

Post 16 Travel Assistance Policy

Academic Year 2019/20

DRAFT

Post 16 Travel Assistance Policy

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Introduction

The responsibility of a local authority to prepare and publish an annual Transport Policy Statement is included in the Education Act 1996. The Policy must set out the arrangements for the provision of transport, or otherwise, that the authority considers necessary, to enable young people age 16 – 18 to attend education or training, for the purpose of this Policy, 16-18 means young people aged 16-18 who are starting a programme at school, college or work based learning provider before their 19th birthday

For young people aged between 19 and 25, and with an EHC Plan, where the Council has secured the provision of education or training, they should refer to The Travel Assistance Policy for 19 to 25 year olds. This applies to:

- adults (ie those who are aged 19 or over) for the purpose of facilitating their attendance at local authority maintained or assisted further or higher education institutions or institutions within the further education sector; and
- adults aged under 25 with an EHC plan for the purpose of facilitating their attendance at institutions where they are receiving education or training outside the further and higher education sectors. For those young adults, the Council's duty only applies where the Council has secured the provision of education or training at that institution and the provision of boarding accommodation in connection with that education or training.

The overall aim of this policy is to ensure that, if support for access to education is **necessary**, this will be assessed and provided.

1. Legislation and Guidance

Through the Education Act 1996 and the Apprenticeship, Skills, Children and Learning Act (2009) a local authority has a statutory responsibility to consider how it will assist learners to access the appropriate post 16 provision.

Through the Education and Skills Act 2008, from 2014 the age of participation has been raised so that young people will be required to stay in education or training until their 18th birthday.

A Post 16 Transport Policy Statement must be in place by 31st May each year. The Department for Education issues Post 16 Transport Guidance to support the preparation of a policy statement.

The policy links to the Council's Sustainable Transport Strategy and is similar in its principles to the Home to School Travel Assistance Policy.

2. Eligibility for Transport

This Policy sets out the eligibility criteria for travel assistance for students aged 16 to 18 to ensure that those most in need of support receive it and those who are able to pay the cost of their transport do so.

The Executive of the Council sets its fees and charging policy rates annually and where students are eligible for subsidised transport, charges are made as set and published within the Fees and Charging Policy.

Transport may be provided for mainstream students who are entitled under the eligibility criteria of this Policy and the Home-to-School Travel Assistance Policy 2019 -20, who are enrolled on a full-time course of education or training. In this case a full-time course is defined as: 15 hours per week for at least 30 weeks in the academic year.

Transport may be provided for students with special educational needs, who are entitled under the eligibility criteria of this Policy and the Home-to-School Travel Assistance Policy 2019-20 who are enrolled on a course of education or training which has been acknowledged by Central Bedfordshire Council as meeting the specific individual needs of the student as set out in their Statement of Special Educational Needs Education Health Care Plan (EHCP)

The eligibility criteria enabling young people to be provided with transport assistance relate to the specific areas of:

- ◆ low income;
- ◆ medical grounds;
- ◆ children for whom Central Bedfordshire Council is a Corporate Parent;
- ◆ special educational needs.

Families with a low income

Central Bedfordshire Council is committed to working to assist low income families:

For a student to be eligible for transport assistance on low income grounds their family must be in receipt of one of the qualifying benefits set out in Appendix A and will live more than 3 miles, but no more than 20 miles and attend the nearest establishment which offers a qualification at the same level and in the same subject area(s) as the course applied for and accepted on to. These distances stated are calculated by the shortest available walking route if up to 3 miles or the shortest motorised route if over 3 miles.

Transport on grounds of medical needs

Where a student attends the nearest school or college offering the qualification and subject they are studying for, transport assistance can be considered on medical grounds when the distance between home and establishment is no more than 20 miles. This will be calculated by the shortest available walking route if up to 3 miles or the shortest motorised route if over 3 miles. Each application is considered on an individual basis.

It is the responsibility of the parent/carer to produce evidence of the medical condition in all cases, detailing:

- a. full medical details of the condition, including timescales for recovery;
- b. written medical confirmation regarding the child's fitness to return to school;
- c. the likely period for which revised travel assistance arrangements may be needed;

- d. the type of vehicle needed, where appropriate, for example, where the child is in a full body cast;
- e. any manual handling risks.

This should be endorsed by the family doctor or in certain circumstances by a medical consultant. The Council reserves the right to require the parent/carer to provide further medical evidence as deemed necessary. Any charges incurred by the parent/carer in providing this evidence will not be paid by the Council.

Transport assistance will be arranged in the most cost-effective way and be provided for a maximum of one term at a time.

Where agreed transport assistance will be provided for families with a low income or at the subsidised rate as set out in the Council's Fees and Charges Policy. The charge will be determined at a pro rata rate for the number of weeks for which transport is agreed.

Transport for children for whom Central Bedfordshire Council is a Corporate Parent

Whilst representing only a very small number of the total 16 – 18 age population, Looked After Children (including Unaccompanied Asylum Seeking Children) can be some of the most vulnerable students in need of support. The most suitable establishment to meet these particular students' needs will not always be the nearest school or college to their home address.

As Corporate Parents to these children, Central Bedfordshire Council will ensure that transport assistance will be provided for students to attend the most suitable establishment outside of the statutory walking distance, 3 miles, to meet their individual needs.

Transport for students with Special Educational Needs

Transport Assistance needs for students with special educational needs will be assessed as part of the statutory assessment process, Education Health Care Plan EHCP.

Where students have been assessed as requiring transport and are eligible, a subsidised rate will be charged, as set out in the Fees and Charges Policy of the Council and reviewed annually. There will be no cost for travel assistance for families on low income.

A small number of students, typically with severe or profound and multiple learning difficulties, who remain in continuing special school provision who do not reach a point of transition at 16 will therefore continue to receive their existing transport arrangements for as long as they remain in that provision.

Subsidised transport will be provided for a student to the establishment identified through the assessment, where the distance between home and the establishment is more than 3 miles.

Where the distance is less than 3 miles the assessment will include consideration of whether a student could reasonably be expected to walk or cycle to school or college. Where this is not possible subsidised transport will be provided.

The most appropriate mode of travel will be agreed as part of the assessment process.

The assessment will consider transport assistance to the nearest suitable school or college. If by parental or student preference a more distant establishment is named, transport will be the responsibility of the parent.

Where a student with Special Education Needs remains in further education, transport could be provided up to the age of 25, if specifically required through the or Education Health Care Plan EHCP, transport provision for this group of young people is set out in the Travel Assistance Policy for 19 to 25 year olds

The Council will endeavour to offer transport assistance to students taking into account the shortest possible time and will investigate all possible alternatives if the travel time, one way, exceeds one hour and fifteen minutes. Where possible, adjustments will be made to transport assistance to reduce travel time to less than one hour and fifteen minutes provided this can be achieved efficiently.

The timescale for arranging transport will be a maximum of 15 working days from receipt of the application. Unless there is a return date stipulated on the application form. If the application form is not returned by the return date transport assistance will not be in place until after the October half term following the start of the new academic year in September.

Residential placements

Where a student attends a residential school or college, transport assistance will be provided in accordance with the accommodation arrangements:

- a) Termly boarding
- b) 12 day boarding
- c) Weekly boarding
- d) 52 week placement

termly boarding –transport assistance will be provided at the beginning and end of each term and at the beginning and end of the mid term holiday.

12 day boarding –transport assistance will be provided on alternate weekends and at the beginning and end of each term.

weekly boarding – in most cases transport assistance will be provided on Monday and Friday each week.

52 week placement –transport assistance will be provided for three return journeys per year.

Any additional journeys will be the responsibility of the parent/carer.

In the interests of the efficient use of resources the council will, in all cases, encourage parents/carers to transport students for which mileage reimbursement may be made.

Any additional transport requirements to those set out above will remain the responsibility of the parent/carer.

3. Additional considerations

Students who live in a joint home arrangement, who fulfil the other criteria for transport assistance, will be provided with transport assistance from the primary home address registered with the school or college.

Students may be required to walk up to one mile from home to the pickup point and where allocated a place on a public service route, they may be required to walk up to one mile from the setting-down point to the school.

In determining entitlement to transport assessment, the route used in assessing the distance will be the shortest available walking route up to 3 miles. After 3 miles the shortest motorised route up to 20 miles will be used to assess entitlement. Measurement will commence at the gate of the student's home to the nearest gate on the school or college site.

Where students receive transport assistance as a result of errors in measurement, the transport will be withdrawn with no less than 6 weeks notice. The student and their family will be notified of any changes as soon as possible after the error has been identified.

4. Assistance Provided

16 -19 Bursary Fund

Young people who need some financial support to help them stay in education and training after age 16 can apply to their school, college or training provider for the 16-19 Bursary fund.

The 16-19 bursary fund has two elements:

Guaranteed bursary: those most in need will be eligible for a bursary of £1200 a year. To qualify students must meet at least one of the following criteria:

- care or a care leaver
- claiming Income Support or Universal Credit
- disabled and getting Employment and Support Allowance and Disability Living Allowance
- eligible for Personal Independence Payment (PIP) and either ESA or Universal Credit

Discretionary bursary: Providers may use their discretion to distribute any remaining funds to young people in ways that best fit the needs and circumstances of their students. Bursary funds should be targeted to young people facing financial barriers to participation, such as the costs of transport, book and equipment.

Providers have discretion to set policy, administer and allocate funds which best suit the needs of its learners. All organisations should have a 16-19 Bursary Fund policy which is available upon request. Applications should be made directly to the school, college or training provider.

Care to Learn Scheme

The Care to Learn scheme will continue to be available for parents in England who are under 20 when they start a course in 2016/17. The Care to Learn scheme will pay up to £175 per child per week to help with the cost of:

- childcare while the young person is learning, on work placements linked to the course or programme of study or undertaking private study;
- any registration fees (up to £80) or deposit (up to £250) charged by the childcare provider;
- a childcare 'taster' (up to five days) aimed at helping the learner's child settle in before their learning starts;
- fees the learner needs to pay during summer holidays to keep the childcare place open;

- additional travel costs the learner has to pay so they can take their child from home to the childcare provider.

The childcare provider will receive payments direct from Care to Learn. Funding to help with travel costs will be paid to the young person's learning or training provider regularly and the provider will reimburse the learner or arrange travel for them.

For information on care to learn visit: <https://www.gov.uk/care-to-learn>

Independent Travel Training

The Care Act states that "*local authorities must consider the benefits of approaches which delay or prevent the development of needs in individuals*". As such the Council will look at providing support which builds the individual's confidence and independence. The Council will seek to offer people for whom it would be suitable the opportunity to undertake Independent Travel Training in order to build their confidence and ability to lead an ordinary life. Where Independent Travel Training is not an appropriate offer and the person cannot travel safely on their own then this support may be offered by providing a travel buddy in order to help support them whilst they travel.

Carer Support

The Care Act requires the Council to consider how an individual can be supported by their family or other carers when determining if a person's needs are being met.

People who have eligible needs and do not have the capability to travel independently can be supported by their family; or by another person who is able to support them. For example the person can be supported by a carer who can walk, drive or travel with them by public transport to their activities as appropriate. Support provided by the family or another carer will be explored before other means of support are considered.

Travel Concessions

A Disabled Person's bus pass is available from Central Bedfordshire, the eligibility criteria and documentary evidence required to support an application can be found here <http://www.centralbedfordshire.gov.uk/transport/bus-pass/disabled.aspx>

Appropriate Travel Assistance

Once a person is eligible for travel assistance they will be helped to choose the most appropriate assistance suitable to meet their identified needs, including travel training where the person will benefit from it. This will take into consideration their mobility, their intellectual capacity and the resources available to them.

In most circumstances, once a young person reaches sixth form age, the local authority expects that they will be able to make their own arrangements to travel to and from school or college independently. In some circumstances, the local authority will provide support in order to help the young person to travel independently or if necessary, provide a transport service to ensure that the young person is able to attend their educational establishment.

Concessionary Places on School Contract Vehicles

Where students are not entitled to transport assistance it may be possible to purchase a concessionary pass for routes already operating for entitled pupils on a school contract vehicle.

Concessionary Passes are allocated on a first come, first served basis if there are any spare seats once all the entitled pupils have been allocated their spaces and the route is not publically registered

Concessionary passes are not available on routes that are public registered services, where it is possible to pay a bus operator direct. Information on public transport routes is available through <http://www.travelineeastanglia.co.uk>

Rail/Bus passes, Personal Transport Budgets and mileage reimbursements

Passes for public service routes are issued to students, based on the most cost-effective provision of transport.

Where there is no public transport or where it is not practical to re-route an existing contracted vehicle, parents/carers or students may be able to claim personal mileage allowances or a Personal Transport Budget for transport to and from school or college. However, this is at the Council's discretion and is based upon the most cost-effective provision of transport.

Replacement Bus Passes

Students are required to carry a travel pass on all occasions that they travel. Where a travel pass is lost a replacement must be obtained by contacting the School Transport Team. school.transport@centralbedfordshire.gov.uk

A handling charge will be made for a new pass to be issued as set out in the Council's Fees and Charges Policy. In addition, the cost of a new pass provided by a bus/rail company will be passed on to a student. Information on the cost of replacement bus passes can be provided by contacting School Transport Team.

Parental responsibilities

In all cases where transport assistance is provided, parents/carers must make their own arrangements for the student to arrive at and be collected from the vehicle where provided.

Parents/carers will be asked to allow the Council to use any specialist seating which the student requires. If this is not possible the Council will arrange for suitable seating to be provided.

If parents/carers choose to transport the student themselves when a place is available on existing transport arranged by the Council, then no mileage reimbursement or Personal Transport Budget will be payable.

5. Appeals

Decisions regarding the eligibility for travel assistance, the mode of assistance, and other practical matters of travel assistance will only be taken by authorised Council staff. If a parent/carer is unhappy with a decision that has been made, that parent/carer should first take it up informally with the officer or Department that made the original decision. If it is necessary to put the query in writing, then the Council will offer assistance with this in the case of a parent/carer with a disability.

If the matter is not resolved informally in this way, then the parent/carer will be required to complete a *Transport Appeal Form* (TAF1) which can be downloaded from the Council website. Alternatively a copy of the form can be requested from the School Transport Team (See appendix B). The TAF1 form must be submitted within 20 working days of receipt of the original transport decision being made by the Council.

The completed form should then be returned to the School Transport Team. The Team Leader together with another Children's Services officer will review the initial decision and further information submitted. This will be completed within 20 working days of receipt of the TAF1 form.

It is anticipated that the majority of appeals will be resolved at this stage. If the appeal is unsuccessful the parent will receive a copy of the appeal form with the reasons given for the decision.

If the matter remains unresolved the parent/carer can make a further appeal to the Transport Eligibility Panel. Appeals must be submitted, using the TAF2 form available on the website, directly to the Appeals Clerk, within 20 working days of the receipt of the decision of the first appeal considered by School Transport and a Children's Services Officer. When submitting the completed TAF2 form, parents/carers must also submit the decision letter received as the result of the initial appeal. The Transport Eligibility Panel consists of 3 people who are independent and who have volunteered for the role. They are not paid and are not associated with the Council or a school connected with the appeal except as an independent panel member. They are trained in all aspects of this Policy and will make decisions within its remit. A Clerk will be present to minute the hearing and will write to parents with the decision made by the Transport Eligibility Panel.

Parents/carers must submit all evidence to the Appeals Clerk 10 working days before your appeal is due to be held. Information on how and where to submit this evidence is on the TAF2. Evidence received after this will only be considered with the agreement of the Panel and late evidence may result in the appeal being moved to a later date.

Parents/carers are invited to verbally represent their case to the Panel. A maximum of 2 adults are able to attend a hearing. These can be both parents/carers or 1 parent and 1 supporter. An interpreter or signer may be provided if requested on the TAF2 form. No children may attend.

A member of the School Transport Team will also be present to explain the reasons why transport, or the particular provision requested, had been refused.

The Panel will consider the information provided on the TAF2 form and any additional evidence provided by the parent/carer, as well representation from TC&ET. Appeals panels will be arranged as soon as is possible within 40 working days. The necessary documents will be provided to parents and the panel at least 5 working days before the appeal date, unless a shorter period is agreed beforehand. The outcome of the appeal will be advised to the parent/carer in writing within 5 working days of the appeal hearing. Where parents/carers have a disability, which may impact on their ability to attend a hearing, or if they require assistance with language interpretation or reading, appropriate assistance will be provided by the Council if it is identified on the TAF2 form.

Where parents have a disability, which may impact on their ability to attend a hearing or if they require assistance with language interpretation or reading, appropriate assistance will be provided by the Council.

Where the pupil in question holds a statement of special educational needs or EHCP, it may be that a disagreement about travel is part of a wider question of school provision

and placement. In such an instance, it may be necessary for the matter to be considered by a Special Educational Needs and Disability Tribunal. Although this body does not hear appeals specifically about transport, it may consider it as part of a wider appeal.

The Appeals Process detailed above does not prevent the parent/carer raising a school transport related issue with a local Councillor or any other person.

Where a parent/carer feels that an appeal has not been conducted in a fair manner, he or she may pursue a complaint using the Council's complaints procedure.

It should be noted that appeals will not be considered where the parent/carer does not agree with the school named in the EHC plan and they are appealing for transport refused due to parental preference. Where the education establishment is not agreed then the parent/carer should make an appeal to the SEND Tribunal

6. Complaints/Queries

If a parent/carer has a query or is dissatisfied by any aspect with regard to the determination of eligibility/entitlement for travel assistance, this should initially be brought to the attention of the School Transport Team.

Queries/complaints relating to journey planning, standard/condition of vehicles, drivers, passenger assistants and any other issues relating to the journey to/from school should initially be brought to the attention of the School Transport Team (see appendix B).

If the complaint is not resolved to your satisfaction it may be escalated via the Council's Corporate Complaints Procedure www.centralbedfordshire.gov.uk/council-and-democracy/local-government-in-central-bedfordshire/customer-feedback/default.aspx

7. Principles

Central Bedfordshire Council aims to provide safe, efficient and cost effective transport for students entitled to transport assistance, in accordance with its duties and powers as described in legislation.

In meeting its statutory responsibility Central Bedfordshire Council will provide transport assistance in accordance with agreed eligibility criteria which it will review annually.

The Council is committed to equality of opportunity and access to services and facilities and as such has undertaken an Equalities Impact Assessment of this Policy.

Information will be made available for parents, carers and students so that they are aware of the eligibility criteria and process for applying for transport assistance.

Parents, carers and students are required to agree to a Code of Conduct when students are travelling on transport provided by the Council.

Eligibility for transport assistance will be reviewed termly (before the start of each new term) to ensure that those students who are receiving transport remain eligible.

Take-up of transport assistance will be monitored to ensure that access is fair and equitable and that hard to reach groups and those who are most vulnerable are aware of their entitlement.

Information relating to applications for transport assistance will be held on a database for monitoring purposes and numerical information may be shared as requested with Central Government. Fair processing notices will be given to all applicants to ensure that they are aware of the purpose of the storage of their personal details.

Central Bedfordshire Council is committed to supporting sustainable modes of travel to school and college. Walking and cycling helps to reduce the congestion caused by the journey to school, together with the associated accidents and pollution and carbon emissions. If walking or cycling is not an option, school contract buses, public transport and car-sharing are more sustainable alternatives to individual car journeys.

The eligibility criteria set out in the Policy will be used for students starting a new course in the academic year 2019/20. Students entering the second or third year of a course will be assessed using the same eligibility criteria against which their original application was assessed.

The timescale for arranging transport assistance, if approved, will be a maximum of 15 working days from receipt of the application if the application is returned the return by date stipulated on the application form.

A travel training programme to support those students who are physically able to walk, to travel more independently and to support transition to adult life will be introduced.

The Council will seek to introduce escorts on a temporary or permanent basis if a need for one is identified at point of application.

8. Implementation and Monitoring of the policy

The Director of Children's Services will be responsible for the implementation of this policy through the development of internal processes that will ensure the ability to monitor take up of service and regular reviews for those in receipt of the service.

This policy and the eligibility criteria will be kept under review and will be formally reviewed one year after implementation and thereafter every year.

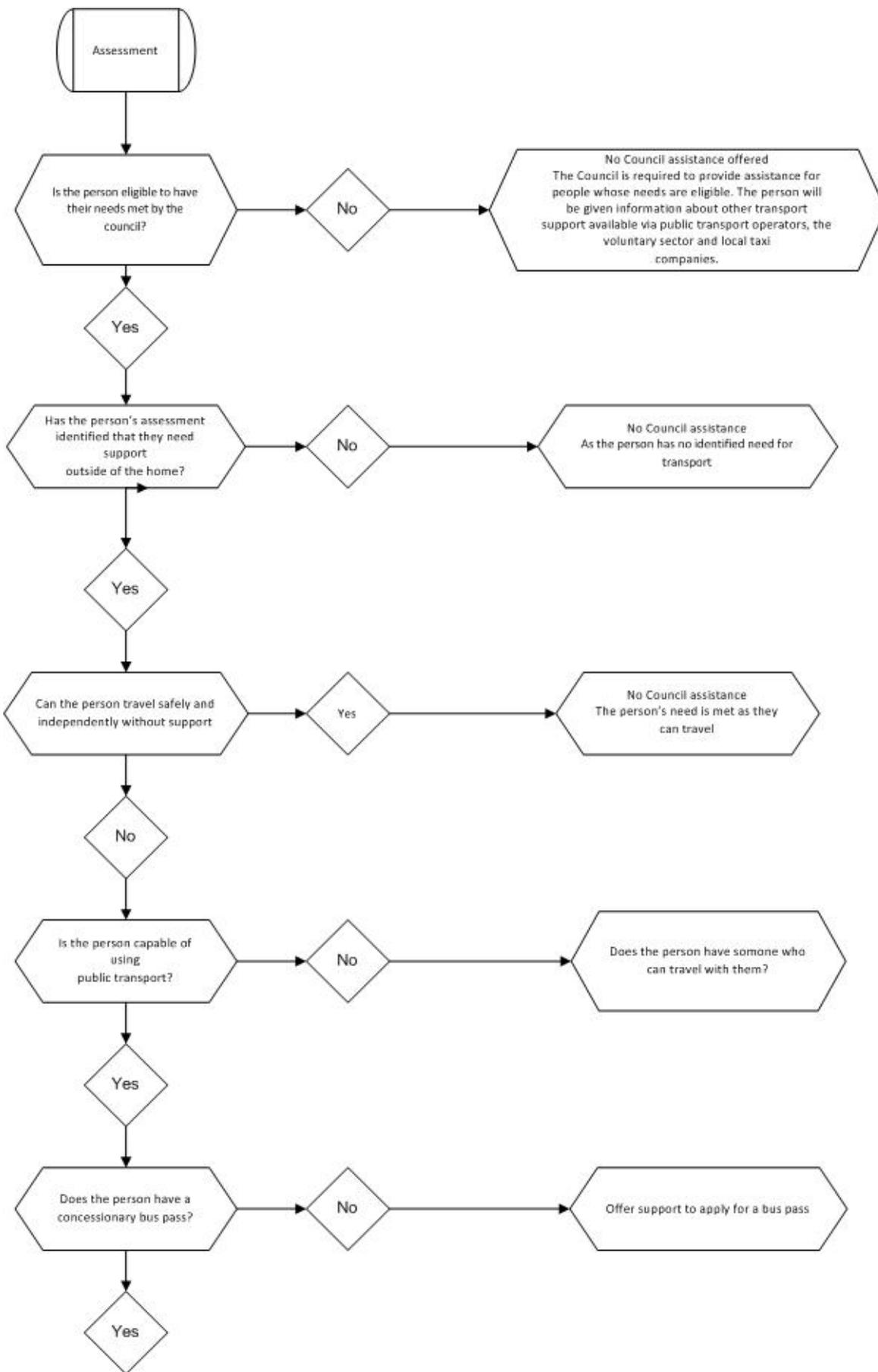
Appendix A: Transport Assistance for families with a low income

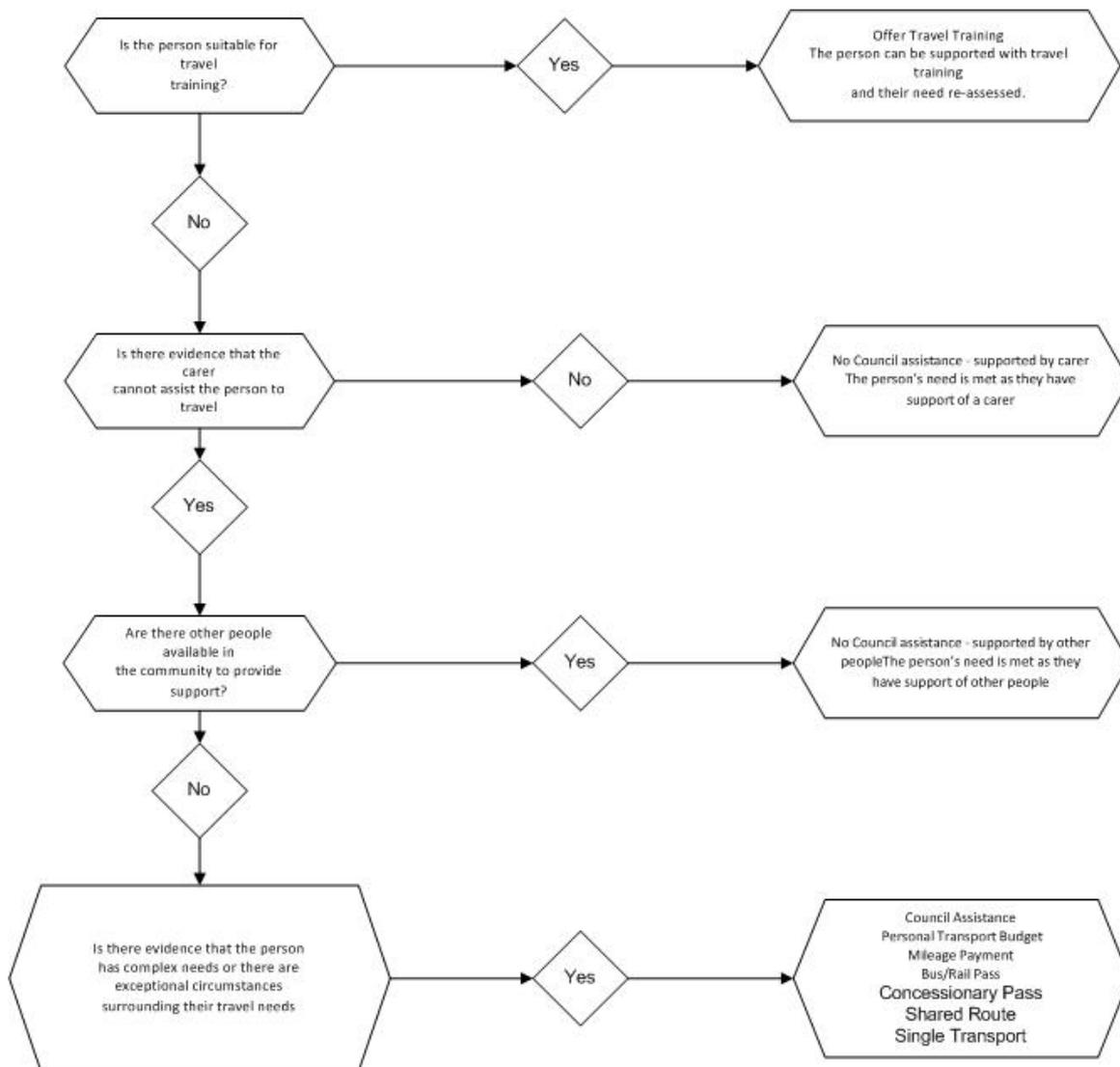
1. Children from low income groups are defined in the Education and Inspections Act (2006) as those whose families are in receipt of the maximum level of Working Tax Credit (WTC)

Maximum Working Tax Credit (WTC)

2. When a customer is first awarded tax credits, or following a change in their household circumstances, HM Revenue and Customs issue a “tax credits award notice” detailing the breakdown and amount of the award. Part two of the award notice gives details of “How we work out your tax credits” including details of the full WTC elements. This is the maximum amount a customer can receive in WTC in any year. It then lists “any reduction due to your income” and shows the net amount payable. It is therefore readily apparent from the award notice whether a person is receiving maximum WTC or a reduced sum due to income. Where there is a reduction due to your income in this section then you would not qualify for travel assistance.
3. Please see below the list of qualifying benefits and the documentation required to assess entitlement to transport:

Benefit	Documentation required
Income Support (IS)	<ul style="list-style-type: none"> • Letter confirming receipt of benefit
Income Based Jobseekers Allowance (IBJSA)	<ul style="list-style-type: none"> • Letter confirming receipt of benefit
Support under part VI of the Immigration and Asylum Act 1999 (from the National Asylum Support Service)	Letter of confirmation from the National Asylum Support Service (NASS)
Guaranteed element of State Pension Credit	Pension Credit M1000 Award Notice
Child Tax Credit, provided a parent /carer is not entitled to Working Tax Credit and has an annual income (as assessed by HM Revenue and Customs) that does not exceed £16,190	<ul style="list-style-type: none"> • TC602 Tax Award Credit Notice – issued by HM Revenue and Customs • Letter from the local Revenues and Customs Office confirming tax credit details
Employment Support Allowance	<ul style="list-style-type: none"> • Letter confirming receipt of benefit





Appendix C: Contact details

Please contact School Transport at:

Tel: 0300 300 8339

Email: school.transport@centralbedfordshire.gov.uk

Address: School Transport Team, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ

If you wish to make any other enquiries or to make a complaint

The please contact Customer relations:

Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

Tel: 0300 300 6077 or 0300 300 4995

Email: customer.relations@centralbedfordshire.gov.uk