Year 9 and above will need to reapply for home to school travel support annually

- Independent travel training and use of public transport should be investigated as the first option for all learners to encourage their continuing development and independence

Home to School/College Travel (Post 16):

- Introduce an annual contribution of £650 charge for those receiving home to school/college travel support
- Independent travel training and use of public transport should be investigated as the first option for all learners to encourage their continuing development and independence

Adult Social Care Assisted Travel Policy

- People need to be eligible for support under the Care Act 2014
- People will be expected to access services that meet their needs closest to where they live and may be required to self-fund additional transport costs
- Those who have access to a mobility vehicle should be expected to use it to get to services

Recommendations

13. Cabinet is asked to approve:

- (i) The proposal of a parental/learner contribution charge of £650 per year.
- (ii) Low income families are exempt from charges
- (iii) The additional changes to Pre 16, Post 16 and Adult Social Care Assisted Travel Policies as set out in paragraph 12 above.

For the following reasons:

- (i) The Council has indicated through previous budget and service user consultations the intention to introduce a contributory charging policy for Post 16 home to school and college transport. The introduction of charging is permitted within the relevant guidance and is required in order to meet the proposed budget savings identified against this budget.
- (ii) The exemption of charges for low income families acknowledges the recommendation within the Department for Education (DfE) Post 16 Transport to Education & Training Statutory Guidance for Local Authorities.

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APPENDIX 1

Policy Context

1. A Post 16 Transport Policy Statement must be made available by 31 May every year by the Local Authority. This is in line with DfE Transport Guidance. Although the Statement is updated every year there is nothing to prevent the Local Authority making changes to the document during the year. It has already been specified in the 2015/16 Statement that Post 16 Travel that charging will be introduced from September 2016 and the Councils website states

“Following a consultation exercise during October to December 2013, the Council agreed at its budget meeting on 27 February 2014 to introduce a charge for post-16 home to college transport for learners from September 2016. More information will be posted when available.”

Background

2. The Education Act 1996 makes provision for school transport and transport to post 16 education for young people of sixth form age. This legislation recognises that a local response to transport arrangements is important in enabling young people’s participation in education and training. The legislation therefore gives local authorities discretion to determine what transport and financial support are necessary to facilitate a young person's attendance post 16 providing that the local authority has ensured that those with disabilities are not put at a disadvantage.
3. There is no statutory requirement for the Council to provide free discretionary travel support for post 16 learners but historically it has done so.
4. The statutory guidance issued by the Department for Education (DfE) in February 2014 (‘Post 16 Transport to Education & Training Statutory Guidance for Local Authorities’) states that local authorities may request a contribution towards transport costs from learners/parents. There is an expectation that discretion will be exercised in determining in what circumstances it is appropriate to ask for a contribution but in exercising discretion local authorities should ensure that any contribution is affordable for learners and their parents, ensure that there are arrangements in place to support those families on low incomes, take into account the likely duration of learning and ensure that transport policies do not adversely impact particular groups i.e. those with learning difficulties and/or disabilities are more likely to remain in education longer than their peers and therefore any contribution sought from the families of learners would need to allow for the fact they may have to make a contribution over a longer period than families of those with children who do not have a learning difficulty and/or disability.
5. In 2016/17 the Council spent £1.7m on the provision of home to school and college transport, which resulted in an overspend of £0.4m against the budget of £1.3m.
6. The Council currently procures taxis for 123 learners who are 16 years old and above at a cost of £0.366m in 2016/17. The average cost of transporting a post 16 learner by taxi transport is £4,518 per annum. No contribution has been sought from

parents/learners to date and the Council has always met these costs in full despite not legally being required to do so.

Consultation

7. The Council previously consulted on the proposal to introduce charging for post 16 SEN Transport from October – December 2013 as part of the budget consultation. The question in the budget savings consultation regarding introducing a charge for free home to school/college transport was answered by 2690 people. 1883 respondents (72%) agreed that the Council should introduce a charge for this type of transport and 807 respondents (28%) disagreed.
8. In addition to the budget consultation a specific consultation survey was posted to the parents of current recipients of free post-16 transport (102 in Oct 2013) and to all Head Teachers in Gateshead. This survey was also posted on the Council's online consultation system. There were 68 responses to the specific consultation survey, the majority of which were members of the public (41%), followed by parents of post 16 young people with SEN (31%) and parents of school-aged children with SEN (19%). A response was received by Parents in Power (Gateshead's Parent Carer Forum). 50% of respondents did not agree with the proposal to introduce a charge, 38% agreed there should be a charge and 12% did not know if there should be a charge. If the proposal went ahead, 46% did not think that contribution charges should be means tested and 41% thought that charges should be means tested.
9. The Council consulted on the proposed changes to the home to school/college and adult assisted travel policies and on the Post 16 contribution between 29 March 2017 and 12 May 2017.

- Home to School Travel Policy (pre-16) – online consultation results

There were 46 respondents in total, of which 20 were in receipt of travel support from the Council.

Of those 20 in receipt of travel support, 11 disagreed that independent travel training and use of public transport should be investigated as the first option for all students to encourage their continuing development and independence, 6 were unsure and 2 agreed.

Out of 41 that answered the question, 46% agreed that it was fair to ask parents/carers to provide their own car seats, 39% disagreed and 15% were unsure.

Out of 41 that answered the question, over half (54%) agreed that it was fair to reassess all children receiving travel support in Year 9 and above annually. 36% disagreed and 10% were unsure.

- Home to School/College Travel Policy (post-16) – online consultation results

There were 46 respondents in total, of which 16 were in receipt of post 16 travel support from the Council.

Of those 16 in receipt of travel support, 8 disagreed that independent travel training and use of public transport should be investigated as the first option for all students to encourage their continuing development and independence, 3 were unsure and 5 agreed.

In relation to the annual contribution charge of £650 per year, out of 43 respondents, 22 felt it was 'far too expensive', 5 'slightly too expensive', 13 'about right' and 3 'nowhere near enough'. 19 out of the 27 who said it was far too or slightly too expensive were currently in receipt of travel support.

- Adult social care assisted travel policy

There were 30 respondents in total.

70% (21) people thought it was fair that people will be expected to access services that meet their needs closest to where they live and may be required to self-fund additional transport costs.

86.6% (26) thought that if a person has access to a mobility vehicle then they should be expected to use it to get to services.

10. The Cabinet Members for Children and Young People and Adult Social Care have been consulted.
11. The home to school/college travel (post-16) policy must be published by 31 May annually and we are proposing that the home to school travel policy (pre-16) is published on the same date but will not be implemented until September 2018. This is because it needs to be published one year in advance alongside our School Admissions Policy.

Alternative Options

12. The alternative options are:

- To not introduce charging a contribution, which would then impact upon delivery of proposed budget savings;
- To introduce charging to all learners, which would then have a greater impact on low income families but would assist in meeting proposed budget savings;
- To consider a lower or higher rate of charging.

Implications of Recommended Option

13. **Resources:**

- a) Financial Implications** – The Strategic Director, Corporate Resources confirms that the introduction of charging will generate income to contribute to the provision of home to school or college transport, and assist in contributing to agreed budget savings. The full extent of the level of income the proposal will generate is unclear as it is unclear how many applications for transport will be submitted and how many will be from low income families, but based on information received from Sunderland's introduction of the charge, it is likely to be around £30,000.

b) Human Resources Implications – There will be some additional staff time required to administer the applications and process the payments from families.

c) Property Implications - None

14. **Risk Management Implication** - None

15. **Equality and Diversity Implications** - An Equalities Impact Assessment was prepared in developing the budget proposal. Whilst the introduction of charging for post 16 travel will have a negative impact for those affected, the charge would be means tested with low income families (Highest Working Tax Credits or Free School Meals) and Looked After Children being exempt. Although the majority of learners who will be affected by the introduction of charging are those with additional needs, by introducing a charge the local authority are still providing a service to facilitate attendance. We would review any implications of these changes through Education, Health and Care plan meetings in schools and colleges. A two tier appeals process is also being implemented in July 2017.

16. **Crime and Disorder Implications** – None

17. **Health Implications** - None

18. **Sustainability Implications** - None

19. **Human Rights Implications** - None

20. **Area and Ward Implications** - None