

Item No.	Classification: Open	Date: 22 July 2011	Decision Maker: Cabinet Member for Children's Services
Report title:		School Travel Assistance Policy 2011	
Ward(s) or groups affected:		All	
From:		Strategic Director of Children's Services	

RECOMMENDATIONS

1. That the draft school travel assistance policy 2011 as set out in Appendix 1 be agreed, following positive consultation with parents and young people. The new policy incorporates a wider range of travel opportunities, with a focus on encouraging independence for children and young people with Special Educational Needs (SEN).
2. That the new school travel assistance policy be implemented from 1 September 2011 and used to determine eligibility for new applicants. The eligibility of existing users will be unaffected.

BACKGROUND INFORMATION

3. Southwark Council provides transport to enable children eligible for support to travel to and from school each day. Most pupils in Southwark are able to travel to and from school by walking or using free transport provided by Transport for London. This is in line with Southwark's commitment to promoting sustainable modes of transport. Transport support is provided when pupils cannot access public transport services. In Southwark this applies predominantly to children with a statement of special educational needs. The service is currently used by 400 children each day during term time.
4. A full review and consultation on the home to school transport policy has been conducted as part of the service review which took place between November 2010 and May 2011. Those consulted were mostly in favour of the new policy.
5. Current criteria used to determine eligibility for transport support is set out in Southwark's home to school transport policy which was last updated in 2007. The current policy is quite lengthy and parents/carers have commented that it is difficult to understand/unclear. The policy does not provide much flexibility in terms of travel support options available to eligible children/young people.

The reasons for developing this new School Travel Assistance policy are:

- To provide parents with a clear policy with details of eligibility and provision.
- To increase service efficiency.
- To promote children/young people to travel with independence (where possible) and encourage use of sustainable modes of transport.
- To ensure full compliance with current school travel legislation/guidance

KEY ISSUES FOR CONSIDERATION

6. A project board was established in November 2010 to oversee the review of the service. The aims of the board were to shift from provision of a home to school transport service towards a *travel assistance* service. The remit of the board included a full review of:
 - the policy
 - application and assessment process related to the policy
 - existing vehicles, rounds and routes operated and costs
 - Development and roll-out of independent travel training (ITT)
 - Systems, process and procedures to improve service delivery

Consultation

7. A full consultation on the draft school travel policy took place between 28 February and 8 April 2011. The end date was subsequently extended to 20 May 2011. All families currently using the home to school transport service were advised of the consultation along with schools, community groups, professionals, consultants and therapists involved in services for children and young people with special needs.
8. Five public meetings for parents and a session for young people using the service were held during the consultation period. The general feedback was very positive, parents/carers welcomed the clarity and that more focus would be given to individual children's travel assistance needs and reviewed each year. See appendix 3 of this report for a description of the consultation process and notes of the meetings.
9. The key concerns raised by parents/carers were:
 - Whether existing transport provision would be withdrawn as a result of the new policy. The council responded and confirmed that existing arrangements will not be withdrawn.
 - Needed clarity on whether or not school preference and transport decision would be taken jointly. This has been clarified in the policy and redistributed to consultees. Feedback has confirmed it is now clear.
 - What would a travel assessment process look like and could parents be involved in its development? A working group of parents facilitated by the Parent Partnership team is being formed and will contribute to this process.

Features of the Policy

10. The local authority has a duty to provide appropriate travel support to children deemed eligible to receive it. A decision was taken early to change the name of the service from Home to School Transport to School Travel Assistance as this reflects a broader service able to assist families in getting their children to school rather than just providing a vehicle to do so. The draft School Travel Assistance policy is attached as appendix 1 of this report. A summary of the main changes between the current home to school transport policy and the draft school travel assistance policy is attached as appendix 2 of this report. A separate Post 16

travel policy is in place for young people without a statement of special educational needs.

11. The policy has been developed in full accord with current relevant legislation and relates to all children resident or in the care of the borough of statutory school age or up to age 19 in the case of young people with a statement of special educational needs. The policy also has due regard to the Council's Sustainable Modes of Travel plan 2011 and is in line with strategies contained in School Travel Plans. The draft policy has been developed to ensure that it is clear for both families and officers who will be using it so eligibility can be accurately determined.

12. The main differences between the policies are:

- There is now greater clarity in terms of the travel assistance process and support available which enables the local authority to make full use of its powers to promote sustainable modes of travel and the way it delivers transport services.
- A process to assess the travel support needs of each child, in conjunction with parents and schools will be introduced which will enable travel solutions to be changed where appropriate. Currently most children remain on the same form of transport throughout their school career.
- There will be no change in terms of determining eligibility as there has been no change to legislation in this area.

13. The policy has three main sections:

- (i) Children with a statement of educational needs (SEN)
- (ii) Children without a statement of educational needs
- (iii) The application and assessment process

The first two sections each provide a summary of what the local authority will and will not consider when assessing an application for travel assistance. This will enable parents and carers to have a clear understanding of the criteria that they will need to meet at the application and assessment stages. Page three of the policy contains a list of the various types of travel assistance the local authority can consider to support children who are eligible to receive assistance.

14. A two stage appeals process will be available to any family that has had their application rejected - this is detailed on page seven of the policy.

Benefits of the Policy

15. The new policy will introduce a more in-depth form of assessing eligibility for new applicants and once this has been established, will involve a child focused assessment of travel support needs. This will be followed up by an annual assessment review process of children/young people using the service.

16. Travel solutions will now be focused on supporting families to consider a range of support options including mileage allowance, direct payments for parents, accompanied walking support (with a pupil support assistant), and access to Southwark's independent travel training programme. These varied modes of travel will help the local authority to provide appropriate travel support to

children/young people and also enable the best use of its resources. Additional council-supplied vehicles will be used as a last resort but always made available when required.

Community impact statement

17. This policy will apply to all children and young people from all sections of the community and predominantly used by children with special educational needs. Eligibility will be determined by needs of each child and services will now be able to be better targeted to needs based on a more comprehensive assessment process.
18. Parents and carers will be involved in the development of the final travel assistance assessment tool which will help to ensure that appropriate consideration is given to any needs/factors that members of the community may wish to raise or have included in the process.

Resource Implications

19. Implementation of this policy will be achieved within existing budget arrangements.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

20. The Cabinet Member for Children's Services is asked to agree the School Travel Assistance Policy. The Cabinet Member for Children's Services has delegated authority to agree the recommendation under Part 3D of Southwark Council's constitution generally and paragraph 7 in particular.

Legal Background

21. The decision maker is advised that the relevant law is found under the Education Act 1996 ("the Act"); in particular Part IV, and Schedules 27 and 35. The Act sets out the Local Authority's duties and powers in respect of school transport.
22. Under s.508A of the Act, local authorities have a duty to promote sustainable forms of transport such as walking and cycling.
23. Under s.508B local authorities must make travel arrangements for eligible children to facilitate attendance at school and those arrangements must be free of charge. The definition of eligibility is contained within Schedule 35B Education Act 1996 and includes a range of criteria as set out in the proposed policy.
24. Local Authorities also have a power to make travel arrangements for non eligible children under s.508C Education Act 1996, and these arrangements do not have to be provided free of charge.
25. The decision maker must also have regard to the provisions of the statutory Special Educational Needs Code of Practice dated September 2001, which deals with the process for supporting children with special educational needs who may or may not have a statement. Under paragraph 8:87 of the Code, an authority is permitted to name the school of parental preference on the condition that parents fund transportation, if there is a nearer school available to meet needs.

26. The decision maker is also advised of the relevant guidance contained in the Home to School Travel and Transport Guidance published by the Department for Education and Skills (as was) in 2007. The guidance sets out the relevant legal provisions contained in the Education Act 1996, good practice on consultation, health and safety considerations, and appeal arrangements. The appeal arrangements must be robust and set out in the policy so that parents and children are fully aware of the procedure.

Consultation

27. A comprehensive consultation process is required before any proposed changes to a policy are made. The decision maker must be satisfied as to the adequacy of the consultation. In particular, the decision maker should consider whether the consultation sets out sufficient detail of the proposal including background to enable consultees to reach an informed view and provide a meaningful response. The consultation process must be clear and transparent and the consultees must have the opportunity to provide a response.
28. In consideration of these factors, the decision maker is advised to note paragraphs 16-19 of the report which set out the manner in which the consultation was carried out. The consultation was held for an extended period and included a large number of public meetings and engagement with young people. The report contains an analysis of the consultation and confirms that the views of stakeholders have been incorporated into amendments to the proposed policy. The decision maker is also advised to consider Appendix 3 which contains the feedback from stakeholders.

Head of Special Educational Needs

29. Parents have a right to express a preference for the school to be named in Part 4 of their child's Statement and the Local Authority may agree unless to do so would be incompatible with the efficient use of resources. It is at this stage that the Local Authority considers the cost of placement including transport.
30. If the Local Authority has an alternative school that can meet the child's needs and which is closer to home, the Local Authority will not accept the costs of transporting a child to the parents' preferred school. In this case the Local Authority will make it clear in Part 4 that transport will not be provided to the parents preferred school.

Finance Director

31. This report does not require a decision to be made that is outside the budget framework.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Home to School Transport Policy 2007	Pupil Access 160 Tooley St	Glenn Garcia 020 7525 2717

APPENDICES

No.	Title
Appendix 1	School Travel Assistance Policy 2011
Appendix 2	Summary of school travel assistance policy consultation responses
Appendix 3	Summary of main changes between current home to school and proposed school travel assistance policies.

AUDIT TRAIL

Lead Officer	Romi Bowen, Strategic Director of Children's Services	
Report Author	Glenn Garcia, Head of Pupil Access	
Version	Final	
Dated	22 July 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Head of Special Educational Needs	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	22 July 2011	