

Travel assistance for children and young people
with an education health and care plan / statement of
special educational needs

Age group: 16-25

January 2016



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1. Qualifying for SEND travel assistance

Many young people who have a statement of special educational needs (SSEN) or an education, health and care plan (EHCP) are able to travel independently using public transport. Those that can are expected to take advantage of existing schemes:

- **Surrey student fare card** - reduced rate travel to the education provider for young people aged 16-18. For more information and to apply online go to www.surreycc.gov.uk/studentfarecards
- **Disabled persons bus pass** - travel anywhere in Surrey, at any time, for free. If you have difficulty travelling you could be entitled to travel with a companion. Go to www.surreycc.gov.uk/freebuspass for information on eligibility and how to apply.

However, we recognise that some young people with specific needs will require more support, often for an agreed period of time. Some young people with special educational needs and disabilities (SEND) may not be able to walk or travel by public transport to their education provider because of their particular needs or lack of accessibility.

A young person's individual needs will determine the support they are given and evidence will be taken from a range of professionals and from parents or carers.

Where relevant, a risk assessment will be carried out before the young person begins travelling to make sure that the transport provided meets their needs. These will include a detailed breakdown of the young person's needs, detailing how they will be kept safe while travelling. This will include whether an escort will be required and any medical protocols that may be needed.

We will ensure that young people are assessed on an individual basis and any decision will be based on individual needs.

We will consider applications for travel assistance to an education provider from a young person in receipt of a SSEN or an EHCP.

We accept responsibility for travel arrangements between the young person's main residence and the nearest appropriate education provider. Where young people have more than one address, travel assistance to the education provider will be based on the residence where the young person habitually resides.

Factors taken into consideration include:

- statutory walking distance
- whether a child or a young person is in receipt of the 16 to 19 guaranteed bursary
- whether a child or young person's family are in receipt of the maximum working tax credit and / or meet the eligibility criteria for free school meals.

Evidence of the disability and / or learning difficulty and why it would cause the student to incur extra costs must be provided from a GP and / or a consultant.

We appreciate that many families will make their own arrangements to get their young person to the education provider rather than requesting a taxi. We also encourage parents and carers to work with the local authority to enable their young person with SEND to travel independently if and when appropriate.

This policy relates to young people who are:

- a) resident in Surrey County
- b) continue to hold a EHCP / SSEN
- c) under 25 years of age on 31st August prior to when they start their course
- d) attending a qualifying education provider
- e) attending the nearest appropriate education provider unless agreed otherwise and stipulated within the EHCP
- f) attending a full-time, non-advanced, publicly funded course of at least one academic year duration (a full time student is one enrolled on a programme of at least 540 study hours
- g) not in receipt of help towards their travel costs from any other source (with the exception of Surrey's Student Fare Card)
- h) attending an education provider that is more than three miles walking distance from the home, unless the young person's disability impacts on their ability to walk safely a journey of a lesser distance safely.

1.1 Young people in residential educational provision

Where young people are placed in a residential education provider, Surrey County Council will provide one return journey at the start and end of the placement timeframe eg 52 weeks, termly, other as agreed in the EHCP / SSEN. Travel assistance will not normally be provided for any other visits to the education provider, or if the parent / carer chooses to take their young person home for any reason.

1.2 Young people aged 19-25 with social care needs

For those young people aged 19-25, eligible for a social care package and in need of travel assistance in order to access their education provider Surrey County Council's transition team may provide support to access appropriate transport, wherever possible and appropriate.

For more information families are advised to speak to their allocated worker or alternatively contact the duty officer on 01276 800270.

1.3 A young person who has identified high needs but no EHCP

A young person who has retained a learning difficulties assessment (LDA), where their high needs may impact on their ability to travel independently, is able to access support from the Post 16 mainstream policy.

What other guidance underpins does this policy document?

Surrey County Council must have regard to the latest statutory guidance when carrying out their responsibilities in relation to transport arrangements for children and young people. It is in this context that the council is updating its policy:

Post-16 transport to education and training: statutory guidance for local authorities February 2014
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/277016/Post-16_Transport_Guidance.pdf

Home to school travel and transport guidance: statutory guidance for local authorities July 2014
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/445407/Home_to_School_Travel_and_Transport_Guidance.pdf

This is statutory guidance from the Department for Education. A local authority must have regard to it when exercising its functions relating to the participation of young people in education or training.

Participation of young people in education, employment or training
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/349300/Participation_of_Young_People_Statutory_Guidance.pdf

Surrey County Council has an existing mainstream policy that sets out the transport support that is available from Surrey County Council for students aged 16 to 19 who live in Surrey and who attend school or college.

Home to School / College Transport Policy for Surrey students of sixth form age – 2015 / 2016
May 2015
http://www.surreycc.gov.uk/_data/assets/pdf_file/0010/4213/Transport-Policy-and-form-Post-16-15-16-V2.pdf

2. Transport provision

We will assess the type of travel provision to be offered using the following criteria:

- a) age and maturity of the young person
- b) the disability and / or the special educational needs the young person may have
- c) ability and aptitude of the young person
- d) the type of vehicle the young person is travelling on
- e) the length of the journey
- f) nature of the possible routes from home to education provider, particularly in relation to safety
- g) whether the young person is able to walk safely the distance involved
- h) whether the young person needs to be accompanied and whether it is possible for the young person to be accompanied.

When considering the offer of travel assistance: we are **not** normally able to take the following into account:

- parents / carers work or other commitments
- attendance by siblings at other education providers
- a work experience placement
- an address other than the home address, including childminders
- a journey from one educational establishment to another
- ad hoc visits to other education providers
- short break provision / respite care
- out of hours clubs (eg breakfast, after school activity)
- link courses
- any educational provision planned over weekends or bank holidays
- collection from education provider due to illness
- parental attendance at meetings
- part-time timetables or to meet examination timetables

When considering any application for travel assistance we will consider existing transport provision.

2.1 Travel allowance

Where a young person is unable to travel using public transport and is considered eligible for travel assistance, we encourage parents / carers to opt to transport their young person personally because a travel allowance offers more flexibility for parents / carers.

In these circumstances, a young person will be expected to make a contribution towards their travel costs. A travel allowance will be offered based on the home to education provider journey, less the young person's contribution. If this is the preferred option, your SEND case worker can advise on mileage rate and the process for claiming.

If this option is chosen, we implement the following procedure:

- a) Re-imburement can only be authorised where it is the most cost effective method of providing travel assistance. Surrey County Council reserves the right to cease this arrangement at any time if they are able to procure the transport at a lower cost.

- b) Any claim for re-imbusement is subject to the young person meeting qualifying criteria, and continuing to meet eligibility criteria, particularly when a young person changes education provider or the parents / carers move house.
- c) Parents / carers are only reimbursed for journeys between home and the education provider at the start and end of each day, unless the young person is in residential accommodation, in which case reimbursement will be in line with the young person's EHCP / SEN. A digital mapping system is used to measure the shortest available route by road to the nearest education provider entrance.
- d) Parents / carers are responsible for ensuring that their current motor insurance is appropriate for this use.
- e) Claim forms will be monitored to ensure that parents only claim for days when young people are in attendance at their education provider.
- f) If parents / carers are unable to temporarily transport due to unavailability of appropriate transport, alternative arrangements must be made by the young person / parent / carer as we would be unable to provide transport at short notice for short periods of time.
- g) If young person's / parents / carer's transport becomes permanently unavailable, a new application for alternative travel assistance will need to be made via the young person's SEND case worker.

2.2 Contract coach or other contract vehicle

Where a young person is unable to travel on public transport as a result of their disability or condition they will be expected to make a contribution towards their travel costs. Travel assistance will only be agreed for costs incurred at the start and end of the education provider day. Where existing transport provision is available at the start and end of the education provider day, additional journeys will not be provided at alternative times to cater for young people's individual timetables.

If there is a seat on a contract coach or other contract vehicle travelling to the education provider and the young person take up this place they will normally be invoiced termly in advance. More frequent invoice arrangements will be considered in cases of hardship.

Alternatively a taxi may be provided to take the young person from home to the education provider but the young person will be invoiced for their contribution termly in advance.

2.3 Students unable to use a student fare card or disabled persons bus pass

As for all young people, where a young person is able to travel on public transport but is unable to use the student fare card or disabled persons bus pass to get to the education provider they will be expected to make a contribution towards their travel costs.

If the young person travels on alternative public transport routes the amount to be reimbursed will be the equivalent cost when travelling by the lowest equivalent public transport rate, less the specified contribution. Costs will be reimbursed at the end of each term on receipt of a claim form accompanied by receipts for tickets purchased and confirmation of attendance at the education provider.

3. Additional information on qualifying for travel assistance

3.1 Distances will be measured as follow:

- a) Where eligibility is assessed according to a home to education provider distance of more than 3 miles, the distance will be measured by the shortest available safe walking route following recognised public footpaths.
- b) Assistance will not normally be awarded if a house move results in the prescribed distance being breached. However, special considerations may be given as a result of an enforced council move. Evidence of an enforced permanent or temporary council move must be provided.

3.2 Young people must be attending a qualifying education provider. Qualifying education provider must be educationally appropriate to the age, ability and aptitude of the young person, and any special educational needs that the young person may have, as outlined in the SEND Code of Practice (2014). These may be one of:

- a publicly funded school (including an academy)
- a publicly funded further education institution
- a local authority maintained or assisted institution providing further education
- an establishment in direct receipt of government funding, for example independent specialist providers for learners with learning difficulties and / or disabilities
- a learning provider that is funded by the local authority to deliver accredited programmes of learning which lead to a positive outcome (this could include colleges, charities and private learning providers).

3.3 Where a parent / carer / young person expresses a preference for an education provider further away than that which is considered to be the closest, most appropriate provider and this is agreed within the EHCP, transport assistance will not normally be offered to that education provider unless otherwise stated.

3.4 Where parents / carers consider exceptional needs apply, they are asked to complete a home to education provider transport – exceptional needs form (available from the SEND case worker). If we agree travel assistance based on exceptional need or means testing, the decision will be reviewed termly. Parents / carers are expected to provide updated benefits information when requested, if not provided we reserve the right to withdraw the travel assistance.

3.5 Once eligibility has been confirmed, young people will be assumed to be eligible for the remainder of the academic year (September to July). It is the parents / carers / young person's responsibility to inform the SEND case worker if a young person has a change of circumstances at any time that might affect the eligibility for travel assistance, such as a change of address, course, institution, or the young person leaving the education provider. The SEND case worker must be notified immediately in writing. The young person's eligibility will be reassessed where there is still a need for travel assistance.

3.6 If a young person moves out of the administrative area of Surrey County Council, they will have their transport assistance withdrawn. Responsibility for travel will rest with the local authority in whose area the young person has moved to.

3.7 Assistance with travel will normally only be agreed for the minimum time required to complete the course. Unless there are extenuating circumstances Surrey County Council would not expect to assist with repeat years. However an application form must be completed for each year of the course and support will not be renewed automatically.

3.8 No reimbursement of travel costs incurred prior to an application will be made.

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4. Medical conditions

4.1 Young person medical conditions

Travel assistance may be provided within the minimum walking distance if written evidence from an appropriate medical professional (eg hospital consultant, CAMHS consultant, GP) is received which states that the young person is unable to walk safely to the education provider.

The final decision remains with Surrey County Council

4.2 Parent / carers medical conditions

Travel assistance may be provided within the minimum walking distance where appropriate written evidence is provided from an appropriate professional confirming that the young person requires accompaniment and written evidence from a Hospital Consultant confirming that the parent / carer is unable to accompany the young person to the education provider.

The final decision remains with Surrey County Council

Travel assistance provided on medical grounds will be reviewed regularly. Temporary medical conditions will be reviewed every half term, dependent on medical advice. Longer-term medical conditions will be reviewed annually.

5. Travel arrangements

5.1 Independent travel

Education providers are expected to provide the necessary support to develop the young person's ability to access and use independent travel. This will be related to their preparation for adulthood. Progress in this aspect will be reviewed as part of the annual review for the young person's SEN / EHCP.

Education providers will be also expected to work with the young person in line with the risk assessment prior to any changes being made to arrangements. Any requests for solo transport or other changes must be supported by a risk assessment.

5.2 Provision of escorts

An escort is not routinely provided. However, an escort may be provided for the route or the individual young person where a young person has significant health or behavioural requirements shown by a risk assessment.

5.3 Journey times

Home to education provider transport will be arranged so as to be as non-stressful as possible. In normal circumstances, the journey time will be no more than 1 hour and 15 minutes, complying with the best practice guidelines and subject to individual needs. In some circumstances it may be necessary to increase this timeframe where specialist placements are concerned. Journeys to and from education providers outside of Surrey's borders, or for those young people placed some distance from their home, may also, by definition, exceed the standard maximum times.

5.4 Pick-up and drop-off points

Where appropriate, parents / carers may be expected to take the young person to / from a pick-up / drop-off point.

5.5 Review of travel arrangements

We reserve the right to review the travel arrangements in circumstances where:

- a young person or their parents / carers repeatedly fail to inform the transport coordination centre (TCC) and the young person's transport provider that the transport is not required as a result of the young person's illness before it arrives at the home address, or
- a young person suddenly decides not to travel in transport which has arrived on any given day (without any prior notice having been given to the transport company), where the refusal is not related to their SEND.

If it is necessary to withdraw the travel arrangements for a period, the young person / parent / carer will be responsible for their travel arrangements.

5.6 Additional journeys

Transport providers are allowed to make agreed journeys from home to the education provider and from the education provider to home only. No additional journeys can be made under the terms of the 16-25 SEND travel assistance policy. Surrey County Council will not make any payments to transport providers for any additional journeys, and they must be invoiced directly to the education provider or parent / young person, depending on who arranged the journey.

Any additional journeys which are deemed to be home to education provider transport must be authorised by the area special educational needs manager (school), SEND post 16 area lead (college/training provider), in advance of the journey taking place. Surrey County Council will not guarantee payment to transport providers for any additional unauthorised journeys.

Where a young person is based full-time at an education provider but visits another for inclusion purposes, the education provider where the young person is usually based will be responsible for arrangements and paying for transport. If the Surrey County Council transport provider is used, they will invoice the education provider directly for any such changes.

5.7 Extreme weather

On rare occasions, severe weather may impact on Surrey County Council's ability to provide travel assistance safely. In such circumstances, the safety and wellbeing of the young people and transport providers remains our key priority. Where severe weather results in the requirement to cancel transportation, the transport co-ordination centre / transport provider will always notify parents / carers / young people at the earliest point to avoid unnecessary disruption.

If transport is cancelled due to extreme weather, the following is applicable:

- a) Where a route is cancelled and a parent / carer takes the decision to transport their young person themselves, the parent / carer remains responsible for the return journey or any subsequent costs should a return journey not be possible
- b) If a young person is unable to attend their education provider due to severe weather, the parent / carer remains responsible for their young person.

6. Financial support 16-19

Surrey County Council offer financial support in the following circumstances of young people.

- those who are in receipt of the 16-19 guaranteed bursary
- those whose families are in receipt of the maximum working tax credit or who meet the eligibility for free school meals
- those who are unable to use the student fare card because their sixth form or college is not on a public transport route for which the student fare card applies or if they cannot reasonably access such a route from their home address who have a disability and / or have learning difficulties and / or who are medically ill and who will incur extra transport costs to travel to school / college as a result of that disability or condition.

To note: Financial assistance from the 16-19 bursary fund is subject to an assessment of financial circumstances of the learner's family. Places on coaches, where provided by colleges, will be subject to charges at rates determined by the colleges.

7. Appeals procedure

Where the decision has been made that a young person is not eligible for travel assistance, or where a change in transport arrangements have been made and notified, or where transport has not been agreed on exceptional grounds, parents / carers may ask for the decision to be reconsidered to include any exceptional circumstances they wish to put forward. A form will be provided for this purpose as supplementary evidence may be requested.

The SEND case worker for the young person is responsible for collating the appeal case, in conjunction with the parents / carers at all stages of the appeal process.

Any decision resulting from an appeal will include the details for further appeal. All decisions will be in writing, no more than 10 working days after being made.

7.1 Stage 1 – review by an area special needs manager (ASNM) – school / SEND post 16 area lead – college/ training provider

The first stage of the appeal process is in writing to the relevant ASNM / SEND post 16 area lead. The written request should detail why the parent / carer / young person believes the decision should be reviewed and give details of any personal and/or family circumstances the parent / carer / young person believes should be considered when the decision is reviewed.

A parent has 20 working days from receipt of the local authorities travel assistance decision to make a written request asking for a review of the stage 1 decision

7.2 Stage 2 – SEN panel

If the decision remains unchanged, the parents/carers/young person can progress their appeal to stage 2 of the process.

A panel of professionals from the SEN service and partner agencies consider Stage 2 appeals.

The panel will consider the points of the case, alongside the decisions made at Stage 1.

7.3 Stage 3 – review by an independent appeal panel

Within 40 working days of receipt of the parents' request an independent appeal panel considers representations from both the parent / carer / young person and officers involved in the case and gives a detailed written notification of the outcome (within 5 working days), setting out:

- the nature of the decision reached;
- what factors were considered;
- the rationale for the decision reached; and
- information about the parent/carer/young person's right to put the matter to the local government ombudsman.

The independent appeal panel members should be independent of the original decision making process (but are not required to be independent of the local authority) and suitably experienced (at the discretion of the local authority).

What if I am not satisfied?

You can contact the Local Government Ombudsman (LGO) at any time; however, they will normally expect you to have completed all stages of the councils' complaints procedure before considering your complaint. Further advice is available on their website www.lgo.org.uk or on their advice line 0300 061 0614.

This is the final stage in the appeals process.

8. Review

The policy will be reviewed annually.

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