

MEETING TITLE AND DATE:Cabinet 12th February 2020**REPORT OF**

Peter Nathan, Director of Education
 Tony Theodoulou, Executive Director -
 People

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Agenda - Part:1	Item: 11
Subject: Getting to School Policy (KD 4851)	
Wards: All	
Cabinet Member consulted: Cllr Rick Jewell	

1. EXECUTIVE SUMMARY

The current Travel Assistance Policy of 2016 has been reviewed and updated. The purpose of the review was to:

- Improve the efficiency of this important service for all users, in the context of rising demand from families requiring assistance
- Maximise the opportunities for young people with SEND to achieve independence through independent travel training
- Ensure the policy is compliant with statutory guidance
- Ensure that we are delivering the most cost-effective approach to travel assistance.

The updated Getting to School Policy sets out how the Council will identify and support those children and young people who need travel assistance to their school or setting and provide it in a consistent, transparent and fair way, working in the best interest of the children and young people.

This policy sets out how we are meeting our obligations under the Education Act 1996 and the Education and Inspections Act 2006 which are to:

- Provide travel assistance to eligible children and young people; and
- Facilitate attendance for young people of sixth form age receiving education or training.

By implementing this policy, we will:

- Promote a safe, active and sustainable approach to travel assistance to and from schools or other educational settings
- Promote the most independent approach to travel assistance
- Ensure a genuine partnership with children, young people and their parents, and
- Use the most cost-effective and environment friendly travel options

2. RECOMMENDATIONS

That Cabinet approve the updated Getting to School Policy for implementation.

3. BACKGROUND

3.1 The Education Act states that local authorities must provide free school transport to 'eligible children' and promote the use of sustainable travel and transport for all children and young people of compulsory school age.

3.2 Enfield Council is committed to ensuring that all children and young people have access to an education setting which meets their needs, enables them to meet their full potential and lead independent healthy lives. This includes enabling children and young people with Special Education Needs and Disabilities (SEND) to develop the skills to live an ordinary life in adulthood and fulfil their right to independent living and employment.

3.3 The majority of children and young people in Enfield, including those with Special Education Needs or a Disability (SEND), do not require specialised travel assistance to access their education setting. However, in some circumstances, as set out in law, the local authority has a duty to make travel arrangements, as they consider necessary, for an eligible child or young person.

3.4 Our current Travel Assistance Policy was put in place in 2016. This sets out how the Council will identify and support those children and young people who need travel assistance and provide it in a consistent, transparent and fair way, meeting our obligations under the Education Act 1996. It also meets our obligations under the Education and Inspections Act 2006 (EIA).

3.5 In September 2019, there were 903 children and young people receiving travel assistance. This included 809 children/ young people on directly provided transport (4 of whom were receiving independent travel training with the expectation that they will stop directly provided transport on completion of their training) and 94 receiving personal travel budgets. During 2018/19, a total of 13 young people were travel trained. Since 1st April 2019, we have already travel trained 14 young people.

3.6 Since 2016, there have also been changes in statutory guidance regarding travel assistance.

3.7 In this context, we have reviewed the current policy and proposed the following changes:

1. The inclusion of a brief section about sustainable modes of transport to promote environmentally sustainable travel to and from schools and educational institutions.

2. Further clarification on the factors relating to family circumstances that can be considered while expecting parents/carers to accompany their children. The revised set of factors include whether or not parents/ carers are in employment, and if so the hours worked and location of work, in addition to whether or not they take other children to a different school. This will help inform the decisions we make regarding whether the fact that a parent/ carer is in work (in addition to them meeting the additional criteria set out in the policy) has a bearing on their ability to take their child to school.
3. The inclusion of a section explaining our policy on offering travel assistance on a temporary basis including temporary medical conditions, temporary school exclusion and temporary accommodation. This makes clear the approach we take in regard to short term travel assistance.
4. The clarification and emphasis on the requirement for the family to be on *maximum* working tax credits and/or free school meals when considering eligibility based on income. Previously, parents/ carers on working tax credits below the maximum level would also be considered in relation to eligibility based on income.
5. The clarification and emphasis on parent's preference of school making them ineligible for travel assistance if the local authority has found a closer suitable school for the child. This makes it clear that if parents choose to send their child to a school further away, they must take responsibility for the travel.
6. The new policy includes that on some routes, we may arrange for a designated pick-up point for pupils to access the transport. This can help reduce journey times so that pupils spend less time on the bus to and from their school.
7. Further emphasising the use of Independent Travel Training (ITT) as the most effective travel option to give children and young people the skills and confidence to travel independently. The updated policy also states that conversations regarding ITT will start early to allow time for parents/carers to develop their understanding and confidence regarding the process. It also adds that if we make a reasonable offer of ITT and the applicant does not accept this offer of assistance, we may not offer an alternative form of assistance. This change will help promote independence and preparation for adulthood.
8. The inclusion and promotion of information about Transport for London's free and discounted travel options. This is in order to further promote London's self-travel options for children, young people and those with disabilities. Promoting knowledge may reduce applications or appeals.
9. The removal of the obligation for parents/carers to renew travel assistance applications each academic year and instead request renewals only when there is any change in circumstances. This will result in more effective use of staff time and makes clear to parents/ carers when they need to contact the Council regarding a change in circumstance.
10. The document's structure and wording has been edited throughout for clarity and ease of understanding.

Public consultation

We conducted a 12-week public consultation on the proposed changes. This included an online survey, promoted via our schools, and consultation and discussion with Our Voice¹ and Head Teachers Forums. We received 102 responses to our online consultation, and extensive written feedback from Our Voice on the policy document. We amended the policy as a result of this consultation.

We have given our due consideration to ensure that the proposed changes allow us to deliver the most cost-effective and sustainable approach and are in the best interest of children and young people who need this service.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 Continue implementing the current travel assistance policy

An alternative option to updating the current travel assistance policy was to continue with the current policy published in 2016. This was not a viable option as we needed to perform a health check on the current policy and update our approach in order to improve efficiency and respond to rising demand, maximise opportunities for young people with SEND to achieve independence, ensure we adopt the most cost-effective approach, and ensure compliance with statutory guidance.

4.2 The option of introducing a charge for young people post-16

We considered the option of introducing a charge for applications for travel assistance for young people aged 16 or over. This is an option for local authorities based on section 29e of the Statutory Guidance on Post-16 Transport and Travel Support to Education and Training 2019. Following public consultation and a review of other local authorities' approach in this regard, the decision was made not to proceed with this option. Given the cost of designing and then administering a means-tested charge for post 16s, it is not considered that this would achieve tangible savings at this time. Furthermore, 60% of the respondents to the public consultation did not support this approach, and the equality impact assessment found that this measure would have a disproportionate impact on people with a disability.

5. REASONS FOR RECOMMENDATIONS

It is recommended that the new Getting to School Policy is approved in order to:

- Promote a safe, active and sustainable approach to travel assistance to and from schools or other educational settings
- Promote the most independent approach to travel assistance
- Ensure a genuine partnership with children, young people and their parents,

¹ Our Voice is a parent-led organisation working with parents and carers, as well as the statutory and voluntary sectors, to improve services for children and young people with disabilities or special educational needs in Enfield.

- Deliver the most cost-effective and environment friendly travel options
- Ensure the policy is compliant with the statutory guidance

6. COMMENTS FROM OTHER DEPARTMENTS

6.1 Financial Implications

- 6.1.1 The new measures introduced in the revised policy are expected to: -
- Improve the efficiency of this important service for all users, in the context of rising demand from families requiring assistance
 - Maximise the opportunities for young people with SEND to achieve independence through independent travel training
 - Ensure that we are delivering the most cost-effective approach to travel assistance.

The Home to School transport data trends and financial costs are shown below: -

Table 1

Actual Numbers As @ September 2019				2019/20 Average Cost Per Annum		
	People Transport	Personal Travel Budgets	Total		People Transport	Personal Travel Budgets
In Borough	623	67	690	In Borough	£8,191	£2,123
Out of Borough	186	27	213	Out of Borough	£13,441	£3,483
Total	809	94	903	Total	£21,632	£5,606
Independent Travel Training Cumulative Numbers (From Sep 2016 to Sep 2019)			51	Independent Travel Training Cost (Per Annum)		£20,000

- 6.1.2 As shown on the table above, the most cost-efficient method of travel is the use of Independent Travel Training (ITT), ITT maximises the opportunities for young people with SEND to achieve independence through independent travel training. Since the introduction of the ITT service in Sep 2016, 52 clients have been fully trained/qualified for independent training at a total cost of £80k (a flat annual cost of £20k per annum).

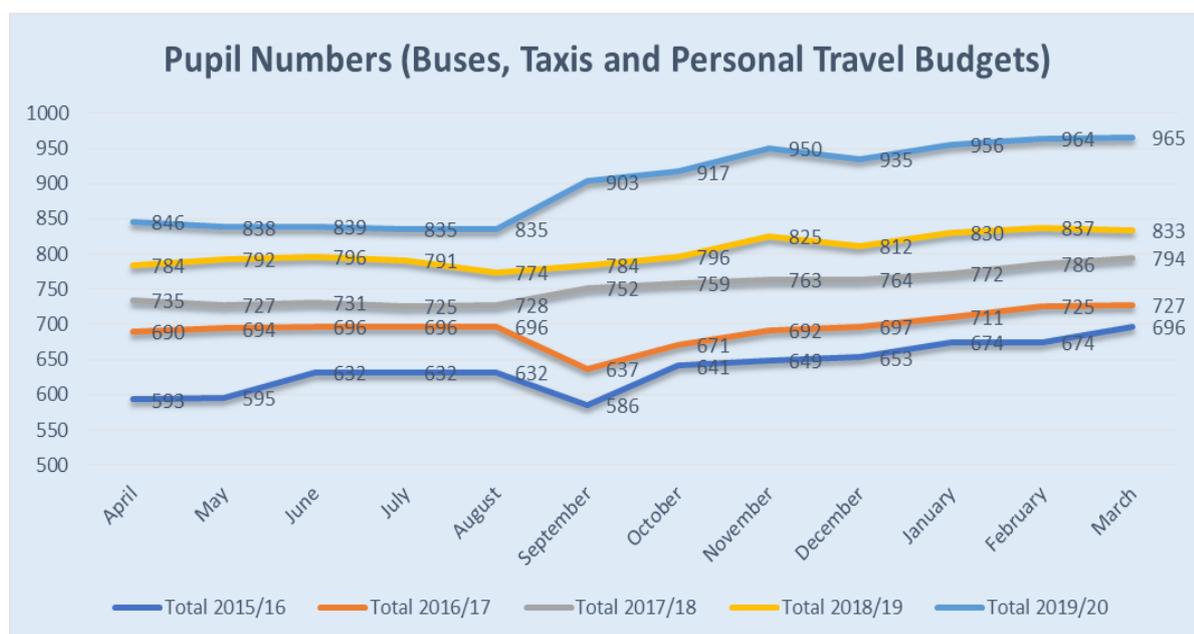
These 52 clients could have cost the Council circa £400k over the 4 years period, which means it has saved the Council around £320k since its inception (see table below).

Table 2

Period	ITT 2016/17	ITT 2017/18	ITT 2018/19	ITT 2019/20	Total
April	0	0	3	5	
May	0	2	3	4	
June	0	3	1	0	
July	0	1	3	8	
August	0	0	0	0	
September	2	2	4	0	
October	0	0	0	1	
November	3	0	0		
December	2	0	0		
January	1	1	0		
February	1	0	0		
March	1	0	1		
Total	10	9	15	18	52
ITT Annual Cost	£20,000	£20,000	£20,000	£20,000	£80,000
Average ITT Cost Per Annum (Per Client)	£2,000	£2,222	£1,333	£1,111	
Average In House Transport Cost Per Annum	£6,887	£7,346	£7,831	£8,191	
Estimated Annual Cost of Transport	£68,870	£66,114	£117,465	£147,438	£399,887
Estimated Annual Saving (ITT v In House Bus Transport Service Provision)	£48,870	£46,114	£97,465	£127,438	£319,887

6.1.3 The second most cost-efficient method of transport is the use of Personal Travel Budgets with an average total cost of £5,606 per annum, this is a lot cheaper than the use of our in-house bus/taxi transport method as shown in table 1.

6.1.4 As at September 2019 the total number of transport requests is 903 (excluding Independent Travel Training (see below)).



6.2 Legal Implications

6.2.1 Sections 508B and 508C of the Education Act 1996, as amended by the Education and Inspections Act 2006 places a duty on Local Authorities

to make provision to ensure that suitable travel arrangements are made, where necessary, to facilitate a child's attendance at school.

- 6.2.2 Section 508D places a duty on local authorities have regard to any Statutory Guidance issued by the Government. Accordingly, the Statutory Government Guidance on Home to School Travel and Transport and Post-16 Education and Training have informed the changes to Enfield's Travel Assistance Policy as has the Local Government Ombudsman's Focus Report of March 2017 "All on Board? Navigating School Transport Issues".
- 6.2.3 Legal Services have provided advice and guidance in line with the legislative provision as outlined above at points 6.2.1 and 6.2.2 in updating Enfield's Travel Assistance Policy.

6.3 Property Implications

None

7. KEY RISKS

7.1 Enfield, as is the case nationally, continues to see a rise in the number of children and young people with Education Health and Care Plans and those with additional and complex needs. As a result, demand for travel assistance is increasing. The duties placed on us by the Education Act 1996 and as amended by the Education and Inspections Act 2006 are such that we cannot reduce the number of children and young people provided with travel assistance. Under the existing and the renewed policy, we will continue to ensure we meet these obligations using the most cost-effective approach. While the new policy should help us improve the way in which we assess applications and better encourage independent travel, it is not expected that we will reduce the level of demand as a result of the new policy, and therefore the provision of travel assistance will continue to be an area of budget pressure.

7.2 A key change in the new policy is the increase in the use of independent travel training as the preferred type of travel assistance wherever possible, in order to prepare young people for independence and for adulthood. The successful implementation of this aspect of the policy is dependent on the child/ young persons' school proactively identifying children/ young people for whom travel training is suitable. There is a risk that, given competing pressures on schools, this approach may not be promoted in all suitable cases. This will be mitigated by ongoing engagement and collaboration between the Council and with schools, to implement the policy in partnership. Schools have been consulted with and engaged throughout the process of the policy review in order to prepare for this approach.

7.3 We will review the new policy on periodic basis to ensure that it continues to be the most cost-effective and legally compliant policy.

8. IMPACT ON COUNCIL PRIORITIES

8.1 The overall purpose of the Getting to School Policy is to ensure that children and young people with special education needs and disabilities have the required support to participate in education and training. Providing effective travel assistance in a fair and transparent way will facilitate their regular access to learning, and, particularly through

the promotion of independent travel training, will help support young people with independence as they move into adulthood.

8.2 By implementing this policy, we will contribute to the achievement of the Corporate Plan vision to help create a lifetime of opportunities in Enfield. In particular, it will help us to achieve the priority of **sustaining strong and healthy communities**.

8.3 One of the proxy indicators to show that we have sustained strong and healthy communities is to ensure that children and young people from various backgrounds participate in education and training on regular basis. Through the implementation of this policy we will make sure that children and young people with SEND enjoy their right to education the same way as their peers. The renewed policy places an emphasis on providing sustainable modes of travel assistance that gives long term benefit for the child; is legally cognisant, cost-effective and environment friendly. This will have a positive impact on our environment and communities.

9. EQUALITIES IMPACT IMPLICATIONS

A predictive equality impact assessment has been completed which shows that the policy should promote equality of opportunity for people of all protected characteristics, particularly children and young people with a disability. The policy is not expected to have an adverse impact on any groups of children and young people requiring travel assistance.

10. PERFORMANCE AND DATA IMPLICATIONS

The updated policy renews our commitment to provide travel assistance in a transparent and fair way. To achieve this, we will need to collect equalities information on children and young people applying for travel assistance in such a way as to regularly analyse this data. We will specifically collect information about sex; race; and location of the applicants. It is important for us to collect these data to make sure that we meet our obligations under the Equalities Act.

11. HEALTH AND SAFETY IMPLICATIONS

Children and young people who require travel assistance often have a special education need or disability. This policy considers the most appropriate options for travel assistance, taking into consideration the health and safety of all service users. In assessing travel assistance applications, the policy advises to consider the safety of the road and the safety of each individual child and young person on that road.

12. PUBLIC HEALTH IMPLICATIONS

This Getting to School Policy is for children and young people with special education needs, disabilities and mobility issues. The purpose of this policy is to ensure these children and young people's special health related needs are not a barrier to their access to education and training. We have considered the Health in All Policies (HiAP) approach while reviewing the travel assistance policy meaning that the health and wellbeing of children will be key considerations in the assessment of their need for travel assistance. In this context the Getting to School Policy does not default to an assumption of reliance on car transport and makes reference to a range of less environmentally damaging transport options.

Background Papers

None

Appendices

- Getting to School Policy
- EQIA