

Decision to be taken by the Portfolio Holder – Education and Learning on or After 18 December 2015

Consultation on Post 16 Transport Policy Statement

Recommendation

That the Portfolio Holder approves a consultation exercise into the Council's Post 16 Transport Policy Statement.

1.0 Key Issues

1.1 Local authorities have a duty to prepare and publish an annual Transport Policy Statement. This needs to specify the arrangements for the provision of transport or otherwise that the authority considers necessary to facilitate the attendance of all persons of sixth form age receiving education or training. The statement also needs to specify the arrangements considered necessary for young people aged 19-24 with learning difficulties and / or disabilities.

1.2 The overall intention of Warwickshire's policy is to:

- ensure that all students of sixth form age (and those up to the age of 25 with special educational needs) are able to access the education and training of their choice;
- ensure that if support for access is required, this will be assessed and where necessary, provided;
- ensure equality of transport provision for those attending schools, colleges and other training providers.

2.0 Options and Proposal

2.1 For the 2016/17 academic year, Warwickshire has produced a single Transport Policy Statement which covers all students aged 16-25. This can be found at Appendix A.

3.0 Timescales associated with the decision and next steps

3.1 If the Portfolio Holder is happy with the proposed Transport Policy Statement then a consultation exercise would take place between 11 January 2016 and midnight on 26 February 2016.

3.2 The following parties would be consulted with:

- any other local authority considered appropriate;
- governing bodies of institutions within the further education sector in the authority's area;

- proprietors of 16 to 19 Academies in the authority's area;
- persons (i.e. the children/young adults) in the area who will be/might be affected when the arrangements have effect, and their parents;
- the Secretary of State;
- any other person specified by the Secretary of State

3.3 Details of the consultation will be available on the Warwickshire County Council website and sent to neighbouring authorities and the Secretary of State. Schools and colleges in the area will also be sent copies and they will be asked to alert students and parents to the consultation.

3.4 Cabinet would then be asked to consider any responses to the consultation and to approve the Transport Policy Statement at their meeting on 14 April 2016.

3.5 The Transport Policy Statement would then be published on the Council's website ahead of the statutory deadline of 31 May 2016.

Background papers

None

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Warwickshire County Council

Transport Policy Statement for Learners Aged 16-19 (16-25 for Students with Learning Difficulties and / or Disabilities (LDD) or Special Educational Needs (SEN)

2016/17

Introduction

Local authorities have a duty to prepare and publish an annual Transport Policy Statement. This needs to specify the arrangements for the provision of transport or otherwise that the authority considers necessary to facilitate the attendance of all persons of sixth form age receiving education or training.

As a result of the Apprenticeships, Skills, Children and Learning Act 2009, Local Authorities are also required to publish a Transport Policy Statement for young people aged 19-24 with learning difficulties and / or disabilities.

For the 2016/17 academic year, Warwickshire has produced a single Transport Policy Statement which covers all students aged 16-25.

The overall intention of Warwickshire's policy is to:

- ensure that all students of sixth form age (and those up to the age of 25 with special educational needs) are able to access the education and training of their choice;
- ensure that if support for access is required, this will be assessed and where necessary, provided;
- ensure equality of transport provision for those attending schools, colleges and other training providers.

The arrangements outlined in this document apply to students of sixth form age who are engaged in learning or training at:

- a school (including Academies and Studio Schools);
- a further education institution or independent training provider;
- an Authority maintained or assisted institution providing higher or further education;
- an establishment funded directly by the EFA e.g. Independent Specialist Providers for students with learning difficulties and/or disabilities;

The aim of this document is to inform students and their parents of the support with transport available. This includes the assistance available from the Local Authority and other bodies such as learning providers and commercial operators. It reflects the position at the time of publication and every effort will be made to update the document throughout the academic year. Parents / students should consult the Warwickshire County Council or other relevant website for the most up to date information.

Legislative Requirements

Local Authorities have discretion to determine what transport and support is necessary to facilitate young people's participation in education and training. This power to provide transport or financial support must be exercised reasonably and lawfully.

In determining what transport and support to provide, local authorities must have regard to the following:

- the needs of those for whom it would not be reasonably practicable to attend a particular establishment to receive education or training if no arrangements were made;
- the need to secure that persons in the area have reasonable opportunities to choose between different establishments at which education and training is provided;
- distance from the students home to establishments of education and training;
- journey time to access different establishments;
- the cost of transport to the establishment in question;
- alternative means of facilitating attendance at establishments.

Local authorities also have the discretion to provide transport without charge to families where considered appropriate.

Previous Consultations

As a result of the Apprenticeships, Skills, Children and Learning Act 2009, local authorities are required to consult widely when changing their transport arrangements. A full consultation exercise into the support with transport for students aged 16-25 took place early in 2011.

A further consultation into a number of aspects of the Council's home to school / college transport policy took place between June and September 2015.

Details of the consultation were widely distributed and the following received details of the consultation.

- all Warwickshire schools;
- the parents of all students currently receiving transport potentially affected by the proposals;
- all Warwickshire County Councillors;
- local Members of Parliament;
- Warwickshire Further Education / Sixth Form Colleges;
- relevant documents were also made available on the County Council website;

Following consultation Cabinet agreed to a number of changes with the following affecting students aged 16-25 with LDD or SEN:

- That from September 2016 the charges associated with the Council's Post 16 Transport scheme increases from £660 to £750 (an increase of twenty three pence per single passenger journey).
- That the fifty percent discount for low-income families currently available under the Council's Post 16 Transport scheme is retained.

- That the charges associated with the Council's Post 16 Transport scheme increase each year based on the Council's annual income inflation rate.

Consultation on this document

Comments on this Transport Policy Statement are invited between 11 January 2016 and midnight on 26 February 2016. During the consultation period it will be available on the Warwickshire County Council website to view and will be shared with neighbouring local authorities, Council teams, schools within Warwickshire, and other parties as required.

Any comments should be sent to educationtransport@warwickshire.gov.uk or can be posted to Education Transport, Warwickshire County Council, Saltisford Office Park, Ansell Way, Warwick, CV34 4UL

Support available

Full-time students aged 16-19 attending a school sixth form, college, or other training provider.

Where an appropriate Warwickshire County Council service operates and places are available, a payment of £750 allows travel for one return journey per day. Distance from home to school / college and the establishment attended are irrelevant. The charge is halved to £375 if the student is from a low-income family (see below for definition). Parents / students should apply directly to Warwickshire County Council. Full details of the application process can be found on the Warwickshire County Council website or can be obtained by calling Education Transport (contact details can be found at the end of this document).

Travel Allowances

Warwickshire is well-served by a comprehensive transport network. However, in order to help achieve the wider savings Warwickshire County Council are required to make, a number of vehicles have been removed from the school transport network. While commercial operators are being encouraged to offer alternative services, where no suitable Warwickshire County Council or public transport operates, an annual travel allowance of £110 (or £220 if the student is from a low-income family) is available. In order to qualify, students need to be attending the nearest school sixth form, college, or other training provider to home which offers the course studied, and the distance from home to the nearest bus-stop / pick-up point needs to be more than two miles. Students are free to spend the allowance in whatever way best meets their transport needs, but sustainable solutions such as cycle purchase / training are encouraged.

Full-time students aged 16-19 with Statements of Special Educational Needs (or an Education Health Care Plan)

A payment of £750 is required for students entering Year 12 or Year 13 and appropriate transport will be provided. Students will need to have a journey from home to school / college, which, given consideration of the student's special needs, they would be unable to travel to the establishment unless transport was provided. The school / college attended must be the nearest suitable school as determined by the Special Educational Needs and Disability Assessment and Review (SENDAR) team. The charge will be halved to £375 if the student is from a low-income family. Where no suitable transport operates, travel allowances will be available based on two return journeys per day and calculated at a rate of twenty five pence per mile. There will be no parental contribution deducted from the travel allowance.

Full-time students aged 16-25 with Learning Difficulties and / or Disabilities or Special Educational Needs (who no longer have a Statement of Special Educational Needs or an Education Health Care Plan).

In return for a payment of £750 appropriate transport will be provided. Students will need to have a journey from home to college, or training provider, which, given consideration of their special needs, they would be unable to travel to the establishment unless transport was provided. The charge will be halved to £375 if the student is from a low-income family. Where no suitable transport operates, travel allowances will be available based on two return journeys per day and calculated at a rate of twenty five pence per mile. There will be no parental contribution deducted from the travel allowance.

Payments options

All students travelling on Warwickshire County Council services are able to pay in three instalments. The charge of £750 can be made by two instalments of £280 (Autumn and Spring Terms) and one of £190 (Summer Term). The charge of £375 payable by students from a low-income family can be made by two instalments of £140 (Autumn and Spring Terms) and one of £95 (Summer Term).

Payment by Standing Order is also available to those students / parents purchasing an annual pass. An initial payment of £93.75 is required followed by seven equal monthly payments. For students from a low-income family the payments are halved to £46.87.

Low-income families

Students are aged 16 and over (Year 12 and above) will be considered to be from a low-income family if they fall into any of the categories below. They will therefore qualify for the reduced charge where a suitable Warwickshire County Council service is available, or the higher rate travel allowance of £220 if they meet the relevant criteria.

- Families in receipt of Income Support.
- Families in receipt of Income Based Jobseekers Allowance.
- Families who receive Child Tax Credit and have an annual income below the relevant threshold.
- Families who receive Employment and Support Allowance (Income related).
- Families who receive The Guarantee Element of State Pension Credit.
- Families who receive support under Part VI of the Immigration and Asylum Act.
- Families in receipt of the maximum level of Working Tax Credit.

This section of the statement will be amended as necessary given the advent of Universal Credit.

Full-time courses.

Students attending courses consisting of at least 600 planned learning hours per year will be considered to be full-time. This is in line with the relevant legislation, and the fact that many students, particularly those with SEN / LDD, now study flexible programmes.

Support with transport from other providers.

As part of their Post 16 Transport Statement, Local Authorities are required to set out the support with transport proposed to be made by the governing bodies of schools and further education colleges.

Many schools in Warwickshire are Academies, and the government replaced the Education Maintenance Allowance (EMA) with a new 16-19 bursary fund in September 2011. This is available to schools and colleges and can be used to provide support with transport. The aim is that the funding is targeted at those students with the greatest financial need and providers will be responsible for setting their own eligibility criteria.

The websites of many schools and colleges provide comprehensive information on the various transport options available. Many Further Education Colleges also operate their own transport. As schools and colleges are still finalising details of the support they will offer during 2016/17, students or their parents are advised to contact providers directly for details of the support available.

Raising the participation age (RPA)

From summer 2015 young people in England must continue in education or training until their 18th birthday. Raising the Participation Age (RPA) does not mean that young people must stay in school and they will be able to participate through three options.

- Full-time education – whether at a school, college or otherwise.
- Work based learning such as an Apprenticeship.
- Part-time education or training if they are employed, self-employed or volunteering for more than 20 hours a week.

RPA does not mean young people will be entitled to free transport. Support is available as set out in this document and Warwickshire is also well-served by an integrated public transport network.

Commercial operators.

Warwickshire has a comprehensive public service network. Many operators provide services which are competitively priced and are often more flexible than Warwickshire County Council services. Contact details of the main operators can be found at the end of this document. Transport Operations can normally provide details of the most appropriate sources available.

Where a student's journey means they may need to travel on a commercial service, and a Warwickshire County Council Service, students should normally apply to Warwickshire County Council.

Out of County Transport

Warwickshire's school / college transport links to the public transport network in Warwickshire and other authorities. This helps ensure students can travel to institutions located outside of the county.

Appeals Process

A parent or student who applies for free or assisted home to school transport under this policy, and who is refused any such assistance, also has the right of appeal.

Local authorities have the discretion to provide transport without charge to families where considered appropriate. Warwickshire County Council will consider any such request on a case by case basis. All information provided will be considered and the Council will ensure it complies with all relevant legislation and duties including the Equality Act 2010 (as amended).

In the first instance, parents wishing to submit an appeal, should do so in writing to the Education Transport Manager, who may seek advice from the Principal Officer for Pupil and Student Services. Consideration will be given to the views of the parents / carer, the student, and those of Headteachers, and other appropriate professionals / agencies. We aim to provide a response within ten working days.

If the initial appeal is unsuccessful, parents have the right to make a final appeal to the Lead Officer for Pupil and Student Services, who will reconsider the available information and will seek advice from the Head of Service (or other Senior Officer) / Senior Elected Members. We aim to provide a response within ten working days.

If an appeal for transport is successful, and a decision is taken to provide transport as an exception to the home to school transport policy, the decision will only apply to the student in question. Transport applications for siblings, or any existing transport arrangements for siblings will be assessed in line with the relevant sections of this policy.

Complaints Process

Warwickshire County Council also has a corporate complaints process and full details can be found on the following page.

<https://www.warwickshire.gov.uk/complaints>

The complaints process should be used if you are unhappy with the way your application has been dealt with (such as a delay in handling your application) rather than the decision not to provide free transport (which should be dealt with via the complaints process).

The final stage of the complaints process is the Local Government Ombudsman (LGO) but this does not affect your right to contact the LGO at any time.

Contact details

General queries regarding policy and applications, including applications for students aged 16-25 with learning difficulties and / or disabilities or special educational needs attending colleges.

Education Transport, People Group, Saltisford Office Park, Ansell Way, Warwick CV34 4UL.

Telephone: 01926 412929 (Option 1, Option 1)

<http://www.warwickshire.gov.uk/schooltransport>

Email: educationtransport@warwickshire.gov.uk

Assistance for students aged 16-19 with learning difficulties and / or disabilities or special educational needs attending schools.

Special Educational Needs and Disability Assessment and Review (SENDAR), Saltisford Office Park, Ansell Way, Warwick CV34 4UL.

Telephone: 01926 742359

Email: sendtravelapplications@warwickshire.gov.uk

Queries regarding routes and the payment of travel allowances.

Transport Operations Group, Department of Planning, Transport and Economic Strategy, PO Box 43, Shire Hall, Warwick CV34 4SX

Telephone: 01926 412929 (Option 1, Option 2) for information on routes and the payment of Travel Allowances

Email: busservices@warwickshire.gov.uk

Further Education and Sixth Form Colleges in Warwickshire

North Warwickshire and Hinckley College - 024 7624 3366

<http://www.nwhc.ac.uk> customerservices@nwhc.ac.uk

Warwickshire College - 0300 45 600 47

<http://www.warwickshire.ac.uk/> info@warkscol.ac.uk

Stratford College - 01789 266245

<http://www.stratford.ac.uk/Home.aspx> college@stratford.ac.uk

King Edward VI College - 024 7632 8232

<http://www.kinged6nun.ac.uk/> enquiries@kinged6nun.ac.uk

Commercial Operators

Stagecoach — 0845 600 1314

<http://www.stagecoachbus.com/>

Arriva — 0844 800 4411

<http://www.arrivabus.co.uk/>

National Express West Midlands (formerly Travel West Midlands) – 0121 254 6363

<http://nxbus.co.uk/west-midlands/>