
**SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) -
HOME TO SCHOOL TRANSPORT**

**Responsible Cabinet Member -
Councillor Cyndi Hughes,
Children and Young People Portfolio**

**Responsible Director -
Suzanne Joyner, Director of Children and Adults Services**

SUMMARY REPORT

Purpose of the Report

1. The purpose of this report is to seek Cabinet approval to consult on the attached SEND (Special Educational Needs and Disability) Travel Assistance Policy (**Appendix 1**) for pupils with SEND.

Summary

2. This report recommends a public consultation on a travel assistance policy. The proposed policy will help to ensure that travel assistance support can continue to be provided to all eligible children and young people in line with increasing demand. They also provide the opportunity to offer a more flexible range of options to families and improve the quality of the service provision. It will ensure children and young people with SEND do not miss out on the opportunity to develop independent travel skills. Independent travel skills gained in adolescence can be taken forward into adult life.

Recommendation

3. It is recommended that Cabinet agree to a consultation on the Travel Assistance Policy.

Reasons

4. The recommendation is supported by the following reasons :-
 - (a) This policy represents a conscious change strategically from a policy based upon provision of transport services to one that provides assistance with transport services. This is centred upon providing assistance where appropriate to help people help themselves; it is about promoting independence.

- (b) To enable the proposed Travel Assistance Policy to be further considered prior to decisions being made on the changes being proposed.

**Suzanne Joyner,
Director of Children and Adults Services**

Background Papers

There were no background papers used in the preparation of this report.

Tony Murphy X5637

S17 Crime and Disorder	This report has no implications for Crime and Disorder
Health and Well Being	The Travel Assistance Policy will contribute to improved outcomes for children and young people with special educational needs and/or a disability in the borough.
Carbon Impact	There are no issues which this report needs to address.
Diversity	The Travel Assistance Policy will contribute to improved outcomes for children and young people with special educational needs and/or a disability in the borough
Wards Affected	Children and young people with SEND may live in any ward.
Groups Affected	Children and young people with special educational needs and/or disabilities
Budget and Policy Framework	This report does not represent a change to the budget and policy framework.
Key Decision	This is a key decision
Urgent Decision	Yes, so as not to delay start of consultation and meet various timescales.
One Darlington: Perfectly Placed	The report contributes to the Sustainable Community Strategy Priority 'the best start in life'.
Efficiency	There are no direct efficiencies to the Council from the information contained within this report.
Impact on Looked After Children and Care Leavers	The Travel Assistance Policy will contribute to improved outcomes for children and young people with special educational needs and/or a disability in the borough a number of these children are Looked After Children or Care Leavers.

MAIN REPORT

Current Arrangements

5. Darlington Borough Council has a statutory responsibility to assist eligible children and young people of statutory school age to travel to school. Transport assistance is currently allocated at the point a pupil become in receipt of an Education, Health and Care Plan (EHCP). The mode of travel assistance is commonly in the form of door to door minibus or taxi.
6. The current Home to School Transport policy does not provide for a review of travel support and once transport support is allocated it usually remains in place until the end of the young person's schooling.
7. There are two key consequences of current practice. Firstly, children and young people who have the potential to travel independently are not given the opportunity to do so and thereby are not equipped with the necessary skills to independently access their community and the workplace in adulthood. Secondly, over-provision has resulted in a significant projected overspend on the Council's Home to School Transport budget.

National Context

8. In 2016, the Association of Directors of Children's Services (ADCS) contacted all Directors of Children's Services to request information on home to school transport spend in 2015/16. The data received showed that local authorities across England spent approximately £1 billion on home to school transport during 2015/16.
9. The main findings of the ADCS survey were:
 - (a) Local Authorities (LAs) are transporting an increasing number of children with SEND (partly because of the SEND reforms and the extension of support to young people aged up to 25), many of whom have highly complex needs (health and behaviour) so require individual transport, escorts and specialist vehicles.
 - (b) There is a shortage of local mainstream school places and specialist educational provision and, as a result, LAs are required to transport children to educational facilities out of area. In addition, a lack of local foster care capacity is resulting in an increased number of out of area placements which require transport to school.
 - (c) The geographical nature of some local authorities, means that a significant number of children live outside of the 'statutory' walking distance. This is coupled with a lack of public transport so local authorities must provide other, more costly forms of transport.
 - (d) Differences in start and finish times for post-16 provision results in transport being designed around individual timetables, which is not cost effective.

Similarly, where siblings attend different schools with the same start and finish times, parents are unable to transport both children and so look to the LA for transport support.

- (e) The lack of capacity in the transport market is driving up costs – a lack of providers and therefore competition, a lack of specialist vehicles and an increased focus on quality.

Proposals

10. The key principles of the proposed new policy are outlined below.

(a) PROPOSAL ONE (Definition of Education Travel Assistance)

- (i) It is proposed that the name of the Home to School Transport Policy for pupils with SEN be amended to 'Education Travel Assistance Policy'. The name change reflects the fact that travel assistance can be provided in a variety of ways, not just through the provision of 'transport' e.g. a bus or a taxi.

(b) PROPOSAL TWO (To formalise the annual application and review process)

- (i) Currently travel assistance arrangements for children and young people are assessed and determined at the time they start at a new education setting. This means, for example, that a young person starting in Year 7 may have their travel assistance arrangements rolled forward until they finish in Year 11.
- (ii) This approach does not always take account of the personal development of individual children and young people, opportunities to promote independence and any changing individual or family circumstances e.g. medical needs.
- (iii) In allocating SEND home to school travel assistance, the approach of offering the most appropriate option to supporting independence is key and the best way of achieving this will be an annual review process. This approach will also ensure that any important information in relation to health needs, medication and emergency contact details is kept up to-date. In the majority of cases where there has been no substantial change in circumstances, existing arrangements will carry forward but the process will facilitate more effective scrutiny and review of individual travel assistance arrangements. It will also enable families, currently in receipt of 'transport' to consider more flexible arrangements through a cash allowance or Direct Payment.
- (iv) It is therefore proposed that transport assistance is reviewed on an annual basis with effect from the September following implementation of this policy. The Admissions and Transport Service will review all new applications and any other existing arrangements which have been identified for changes in circumstances or requiring a review.

(c) PROPOSAL THREE (Personal travel assistance budget and cash allowance)

- (i) Where a child or young person is eligible, care will be taken to ensure that travel assistance is provided to support independence in the most appropriate way possible. In the case of high volume routes, shared transport arrangements are likely to continue to be the most cost effective and sustainable solution under most circumstances. However, in the case of solo or ad-hoc arrangements a cash allowance or direct payment in the form of a Personal Travel Assistance Budget may provide greater flexibility for families and carers to make their own arrangements.
- (ii) This would mean that every new application for travel would be considered for a cash allowance or, in cases of complex or exceptional needs, a direct payment in the form of a Personal Travel Assistance Budget. An example of complex needs could be an adult needing to accompany the pupil in a vehicle in addition to the driver. Other direct support may also be considered. Such support may be provided in the form of a travel pass for public transport, mileage allowance for parent / carer or shared transport.

(d) PROPOSAL FOUR (Circumstances when travel assistance is not provided)

- (i) Where a parent has requested an out of area placement for a pupil with an Education Health and Care Plan (EHCP) and the Council considers there is a nearer suitable placement which can meet the child's needs it is proposed that travel assistance will not be provided.

(e) PROPOSAL FIVE (Independent Travel Training)

- (i) Travel training gives people with special educational needs or disabilities the confidence and skills to travel on buses and trains. Help can also be provided for walking routes. Being able to travel on public transport is a key life skill. It lets you make choices about how you live, go about your daily life and fulfil your potential. Training can be individually tailored to the needs of the young person and include aspects like:
 - Confidence in using buses or trains
 - Personal safety
 - How to use timetables and buy tickets
 - Road safety, including how to cope with traffic on major roads
 - What to do when things go wrong (e.g. the bus is late) and
 - Money skills
- (ii) Darlington Council has recruited through external grant funding a travel trainer to support young people to access independent travel where families and carers consider this to be appropriate to their needs.
- (iii) It is recognised that it will be important to work with parent/carers and education settings to identify suitable young people for travel training and to work within the young person's time frame.

Financial Implications

11. The home to school transport budget related to SEND transport has been consistently overspent in recent years. The budget in 2017/18 was £1.121m and overspent by £0.454m. The budget 2018/19 was increased to £1.467m and is currently projected to be overspent by £0.108m.
12. There is likely to be an additional pressure on this budget arising from the September 2018 intake. The chart below shows the increase in spend for SEND pupils by type of placement since 2013/14.

Placement	17/18	16/17	15/16	14/15	13/14
	£'000's	£'000's	£'000's	£'000's	£'000's
Beaumont Hill Academy	796	714	647	632	628
Primary SEN	108	97	122	120	95
Secondary SEN	97	63	44	37	41
Out of borough SEN	359	150	102	65	63
Further Education	151	141	160	186	212
Marchbank	64	30	22	0	0
Total Spend	1,575	1,195	1,097	1,040	1,039

13. The table below illustrates the rise in the number of pupils with SEND transported to settings over the last three school years.

Placement	17 / 18	16/17	15/16
	No. of Pupils	No. of Pupils	No. of Pupils
Beaumont Hill Academy	177	161	153
Primary SEN	21	18	15
Secondary SEN	23	15	13
Out of Borough SEN	39	23	19
Further Education	38	21	60
Marchbank	21	21	19
Total	319	259	279

14. Operational and service delivery changes are therefore imperative if services are to be effectively delivered and sustained within budget in future years.
15. Meeting the local authority's statutory duty is putting increasing pressure on the Council budget as the number of eligible children requiring travel assistance, the complexity of their needs and the cost of providing travel assistance increases.
16. It is therefore important that the Council works closely with parents, carers, schools and transport operators in the coming years to provide the best possible value for money in providing this support and to ensure that travel assistance is provided

through the most appropriate means in line with the strengths and abilities of the child or young person being supported. It may be necessary to consider transitional arrangements to ensure that pupils can access appropriate provision.

Projected Savings

17. It is difficult to undertake accurate projections from the introduction of the Travel Assistance Policy as the process of assessment and review is not currently in place. Other Local Authorities which have introduced similar schemes have a reported a saving of between 12% and 16% percent on their SEND transport spend in the first year of the scheme. If a similar reduction resulted in Darlington this would lead to a saving of £189k.

Legal Implications

18. Local authorities have a statutory duty to ensure that, for eligible children and young people with special educational needs, suitable travel arrangements are made, where necessary, to facilitate a child's attendance at school. The legislation governing this duty is section 508B of the Education Act 1996. The introduction of a Travel Assistance Policy will need to be in accordance with the Act and the statutory guidance for post 16, published by the Department for Education 2014.
19. All local authorities have a statutory duty to have in place arrangements for the provision of home to school travel assistance and transport for children and young people with Special Educational Needs and Disabilities (SEND) who meet the published eligibility criteria.
20. Under Section 7 of the Education Act 1996, parents of every child of compulsory school age must ensure their child receive full-time education. The duties and powers of local authorities to provide home to school travel assistance are covered in other sections of the Act and its amendments. The provision of travel assistance support incorporates consideration for children from low-income families.
21. Sections 508B and 508C of the Education Act 1996 (as amended) set out the local authority's duties and powers respectively, to make such suitable travel arrangements as the local authority considers necessary, to facilitate a child's attendance at school.
22. The Local Authority also has an Equality Duty under the Equality Act 2010 and an obligation to make reasonable adjustments for disabled persons when exercising its functions, including transport. An Equalities Impact Assessment will need to be undertaken in relation to any proposed changes.

Consultation

23. It is proposed to consult on the proposed changes from the 10 October to the 21 November 2018 and then to bring the matter back to Cabinet in February 2019. The consultation would include:

- (a) Consultation and co-production discussion with the Darlington Parents and Carers Forum (DPCF);
- (b) Online information and questionnaire;
- (c) A letter to all families on the SEN database (not just those in receipt of home to school travel assistance);
- (d) A letter to Darlington education providers;
- (e) An email to transport providers;
- (f) An information session at a scheduled Darlington Parents and Carers Forum.