



Home to School Transport Assistance Policy Consultation

SUMMARY

- 1.1 The Council has a legal responsibility to ensure that every child in the City has access to a school place; for some children the Council has a legal duty to provide free home to school or college transport.
- 1.2 The Council currently outlines the statutory and discretionary home to school transport assistance within the Home to School Transport Assistance Policy <http://www.derby.gov.uk/education-and-learning/schools-and-colleges/schools-transport/> and the Post 16 Transport Policy Statement http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/schools/DebyCityCouncil_Post-16_transport_policy_statement_june_2016.pdf .
- 1.3 This report includes the updated Council's Home to School Transport Assistance Policy attached as Appendix 2 with minor changes, together with a detailed Consultation Document as Appendix 3 outlining the rationale and proposals to consult on changes to discretionary Post 16 Special Educational Needs and Disabilities transport (Post 16 SEND).
- 1.4 The eligibility for discretionary Post 16 SEND transport to a school or college is currently based on a student having a Statement of Special Educational Need, or an Education Health and Care Plan; the student being unable to travel on public transport (evidenced by a letter from a medical professional); the course of study is over 16 hours per week and the placement must be the nearest designated setting. Students can remain eligible until the end of the school term they reach 25 years old.
- 1.5 As an important Council priority to support vulnerable families of children and young people in Derby to provide home to school transport assistance, the Council sets an annual budget of around £3,200,000 to help and support vulnerable families with children and young people.
- 1.6 A significant proportion of this transport budget funds children and young people with SEND who are eligible for free transport. In addition, the Council also provides discretionary free transport to Post 16 students with SEND.
- 1.7 In relation to the overall £3,200,000 transport budget, this includes £610,089 (20%) of discretionary transport assistance to support 153 Post 16 students with SEND to schools and colleges. As background, it is important to note that the Council is unable to provide transport assistance to support any other Post 16 students, for example, students from families with low incomes.

- 1.8 In view of the budget pressures and savings the Council is required to make, it is necessary to now consult on making changes to the SEND Post 16 discretionary transport costs. This report outlines the proposal to start an eight week consultation period from 20 February 2017 until 17 April 2017; consulting for longer than eight weeks would negatively impact on the Council's ability to meet the requirements set out in the Council's Medium Term Financial Plan (MTFP), but is unlikely to impact negatively on service users. Further information on MFTP requirements are detailed in paragraph 4.5 of this report.
- 1.9 The consultation document proposes developing a point based system for SEND Post 16 transport that would be co-produced with parents to determine eligibility and the level of transport assistance required on an individual basis, ensuring that the most vulnerable young people receive the most appropriate level of assistance.
- 1.10 The Council would welcome any comments and views during the consultation period, and will also work closely with young people, parents and carers, support groups, Post 16 institutions, including schools, colleges and other service providers, and transport operators before any changes on how transport is provided are considered or developed.
- 1.11 Following the end of the consultation period on 17 April 2017, a report will be presented to Council Cabinet summarising the outcome of the consultation, and for members to consider a decision in relation to changes to SEND Post 16 discretionary transport.
- 1.12 An Equalities Impact Assessment (EIA) will be undertaken as Children and Young Peoples' educational needs and disabilities would be affected. The EIA and its outcome will be ready, and made available for consideration by Cabinet as part of the report inviting cabinet to approve a final Home to School Transport Assistance Policy.

RECOMMENDATION

- 2.1 To note the general update to the Home to School Transport Assistance Policy.
- 2.2 To approve an eight week consultation period on proposed changes to SEND Post 16 discretionary transport.
- 2.3 To note a detailed Equalities Impact Assessment will be undertaken as part of the consultation process.

REASONS FOR RECOMMENDATION

- 3.1 The current Home to School Transport Assistance requires updating to ensure information included is timely and accurate.
- 3.2 Significant work has been underway to reduce Home to School Transport Assistance costs over recent years. Unfortunately, the overall budget indications for 2016/17 currently forecast an overspend of £200,000.
- 3.3 In relation to SEND Post 16 transport consultation, a point based system would be co-produced to determine eligibility and the level of transport assistance required on an individual basis, ensuring that the most vulnerable young people receive the most appropriate level of assistance.



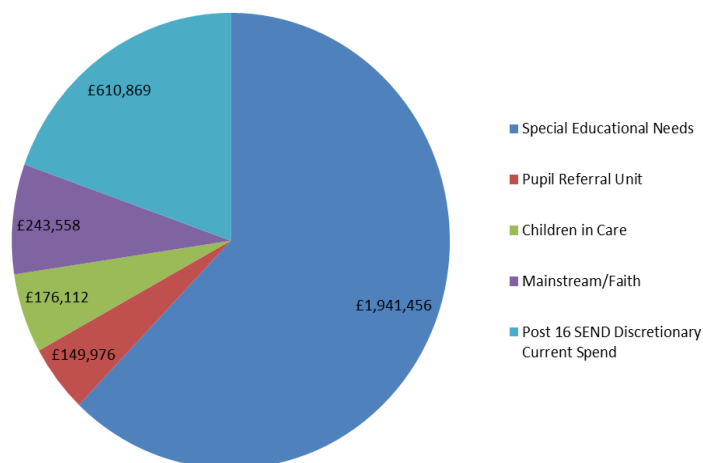
Derby City Council

COUNCIL CABINET
8 February 2017

Report of the Strategic Director for People Services

SUPPORTING INFORMATION

- 4.1 Most parents and carers send their children to the school within the catchment area, or to the nearest available school. The Council provides transport to the nearest available school for any children and young people where there are no suitable schools within the statutory walking distance of 2 miles for children aged up to 8 years, and 3 miles for children and young people aged between 8 and sixteen years old. The Council also provides discretionary home to school transport for students aged 16 to 25 years old and who have special educational needs and/or disabilities.
- 4.2 Some amendments to the Council's Home to School Transport Assistance Policy reviewed in 2011 are necessary to ensure compliance with the statutory duty to assess home to school travel needs, and to promote the use of sustainable modes of transport under Section 508 of the Education Act 1996. As required, the policy has been updated with these amendments (attached as Appendix 2)
- 4.3 The amendments referred to in paragraph 4.2 include:-
- Information in relation to Council departments addresses and contact details;
 - information regarding Officer Reviews to include reviews for children and young people with special educational needs and/or disabilities to reflect current practice and Department for Education guidance;
 - explanations of 'suitable' school's;
 - legislative terminology, for example, Criminal Record Bureau (CRB) now referred to as Disclosure and Barring Service (DBS);
 - the inclusion of the Council's Independent Travel Training Programme;
 - Information regarding appeals, eligibility, how they are processed and considered.
- 4.4 As background information, every Local Authority continues to face considerable pressures on public services and Derby City Council is also required to make significant savings. The pie chart below demonstrates how the Council currently spends around £3,200,000 each year supporting vulnerable families of children and young people in Derby to provide free home to school transport assistance.



- 4.5 The Council's Medium Term Financial Plan (MFTP) requires the Council to achieve savings of £200,000 in transport during the 2017/18 and 2018/19 financial years. In order to balance the budget against the ever increasing costs of transport, the Council will work closely with parents and carers to achieve these savings, with the Council seeking to save £50,000 in 2017/18 and a further £150,000 in 2018/19.
- 4.6 The introduction of Derby's Independent Travel Training (ITT) Initiative has proved enormously successful in improving outcomes for young people with SEND, and has been very positively supported by young people, parents and carers. The Council is extremely proud of the 111 young people since 2014 who previously travelled in taxis or mini buses, are now travelling independently in and around our City, with 96 young people with SEND now fully accessing Post-16 education.
- 4.7 This, of course, also helps support young people as part of preparation for adulthood, and helping with future independence. The majority of the 111 young people who previously travelled in taxis/minibuses and who are now travelling independently are Post 16 students with SEND.
- 4.8 Personal Travel Budgets (PTB's) are also proposed to be promoted as a way of providing families of Post 16 SEND students greater flexibility in sourcing the transport best suited for their child's individual needs.
- 4.9 The expansion of ITT and PTB's could really help the Council in very carefully prioritising limited funding. Funding will, of course, continue to be available for the most vulnerable young people where a taxi, or more specialised transport, is considered essential.
- 4.10 The proposal is to consult on making changes to SEND Post 16 discretionary transport, and develop a point based system that would be co-produced with parents to determine eligibility and the level of transport assistance required on an individual basis, ensuring that the most vulnerable young people receive the most appropriate level of assistance. A detailed consultation document is attached as Appendix 3.

- 4.11 The eight week consultation period will start from 20 February 2017 until 17 April 2017. The outcome of the consultation will be reported to Council Cabinet for members to consider a decision in relation to changes to SEND Post 16 discretionary transport. To consult for longer than eight weeks would negatively impact on the Council's ability to meet the requirements set out in the MFTP (detailed in paragraph 4.5 of this report), but is unlikely to impact negatively on service users.
- 4.12 An Equalities Impact Assessment (EIA) will be undertaken as children and young peoples' educational needs and disabilities would be affected. The outcome of the EIA will be ready, and made available for consideration by Cabinet as part of the report inviting cabinet to approve a final Home to School Transport Assistance Policy.

OTHER OPTIONS CONSIDERED

- 5.1 Accept on-going pressures for the Council's Home to School Transport budget and increase the budget in line with forecast costs.

This report has been approved by the following officers:

Legal officer	Olu Idowu – Head of Legal Services, – Organisation and Governance
Financial officer	Alison Parkin – Head of Finance – People Services
Human Resources officer	None
Estates/Property officer	None
Service Director(s)	Gurmail Nizzer – Director of Commissioning (Acting) – People Services
Equalities Impact Officer	Ann Webster, Equality and Diversity Lead, Organisation and Governance
Other(s)	

For more information contact:	Diane Whitehead, Head of School Organisation and Provision (Acting) Tel. 01332 642724 E-mail: diane.whitehead@derby.gov.uk
Background papers:	None
List of appendices:	Appendix 1 – Implications Appendix 2 – Revised Home to School Transport Assistance Policy Appendix 3 – Home to School Transport Assistance Consultation Document

IMPLICATIONS

Financial and Value for Money

- 1.1 The Council spends around £3,200,000 per year on free home to school/college transport assistance. Within the £3,200,000, the Council currently transports 153 Post 16 students with SEND at a cost of around £610,089 per year.
- 1.2 The Council's Medium Term Financial Plan (MFTP) requires the Council to achieve savings of £200,000 in transport during the 2017/18 and 2018/19 financial years.
- 1.3 The proposal is to consult and consider changes to the ways in which the Council currently provides discretionary Post 16 SEND transport to achieve the required savings of £200,000.

Legal

- 2.1 There is a duty on local authorities to assess the school travel needs of their area, and to promote the use of sustainable modes of transport under Section 508 of the Education Act 1996.
- 2.2 The Council must have regard to DfE guidance 501-2014 'Home to School Travel and Transport guidance', and DfE guidance 025-2014 'Post 16 Transport to Education and Training', in considering these proposals.

Personnel

- 3.1 None in relation to this consultation.

IT

- 4.1 None noted.

Equalities Impact

- 5.1 An Equalities Impact Assessment (EIA) will be undertaken as Children and Young Peoples' educational needs and disabilities would be affected. The outcome of the EIA will be ready, and made available for consideration by Cabinet as part of the report inviting cabinet to approve a final Home to School Transport Assistance Policy.

Health and Safety

- 6.1 None noted.

Environmental Sustainability

7.1 Any potential impact on carbon emissions would be noted in the EIA.

Property and Asset Management

8.1 None.

Risk Management

9.1 There is a risk that Post 16 SEND students will not attend, or leave college part way through their course if the preferred mode of transport can no longer be provided. This risk would need to be managed and mitigating measures established.

Corporate objectives and priorities for change

10.1 All people in Derby City will enjoy achieving their learning potential for a brighter future.



Derby City Council

Home to School Transport Assistance Policy

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INTRODUCTION

Transport assistance is granted for **one academic year at a time only**, and parents have to apply each year. Each application **must** be submitted with any supporting evidence of Free School Meal or Maximum Working Tax Credit, if needed to support your application – see 2.1. **All distances are measured for each application, to take into account new routes which may be shorter, or longer than previous year's measurements.**

1.0 SOME DEFINITIONS TO HELP YOU UNDERSTAND OUR POLICY

TPOT - (Transport Procurement and Operations Team) is the team in the Council responsible for organising home to school transport.

Parent – in this document, means anyone who is responsible for the care of a child, according to the Education Act 1996.

Pupil – in this document, means a young person who is of compulsory school age, which is the term after the child's fifth birth day and before the last Friday in June in Year 11, but for transport purposes will include those in Foundation Stage 2.

Student – in this document, means a young person who attends a sixth form or college beyond the statutory school age, which is the last Friday in June in Year 11.

Looked after Children – refers to children who are in the care of, or accommodated by a local authority.

Officer Review – is when an Officer in the Council looks again at an application for home to school transport assistance that has been refused.

Catchment Area – is a marked out geographical area made up of the streets around the school. We call this school '**the catchment area school**'.

Nearest suitable school - for transport purposes, the nearest suitable school may not be the catchment area school.

Suitable Schools:

- community, foundation or voluntary infant, junior, primary and secondary schools;
- community or foundation special schools;
- non-maintained special schools;
- pupil referral units (primary and secondary);
- maintained nursery schools; or
- City Technology Colleges (CTC), city colleges for the technology of the arts (CCTA) or academies, including Free Schools and University Technical Colleges (UTC).

Preferred school: Parents have stated a preference for a school other than the catchment area school. This is known as 'a preferred school'. This school will remain a

preferred school, when parents apply for home to school transport assistance, throughout a pupil or student's attendance.

Faith school, voluntary-aided/voluntary-controlled school: Parents may choose to send their children to voluntary aided/voluntary controlled schools on religious or belief grounds. See paragraph 2.2.

Designated area: Each voluntary aided school has a geographical area, which is usually made up of Parishes served by the school.

Special transport needs: Some pupils and students may have specialised transport needs as a result of a disability and/or special educational need.

Pupil Referral Units: Accommodate pupils and students with emotional and behavioral difficulties. The Council controls admission.

Shortest walking distance: The shortest available walkable route between the main access to and from your private property, this could be from the front gate or the top of the drive, to the nearest suitable school gate.

Suitable walkable route: The route where a child can walk safely from traffic to and from school, with the parent or another responsible adult if the parent decides this is needed. If a parent cannot do this, the Council is not responsible for escorting your child to school.

The following are types of **mainstream school**:

Academies: All ability schools established by sponsors from businesses, faith or voluntary groups working in partnership with central government. Governors are responsible for admissions and transport.

Community and Voluntary Controlled schools: The Headteacher and governors, in partnership with the Council, manage these schools. The Council co-ordinates the admissions.

Voluntary Aided schools: The relevant Religious Board and the Council jointly support these schools. The governors will normally employ all staff and manage admissions. These schools are sometimes called 'faith' or 'denominational' schools.

Foundation schools: The Council maintains these schools, but the governors are responsible for admissions. For home to school transport assistance purposes, all pupils that attend foundation schools are treated the same way as pupils that go to community schools and academies.

Trust schools: The Council maintains these schools, however, governors are responsible for admissions. For transport assistance purposes, all pupils that go to trust schools are treated the same way as pupils that go to community schools and academies.

Enhanced resource provision: Education is provided within mainstream schools that have extra resources for pupils and students with some special educational needs, or

have an Education Health & Care Plan/ Statement of Special Educational Needs and require more specialist support within mainstream classes.

There are also schools called Special Schools: Pupils and students who have an Education Health and Care Plan /Statement of Special Educational Needs may go to a special school. Special Schools teach pupils and students with varying degrees of disability where parents have made a preference for this type of education. The Council arranges the admissions to all special schools on behalf of the parent.

2.0 HOW WE ASSESS WHO QUALIFIES FOR TRANSPORT ASSISTANCE

2.1 Our main criteria

Our main criteria sets out what we take can consider when deciding whether or not a pupil qualifies for home to school transport assistance to the nearest suitable school. They are:

- the walking distance from home to school,
- where the child is eligible for free school meals,
- where parents are in receipt of the maximum level of working tax credit.

We will provide home to school transport assistance to the nearest suitable school for any full time pupil when there is no school within the 'statutory walking distance' stated in the 1996 Education Act. The distances are:

- two miles - for pupils who are under eight years old

Note: Home to school transport assistance will end at the end of the academic year in which the pupil is 8 years old

- three miles - for pupils who are eight years old and over.

Where the pupil is eligible for free school meals, or the parent is in receipt of the maximum level of working tax credit, the distance is two miles. For secondary schools, transport assistance may be provided to one of the three nearest schools if the pupil lives more than two miles, but not more than six miles from that school, or to the nearest school based on religion or belief up to a maximum distance of 15 miles.

We can provide home to school transport assistance in one of the following ways:

- a) a travel pass or a season ticket for a local bus service, or
- b) a refund of travel expenses, paid in arrears or fuel allowance, as long as the school confirms the pupil has been attending.

See Section 3 for more details.

Notes:

- See paragraph 2.5 for our arrangements for pupils with special educational needs and/or disabilities (SEND)

- A travel pass or season ticket allows free travel of one return journey for each school day between the nearest pick-up point to the home address and the nearest suitable school.

2.2 Pupils in faith schools

Derby City Council provides home to school transport assistance until the end of statutory school age for secondary aged pupils attending a maintained faith school where the pupil is attending on religion or belief grounds and;

- The pupil is eligible for free school meals or,
- parents are in receipt of the maximum level of working tax credit.

Home to school transport assistance may be provided to the nearest suitable school based on religion or belief if, the school is over two miles but less than 15 miles from the home address.

2.3 Pupils under five years old

Schools in Derby City have a single point of entry into Foundation Stage 2 classes each September. Pupils who go to school full time in a Foundation Stage 2 class will qualify for home to school transport assistance if, they meet our main criteria in paragraph 2.1.

IMPORTANT - the Council is unable to provide any assistance for parents or responsible adults who accompany the child to and from the school.

Note: Home to school transport assistance cannot be provided for any children before Foundation Stage 2.

2.4 Walking distance - home to bus stop and bus stop to school

For pupils travelling by bus, we aim to keep distances to and from bus stops as short as possible. We do however, expect pupils to walk up to one mile each way to get to bus stops. We may make an exception to this policy if there are evidenced medical grounds.

2.5 Special Educational Needs and/or Disabilities (SEND)

a. The criteria for agreeing home to school transport assistance for pupils with SEND is

- the walking distance from home to school,
- if the pupil is eligible for free school meals and
- if parents are in receipt of the maximum level of working tax credit.

We will provide transport assistance to the nearest suitable school for any full- time pupil where there is no school within the statutory walking. The distance is:

- two miles - for pupils who are under eight years old

Note: Transport assistance will end in the academic year in which the pupil is 8 years

- three miles - for pupils who are eight years old and over.

If the pupil is eligible for free school meals, or the parent is in receipt of the maximum level of working tax credit, home to school transport assistance may be provided to one of the three nearest secondary schools if, the pupil lives more than two miles, but not more than six miles from that school, or to the nearest school based on religion or belief up to a maximum distance of 15 miles. See our Officer Review Section 5.

b. Pupils placed out of Derby City for 38 or 52 week residential education provision

For a 38 week placement – the Council will fund:

- 12 return journeys for the pupil – to take the pupil to school and return home for each half term, plus
- 01 return journey for parents to attend the Annual Review. If parents transport the pupil themselves they can claim.

Note: Any entitlement is for home to school and return journey and claims can only be made AFTER the journey.

For a 52 week placement – the Local Authority will fund:

- A maximum of 12 return journeys per academic year plus
- 01 return journey for parents to attend the Annual Review.

c. After school activities

Where a pupil who normally receives home to school transport assistance attends after school activities, parents are responsible for collecting their children at the end of the activity.

d. School trips

Where a pupil who normally receives home to school transport assistance takes part in a school trip, the school is responsible for arranging and funding the transport.

e. Escorts

- Escorts are provided based on the individual needs of the pupil
- Council Officers will decide on the level of need for escorts based on evidence provided as part of the application and is regularly reviewed.

All vehicle drivers and escorts must have enhanced Disclosure Barring Service (DBS) checks.

Note: The transport provider may change throughout the time a pupil receives home to school transport assistance; this means that both drivers and escorts may change.

f. Fuel reimbursement

A parent may transport their child to and from school and claim fuel expenses. See paragraph 3.2 for fuel allowance agreements. However, if the pupil is removed from an agreed route without the permission of the Council, the parent is responsible for funding transport until the end of the academic year.

2.7 Parents' right to a review of walking distances

Parents have the right to request a review the decision we have made about walking distances. We will only allow a review if the original measurement is within ten per cent of the statutory walking distance'. See Section 5 for when we allow reviews. To request a review of a walking distance please contact:

The School Organisation and Provision Team, Derby City Council, Council House, Corporation Street, Derby DE1 2FS. Telephone: 01332 642729 or email:

Admissions@derby.gov.uk

2.8 Single parents

We are unable to apply any discretion or exceptions to our main criteria – see paragraph 2.1 for pupils from single parent families.

2.9 Families receiving Income Support/Job Seeker's Allowance or other benefits apart from Working Tax Credit

We are unable to make any exceptions to our main criteria - see paragraph 2.1 for families that are receiving other benefit payments.

2.10 Moving house and temporary homes

We may provide home to school transport assistance to pupils going to the nearest suitable secondary school who:

- are in the last two years of statutory education in Derby, and
- move to a new permanent address, or
- move to a temporary address.

However, we can only consider this only if the pupil remains at the same school, and the journey can be made by public transport.

We may also provide home to school transport assistance by using distance and age criteria for the statutory walking distance - see paragraph 2.1.

The original school must have been the catchment area school for the previous address or, for those who qualify for enhanced transport assistance, one of the three nearest secondary schools. If not, we may work out the difference in distance between the parent's preferred school to the catchment area school and the home address. In this case, we can only contribute part of the travel costs.

Where there is no public transport available, we will offer a fuel allowance. All allowances are based on two return journeys per day, at most, at the public transport rate and are payable in arrears at the end of the term. We do not provide taxis where parents don't have transport because they don't have a car. However, we may give a contribution towards travel costs.

Notes

- We consider that Year 10 starts on the first day of the summer holiday.
- We will stop any home to school transport assistance if pupils move out of Derby because the responsibility for transport assistance transfers to the new authority where the pupil is living.
- Pupils that move into Derby from another authority will need to apply to Derby City Council for help with transport. We will assess all applications using this policy.

2.11 Pupils who are permanently excluded from school

The Council will organise a suitable school within the statutory walking distance for pupils that are permanently excluded. If the school the Council has organized for the pupil to attend is beyond the statutory walking distance, a travel pass may be issued.

If a parent sends their child to different school from the school organised by the Council, they are responsible for getting the child to school. We are unable to provide any with transport costs.

2.12 Pupil Referral Units

The Council will provide home to school transport assistance in the same way as pupils who go their nearest suitable school . See paragraph 2.1.

2.13 Pupils who go to college who are under 16

Where a pupil attends a full-time college course, arranged by the pupil referral unit, we expect the pupil to use any available free transport provided by the college. We may consider providing home to school transport where a college service is not available, and the pupil lives outside the statutory walking distance.

If the previous school has agreed to the pupil attending the college, but the pupil has stayed on the school roll, we are unable to provide home to school transport assistance.

2.14 Pupils on exchange visits

We are unable to provide home to school transport assistance to pupils on exchange visits. Parents of the receiving family are responsible for any travel arrangements for the journeys to and from school/college.

2.15 Pupils who miss or are unable to go to school

Where a pupil who receives home to school transport assistance is missing from school, or is not attending, we can withdraw the home to school transport assistance and replace it with a refund of child bus fares or a fuel allowance, where parents arrange their own transport to and from school. We will only pay this allowance in arrears, based on how often the pupil goes to school.

2.16 Preferred school

Parents who choose a school other than the nearest suitable school are responsible for getting their child to and from the school throughout the time their child attends.

3.0 TYPES OF TRANSPORT ASSISTANCE

3.1 Travel pass/season ticket

A travel pass covers journeys from home to school and return on school days only. See our main criteria for how a pupil qualifies in paragraph 2.1.

3.2 Independent Travel Training (ITT)

ITT may be available to support pupils with SEND to become independent travelers, allowing them to access a school or local bus service.

3.3 Fuel allowance

Where pupils qualify for home to school transport assistance and there is no public or school transport available for them to get to school, parents can request the Council to consider reimbursing fuel costs.

The fuel allowance is based on two return journeys; at most, for each school day that the pupil attends multiplied by the distance that we measure by the shortest driving route. Fuel allowance is detailed below.

Distance in miles	Per mile
Up to 50 per round journey	45p
51 - 100	35p
101 - 200	25p
201 upwards	15p

Notes

- We pay fuel allowance after the end of each term and only after the school has confirmed the pupil's attendance.
- We are unable to backdate payments for fuel allowance. Where pupils qualify, we will pay the allowance from the date we approve the application.

- Where there are two or more children from the same family attending the same school, or the same site, we will only give the fuel allowance to one member of the family at any one time.
- Where another child from the same family, who also qualifies for transport assistance:
 - is attending a different school on a different site and,
 - attends a school that is further than the statutory walking distance.

We will calculate the 'round trip' and pay the allowance on this basis after confirming both children's attendance.

- If parents have to drive their children to/from the nearest suitable school on a short term basis because of the pupil's medical needs, we may give a fuel allowance. Parents must provide proof from a hospital or doctor of the medical condition and need.
- Where changes are made to the school/local bus services that means the pupil can use a bus pass to get to and from school, we may replace the fuel allowance with a bus pass.
- Fuel allowance for pupils with SEND will only be agreed where there are no spare places in the transport already going to and from the same school.

4.0 HOW TO APPLY FOR TRANSPORT ASSISTANCE FOR CHILDREN WHO ARE UNDER 16

Mainstream application form are available from School Organisation and Provision, Derby City Council, People Services Directorate, The Council House, Derby DE1 2FS. Telephone: 01332 642729 Minicom: 01332 640666 or download an application form from <http://www.derby.gov.uk/education-and-learning/schools-and-colleges/schools-transport/>

If your child goes to a faith school, you can also request an application form from the school.

If your child has SEND, please contact Derby City Council, People Services Directorate, Council House, Corporation Street, Derby DE1 2FS. Email: SENDAdmin@derby.gov.uk

Please return your completed application forms to the Transport Officer at one of the above addresses

We will write to you with the Council's decision usually within two weeks. The letter will provide information about Officer Reviews if we do not think your child qualifies for transport assistance. See Section 5.

Where the Council agrees to provide home to school transport assistance TPOT will issue the travel pass/season ticket and post it by second class post to your home address.

4.1 Replacement passes

If your child loses the pass that we have provided, you will need to TPOT for a replacement. There is a £5.00 charge for replacement passes.

If we send you a travel pass with the wrong information on it we will replace it free of charge. Please return it to Derby City Council, Transport Procurement and Operations Team, Communities and Place Directorate, Council House, Corporation Street, DERBY, DE1 2FS or telephone: 01332 641729 (Minicom 01332 640666).

5.0 OFFICER REVIEWS

5.1 When we allow Officer Reviews

Officer Reviews are where a senior officer at the Council reconsiders an application that has been refused, or where specialist transport has been requested. We aim to conduct Officer Reviews within four weeks of receiving the request. It is important to note that we can allow them only if:

- Parents consider that the distance of the shortest walkable route between home and school has not been calculated accurately, and the original distance is within 10 per cent of the statutory walking distance. This means that:
- Where the pupil is under eight years of age, or eligible for reduced mileage after aged eight - the original measurement must be no less than 1.8 miles, or
- Where the pupil is aged eight and over, the original measurement must be no less than 2.7 miles

We are also able to consider an Officer review if the pupil is looked after by a local authority and/or the pupil cannot reasonably be expected to walk to school because of their mobility problems and/or because of associated health and safety issues related SEND.

We **are unable to allow** an Officer Review where:

- a. Parents apply for transport to a 'preferred' school or college – and the school or college is not the catchment area or nearest suitable school.
- b. Parents and/or pupil move house, other than in Years 10 and 11.
- c. Parents move house in Years 10 and 11 and the original school was not the catchment area or suitable school for the previous address.
- d. The request for an Officer Review is based only on the age or physical size of the pupil.
- e. The school is within the statutory walking distance.

If a parent considers that the Council has failed to follow the correct procedures when assessing an application, they can appeal to the Service Director. **However, applications cannot be re-considered by the Service Director where parents simply disagree with the final decision.**

If the Service Director finds that the correct procedure was not followed but that the outcome of the application would still be the same, parents can make a complaint using the Council's complaints procedure. See link for more information <http://www.derby.gov.uk/council-and-democracy/complaints/complaints-procedure/>

5.2 Grounds for an appeal

Exceptionally, the Service Director may refer cases to the Resource Allocation panel. This could happen if the policy doesn't cover an individual's situation, so that the Panel may interpret the policy and make the judgement in the circumstances of the case.

6.0 DISCIPLINE ON SCHOOL CONTRACT TRANSPORT SERVICES AND MIS-USE OF TRAVEL PASSES/SEASON TICKETS

6.1 Behaviour standards on home to school transport

TPOT provide the Guidelines for Students leaflet when travel passes are issued or a season ticket. The leaflet explains the standards of behavior we expect from pupils, the importance of being on time, and attention to safety when travelling.

6.2 Considering reports of poor behaviour on home to school transport provided by Derby City Council

Where TPOT receive reports that pupils are behaving badly on any transport TPOT will investigate the incident(s) and, depending on the result of this investigation, they can either:

- provide a formal warning to individual pupil(s), or
- remove their home to school transport assistance.

If we withdraw home to school transport assistance, parents will need to make independent alternative arrangements to get their children to and from school.

Parents can ask for an Officer Review where we have taken action in this situation. To do this, contact:

Derby City Council, Transport Procurement and Operations Team, Council House Corporation Street, DERBY DE1 2FS Telephone: 01332 641729 (Minicom: 01332 640666)

The review will be undertaken by the Head of Traffic and Transportation or a Senior Officer within the same team.

7.0 HOME TO SCHOOL/ COLLEGE TRANSPORT ASSISTANTS FOR STUDENTS WITH SEND OVER 16

7.1 How we assess who qualifies – our main criteria

We will provide home to school transport assistance for students over 16 years old with an Educational Health and Care Plan/Statement of Special Educational Need from home to school/ college up until the end of the term in which they reach the age of 25

provided that a doctor, or suitably-qualified medical professional gives proof in writing that the student cannot use existing public or college transport.

Note: Where a student is going to college directly after leaving school, we may already have up-to-date information about their transport needs so we may not need proof **and** the college is:

- the 'designated' college for the student's home address or
- nearer to the student's home than the designated college and,
- the student is attending college on a full-time basis – that is at least 16 hours of learning each week.

Important Notes:

- Derby College is the designated college for students living in Derby.
- Where Derby College is unable to offer a particular work related (vocational) courses, we will consider providing transport assistance to the nearest college that does **provided that:**
 - the student meets our criteria, and
 - the student is able to provide a letter from Derby College, or any nearer college stating they cannot offer the course the student wishes to study. (This only applies to the general subject area and not to the particular content of the courses. We are unable to make any exceptions for GCSE and A/AS level subjects).
- Where Derby College is unable to offer a study course that allows a student to progress, we will consider free travel to a college outside the city that does. This is on condition that we agree the college is within a reasonable travelling distance.
- We'll also consider making an exception to the policy where it's agreed that a student cannot attend a particular college because the college doesn't have the right specialist facilities or resources.

To ask us to consider making an exception to the policy please contact:

Derby City Council, People Services Directorate, CYP Commissioning, 2nd floor
Council House, Corporation Street, DERBY, DE1 2FS
Telephone: 01332 640133 Email: AccessToResources@derby.gov.uk

The student or parent will need to provide a letter from Derby College, or any nearer college, if appropriate, confirming they are unable to offer the facilities that the student needs.

Student or parent can ask for an Officer Review – see paragraph 7.3 – if they disagree with the decision the Council has reached.

We **are unable to provide any** help with transport:

- to and from work experience
- for students on 'taster courses'
- for induction and enrolment

- for transport to and from Social Services Day Care Centers, unless this is a more cost-effective journey than the journey that already happens from the student's home.

Note: Home to school transport assistance is only provided at standard times for arriving and leaving college at the start and end of the college day.

7.2 How to apply for transport assistance for students with special educational needs who are over 16

You can pick up the application form - **Form SNS 3** – from Derby City Council, CYP Commissioning, 2nd Floor, Council House, Corporation Street, DERBY DE1 2FS, Telephone: 01332 640133 Email: AccessToResources@derby.gov.uk

Please return your application to us at the same address.

7.3 When we allow Officer Reviews

Officer Reviews are how the Council's reconsiders applications that have been refused. We complete reviews within four weeks and allow them only if:

- a Derby College, or another nearer college, can offer a place but there are individual reasons why another suitable college is requested.
- b the student is 'looked after' by a council.

We are unable to consider an Officer Review:

- Where the student has reached the age of 25.
- The timetable does not match the arrangements we've made for transport.

If you believe that our officers have failed to follow the correct procedure when dealing with your application, you can ask the Service Director to look again at your application. However, you won't be able to ask for this to happen just because you don't agree with our final decision.

If the Service Director finds that the correct procedure was not followed but that the outcome would still be the same, you can take things further by using the Council's complaints procedure if you are still unhappy.

7.4 Grounds for appeal

A Service Director may refer cases to the Resource Allocation Panel. This would happen if the policy doesn't cover an individual's situation, so the Panel would interpret the policy for the individual and make the judgement.

8.0 SPECIAL NEEDS DISCRETIONARY TRANSPORT

Discretionary transport may be granted in special circumstances for special needs children only if space is available in a private hire, minibus or hackney carriage vehicle. These places are allocated on the grounds they can be withdrawn, giving one month's

notice if they are needed for an entitled child. In these circumstances a refund would be made.

Refunds would not be given for days a child does not travel, for example because of sickness or holiday. The cost for this transport will be charged at the actual cost of the seat and will be charged termly in advance. Transport will only be allowed after full payment and receipt of a signed agreement.

Revised: October 2003, September 2004, March 2005, September 2006, September 2007, July 2008 August 2009 April 2010 November 2010, October 2011, January 2017.

Consultation Period: Thursday 20 February 2017 to Monday 17 April 2017

To: Parents /carers, students, pupils, young people, all other interested parties

CONSULTATION DOCUMENT

Please give us your views and comments on our proposal to consider some changes to discretionary Post 16 Special Educational Needs and Disabilities (SEND) home to school/college transport.

1.0 Introduction

1.1 Derby City Council is consulting on a proposal to consider revising the provision of discretionary home to school/college transport assistance (transport) for Post 16 students with SEND to include:-

- The co-production of a point based system with parents and carers for determining the eligibility and the levels of transport to be provided and;
- The ways in which we provide transport.

1.2 The Council is also consulting on updated information included in the Council's Home to School Transport Assistance Policy – link <http://www.derby.gov.uk/education-and-learning/schools-and-colleges/schools-transport/> specifically:-

- updated information in relation to Council departments addresses and contact details;
- revised information regarding Officer Reviews to include reviews for children and young people with special educational needs and/or disabilities to reflect current practice and Department for Education guidance;
- Clarification on the types of suitable school;
- legislative terminology, for example, Criminal Record Bureau (CRB) checks now referred to as Disclosure and Barring Service (DBS);
- the addition of the Council's Independent Travel Training Programme;
- Information regarding appeals, eligibility, how they are processed and considered.

1.3 This consultation document tells you more about the proposal, the reasons for it and how the decision making process works. Please take time to read through this consultation document and let us know your views and comments using the attached Consultation Response Form. This is an eight week consultation and the closing date for responses is **Monday 17 April 2017**. We hope you find the document helpful and informative.

2.0 The proposal to consider some changes to discretionary Post 16 Special Educational Needs and Disabilities transport.

2.1 The Council is considering changes to its discretionary Post 16 SEND transport provision by working very closely with students, their families, and support groups to co-produce a fair and equitable point based system for eligibility and the level of transport assistance to be provided, whilst absolutely ensuring that :-

- the most vulnerable students are appropriately supported;
- appropriate transport is identified and provided according to individual need;
- improved outcomes for Post 16 SEND students through improved levels of independence;
- reduced numbers of Post 16 SEND students who are not in education, employment or training (NEET) as more students are able to travel independently, therefore having more choice in being able to access a wider range of provisions;
- continuing to work together to explore opportunities, build upon positive collaboration with students and their families to achieve good value for money.

3.0 Reasons for the proposal to consider some changes to discretionary Post 16 Special Educational Needs and Disabilities transport

3.1 Every Local Authority continues to face considerable pressures on public services and Derby City Council is also required to make significant savings.

3.2 The Council has recently been comparing its discretionary Post 16 SEND Transport offer in comparison to other similar local authorities and has determined that other local authorities have cut this discretionary service altogether. However, Derby City Council recognises the needs of Post 16 students with SEND and remains committed to, continuing to, delivering a discretionary service, whilst at the same time acknowledging that Post 16 SEND Transport needs to be delivered in a different way, given the significant budget challenges across the Council.

3.3 The Council has a duty to ensure that every pupil and student who lives in the City has access to an educational placement where there is a legal requirement.

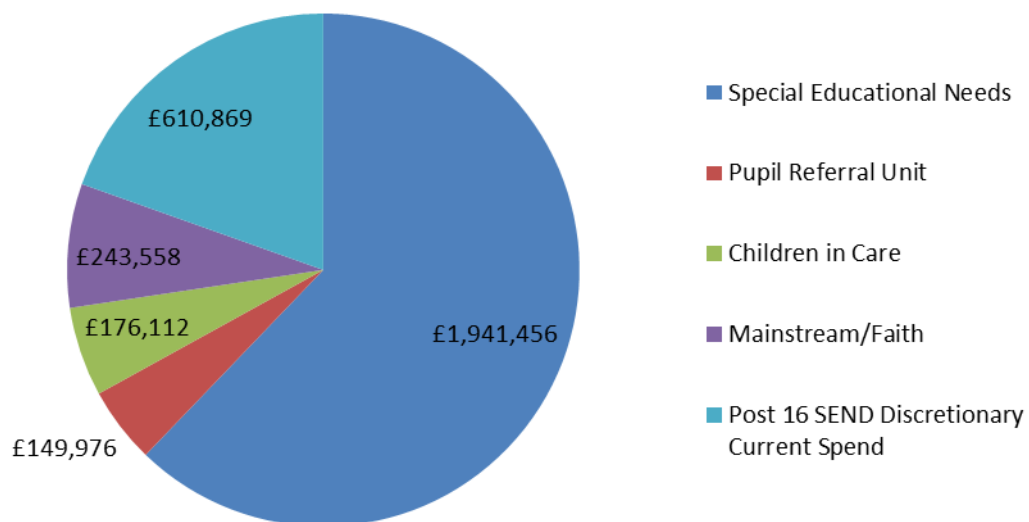
Whilst the Council is required to provide free home to school transport for some pupils and students, the Council also provides free discretionary transport for Post 16 SEND students; as background information, please see Appendix 1 for a summary table of statutory requirements for local authorities in relation to transport.

- 3.4 The Council is also mindful that it could be considered that the current policy and provision perhaps, acts as a disincentive to help promote increased independence and improved outcomes for students and young people with SEND, especially as they transition to further education and/or employment.
- 3.5 Current eligibility for Post 16 SEND transport to a school or college is based on the student having a Statement of Special Educational Need or an Education Health and Care Plan; the student being unable to travel on public transport (evidenced by a letter from a medical professional; the course of study is over 16 hours per week and the placement must be the nearest designated setting. Students remain eligible until the end of the school term they reach 25 years old. See link to the current Post 16 Transport Policy Statement for more information. http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/schools/DerbyCityCouncil_Post-16_transport_policy_statement_june_2016.pdf .
- 3.6 The introduction of **Derby's Independent Travel Training (ITT) Initiative** has been enormously successful in improving outcomes for young people with SEND. The Council is extremely proud of the **111** young people since 2014, who previously travelled in taxis or mini buses, and are now travelling independently in and around our City, with 96 young people with SEND now fully accessing Post-16 education.
- 3.7 Travelling independently produces a 'win-win' situation for young people and adults. The personal gains can be enormous - personalised support, increased self-esteem, self-confidence and social skills. Longer term effects include increased potential to access education, employment, healthcare services and leisure opportunities. Please see Appendix 2 detailing some of the excellent feedback on our Independent Travel Training Initiative from young people, parents and carers.
- 3.8 The expansion of the Independent Travel Training could also really help the Council in very carefully prioritising limited funding. Funding will, of course, continue to be available for the most vulnerable young people where a taxi or more specialised transport is considered essential.
- 3.9 The Council is at the very early stages of considering co-producing a new point based system, in line with the feedback received as part of the previous Home to School/College Transport Consultation back in May 2015. The Council is absolutely determined to ensure that we listen very carefully to the thoughts and views of young people, parents and carers before any changes on how we provide transport are considered or developed, whilst also outlining the significant financial difficulties for the Council. In view of this, the Council has to rigorously look at all areas of discretionary expenditure right across all Council services.

- 3.10 It is very important to emphasise, that following this consultation, should the preferred way forward be a new co-produced point based system for eligibility, this will be only developed in close consultation with a representative group of SEND stakeholders, including young people and parents / carers.
- 3.11 It is also equally important to outline that any point based system will determine eligibility and level of transport assistance on an individual basis. The Council will ensure that the most vulnerable Post 16 SEND students remain the highest priority, and will continue to receive the appropriate level of transport assistance.

4.0 Financial Situation

- 4.1 The pie chart below demonstrates that the Council remains passionate about supporting vulnerable children, young people and families in Derby. The Council currently spends around **£3,200,000 each year** supporting vulnerable families of children and young people in Derby to provide home to school transport assistance.



- 4.2 A significant proportion of the transport budget funds children and young people with SEND who are legally eligible for free transport. In addition, the Council also provides discretionary free transport to Post 16 SEND students.
- 4.3 However, circa £611,000 (almost 20% of the overall transport budget) of discretionary transport assistance is provided to support to 153 Post 16 SEND students to schools and colleges. It is important to note that the Council is unable to provide transport assistance to support any other Post 16 student, for example, students from families with low incomes. In order to make sure we continue to protect vulnerable young people, this would still ensure a post 16 discretionary transport budget of around £410,000.

- 4.4 Extensive work has already been undertaken to reduce this cost over recent years, including the inspiring development of the Independent Travel Training (ITT) Initiative which has not only improved outcomes and aspirations for 111 young people in Derby, but helped the Council avoid costs in excess of £350,000 throughout a young person's educational lifetime. Regrettably, despite best efforts, the overall budget indications for 2016/17 currently forecast a transport budget overspend of £200,000. However, every effort is being made to achieve a balanced budget in both 2016/17, and in future years.
- 4.5 The Council's Medium Term Financial Plan (MFTP) also requires the Council to achieve savings in transport during the 2017/18 and 2018/19 financial years. In order to balance the budget against the ever increasing costs of transport, the Council must work closely with parents to achieve these savings. The proposal would begin with the Council seeking to save £50,000 in 2017/18 and a further £150,000 in 2018/19 to achieve the required savings.
- 4.6 Rigorous monitoring is also underway to try and reduce the forecast overspend in 2016/17. This is, of course, subject to a number of variances, for example, the number of applications received from parents and carers who are entitled to receive transport under the Council's current Home to School Transport Assistance Policy.
- 4.7 **Reasons for updating the Council's Home to School Transport Assistance Policy.** The current Home to School Transport Assistance Policy was last required updating to ensure information included is timely and accurate.

5.0 When would any proposed changes take place?

- 5.1 Following the outcome of this consultation and Council Cabinet Member consideration and approval, any proposed changes to discretionary Post 16 Special Educational Needs and Disabilities transport may take place from December 2017 for all Post 16 SEND students, including those that are currently receiving a service. Transport assistance provided may be fuel reimbursements, Personal Travel Budgets, Independent Travel Training, or other transport.
- 5.2 Following the outcome of this consultation and Council Cabinet Member consideration and approval, any proposed changes to the updated information in the Council's Home to School Transport Assistance Policy detailed within paragraph 1.2 will take place with immediate effect.

6.0 What are the implications for Post 16 students with SEND and their families?

- 6.1 An Equalities Impact Assessment (EIA) will be carried out at the commencement of planning the policy change with our stake holders to consider the impact of any changes implemented and will be updated during the consultation with members from representative groups. The outcome of the EIA will be ready and made available for consideration by Council Cabinet as part of the consultation process.

7.0 How can I give the Council my views and comments on the proposal?

- 7.1 We are very interested in your views and comments on this proposal and the changes to the existing Home to School Transport Assistance referred to in paragraph 1.2. Please respond to us, in writing, by using the consultation response form attached to this document, or by using the online consultation response form at www.derby.gov.uk. There is an eight week period for people to respond to this consultation. The closing date for responses is Monday 17 April 2017.
- 7.2 If you would like to discuss any specific aspects of the proposal or need more information, please contact the Commissioning Department, Children and Young People's Directorate by Email: yourcityyoursay@derby.gov.uk

8.0 What are the next steps?

- 8.1 Please use this consultation as an opportunity to give us your views and comments on our proposal to consider some changes to discretionary Post 16 Special Educational Needs and Disabilities transport. Please see Appendix 3 – Consultation Response Form
- 8.2 After the closing date, we will carefully consider all responses received, and report the outcome of this consultation to Council Cabinet (the group of Councillors who make decisions) to consider and provide a decision going forward.
- 8.3 Consultation Timeline

Stages	Timeline
Council Cabinet approve to consult on proposal to consider some changes to discretionary Post 16 Special Educational Needs and Disabilities transport.	08 February 2017
If agreed, 8 week consultation period starts.	20 February 2017
Consultation period ends	17 April 2017
Conduct full Equalities Impact Assessment on the effect of the proposed changes	28 April 2017
Outcome of consultation is reported to Council Cabinet for consideration.	June 2017

Summary table of Statutory Requirements

The following table shows the council's statutory duty to provide school transport; this provision is protected in law and will be unaffected by any of the proposed changes.

Age / Type of Pupil	Statutory entitlement
Pupils up to the age of 8 (year 3)	Home to School Transport Assistance to the nearest available eligible school if it is more than two miles walking distance from home. (see note)
Pupils between the ages of 8 and 16 (years 4 – 11)	Home to School Transport Assistance to the nearest available eligible school if it is more than three miles walking distance from home.
Pupils aged between 8 and 10 (years 4 – 6) who are eligible for Free School Meals or whose parents are in receipt of the maximum level of Working Tax Credit	Home to School Transport Assistance to the nearest eligible school if it is more than two miles walking distance from home.
Pupils aged between 11 and 16 (years 7 – 11) who are eligible for Free School Meals or whose parents are in receipt of the maximum level of Working Tax Credit (Faith)	Home to School Transport Assistance is provided to one of the three nearest suitable schools if it is between two miles (walking route) and six miles away (road route). If a school is preferred by reason of a parent's religion or belief then Home to School Transport Assistance is provided if the school is more than two miles (walking route) and not more than 15 miles away (road route) and it is the nearest school of that faith.
Pupils with Special Educational Needs, Disability or mobility issues (aged 4 – 16).	Home to School Transport Assistance to the nearest suitable school, where the pupil lives within the statutory walking distance from school and where, due to relevant documented special needs or disability or mobility issues, they are unable to walk in reasonable safety, even when accompanied. Transport will be provided to pupils who have a Statement of Special Educational Need (SEN) or Education Health and Care Plan (EHC Plan) which sets out a clear requirement for HTSTA to the school specified in the SEN or EHC Plan.
Pupils who live within the statutory walking distance who are unable to walk in safety to school because of the nature of the route (aged 4 – 16).	Home to School Transport Assistance to the nearest suitable school where the pupil lives within the statutory walking distance from school and where, due to the nature of the route, they are unable to walk in reasonable safety even when accompanied.

Note: Suitable schools are defined as the closest school(s) to the address at which the child resides with their parent(s) or legal guardian(s); A faith school is only classed as an eligible school for children of the faith represented by the school.

Independent Travel Training Initiative – Summary quotes from young people, parents and carers

Post 16 Learner says: *“I feel safe making this journey on my own and am more confident in using bus on my own. It has been a great experience”.*

What other students thought after completing Independent Travel Training:-

“I don’t have to wait around for taxis now. I can go on the bus myself and enjoy the feeling of being independent.”

“I enjoyed the training and am glad I did the travel training because I can use this skill for the rest of my life.”

Quotes from parent/carers

“My daughter enjoyed the travel training. I would recommend the training to other parents/carers.”

“Having recently completed Derby City Council’s “Independent Travel Training” (speaking as a carer) and when I was asked if I would like to help? I felt I had to become involved in such a magnificent project having experienced the outstanding results and what it ultimately gives the child in the form of (not only) confidence but the “gentle introduction into society” is truly wonderful and I speak as a grandfather now. In summary the programme is designed to help our young disabled children (having reached sixteen) to travel independently utilising public transport, Initially it is supervised and delivered with the help of a “Mentor” and gradually (over a period of time) this is relaxed until such time as the child/young person has gained the confidence to “do it themselves”. Although the reality is it does so much more - it literally ‘opens the door to life’”.

CONSULTATION RESPONSE FORM

Please complete and return this short form to give your views and comments on this proposal.

Please tell us if you do or do not support the Council's proposal to consider some changes to discretionary Post 16 Special Educational Needs and Disabilities transport. Please select one response.

Yes - I support the proposal

No - I don't support the proposal

I'm undecided about the proposal

Please use the space below and the continuations sheet if necessary to give your comments on the proposal to consider some changes way to discretionary Post 16 Special Educational Needs and Disabilities transport and/or the updated information to the current Home to School Transport Assistance Policy.

Date.....

Status.....

(For example, parent, carer, young person, member of school staff, others)

Please return your completed form to: Commissioning Department, People's Directorate, Derby City Council, The Council House, Corporation Street, DE1 2FS. Email: yourcityyoursay@derby.gov.uk

Please return this form by **Thursday 17 April 2017**



All information provided will be treated in accordance with the Data Protection Act 1998. We will only use this information to help in the decisions made the proposal set out within this Consultation Document.

Continuation sheet....