

## **CABINET**

**4 APRIL 2023**

### **PROPOSALS TO AMEND AND MAKE ADDITIONS TO THE EDUCATION TRAVEL ASSISTANCE POLICY**

Portfolio Holder: Councillor Mrs Josie Iles; Portfolio Holder for Children's Services - Lead Member

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#### **Summary**

This report sets out the proposed amendments to the Education Travel Assistance Policy, and requests authority to commence a period of consultation on the proposals.

#### **1. Budget and Policy Framework**

- 1.1. All local authorities have a statutory duty to have in place arrangements for the provision of education travel assistance for children and young people (mainstream and SEND) who meet the published eligibility criteria.
- 1.2. The Education Travel Assistance Policy is developed within a national legal framework that sets out what local authorities must do to facilitate travel to school and sets out eligibility criteria for granting that support.
- 1.3. Under Section 7 of the Education Act 1996, it is the responsibility of the parent of every child of compulsory school age, to cause their child to receive efficient full-time education either by regular attendance at school or otherwise. The duties and powers of local authorities to provide education travel assistance are covered in other sections of the Act and its amendments. The provision of travel assistance incorporates consideration for children from low-income families.
- 1.4. Sections 508B and 508C of the Education Act 1996 (as amended) sets out the local authority's duties and powers respectively, to make such suitable travel arrangements as the local authority considers necessary, to facilitate a

child's attendance at school. This applies to home to school travel arrangements and vice versa. They do not relate to travel between educational institutions during the school day.

## 2. Background

- 2.1. The Education Travel Assistance Policy sets out what the council must do to facilitate travel to school and sets out the eligibility criteria for granting that support.
- 2.2. The changes proposed will provide a fairer and more progressive Education Transport Assistance Policy, which promotes the independence and more sustainable methods of travel. The wording of the policy has also been reviewed for clarity and is attached as appendix 1. Draft DfE Home to School Transport Statutory Guidance is included in background papers.

## 3. Options and proposed amendments

### **A. Develop and deliver an in-house Travel Training Service in line with current policy.**

- 3.1. Travel Training presents an opportunity to support young people in gaining skills that promote and develop independence, which can reach beyond their school travel and prepare them for adulthood. A developed sense of independence can also have a positive impact on other areas where the child/young person needs to develop confidence, including engagement in leisure activities.
- 3.2. In preparation for adulthood, the skills gained in navigating school/public transport independently include time management, social skills, managing transactions, coping with busy/public places and personal safety. Similarly, independence and confidence within this area of their lives could support them in accessing further education, employment, and training opportunities.
- 3.3. Empowering young people to travel independently will also deliver budget savings against the cost of providing SEND Transport.
- 3.4. The Education Travel Assistance Policy includes an allowance to offer Travel Training at point 6.5, and therefore no amendment to the policy is currently required in this regard. However, there is not currently a Travel Training Service which Medway young people can be referred to, after the commissioned service was discontinued.
- 3.5. Consultation with other authorities has identified a pattern of commissioned services failing to provide tangible results and value for money, and many authorities have therefore chosen to self-deliver on an invest to save model.
- 3.6. Self-delivery would ensure provision of a high-quality, consistent training, which results in young people gaining the independent travel skills and confidence to cease accessing SEND Transport, whilst controlling the cost of

the training. It would also allow for the proposed addition to the policy set out in Option B.

- 3.7. 240 Medway children and young people with an EHCP have been identified as potential candidates for Travel Training. Parental consent is required to deliver this training, and therefore it will be necessary to work sensitively with these families to allow them to see the overall benefits and engage with the service. The training should therefore be initially targeted at those most likely to be able to transition to independent travel.
- 3.8. There would be initial start-up costs including the development of a Travel Training Programme, and suitable accredited training for those who will deliver the programme.
- 3.9. It is proposed that the service could initially be delivered using the following staffing resources:

	<b>Total Annual Salary Costs</b>
Travel Training Co-ordinator x1 – R4	£26,874
Travel Trainers x 2 – R3	£41,710
<b>Total</b>	<b>£68,584</b>

- 3.10. Based on the average cost per pupil of shared SEND Transport of £5,072, the annual staffing costs would be offset by 14 pupils per year moving from shared transport to independent travel, which is achievable within an academic year.
- 3.11. Potential savings could be realised sooner with more travel trainers, however, it is suggested that the service starts small and targeted, and scales up as engagement grows. Other authorities have also reported that they have struggled to recruit large numbers of the appropriate staff.
- 3.12. Potential shared transport savings from 240 candidates travelling independently.

	<b>25% reduction 60 Pupils</b>	<b>50% reduction 120 Pupils</b>	<b>75% reduction 180 pupils</b>	<b>100% Reduction 240 pupils</b>
Shared Route Cost	£304,320	£608,640	£912,960	£1,217,280
Bus Pass Cost	£42,000	£84,000	£126,000	£168,000
<b>Total Budget Saving</b>	<b>£262,320</b>	<b>£524,640</b>	<b>£786,960</b>	<b>£1,049,280</b>

**B. Include the option to provide a suitably trained and vetted independent travel companion to accompany a child on their journey to and from school, where it is evidenced that a parent/carer is unable to do so due to disability.**

3.13. The policy currently states:

### **1.2.1 Accompaniment**

*The general expectation is that a child will be accompanied on their journey to and from school as necessary. It is the parent/carers responsibility to ensure appropriate accompaniment, if required.*

*Medway Council wishes to ensure equality of opportunity for children whose parents/carers have a disability which prevents them from accompanying their child along a walking route and will consider relevant up to date medical information, when assessing an application, as long as it is provided at the time of application and is from a GP, Consultant or other medical practitioner.*

- 3.14. In the academic year 2021/22, 3 mainstream pupils were provided with taxi transport under exceptional circumstances, at least in part due to parent medical needs, at a cost of £38,494. The distance between the home address and school for each of these children was below the relevant minimum statutory walking distance.
- 3.15. Whilst there is an argument that these pupils did not qualify under the standard or low-income criteria, their circumstances were compelling and therefore officer discretion was applied.
- 3.16. In cases where a parent/carer's disability prevents them from accompanying their child along a walking route, and the family are unable to arrange suitable accompaniment, the cost of this taxi transport could be avoided if this were provided by the Council.
- 3.17. Applications requesting taxi transport for mainstream pupils often go to Stage 1 Review and Stage 2 Appeal to Members. An option to provide accompaniment provides another option for officers and Members to consider when assessing these cases, offering speedier outcomes for families and could avoid the time and cost associated with these reviews.
- 3.18. There is already an allowance for Travel Training in the Education Travel Assistance Policy, and options are currently being explored to provide this service to encourage walking to school and public transport use. This will allow young people to realise the important health, independence, and environmental benefits of independent travel, as well as providing budget savings.
- 3.19. With parental consent, Independent Travel Training staff could provide suitable accompaniment alongside delivering the Travel Training Programme, and the staff costs would be offset against the cost of hired transport, in an invest to save model.

	Annual Cost of Accompaniment	Average Annual Pupil Cost of Shared Transport
Companion Salary	£20,855	£10,067

\* One companion can accompany more than one young person in an academic year. Highlighted costs are one-off annual costs.

- 3.20. For journeys beyond the minimum statutory walking distance, or where walking to school is not an option, providing a travel pass and companion would still be preferable to reduce reliance on taxi transport, as well and promote the health, independence, and environmental benefits outlined previously.

	Annual Cost of Accompaniment	Average Annual Pupil Cost of Shared Transport
Companion Salary	£20,855*	£10,067
Adult Pass	£744	
Child Pass	£700	
Total	£22,299	£10,067

\* One companion can accompany more than one young person in an academic year. Highlighted costs are one-off annual costs

- 3.21. Independent Travel Training would need to be adequately staffed to ensure flexibility for the programme to be delivered alongside providing accompaniment.

**C. Increase fuel allowance from one return journey from home to school per school day (when an eligible pupil is in the vehicle), to two return journeys for both mainstream and SEND pupils.**

- 3.22. Home to School Travel statutory guidance is currently being consulted on, which could make funding two return journeys a statutory requirement. Fuel allowance is currently one of the most value for money forms of assistance and would remain so based on funding four journeys.
- 3.23. Walking, where appropriate and travel by public transport would remain our preferred option to promote pupils' independence, as well as provide significant cost savings against the average unit costs of other forms of assistance.

Form of Mainstream Assistance	Average Annual Pupil Cost
Fuel Allowance (1 return journey)	£212
Fuel Allowance (2 return journeys)	£425
Rail Pass	£445
Bus Pass	£700
Shared Transport*	£10,067

<b>Form of SEND Assistance</b>	<b>Average Annual Pupil Cost</b>
Bus Pass	£700
Fuel Allowance (1 return journey)	£948
Rail Pass	£1,547
Fuel Allowance (2 return journeys)	£1,896
Shared Transport	£5,072
Personal Travel Budget	£6,920
Dual Transport	£18,000
Solo Transport	£41,651

\*Mainstream shared transport is more expensive as there is not usually an existing vehicle for the pupil to join

- 3.24. It should be noted that not all parents are willing or able to drive their children to school and receive fuel allowance for doing so. Families must accept fuel allowance for us to have discharged our statutory duty; it cannot be applied unilaterally.
- 3.25. This change will double the cost of supporting the 177 pupils who have already accepted SEND fuel allowance. The overall cost will increase from £ 234,714 to £ 469,428.
- 3.26. Funding four journeys may also make this option more attractive to new applicants and the significant number of families who have refused fuel allowance previously once the daily rate is known. Data is now being collected on the number of fuel allowances refused.
- 3.27. Fuel allowances rates of 0.40 per mile for SEN Transport and 0.12 per mile for Mainstream Transport have remained static since at least 2018 and 2008 respectively, and families have had to manage increasing motoring costs. The increased journey allowance may therefore help existing arrangements to remain in place, given the current rises in the cost of living.
- 3.28. Requests for fuel allowance at four journeys are often received at Stage 1 Review and have previously been considered by Members at Stage 2 Appeal. Offering this at application stage would provide speedier outcomes for families and could avoid the time and cost associated with these reviews.
- 3.29. There are currently 48 pupils supported with mainstream fuel allowance at a cost of £9,345 for this academic year, whose allowance would also be doubled, increasing the cost to £18,690. The individual cost would still be less than a travel pass. Where siblings travel together, only one amount of fuel allowance is paid instead of funding two seats on a vehicle or two travel passes.
- 3.30. Whilst we do not seek to increase the number of cars on the school run, this is additional low-cost resource which could address budget and capacity issues on vehicles.

Random Sample Analysis – SEND Transport:

Form of Assistance	Annual Cost	Annual Cost of Fuel Allowance x 2 return journeys*	+/- Cost
Shared transport	£4,515	£1,800	- £2,715
Shared transport	£4,515	£824	- £3,691
Shared transport	£3,735	£1,468	- £2,267
Shared transport	£1,600	£226	-£1,374
Shared transport	£5,881	£2,272	-£3,609

Form of Assistance	Annual Cost	Annual Cost of Fuel Allowance x 2 return journeys*	+/- Cost
Dual transport	£4,515	£2,324	- £2,191
Dual transport	£10,648	£603	- £10,045
Dual transport	£9,306	£2,065	-£7,241
Dual transport	£15,450	£1,209	-£14,241
Dual transport	£4,818	£606	-£4,212

Form of Assistance	Annual Cost	Annual Cost of Fuel Allowance x 2 return journeys*	+/- Cost
Solo Transport	£15,400	£2,348	-£13,052
Solo Transport	£44,840	£1,864	-£42,976
Solo Transport	£29,568	£3,186	-£26,382
Solo Transport	£32,311	£8,120	-£24,191
Solo Transport	£40,898	£1,917	-£38,981

\* Based on 195 academic days

**D. Increase the fuel allowance rate.**

3.31. As an alternative to increasing the number of journeys funded, amount paid per mile could be increased. As previously stated, fuel allowance rates have remained static since at least 2018 for SEN Transport, and 2008 for mainstream transport, whilst parents have had to manage increasing motoring costs. Medway's rates are lower than neighbouring local authorities:

Authority	Rate	Journeys funded	Example Based on a 3 mile journey
Medway	0.40p per mile	1 return journey	£2.40 per day
Thurrock	0.45p per mile	1 return journey	£2.70 per day
Kent	0.45p per mile	1 return journey	£2.70 per day
Bexley	0.25p per mile	2 return journeys	£3.00 per day
Surrey	0.25p per mile	2 return journeys	£3.00 per day

3.32. Increasing the SEN Transport rate payable to by 12.5% to 45p per mile, would be in line with neighbouring authorities and the HMRC mileage rate. This may help to keep the existing arrangements in place and encourage uptake from

new families. Whilst this will come at a cost, it will prevent these pupils requiring shared transport at an average annual pupil cost of £5,072.

- 3.33. It should be noted however that if the rate is increased, and funding 2 return journeys becomes statutory, we will be required to fund these journeys at the higher mileage rate. It is therefore recommended that four journeys are funded at the existing rate of 0.40p per mile.

Form of SEND Assistance	Average Annual Pupil Cost
Bus Pass	£700
Fuel Allowance (1 return journey) at 40p pm	£948
Fuel Allowance (1 return journey) at 45p pm	£1,067
Rail Pass	£1,547
Fuel Allowance (2 return journeys) at 40p pm	£1,896
Fuel Allowance (2 return journeys) at 45p pm	£2,133
Shared Transport	£5,072
PTB	£6,920
Dual Transport	£18,000
Solo Transport	£41,651

- 3.34. To ensure consistency for all eligible families, consideration should be given to increasing the mainstream fuel allowance rate by 12.5% This would bring the rate to 13.5p per mile, meaning it is still one of the most value for money forms of assistance as outlined below.

Form of Mainstream Assistance	Average Annual Pupil Cost
Fuel Allowance (1 return journey) at 12p pm	£212
Fuel Allowance (1 return journey) at 13.5p pm	£239
Fuel Allowance (2 return journeys) at 12p pm	£425
Rail Pass	£445
Fuel Allowance (2 return journeys) at 13.5p pm	£478
Bus Pass	£700
Shared Transport*	£10,067

\*Mainstream shared transport is more expensive as there is not usually an existing vehicle for the pupil to join

- 3.35. It should be noted however that if the rate is increased, and funding 2 return journeys becomes statutory, we will be required to fund these journeys at the higher mileage rate. It is therefore recommended that four journeys are funded at the existing rate of 0.12p per mile.

**E. Specify that SEN Transport will only be provided at the start and the end of the normal school day. Part-time or individual timetables cannot be supported where it would mean an additional run would be required.**

- 3.36. Families have historically been supported with part-time and transition timetables, meaning that additional runs have been commissioned to transport students outside of the standard school day, who usually travel on shared



transport, even though this is not statutory or in policy. Recent driver and vehicle shortages have meant that there have not always been resources available to provide this. Clarifying this in policy would avoid the £98,889 current spend on these additional journeys.

- 3.37. Part-time and transition timetables are usually implemented in response to pupils' needs or behaviour, and there is likely to be challenge from parents and schools. Our closest neighbouring authority, KCC do not offer any transport outside of the normal school day.
- 3.38. This change could lead to an increase in behavioural incidents on transport and requests for solo transport because of its flexible nature. These would however be managed within our existing procedures.

**F. Reframe available Post 16 Travel Assistance arrangements to prioritise options which promote independent travel and public transport use, and ensure more needs-targeted provision of hired transport.**

- 3.39. Subsidised Post 16 transport is a discretionary provision. Withdrawal of transport for post-16 students presents an opportunity to support them in gaining skills that promote and develop independence, which can reach beyond their school travel and prepare them for adulthood, whilst achieving estimated savings of £1,339,945.
- 3.40. Restricting transport for post-16 students to those from a low-income family could achieve savings of more than £777,199. There are further savings available from those in year 15 onwards, that cannot currently be quantified, as we have not identified the low-income families because no contribution is due.

Estimated Costs Savings – based upon current pupil numbers.

Option	Estimated Saving
Cease to provide transport for post-16 students	£1,339,945
Cease for all except low-income families	£777,199

- 3.41. Post-16 students may be able to transition to a bus pass (possibly with the support of the Independent Travel Training Scheme). A developed sense of independence can also have a positive impact on other areas where the child/young person needs to develop confidence, including engagement in leisure activities.
- 3.42. In preparation for adulthood, the skills gained in navigating school/public transport independently include time management, social skills, managing transactions, coping with busy/public places and personal safety. Similarly, independence and confidence within this area of their lives could support them in accessing further education, employment, and training opportunities.

- 3.43. It is recognised however, that total withdrawal of transport for Post 16 students, or restricted access may not be ethical or achievable. Even with significant support, because of their needs, some young people will not be able to or allowed to travel independently, regardless of their financial status. The location of some provisions also makes them inaccessible by public transport.
- 3.44. Families may not have the resources or capability to plan and facilitate their journey to their provision, resulting in poor engagement and attendance, or restricted post-16 options for these young people. Therefore, rather than withdraw or restrict access, we suggest reframing available Post 16 Travel Assistance arrangements to prioritise options which promote independent travel and public transport use and ensure more needs-targeted provision of hired transport.
- 3.45. The policy currently states:

### **6.3 Travel Assistance arrangements**

*Pupils accessing post 16 education will be offered a Personal Travel Assistance Budget (PTAB) or travel pass, or where the council considers it to be the most cost effective solution, a place may be offered on shared transport.*

*Solo pupil transport will only be considered in exceptional circumstances and only where there is clear evidence to support the need. Any solo pupil transport granted will be for a limited period of time and there is an expectation for the pupil to return to shared transport at the end of the specified period. All such arrangements will be subject to an annual review process to ensure, in consultation with the young person and their family / carer, that arrangements take account of the personal development of individual young people, opportunities to promote independence and any changing individual or family circumstances e.g. medical needs.*

*The expectation is that as the young person grows older and matures, they are supported to use public transport wherever possible.*

- 3.46. Personal Travel Assistance Budgets are considered in cases of complex or exceptional need, and therefore it is perverse to offer these to all post-16 students as the current policy suggests. Fuel allowance could however be offered to support families who can drive their young people to school or college.
- 3.47. Promotion of public transport use, and suitable support such as travel training, options for which is currently being explored, must be in place before young people reach post-16, to make this a viable option for more young people, and to realise the independence and environmental benefits.

3.48. It is therefore suggested that this part of the policy is amended to:

### **6.3 Travel Assistance arrangements**

*To support young people in gaining important life skills, and promote independent, sustainable travel, young people accessing post-16 education will be offered a travel pass. Where appropriate, they may also be offered travel training and/or support from an independent travel companion for a defined period of time.*

*Fuel allowance is also available to assist families who drive young people to and from school or college.*

*Subsidised post-16 transport is a discretionary provision, and therefore alternative post-16 transport options will only be considered in exceptional circumstances. For example, where a young person cannot be driven to school or college, and their special educational needs or disability mean that it is not reasonably practicable for them to access their provision by public transport. Supporting evidence from a GP, Consultant or other medical practitioner which illustrates an exceptional need is required to support the application.*

*The Council may also use its discretion to offer alternative transport options where a young person cannot be driven to school or college, and it is not reasonably practicable for them to access their provision by public transport. This would usually be because of its location, or because the journey requires several changes on public transport, resulting in an unreasonably long journey time.*

Number of post 16 pupils accessing SEN Transport by type as of November 2022

<b>Form of Assistance</b>	<b>Number of SEND Pupils</b>	<b>Average Annual Pupil Cost</b>
Shared Transport	236	£5,072
Dual Transport	1	£18,000
Solo Transport	3	£41,651

Potential savings by reduction of pupil numbers

<b>Form of Assistance</b>	<b>25% reduction</b>	<b>50% reduction</b>	<b>75% reduction</b>	<b>100% reduction</b>
Shared Transport	£299,248	£598,496	£897,744	£1,196,992
Dual Transport				£18,000
Solo Transport		£41,651	£83,302	£124,953

## **4. Advice and analysis**

4.1. The proposals represent a discretionary revision to the current travel assistance policy and if approved will come into effect from 1 September 2023. As the current policy is not deemed to be flawed and meets all legal criteria, the Council will not entertain retrospective claims under this revision.

4.2. All pupils will be assessed accordingly for the 2023-24 academic year in line with the revised policy.

4.3. The attached Education Travel Assistance Policy (Appendix 1) sets out the proposed amendments and is highlighted in yellow at sections 1.21, 2.3, 3.2, and 6.3.

## 5. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Parents of pupils	Parents may assume that SEND Transport will continue post 16	Early, robust communication about changes to the offer at post-16, and support in accessing alternatives	C2
Additional cost to the Home to School and SEN Transport Budgets	<p>The initial set up of Independent Travel Training, will require at least £68,584 in staff costs. This will be offset by the savings in hired transport, as outlined above, and facilitate the cost savings of £38,494.06 incurred due to lack of suitable accompaniment, addressed by Option B.</p> <p>Option C will increase the amount paid to parents who currently utilise the fuel allowance by £244,058.52, causing extra pressure on the budget.</p> <p>Option D will increase the overall cost of fuel allowance by 12.5%</p> <p>Options E and F will deliver savings as outlined previously.</p>	Accept the additional cost and increase budget accordingly.	C2

Likelihood	Impact:
A Very high	1 Catastrophic (Showstopper)
B High	2 Critical
C Significant	3 Marginal
D Low	4 Negligible
E Very low	
F Almost impossible	

## 6. Consultation

- 6.1. The consultation would take place during the spring of 2023 over a six-week period. The consultation would be targeted at schools and academies, school governors, parents and carers and transport providers.
- 6.2. The responses to the consultation will inform the final outcome of the proposals with all responses considered. A report will be presented to Cabinet in July 2023 with the outcomes of the consultation for formal approval.
- 6.3. A Diversity Impact Assessment (Appendix 2) accompanies this report and will be updated to reflect any changes to the proposal following the consultation.

## 7. Climate change implications

- 7.1. [The Council declared a climate change emergency in April 2019](#) - item 1038D refers and has set a target for Medway to become carbon neutral by 2050.
- 7.2. The proposals will aim to reduce carbon outputs by encouraging use of public transport and healthier ways of travelling to school.

## 8. Financial implications

- 8.1. There are no implications as a direct result of the recommendations of this report.
- 8.2. However, there may be a direct financial implication when the outcome of the consultation report is presented to Cabinet in July 2023 raising from the proposals outlined in section 3.

## 9. Legal implications

- 9.1. Under Section 7 of the Education Act 1996, it is the responsibility of the parent of every child of compulsory school age, to cause their child to receive efficient full-time education either by regular attendance at school or otherwise. The duties and powers of local authorities to provide education travel assistance are covered in other sections of the Act and its amendments. The provision of travel assistance incorporates consideration for children from low-income families.

9.2. Sections 508B and 508C of the Education Act 1996 (as amended) sets out the local authority's duties and powers respectively, to make such suitable travel arrangements as the local authority considers necessary, to facilitate a child's attendance at school. This applies to home to school travel arrangements and vice versa. They do not relate to travel between educational institutions during the school day.

## 10. Recommendations

10.1. Cabinet is asked to consider the proposals set out in the report and authorise the Director of People – Children and Adults to commence the six-week period of consultation to gauge views on the proposed changes to the Education Travel Assistance Policy as set out in section 3 of this report.

10.2. Cabinet is asked to note that at the end of the consultation period, an Outcomes of Consultation Report will be prepared and presented to Cabinet in July 2023 for determination of the proposals, with implementation from 1 September 2023.

## 11. Suggested reasons for decisions

11.1. Approving the commencement of the consultation period will ensure that the council complies with appropriate process to make changes to the Education Travel Assistance Policy.

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## Appendices

Appendix 1 Revised Education Travel Assistance Policy with recommended rewording for the proposed changes.

Appendix 2 Diversity Impact Assessment

## Background papers

[Home to School Travel and Transport – Statutory Guidance](https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance)  
<https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance>