

Classification: Open	Decision Type: Key
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Report to:	Cabinet	Date: 17 April 2024
Subject:	Home to school travel assistance and transport policy	
Report of	Deputy Leader and Cabinet Member for Children and Young People	

1.0 Summary

- 1.1 The Council has a statutory duty by virtue of the Education Act 1996 to make necessary travel arrangements for all 'eligible children and young people'. The Council must have a policy setting out how it will meet this duty. The current policy was last subject to review in 2015. In January 2024, the DfE published updated guidance in respect of travel assistance and school transport and the Bury policy needs to be reviewed and refreshed to reflect this guidance.
- 1.2 A new policy has been co-produced with parents and has been subject to consultation with a range of stakeholders. This report sets out the outcome from the consultation and makes recommendations in respect of the adoption of a new policy. A copy of the new policy is contained at Appendix One, with a copy of the existing policy contained at Appendix Two.
- 1.3 It is proposed that the new policy be formally adopted, to be published by the 31st May 2024, and to be implemented with effect from 1st June 2024. All families in receipt of travel assistance provided by virtue of the current policy will have those arrangements protected until a change in the family's circumstances or following a review of the child or young person's EHC Plan.

Recommendation(s)

Cabinet is requested to:

1. Note the outcome of consultation on the draft home to school travel assistance and transport policy,
2. Approve the policy for implementation on the 1st June 2024.

Reasons for recommendation(s)

The proposed changes respond to revised guidance from the DfE in respect of home to school transport, and reflect the outcome of engagement with parents, and consultation with wider stakeholders.

Alternative options considered and rejected

Following an investigation by the Local Government Ombudsman, the existing policy was found not to be compliant in respect of the post-19 arrangements.

The changes are required to ensure that the policy reflects updated Government guidance and is statutorily compliant.

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2.0 Background

- 2.1 The Council has a statutory duty by virtue of the Education Act 1996 to make necessary travel arrangements for all 'eligible children and young people'.
- 2.2 The legislation doesn't prescribe how the travel arrangements should be made but that the arrangements must be determined having regard for the needs of the child or young person.
- 2.3 The Council must have a policy setting out how it will meet this duty.
- 2.4 The policy was last subject to review in 2015. In January 2024, the DfE published updated guidance in respect of travel assistance and school transport and the Bury policy needs to be reviewed and refreshed to reflect this guidance.
- 2.5 At its meeting of the 13th December Cabinet received a report in respect of the Council's Home to School Transport policy (CA.97) and noted the intention to co-produce a home to school transport policy with parents for wider consultation and for Cabinet to receive a further report with recommendations having regard to the outcome of that consultation.
- 2.6 Following a Local Government Ombudsman investigation into a complaint in respect of travel assistance and transport, the LGO made a number of recommendations including that the Council review its current travel assistance policy, consult on any necessary changes, consider the draft policy for adoption at a meeting of Cabinet in April 2024, and implement the agreed policy by 31st May 2024. This was set out in a report to Cabinet at its meeting on the 14th February 2024 (CA.127).
- 2.7 An important aspect of any policy impacting on children, young people and their families are that their views are taken into account when designing and implementing those policies.

2.8 Throughout January 2024 a series of engagement workshops, facilitated by Bury2gether, took place. They were attended by a number of parents, each themed to focus discussion on key aspects of the current travel assistance policy and how it operates.

2.9 These workshops enabled a better understanding of barriers faced by children, young people and their families when in need of travel assistance and/or transport to access school, and the measures that could be introduced that could minimise or remove those barriers.

2.10 During February, meetings with Bury2gether enabled the co-production of a draft policy that reflected the key principles that emerged from the engagement workshops.

2.11 The key aspects of the draft policy are:

- For Children of statutory school age with an Education, Health and Care (EHC) Plan, or those who are undergoing assessment for an EHC plan or have been placed by the Authority in a school to meet their SEND that is not their local school, travel arrangements will be determined by reference to the individual child's needs;
- For children and young people not of statutory school age, both pre-school and post 16/post 19, and in receipt of an EHCP, an individual assessment of need will inform the requirement for travel assistance;
- For all ages, the use of mileage rates or personal budgets be promoted as a cost-effective way of facilitating travel assistance, reducing the burden on home to school transport.
- That for young people aged 16 and over, where the individual assessment determines the need for travel assistance, other than in exceptional circumstances, this will be met through the provision of mileage payments or personal budgets.

2.12 The main changes to the draft policy from the current version are:

- Clearly explaining the forms of travel assistance that may be offered to eligible children and young people. These include mileage reimbursement, personal travel budgets, transport, travel passes and independent travel training.
- Clarifying the Council's statutory duty in relation to pre-school age children, 5-16 year olds, post 16 provision and adult learners (post 19).
- Aligning the assessment for travel assistance with the current Education Health and Care Plan (EHCP) process where appropriate.
- Simplifying the process for a change in circumstances (change of address, school, or the child/young person's individual needs).

- Providing additional flexibility for transport wherever possible to accommodate timetable changes or changes to the school day.

2.13 Statutory Duties

2.14 The statutory duties apply to Children with Special Educational Needs, disabilities, or mobility difficulties. They largely relate to but are not exclusive to those children and young people with Education, Health and Care Plans.

2.15 Section 35B of the Education Act 1996 defines eligible children as those of compulsory school age, 5 to 16 years.

2.16 A child is eligible if they are of **compulsory school age**, attend their nearest suitable school and:

- They live more than the statutory walking distance from the school; or
- Could not reasonably be expected to walk to school because of their special educational needs, disability or mobility problem; or
- They would not be able to walk to school in reasonable safety even if they were accompanied by their parent.

2.17 There is no statutory duty to provide travel assistance or transport to **children of pre statutory school age** although there are an increasing number of children of pre-school age that are being issued with Education Health & Care Plans naming provision in schools or specialist settings, and for whom the same challenges exist as with statutory school age children, in being able to access those settings.

2.18 Local authorities do not have to provide free or subsidised **post 16 travel support** but do have a duty under Section 509AA of the Education Act 1996 to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport or other support that the authority considers it necessary to make to facilitate the attendance of all persons of sixth form age receiving education or training.

2.19 This provision may include transport, the use of personal budgets or mileage payments, but may also include concessionary fares scheme, and use of bus passes.

2.20 Section 509F and 508G of the Act places a statutory duty on the Council to consider **Post 19 travel assistance**. This applies to students aged 19 and over who commenced their programme of learning after their 19th birthday. The Council must consider arrangements for the provision of transport or travel assistance in respect of:

- Adults who are aged 19 or over, to facilitate their attendance at further or higher educational institutions where they are maintained or assisted by the local authority or institutions within the further education sector.

- Relevant young adults (i.e. those with an Education Health and Care plan that can be maintained up to the age of 25) receiving education or training at institutions outside both the further and higher education sectors. For these young adults, support is only provided where the local authority has secured the provision of education or training at those institutions and the provision of boarding accommodation that is linked to that education or training.
- The council must take account of all relevant circumstances, including the age of the adult, the nature of the route which the adult could reasonably be expected to take and their ability to travel independently.

2.21 For both post 16 and post 19 transport, the legislation recognises that a local response to transport arrangements is important in enabling young people's participation in education and training and the legislation therefore gives local authorities the discretion to determine what financial support or transport is necessary to facilitate young people's attendance. The local authority must exercise its power to provide financial support or transport reasonably, taking into account all relevant matters.

2.22 The draft policy sets out how the Council would propose to exercise this power through the provision of mileage payments or personal travel budgets, other than in exceptional circumstances.

2.23 Profile of eligibility/Cost

2.24 There are currently in excess of 2,600 children and young people with an EHCP, of which 658 are in receipt of travel assistance or transport.

2.25 The current profile of travel assistance and Transport is shown below:

Age	Transport		Mileage/Personal Budget		Out of Borough Transport		Total	
	No of children and young people	Cost	No of children and young people	Cost	No of children and young people	Cost	No of children and young people	Cost
Under 5	7	£83,951	0	£0	0	£0	7	£83,591
5-16 years	397	£2,563,905	97	£133,659	88	£498,065	582	£3,195,629
Post 16	44	£390,592	17	£21,353	0	£0	61	£411,945
Post 19	8	£139,760	0	£0	0	£0	8	£139,760
Total	458	£3,178,207	114	£155,012	88	£498,065	658	£3,831,284

2.26 A number of pre statutory school age children are in receipt of transport even though the current policy states that children of pre-school age will

not receive transport. These have been agreed either because of exceptional circumstances, or where there has been a challenge to the application of the policy, and through the internal appeals process, the original decision to refuse transport has been overturned.

- 2.27 Out of borough transport is home to school transport arranged directly by independent non maintained special schools linked to the placement of a child or young person, the cost of which is met by the Council.
- 2.28 A significant majority of the post 16 cohort in receipt of transport attend Elms Bank Special School. In accordance with DfE guidance, eligibility for transport is reassessed at transition from Year 11 to Year 12 and consideration has been given to whether young people are attending the nearest college that can meet their needs. Nevertheless, eligibility has remained for the majority of students. Within the new policy, existing eligibility will be protected until there is a change in the individual's circumstances.
- 2.29 The use of mileage payments and personal travel budgets were first introduced in the 2015 policy and take-up has steadily increased over time. They are an essential way to provide flexibility to parents enabling them to put in place arrangements that suit their needs. In addition, they provided a cost-effective solution, with a cost per child or young person much lower than for home to school transport. In addition, the use of mileage or personal travel budgets alleviates pressure on the home to school transport system which experiences challenges in recruiting sufficient drivers and escorts to meet the current demands.
- 2.30 In respect of statutory age children, mileage payments and personal travel budgets can only be put in place by agreement with parents. Feedback following the parental engagement sessions indicated that the level of payments, and some of the processes linked to payments acted as a barrier to increased take-up.
- 2.31 For post 16 and post 19 young people, mileage rates and personal budgets can form the basis of the Council's offer of travel assistance, and does not require the agreement of parents or the young person.

2.32 Funding

- 2.33 As a result of the Council introducing a zero based budgeting approach for the financial year 2024/25, the agreed budgets for travel assistance and transport have been established at a level commensurate with current costs.
- 2.34 The approved budgets for 2024/25 are as follows:

Personal Travel assistants/bus escorts	£633,000
Home to School SEN General	£199,200
SEN Transport - Outborough	£529,000
Independent school travel	£81,100
Home to school – individual schedules	£2,448,450

Home to school – general	£163,560
Home to school – non SEN general	£138,300
Home to college transport	£422,100
Total budget provisions	£4,614,710

2.35 In setting budgets at this level, the Council committed to identify efficiencies in the delivery of travel assistance and transport, in order to deliver financial savings of £345,000, for the 2024/25 financial year, resulting in a net approved budget of £4,269,710.

2.36 The per capita cost of transport for a 5-16 year old is £6,458, whereas for those families taking up mileage rates or personal travel budgets, the per capita cost is £1,377. For post 16, the comparable costs are £8,877 and £1,256 respectively. For post 19, the per capita cost of transport is £17,470.

2.37 The proposed policy makes clear that eligibility for travel assistance will be based on an assessment of need. However, it makes clear that use of mileage rates and personal budgets will be promoted for statutory age children and young people, and for post 16 and post 19 students, will form the basis of the Councils offer where need for travel assistance is determined.

2.38 Whilst eligibility for travel assistance or transport can only be determined on a case-by-case basis following an assessment of need, some assumptions can be made in respect of the future profile of activity, particularly for post 16 and post 19 students where mileage rates and personal budgets will form the basis of the offer for the majority of students.

2.39 If, for children of statutory school age currently being provided with home to school transport, the take up of mileage payments and personal budgets could be increased by 5% this would reduce cost by £101,789 in a full year.

2.40 Given the post 16 offer, if 90% of post 16 and post 19 students were determined as eligible for travel assistance to be provided with a personal budget or mileage payment, as the standard offer, and with the balance remaining eligible for transport, this would reduce cost by £403,101 in a full year.

2.41 This would result in a revised profile when compared with the table in paragraph 2.24 as set out below:

Age	Transport		Mileage/Personal Budget		Out of Borough Transport		Total	
	No of children and young people	Cost	No of children and young people	Cost	No of children and young people	Cost	No of children and young people	Cost
Under 5	7	£83,951	0	£0	0	£0	7	£83,591

5-16 years	377	£2,434,666	117	£161,109	88	£498,065	582	£3,093,840
Post 16	6	£53,262	56	£69,080	0	£0	61	£122,342
Post 19	1	£17,470	7	£8,792	0	£0	8	£26,262
Total	391	£2,589,349	179	£238,981	88	£498,065	658	£3,326,395

- 2.42 Based on the current number of children and young people in receipt of travel assistance, the policy can be delivered within the available resources, as determined by the Council's approved budget for 2024/25, subject to the impact of any tapering arrangements whereby existing eligibility is protected until a change in an individual's circumstances, and with the caveat that eligibility can only be determined based on an individual's assessment of need.
- 2.43 The removal of post 16 transport will see a phased reduction in demand on transport and an increase in mileage/personal travel budgets at a reduced cost.
- 2.44 All transport is reviewed on an annual basis commencing in May in preparation for the new academic year, any vacant seats created by leavers/children that are changing school are generally replaced with new applicants and the routes reviewed to ensure the most efficient and effective use of resources. As transport demand on post 16 will start to decrease from September 24 it is expected that routes to Elms Bank College and Bury College can be consolidated and contracts gradually terminated over a 3 year period.
- 2.45 It is anticipated that a saving of £140,000 will be achieved on post 16 transport requirements for the 2024/2025 academic year. This saving is achieved by young people leaving the college they are currently attending allowing the termination of the contract, a reduction in mileage where young people are travelling on shared transport or the re-tendering of a route due to a reduction in the number of young people travelling. It is expected that routes to Elms Bank College and Bury College can be consolidated, however this will be dependent upon the young people's individual needs, vehicle requirements and the location of their home addresses.
- 2.46 It is also anticipated that further savings of approximately £55,000 will be achieved for the 2024/2025 academic year by the termination of four vehicles with sole occupancy due to the young people leaving their school setting (5-16 year olds, statutory provision). Additional savings may be achieved due to children leaving shared occupancy vehicles, however the savings achieved will be determined by the demand on the service.
- 2.47 Savings are also expected to be made by the placement of more children within the borough such as at the recently opened Brookhaven School, therefore reducing the cost of transport for children/young people attending out of borough schools. Although transport is likely to increase to in-

borough schools the reduction in mileage and enhanced route planning should generate a saving over the next few years.

- 2.48 Given the intention to promote the use of personal travel budgets or mileage payments for statutory school age children and young people, it is proposed to review mileage rates and the potential introduction of banding arrangements for personal travel budgets to ensure that they are an attractive option to parents, and to encourage take up of these forms of travel assistance as opposed to home to school transport.
- 2.49 This review will be undertaken separately and be subject to a further report to Cabinet. Until that time, existing funding rates will be used.

3.0 Independent Travel Training

- 3.1 A contract is in place with Pure Innovations to provide independent travel training to young people. Currently there are 1 full time and 2 part time travel trainers with an overall target of training 18 young people per year.
- 3.2 There is an opportunity within the existing contract to invest in an additional part time travel trainer at a cost of £12,030 per annum. This could potentially allow an additional 5 or 6 young people to successfully complete the travel training programme each year. The average cost for a young person on transport equates to approximately £6,925 per year, suitability for independent travel training is currently assessed at year 7, year 9 and year 12. Most young people are not ready to commence travel training in year 7 and require a settling in period of 12 to 18 months in their new school. Where a young person successfully completes independent travel training in year 9 the Council will see an indirect cost benefit for the remainder of their school/college life. This could potentially be a cost avoidance saving of up to £13,500 per young person in years 10 and 11.

4.0 Engagement and Consultation feedback

- 4.1 Throughout January a series of parental engagement workshops took place to inform the drafting of a new co-produced policy. Working with Bury2gether parents/carers of service users and schools/colleges were invited to the sessions that were held at The Bury SEND Hub, Mosses Community Centre and online via Microsoft Teams.
- 4.1.1 Each session was run on an informal workshop basis and themed to generate discussion:

Group 1 – What do we mean by SEND transport?
Group 2 – Implementation & operational practice
Group 3 – Service redesign
Group 4 – Workforce training
Group 5 – Overview of the reviewed policy

The purpose of the sessions was to understand the barriers that families face with the existing policy and to consider how children and young people and their families can be better supported.

The following summarises the key themes and emerging principals emanating from the engagement sessions.

Service Redesign

4.2 The current application process for travel assistance/transport is separate to the Education Health & Care Plan assessment process with its own eligibility criteria assessment process that is only commenced once an EHC Plan has been issued. The emerging principles are:

- That assessment for travel assistance/transport needs to be more closely aligned to the Education Health & Care Plan assessment process, and that information collected as part of the EHCP process should inform consideration for travel assistance or transport.
- Travel assistance/transport should be determined based on a comprehensive assessment of the child/young person's needs and family circumstances, to be undertaken alongside the EHC plan assessment process, rather than based on a pre-determined set of eligibility criteria linked solely to transport. Ensuring that eligibility is needs based.
- Eligibility for travel assistance/transport to be confirmed at the point that a school is being consulted in relation to the EHCP assessment to enable parents to make informed decisions before a school is named on a plan.
- Annual reviews of EHC plans should consider travel assistance/transport, recognising that transport cannot form part of the plan, but the need for transport both informs and is informed by the EHC Plan.
- Independent travel training should be 'offered' as a supportive package rather than an alternative to travel assistance/transport – although from age 14 it should feature on an annual review of the EHC plan linked to Preparing for Adulthood

Eligibility

4.4 The current policy refers to eligibility linked to statutory school age (5-16) based on the Council's statutory duty to provide travel assistance, with the Council having discretion to provide travel assistance in other circumstances. The emerging principles are:

- In line with the principle of aligning travel assistance/transport to the EHCP process, eligibility should be based on need linked to the delivery of the EHC Plan.

- Recognising that there is still a need for a separate policy statement in respect of post-16 and post-19 travel assistance, but that the same principle should apply that the Council's discretionary provision is linked to need as assessed through the review of the EHC Plan.

With a focus on transport being aligned to the EHC Plan process, it is important to recognise that in some circumstances, travel assistance may need to be considered where there is no EHCP, so there must also be a stand-alone process for these cases.

Travel Assistance Offers

4.5 Different travel assistance/transport offers should respond to the child's needs and family circumstances as determined through the EHC Plan process, to include:

- Mileage rates
- Personal budgets
- Home to school (common pick-up points)
- Home to school (door to door)

Mileage Rates & Personal Budgets

4.6 Linked to the different travel assistance offers, useful feedback has been provided as to the barriers to take-up of those offers:

- Current mileage and personal budget rates do not reflect actual costs and therefore aren't an attractive offer. Other local authorities have banding arrangements and/or enhanced rates which, if adopted have the potential to increase take-up of those options, reducing the requirement for home to school transport.
- Mileage rates and personal budgets need to be published so that parents are aware of what is available.
- There are often restrictions applied to how personal budgets can be used and there should be greater flexibility in their use.
- Processes for payments in respect of mileage is burdensome with parents required to meet costs up front, and payments being made retrospectively. It was suggested that a process by which payments are made in advance with retrospective adjustment if attendance falls below a certain level would make the offer more attractive to parents.

Flexibility

4.7 A common theme throughout was the need for flexibility in the provision of travel assistance/transport to support families in a number of ways:

- The ability for parents to pool resources to enable shared taxi's/car sharing, funded by mileage rates or personal budgets, and how the local authority could facilitate this.

- Enable transport to be flexible to respond to changes over a week, for example to facilitate attendance at after school clubs and to respond to reduced timetables.
- To enable different addresses to be specified for collection and drop off on specific days.

Workforce Development

4.8 There is a recognition that the successful operational delivery of transport is heavily reliant on the staff in the school and college transport team, and with the drivers and personal escorts employed for each journey.

- Recruitment and retention of staff, and what can be done to improve this.
- A programme of training & development for drivers and personal escorts.

Communication

4.9 Effective communication between the local authority and parents was seen as key to the effective delivery of travel assistance and travel arrangements. There should be a focus on:

- Streamlined processes – including aligning travel assistance to EHC Plan assessment.
- Timely communications with parents/carers.
- Improved web-pages.
- Independent travel training and how assessments are carried out, and what is communicated to parents to remove some of the anxiety that parents have.
- Performance standards and how the Council will hold contractors to account, and ensure parents are aware, including emergency arrangements.

4.10 In early February, further meetings were held with Bury2gether (parent carer forum) to co-produce a draft proposed policy reflecting the emerging principles from the workshops.

4.10.1 Consultation on the draft proposed policy was launched following half-term, week commencing 26 February and closed on Friday 5 April 2024.

4.10.2 The following cohorts were directly informed of the consultation via email and invited to submit their views via an online form:

- Parents/Carers of service users

- Parents/Carers of children & young people in receipt of an EHC (Education, Health and Care) plan but not in receipt of travel assistance
- Workplace teams/colleagues
- Schools
- Colleges
- School governors
- Councillors & MP's
- Bury2gether (Parent/Carer forum)
- Contractors
- Pupil Escorts

In addition, the consultation has been advertised on Bury Council's website, the local offer webpage, social media and in the Bury SEND Newsletter. Bury2gether (parent/carer forum) have also advertised the consultation on their Facebook page and have continued to encourage participation amongst the parents/carers they support and represent.

4.11 Consultation outcome

4.12 A summary of the consultation responses received is contained at Appendix Three.

4.13 The consultation asked a number of questions linked to the emerging themes from the stakeholder engagement workshops, and also sought views on the new policy.

4.14 The outcome from the consultation can be summarised as:

4.14.1 A total of 45 responses were received, 38 of which were submitted by parents or carers, with one from a child, and the balance from schools, colleges, professionals and an academy trust.

4.14.2 Whilst the majority of respondents found the new policy easy to understand or expressed a neutral view, almost a 1/3rd of respondents indicated it was somewhat not easy to understand. It is proposed that alongside the launch of the new policy, a summarised guide be produced.

4.14.3 In terms of the travel assistance offer, respondents were asked to confirm their awareness of the options available (multiple selections could be made). Only 15% of responses confirmed awareness of personal budgets and independent travel training which indicates that further promotion of the options available within the travel assistance offer is required, which can also be incorporated into the summarised guide.

4.14.4 All travel assistance options available within the current policy will remain in the new policy. The majority of respondents who expressed a view agreed with this, with the caveats that current personal budgets and mileage reimbursement rates do not cover the actual costs incurred, and that the complex needs of the children and young people concerned must be considered.

4.14.5 In line with the emerging principles from the initial engagement workshops, the majority (78%) agreed with alignment of assessment for transport with the Education, Health and Care assessment process, believing that it would have a positive impact for the families involved.

4.14.6 The consultation feedback from Elms Bank School and College raised a number of concerns about the impact of the proposed changes, particularly on post 16 and post 19 students. These concerns mainly centred on the disconnect between the EHCP process and transport; the specific issues relating to the split site arrangements that exist at Elms Bank; and the complex needs of many of the students attending the school and college and how these will be taken into account when assessing for travel assistance or transport.

The feedback included the following comment *"This circumstance will have favourable outcomes for families **only** if the determination made by the Educational Health and Care Plan (EHCP) team regarding the more suitable provision is duly respected by the Transport team. The formulation and revision of an EHCP involve extensive hours of professional deliberation and effort to accurately represent the child's needs. It is untenable for a transport policy to unilaterally negate the outcomes of this collaborative, multi-agency endeavour merely due to a standalone policy"* and *"Suitable transport needs careful consideration with regards to catering for learners with complex, SEMH and/or needs."*

The new policy makes a clear commitment to align the EHCP and transport assessment processes which are intended to address these concerns.

The response from Elms Bank goes on to comment on a number of other aspects of the policy, citing examples of where the current arrangements fall short of responding to the needs of children, young people and their families. The principle established in the new policy that determination of eligibility for travel assistance or transport will be based on an assessment of need responds to these concerns.

The helpful and constructive comments will help frame the future working arrangements when the EHCP and transport processes are aligned and Officers will commit to working with Elms Bank School and College when implementing the new policy.

4.14.7 Similarly there was strong support for streamlining processes for occasions when there is a change in circumstance, such as change of address, change of school, or a change in needs.

4.14.8 There was significant support for the intention to assess pre-school children for eligibility for transport alongside the EHCP assessment process, based on the needs of the child, rather than the current policy that excludes children under statutory school age.

4.14.9 In respect of post 16 students, the consultation sought views on the intention to offer students deemed eligible for travel assistance a personal budget, mileage payment or independent travel training. 26 of 44

respondents agreed, with 9 disagreeing and the remaining being neutral. Within the new policy existing eligibility of this non-statutory element is protected until a change in an individual's circumstances.

4.14.10 For post 19 students, the consultation sought views on the intention of the Council to assess for eligibility based on need and to then provide travel assistance primarily through the use of personal travel budgets or mileage payments, but which could include transport in certain circumstances. The majority of respondents agreed with this approach, with only 4 of the 42 responses disagreeing.

4.14.11 Feedback from the co-production sessions indicated that flexibility would be helpful for families in situations where for example schools finish early at the end of term or to support attendance at school wraparound care provision. The new policy states that the "Council may work with parents/carers to accommodate changes where possible while having regard to the constraints of operational delivery and efficient use of its resources to allow for this". The majority of respondents supported this.

4.14.12 The consultation sought views on the barriers to families in taking up alternative travel options, such as mileage reimbursement, personal travel budget or independent travel training. Again some respondents cited rates of personal budgets and mileage reimbursements being insufficient to cover costs incurred, other reasons given were in relation to family circumstances and/or the needs of the child or young person concerned.

4.14.13 Respondents were invited to add any further comments regarding the proposed Home to School Travel Policy. Comments included:

- Suggestion that mileage reimbursement to be based on attendance records rather than mileage claim forms
- Complexity of individuals' specific needs must be taken into account
- "This will be very helpful to a lot of parents"
- Thoughtful consideration of challenging behaviour associated with significant needs is required
- Concerns around impact of travel offer following a change in circumstance

Links with the Corporate Priorities:

Elements of the proposal will support key ambitions of the Let's do it strategy:

- Improved quality of life
- Improved educational attainment
- Increased adult skill levels and employability

Equality Impact and Considerations:

EIA concludes that there is potential negative impact due to the removal of non statutory transport for post 16 year olds. Mitigations have been considered and are planned to reduce the negative impacts this group may experience. With mitigations, this does not post significant risk to the council or service users.

Other groups affected by the policy are likely to experience positive impacts due to amended and additional services.

A full Equality Impact Assessment is contained at Appendix Four.

Environmental Impact and Considerations:

The promotion of more efficient ways to travel to and from school will reduce the number of journeys/mileages undertaken by the service therefore reducing carbon emissions while maximising the capacity on existing routes. The promotion of independent travel training will continue to contribute to a reduction in carbon emissions and continue to support the healthy lives of children and young people residing within the borough.

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
<p>The key risks associated with the proposed change in policy are of legal challenge and reputational damage to the Council.</p> <p>There is potential for significant negative impact for some of our most vulnerable children and young people who currently receive travel assistance under the existing policy as any changes to eligibility in the new policy may result in those families no longer being eligible.</p>	<p>In co-producing a draft policy with the parents forum, the Council can seek to respond to some of the concerns, and ensure that the policy, whilst remaining statutorily compliant, also continues to meet the needs of parents, children and young people.</p> <p>If any changes to eligibility are proposed, there is scope to ensure that any families in receipt of travel assistance under the current policy, continue to be eligible until their circumstances change. Those families would therefore not see an immediate withdrawal of travel assistance.</p>

Legal Implications:

In accordance with s.509AA of the Education Act 1996, local authorities have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport, or otherwise that the authority considers necessary, to make to facilitate the attendance of all persons of sixth form age receiving education or training.

In carrying out those duties, the council must have regard to the Statutory Guidance for Local Authorities Post 16 transport and travel support to education and training by the Department for Education.

Financial Implications:

The projections in the table in paragraph 2.41 demonstrate that implementation of the revised policy will mean that service will stay within the budget framework approved by Council and set out in paragraph 2.34.

Appendices:

Appendix One – Travel assistance between home and school or college for pupils and young people with Special Educational Needs and Disability – new policy

Appendix Two – Current Home to school transport policy

Appendix Three – Summary of consultation responses

Appendix Four – Equality Impact Assessment

Background papers:

[Travel to school for children of compulsory school age - GOV.UK](#) DFE guidance issued January 2024

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning