**Report to:** Cabinet **Date of Meeting:** 10<sup>th</sup> March 2016

Subject: Approval of Post 16 SEN Transport Policy Statement for 2016-17

Report of: Head of Schools and Families Wards Affected: All

Is this a Key Decision? Yes Is it included in the Forward Plan?

Yes

Exempt/Confidential No

# **Purpose/Summary**

To consider the outcome of the consultation process on the draft proposal and to approve the Post 16 SEN Transport Policy Statement for 2016-17.

# Recommendation(s)

Cabinet is recommended to:

- 1) Take into consideration the outcome of the consultation process on Post 16 Transport Policy Statement for 2016-17 and proposed amendments to the consultation draft.
- 2) Approve the attached Post 16 Transport Policy Statement 2016/17,
- 3) Note the statutory requirement to publish a Post 16 Transport Policy Statement annually and delegate approval to the relevant Cabinet Member to agree minor updates

# How does the decision contribute to the Council's Corporate Objectives?

	Corporate Objective	Positive Impact	Neutral Impact	Negative Impact
1	Creating a Learning Community	√		
2	Jobs and Prosperity	√		
3	Environmental Sustainability	√		
4	Health and Well-Being	√		
5	Children and Young People	√		
6	Creating Safe Communities		<b>√</b>	
7	Creating Inclusive Communities	√ √		
8	Improving the Quality of Council Services and Strengthening Local Democracy	V		

#### Reasons for the Recommendation:

Cabinet needs to agree changes to the Post 16 Transport Policy Statement.

#### What will it cost and how will it be financed?

(A) Revenue Costs: The total budget for Post 16 (including children with special needs and those without) transport is £187,450 and the costs at Outturn 2014/15 were £568,375 (a variation of £380,925 over budget). These costs are for 116 students and do not however include the costs for 30 students who attend Special school 6<sup>th</sup> Form provision. This is because most of these pupils share transport with pre-16 pupils and the costs have not been disaggregated from other pupils with special needs attending special schools within the Transport system.

The cost of Travel Training is estimated at £50,000 per year. There is ongoing work being carried out to establish the best model of delivery and it is anticipated that these costs will be contained within existing budgets as there will be a reduction in costs for SEN pupils who are capable of receiving travel training.

(B) Capital Costs N/A

#### Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Legal – Education Act 1996 Department for education Post-16 transport to education and training statutory guidance, February 2014 Education and Skills Act 2008 Equality Act 2010					
<b>Human Resources-</b> Changes to provision may impact on the Strategic Transport Unit.					
Equality					
1.	No Equality Implication				
2.	Equality Implications identified and mitigated	$\sqrt{}$			
3.	Equality Implication identified and risk remains				

#### Impact on Service Delivery:

#### N/A

# What consultations have taken place on the proposals and when?

The Chief Finance Officer has been consulted and would comment that there are no identified savings associated with this report. It is however hoped that by adopting these policies the overspend against the existing Specialised Transport budgets may be reduced, the extent to which is unknown at present. (FD 4033/16)

Head of Regulation & Compliance has been consulted and comments have been incorporated into the report (LD 3316/16)

#### Are there any other options available for consideration?

It is a statutory requirement to publish a Post 16 Transport Policy Statement and any significant changes would require further consultation.

# Implementation Date for the Decision

**Contact Officer:** Mike McSorley **Tel:** 0151 934 3428

Email: mike.mcsorley@sefton.gov.uk

# **Background Papers:**

None.

# 1. Background

- 1.1 At its meeting on 5th November, Cabinet received the outcome of the broad consultation on Post 16 SEN Transport and approved a draft Post 16 SEN Transport Policy Statement for 2016-17 for specific consultation. Officers were asked to report back on the outcome of the consultation process in time for the Post 16 SEN Transport Policy Statement to be published on the Council's website in accordance with statutory requirements for operation from September 2016.
- 1.2 This report covers the outcome of the consultation draft Post 16 SEN Transport Policy Statement for 2016-17 and seeks approval to the version.

# 2. Consultation Process

- 2.1 The consultation plan was presented to the Public Engagement and Consultation Panel on 11th December.
- 2.2 Council had given a commitment to the parent's group which submitted a petition to Full Council last year that we would continue to engage with them. Officers held a meeting prior to Christmas with the group who provided helpful comments and advised on the timescale for the consultation.
- 2.3 The council, in line with its duty to consult on its Post-16 Transport Policy, launched a formal consultation from the 4th January 2016 to the 12th February 2016.
- 2.4 Letters about the consultation process were sent to all relevant parents/carers/students, Sefton secondary schools, colleges, and other key stakeholders. A dedicated webpage was established on the council's website. which enabled people to access the draft policy, an easy read version of the policy, electronic copies of the consultation letters, other relevant background documentation, and an e-form to assist them with their response.
- 2.5 In total, the council received 23 e-forms, mainly from parents/carers but responses were also received from Southport and Hugh Baird Colleges. The key issues raised were as follows:
- 2.6 A fundamental concern about the line within the draft policy that "if a student has a mobility car then they will generally be expected to make their own travel arrangements and would not be able to access support from the council.". This concern was raised in the majority of responses. Parents felt this was grossly unfair and would have a significant impact on family life. It does not take into account the fact that parents and carers may work or have children in other schools or live long distances from their special school. It also counteracts against independent travel ie those students currently using a bus and benefiting from the independent experience. Many parents/carers contacted the Council and required further clarification on this policy wording. This issue was also raised in the parent group meeting officers held.
- 2.7 Independent travel is considered a positive step and should be encouraged, but it is vital that each student is assessed appropriately. There needs to be clear

- recognition that some students will never be able to travel independently, regardless of any travel training.
- 2.8 The FE Colleges asked for further information on the assessment for students who do not have an EHCP and this has been provided.

# 3. Proposed amendment to the consultation draft policy

- 3.1 As members will be aware the consultation draft policy statement was prepared following a detailed consultation exercise and incorporated the outcome of that process and the commitments which had been given following discussion at Full Council last year.
- 3.2 Overview and Scrutiny (Children's Services and Safeguarding at their meeting on 22 September 2015 considered a presentation by the Head of Schools and Families in response to the Committee's wish to pre-scrutinise the issue of the review of post-16 Special Educational Needs Transport and supported the principles incorporated into the consultation draft.
- 3.3 Because the support for post 16 students goes up to the age of 25 the part of the draft policy which states that "If a student has a mobility car then they will generally be expected to make their own travel arrangements and would not be able to access support from the Council" refers to students who own and drive the car themselves. Given the confusion this wording has caused and the fact that it may not apply to any students it is recommended that this sentence be removed from the final policy.

# 4. Equalities Impact

- 4.1 Equalities advice is that the draft policy proposed would not have any equalities impact as every student would be being treated in the same way and students with SEND the charge would have their individual needs assessed.
- 4.2 Officers have been advised of up to date rulings from the Supreme Court regarding consultation and the need to be open and transparent during consultation.

#### 5. Statutory Requirement

- 5.1 The Department for education published updated guidance entitled <u>Post-16</u> transport to education and training Statutory guidance for local authorities, in February 2014 which replaced the previous statutory guidance from June 2010.
- 5.2 Every Local Authority in England has a duty to prepare and publish an annual Transport Policy Statement which complies with the requirements of section 509 of the Education Act 1996 regarding adequate provision of transport to facilitate the attendance of learners of sixth form age (and young persons up to 25 years old who have a learning difficulty and/or a disability, who are entering or continuing in further education and learning).
- 5.3 The duty applies to all local authorities in England in respect of arrangements for young people (over compulsory school age) aged 16-18 and those continuing learners who started their programme of learning before their 19th birthday.

- 5.4 The legislation recognises that a local response to transport arrangements is important in enabling young people's participation in education and training. A local approach allows local circumstances to be taken into account. The legislation therefore gives local authorities the discretion to determine what transport and financial support are necessary to facilitate young people's attendance. The local authority must exercise its power to provide transport or financial support reasonably, taking into account all relevant matters. A failure to make arrangements would amount to a failure to meet the duty.
- 5.5 Guidance states that the planning of transport provision at a local level should take into account the requirement under the Education and Skills Act 2008, for young people to stay in education or training until their 18th birthday (with effect from June 2015). To support the raising of the participation age local authorities have responsibility for promoting the effective participation in education and training of young people who are subject to the duty to participate. Under the September Guarantee, every young person aged 16 or 17 must be offered a suitable place in education or training.
- 5.6 The transport policy statement must detail the transport arrangements and financial assistance with transport that the local authority considers it necessary to make to ensure access to education or training for learners of sixth form age (and young persons up to 25 years old who have a learning difficulty and/or a disability, who are entering or continuing in further education and learning)

# 6. Proposal

- 6.1 The Post 16 transport policy statement must be published by the local authority by 31st May each year for implementation the following September. The transport policy statement should be available on the local authority's own website by 31 May. Local authorities are also responsible for ensuring that a link is made to the GOV.UK website which is the main source of government web based information for the general public.
- 6.2 The Post 16 Transport policy statement attached, incorporates the proposed change following the consultation, and includes:
  - Transport support available for post 16 students, financial support and funding, available transport options, support from colleges and government advice and information.
  - Merseytravel tickets, concessions, travel passes, journey planning advice and support. Local bus companies and Merseyrail information.
  - Journey planning and independent travel training support
  - · Promoting independent travel
  - Free specialist transport for students with SEN who live in Sefton at special schools and colleges attending their nearest appropriate setting
  - Assessments for students with SEN who live in Sefton at mainstream colleges attending their nearest appropriate setting with free transport for those who meet the requirements.

- 6.3 The policy statement details the support which is available for post 16 students in terms of financial support through the colleges and bursary funding, available public transport and support with journey planning, and support for learners with SEND.
- 6.4 The support for learners with SEND has been developed following the consultation to date and takes into account the feedback from the consultation process. The policy supports increasing independence for students who are capable of using public transport and provides for independent travel training to facilitate this.
- 6.5 The new policy will not affect students who currently receive transport under existing arrangements whilst they finish the course of study they are enrolled on.
- 6.6 The new policy does not differ significantly from the existing policy. The text has been updated to take into account current statutory requirements around SEND and the latest available advice and guidance around bursary funding, travel planning and other support available for post 16 students. The Council only provide direct support for students with SEND. The policy has been brought into line with the policy for pre-16 pupils so transport will be to the nearest appropriate setting and students with SEND will be assessed individually in line with best practice. The option for parents to have a personal budget for students who are assessed as eligible for support is given more profile and transport, where provided directly, will continue to be free of charge.

# 7. Next Steps

7.1 Subject to Cabinet approval the final version of the Post 16 Transport Policy statement will be published on the Council's website on or before the 31 May as required by statutory guidance and will be applied from September 2016.

# **Sefton Council Post 16 Transport Policy Statement**

# For Learners aged 16-19 and 16-25 for students with learning difficulties or disabilities

(Academic year 2016/17)

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- 1. Introduction
- 2. Details of Support Available
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- 6. Contact Information
- 7. Complaints and Appeals

Appendix 1: Contact details for FE Colleges and Schools with 6th Forms

# 1. Introduction.

Every Local Authority in England has a duty to prepare and publish an annual Transport Policy Statement which complies with the requirements of section 509 of the Education Act 1996 regarding adequate provision of transport to facilitate the attendance of learners of sixth form age.

The Transport Policy Statement describes the transport support available to young people aged 16-19 years old, and young persons up to 25 years old who have a learning difficulty and/or a disability, who are entering or continuing in further education and learning.

#### Sefton Council is committed to:

- Ensuring that learners of sixth form age (and for those with learning difficulties and/or disabilities aged 19-24) are able to access appropriate high quality education and training; and
- Providing support to those young people who need it most and removing transport as a barrier to participation in learning.

For local authorities in England, provision of transport/travel assistance for learners of sixth form age is not a statutory requirement and it is up to the local authority to decide what arrangements it considers necessary. Raising of the Participation Age has not created any new entitlement to post-16 transport

# 2. Details of Support Available for Post 16 Students

Sefton Council do not generally provide transport or support with transport for Post 16 students as it is expected that Post 16 students who need it will receive support through their college, employer, training provider or bursary funding. Student with SEND may be eligible for support with transport arrangements as detailed in the policy below. Current details of support through colleges and discretionary fares/travel passes available in the region can be found via the links given in this policy,

#### Government Funded 16-19 Bursary Scheme

The 16-19 Bursary Scheme provides financial support for learners aged 16-19 to access education or training. From 2013-14 the scheme will provide two types of funding, discretionary funding and funding for vulnerable students.

Schools and colleges are responsible for awarding bursaries and verifying eligibility of students. Institutions are free to determine the assessment criteria for eligibility for discretionary bursaries and the amount paid. They can also apply to the Learner Support Service for additional funding for vulnerable students.

Vulnerable students, such as those in care, care leavers, young people in receipt of Income Support or Universal Credit and disabled students in receipt of both Employment Support Allowance and Disability Living Allowance, or Personal Independence Payments are eligible for a bursary of £1,200 for a full

academic year. This amount may be reduced pro-rata for courses of less than a full academic year (less than 30 weeks) at the discretion of the school or college.

Details of the bursary scheme are available on the Directgov website at: <a href="https://www.gov.uk/1619-bursary-fund">www.gov.uk/1619-bursary-fund</a>

Further information can be obtained directly from the student's school or college on how to apply for a bursary.

#### Young Parents

The Care to Learn (C2L) scheme can help young parents with childcare and travel costs for learners while they study. To qualify a student must be aged under 20 at the start of their course.

The scheme is available for <u>publicly-funded courses</u> in England. This includes courses in:

- schools
- 6th forms in schools
- 6th form colleges

Learning providers should support young people to apply for C2L – further details are available at <a href="https://www.gov.uk/care-to-learn">www.gov.uk/care-to-learn</a>

#### Schools and Colleges

The websites of many schools and colleges provide comprehensive information on the transport assistance provided by the educational settings. Appendix 1 outlines the support available from the principal Post 16 providers in Sefton. Students are advised to contact the institution directly for more detailed information as transport plans may be subject to change.

# Government Information

The latest information from central government can be found at GOV.UK: see <a href="https://www.gov.uk/subsidised-college-transport-16-19">www.gov.uk/subsidised-college-transport-16-19</a>.

#### <u>Merseytravel</u>

Merseytravel offer a range of concessionary passes and pre-paid tickets. A range of Term Time Tickets are available for young people and adults in full time education or work based learning who do not receive another allowance that covers the cost of travel. Trio tickets can be used on buses, trains and ferries, Solo tickets are for bus travel only and Railpass tickets are for train travel. The cost depends on the area that they cover and the age of the student.

The tickets are also available to be purchased on a weekly, monthly or annual basis. Students who reach their 18th birthday during a term are required to purchase an adult ticket for the whole of that term.

Merseytravel offers free travel to Merseyside residents with certain disabilities on buses, trains and Mersey Ferries. The disabilities include those who:

- · Are registered blind or partially sighted
- Are registered profoundly or severely deaf
- Are without speech
- Have a disability or suffered an injury which has a substantial effect on ability to walk.
- Do not have arms or use of arms
- Have a learning disability
- Would be refused a license to drive a motor vehicle because of epilepsy, severe medical disorder, sudden attacks of dizziness or fainting or diagnosed dementia conditions
- Severe mental health issues

Students are advised to seek advice for the most appropriate ticket from any Merseytravel Centre or to telephone Merseytravel Hub Support on 0151 236 6056. Further information can be found on the Merseytravel website: <a href="https://www.merseytravel.gov.uk">www.merseytravel.gov.uk</a>

#### Arriva

Arriva offer a range of student passes, both annual and termly, for use on Arriva buses in the North West Area, valid throughout Cheshire, Halton, Lancashire, Merseyside and Manchester.

Further information can be found on the Arriva website: www.arrivabus.co.uk/student-saver-tickets-in-north-west/

#### Avon Buses

Avon Buses operate a small number of commercial services in the Liverpool area. For more information they can be contacted by telephone: 0151 6088000

#### Rail Services

The 16-25 Railcard offers one third discount for those aged 16-25 and students on a range of journeys. For the best offers students should check with operators what choices are available for their journey at the time they want to travel. Information on Student Railcards can be obtained via the Railcard website at: www.railcard.co.uk.

Additional information on rail fares and services can be obtained through National Railcards: 08448 714036.

# Journey Planning

There is a wide range of support available to plan a journey to college, 6<sup>th</sup> Form or training venue.

The Sefton Travel App has been developed to improve access to education and employment opportunities by public transport, walking and cycling and is available free for iOS and android devices.



The app enables student to:

- Journey Plan find the best door to door route for journeys now or later, from your current location or anywhere else you choose. Compare options for public transport, walking and cycling routes
- Share Location never get lost again using GPS to find your location on a map, and share via text/email or plan a journey from where you are
- Voice Alerts follow each step of the journey in real time, with voice alerts at each new stage to keep you on track
- My Places save favourite locations and places for quicker journey planning on the move
- Step Counter Set daily targets and record how many steps you have walked today, last week and in total, including calories burned and distance in miles
- Playlist Generator produces a custom playlist for your journey
- Facilities Get information and find out how to get to key facilities in Sefton such as schools.

The <u>Merseytravel</u> website includes the latest information on travel updates or alerts and students can plan their journeys using the journey planner: <a href="http://jp.merseytravel.gov.uk/nwm/XSLT">http://jp.merseytravel.gov.uk/nwm/XSLT</a> TRIP REQUEST2?language=en

# Schools and Colleges

The Council will work collaboratively with education institutions to organise support at college Open Days/Evenings, Enrolment and other school/college and careers events to provide advice on travel arrangements and options for Post 16 students.

Colleges and 6<sup>th</sup> Forms will assist students in planning their journeys including developing Personal Journey Plans providing step by step by step information for a particular journey including maps, relevant bus/train timetables and any other information as needed and practical journey assistance where additional support to access public transport, walking or cycling may be required

Contact details for 6<sup>th</sup> forms and Colleges can be found in Annex A.

Students who are vulnerable to becoming Not in Education Employment or Training (NEET)

Young people who are vulnerable to becoming not in education, employment or training (NEET) at the age of 16 or 17 or who have already become NEET should discuss transport problems with their Connexions Advisor who can provide advice and guidance on transport support which is available.

# 4. Support for Learners with Special Educational Needs or Disabilities

The Council has a duty to encourage, enable and assist participation of all young people with special educational needs difficulties and/or disabilities (SEND). However, there is no automatic entitlement to free home to school transport for students over 16 at the beginning of the academic year (1 September).

Students who attend mainstream FE Colleges or 6<sup>th</sup> Form provision will generally be expected to be able to use public transport. This is considered to be an essential life skill, although we understand that it may be very daunting for some students, therefore, in order to prepare students for moving on to Further Education their Education Health and Care Plan will identify this as an outcome where appropriate. Section 4 provides more detail about Independent Travel Training. For the few students who will need some additional support an individual assessment of their needs will be undertaken. For students when assessed who cannot access public transport the Local Authority will make transport support available free of charge or offer a personal budget to enable the family to make their own transport arrangements. Provision of a transport support will be subject to meeting the eligibility criteria (see below).

Students up to the age of 19 with SEND on full time courses may be eligible for bursary funding of £1,200 if they are in receipt of Income Support or Universal Credit and disabled students in receipt of both Employment Support Allowance and Disability Living Allowance, or Personal Independence Payments. This amount may be reduced pro-rata for part time courses and courses less than 30 weeks. Details of the bursary scheme are available on the Directgov website at: <a href="https://www.gov.uk/1619-bursary-fund">www.gov.uk/1619-bursary-fund</a>

For Students attending specialist FE provision or with severe physical or learning difficulties, identified through their Education, Health and Care Plan, who cannot access public transport the Local Authority will make transport support available free of charge or offer a personal budget to enable the family to make their own transport arrangements. Provision of a transport support will be subject to meeting the eligibility criteria (see below).

# Eligibility criteria for discretionary travel support

Eligibility criteria for provision of a discretionary transport support are:

- Resident in Sefton
- Must be over 16 and under 24 at the start of the academic year
- Attend a course of at least 30 weeks per year

- Must have an Education, Health and Care Plan/Learning Difficulty
   Assessment or individual assessment identifying the need for specialist transport.
- Must be attending the school, FE College or institution nearest to their home address which can meet their needs.

# 4. Independent Travel Training

Sefton Independent Travel Training (ITT) aims to give students with SEND the key skills and confidence to travel independently using public transport to and from school or college.

The aims of ITT are to:

- Increase independence and use of own initiative
- Raise self confidence
- Provide greater freedom
- Develop social skills
- Open opportunities for learning and work
- · Less reliance on friends and family

The service provides individuals with their own personal travel programme and assistance to learn how to travel independently. Working one to one with a travel trainer, students will be accompanied to and from school over an extended period of time until they are ready to make the journey independently.

Suitability for ITT will generally be identified as part of students annual reviews in school or college, however, students currently in receipt of school or college specialist transport who would like to learn to travel independently can also apply.

For further details use the free phone number 0800 073 1767 or email sefton.travelteam@sefton.gov.uk

#### Colleges and 6<sup>th</sup> Forms

A number of schools and colleges provide travel training and support to students; schools

can be contacted directly for details of their provision.

#### Other helpful information

Bus Confidence is a website designed to help young people with special educational needs travel to school or college on their own. The on-line training package is available at Bus Confidence free of charge to students, parents & schools. Further details can be found at: http://www.busconfidence.com

# **5. Support for Post 16 Students Undertaking Apprenticeships and Traineeships**

Students on waged apprenticeship programmes, or any waged training or learning are not eligible to apply for a bursary. Students on a traineeships programme are non-waged so may be eligible to apply for a bursary. More detail can be found on the gov.uk website at:

https://www.gov.uk/16-to-19-education-financial-support-for-students

# 6. Contact Information

Information regarding home to school and college transport can be obtained from the organisations listed in Annex A and via the links elsewhere in this document.

# 7. Complaints and Appeals

#### **Complaints**

At Sefton Council we want to give you the best possible service we can. We welcome your feedback on our services, as it gives us the opportunity to see where we can make improvements. However, if you have an issue with a service you can contact the Council's Education Team on 0151 934 3504:

Alternatively, please use our <u>online complaint comment or compliment</u> <u>form.</u> Please give us as many details as you can, including the name of the person you spoke to, the date, what the issue is, and how it has happened (if applicable).

#### **Appeals**

If you are refused transport under the current policy you will be offered the right of appeal against this decision. This will be included with any refusal letter you receive.

# 8. Consultation and review

The Post 16 Transport Policy Statement will be reviewed annually and consultation with interested parties will take place on any proposed changes.

Annex A				
Chesterfield High (Academy) Chesterfield Road Crosby Merseyside L23 9YB www.chesterfieldhigh.co.uk	Christ the King Catholic High & Sixth Form Centre Stamford Road Southport PR8 4EX (Specialist Technology College)(Aided)			
Crosby High School (Specialist Humanities College) De Villiers Avenue Crosby Merseyside L23 2TH  www.crosbyhigh.org/	www.christtheking-school.com/  Holy Family Catholic High (Aided) Virgin's Lane Thornton Merseyside L23 4UL 0151 924 6451  www.holyfamilyhighschool.co.uk/			
Maricourt Catholic High Hall Lane Maghull Merseyside L31 3DZ  www.maricourt.net/	Sacred Heart Catholic College, Liverpool Road, Crosby, Liverpool L23 5TF Tel: 0151 931 2971 Fax: 0151 924 8715 Email: office@sacredheart.sefton.sch.uk www.sacredheart.sefton.sch.uk/			
Deyes High School Deyes Lane Maghull L31 6DE UK www.deyeshigh.co.uk/	Maghull High School Ormonde Drive, Maghull Liverpool, Merseyside L31 7AW www.maghullhigh.com/			
Formby High School Freshfield Road Formby Liverpool L37 3HW www.formbyhighschool.com/	Range High School Stapleton Road Formby L37 2YN www.range.sefton.sch.uk			
South Sefton College Sterrix Lane, Litherland, Liverpool. L30 2DB www.southsefton.com	Hugh Baird College Balliol Road, Bootle L20 7EW www.hughbaird.ac.uk			
Southport College Mornington Road, Southport, PR9 0TT www.southport-college.ac.uk	KGV College Scarisbrick New Road Southport Merseyside PR8 6LR www.kgv.ac.uk/			