



Thursday, 7 April 2022

PROPOSED CHANGES TO HOME TO SCHOOL TRAVEL ASSISTANCE POLICY

Purpose of report: The purpose of this report is to outline the proposed changes to the Home to School Travel Assistance (H2S TA) policy for children and young people in mainstream schools and pupils with additional needs (SEND). This report sets out the rationale for, the objectives of the changes, the changes being consulted on and the intended outcome.

Introduction:

1. The Council is committed to meeting the educational needs of as many children and young people as possible within local schools. In many cases, this will mean that pupils can walk or cycle. Approximately 160,000 pupils attend school each day in Surrey. A small proportion (approximately 10,000 or 6%) of pupils find it difficult to travel to a setting, school or college without some assistance and require additional support from Surrey County Council. Residents may qualify for support for many reasons including distance between their home and education setting, lack of public transport options, their age, or if they have an Education, Health and Care Plan (EHCP) because they have additional needs.
2. To support Surrey County Council's ambition for children and young people to live, learn and grow up locally over the next five years, the Council is investing £139m to create more school places. This will mean more children are educated closer to home, which will reduce demand on travel assistance services.
3. 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. H2S TA supports pupils and young people to travel to their school or college, for children of statutory school age (5-16 years old), for children under 5, and for young people aged 16 to 19 and 19 to 25. A summary of our statutory duties for home to school transport are in Annex 2.
4. The Council is seeing significant challenges in securing appropriate transport provision due to challenges in the labour market, both in Surrey and nationally. This is also in the context of a significant rise in fuel costs. This has made it difficult to ensure that children and young people who most need our support get it at the right time, against the backdrop of increasing demand.

5. The Council is refreshing the H2S TA policy in several key areas so that it is reflective of the ambitions we have for our children and aligned to the context summarised in this paper. This means that the policy will align to the Authority's commitment to moving away from an offer of school transport delivery model to a travel assistance model, with an increased focus on sustainability and Surrey's green agenda.
6. In doing so, the council has proactively engaged with parents, carers, schools and colleges and other stakeholders. A public consultation on the proposals was launched on 22 February 2022 and will conclude on Tuesday 31 March 2022. The consultation covers services provided to both mainstream and children and young people with additional needs.

<p>Why this change is required</p>

7. The H2S TA sets out the way in which the council discharges its statutory and discretionary powers and responsibilities for parents and carers, young people and young adults on the transport assistance available for pupils aged up to 25 years of age.
8. The Council is focused on ensuring children and young people in Surrey can attend local schools and settings, and travel to and from school with their friends and peers. Therefore, very significant investments have been made to create more school places in our special schools across the County and further work to promote inclusion is a key priority in our SEND Transformation.
9. In Surrey, everyday nearly 10,000 children and young people access H2S TA, this is funded via the Council Tax. The cost of this per annum is circa £40m. This cost has increased consistently over the past few years and we, like other transport commissioners nationally, are seeing additional financial pressures as we move out of the pandemic as well as more demand.
10. To illustrate the costs of providing transport services, as of January 2022, just over 18% of mainstream service users are provided with a taxi or minibus service, costing the council nearly £100,000 per week. By contrast, 98% of children and young people with additional needs who are provided with transport use a minibus or taxi, costing the council nearly £1m per week.
11. Whilst the council intends to continue to support those that most need help, we must manage increasing costs and demand and we are therefore proposing to:
 - Increase 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. Surrey County Council wishes 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.

- 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.
12. Some pupils with additional needs will not be affected by these proposals. Of those young people in post-16 education with an EHCP, we estimate that 11% will require lifelong support from Adult Social Care and 4% will have complex medical needs, which will require lifelong support from their Clinical Commissioning Group. For the remaining pupils, their travel assistance will end once their EHCP ceases, for example, when their EHCP expires when they turn 25 years old.

Proposed Changes

13. To support Surrey County Council's ambition of empowering and supporting children and young people, prepare them for adulthood and use resources wisely, several key changes to the H2S TA Policy are proposed. The changes are set out in the consultation that is taking place and are summarised below:

Broader range of travel assistance options

13. The Council plans to offer a broader range of Travel Assistance options, aligned with Surrey's commitment to its green agenda, promoting more sustainable modes of travel assistance. This includes options such as bikeability (cycling safely and with confidence), driving lessons and access to TfL Oyster Card (in some areas of the county). In addition, individual travel training assessments are proposed which will be undertaken in an agreed location rather than in the home.
14. Alongside this expanded set of options, collection points will be introduced. Currently children and young people are collected from home and dropped off there each school day. It is proposed to change this so that pupils are collected from a designated pick-up and drop-off locations. Where children and young people with complex additional needs or the parents or carers' own mobility or disability may impact on them being able to use the collection points, the council will assess individual needs to determine suitability.

Clarity on transport journey times

15. The Council currently aims to comply with national guidance on the maximum length of journey time for a child to get to and from school. This is 45 minutes for a primary aged child and 75 minutes for a secondary aged child attending placements both within and outside the County. This means that in planning routes, the maximum time standard eclipses all other considerations and means that when children and young people could potentially share or participate in other modes of travel, they don't have this option.

16. The Council is proposing that the national guidance suggestions for journey times will not apply to any pupils travelling to out of county schools, where distances and the frequency of journeys may vary. We are also proposing to change the maximum journey times for all children in Surrey schools from 45 minutes to 75 minutes. The national guidelines apply to children aged 5- to 16-year-olds. They were written in 1996 for all local authorities and state that best practice suggests that journeys are completed in these times. Surrey's size as a large rural area means some journey times will exceed the best practice times recommended. Introducing this change will mean greater flexibility to consider journeys via other means and will support the reduction proposed in solo taxi transport. The needs of the child and young person (including their age) will be considered alongside time and transport methods.

Proposing a change to the measuring system for determining Independent Travel Allowance (ITA) from Straight Lines to Road Routes.

17. Straight line route measurements have previously been used for Independent Travel Assistance agreements but has occasionally been a barrier for agreeing transport funding for children, young people and families to make their own travel arrangements. Moving to a method that measures road route distance will simplify the process and more effectively reimburse families for the costs of making their own arrangements and increase the number of families able to take up this offer.
18. The current H2S TA provides two modes of mileage reimbursement:
- A tiered mileage allowance based on average distance between a home address and school. This tiered allowance is broken down into 3 bands.
 - A standard mileage rate.
19. It is proposed to introduce a simpler scheme to enable a more unified reimbursement process for parents and carers (including how and when they are reimbursed). The mileage rates to be used will still be set in line with Her Majesty's Revenue and Customs (HMRC).

Notice period(s) for the removal of travel assistance in certain circumstances.

20. At present if a family's circumstances change or a route to school becomes safe to walk, travel assistance will remain in place unchanged for the children or young person until the end of the academic year. The Council proposes in the future to reduce this to four weeks following notification to parents and carers.
21. If a family's low-income status has ended, the Council proposes to continue to provide travel assistance until the end of the academic year. The Council will also connect with families and offer support such as signposting to specific services if this would prove helpful to them.

Reasons for withdrawal of transport

22. The current policy states in what circumstances transport will be withdrawn. The reasons include where fraud has taken place or a submission made included misleading information. The Council proposes to expand this part of the policy to include if there are errors with the initial assessment. Parents and carers will have the right of appeal if assistance is withdrawn for this reason.

Provision of travel assistance for under 5s.

23. The current policy states that the council may provide travel assistance to children aged Under 5 if it feels that extenuating circumstances have been demonstrated. It is proposed that this discretionary assistance will only be provided to reception aged children (children aged 4 and above). Currently 169 children who access H2S TA fall into this group. The Council may provide assistance to children who are aged four and entering into the reception year at primary school if extenuating circumstances have been demonstrated.

Medical and Health Interventions in the Travel Assistance Policy.

24. The current policy outlines in what circumstances a Passenger Assistant may be approved to support a child during travel to school, and one of these circumstances may be a child who has specific health and/or medical needs. It does not outline the operational standards or processes linked to the provision of medically trained transport staff. It is proposed that the new policy will provide guidance on the operational standards and processes which the Council follows if there is a requirement for a medically trained Passenger Assistant to support children during their journey to school.

One child per vehicle transport.

25. The current policy outlines in what circumstances individualised transport would be agreed. This is mainly taxis taking children and young people to and from schools and settings. The proposed change will mean that in the future, only in very specific circumstance will individualised transport be provided which will mean more children sharing transport and accessing a wider range of travel assistance options. Provision of individualised transport will instead be linked to medical needs or where the child or young person is receiving one-to-one support in their education or training venues.
26. Individualised transport involves provision of a single vehicle and a member of staff, for a single pupil. This carries a significantly higher unit cost than shared transport. Reasons this transport may be determined as the most appropriate solution may relate to the geographical location of the home address in relation to the education setting. It may also be linked to a health or medical need or the inability to share a vehicle due to the one-to-one nature of their education provision. The proposed change will clarify for both families and Surrey County Council staff the circumstances under which individual transport will be agreed to.

Travel assistance and unacceptable behaviour

27. The policy advises in some detail that the Council may look to withdraw transport assistance in instances of unacceptable behaviour. The Council understands its duty to provide travel assistance to children who are eligible, however, in circumstances where a child's behaviour has been dangerous and or potentially risks harm to themselves and others in a vehicle (including the driver), a review of the arrangements will be undertaken. It is proposed that parents/carers will be asked to accept a mileage allowance instead of transport being provided.

Travel Assistance and post-16

28. National guidance states that the council does not have to provide free transport for students aged 16-19. The Council's current policy states that transport will be provided in exceptional circumstances only. Currently 653 young people over the age of 16 access H2S TA. This costs circa £ 7.8M per annum.
29. In the future it is proposed that offers of travel assistance will focus on independent travel options, including the use of public transport and will move away from provision of private hire vehicles such as minibuses or taxis.
30. In addition, it is proposed that where the Council assesses a young person aged 16 to 19 years as eligible for travel assistance under its policy, the assistance offered may be in the form of a post-16 transport bursary to support families and young people to make their own transport arrangements.

Travel assistance appeals process

31. National guidance sets out how appeals against decisions made for H2S TA are conducted. This includes a two-stage process. Stage two must be independent of the stage one decision-making process. At present the stage two panel can be made up of members of the local authority.
32. It is proposed to continue with a two-stage process and that the stage two panel will be independent of the first, but the membership will now include Council Officers and in the future. This is in line with national guidance.

Conclusions:

33. The changes to the H2S TA policy are designed to increase the range of transport options offered to children who are eligible, promote inclusion and independence, support preparing for adulthood outcomes and make effective use of public sector resources. The Council has consulted with Surrey Residents about the proposed changes.
34. The consultation has been designed to adhere to legal requirements to consult communities on changes to H2S TA. The key elements of the consultation have been:

- A hard copy letter was sent to all current mainstream and additional needs (SEND) H2S TA service users setting out the proposed changes and inviting them to respond to the survey.
 - A survey on 'Surrey Says' that can be accessed by all Surrey Residents. As of 22 March 2022, 557 people had responded to the survey.
 - 4 virtual events
 - A Face Book Live Event with Family Voice
32. The consultation closes on 31 March 2022 at which time the results will be analysed and will inform the Cabinet decision on H2S TA policy changes.

Recommendations:

33. The Committee shares its views on the proposed approach to the new H2S TA policy and make any recommendations to Cabinet to inform their final decision.

Next steps:

- Public consultation closes 31 March 2022
 - Consultation response reviewed and analysed.
 - New travel assistance policy to be considered for decision-making by Cabinet on 26 April 2022.
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Sources/background papers

Annex 1 – Proposed Changes Guide



HOME TO SCHOOL TRAVEL ASSISTANCE POLICY:

Proposed Changes Guide

Introduction

This document summarises proposed changes to Surrey County Council's Home to School Travel Assistance Policy (H2S TA). This policy explains the eligibility criteria for travel assistance for children, with and without special educational needs, of statutory school age (5-16 years old), for children under 5 and for young people aged 16-19 and 19-25, and describes how the Council fulfils its duties and exercises its discretionary powers as set out in the Education Act 1996 and subsequent legislation and guidance.

The Council is refreshing the Home to School Travel Assistance (H2S TA) policy in a number of key areas. In doing so we will proactively engage with parents, carers, schools and colleges and other stakeholders. The policy will help align the Authority's commitment to moving away from an offer of school transport to a travel assistance model, with an increased focus on sustainability and Surrey's green agenda. Moving forward, the Council wants to focus on:

- Enhancement of the independent travel training (ITT) offer
- Further promotion of collection points rather than home pick-up arrangements
- A review of the process for the provision of individual transport
- Not providing H2S TA when the school attended is one of parental choice rather than the closest school to meet need
- The adoption of a more sustainable approach with greater use of public transport options where appropriate, reducing reliance on taxis and private cars

To complement the new policy, we are developing a parent guide that will sit alongside the agreed policy document. The parent guide will simplify guidance outlined in the new policy and explain the council's processes in greater detail.

The consultation uses the term 'additional needs' and 'SEND' to refer to children, young people and adults with special educational needs and disabilities. We have agreed to use identify-first language (eg "additional needs" rather than SEND unless it refers to legislation or a policy as this was the preference of young people we spoke to.

The main areas the Council is proposing to change are as follows :

1. The Council plans to offer a broader range of Travel Assistance options, aligned with Surrey's commitment to its climate policy agenda, promoting more sustainable modes of travel assistance.

Our engagement with children and young people tells us that working towards and supporting their independence is important. These options will help empower them, prepare them for adulthood and as a result contribute to improving their quality of life.

- The Council will introduce options such as bikeability (cycling safely and with confidence), driving lessons and access to TfL Oyster Card (in some areas of the county).
- We will no longer require children and young people to undertake individual travel training assessment in the home. The assessment will be undertaken in an agreed location.
- We will be encouraging the use of collection points, the designated pick-up and drop-off locations for pupils to meet the bus or taxi. Where children and young people with complex additional needs or the parents or carers' own mobility or disability may impact on them being able to use the collection points, we will assess individual needs to determine suitability. Where the introduction of collection points is being considered, the Council will consult with the parents and carers already on those routes affected by this potential change in service.

2. We propose to clarify the Council's position on transport journey times

The Council currently aims to comply with national recommendations on the maximum length of journey time for a child to get to and from school. This is 45 minutes for a primary aged child and 75 minutes for a secondary aged child attending placements both within and outside the County.

The Council is proposing that the recommended journey times will not apply to pupils travelling to out of county schools, where distances and the frequency of journeys may vary. We are also proposing to change the maximum journey times for primary aged children to 75 minutes.

3. We propose to change the measuring system for determining Independent Travel Allowance (ITA) from Straight Lines to Road Routes.

The policy currently says that the calculation of independent travel allowance is based on a straight-line (as the crow flies) calculation between a home address and school. The Council proposes to change this to a calculation that measures distances via road route. This is a better and more accurate reflection of the journey distance undertaken.

4. We are proposing to introduce a simplified mileage reimbursement system which replaces the original tiered system with the aim of increasing the take-up of this offer.

At the moment, the policy provides two modes of mileage reimbursement:

- A tiered mileage allowance based on average distance between a home address and school. This tiered allowance is broken down into 3 bands (0-5.99 miles, 6-10 miles and 11+ miles) and there are corresponding allowance rates next to each band.
- A standard mileage rate.

The Council proposes to introduce a simpler scheme to enable a more unified reimbursement process for parents and carers (including how and when they are reimbursed). The mileage rates to be used will still be set in line with Her Majesty's Revenue and Customs (HMRC). Distances will be calculated using the shortest road route. In conjunction with this, the Council proposes to introduce flexibility to agree reimbursement rates on an individual basis with parents and carers where the alternative would be high-cost transport.

5. The Council proposes to change the notice period for the removal of travel assistance in certain circumstances.

The current policy requires travel assistance to remain in place until the end of the academic year in instances where low-income status of a child ends, and in instances where a walking route previously deemed unsafe becomes safe after review. The Council proposes to write to parents and carers when a walking route becomes safe with the explanation of the change and continue to provide assistance for four weeks at which point transport will be withdrawn.

If a family's low-income status has ended, applicants who have been entitled to travel assistance will be written to with the explanation that assistance will end. Travel assistance will be provided until the end of the academic year. The Council will also connect with families and offer support such as signposting to specific services if this would prove helpful to them.

6. The Council proposes to clarify the reasons for the withdrawal of transport and include the removal of assistance if an application approved for H2S TA has been done in error.

The current policy states in what circumstances transport will be withdrawn. The reasons include where fraud has taken place or a submission made included misleading information.

This part of the policy will be expanded to include the withdrawal of assistance if there are errors with the initial assessment. Parents and carers will have the right of appeal if assistance is withdrawn for this reason in the usual way.

7. The Council proposes to clarify its position regarding the provision of travel assistance for under 5s.

The current policy states that the council may provide travel assistance to children aged Under 5 if it feels that extenuating circumstances have been demonstrated.

It is proposed that this discretionary assistance will only be provided to reception aged children. The Council may provide assistance to children who are aged four and entering into the reception year at primary school if extenuating circumstances have been demonstrated.

8. The Council proposes to add information on Medical and Health Interventions in the Travel Assistance Policy.

The current policy outlines in what circumstances a Passenger Assistant may be approved to support a child during travel to school, and one of these circumstances may be a child who has specific health and/or medical needs. It does not outline the operational standards or processes linked to the provision of medically trained transport staff.

It is proposed that the new policy will provide guidance on the operational standards and processes which the Council follows if there is a requirement for a medically trained Passenger Assistant to support children during their journey to school.

9. The Council proposes to reduce the reliance on one- child- per-vehicle transport.

The current policy outlines in what circumstances individualised transport would be agreed. This is mainly taxis taking children and young people to and from school and settings.

The refreshed policy develops a focus on enabling independence and preparing for adulthood such as employment or shared living away from home. The proposed change to individual transport will be that it will only be agreed in extenuating circumstances. Travel assistance options other than bespoke transport will be explored in the first instance. Where transport is needed, it would normally be in a vehicle shared with other students or pupils such as a taxi or minibus. Provision of individualised transport would normally be linked to medical needs or where child or young person is receiving one-to-one support in their educational training venues.

10. The council proposes to clarify the conditions in which transport may be withdrawn based on instances of dangerous behaviour and a more detailed process.

The policy advises in some detail that the Council may look to withdrawing assistance in instances of unacceptable behaviour. The Council understands its duty to provide travel assistance to children who are eligible.

However, in circumstances where a child's behaviour has been dangerous and or potentially risks harm to themselves and others in a vehicle (including the driver), a review of the arrangements will be undertaken. It is proposed that parents and carers will be written to. If the occurrences are repeated, then a parent/carers will be asked to accept a mileage allowance instead of transport being provided.

11. The Council proposes to create an updated version of its statement for post-16 young people in-line with national guidance.

The Council's current policy states that transport will be provided in exceptional circumstances only.

National guidance states that the council does not have to provide free transport for students aged 16-19. The proposed change to the policy will be that the Council in the exercise of its discretion as to what travel assistance is necessary for learners of sixth form age may provide travel assistance for young people aged 16 to 19 who have additional needs in order to help them transition into adulthood and explore independent travel. It will also provide signposting to transport services for those young people who are not provided with H2S TA. Offers of travel assistance will now focus on independent travel, including the use of public transport and not on the provision of private hire vehicles such as minibuses or taxis.

12. The Council proposes to introduce bursaries for young people post 16 years of age.

The current policy outlines the types of travel assistance available if the Council deems a young person aged 16 to 19 eligible for travel assistance. It is proposed that where the Council assesses a young person aged 16 to 19 as eligible for travel assistance under its policy the assistance offered may be in the form of a post-16 transport bursary to support families and young people to make their own transport arrangements to develop independence and prepare for adulthood.

13. The Council is proposing to introduce changes to its travel assistance appeals process.

There is national guidance that sets out how appeals against decisions made on H2S TA are conducted. This includes a two-stage process. Stage two must be independent of the stage one decision-making process. At present the stage two panel can be made up of members of the local authority.

It is proposed to continue with a two-stage process and that the stage two panel will be independent of the first but that the membership will include Council Officers in the future.

For any questions regarding the survey, please contact research@surreycc.gov.uk

Annex 2 – Summary of statutory duties for Home to School travel assistance

Mainstream primary

Children in year 0 (Reception) to year 3 can get free home to school transport if they attend their nearest school and live more than 2 miles away.

Children in year 4 to year 6 can get free home to school transport if they attend their nearest school and live more than 3 miles away.

Children from low-income families in year 4 to year 6 can get free home to school transport if they attend their nearest school and live more than 2 miles away.

Mainstream secondary

Children aged 11 to 16 (school years 7 to 11) can get free home to school transport if:

- they attend their nearest school
- they live more than 3 miles away

Children from low-income families can get free home to school transport if:

- they attend one of their 3 nearest qualifying schools
- the school is between 2 and 6 miles from their home address

School transport for children with special educational needs and disabilities (SEND)

Home to school transport will not be provided if you signed a transport disclaimer when agreeing your child's school and if there is no legal entitlement.

We will provide home to school transport where children:

- are attending their nearest suitable school (that we've identified)
- live 2 miles or more for children below 8 from their nearest suitable school
- live 3 miles or more for children aged 8 or over from their nearest suitable school
- where the mainstream low-income policy (above) is met

School transport could also be provided if a child has SEN or mobility difficulties and cannot reasonably be expected to walk to their nearest suitable school, even when accompanied by a parent.