

Travel assistance policy for children and young people with an education, health and care plan (EHCP) consultation report

A. Background information

Surrey County Council (SCC) is updating its travel assistance policy for children and young people with an education, health and care plan (EHCP) or an existing special educational needs SEN (special educational needs) statement.

To be informed by as wide a range of views and evidence as possible, the council ran a public online consultation and received feedback from stakeholders.

The council consulted on the basis of two draft policy documents

- Draft pre 16 travel assistance policy document
- Draft 16 – 25 travel assistance policy document

For both age groups, the council received comments about document accessibility, and issues to do with the application of guidance.

Two significant policy changes were introduced in the draft policy documentation and the council also received specific comments about:

1. A proposed “travel allowance system” – the draft policy documents proposed that this would replace the existing system of “parental mileage”
2. The proposal to ask for a contribution for the travel of post-16 students with an EHCP / SSEN who attend schools (as things stand, post-16 students who attend college are asked to contribute and those who attend school are not)

Consultation sample size:

Approximately 50 directly affected stakeholders (i.e. parents / carers of children or young person with an EHCP / children young people with an EHCP) engaged in the issues presented in this consultation: 25 through the written consultation, and approximately 25 through events.

There are approximately 2,900 children or young people with an EHCP in Surrey.

By way of a sample size, we can estimate that the views of approximately 1.5% of affected families are cited in this report.

Though the sample size is small, we certainly see key themes emerge in terms of qualitative data. The data cited though is not sufficient to be able to do a formal statistical analysis about.

B. Consultation and engagement summary

1. Surrey Says consultation

Surrey County Council ran an online survey from 4 January 2016 to 28 March, 2016. This used the council’s online consultation portal “Surrey Says”.

The council received 44 responses.

Respondent type	Total	Total %
Parent	23	52%
Carer	1	2.5%
Teacher	5	11%
Officer	2	5%
Student	1	2.5%
Other	11	26%

Two of these responses were received by email and the rest were submitted through the Surrey Says portal.

Awareness raising

Surrey County Council publicised the consultation to stakeholders, using a number of different channels.

In line with statutory guidance, an email note with a link to the online consultation was sent to Surrey’s school phase councils (primary, secondary and special), officers from neighbouring local authorities, colleges, transport companies and authorities operating in the locality. The council also used internal channels to publicise the consultation to council staff.

The council also used a number of websites, bulletins, newsletters and social media channels to raise awareness of the consultation to external stakeholders. In particular the council sought the feedback of parents and carers of children and young people with an EHCP or a SSEN.

The table below outlines the various channels that were used to publicise the consultation. Where these channels were going to audiences that were likely to interact with the families of children and young people with SEND, it was requested that they share the link appropriately.

Channel	Audience	Description	How as the consultation presented?	Timings
Surrey Matters – newsletter	Surrey residents	Monthly subscription publication that goes to Surrey residents.	Short article with a link to the survey	February edition
SEND 2020 LinkedIn Page	Surrey families of children and young people with SEND	Monthly newsletter with updates on the SEND 2020 programme	Short article with a link to the survey	4 March 22 March
Issues Monitor	Surrey residents	Weekly subscription publication that goes to Surrey residents	Short article with a link to the survey	Week beginning - 4 January 15 February 22 February
Schools Bulletin	Surrey headteachers	Weekly publication that goes to all headteachers in Surrey.	Article with a link to the survey	Week beginning - 4 January 11 January 15 February 22 February 29 February
Parents Pages e-bulletin	Early years parents	Monthly subscription e-bulletin that goes to parents, grandparents and carers of 5 to 19 year olds (up to 25 years old for young people with a disability or special educational need).	Article with a link to the survey	February edition
Way Ahead	Weekly	Early years practitioners, playworkers, home-based childcarers and Sure Start Children's Centres staff in Surrey.	Article with a link to the survey	Week beginning 7 March
Family Voice Surrey social media, newsletter	Families of children and young people with SEND	Family Voice Surrey is the parent carer forum which represents parent views concerning implementation	Short post on Facebook with link Article in the newsletter with link	At consultation launch and consultation close

		of SEND reforms.		
Surrey County Council website and district and borough websites	Surrey residents	Council websites	Article on websites with consultation link	Upon launch
Surrey Downs CCG website	Health professionals	CCG website	Article on website with consultation link	Upon launch
Surrey Heath Facebook Page	Health professionals	Facebook Feed	Post on Facebook with consultation link	Upon launch
Healthwatch Surrey website	Surrey residents and health professionals	This is a forum for health and social care leaders in Surrey.	Article on websites with consultation link	Upon launch
Short Breaks Facebook	Families of children and young people with a disability	This is a Facebook account set up for children and young people with disabilities and their families.	Post on Facebook with consultation link	Upon launch
Communicate ebuletin	Elected members	This is a weekly newsletter that goes to all of Surrey's elected members.	Short article with a link to the survey	Week beginning – 4 January 29 February
Local offer website	Families of children and young people with SEND	This is an online portal for the families of children and young people with SEND	Short article with a link to the survey	Upon launch
Surrey Community Action	Families of children and young people with SEND	Surrey Community Action is a countywide independent charity, which provides a range of services to help voluntary and community groups to help others.	Short article with a link to the survey	Upon launch

Upon launch of the consultation and re-launch, we also sent a communications pack about this consultation to both the Family Support Network in Spelthorne and the Special Needs Jungle, both local groups that work with local families on issues of SEND. We asked that they promote to their members and associates.

Consultation re-launch

On 24 February, as a result of some of the feedback that had been received to date, the Surrey Says consultation page was re-launched. A link to the survey and supporting text was re-sent to the various channels that were used to raise awareness of the consultation.

The aim of the re-launch was to make the consultation more accessible to parents and carers: none of the existing questions were changed but new questions were added and, to give a better overview of what the proposed travel allowance scheme would mean for parents in practice, a factsheet was uploaded. This gave two case studies which enabled respondents to see how the introduction of a travel allowance scheme would affect families financially.

Response rate

34 responses were received before the re-launch of the survey, and 8 responses were received after the re-launch.

Response rates for council surveys vary significantly; surveys that are technical in nature can have very low take up. However, other surveys to do with SEND services that the council has run in the past and used the same channels to promote have received significantly many more responses than this one. In all likelihood, the low response rate was a consequence of the technical nature of the survey and the requirement that, before submitting a survey response, respondents read two lengthy policy documents.

2. Parent carer forum

Family Voice Surrey is the council's recognised parent-carer forum. It was appointed by the Department for Education to represent the families of children and young people with SEND; and it receives funding from Surrey County Council in return for assistance in the implementation of SEND reforms.

In the preparatory stages of the consultation, Family Voice Surrey was involved in the drafting of the consultation documents and the design of the Surrey Says survey.

Family Voice passed on a response that came directly to them by email – though this has not been submitted through the Surrey Says portal, this was used as part of this consultation report.

Position statement

In response to the consultation, Family Voice Surrey provided the council with the following position statement:

1. Post 16 Changes to Charging Policy

This proposed change is one which appears fair at first reading. It is clear that there is an inequity in the current treatment of travel arrangements for young people with SEND where charging has been dependent solely on their educational setting. There are two potential ways in which the council could address this inequity: one is to extend charging for transport to all young people, whether they are based at a school with a sixth form or at a college or alternative provision, and the other is to extend free transport provision to all those who would be unable to get to school or college independently because of their Special Educational Needs/Disabilities. We feel that the consultation would have been more transparent, if the need to make savings where possible had been explicitly acknowledged as a goal and if the relative cost implications for both the council and for individual families of both possible courses of action had been set out clearly.

If members do opt to endorse the proposal to extend charging to all, it will be all the more important to explain clearly the impact of the proposed change for those young people with SEND who meet eligibility criteria for support with home to school transport to access their educational setting:

- Those most obviously affected will be those young people who are placed at schools with a sixth form, who until now have not asked to contribute to their travel costs. Their families will now face additional annual costs of up to £713.70 (based on a capped daily rate of £3.66 and a 39 week school year)*
- For those young people transitioning from school to college or alternative provision, this will also introduce a new additional cost (although the impact may be less for some as the college offer is often 3 or 4 days rather than the 5 days offered at schools with sixth form provision)*
- For those young people already in college or alternative provision and already impacted by the additional travel costs, there will be no change other than to raise awareness that they should be entitled to the same mitigation of their costs as other young people in school settings*

The Local Authority will need to make clear to families any proposals to mitigate the impact on young people with disabilities and their carers:

- the fact that any contribution will be capped at an agreed daily rate and how this daily rate has been set*
- the subsidies that will be made available to families with low income (whether the charge will be waived altogether or reduced and if reduced, how that rate will be set) and how 'low income' will be defined*

- *whether there will be any phasing in of any new charge whether there will be any recognition of the potentially greater costs faced by families of young people with SEND who make take longer to complete their education than their peers without SEND*

2. Parental Mileage

The proposed changes to the way that parental mileage is to be reimbursed should make the process much easier to manage for both families and for the LA. The amount owed will be worked out for the year in advance and paid straight into the parent's bank account without needing to make retrospective claims every month. Light touch monitoring will involve checking with the school that the child's attendance remains above 80%.

The appendix to the consultation includes two case studies which illustrate scenarios where families would be better off financially as a result of the proposed changes. Unfortunately the examples chosen do not make it clear that some families (those with journeys to school of longer than 10 miles and with relatively high attendance rate) will be worse off under the new proposal. It would be useful to know more detail of how many families would be worse off and the extent of the extra costs they would face as a result of the proposed changes.

We would also want to highlight that the proposal to pay for 2 single journeys at 45p per mile (previously described as 4 single journeys at 22.5 pence per mile) remains a point of contention. The rate of 45p per mile is only paid for the 2 legs of the journey where the child is in the car whereas the parent has to make two round trips – i.e. 4 single journeys – per day to take their child to school and bring them back home. Parents are therefore essentially being offered half the standard business mileage rate of 45p which may not cover their full costs (depending on the fuel efficiency of their car and other running costs).

In most cases it is much cheaper for the Local Authority to reimburse parental mileage than to pay a third party to transport the child to school by minibus or taxi. The option to take up parental mileage is more likely to become appealing to families, if they were reimbursed at a higher rate and if there was a financial incentive to compensate for the time involved in transporting children who live at some distance from their nearest suitable school. We would recommend that the Local Authority carry out some financial modelling to establish whether a more attractive offer to parents which still undercuts the payments made to taxi companies would lead to savings overall.

3. Clarity of the Policies

There are a number of issues within the current transport policies which may make them less accessible to young people and their families:

- *the length of the policies and degree of legalistic detail*

- *the apparent greater focus on restrictions and barriers to accessing the service rather than on ways to enable vulnerable young people to travel safely to school or college in order to access education*
- *potential ambiguity in some of the language used*
- *some apparent inconsistency with policy guidelines from central government*

There is also the need for clarity and consistency across the LA's policies and processes for transport to respite settings and transport to education settings.

The SEND Travel Review Group's proposal to produce an easy-read guide giving a top-level summary of eligibility criteria and processes should make it easier to understand what help is available but it will also be important to make sure that the more detailed policy documents are written as unambiguously and precisely as possible, as these will be the points of reference in deciding or pre-empting any disputes.

Conclusion and recommendations

We would recommend that the Local Authority continue to review the transport policy and commissioning and delivery of provision specific to young people with SEND. There is a tension which needs to be acknowledged between the scale of the savings which the council needs to make in response to cuts in funding from central government and the responsibility to provide appropriate services to the most vulnerable young people in the education and care system. However the need for radical change also creates an opportunity to design and commission services in a new way which is more responsive to users' needs and seeks out their engagement from the beginning of the process. By working together with young people and their families in this way, the challenges of delivering cost savings whilst also improving choice and quality of service become shared challenges, and there is a greater chance of success in creating a consistent and equitable service county-wide.

Local authorities may ask learners and their parents for a contribution to transport costs. We would expect local authorities to exercise their discretion in determining in what circumstances it is appropriate to ask for a contribution, but in exercising their discretion they should:

- ensure that any contribution is affordable for learners and their parents
- ensure that there are arrangements in place to support those families on low income
- take into account the likely duration of learning and ensure that transport policies do not adversely impact particular groups. For example, as young people with learning difficulties and/or disabilities are more likely to remain in education or training longer than their peers, any contribution sought from the families of young people with learning difficulties and/or disabilities would need to allow for the fact they may have to make a contribution over a longer period than the families of those with children who do not have a learning difficulty and/or disability.

List of concerns

Separate to the statement, Family Voice Surrey also drew up a list of concerns about the policies proposed in the consultation and they forwards these to the council – see below -

We would like to highlight the following concerns about the proposed policies for pre- and post-16 home-school/college transport for children and young people with SEND:

- *that the proposed policies do not appear to be compatible with the statutory guidance or with case law, particularly where they appear to disregard specified maximum travel times (see this info on the IPSEA website: <https://www.ipsea.org.uk/what-you-need-to-know/frequently-asked-questions-by-topic/home-to-school-or-college-transport-faqs/>)/
Also <http://www.ipsea.org.uk/file-manager/SENlaw/transport-guidance.pdf>*
- *that making allowance for transport provision for children with SEND who do not meet the distance criteria for all children is considered as making an exceptional arrangement, when it is likely to be the norm that a child with needs severe enough to warrant an EHC Plan or statement will need additional provision to get to school, regardless of distance*
- *that the description of the eligibility criteria is not sufficiently clear*
- *that the number of restrictions and caveats in the transport provision described will lead to a decreased offer for disabled children and young people*
- *that these changes should be consulted upon more widely to assess their likely effect on a vulnerable group as part of an equalities impact assessment*
- *that the tone of the policy documents is not very family-friendly*
- *that more significant savings could be made if a review of transport provision were made as a result of engagement with the relevant families, particularly if the use of personal budgets was explored in a more imaginative way.*

Family Voice workshop

On 20 January, Family Voice held a workshop which the families of children and young people with SEND in Surrey were invited to. The workshop was split in to two sessions, one in the morning and one in the evening; and there was a stand dedicated to the subject of SEND transport at each. 48 parents attended the event, and about half of them engaged on the subject of transport. Family Voice made notes of what was talked about. As many of the issues raised bear upon the consultation, Family Voice forwarded the council these notes, which have been inserted below.

The stand was attended by two council officers: Paul Downton (Platform Manager) and Tracey Coventry (Transport Co-Ordination Team Manager).

- *As a parent (2 kids with transport) it's not obvious who I should contact at the LA if there's a problem. Searching the CC website isn't clear... I've got lost many times.*

- *Pupils and students in SLD schools are being judged by distance criteria inappropriately when qualifying for transport. They are all children in need according to the law and qualify for the home school transport!*
- *Thank you, Tracy, for the information*
- *Notification lead times are too long! (x2)*
- *One company per school please!*
- *Different measures of success are needed for driver contracts.*
- *Linden Bridge – Driver training in the school setting.*
- *Who do I contact?*
- *Travel training. School and social group based training sessions? More social, less formal, cost effective!*
- *What if child is on reduced/flexible timetable?*
- *Unsuitable escorts, unable to deal with challenging behaviour. Complaints from driver. Allowing my child to undress (completely) in the taxi. Too long journey – dropping off at others on route – worse behaviour.*
- *When I have had an issue previously, I seemed to be pushed between case worker and transport team – not clear on who is responsible. Also had one lady who really helped (Anita!) compassion!*
- *Hughes transport is brilliant – especially Courtney! Can trust them completely.*
- *Warning RT? new drivers*
- *Make sure drivers know the route. They asked my child where to go on occasion, or not believed him when he's told them they are going the wrong way. Sat Nav's are NOT reliable for some post codes.*
- *Advice and guidance for travel assistance beyond school need.*

3. Meetings

To engage different stakeholders about the subject, the subject of home to school transport was discussed at a number of different meetings.

Education and Skills Board

SEND Transport Group

Consultation meeting, at the request of the Surrey Deaf Forum

Surrey Deaf Forum (SDF), an Independent Forum of deaf residents and workers in Surrey, requested a meeting with Surrey County Council to discuss the issue of home to school transport.

A meeting took place on 21 March 2016. Unfortunately no Surrey officer was able to be present who had a technical understanding of the two policy documents. Pamela Todd, who is leading a review in to the council's accessibility policies, attended the meeting on behalf of the council. She made a note of the meeting which gave a broad outline of what had been discussed.

There was one representative from children's services at Sight for Surrey, one member of the Deaf Forum and seven parents (all of students with visual impairment (VI) and / or hearing impairments (HI)).

Because this group of parents have children with sensory and / or physical needs the choice of where they can attend for school or college is restricted (as they need to be sure that the setting can meet needs) and so they sometimes have further to travel than a peer who can go to the nearest provider.

Could see a flexible benefit of the travel allowance system - Sept 16 start so for some young people this will be a new college, new environment, new journey etc. Once settled in and are confident could start to do some of journey home etc. If child/YP needs more support initially and this then reduced assume the new system with the equal payments over the year allows for this flexibility. Also flexibility for a young person who will need transport in the dark winter months because of visual condition, but be able to be more independent with travel when it is light.

Pamela also made note of questions about the consultation that the group wanted answers to. The group also requested an extension to the consultation deadline.

Sue Roch, Area Education Officer, came back with responses to the questions that had been asked. She agreed that they could have until 1 April to write a response.

C. Response analysis

Analysis is divided in to three themes:

1. Document accessibility
2. Travel allowance system
3. Charging post 16 year olds and removing the inequity of the current arrangement
4. Stastical significance of consultation

1. Document accessibility / content

Quantitative summary

From the Surrey Says portal, the council received the following quantitative data.

Pre -16:

57% of respondents agreed or strongly agreed that the pre-16 policy document was easy to understand

40% of respondents disagreed or strongly disagreed that the pre-16 policy document was easy to understand

3% did not answer

Post-16

54% of respondents agreed or strongly agreed that the post-16 policy document was easy to understand

35% of respondents disagreed or strongly disagreed that the post-16 policy document was easy to understand

11% did not answer

Qualitative summary

Significant numbers of respondents did not agree that the documents were easy to understand. In many instances respondents cite 'clarity and language used' as a concern.

One respondent commented:

"I have read the policy and whilst I find it relatively easy to digest and understand I do not feel that this would be the same for all parents. The use of acronyms and the their explanatory term is an improvement but I feel it also needs to be explained further. Perhaps using a key at the bottom of the document. i.e. TCC - Transport Co-ordination Centre, What is this, how do I contact them, where are they based etc etc. ASNM - Who is this, what relevance are they to me, how can they help etc etc - I know and understand these terms well and they do not phase me, but if I were a parent who was new to the system then I would potentially be completely baffled. I

feel statutory guidance should be laid out as a separate paragraph and not included within the body of the document - it would provide much more clarity. I also feel there needs to be more explanation of the 'transport Personal Budget' and the expectations around this."

It is also evident from some of the responses that parents and carers have misunderstood bits of the policy documents. This will be discussed further in the section on the proposed travel allowance system.

Some respondents commented that the documents were too broad in their scope: it was not easy to work out what the new guidelines meant in practice. As one respondent put it:

"It isn't easy to completely work out what is being said as covers too many variants discussing able young people with EHCP's / statements and then those who are not very able and not able to travel on public transport."

Some respondents cited apparent inconsistencies in the documents. For example, one respondent pointed out:

"There is a point in the Pre 16 policy 5.5 where the second bullet directly contradicts the statement in the 16-25 policy. I assume this is a typo but it needs to be highlighted. I believe it would be highly inappropriate to withdraw transport from a pupil who is refusing to get on it due to their complex autism and anxiety. It is suggested that transport would only be provided between home and school, and there is an implication that this would mean the transport would not take children to short break / respite care. This would have a massive impact upon parents who receive this service or hope to in the future. I am not sure respite would feel like respite if one had to drive for 2 hour round trips at rush hour times in the evening and morning!"

Three lengthy responses were received that gave a great deal of technical feedback about the policy documents in the context of statutory guidance. Two of these were received from council officers and one from the head of a school. All these respondents felt that significant work was needed to bring the documents in line with statutory guidance.

2.Travel allowance system

Quantitative summary

From the Surrey Says portal, the council received the following quantitative data.

26% agreed that travel allowance system offers greater flexibility
60% disagreed that travel allowance system offers greater flexibility
14% did not answer.

Summary

Though the travel allowance system is designed to afford greater flexibility to families, only a minority of families agree that it would in practice.

Many respondents were concerned that the introduction of a travel allowance system will put the costs of transport out of their reach. Often it appears that that this concern is what stops respondents from thinking about the system in the context of the “flexibility” that it might provide.

For example, to the question “what barriers would prevent you from adopting the travel allowance system?”, one respondent wrote:

“If the cost was too high it would be difficult - my daughter's school is at present a journey of 1 hour 35 minutes and she would need a taxi.”

Many respondents were concerned that the policy documents did not include detailed guidance about the cost of the scheme.

Some respondents do acknowledge that, as long as the scheme was financially viable for families, it might have advantages over the existing system:

“If it was financially viable for us, then it may improve the journey time for my daughter - at present she is definitely not taken the most direct route to school as there are 3 other children picked up after her and the taxi actually travels in the opposite direction to school for a few miles.”

“Without a knowing what the alternative scheme would allow financially for the years travel it is very hard to comment. It sounds better to be able to agree up front the travel costs and therefore not have to keep the records but it may reduce the amount paid for all we know so far.”

One respondent put the policy in to the context of independence of children and young people with an EHCP / SSEN:

“The students gain a level of independence from being partly responsible for their transport i.e. being at the right place to catch the transport to school and organising themselves to get there transport after school. For SEN student this is a life lesson. It is also a very social time for our young people and allows them to talk to a range of students not just those in their group and again for SEN students this helps them develop confidence and communicate in a different setting.”

Several other concerns about the proposed system were cited:

“The shortest route that you base your calculations on is not always the quickest.”

“The current system exactly accounts for journeys undertaken. The proposed system seems to estimate. I can see no reason for this in terms of advantages to parents,

but it may be administratively easier for the LA. It may also fail to reflect the actual situation if it is an estimate, with further administration (+ costs) later to update based on actual journeys and mileage.”

“Scrap the lot. The ridiculous amount paid on non mainstream travel is bleeding the education budget dry. Often parents pay for a private analysis to get their child into the school they want, rather than a local one, then want SCC to pay for the travel. School SENCO's then find no issues but are burdened with allocating help and one to one tutoring for a fictitious educational need.”

3.Charging post 16 students who attend school

Quantitative summary

From the Surrey Says portal, the council received the following quantitative data.

The first question to do with the proposal to charge post 16 students who attend schools was framed around the notion of “equity” –

“The proposed change would remove the inequity of the current arrangements, where learners who attend colleges are required to pay and learners who attend schools are not. Do you agree?”.

60% of respondents agreed that the proposed change removes the inequity of the current arrangements

40% disagreed that the proposed change removes the inequity of the current arrangements

Respondents were also asked –

“Surrey County Council is proposing to continue using a daily charge, currently fixed at £3.66 / day of travel. Is the current system a fair way of charging?”

40% of respondents said that this was a fair way of charging

60% said that this was not a fair way of charging

Qualitative summary

The majority of respondents agree with the premise of the question: charging both school students and college students is more equitable than the current arrangement. One respondent commented: “It's only fair all contribute”.

However, many respondents also say that neither school students not college students should be asked to make a contribution. A respondent commented: “Neither set should be required to pay as without transport education is not accessible for sending children.”

There is significant concern about the policy and often this comes in the context of the difficulties that many post 16 students face in using public transport. It is clear

from the responses that there is demand for some post-16 students to be taken to school using a taxi.

Many respondents demanded a rationale for charging the sum of £3.66 / day. There was concern that this was a significant cost that might stop post 16 students from going to school at all. There were also suggestions that families should be “means tested” and that certain families should be exempt from having to contribute at all.

It is clear from some of the responses that there are misunderstandings to do with the policy and exactly what is being proposed. For example, one respondent wrote:

“I am concerned that for some of this group the amount per day will not cover the cost and will create an issue that they will still have to subsidise the cost themselves.”