

## Summary Sheet

Cabinet/Commissioners' Decision Making Meeting – 6th June 2016

### Title

Update of the Transport Policy Statement: Learners Aged 16-19 March 2016 and Home to School Transport Policy - April 2016

### Is this a Key Decision and has it been included on the Forward Plan?

No

### Strategic Director Approving Submission of the Report

Damien Wilson – Strategic Director – Regeneration and Environment

### Report Author(s)

Elise Squires – Transport Assessment Officer, Passenger Services Team and  
Craig Ruding – Principal Officer – Education Transport, Passenger Services Team  
Regeneration and Environment

### Ward(s) Affected

All

### Summary

Updates to the Transport Policy Statement for Learners aged 16-19 years and the Home to School Transport Policy have taken place to include details covered within the statutory guidance documents issued by Department for Education (July 2014).

### Recommendations

The Cabinet is asked to:

- 1 Agree publication of the update of the Transport Policy Statement for Learners aged 16-19 March 2016
- 2 Agree publication of the update of the Home to School Transport Policy - April 2016.

### List of Appendices Included

Appendix 1: Transport Policy Statement for Learners aged 16-19 March 2016 (revised)

Appendix 2: Home to School Transport Policy April 2016 (revised)

**Background Papers**

N/A

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

**Council Approval Required**

No

**Exempt from the Press and Public**

No

**Title: Update of the Transport Policy Statement for Learners aged 16-19 - March 2016 and the Home to School Transport Policy - April 2016**

**1. Recommendations**

1.1. The Cabinet is asked to:

1.2.1 Agree publication of the update of the Transport Policy Statement for Learners aged 16-19 March 2016

1.2.2 Agree publication of the update of the Home to School Transport Policy - April 2016.

**2. Background**

2.1 The Local Authority has a statutory duty to provide further education transport to “eligible” students. The criteria for assessment of entitlement, details of provision and all relevant information about this assistance are contained within the Transport Policy Statement. The current policies require updating to take account of recent guidance.

**3. Key Issues**

3.1 The more prescriptive appeals procedure was introduced nationally following lobbying by England’s Local Authority Education Transport Officers so that parental appeals for free transport assistance, would be administered more equitably across all Local Authority regions.

3.2 There had been no previous statutory guidance regarding appeals procedures, only a statement that the Local Authority should have a “robust” appeals procedure in place. Rotherham Council already had robust appeals procedures in place which had been tested via parental complaint to the Ombudsman.

3.3 It should be noted that there are no significant changes to Rotherham’s appeals procedure highlighted in this report. The statutory guidance from the Department of Education of July 2014 requires some minor procedural administrative changes only. Examples of these include changes to wordings such as 2013, 2014 and 2016, estimated sample charges, contact details such as e mail addresses and telephone numbers, and the change to Education Health and Care Plans which are replacing Statements of Special Educational Needs.

3.4 The guidance on appeals from the Department of Education July 2014 is intended to ensure greater consistency in approach, clearer and more transparent for both parents/carers and Local Authorities.

**4. Options considered and recommended proposal**

4.1 Publication of the updated Transport Policy Statement for Learners aged 16-19 years and the updated Home to School Transport Policy is required to ensure that the Council is working to current statutory guidance. It is recommended

that these are approved for publication for the 2016/17 academic year and will remain in place until such time as a review is required by local or national circumstances.

- 4.2 Until the proposed draft policies are approved for publication the Transport Policy Statement for Learners aged 16-19 in FE and the Home to School Transport Policy both remain in force and both meet current statutory duties.

## **5. Consultation**

- 5.1 The proposed draft policies contain some minor text changes in order to bring it up to date, there are no changes to statutory duties. It is anticipated that a holistic review of services will be carried out in due course and this will involve extensive consultation with all relevant stakeholders.

## **6. Timetable and Accountability for Implementing this Decision**

- 6.1 The proposed policies should be published without delay. Parents /carers and students receive written confirmation from the Local Authority from April (each year) onwards about their educational placements. Families seek details on transport provision at this stage and need to access up to date information for 2016/17. The policy statements are published on the Council's website and must be available for all the public to download.

## **7. Financial and Procurement Implications**

- 7.1 There are no financial or procurement implications; small administrative changes and costs being met from within existing budgets.

## **8. Legal Implications**

- 8.1 The Local Authority has a duty to publish and review their transport policies. The current published transport policies and the proposed draft updated ones remain legally compliant.

## **9. Human Resources Implications**

- 9.1 None.

## **10. Implications for Children and Young People and Vulnerable Adults**

- 10.1 The publication of the policies affects pupils and students aged under 5 years up to aged 19 years. Colleagues in Children and Young People Services have been consulted and will be advised of these approved policies. There are currently no changes to the criteria for eligibility to transport assistance. There are currently no implications for vulnerable adults up to age 19.

## **11 Equalities and Human Rights Implications**

- 11.1 The policies have due regard to the Equality Act 2010 to ensure eligible children and young people have access to transport assistance in line with the statutory guidance issued by the Department for Education July 2014.

## **12. Implications for Partners and Other Directorates**

12.1 None known.

## **13. Risks and Mitigation**

13.1 The current published policies do not contain the updated appeals procedure. The appeals procedure to be followed will need to be that as described in the updated policies.

13.2 Although not considered to be a major issue, there remains the possibility of procedural issues being escalated by families to the Ombudsman. It is therefore important that all published policies are up to date and take account of national guidance.

## **14. Accountable Officer(s)**

Karen Hanson – Assistant Director, Community Safety and Street Scene – Regeneration and Environment

Pete Hatfield – Corporate Transport Manager – Regeneration and Environment

Julia Russell – Passenger Services Manager – Regeneration and Environment

Craig Ruding – Principal Officer, Education Transport - Regeneration and Environment

Approvals Obtained from:-

Strategic Director of Finance and Corporate Services: - Jon Baggaley

Director of Legal Services: - Liz Anderton

Head of Procurement: - via Howard Tweed

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