

POST-16 EDUCATION TRAVEL POLICY FOR 2017-18

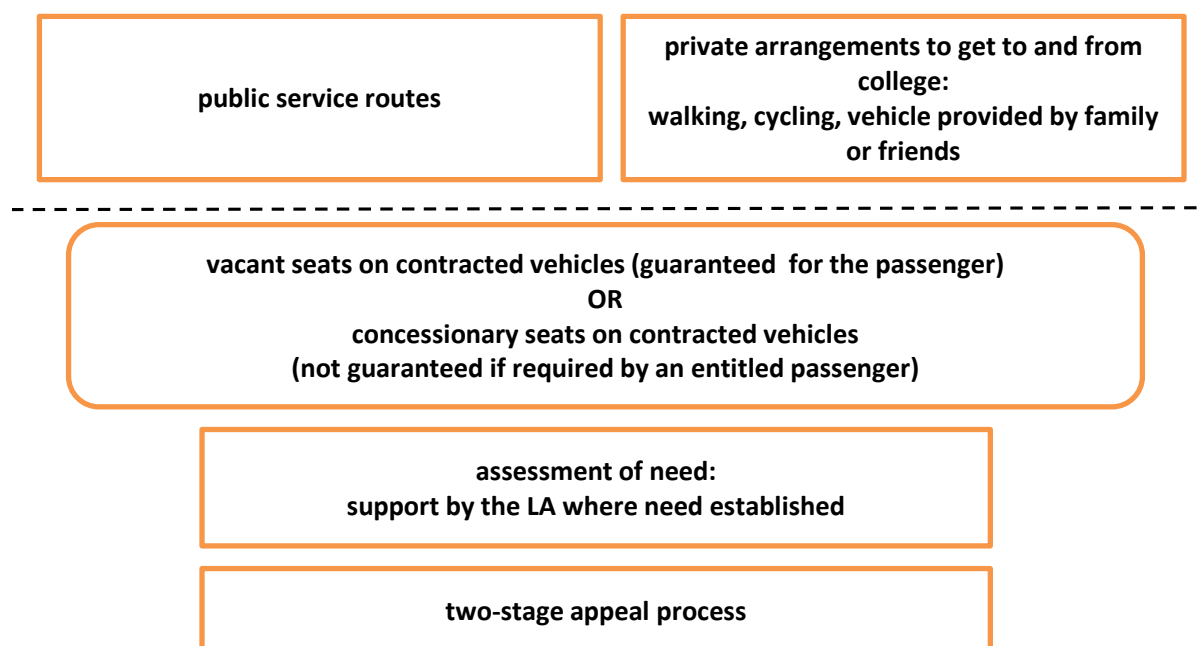
Report of the Head of Education and Learning

Please note that the following recommendation is subject to approval by the Cabinet and confirmation under the provisions of the Council's Constitution before taking effect.

1. Note the travel policy was proposed and consulted on by the Local Authority.
2. Consider the recommendations at section 3.1.
3. Determine the recommended policy for 2017-18 at www.devon.gov.uk/admissionarrangements

1. BACKGROUND

- 1.1 The Local Authority (LA) has statutory responsibilities to provide free transport to and from school for children of statutory school age who meet set criteria. It may also exercise its discretion to provide assistance for children in other circumstances, for which it may charge a fee or contribution. The LA must also support travel for post-16 students where there is a need to do so and may charge a contribution for that support. Under Section 509AB(3)(a) of the Education Act 1996, the LA must have regard to the needs of those post-16 students who would be unable to access education or training provision if transport arrangements were not made by the LA to support them.
- 1.2 A policy was proposed under which the LA would become the safety net for transport for post-16 students rather than the scheme provider. The LA would only support transport where no other options are possible to enable a student to access education post-16. The proposed policy would not lead to post-16 students unable to travel to school or college to continue in education. The process detailed below at sections 4 and 5 can be summarised as below with LA support below the dotted line:



- 1.3 The County Council's Education transport budgets are under severe pressure and a range of management actions are being implemented to reduce costs to be within the budget envelope. The budget for 2016-17 is £21,564,000 and taking into account savings targets at the end of month 2, there is a predicted overspend of £1,080,026.

The post-16 transport budget is £449,000 with a predicted overspend based on month 2 of £80,000. By increasing the post-16 contribution over recent years and with the 2016-17 proposed change it is anticipated that this will contribute towards reaching a balanced budget.

2. PURPOSE OF THIS REPORT

- 2.1 This paper is to report the outcome of a consultation on amendments to the education travel policy for post-16 students which would affect travel during the academic year 2017-18 and to seek approval for the amended policy.

3. RECOMMENDATIONS

- 3.1 Members are requested to:

1. Increase the contribution level for all subject to pay a contribution from £560 to £580 per annum; and
2. Remove an automatic entitlement to transport support for post-16 students, with support being available from the Local Authority only where students¹ can evidence that they could not access education or training provision without support being given by the LA.

4 CONSULTATION

- 4.1 The Education Transport Policy for 2016-17 was determined by Cabinet in April 2016 and included arrangements for Post-16 Transport within that policy. Where a contribution towards costs of the LA was required, this was increased from £520 to £560 per annum. A reduction for children and students from low-income households was removed. No other changes were made from the 2015-16 policy.

- 4.2 The LA consulted on the proposed policy for 2017-18 between April and June 2016. The consultation was hosted at www.devon.gov.uk/admissionarrangements. Information was sent to all schools and colleges in the county and close to the county border. Letters were also sent to schools and colleges for distribution to the parents of children in Year 10 to inform them of proposed changes to the 2017-18 policy affecting new post-16 applicants. Children of current Year 10 age will enter post-16 education for the first time in 2017-18. Parents, children and colleges were invited to comment on the proposals with the consultation ending on 30 June.

- 4.3 A large number of responses have been received to this consultation. The principal concern of parents is that their child would not be able to get to college without transport provided by the LA. The view from a number of colleges has been that the level of funding available through the College Bursary Scheme would be insufficient to meet the needs of all of their students. The responses are detailed at **Appendix A**.

5. TRANSPORT WITHOUT ASSISTANCE FROM THE LA

- 5.1 The overarching principle is that students and parents have the primary responsibility for travel to and from college. They would be expected to have explored all options and in order to request support from the LA, to provide evidence that no other means of travel or sources of support are available. They may seek support through the Bursary

¹ In most cases it is the student's parent or carer who makes applications and pays contributions towards the LA costs.

scheme and, if that is not available or is insufficient, in the last resort from the LA as a safety-net. Students and their parents would be expected to:

- walk to and from college; or
- use a bicycle; or
- use a motorcycle or moped; or
- use a car provided by family or friends; or
- access public transport; or
- make other arrangements.

In many cases, the student will be able to walk to and from college or travel using public transport. Where this is the case, there is no need for the LA to assist in any way.

6. PROPOSED AMENDMENTS

6.1 Under the proposed policy, support would not be available from the LA unless satisfactory evidence is provided that the student could not travel to college independently or by using public transport. This approach is based on the following:

- there is no universal entitlement to travel assistance from the LA for post-16 students;
- parents are responsible for making travel arrangements for their children;
- colleges are provided with bursary funds to support students with travel, clothing, books and equipment for a course;
- where there is financial difficulty, parents or students should approach colleges for assistance through the bursary scheme;
- the LA should only be seen as providing assistance where there is a barrier to accessing or remaining in education and where all other options have been investigated and are not available, as evidenced by the parent or student; and
- where travel assistance is provided by the LA, a contribution towards costs will be required.

6.2 In determining whether there is a need for the LA to provide support for an individual student, the LA would retain eligibility criteria. The student must:

- live in the Devon County Council administrative area;
- attend the nearest appropriate post-16 establishment;
- live further than three miles from the establishment;
- be in full-time education; and
- be under 19 years of age on the 31 August before the beginning of the academic year²

6.3 There would be no automatic entitlement to support from the LA and the LA will not arrange for transport support to be put in place without contact from the student or parent. The LA will continue to operate an advice service which will be able to signpost students to sources of support for transport arrangements, principally through sixth forms and other colleges. The LA will continue to work with transport providers to develop sustainable travel options for students.

6.4 Where a student or parent seeks support from the LA, it will require satisfactory evidence:

² Or he or she must be attending a specific course for those with learning difficulties and be required to attend beyond the age of 19 in order to complete the course. Support would then continue until the end of the academic year during which he or she reaches 21 in order to attend the same course at the same establishment.

- that they have applied to their college for financial assistance, with details of the level of support offered;
- of the cost to them if they were to make the necessary travel arrangements;³
- of a medical condition or other circumstance that would prevent the parent making the other necessary travel arrangements, and
- of their financial circumstances, for instance, proof of receipt of means tested benefit.

6.5 The LA would then consider the evidence and reach an individual decision whether there was a need for assistance to be provided. There would be a very clear expectation that where a public service vehicle could be used by the student to get to and from college, it would be used, paid for by the student or parent. Students from low income households especially are able to seek financial support from the college through the Bursary scheme.

In the absence of a public service route, the student or parent would be expected to provide evidence that there are no other arrangements that could be made to get the student to and from college – such as a car or other means of transport within the family. It would not be sufficient to state that it would be inconvenient for the family to use its own resources. In some circumstances, it may be accepted that there is a need for the LA to assist a student to get to a public service route.

6.6 It is expected that there will be a number of students with additional needs for whom transport arrangements will require specialised or individual transport. The expectation that parents will transport students would apply equally in these circumstances, including where a vehicle has been made available for the student's transport needs. The LA will assume that where public funds have been used to provide a Motability vehicle for the student's direct benefit, this will be used for home to college travel. However, where it is evidenced that the family is unable to make arrangements for transport, the LA would continue to provide support over and above any support provided by the college through the Bursary scheme. Bursary funding may be used to help the family pay the contribution towards the costs of the LA.

6.7 Similarly, where the cost of transport is higher due to rurality and isolation, the LA recognises that it may be required to assist the student. This may be through an allowance to support a family vehicle or to pay other costs or, in more exceptional cases, the provision of a seat on a vehicle contracted by the LA.

6.8 Transport support from the LA may include the offer of Independent Travel Training to enable the student to get to and from college either without the need for a vehicle or by using a cheaper option. Independent Travel Training offers financial savings and enables a student to be more self-reliant in other areas of life.

6.9 In all cases where the LA provides support, there will be a requirement to pay the contribution towards LA costs. This cost is to be met by the student or parent and would apply equally to all students, including those from low-income households and those with additional needs. Students will be advised to approach the college for financial assistance through the Bursary scheme. Under the 2016-17 transport policy, post-16 students and their families are expected to pay a contribution towards LA costs. They can approach colleges for assistance from the Bursary scheme. This is targeted towards the most disadvantaged but available for all families to request.

6.10 Under a revised policy, LA support would be the most cost-effective possible and consist in:

³ This should be the most cost-effective arrangements possible.

- provision of a seat on a LA contract vehicle or
- a financial allowance to assist with travel costs to and from college or to and from an appropriate pick-up/drop-off point for a public service or LA contract vehicle; or
- Independent Travel Training.

The LA will use the most cost-effective option that would enable the student to benefit from the education provided at college. By targeting support on those with an identified need, the LA would be operating a more flexible, responsive policy for the benefit of those with genuine need. The ongoing pressure on LA finances requires that Devon steps back from making discretionary provision for all students who meet eligibility criteria.

- 6.11 The proposed change to policy recognises the trend over recent years towards post-16 transport becoming more college-sponsored and for fewer students to access LA transport support. It is anticipated that the LA will continue to support a core of students with an identified need for support because of their additional need, the rurality of their home location or because there is another identified need for assistance.

Number of students receiving LA transport support

Year	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
FE college	2460	2042	1769	1446	1243	1336
sixth form	1149	974	834	819	785	715
Special school	130	119	116	124	140	126
Total	3739	3135	2719	2389	2168	2177

7 FINANCIAL CONSIDERATIONS

- 7.1 Details of the current overspend are at section 1.3 above.
- 7.2 The proposals in this document are intended to reduce the financial liability of the LA. By removing some discretionary entitlement and increasing the expected income from contributions, the LA would be seeking to lower the overall spend on education transport. It would be for colleges to deploy Bursary funding to reduce or remove any financial impact on families.
- 7.3 Post-16 students can request support from school sixth forms and Further Education Colleges which are funded through the 16 to 19 Bursary Fund. This is money from central government that students or the college can use to pay for transport, lunch of study days or clothing, books and other equipment necessary for the education course.
- The Bursary Fund is available to students through a Vulnerable Student Bursary which allows for up to £1200. This is means tested. There is a further fund, a Discretionary Bursary for which colleges will set their own criteria to decide which students will receive assistance. Details of the funding available to colleges under this scheme in 2015-16 are given at **Appendix B**.
- 7.4 It is anticipated that there would remain a number of students who, with higher costs due to rurality or additional need require transport support from the LA either in the absence of Bursary support or in addition to it. For the majority of cases, students will receive financial support from the college or from the family's own resources.

- 7.5 The post-16 transport budget for 2016-17 is £449,000. From the increase in the contribution level⁴ it is anticipated that £54,000 will be saved in the current financial year. This takes into account the impact of changes being introduced part way through the financial year.

The proposed changes from September 2017 would save £98,000 within year making at total saving including the increased fees of £159,500 for 2017-18. As the revised policy is gradually introduced it is anticipated that the saving by 2019-20 will be £254,000 per annum.

8 SUSTAINABILITY CONSIDERATIONS

- 8.1 The travel policy supports the principle of promoting access to education and meeting the LA's statutory responsibilities. It is anticipated that students will continue to travel by the same means to college in most instances. The costs of transport would be met either by the student or by the college through the College Bursary scheme rather than by Devon County Council.

9 EQUALITY CONSIDERATIONS

- 9.1 Equality of access to education opportunities is a fundamental feature of transport arrangements. The policy for consideration has been subject to an Equality Impact Needs Assessment, at www.devon.gov.uk/admissionarrangements

10 LEGAL CONSIDERATIONS

- 10.1 Local authorities must have regard to the transport needs of post-16 students. Devon must comply with statutory guidance of the Department for Education: *Post-16 Transport to Education and Training*, February 2014. Setting fair and transparent arrangements ensures that the LA meets its duty and enables parents, colleges and other interested parties to have confidence in them. The policy has been proposed and the subject of consultation.

11 RISK MANAGEMENT CONSIDERATIONS

- 11.1 The key risks are that the LA will not have a lawful policy for Post-16 Education Transport and that a policy is not determined by the LA ahead of arrangements being made for post-16 education and applications for transport from September 2017 submitted during the 2016-17 academic year by parents and post-16 students.
- 11.2 The LA does not anticipate an increase in the number of young people who are not in education, employment or training (NEET) as a result of this amendment. It would continue to be a provider of transport assistance for post-16 students as a safety net.

12. CONCLUSION

- 12.1 The LA has a statutory responsibility to provide transport support where the absence of support would prevent a student from remaining in education. This responsibility is confirmed under the proposed policy.

The recommendations in this paper recognise ongoing pressure to reduce costs and to withdraw from provision that is not statutorily required.

Sue Clarke
Head for Education and Learning

⁴ Determined by Cabinet in April 2016.

ELECTORAL DIVISION: All

Cabinet Member for Children, Schools and Skills: Councillor James McInnes
Strategic Director People: Jennie Stephens

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Local Government Act 1972. Background Papers:

Cabinet Report EL/16/3 (Minute *7/13 April 2016)