

**SURREY COUNTY COUNCIL****MS DENISE TURNER- STEWART, CABINET MEMBER FOR  
EDUCATION AND LEARNING****DATE: 19 May 2022****LEAD OFFICER: RACHAEL WARDELL, EXECUTIVE DIRECTOR OF CHILDREN,  
FAMILIES AND LEARNING****SUBJECT: ENHANCED ANNUAL POST 16 POLICY STATEMENT****ORGANISATION****STRATEGY****Growing A Sustainable Economy So Everyone Can Benefit/****PRIORITY****Tackling Health Inequality/Enabling A Greener Future/****AREA:****Empowering Communities****SUMMARY OF ISSUE:**

On 26 April 2022, Cabinet agreed updates to the Home to School Travel Assistance (H2S TA) policy for children and young people in mainstream schools and pupils attending specialist schools for children with additional needs (SEND). Cabinet agreed the recommendation that the Council produces an enhanced annual Post 16 Policy Statement and delegated authority to the Cabinet Member for Education and Learning to approve the Statement. Cabinet also agreed that for a young person aged 16 to 19 years who is eligible for travel assistance, the assistance normally offered in the first instance will be in the form of a Post 16 transport bursary. This report outlines the rationale for the proposed enhanced annual Post 16 Policy Statement, incorporating travel assistance for pupils aged 16-19 and 19-25. In line with statutory requirements, and subject to agreement by the Cabinet Member, the Post 16 Policy Statement will be published on 31 May 2022.

**RECOMMENDATIONS:**

It is recommended that the Cabinet Member

1. Approves the enhanced annual Post 16 Policy Statement

**REASON FOR RECOMMENDATIONS:**

Home to school travel assistance helps children and young people get to and from their education setting. This comes in several different forms, such as independent travel training (ITT), mileage re-imburement, bikeability\*, driving lessons and taxi, minibus and coach services. For young people aged 16 to 19, H2S TA supports them, by exception, to travel to their school or college and for young adults aged 19 to 25 where they continue to attend an education or training provision and have an Education Health and Care Plan (EHCP).

\*Bikeability is a national scheme which encourages young people to undertake funded cycle training with a view to improving their independence and road knowledge, enabling them the freedom to cycle

The enhanced annual Post 16 Policy Statement sets out the way in which the Council discharges its statutory and discretionary powers and responsibilities in relation to school and college transport assistance available for pupils aged 16 to 25 years of age, both with and without additional needs. While Surrey County Council will continue to support those who most need help, the Council must also manage increasing costs and demand within the overall resources available. In line with the proposals agreed by Cabinet on 26 April 2022, the proposed enhanced annual Post 16 Policy Statement (Annex A) will increase the options for young people who qualify for discretionary H2S TA, encourage people to use environmentally friendly travel and support independent travel (including the introduction of a Post 16 bursary) as a means of preparing young people for adulthood. The Statement also highlights travel options available to young people who are not eligible for funded assistance from the Council.

## **Executive Summary:**

### **Background**

1. Surrey County Council's ambition is for young people to live, learn and grow up locally. Home to school travel assistance not only helps young people get to and from their educational setting, it can also support them to become more independent and prepared for adulthood. Cabinet agreed to a number of changes to the Council's H2STA policy on 26 April 2022 in order to meet these ambitions for children and young people. The refreshed H2STA policy approved by Cabinet moves toward a travel assistance model that promotes inclusion, independence, sustainability and Surrey's greener future agenda. The report is available here: [Cabinet Report- HOME TO SCHOOL COLLEGE TRAVEL ASSISTANCE POLICY REFRESH.pdf \(surreycc.gov.uk\)](#)
2. In light of this, and taking account of the public consultation and equality impact assessment, Cabinet also agreed that where the Council assesses a young person aged 16 to 19 years as eligible for travel assistance under its policy, the assistance offered in the first instance will be in the form of a Post 16 transport bursary to support families and young people to make their own transport arrangements, unless due to severity of need or a requirement for specialist transport means this is not appropriate. Parents and young people have the right to appeal. In the public consultation, there were more respondents in favour of this proposal than against.
3. In order to ensure there is regular review and transparency regarding the Council's intention to use its discretionary powers for Post 16 travel assistance, Cabinet also agreed that the Council will produce an enhanced annual Post 16 Policy Statement, to be reviewed and republished annually by 31 May of each year. While the public consultation was divided over support for this proposal, on the basis that it will give greater clarity to young people, parents and carers about the travel assistance available Post 16, the proposal was agreed by Cabinet.
4. Finally, Cabinet delegated authority to the Cabinet Member for Education and Learning to approve the enhanced annual Post 16 Policy Statement. This was on the grounds that the Cabinet Member has responsibility for Post 16 transport and it is a more efficient use of Cabinet time.

5. This report enables the Cabinet Member to approve the enhanced annual Post 16 Policy Statement and discharge that delegated authority on behalf of Cabinet.

## **Rationale for agreeing the enhanced annual Post 16 Policy Statement (Annex A)**

### **Statutory compliance**

6. The proposed enhanced annual Post 16 Policy Statement meets the Council's statutory requirements for transport and travel assistance to school or college for students aged 16-19 and students aged 19-25. These responsibilities are set out in the Department for Education's 'Post-16 transport and travel support to education and training: Statutory guidance for local authorities (January 2019) [Post-16 transport and travel support to education and training \(publishing.service.gov.uk\)](https://publishing.service.gov.uk).
7. The Council has a duty under section 508AA of the Education Act 1996 to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport, or otherwise, that the Council considers necessary to make to facilitate the attendance of all persons of sixth form age receiving education or training. This duty applies to young people of sixth form age and young people continuing on a course started before their 19th birthday. The statement must also set out support with transport costs or transport provision available from schools and colleges in the local authority's area and details of other concessionary fares, discounts, subsidies or travel cards that are available. The Council has a separate statutory duty under section 508G of the Act to publish an annual policy statement setting out any transport and travel assistance arrangements for young adults aged 19 to 25 with Education Health and Care Plans and any other travel concessions provided to this group. The policy statements must be published by 31 May each year. The proposed enhanced annual Post 16 Policy Statement relates to both sixth form provision and relevant young adults.
8. The proposed enhanced annual Post 16 Policy Statement will play an important role in supporting young people's participation in education and training. By publishing this Statement annually by 31 May, the Council will enable young people to take reasonable account of the arrangements available when choosing between different education and training options.

### **Promoting independence and preparation for adulthood**

9. As highlighted previously in this report, Cabinet agreed changes to the H2S TA policy to increase the range of transport options offered to children and young people who are eligible, promote inclusion and independence, support preparations for adulthood and be more financially sustainable. As financial assistance for transport does not always continue into adulthood, it is crucial that young people are equipped with the skills and capabilities to travel independently as they get older.
10. The proposed enhanced annual Post 16 Policy Statement will support independent travel wherever possible and appropriate. It will promote independent travel training as well as other forms of independent and environmentally sustainable travel agreed by Cabinet such as collection points, cycling and shared transport.

11. The proposed Statement also introduces the change agreed by Cabinet on 26 April regarding a Post 16 transport bursary. Where the Council assesses a young person aged 16 to 19 years as eligible for travel assistance under its policy, the assistance offered in the first instance will be in the form of a Post 16 transport bursary to support families and young people to make their own transport arrangements, unless severity of need or a requirement for specialist transport means this is not appropriate. Parents and young people will have the right to appeal.
12. For those young people assessed as not eligible for funded travel assistance from the Council, the Statement also highlights environmentally sustainable travel options available to young people to enable them to travel independently to school or college to access education.

#### **CONSULTATION:**

13. The Council proactively engaged with parents, carers, schools and colleges and other stakeholders on the proposed changes to its H2STA policy. A public consultation of 28 working days on the proposals was launched on 22 February 2022 and concluded on Tuesday 31 March 2022, alongside a number of virtual events with parents and carers and Family Voice Surrey and scrutiny by the Children, Families, Lifelong Learning and Culture Select Committee.
14. The two key proposals subject to consultation that affect the delivery of travel assistance for eligible pupils aged 16-25 were the production of an enhanced annual Post 16 Policy Statement and the proposal to introduce a Post 16 bursary. Cabinet took account of the consultation responses and Select Committee recommendations and approved these two proposals on 26 April 2022.

#### **RISK MANAGEMENT AND IMPLICATIONS:**

15. The Council's enhanced annual Post 16 Policy Statement is a county-wide policy which will apply equally to all districts and boroughs and electoral divisions. The policy and the practice that results from it are intended to be consistent across all districts and boroughs and should enable greater consistency of practice and equity of provision of home to school travel assistance for pupils aged 16-25. It will encourage the use of more environmentally sustainable forms of transport, supporting young people to walk, cycle and use public transport such as local buses and trains.
16. The Council's Legal Services has provided expert advice and guidance throughout the development of the enhanced annual Post 16 Policy Statement to ensure that it is compliant with statutory requirements. The publication of the Statement by 31 May 2022 will implement travel arrangements that are predictable for the family and young person and for which they can reasonably prepare.

#### **Financial and value for money implications:**

17. Surrey County Council currently provides significant discretionary home to school travel provision for children with additional needs and some discretionary provision for mainstream children.

18. As of 22/23 the H2STA budgets for children in mainstream settings, those with additional needs and those attending alternative provisions are £40.8m. Due to current pressures within the service, the outturn for 21/22 was an overspend of £5m.
19. This variance came about as a result of increases in both the number of pupils being transported, and the costs of routes since September 2021. Increases in pupil numbers have begun to slow, but the cost of routes is continuing to rise meaning the full year effect of these pressures could be more than the current £4.8m in 22/23.
20. The actions that were agreed by Cabinet on 26 April 2022 will assist in mitigating the current financial pressure.
21. The changes to the H2S TA policy agreed by Cabinet are part of a suite of proposals to improve children's educational experiences in the County. The proposed enhanced annual Post 16 Policy Statement is one of these measures to improve young people's educational experiences, with cost containment being an anticipated benefit.

#### **Section 151 Officer commentary:**

22. Although significant progress has been made to improve the Council's financial position, the medium-term financial outlook beyond 2022/23 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority in order to ensure stable provision of services in the medium term.
23. As such, the Section 151 Officer supports the recommendations of this report. The current pressures on the Home to School transport budgets are significant and this enhanced policy statement should support the Council's overall financial stability.

#### **Legal implications – Monitoring Officer:**

24. The Education Act 1996 (as amended) sets out the Council's duties and powers to provide home to school/college transport and travel assistance in relation to pre-school children, children of compulsory school age, students of sixth form age (16-19) and adult learners with education health and care plans up to the age of 25. In exercising these functions, the Council must have regard to statutory guidance (see paragraph 28 below).
25. In summary:
  - The Council is required to publish an annual policy statement specifying the arrangements for the provision of transport that the Council considers necessary to facilitate the attendance of all persons of sixth form age receiving education or training. There is no requirement that any travel assistance provided to 16-19 learners must be free of charge.
  - In the case of adult learners (aged 19 or over), the Council is required to make such transport arrangements as are necessary, including in particular, for students aged 19 to 25 with EHCPs attending further education colleges

or in residential education further education colleges and must publish an annual policy statement. If assistance with transport is considered necessary for an individual learner, it must be provided free of charge.

- The Council is required to have regard to statutory guidance in discharging its functions in relation to school and college transport. Statutory guidance on transport for post 16 students is given in “Post-16 transport and travel support to education and training”.

26. The statutory guidance advises that the sixth form age transport policy statement is intended to inform young people, in years 11, 12 and 13, and their parents about what transport arrangements and support are available locally. The statement should be a single point of reference providing information about transport arrangements to all types of provision, including arrangements made by bodies other than the local authority, including local transport providers. The statement must set out what the local authority’s overall transport policy is in regard to young people and should include the rationale behind the policy. It is important that the local authority does not differentiate between providers or institutions in its arrangements. Arrangements to support learners undertaking apprenticeships and traineeships should also be set out in the transport policy statement. The transport policy statement should be clear and provide sufficient detail about the transport arrangements and support provided to inform young people in making their post-16 choices. Young people should be provided with information through the transport policy statement about who is eligible for transport support and how and when they should apply for support. Clear signposting from the statement should point young people to sources of further information, for example local authority, college or transport provider websites or contact details. Additionally, the policy statement must include full details of how a young person or parent can appeal if they disagree with a local authority’s decision and further avenues of complaint open to them if they remain dissatisfied following completion of the local procedure

27. The transport policy statement must be published by the local authority by 31st May each year and must be clearly dated showing the academic year to which it applies.

28. The duties under section 509F and 508G of the Education Act 1996 apply to all local authorities in England in respect of arrangements for adults aged 19 and over, who started their programme of learning after their 19th birthday.

The statutory guidance states that the legislation recognises that it is important that decisions on whether local authority arranged transport for this age group is necessary, sits at a local level and the flexibility of the extent of an individual policy lies with individual local authorities. Where local authorities do decide that it is necessary for them to provide transport, this must be provided free of charge, however, the legislation also gives local authorities the flexibility to contribute to, fund or charge for other transport solutions where it wishes. Local authorities must prepare a transport policy statement by the end of May each year setting out any transport or other arrangements that it proposes to make for that academic year in respect of adults aged under 25 with EHC plans under the 508F duty.

29. An Equality Impact Assessment was undertaken for the proposed changes to the H2S TA policy and taken into account by Cabinet as part of decision-making on 26 April 2022. In considering the policy statement, the Public Sector Equality Duty under the Equality Act 2010 must be considered. This requires that there is due regard to the need to advance equality of opportunity for people with protected characteristics, foster good relations between such groups and eliminate unlawful discrimination. These matters are dealt with below in this report and in the Equality Impact Assessment appended. The transport policy statement for students of sixth form age must specifically consider the needs of young people with special educational needs and disabilities should be specifically considered and the arrangements in place for this group must be documented in the transport policy statement

### **Equalities and diversity:**

30. A full Equality Impact Assessment on the changes to the refreshed Home to School Travel Assistance Policy was presented to the Cabinet on 26 April 2022. Based on the 'Age' protected characteristic, it was identified that the introduction of the enhanced annual Post 16 Policy Statement and Post 16 bursaries would have both positive and negative impacts for young people aged 16 to 25.
31. The main benefit of moving to a greater focus on independent travel is equipping young people with long-term skills and independence to access social, educational, employment and leisure opportunities. In addition, providing bursaries will support young people and families to make their own travel arrangements to their education setting that works best for them.
32. Through our strategy and investment plans for local education placement provision, this will also incentivise more children and young people to access education closer to the communities in which they live, as well as reducing demand for travel assistance.
33. Under the terms of the enhanced annual Post 16 Policy Statement, there will be some young people who have received services to date that may have their services withdrawn, subject to appropriate notice periods. This may lead to challenges in young people accessing their education setting and impacts on health and wellbeing from disruption to their existing service provision.
34. The mitigations the Council will put in place will be:
- Communicating and engaging with affected young people and their families to inform them of the enhanced annual Post 16 Policy Statement, including the bursary scheme, ahead of the new academic year in September 2022;
  - Co-producing a new guide with Family Voice Surrey for parents, carers and professionals who work with children and families that sets out the H2STA policy in plain English, including the enhanced annual Post 16 Policy Statement, subject to the Cabinet Member's decision;
  - Engaging families and other stakeholders as the Post 16 bursary offer is implemented to review its effectiveness;

- Continuing, as part of the Council’s placement strategy, to develop and extend the local Post 16 offer for both pupils with and without SEND to provide sufficient provision in Surrey;
- Where appropriate, working with schools, colleges and families during the summer term and the new academic year to develop and enable independent travel opportunities. This includes promoting Independent Travel Training, and other travel assistance options, for Post 16 students.

35. In some cases, the Council recognises that some Post 16 students with complex needs will continue to require some form of support from the H2S TA service. The Council will exercise its discretion to establish what travel assistance might be needed based on needs, age and circumstances of young people and their families.

<b>Other implications:</b>
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The potential implications for the following Council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

<b>Area assessed:</b>	<b>Direct Implications:</b>
Corporate Parenting/Looked After Children	Looked after children will be supported with safe and suitable travel assistance. They will be eligible for the range of travel assistance options, including independent travel training, supporting them to prepare for adulthood.
Safeguarding responsibilities for vulnerable children and adults	The Council will continue to ensure that, where it provides home to school transport for a young person, it is safe and that young people on transport continue to be safeguarded. This includes reviewing arrangements where a young person’s behaviour on transport potentially risks harm to themselves and others in a vehicle including the driver.
Environmental sustainability	The Council’s policy will encourage the use of more environmentally sustainable forms of transport, supporting young people to walk, cycle and use public transport such as local buses and trains.
Compliance against net-zero emissions target and future climate compatibility/resilience	As above.
Public Health	Walking and cycling are healthy travel options and promoting independence provides mental health benefits.

## WHAT HAPPENS NEXT:

Subject to decision making, the enhanced annual Post 16 Policy Statement will be published by 31 May 2022 and communicated widely to young people and their families through the Surrey Local Offer, through schools and colleges and directly with families.

Subject to decision making, the Statement will be implemented for academic year 2022/23 which begins in September 2022.

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### Contact Officer:

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### Consulted:

Cabinet  
Cabinet Member for Education and Learning  
Director of Law and Governance  
Director of Commissioning  
Director of Education and Lifelong Learning

### Annexes:

Annex A: Equality Impact Assessment

### Sources/background papers:

Transport to education and training for people aged 16 and over'

[Post-16 transport and travel support to education and training \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

## Annex A – Equality Impact Assessment

### HOME TO SCHOOL/COLLEGE TRAVEL ASSISTANCE POLICY REFRESH

#### Did you use the EIA Screening Tool?

No

## **1. Explaining the matter being assessed**

#### Is this a:

- Change to an existing strategy or policy

#### **Summarise the strategy, policy, service(s), or function(s) being assessed. Describe current status followed by any changes that stakeholders would experience.**

The home to school travel assistance (H2S TA) service helps children and young people to get to and from their education setting. This comes in several different forms, such as Independent Travel Training (ITT), mileage reimbursement, bikeability, driving lessons and taxi, minibus and coach services. The service supports children and young people of statutory school age (5 to 16 years) as well as a current policy to support children aged under 5 and young people aged 16 to 25.

In Surrey every day, around 10,000 children and young people access H2S TA services. The cost to the Council is £40m a year, and these have increased as a result of the Covid pandemic as well as increased demand. In addition, the Council faces significant challenges in securing appropriate transport provision due to a challenging local and national labour market and significant increases in fuel costs. This is making it difficult to ensure children and young people who most need our support get it at the right time against the backdrop of increasing demand.

The Council proposes to refresh its H2S TA policy in several key areas to reflect the ambitions we have for our children and young people while also managing the challenging context the service is operating in. The proposed changes include:

- Broadening the options for children and young people who qualify for H2S TA assistance, moving away from a reliance on solo taxi routes (when there is only one child or young person in the vehicle). Solo routes make up approximately one third of the spend on H2S TA. We propose to move towards travel assistance options used routinely by children and young people and communities such as buses and rail, where appropriate through ITT.
- Encourage people, where possible, to use environmentally friendly travel and transport. Greater use of green alternative travel options would help us mitigate the

impact of climate change, through better use of walking, cycling and bus and train routes and where possible, increasing the occupancy in vehicles.

1.

- Ensure young people don't face a 'cliff edge' when they become adults. For young people with additional needs, for example, their eligibility for transport is linked to their Education and Health Care Plan (EHCP) and will expire at some point in the future. If they are not supported through ITT to travel independently this can create isolation and reduce access to employment as well.

2.

The proposed changes to the policy are:

- Broadening the range of travel assistance options on offer such as bikeability (cycling safely with confidence), driving lessons, access to TfL Oyster cards and ITT.
- Introducing collection points so pupils are collected from designated pick-up and drop-off locations.
- In a minority of journeys, the upper limit on journey times may be varied in order to make suitable and sufficient arrangements for all children. This means that in planning routes, the maximum time recommendations of 45 and 75 minutes would not, as it currently does, override all other considerations. It would allow children and young people who could potentially share transport to do so. Changing the measurement approach for determining Independent Travel Allowance from straight lines to road routes.
- Simplifying our approach to mileage reimbursement for parents and carers.
- Reducing the notice period for withdrawal of travel assistance, if a walking route becomes safe from keeping assistance in place until the end of the academic year down to four weeks. If a family's low-income status ends, travel assistance will be withdrawn at the end of the academic year.
- Withdrawing transport if errors were made in the initial assessment, with parents and carers having a right to appeal.
- Reducing discretionary travel assistance provision for under 5s to be provided for Reception aged children only (aged 4 and above).
- Providing guidance on operational processes and standards the council will follow if there is a medically trained Passenger Assistant to support children during their journey to school.
- Individual transport will only be provided in very specific circumstances which will mean more children sharing transport and accessing a wider range of travel assistance options. Extenuating circumstances will be linked to medical needs or where the child or young person is receiving funded bespoke one-to-one support in their education or training venues.
- Reviewing arrangements in circumstances where a child's behaviour potentially risks harm to themselves and others in a vehicle (including the driver). This will start with the needs of the child and what may need to change to support them to access transport more safely. If this is not viable, it is proposed parents/carers will be asked to accept a mileage allowance instead of transport being provided.
- Focusing travel assistance for eligible post-16 pupils on independent travel options, including the use of public transport, and introduction of a post-16 transport bursary to support young people and families to make their own travel arrangements. A post-16 policy statement will also be introduced and refreshed annually.
- Retaining a two-stage travel assistance appeals process, with membership of the panel at the second stage including council officers.
- Between 22 February 2022 and 31 March 2022, the council ran a public consultation on these proposals. 694 stakeholders responded to the consultation survey including parents and carers of children and young people with special educational needs and

disabilities (SEND), parents and carers of children and young people without SEND, education professionals, including school governors, and children and young people with and without SEND.

- In addition, five public engagement events were held. Participants included parents and carers of H2S TA service users and Family Voice Surrey. The Children, Families, Lifelong Learning and Culture Select Committee were also consulted on the proposals at their meeting on 7 April 2022.

This impact assessment has also been informed by data on H2S TA service users which is held on the Mobisoft Travel Centre system.

Based on this evidence, the protected characteristics most likely to be affected are:

- Age
- Disability

In addition, the key stakeholders who may be affected by these changes are:

- Children and young people of statutory and non-statutory school age
- Parents and carers
- Schools and colleges
- Transport providers

**How does your service proposal support the outcomes in [the Community Vision for Surrey 2030](#)?**

- Everyone benefits from education, skills and employment opportunities that help them succeed in life
- Children and young people are safe and feel safe and confident
- Journeys across the county are easier, more predictable and safer

**Are there any specific geographies in Surrey where this will make an impact?**

- County-wide

## **2. Service Users / Residents**

### **Who may be affected by this activity?**

There are 9 protected characteristics (Equality Act 2010) to consider in your proposal. These are:

1. Age including younger and older people
2. Disability
3. Gender reassignment
4. Pregnancy and maternity
5. Race including ethnic or national origins, colour or nationality
6. Religion or belief including lack of belief
7. Sex
8. Sexual orientation
9. Marriage/civil partnerships

Though not included in the Equality Act 2010, Surrey County Council recognises that there are other vulnerable groups which significantly contribute to inequality across the county and therefore they should also be considered within EIAs. If relevant, you will need to include information on the following vulnerable groups (Please **refer to the EIA guidance** if you are unclear as to what this is).

- Members/Ex members of armed forces
- Adult and young carers\*
- Those experiencing digital exclusion\*
- Those experiencing domestic abuse\*
- Those with education/training (literacy) needs
- Those experiencing homelessness\*
- Looked after children/Care leavers\*
- Those living in rural/urban areas
- Those experiencing socioeconomic disadvantage\*
- Out of work young people)\*
- Adults with learning disabilities and/or autism\*
- People with drug or alcohol use issues\*
- People on probation
- People in prison
- Migrants, refugees, asylum seekers
- Sex workers
- Children with Special educational needs and disabilities\*
- Adults with long term health conditions, disabilities (including SMI) and/or sensory impairment(s)\*
- Older People in care homes\*
- Gypsy, Roma and Traveller communities\*
- Other (describe below)

(\*as identified in the Surrey COVID Community Impact Assessment and the Surrey Health and Well-being Strategy)

### **Describe here the considerations and concerns in relation to the programme/policy for the selected group.**

As of January 2022, 8,921 children and young people received a form of travel assistance. 7,246 of them (81%) are provided with transport such as coaches, taxis and minibuses. For the 7,246 cohort provided with travel assistance in the form of a means of transport in January 2022, the age breakdown is as follows:

- 145 are aged 0 to 4
- 6,403 are aged 5 to 15
- 527 are aged 16 to 19
- 171 are aged 19 and over

The following potential impacts have been identified from these proposals based on age:

**Journey times** – Varying the upper limits on journey times may lead to potential negative impacts. Concerns were raised by stakeholders through the consultation, such as impacts on children and young people's health and wellbeing, including feeling tired and distressed following their journeys, leading to subsequent impacts on their ability to focus on their learning when they arrive at their education setting and ability to engage fully in family life. Children and young people who live over 45 minutes away from their school/college, or pupils of education settings based outside of Surrey, particularly children in Key Stage 1 (ages 5 to 7), are most likely to be impacted.

A potential positive impact of this change is through increased use of shared transport for such journeys, supporting children and young people to socialise with peers.

**Broadening travel assistance options** – Some children and young people will be able to access broader travel assistance options such as bikeability, driving lessons and TfL Oyster cards will provide them greater choice on ways to get to school or college, while also building travel independence skills for later life.

Concerns were raised by stakeholders about prioritising independent travel among younger age groups, such as 6-year-olds, which could lead to increased anxiety for them and their families about travelling to and from their education setting safely.

De-emphasising the use of private transport, and promoting changes to greener, more sustainable methods of travel and transport, such as walking, cycling and public transport, could benefit some children and young people's health and wellbeing. According to the National Institute for Health Research, children who switched to walking and cycling to school between the ages of 7 and 14 had healthier body weights than those who continued to travel to school by car, with benefits being even greater for children and young people from some deprived areas<sup>1</sup>. It is recognised that this may not be feasible or practical for some service users with additional needs, and there may still be some cases where private transport is the only option.

**Collection points** – Through the consultation, some parents and carers have expressed concerns about the suitability of collection points for use by younger children. Parents and carers of children and young people with additional needs were much more likely to express concern compared to parents and carers of children and young people in mainstream education. This includes the extent to which the child or young person would be safe, and feel safe, to use a collection point, and the ability of adults to balance dropping off and picking up their child from a collection point while picking up siblings from other education settings. Questions were also raised about responsible adults for accompanying younger children to collection points.

**Provision of travel assistance for under 5s** – It is proposed that discretionary assistance will only be offered to children about to start Reception at age 4 if extenuating circumstances have been demonstrated. This means that children aged 0 to 3 will no longer have access to transport. Currently this affects 162 children who are 4 years old, and 16 children who are 0 to

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<sup>1</sup> School children who switch to walking or cycling may have a healthier body weight, National Institute for Health Research, September 2021, [NIHR Evidence - Schoolchildren who switch to walking or cycling may have a healthier body weight - Informative and accessible health and care research](#)

# Equality Impact Assessment

3 years old, 178 children in total. This figure is likely to change by the start of the 2022/23 academic year in September 2022.

For children who are 4 years old beginning Reception, their families may not start them in Reception at the beginning of the academic year. This could:

- Delay children accessing education;
- Be destabilising for Reception classes where children are joining throughout the year, particularly for specialist Reception classes with children with SEND.

Ceasing provision for 0- to 3-year-olds may affect these children being able to access early years education, including early intervention education placements, particularly where transport is a barrier.

**Post-16 statement** – Service users aged 16 and over will be impacted by moving to a focus on independent travel over the provision of private hire vehicles. The Council will exercise discretion over the travel assistance it will provide to young people aged 16 to 19 with additional needs to help them transition to adulthood and explore independent travel. Details will be set out in a new post-16 policy statement for home to school travel assistance.

This means that some young people of this age who have received services to date may have their service withdrawn, subject to appropriate notice periods. This statement also covers young people aged 19 to 25 who continue to be supported through their EHCPs.

This change in approach is designed to equip young people with the skills and independence they need in the long term to access social, educational, employment and leisure opportunities. It is, however, recognised that some young people with complex needs will continue to require some form of support from the service.

**Post-16 bursaries** – For young people aged 16 to 19 who qualify for travel assistance from the Council, bursaries will be introduced to support young people and their families to make their own transport arrangements to develop independence and prepare for adulthood. As with the post-16 statement, this approach aims to give young people longer term skills for independence and determine the travel arrangements to their education setting that works best for them.

## **Describe here suggested mitigations to inform the actions needed to reduce inequalities.**

To mitigate these impacts, we will:

- Engage and communicate with families to inform them of the changes to policy and likely impact ahead of the new academic year starting in September 2022. This will include the introduction of a new guide for parents, carers and professionals working with children and families that sets out the Council's policy in plain English to manage expectations of what the Council will and will not provide.
- Work with schools to inform and promote alternative travel options and support to enable pupils to continue accessing to their placements.
- Where a route has been identified as suitable for collection points to be introduced, a further 4 week consultation will be undertaken with the families, children and young people on that route to ensure that the proposed arrangements are appropriate, for example, the location of the collection point. The Council will also take into account individual circumstances or needs which may mean a collection point is not appropriate for the individual to use.
- Where the Council proposes to depart from national guidance on journey times when planning routes, decisions will ensure that the planned route is not of such length that the pupil is unable to learn properly. Consideration will be given to the child's age and stage of development. The 45-minute maximum planned journey time for primary-aged pupils contained in national guidance will be maintained and only exceeded in certain circumstances, such as journeys which enable a child to attend the setting which best meets their needs.
- Continue to assess eligibility for travel assistance on a case-by-case basis to establish if travel assistance is necessary based on the needs and circumstances of the child and family.

- Where appropriate, work with schools, colleges and families during the summer term and the new academic year to develop and enable independent travel opportunities. This includes promoting ITT, and other travel assistance options, for post-16 students.
- Continue to use the Council's discretion to determine if 0- to 3-year-olds require travel assistance under extenuating circumstances.
- Work to place more very young children, where possible, on our Early Years Inclusion Pathway to enable more of them to attend mainstream education settings and reduce demand for specialist school places, with associated demand for transport.
- Engage families and other stakeholders as the post-16 bursary offer is implemented to review its effectiveness.
- Continue as part of our placement strategy to develop and extend the local post-16 offer for both pupils with and without SEND to provide sufficient provision in Surrey.
- Explore use of technology to support and improved customer experience for children, young people and families.

**What other changes is the council planning/already in place that may affect the same groups of residents? Are there any dependencies decision makers need to be aware of?**

Over the next five years, we are investing £139m to create more local education provision so children and young people can be educated closer to home, reducing demand for travel assistance services.

For under 5s, we are undertaking extensive work to create and identify provision with investment in improving support and resources at existing education settings. The aim is for more children with SEND to be able to access education at their local school, reducing the need to travel and for the council to facilitate travel arrangements.

Similar work is underway with post-16 establishments to improve the study programmes available locally, ensuring improved choice of study locally rather than courses that require considerable travel to access them.

**Any negative impacts that cannot be mitigated?**

There are no negative impacts that cannot be mitigated.

## Disability

### **Describe here the considerations and concerns in relation to the programme/policy for the selected group.**

Of those children and young people who use H2S TA services, just over 4,000 have EHCPs. As of January 2022, 4,011 pupils were provided with transportation in vehicles:

- 3,983 use either a mini-bus or taxi, while 28 use a coach. 36 children and young people were given alternative travel assistance, such as season tickets.
- 107 are aged 0 to 5, 3,224 are aged 5 to 15, 509 are aged 16 to 18 and 171 are aged 19 and over.

**Broadening travel assistance options** – Some of the broader travel assistance options being considered, such as bikeability and Oyster cards, are likely to be unsuitable for some children and young people with additional needs. Some of the respondents to the consultation survey suggested some children would not have the capacity or capability to understand the concept of travelling independently, including the specific options being proposed in the consultation, meaning this would be unworkable in practice for them. Parents were concerned with the level of risk this could expose their child to.

There were also concerns raised in the consultation about the policy encouraging the use of public transport, particularly for children with autism and are unable to communicate verbally, leading to their child's safety potentially being compromised.

**Collection points** – 88% of parents or carers of children and young people with SEND said they would not consider their child using collection points for using transport to get to school or college as this would create barriers for them to access education. Reasons respondents gave for this included:

- The physical or cognitive needs of the child or young person in making the journey to and from a collection point increasing levels of personal risk and distress for them.
- Anxieties precluding children and young people with SEND from staying safe, particularly for autistic children and young people, and those with anxiety.
- Dangers for children who could not communicate verbally, exposing them to safeguarding risks.
- Changes to routine for some children and young people could trigger sensory reactions.
- Inaccessibility for some children and young people with specific medical needs.
- Greater risk of exposure to Covid for more clinically vulnerable children and young people from gathering in groups at collection points – increased exposure to Covid for clinically vulnerable.

**Journey times** – Varying the upper limits on journey times may lead to potential negative impacts. Concerns were raised by stakeholders through the consultation, such as impacts on children and young people's health and wellbeing, including feeling tired and distressed following their journeys, leading to subsequent impacts on their ability to focus on their learning when they arrive at their education setting and ability to engage fully in family life. In line with national guidance, the Council will need to continue ensuring transport solutions are appropriate so children are unstressed when they arrive at school. Children and young people who live over 45 minutes away from their school/college, or pupils of education settings are based outside of Surrey, particularly children in Key Stage 1 (ages 5 to 7), are most likely to be impacted.

**Reduction in notice period** – The introduction of a shorter notice period for withdrawal of transport provision could have potential negative impacts for children and young people with additional needs. This includes children with autism whose wellbeing could be affected by disruption to their transport routine. The likelihood of this happening is lower as we anticipate more 'mainstream' students being affected given students with additional needs are normally eligible for transport provision under different circumstances.

**Medical and health interventions** – The introduction of operational standards will be beneficial for children and young people with complex medical needs to maximise the safety of those

children so they always receive the appropriate support to travel to their education setting with the right equipment and a skilled Personal Assistant.

**Reduced reliance on one child per vehicle transport** – Provision of individual transport will still apply for children and young people with medical needs and for those children with bespoke one-to-one support in their education or training venues. Some students with SEND will be offered access to shared transport and other travel assistance options, supporting. These will be assessed based on the needs and circumstances of the child and family.

**Safeguarding policy for use of transport** – There may be potential impacts for some children and young people with additional needs. For some children where behaviours may potentially put drivers and other passengers at risk, transport may be withdrawn meaning accessing their education setting may become more challenging.

### **Describe here suggested mitigations to inform the actions needed to reduce inequalities.**

To mitigate these impacts, we will:

- Continue to develop support and expertise available to children, young people and families to enable safer travel on public transport.
- Where the Council proposes to depart from national guidance on journey times when planning routes, decisions will ensure that the planned route is not of such length that the pupil is unable to learn properly. Consideration will be given to the child's age and stage of development. The 45-minute maximum planned journey time for primary-aged pupils contained in national guidance will be maintained and only exceeded in certain circumstances, such as journeys which enable a child to attend the setting which best meets their needs.
- Where appropriate, deliver ITT as bespoke training for individuals to ensure they learn to travel independently and minimise any potential impact relating to their SEND to ensure capacity is in line with demand. Young people will be given the opportunity to learn the necessary skills to travel independently at their own pace and will reflect the specific route and environment they will be expected to use. Schools, families and the young person will have the opportunity to feed back during the training process to establish when the young person is suitable to begin travelling independently. As part of the training, young people will be assessed as to whether they can demonstrate and understand how to deal with unplanned situations and how to keep safe.
- Where a route has been identified as suitable for collection points to be introduced, a further 4 week consultation will be undertaken with the families, children and young people on that route to ensure that the proposed arrangements are appropriate, for example the location of the collection point. The Council will also take into account individual circumstances or needs which may mean that a collection point is not appropriate for an individual pupil to use, including for those pupils with additional needs where it is unfeasible for them to access a collection point. Following a decision to introduce a collection point, the Council will provide not less than 6 weeks notification to families (which includes any school holidays that fall in the 6 week period) before the collection point is established. It is proposed that once a collection point route has been established, that route will remain a collection point route and no further specific consultation will be undertaken. This means that any pupils joining the route will be informed that it is a collection point route and they will be expected to use the collection point. Families will have the opportunity to make representations in the usual way and these will be determined using existing processes.
- Review the needs of children with and without SEND receiving transport provision on a case-by-case basis where they are at risk of having this provision withdrawn due to behaviour issues which may place other service users or staff delivering the service at

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some safeguarding risk. If transport has been withdrawn due to behaviour issues, we will work with the children, young people and families to provide Independent Travel Allowance to enable alternative means of travel assistance to be secured so they can continue accessing their education setting while we work with the school to review arrangements.

- We will work with families through the EHCP and Annual Review process to identify opportunities to develop independent travel skills as early in their life as appropriate that will reduce future dependency on family members and increase access to opportunities for all family members, improving overall quality of life for those families.

## **What other changes is the council planning/already in place that may affect the same groups of residents? Are there any dependencies decision makers need to be aware of?**

As with 'Age', over the next five years, we are investing £139m to create more local education provision so children and young people can be educated closer to home, reducing demand for travel assistance services. This includes the creation of more local specialist places across Surrey.

## **Any negative impacts that cannot be mitigated?**

There are no negative impacts that cannot be mitigated.

## 3. Recommendation

Based your assessment, please indicate which course of action you are recommending to decision makers. You should explain your recommendation below.

- **Outcome One: No major change to the policy/service/function required.** This EIA has not identified any potential for discrimination or negative impact, and all opportunities to promote equality have been undertaken
- **Outcome Two: Adjust the policy/service/function** to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?
- **Outcome Three: Continue the policy/service/function** despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are:
  - Sufficient plans to stop or minimise the negative impact
  - Mitigating actions for any remaining negative impacts plans to monitor the actual impact.
- **Outcome Four: Stop and rethink the policy** when the EIA shows actual or potential unlawful discrimination. (For guidance on what is unlawful discrimination, refer to the [Equality and Human Rights Commission's guidance and Codes of Practice on the Equality Act](#) concerning employment, goods and services and equal pay).

### **Recommended outcome:**

Outcome Two

### **Explanation:**

The proposed changes to the H2S TA policy ensure the council delivers its statutory obligations for H2S TA. They will impact on stakeholders in positive and negative ways. Where an impact restricts an individual's attendance at their education setting, we will review each case individually to consider the most appropriate approach to travel assistance for them and ensure we meet our duty to provide suitable transport that enables eligible children to reach their school or college without such stress, strain or difficulty that prevents them from benefitting from their education.

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## 4. Action plan and monitoring arrangements

Insert your action plan here, based on the mitigations recommended.  
Involve your Assessment Team in monitoring progress against the actions above.

Item	Initiation Date	Action/Item	Person/people Actioning	Target Completion Date	Update/Notes	Open/Closed/Ongoing
1	May 2022	Engage and communicate with families to inform them of the changes to policy and likely impact ahead of the new academic year starting in September 2022.	Eamonn Gilbert	End August 2022		Open
2	May 2022	Work with Family Voice Surrey to produce a new guide for parents, carers and professionals who work with children and families that sets out the Council's policy in plain English to set expectations of what the Council will and will not provide.	Eamonn Gilbert	June 2022	May/June 2022 – Launch parent guide with policy updates and operational guidance, following further stakeholder engagement.	Open
3	May 2022	Work with schools to inform and promote alternative travel options and support to enable pupils to continue accessing to their placements. A communications strategy will be developed to support this.	Eamonn Gilbert/Abbey Cortazzi	Ongoing – becomes business-as-usual (BAU)	This will be an ongoing activity to identify support in line with the new policy. We will engage schools via the Primary, Secondary and Special Phase Councils.	Ongoing
4	May 2022	Where a route has been identified as suitable for collection points to be introduced, a further 4-week consultation will be undertaken with the	Eamonn Gilbert	Ongoing – becomes BAU	Consultation with stakeholders will occur on a case-by-case basis as new collection points are considered.	Ongoing

Item	Initiation Date	Action/Item	Person/people Actioning	Target Completion Date	Update/Notes	Open/Closed/Ongoing
		<p>families, children and young people on that route to ensure that the proposed arrangements are appropriate, for example, the location of the collection point. The Council will also take into account individual circumstances or needs which may mean a collection point is not appropriate for the individual to use.</p> <p>It is proposed that once a collection point route has been established, that route will remain a collection point route and no further specific consultation will be undertaken. This means that any pupils joining the route will be informed that it is a collection point route and they will be expected to use the collection point.</p>				
5	May 2022	Where the Council proposes to depart from national guidance on journey times when planning routes, decisions will ensure that the planned route is not of such length that the pupil is unable to learn properly.	Eamonn Gilbert	Ongoing – becomes BAU	Engagement with stakeholders will occur on a case-by-case basis as route planning progresses.	Ongoing

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Item	Initiation Date	Action/Item	Person/people Actioning	Target Completion Date	Update/Notes	Open/Closed/Ongoing
		<p>Consideration will be given to the child's age and stage of development.</p> <p>The 45-minute maximum planned journey time for primary-aged pupils contained in national guidance will be maintained and only exceeded in certain circumstances, such as journeys which enable a child to attend the setting which best meets their needs.</p>				
6	May 2022	Continue to assess eligibility for travel assistance on a case-by-case basis to establish if travel assistance is necessary based on the needs and circumstances of the child and family.	Eamonn Gilbert	Ongoing – becomes BAU	New and existing service users will be assessed against the new policy so the service can work with them to identify the most appropriate solution for their needs and circumstances.	Ongoing
7	May 2022	Work to place more very young children, where possible, on our Early Years Inclusion Pathway to enable more of them to attend mainstream settings and reduce demand for specialist school places, with associated demand for transport.	Carol Savedra	Ongoing – becomes BAU		Ongoing

Item	Initiation Date	Action/Item	Person/people Actioning	Target Completion Date	Update/Notes	Open/Closed/Ongoing
8	May 2022	Where appropriate, work with schools, colleges and families during the summer term and the new academic year to develop and enable independent travel opportunities. This includes promoting ITT, and other travel assistance options, for post-16 students.	Eamonn Gilbert	Ongoing – becomes BAU		Ongoing
9	May 2022	Engage families and other stakeholders as the post-16 bursary offer is implemented to review its effectiveness.	Eamonn Gilbert	August 2022		Open
10	May 2022	Continue as part of our placement strategy to develop and extend the local post-16 offer for both pupils with and without SEND to provide sufficient provision in Surrey.	Eamonn Gilbert	Ongoing – becomes BAU		Ongoing
11	May 2022	Explore use of technology to support and improved customer experience for children, young people and families.	Eamonn Gilbert	Ongoing – becomes BAU		Ongoing
12	May 2022	Where appropriate, expand and deliver ITT as bespoke training for individuals to ensure they learn to travel independently and minimise any potential impact relating to their SEND to ensure capacity is in line with demand	Eamonn Gilbert	Ongoing – becomes BAU		Ongoing

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Item	Initiation Date	Action/Item	Person/people Actioning	Target Completion Date	Update/Notes	Open/Closed/Ongoing
		<p>Young people will be given the opportunity to learn the necessary skills to travel independently at their own pace and will reflect the specific route and environment they will be expected to use. Schools, families and the young person will have the opportunity to feed back during the training process to establish when the young person is suitable to begin travelling independently. As part of the training, young people will be assessed as to whether they can demonstrate and understand how to deal with unplanned situations and how to keep safe.</p>				
13	May 2022	<p>Review the needs of children with and without SEND receiving transport provision on a case-by-case basis where they are at risk of having this provision withdrawn due to instances of behaviour which may place other service users or staff delivering the service at some safeguarding risk.</p> <p>If transport has been withdrawn due to safeguarding risks to other</p>	Eamonn Gilbert	Ongoing – becomes BAU	This will be require continuous review in line with the new policy.	Ongoing

Item	Initiation Date	Action/Item	Person/people Actioning	Target Completion Date	Update/Notes	Open/Closed/Ongoing
		passengers, we will work with the children, young people and families to provide Independent Travel Allowance to enable alternative means of travel assistance to be secured so they can continue accessing their education setting while we work with the school to review arrangements.				

## **5a. Version control**

Version Number	Purpose/Change	Author	Date
1	First draft completed.	Adam Whittaker	28 March 2022
2	Second draft completed with Executive Director input	Adam Whittaker	29 March 2022
3	Updated to reflect outcomes of the public consultation.	Adam Whittaker	5 April 2022
4	Updated further following feedback from Executive Director and Director of Commissioning	Adam Whittaker	8 April 2022

The above provides historical data about each update made to the Equality Impact Assessment.

Please include the name of the author, date and notes about changes made – so that you can refer to what changes have been made throughout this iterative process.

For further information, please see the EIA Guidance document on version control.

## **5b. Approval**

<b>Approved by</b>	<b>Date approved</b>
Head of Service – Hayley Connor, Director of Commissioning	11 April 2022
Executive Director – Rachael Wardell	11 April 2022
Cabinet Member – Denise Turner-Stewart	11 April 2022

**EIA author:** Adam Whittaker

## **6c. EIA Team**

<b>Name</b>	<b>Job Title</b>	<b>Organisation</b>	<b>Team Role</b>
Adam Whittaker	Senior Strategy and Policy Lead	Surrey County Council	Equality Impact Assessment author
Eamonn Gilbert	Assistant Director, Commissioning	Surrey County Council	Service lead and subject matter expert
Chris McShee	Admissions and Transport Manager	Surrey County Council	Subject matter expert
Tracey Coventry	Transport Co-ordination Team Manager	Surrey County Council	Subject matter expert

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