

Summary Sheet

Cabinet and Commissioners' Decision Making Meeting – 11 September 2017

Title

Consultation on Changes to Policy for Home to School Transport

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

Yes

Strategic Director Approving Submission of the Report

Damien Wilson – Strategic Director Regeneration & Environment

Report Author(s)

Martin Raper, Head of Service - Streetscene

Andrew Barker, Fleet Transport Manager

Ward(s) Affected

All

Executive Summary

This report seeks Cabinet approval to carry out consultation on the Home to School Transport Policy for Rotherham, including post-16 students and children with Special Educational Needs or Disability (SEND). A number of policy options are put forward for consultation. It is proposed to report back to Cabinet with the results at the December 2017 Cabinet Meeting.

Recommendations

1. That approval be given to carry out a consultation on all aspects of home to school transport in Rotherham.
2. That a further report be submitted to the Cabinet meeting in December 2017 detailing the outcome of the consultation exercise and presenting the recommended policy options for approval.

List of Appendices Included

None

Background Papers

Home to School Transport Policy 2017

Department for Education Transport & Travel Guidance 2014

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 6 September 2017

Council Approval Required

No

Exempt from the Press and Public

No

Title: Consultation on Changes to Policy for Home to School Transport

1. Recommendations

- 1.1 That approval be given to carry out a consultation on all aspects of home to school transport in Rotherham.
- 1.2 That a further report be submitted to the Cabinet meeting in December 2017 detailing the outcome of the consultation exercise and presenting the recommended policy options for approval.

2. Background

2.1 The Council has a statutory duty under the following Acts and Guidance to provide education transport to eligible students:

- The Education Act 1996
- Equality Act 2010
- The Home to School Travel and Transport Guidance 2014
- Children and Families Act 2014
- Post 16 Transport to Education and Training Guidance 2014

2.2 In particular, the Education Act 1996, states that a statutory duty is placed on the Council to make suitable travel arrangements to facilitate attendance at school for eligible children of compulsory school age (5-16). This is based on statutory walking distance for children to a qualifying school as follows:

- Beyond 2 miles (below the age of 8)
- Beyond 3 miles (age 8 – 16)
- Between 2 – 6 miles for pupils from low income families (for example in receipt of free school meals)
- No statutory distances for pupils with a disability or mobility requirement.

2.3 Within the Home to School Travel and Transport Guidance 2014 (Special Education Needs), the Council is required to make transport arrangements for those children who cannot reasonably be expected to walk to school because of their mobility or associated health and safety issues related to their special education needs and disabilities.

2.4 Home to school transport in Rotherham takes two main forms, the issue of passes for use on service buses and direct travel assistance. The Council currently spends approximately £3.3m per annum for 1,795 children and young people on the provision of education transport for 2016/17 as follows:

- 1005 zero fare bus passes costing £300 each (£301,500)
- 132 children (5-16 year olds) transported to mainstream schools and resourced units with an average cost per child of £2,477 (£327,000)
- 541 children transported to special schools for children (2–19 year olds) with an average cost per child of £3,576 (£1.935m)

- 25 young people transported to colleges (16-19 year olds) with an average cost per person of £3,160 (£79,000)
- 70 children and young people transported to out of Borough schools with an average cost of £8,671 per person (£607,000)
- 22 children and young people (5 – 19 years) submitting travel claims with an average annual cost of £636 (£14,000)

2.5 Benchmarking information

2.5.1 The Council has undertaken comprehensive benchmarking with a range of comparable Unitary and City Councils of some key areas of home to school transport delivery which identifies the following:

- The current average cost of transporting SEND and Looked After Children (LAC) students in Rotherham £4,260
 - The lowest cost comparator Council within the benchmarking sample was £1,800
 - The highest cost comparator Council was £5,100 per student
 - Rotherham is within the upper quartile of this comparator
- The current average number of SEND and LAC students transported in Rotherham 2.95 per route
 - The lowest occupancy comparator Council transports 1.40 pupils per route
 - The highest occupancy comparator Council transport 3.63 pupils per route
 - Rotherham is within the median to upper quartile of this comparator
- 48% of SEND and LAC students currently have single occupancy journeys (travel alone)
 - The lowest single occupancy journey comparator Council has 15% of single person journeys
 - The highest single occupancy comparator Council has 48% of single person journeys
 - Rotherham is the top of this comparator

2.6 Current trend of increasing demand on the Home to School Transport Service

2.6.1 The service is experiencing an increased school intake of students who have been assessed and have an Education, Health and Care Plan requiring transport to support attendance for educational provision. Whilst this is variable and not easy to predict, CYPS are able to provide some information relating to potential future years' service requests. This is based increasing school populations and the provision of EHCPs, of which up to 40% of students may require transport assistance by 2020. This raises the possibility of potential increased transport costs for future years.

3. Key Issues

3.1 The post 16 transport policy already provides advice and guidance for families regarding the support available to them relating to a range of transport options for young people in Rotherham. Any changes proposed to these services must ensure the continuation of suitable, safe, home to school travel assistance for eligible children in accordance with the Council's statutory duties, taking into account individual's assessed needs. The policy must also contribute to the Council's priority of ensuring every child has the best start in life.

3.2 In addition, the following key principles of any new Home to School Transport Policy are considered to be of priority for the Council:

- Safeguarding
- Promoting independence
- Choice
- Maximising attendance at school and arriving at school ready to learn
- Promoting healthy lifestyles
- Value for money and sustainability

3.3 The Council is currently facing significant financial challenges as a consequence of central government grant funding reductions. The Council's financial strategy requires the identification of significant savings across the provision of services.

4. Options for the new policy

General eligibility for children and young people

4.1 The Council's current policy includes additional eligibility criteria for children with special educational needs and disabilities (SEND) of statutory school age. The eligibility criteria, within the current policy, that are used to assess whether transport is necessary to fulfil the requirement of the child's Education, Health and Care Plan (EHCP), require review. It is good practice that 'needs' criteria are included within the policy to inform the public and help the decision making process with regard to the provision of transport assistance.

4.2 Current guidance requires that children and young people with an EHCP or SEND will have their individual transport needs assessed against criteria which takes into account their age, distance, mobility and the effect of their complex needs on their ability to travel. This may include:

- long term severely restricted independent mobility
- sensory impairment resulting in severely restricted mobility
- severe social, emotional and behavioural difficulties (in comparison with other children of their age)

- 4.3 The current policy does not require the need to review or re-assess the need for transport regularly. Ideally, this should take place with families at the annual review stage of the Statement or Education, Health and Care Plan in order to ensure the most appropriate type of transport assistance is provided.
- 4.4 In addition, the current policy has separate sections for mainstream and special needs transport. In the light of the Children and Families Act 2014 and the new SEND Code of Practice, it would be appropriate to develop revised documents for home to school transport covering eligibility criteria for all young people, service standards, how to apply and, if necessary, how to appeal.

For Consultation:

- i) that the clear special needs criteria contained within current guidance for determining the eligibility for transport assistance, as identified above, be published and applied consistently when assessing eligibility.
- ii) that young people with lower levels of special educational needs are provided with the appropriate level of support for their individual needs. This may include independent travel training, bus passes and personal transport budgets (PTB).
- iii) that continuation of transport assistance will be reviewed and regularly re-assessed jointly between CYPS and the Corporate Transport Team.
- iv) that one single policy is developed and published which outlines clear eligibility criteria and a clearer appeals process for all parents / carers who feel their child is entitled to transport assistance through the policy

Independent Travel Training

- 4.5 Independent Travel Training (ITT) is a process that trains individuals on how to travel independently in a safe and responsible way. Travelling independently is a life skill that reduces isolation and dependency and opens opportunities for education, employment and enjoyment. It leads to cost savings too, so that young people with SEND, for instance, switch from supported transport such as taxis to using service buses or trains once they have completed their travel training. Travel training is most effective if it is carried out before a key transition in a learner's life.
- 4.6 It costs up to £700 to independently travel train a young person, as a one-off cost, with, additionally, a 'reward' of a bus pass (costing £300) or, in some councils, a bicycle loan or grant, once the training is complete (and a bicycle training course is undertaken as well). That compares with an average annual cost of a taxi or minibus within Rotherham of £3,576 per young person.

- 4.7 It may be considered that support for any form of transport for young people with SEND should be conditional on them being assessed as to whether they are suitable for ITT. If ITT is not appropriate, then other assistance can be offered.

For Consultation:

- i) to develop and promote Independent Travel Training as a central service in Rotherham and apply it in particular at transitional stages (e.g. the Year 6 to Year 7 transfer).
- ii) to consider whether to make transport support dependent on the parents/carers agreeing to an assessment of the young person's suitability for Independent Travel Training.
- iii) to consider whether the Council should offer and promote alternative options to compliment transport arrangements, such as bicycle loans or grants, walking buses and bus passes.

Personal Travel Budgets

- 4.8 A Personal Transport Budget (PTB) is a sum of money provided by the Council to parents or carers of children with SEND who are eligible for travel assistance. The budget allows families to make their own arrangements for travel, thereby increasing choice and flexibility. It is provided to contribute towards the cost of transport or can include making joint arrangements with other parents. The benefit to the Council is that PTBs can offer better value for money than other arrangements including individual taxi arrangements.
- 4.9 PTBs can be paid monthly in advance into the parent/carer's bank account to enable them to choose and plan personal transport arrangements which accommodate family arrangements as part of a longer-term solution. They differ from mileage payments, where claims are made retrospectively and are based on the actual mileage driven on that day. PTBs would only be offered where it would ensure best value for the Council.

For Consultation:

- i) to establish a Personal Travel Budget scheme as the Council's preferred offer of transport support for families of children with special educational needs in Rotherham, where it provides increased value for money to the Council and provides greater choice and flexibility for families.

Post 16 transport policies

- 4.10 As required by law, the Council publishes its annual post 16 transport policy statement each academic year. Whilst it is not an automatic entitlement, the policy states that students with special educational needs may be entitled to help with transport for their participation in education. This is provided up to and including the academic year the young person turns 19 years old. Currently, many students within this category, having individual timetables, are provided with single person taxi provision.
- 4.11 The current post 16 policy statement includes information on concessionary fares and signposts families to sources of information regarding financial assistance with transport such as government bursaries and other available options.

For Consultation:

- i) to replace direct transport arrangements (for example, single person taxi journeys) for those students over the age of 16 with special educational needs and disabilities, with personal transport budgets as a first option.
- ii) to promote Independent Travel Training (ITT) and use of bus passes to compliment the use of PTBs.

Benefits related to mobility

- 4.12 It is considered reasonable that parents/carers in receipt of benefits related to the mobility needs for a child / young person, that will transfer into adulthood which will contain an element of transport, for example Disability Living Allowance (DLA – mobility). This may also include the application for the provision of Motability scheme vehicles for the purposes of assisting the child / young person to attend education.

For Consultation:

- i) that where families are in receipt of the above benefit, (DLA – mobility, a contribution from this is allowance is made towards any travel assistance). The consultation will ask what would be a reasonable contribution for specific elements of an overall package of support to the child/young person.

5 Consultation

- 5.1 The relevant guidance states Local Authorities should consult widely on any proposed changes to their local policies on school travel arrangements with all interested parties.

- 5.2 We will inform and engage with all groups affected by these proposals. We will listen to those impacted by the services, families, caregivers, schools and the Rotherham Parents Forum to get an understanding of views relating to this consultation as well as gaining general feedback, what works well, what doesn't work and what needs to improve. Service users and front line providers will be our experts who will provide feedback on how they consider the service should be delivered.
- 5.3 Engagement will take place using a combination of focus groups, drop-in sessions and online feedback. Communications around the proposed changes and the subsequent consultation will be undertaken using a combination of mechanisms, including social media, traditional media, printed material, as well as direct communications with affected groups.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Following the approval to commence consultation, consultation activities will be commenced in accordance with the agreed timetable.
- 6.2 The Head of Street Scene Services and the Assistant Director of Community Safety and Street Scene will be responsible for implementing this decision.

7. Finance and Procurement Implications

- 7.1 Savings that arise from the revised Home to School Transport Policy, following the outcome of the consultation process, will contribute to the Council's agreed savings for Corporate Transport. These savings have been built into the Council's 2017/18 Revenue Budget, approved by Council on 8th March 2017.

8. Legal Implications

- 8.1 The relevant guidance states Local Authorities should consult widely on any proposed changes to their local policies on school travel arrangements with all interested parties. Consultations should last for at least 28 school days during term time. This period should be extended to take account of any school holidays that may occur during the period of consultation.

9. Human Resource Implications

- 9.1 There are no human resources implications arising from this report. However, following the outcome of the consultation exercise; it will be necessary to consider any human resources impacts in relation to any subsequent policy options being recommended for approval.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 There are no implications arising from this report. However, following the outcome of the consultation exercise, it will be necessary to consider any implications for children and young people and adults in relation to any subsequent policy options being recommended for approval.

11. Equalities and Human Rights Implications

11.1 Ensuring that the Council meets its equalities and human rights duties and obligations is central to how it manages its performance, sets its priorities and delivers services across the board. This new policy aims to set out these duties and obligations within a single, corporate document and it will be important to ensure an ongoing focus on the adherence of services to the policy, as part of embedding a more strategic approach to equalities and diversity.

12. Implications for Partners and Other Directorates

12.1 Issues for partners, in particular transport providers, school and colleges will be assessed and addressed as part of the full analysis of the consultation and implementation plans following final approval of any policy changes.

13. Risks and Mitigation

13.1 Any revision of home to school transport policy is likely to be very sensitive as it will impact on individuals and families. Whilst, this in itself should not prevent a review of the policy taking place there are likely to be clear impacts which the Council will need to be mindful of. The consultation itself, does not present any potential risks provided it is comprehensive, inclusive and follows the principles outlined.

13.2 It is anticipated that a further report will be presented to Cabinet at their meeting in December 2017 which outlines the outcome of the consultation exercise and presents proposals for approval. This report will provide more details regarding any potential risks relating to the implementation of the new policy arrangements and mitigation measures including a further communications plan, transitional arrangements and an appeals process.

14. Accountable Officer(s)

Martin Raper, Head of Service, Street Scene
Karen Hanson, Assistant Director, Community Safety & Street Scene
Damien Wilson, Strategic Director, Regeneration & Environment

Approvals to be obtained from:-

On behalf of Strategic Director of Finance and Customer Services: Graham Saxton

Assistant Director of Legal Services:- Dermot Pearson

On behalf of Head of Procurement: Joanne Kirk

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