



CHILDREN AND LEARNING OVERVIEW AND SCRUTINY SUB-COMMITTEE, 18 DECEMBER 2019

Subject Heading:	SEND Travel Assistance Update
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Policy context:	The Education Act 1996, Home to School Travel Statutory Guidance, and LB Havering SEND Transport Policy.
Financial summary:	Service provision is not being delivered within current budgets. Budgets for 19/20 are £2.67m and forecasted expenditure is at £3.46m.

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

SUMMARY

This report summarises the key issues in respect of the provision of travel assistance for children and young people with special educational needs and disabilities. It provides detail on the current levels of spend, increasing pressures and actions that are underway to vary the offer and meet demand.

RECOMMENDATIONS

The purpose of this report is to inform Members of the progress to date in addressing issues in Havering's travel assistance offer and future intended actions. Members are asked to note the content of the report.

REPORT DETAIL

1. Background and policy context

The Education Act 1996 requires local authorities to make suitable and, where eligible, free travel arrangements for 'eligible children' as they consider necessary to facilitate attendance at school or college and this duty underpins the Council's policy. There is a requirement to refresh and re-publish the Council's policy annually.

The Council's policy is written in conjunction with the:

- Education Act 1996
- Special Educational Needs and Disabilities 0-25 years Code of Practice 2014
- Home to School Travel and Transport Guidance 2016
- Post 16 Transport to Education and Training 2019

The Council's policy is underpinned by the following principles:

- It is the parent/guardian's responsibility to ensure that their children attend school regularly
- The use of existing provision such as free travel on public transport will be encouraged wherever possible
- Students who are able to travel independently, use public transport or be transported to school by a parent/guardian or other appropriate person are encouraged to do so
- Students who have additional travel needs are offered the most independent and personally enabling solution for their situation
- All travel options are explored for students and any assistance offered will look at what is efficient and effective, both in terms of sustainability and cost – where travel assistance is provided, the most cost-effective mode of transport that meets the individual's needs must always be used
- The travel needs of students will be reviewed regularly to ensure the arrangements are still appropriate for their assessed needs

Most children and young people will access school and college without additional assistance from the Council. Where assistance is given, it should be seen as part of a plan of support that encourages children and young people to become more independent and resilient in their future lives.

As part of the Transport for London service, children and young people in full time education can travel free and at a discounted fare on public transport, up until they turn 18 and finish education. Children under five can also travel for free on public transport with a fare paying adult. For support above and beyond what is available

for free from Transport for London, the Council may provide further travel assistance.

The eligibility criteria sets out who is defined as eligible for support from the Council, which is applied in conjunction with the Council's principles for offering travel assistance. The eligibility criteria and the type of travel assistance that may be offered differs depending on the age of the student, their needs and the circumstances of the family.

The types of travel assistance available to children and young people, following a local authority assessment, include:

- A free space on the travel training programme to build confidence travelling and gain the skills required to do so independently, or with support
- Reimbursement of fuel for an identified person to perform a maximum of four journeys per day
- A seat on a bus with pick up at a designated meeting point
- A seat on a bus with pick up outside of the dwelling
- A taxi

After an assessment to determine eligibility, all students are considered firstly for a space on the travel training programme or for fuel reimbursement. If these are not appropriate, a direct transport service may be arranged.

2. Budget and demand

The service cannot continue to be provided within current budgets. The Council's budget for travel assistance for children and young people is £3m and expenditure for 2019-20 is forecasted at £3.46m.

Demand for travel assistance is increasing and applications received during the 19-20 renewal period have risen by almost 70 compared to last year.

Table 1 highlights the continued overspend on budgets for this service over the last three financial years, which highlights the need to respond differently to the needs of the borough.

Table 1: Budget and overspend for the past three financial years

Financial year	Budget	Actual (or forecasted) spend	Overspend
2017-18	£2,921,750	£3,350,566	£428,816
2018-19	£2,811,890	£3,241,480	£429,590
2019-20*	£3,023,740	£3,465,310	£441,570

*The travel assistance budget has received one-off money from Council reserves of £350k for 19-20, which will contribute towards off-setting the overspend for 19-20. Without this, the overspend was forecasted at approximately £790k for 19-20.

The most frequently accessed mode of travel assistance has consistently been the provision of a seat on a passenger transport bus. However, due to robust practice against the policy in 19-20, a shift has been seen onto other modes of travel assistance to meet people's needs.

Table 2: Modes of travel assistance accessed over the past two academic years

Mode of travel assistance	Percentage 18-19	Percentage 19-20	Change
Passenger transport	65%	68%	+3%
Taxi	28%	18%	-10%
Fuel reimbursement	4%	8%	+4%
Travel training	2%	5%	+3%
Exceptional/multiple	0%	1%	+1%

Although the service provision is shifting to more sustainable and personally enabling modes of support, demand for travel assistance is increasing and the SEND population is projected to increase over the next five years.

Data from the last three financial years suggests that for every four new students approved on passenger transport, a new bus is arranged. The addition of a new bus costs on average £77k per year. This is one of the drivers for the Council looking to meet people's needs differently by increasing the uptake of other forms of travel assistance.

Table 3: Demand and expenditure shift over the past three financial years

Difference over the last three financial years		
Topic	Amount	%
Annual cost of buses	+£540,390	+28%
Total no. of students on buses	+31 students	+10%
Total no. of bus routes per year	+7 bus routes	+20%
Unit cost of students on buses (per client per year)	+£1,301.57	+20%

3. Progress to date

As part of the 19-20 annual refresh of the policy, small refinements in practice were introduced:

- Increasing the offer and incentive for parents to take up fuel reimbursement in order to safely transport their children to school, by quadrupling the rate provided to parents, which aims to reduce the need for taxi or bus provision and shorten journey times of existing bus routes
- Working with the market to increase the capacity for independent travel training, therefore increasing the number of referrals made for students to be assessed for their ability to travel independently
- Developing an online 'eligibility checker' tool which supports parents/guardians new to travel assistance to check whether their child may be eligible before they apply, and to signpost to other options in the community that may best support them
- Strengthening the internal processes to assess and manage applications/appeals; ensuring adequate intelligence is gained about a family's circumstance, with robust recording and working to strengthen the information and advice provided to parents/guardians about their options – this includes a new, formalised appeals panel with suitable representatives
- Shifting outcome notifications to being online instead of postal, to enable a faster response to parents/guardians and freeing up officer time to focus on assessing applications and working with parents/guardians

4. Actions to further manage demand and budget

Demonstrated within the tables above, the service cannot continue to be provided within current budgets.

Unit costs from the Council's direct transport service, Passenger Transport, are rising and demand for services from the Council from children and young people with SEND is expected to increase over the next four years.

There is a need to change the way that travel assistance is provided with a more flexible service that is able to meet changing demand, and one that promotes resilience and independence in the community. In order to deliver this objective, the service has been identified as one of the Council's 'transformation' projects reporting under the 'Communities' theme.

It is important to note that the Council operates its policy under the principle that the most personally enabling solution that meets an eligible student's needs will be provided. This means that the matter of meeting people's needs will not be compromised during the flex in service, but may be met in a different way.

A number of lessons learned were collated after the 19-20 renewal period from officers, parents/guardians and places of education, which has led to a set of

further recommendations to practice and policy for the next academic year. This also includes looking at promoting independent travel training and working with schools, case officers and families to view travel training as part of the wider independence promoting plan.

One of these recommendations is the recruitment of a travel assistance assessment officer, which will aim to act as a dedicated liaison within the Council who can support people through the application process, work with families on the most appropriate travel solutions and provide good information and advice to parents/guardians, schools and other members of the community.

5. Stakeholder engagement

Prior to publishing the new policy and implementing the new arrangements, discussions were had with the community, including parent forums, schools and specialist provisions, at a SEND board to discuss the small shifts in process.

Prior to applications being made live, parents/guardians of children with SEND were invited to comment on the proposed application form for the new academic year. Changes were made to the application form following the feedback and the details of the co-production work was published on the Council's local offer (report found in the background papers).

In order to monitor the impact of the practice changes, discussions were held at a parent forum in November, to discuss the renewal period and seek feedback on the application process that had taken place. This was also an opportunity to discuss options for the next academic year.

As the local authority has started to increase its independent travel training offer and availability, the Council has arranged for its Young Advisors to collect views from students and parents about how the service works. This is being supported by easy read feedback sheets with support from Advocacy for All.

6. Comparator information

The Council is part of a London Borough Travel Assistance Group, which seeks to share information, issues, best practice and opportunities for the future of service provision. Alike Havering, all London Boroughs face similar issues relating to travel assistance. We will continue to participate in such groups to share information about options we are considering and learn from other initiatives.

BACKGROUND PAPERS

Home to school travel assistance policy for children and young people 2019-20:
www.havering.gov.uk/schooltravelassistance

Co-production work on the 19-20 application form with parents:
https://search3.openobjects.com/mediamanager/havering/directory/files/parent-guardian_testing_-_ta_application_form_v0_7.pdf

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications in noting the content of the report.

Legal implications and risks:

There are no legal implications in noting the content of the report.

The new policy will be the subject of further consultation with relevant stakeholders before implementation.

Human Resources implications and risks:

There are no HR implications arising directly from the recommendations in this report. Recruitment of a travel assistance assessment officer will be carried out in accordance with the Council's establishment and HR policies.

Equalities implications and risks:

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

It is both Council policy and recently renewed SLT direction/expectation that EqHIAs (Equality and Health Impact Assessments) are carried out when appropriate and in sufficient time to enable informed decision-making. As a basic rule, one should be undertaken whenever staff, service users, or the wider public are impacted by decisions or the intended or planned activity. The relevant template with guidance is available from diversity@haverling.gov.uk and the intranet and its purpose is to ensure a systematic approach to the task and to evidence that due regard is paid to any adverse impact on affected parties with

protected characteristics. In addition to the nine protected characteristics, the assessment also looks at matters pertaining to health and socio-economics, respectively.

Another accepted way to demonstrate due regard is to produce minutes of meetings which clearly show equality implications of the intended activity were fully discussed and understood by decision-makers. The status of EqHIAs can be 'completed' or 'under development', with a view to completion before any final decisions are reached. Where legal challenges occur, completed EqHIAs can often become items of evidence in related proceedings. Finally, if an EqHIA is not to be carried out authors should state the reason in the equality section of their report. Do consult the corporate diversity advisor if clarification or support is needed.

Consultation

Consultation with affected parties is essential to good practice. In terms of administrative law this has a specific meaning, and if done should be proportionate, fair, and inclusive. Sufficient time and information should be afforded to allow consultees to comment meaningfully on the matter in hand and the responses taken conscientiously into account by the decision maker.