



**Medway Council**

**Appendix 4**

## **Consultation on proposed changes to the Education Travel Assistance Policy from September 2025, and Post 16 Transport Policy Statement from September 2026**

### **Introduction**

Medway Council is undertaking a review of its Education Travel Assistance Policy and Post 16 Transport Policy Statement, and as part of this review we want to consult with all stakeholders on the proposed changes. The proposed changes to the Education Travel Assistance Policy would take effect from 1 September 2025, and the changes to the Post 16 Transport Policy Statement from 1 September 2026. Changes would affect any application for travel assistance received from these respective dates.

The proposed updates to the format and language used in Education Travel Assistance Policy and our Post 16 Transport Policy Statement aim to improve customer understanding, awareness, and overall experience. Various sections, wording and phrasing have been added or modified within the policy to clarify specific aspects or to provide information where this was previously missing. Amendments have also been made to more accurately reflect the statutory guidance from the government's Department for Education (DfE).

At the end of the consultation period, a report outlining the outcomes of the consultation will be prepared and presented to Medway Council's Cabinet in July 2025 to make a decision about the policy.

### **Consultation Focus**

The consultation is seeking views on five proposed changes to the Education Travel Assistance Policy and Post 16 Transport Policy Statement. The first proposed change is:

- 1. Adopting individual Mainstream and SEND Education Travel Assistance Policies for statutory age pupils aged 5 to 16 years, with updates to the format and language used in our policies to comply with statutory guidance and improve customer understanding, awareness, and overall experience.**

As part of the review of the policies, we have listened to feedback from families, schools, council officers and other stakeholders who have told us that our current published documents are difficult to navigate and understand.

To address this, we propose creating two separate policies, one for mainstream eligibility and one for SEND eligibility with links to each other in both policies. We believe that by having separate policies it will support families to find the information relevant to them.

The details within each policy will make it clearer and easier for parents to understand the criteria used to assess whether a child is eligible for travel assistance. This will include

examples of any evidence required to support the application, for example medical evidence.

Moreover, the changes to the format and language used in the policies will more clearly define requirements and explanations to minimise instances of misunderstanding / misinterpretation, along with clearly labelled sections and sub sections containing all key information in one location. There will also be a re-ordering of content to reflect the different stages of the Home to School and Post 16 Travel process that families/stakeholders follow.

The second proposed change is:

**2. To make it clear that it is the Council's duty to provide SEND travel assistance to the nearest suitable school that can meet the child's needs.**

In line with statutory guidance published in January 2024, a child will not be eligible for travel assistance if the education provision was chosen due to parental preference, if there was a nearer qualifying provision identified which could offer a place. This also extends to named schools/colleges on an EHC plan.

In these cases, any travel arrangements or expenses will be the responsibility of parents and carers if there is a nearer suitable qualifying school.

We will include a transport disclaimer in Education, Health and Care Plans. If the named education provision reflects parental preference rather than the nearest available provision, the council will only provide or fund travel assistance if it is an efficient use of resources.

***Please refer to section 4 in the SEND Education Travel Assistance Policy.***

The third proposed change is:

**3. To make it clear that SEND travel assistance will be provided at the start and the end of the normal school day, in accordance with statutory duties.**

Local authorities have a statutory duty to make home to school travel arrangements at the start of the day, and school to home travel arrangements at the end of the day for eligible pupils.

Families have historically been supported with part-time and transition timetables, meaning that transport has been commissioned for students outside of the normal school day, who usually travel on shared transport, even though this is not a statutory duty.

The update to the policy seeks to make it clear that travel assistance will be provided at the start and end of the school day, in line with the statutory duties.

There may be a small number of circumstances in which the council considers it appropriate to arrange transport at an alternative time of day, for example if a child has a medical condition which means they are not well enough to attend school for the whole day. Each case will be assessed on its own individual merits.

***Please refer to section 7 in the SEND Education Travel Assistance Policy and section 6 in the Mainstream Travel Assistance Policy.***

The fourth proposed change is:

#### **4. Reviewing the parent contribution towards SEND Post 16 Travel Assistance and consider proposed options where there is non-payment.**

Local authorities **do not** have a statutory duty to provide free or subsidised post 16 travel support. In Medway, for all young people with special educational needs and disabilities who meet the eligibility criteria, families are required to contribute towards the cost of transport in each academic year.

An increasing number of families have not paid their contribution as agreed but have continued to receive travel assistance. This comes at a cost to council when delivering a discretionary service.

The council has written off £59k worth of unrecoverable debt due to non-payment of the parental contribution, and this is unsustainable. We have considered continuing to provide travel assistance regardless of contributions being paid but this is financially unsustainable and unfair to parents who comply and make the agreed contributions.

We are not proposing to change the level of parental contribution for the full or low-income amount. However, we are proposing the introduction of the following penalty when parent contributions are not paid:

- If there is no payment made to the parental contribution by the end of term 2 in December (at least one-third of the total amount), the council reserves the right to withdraw travel assistance from January. Once a payment of at least one-third of the total amount is received travel assistance will be reinstated.

If there is no payment made by the end of term 4 (at least two-thirds of the total amount), the council reserves the right to withdraw travel assistance for the start of term 5. Once a payment of at least two-thirds of the total amount is received the council will reinstate travel assistance for the remainder of the academic year.

If there is an outstanding payment in the first year, no travel assistance will be provided in the second year of post 16 education.

Invoices will be sent out in a timely manner to enable parents to set up monthly payments.

***Please refer to section 5 in the Post 16 Transport Policy Statement.***

The fifth proposed change is:

#### **5. Changes to the appeals process; namely, moving to senior council officers for the independent panel in stage 2 of the process for all school transport appeals.**

The current Policy states that stage 2 appeals will be considered and determined by the School Transport and Curriculum Appeals Committee, which consists of five Councillors, supported by Democratic Services, and attended by Curriculum Appeals Committee officers, as necessary.

We are proposing that in stage 2 of the appeals process, a full and final decision will be made by an independent appeal panel with representation from senior council officers from SEND, social care, and Educational Psychology rather than elected members.

It is not a statutory requirement that the independent appeal panel consist of elected members. Panel members are not required to be independent of the local authority.

These panel members will be independent of the original decision-making process and foster a multidisciplinary approach. Panel members will have the knowledge, skills, and experience to ensure that the local authority complies with its statutory duties, and that a balance is achieved between meeting the needs of parents and of the local authority, and that children are not placed at unnecessary risk. Councillors will still be able to represent constituents at the panel hearing, if required.

***Please refer to section 13 in the SEND Education Travel Assistance Policy and Mainstream Education Travel Assistance Policy.***

**Please find the link to the ETAP Consultation 2025 below:**

[Have your say - Education Travel Assistance Policy & Post 16 Transport Policy Statement Consultation 2025](#)



This consultation will close at midnight on **4 July 2025.**

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