

# SEND Travel Assistance Policy for 16 to 19 Year Olds



Date: 30 April 2020

## Document purpose

This policy sets out how East Sussex County Council (ESCC) will decide eligibility for travel support for learners aged 16 to 19 who have Special Educational Needs and Disabilities (SEND).

In formulating this policy ESCC has had regard to the statutory guidance on “Post-16 transport and travel support to education and training”.

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## 1. Introduction

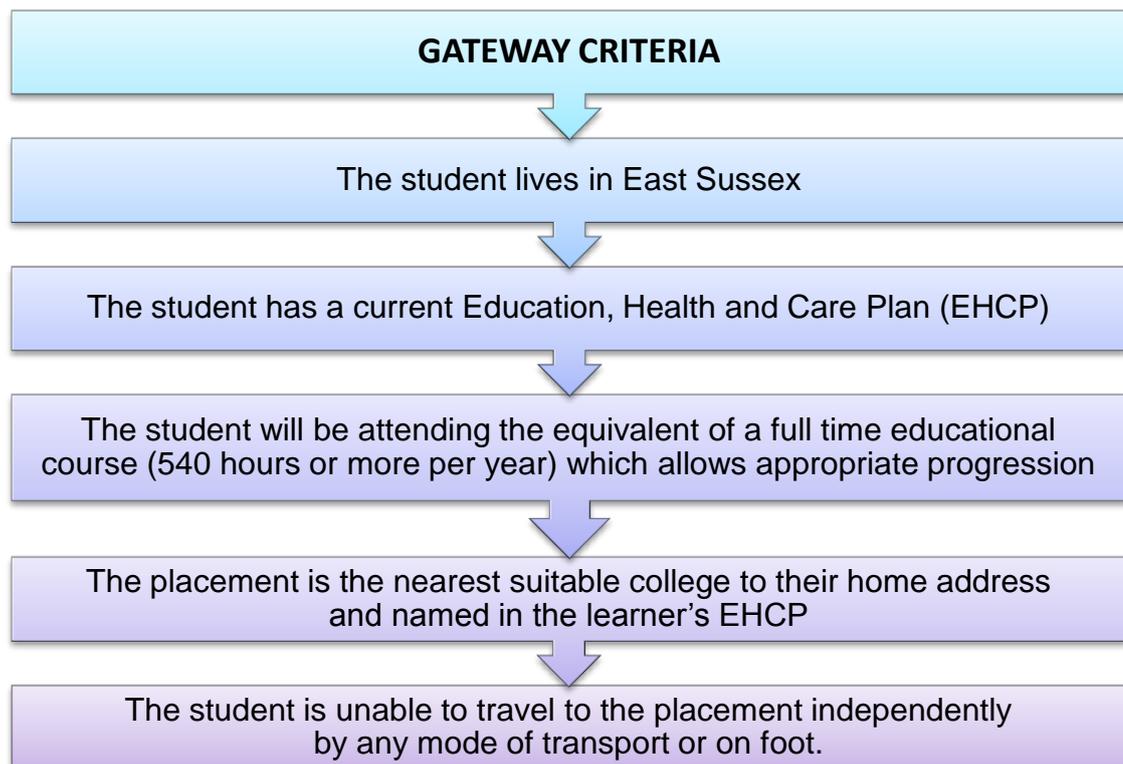
- 1.1. This policy explains East Sussex County Council's statutory responsibility in respect of travel assistance for students aged 16 to 19. It states how to apply for the travel assistance and how eligibility is determined and assessed.
- 1.2. This policy applies to students over compulsory school age but under 19 (or those who began a course of education or training before turning 19 and are still attending that course).

## 2. Local authority responsibility

- 2.1. Once young people with special educational needs and disabilities (SEND), reach 16 years old, the help councils have to give them with transport to school or college changes. They do not automatically get free school transport that younger children are entitled to.
- 2.2. Statutory guidance states that if someone asks a council for transport assistance for a young person over 16 years old it must assess their situation and decide whether to provide transport or financial support reasonably, taking into account all relevant matters. Councils are expected to target support at those who need it most. East Sussex County Council is committed to providing travel assistance to post 16 students with SEND, when their SEND and circumstances mean that they could not otherwise access their placement.
- 2.3. The Local Authority must prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport or other support that the authority considers it necessary to make to facilitate the attendance of all persons of sixth form age (school years 12 and 13) receiving education or training. This can be found at: <https://www.c360.org.uk/travel/extra-help>.
- 2.4. The law concerning education transport is set out in the Education Act 1996. The Act divides children and young people into three groups: children of compulsory school age; young people of sixth form age; and adult learners. For sixth form age learners, if support for access is requested, this will be assessed and provided where necessary.
- 2.5. Statutory guidance from the Department for Education 'Transport to education and training for people aged 16 and over' (2019) states that local authorities may ask learners and their parents/carers for a contribution to transport costs for young people of sixth form age.

### 3. Criteria for travel assistance

- 3.1. The following gateway criteria must be met for an application for travel assistance to be considered.
- The student lives in East Sussex;
  - The student has a current Education, Health and Care Plan (EHCP);
  - The student will be attending the equivalent of a full time education course (540 hours or more per year) which allows appropriate progression;
  - The placement is the nearest suitable college to their home address, unless agreed otherwise by East Sussex County Council, and named in the student's EHCP;
  - The student is unable to travel to the placement independently by any mode of transport or on foot.
- 3.2. If these gateway criteria are met, the Council will then consider the circumstances of the student and the family and their broader network, to assess whether it is necessary to provide transport for the student. Parents/carers will be expected to prioritise transporting the student over other commitments.

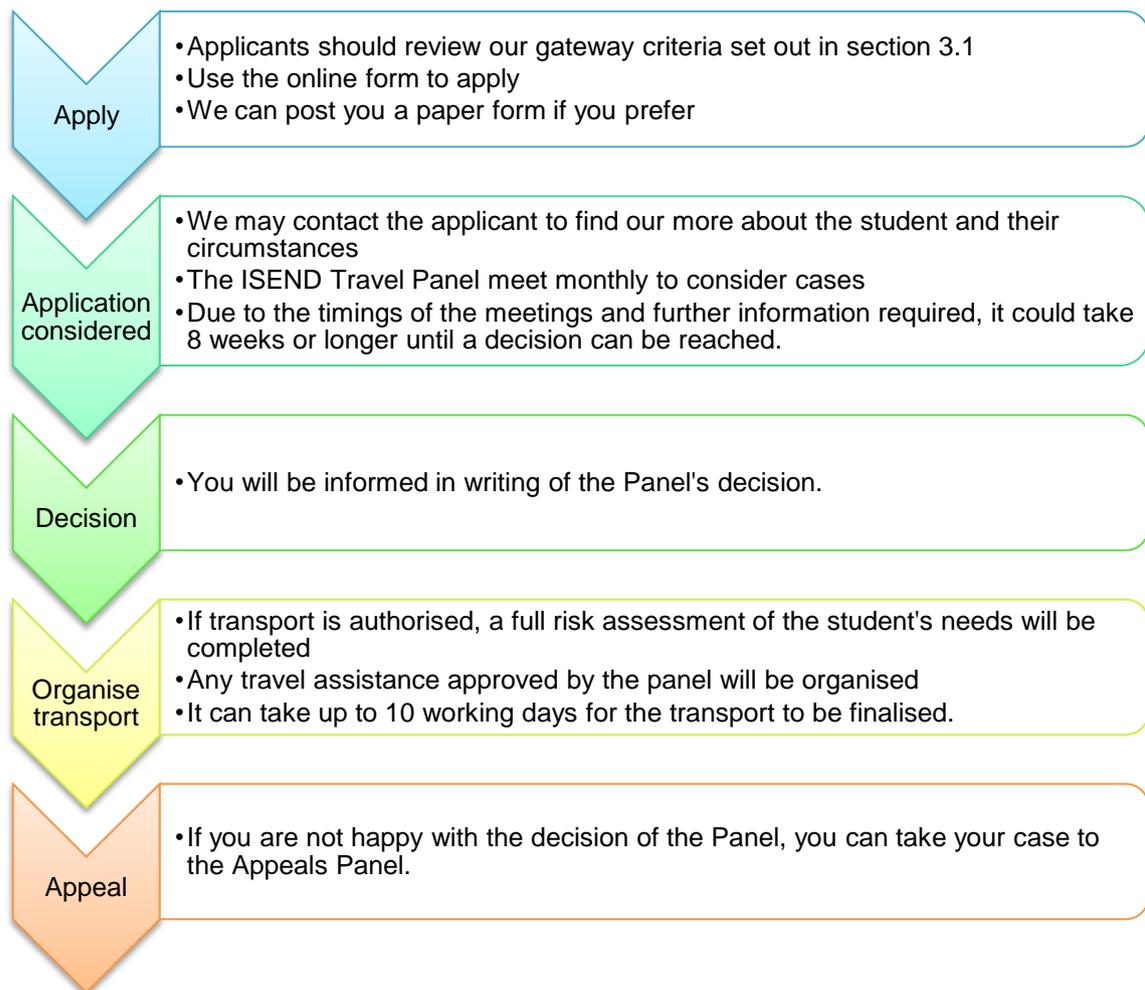


## 4. Contribution towards post-16 travel assistance

- 4.1. If the application for travel assistance is approved, the parent/carer will be required to contribute to the costs. The cost is based on the current cost for a 'Freedom' bus ticket and is reviewed annually. In the academic year 2019/20 this is £646 per year. It is due to rise in September 2020 to £684. An invoice will be sent and payment is usually made in 10 monthly instalments.
- 4.2. If the parent(s)/carer(s) qualifies as Low Income (using Free School Meals eligibility criteria), they will be required to pay half of the full amount. In 2019/20 this is £323 per year and will rise to £342 in 2020/21.
- 4.3. To qualify as Low Income, the student must qualify for Free Schools Meals. More information on eligibility can be found on the East Sussex County Council website at <https://www.eastsussex.gov.uk/freeschoolmeals>
- 4.4. Transport will not usually be arranged until the first payment is made. Transport may be ceased if payments are not made on schedule - if this occurs the Council will first contact the parent/carer to try and avoid this action.

## 5. How to apply

- 5.1. The most suitable and quickest way to make an application is online using the application form found in the following section of the East Sussex County Council website: [www.eastsussex.gov.uk/SENDtravel](http://www.eastsussex.gov.uk/SENDtravel). Alternatively we can post you a paper copy of the form if you would prefer.
- 5.2. A new application is required for everyone requesting post-16 travel assistance whether the student is remaining in the same school or moving to a new place of learning. A new application is needed for each new course or placement.
- 5.3. Applications will be considered by the ISEND Travel Panel which meets monthly. If the application fulfils the gateway criteria as set out in section 3, it will be reviewed and more information may be sought to help the Travel Panel make their decision. Information on how the decision is made can be found in the next section. It can take some time to reach a decision depending on the timing of the application and whether further information needs to be sought to make a decision. On average it could take 8 weeks for a decision to be communicated to the applicant.
- 5.4. Reimbursements for travel costs incurred before an application is approved will not be made.
- 5.5. If you are not happy with the decision of the Panel, you can take your case to the Appeals Panel. Further information on how to appeal can be found in section 9.
- 5.6. The following graphic provides more information on the application process.



## 6. How we make our decision

- 6.1. All applications will be assessed by the ISEND Travel Panel which consists of officers from across the Council. The members of the Panel will consider the individual circumstances of each case and will not apply blanket policies or make assumptions about accompaniment. The panel members will consider whether it is reasonably practical in the circumstances of each case for parents/carers to accompany the student. Applications will be assessed on the basis of the evidence provided. The Panel will consider whether travel assistance provided by the Council is necessary in each case, rather than the student or family required to make their own travel arrangements.
- 6.2. The Panel will use the information provided in the application, any other email correspondence with the Council in relation to the provision of transport as well as verbal representations made during phone calls.

6.3. In considering the eligibility of the student to receive an offer and what offer should be made, the ISEND Travel Panel will consider the following and/or any other relevant factors:

- Nature of the journey for the student/family for example, the distance, likely journey time, and complexity of the journey by road, public transport or on foot; whether the journey on foot or public transport could be reasonably made if the student is accompanied.
- The age of the student which may be relevant to considerations regarding parental/carers involvement
- Parent/carer/broader network available to accompany for example, the current commitments of the parent(s)/carer(s) and broader network; whether the student's family or broader network is reasonably able to transport or accompany them, given all other factors.
- Available suitable vehicle and/or disability benefits for example, whether the family has a suitable vehicle, which may include a Motability vehicle; whether the student is receiving PIP with a component intended to support travel; any current social care support.
- The student's needs relating to travel for example, whether the student has complex needs, and/or requires a second person on transport; if independent travel is a realistic goal, and whether this has been appropriately encouraged by the family.
- The financial circumstances of the family and potential impact of a declined application.
- Other relevant factors, for example, the health of the parent/carer and the potential impact of providing transport or accompanying the student, given all other factors.

6.4. The following evidence may be required in addition to an application for travel assistance:

- Recent evidence from a relevant health and/or educational professional regarding the SEND of the student and how this impacts on the need for travel assistance, their ability to walk or travel on public transport, accompanied or otherwise.
- Recent evidence from a relevant health professional regarding a parent/carer's health, if this means that they are not able to accompany or transport the student themselves.
- Evidence from the parent/carer's employer regarding their work commitments, to include working hours, days, times, location of work and distance in miles from home to work and from the placement to work.
- Written evidence to demonstrate other commitments, although broader caring responsibilities would not normally be considered as a reason why a parent/carer would not be able to transport the student, as the family would be expected to find alternative solutions in most cases.

## 7. What travel assistance could be provided

- 7.1. Students will usually only be transported at published school/college start and finish times, and they may be expected to enable sharing with other students through early arrival or delayed collection if safe to do so.
- 7.2. An offer of travel assistance may be part-week or involve a pick-up or drop-off point, i.e. not door to door. This will, however, be assessed on a case-by-case basis, depending on the student's needs.
- 7.3. Travel assistance is not provided to work experience or dual placements, medical appointments or other off-site visits. Responsibility for these remains with the parents/carers or school/college as appropriate
- 7.4. Travel assistance to respite is also discretionary and can be requested. The Council will separately consider requests for transport to respite under the same discretionary criteria, on term time days only. An additional charge may be made for transport to respite if approved.
- 7.5. If the student attends a residential school and qualifies for travel assistance, this will only be provided at the start and end of each half-term or each week depending on the boarding arrangements. This will be made clear when the application is approved. We are not able to provide transport at other times or for parental visits for meetings.

## 8. What happens if travel assistance is approved

- 8.1. The most suitable travel assistance for the student will be assessed. This will be one of the following:
  - Personal travel budget
  - Independent travel training
  - Minibus or taxi.
- 8.2. Personal travel budget (PTB): A family may be offered a PTB to provide financial assistance to transport their child to school/college. The amount is based on the distance of a return journey from home to the nearest suitable school or college and is paid in monthly instalments.
- 8.3. Independent travel training (ITT): ITT is the process by which a person learns to make a journey between two places on their own and in safety – in this case the two way journey between home and school or college. The training provides extra help or support to make journeys alone using public transport (and walking or cycling as necessary) when the child has reached an appropriate age or stage of development. Students will be considered for an assessment for their suitability for ITT. Students and families are expected to positively engage with ITT. As a student progresses through the ITT, their requirements for travel assistance after training will be re-assessed.
- 8.4. Minibus or taxi: Where the Council will be providing the transport, the student will be risk assessed for the provision of safe and suitable transport arrangements.

## 9. Right to appeal the decision

- 9.1. East Sussex County Council operates an appeal process for transport cases. Everyone has the right to appeal if they are unhappy with a decision not to provide travel assistance or the type of travel support being offered.
- 9.2. The Discretionary Transport Appeal Panel is made up of three elected County Councillors who will consider the original application and the appeal application form together with any supporting documents or information provided to the Council in relation to the application. The panel will also consider all written and verbal representations from the parent/carer and officers involved in the case that is provided before the deadline for the meeting. It is not, however, possible for students/parents/carers to attend appeal panel meetings in person.
- 9.3. An application form needs to be completed to make an appeal. If the application makes reference to financial hardship, the financial section of the form needs to be completed in full.
- 9.4. More information about the appeals process as well as the form to request an appeal can be found on the school transport appeals webpage: <https://www.eastsussex.gov.uk/educationandlearning/schools/transport/free/school-transport-appeals/>

## 10. Ongoing provision of travel assistance

- 10.1. Travel assistance provided will be reviewed annually.
- 10.2. A new application must be made if the young person moves house or other circumstances change.

## 11. Other travel assistance available if application declined

- 11.1. Where it is decided that travel assistance will not be provided by the Council, the parent/carer may consider applying for one of the following:
  - Mileage allowance
  - Vacant seat schemeBoth can be requested via our website at: [www.eastsussex.gov.uk/SENDtravel](http://www.eastsussex.gov.uk/SENDtravel)
- 11.2. Mileage allowance: This scheme is available to low income parents/carers who have to travel long distances (over 10 miles) to transport a student to the college indicated in their EHCP. The mileage allowance given will be 25p per mile for one return journey per day for the miles beyond the first 10 mile of the journey from home. For example, where the distance from home to college is 15 miles, the allowance given will be calculated as 2 journeys x 5 miles x 25p. Proof of attendance will be sought from the school/college. The following criteria must apply for claims for mileage allowance to be considered:
  - The family qualifies as low income using the same criteria for free schools eligibility. Further information can be found at: <https://www.eastsussex.gov.uk/educationandlearning/schools/school-life/meals/free/>

- The student is attending the college named in their EHC Plan
  - The journey exceeds 10 miles between home and college.
- 11.3. Vacant seat scheme: For some routes to schools/colleges it is possible to apply to pay for a seat on a vehicle. The charge is currently £930 per year paid termly (reviewed annually). It may be necessary for the parent/carer to take the child to an existing stop. If a change is made to the shared route which means that the cost of the vacant seat increases, this increase may be passed onto the parent/carer, or the offer of the vacant seat withdrawn. We will have to withdraw the vacant seat offer if we need the seat for a child who qualifies for free transport or if we no longer have any children on the route that qualify for free transport. The Council will give as much notice as possible however the minimum notice given will be one week.

## 12. Further notes about this policy

- 12.1. If East Sussex County Council makes any change to this policy which is assessed as likely to have an impact on current and prospective students, the Council will inform the immediately affected families at the earliest opportunity. Such changes may include, but are not limited to, changes required by the impact of further cost saving requirements placed upon the Council and further limitations on this discretionary support.
- 12.2. This policy can be found online at: <http://www.eastsussex.gov.uk/schooltransport>
- 12.3. The annual ESCC 16-19 Transport Statement, which includes details of concessionary fares, discounts, subsidies, passes or travel cards and college contact details for 16-19 year old students can be found on the Connections 360 webpages: <https://www.c360.org.uk/travel/extra-help>.