

REPORT TO:	CABINET 25th MARCH 2019
SUBJECT:	POST-16 TRAVEL ASSISTANCE POLICY CHANGES
LEAD OFFICER:	SHIFA MUSTAFA, EXECUTIVE DIRECTOR OF PLACE STEVE ILES DIRECTOR OF PUBLIC REALM
CABINET MEMBER:	COUNCILLOR ALISA FLEMMING CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND LEARNING
WARDS:	All
<p>CORPORATE PRIORITY/POLICY CONTEXT/ AMBITIOUS FOR CROYDON</p> <p>This recommendation addresses the Council's Corporate Plan Priorities: People live long, happy, healthy and independent lives. Our Young People thrive and reach their full potential.</p> <p>The proposed change to the Council's Post-16 Travel Assistance Policy is intended to permit Young People to make a choice of how they access education and training, following a public Consultation (Consultation report attached).</p>	

<p>FINANCIAL IMPACT</p> <p>Implementation of the recommended proposed change may result in reduced expenditure on 16-18 current travel costs.</p> <p>This will not be a budget saving as the budget is currently overspending, but if adopted should result in a financial saving to the Council.</p>
<p>FORWARD PLAN KEY DECISION REFERENCE NO.: 0619CAB</p> <p>This is a Key Decision as defined in the Council's Constitution. The decision may be implemented from 1300 hours on the expiry of 5 working days after it is made, unless the decision is referred to the Scrutiny & Overview Committee by the requisite number of Councillors.</p>

<p>The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below</p> <p>1. RECOMMENDATIONS</p> <p>The Cabinet is recommended to:</p> <p>1.1 Adopt the proposed change to the Post-16 Travel Assistance Policy, for the 2019/2020 academic year that where Independent Travel Training is not appropriate, the Council's default offer of support will be to provide a Personal Transport Budget (PTB) to learners aged 16 to 18 with special educational needs and/or disabilities.</p>
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2. EXECUTIVE SUMMARY

- 2.1 This report brings together the recommendation to adopt a change in the Council's post-16 travel policy based on the recent Consultation findings on the proposed change (to the Post-16 Travel Assistance policy).
- 2.2 The Consultation was on the proposed change to the policy which would make the Council's preferred option of Travel Assistance for students aged 16-18 to apply a Personal Travel Budget (PTB) to most eligible students who are not suitable for Independent Travel Training. The exception being for students with severe learning difficulties or complex physical/medical needs.
- 2.3 The proposed changes to the Post-16 Travel assistance policy are intended to:
- Promote the choice and independence of young people in relation to travel and transport.
 - Empower families to find their own lasting travel solutions.
 - Remove reliance on council provided transport and promote increased use of public transport.
- 2.4 The changes will be applied to students starting post-16 education or training from September 2019 or students starting a new course of study in the 2019/2020 academic year. All students carrying on their education post-16 must reapply for travel support. The final Post-16 Travel Assistance Policy will be published no later than 31 May 2019.

3. DETAIL – This is also available in Appendix 1

Local Authority Responsibility

- 3.1 The statutory responsibility for travel assistance for 16-19 year olds (who have started a course before their 19th birthday) rests with local authorities. Local authorities have a duty to prepare and publish an annual travel policy statement specifying the arrangements for the provision of transport, or otherwise that the authority considers necessary, to make to facilitate the attendance of all persons of sixth form age receiving education or training.

The sixth form age duty applies to young people of sixth form age and young people with Education, Health and Care Plans (EHC plans) up to the age of 25 where they are continuing on a course they started before their 19th birthday.

The overall intention of the sixth form age transport duty is to ensure that:

- Learners of sixth form age are able to access the education and training of their choice; and
 - If support for access is requested, this will be assessed and provided where necessary.
- 3.2 The local authority also has a duty under The Education Act 1996 section 508G to prepare a transport policy statement setting out any transport or other arrangements that it proposes to make for that academic year in respect of

adults aged under 25 with EHC plans. This must be published on or before the 31 May each year. The statement must include the details of transport arrangements and the details of financial support in respect of reasonable travelling expenses that the local authority consider it necessary to facilitate access to education or training for learners of sixth form age for the following academic year. These arrangements could include:

- The availability of a concessionary fares scheme
- A bus pass or cash equivalent
- A bus pass or cash equivalent plus a companion pass or cash equivalent
- Independent travel training
- A fixed mileage allowance
- Provision of actual transport

3.3 The Education Act 1996 section 509AA duty applies to all local authorities in England in respect of arrangements for young people (over compulsory school age) aged 16-18 and those continuing learners up to the age of 25 with EHC plans who started their programme of learning before their 19th birthday.

3.4 Legislation gives local authorities the discretion to determine what transport and financial support are necessary to facilitate young people's attendance. The local authority must exercise its power to provide transport or financial support reasonably, taking into account all relevant matters.

3.5 Currently, Croydon Council offers travel assistance to young people of sixth form age with an Education Health and Care Plan (EHCP) and/or disabilities who meet the eligibility criteria. This support can include:

- Travel Assistance to the nearest suitable provider offering a course or programme which is designed specifically to meet their special needs, or;
- A provider further away if the EHCP states that the course they wish to attend is specifically designed for them; is essential for their job aspirations or is the most suitable placement for their needs.

3.6 The consultation covered the discretionary criteria in the post 16 policy for those students aged 16 to 18 who have special education needs or a disability in education or training. The Council will continue to meet its statutory duty for children aged 5 to 16.

3.7 Croydon's current Post-16 Policy is underpinned by the following general principles in line with Department for Education guidance:

- Students who are able to travel independently or use public transport will always be supported in the first instance to do this. 'Independent travel' training is the first option for those students who have the potential to travel independently.
- Students who have specific special needs will be offered the most independent and personally enabling solution to their situation.
- Croydon council will ensure that transport for eligible students is arranged when needed; after other potential options have been explored.

- Travel needs are reviewed regularly at least annually to ensure the arrangements are still appropriate to assessed needs.
- 3.8 The Council's aim is to support young people in developing independence skills for life. Where suitable the Council's first offer of travel assistance will be Independent Travel Training.
- 3.9 Where Independent Travel Training is not appropriate, the option consulted on was to apply a personal transport budget to most learners aged 16 to 18 with special educational needs and/or disabilities.
- 3.10 As detailed elsewhere, transport will continue to be provided for young people with the very highest needs.
- 3.11 Both these approaches will provide young people with the opportunity to travel more independently and can be more cost effective for the local authority, as the increased demand may not be met with our current offer in the available budget.
- 3.12 If Independent Travel Training is not appropriate, the consultation asked people to consider that when a learner meets our eligibility criteria, they will be offered the default position of a personal transport budget to make private travel arrangements to the nearest educational provision offering their chosen course of study.

4. CONSULTATION

- 4.1 The Consultation ran from 3rd December 2018 until 31st January 2019.
- 4.2 The consultation was extensively promoted through a number of channels. This included direct contact with young people, families and stakeholders through focus groups. There was online availability of consultation documents including surveys available through the Local Offer on Get Involved. All documents were also available in Easy Read. All information about the consultation was circulated widely. This included education settings, Youth Clubs, neighbouring local authorities, Transport for London and parent support groups. Social media for example Twitter and Facebook was also used to promote the consultation.
- 4.3 The Consultation ran a public online consultation and held a number of focus groups. This involved a questionnaire (see Appendix 1 for questions) for individuals to answer.
- 4.4 Focus groups were held where questions around the consultation document were asked to those attending (see appendix 1 for questions, timetable, numbers, and details of consultees attending).
- 4.5 Full findings are detailed in Appendix 1.

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 5.1 Based on a detailed financial model that has been developed. It is anticipated that the introduction of this proposal will result in a reduction of costs. The table below shows the anticipated financial savings over a three year period. This will be reviewed annually, and revised accordingly based on performance. The table shows that cost savings of approximately £167k are forecast in the first year rising to £200k in the third year.

Input - SEN Post 16 Personal Travel Budgets (PTB)	2019/20	2020/21	2021/22
Total No. of Students receiving travel assistance	63	67	71
Estimated Annual increase in Demand		5.96%	5.98%
Cost uplift		3.48%	3.48%
Cost of providing Travel/ student/Year	£7,699	£7,967	£8,244
Cost of PTB /Student/Year	£2,800	£2,897	£2,998
Cost Avoidance/ Student	- £4,899	- £5,070	- £5,246
Targeted take up of PTB	34	36	38
Total annual cost avoidance	- £166,669	- £182,507	- £199,350

- 5.2 Modelling the existing student cohort, it has been identified that approximately 54% of the students to whom this change would apply (not retrospective) would be able to access education and training with access to a PTB. If the take up is not as high as 54%, then the cost mitigation identified above will not be as much as set out in the table above.
- 5.3 If these recommendations are not implemented, we will not be able to implement the findings of the consultation, and the cost reductions identified above will not be achieved.

Approved by: Lisa Taylor, Director of Finance, Investment & Risk and S151 Officer.

6. LEGAL CONSIDERATIONS

- 6.1 The Director of Law and Governance comments that under section 509AA of the Education Act 1996 the Council has a statutory responsibility to prepare and publish an annual travel policy statement specifying the arrangements for the provision of transport, or otherwise that the authority considers necessary, to make to facilitate the attendance of all persons of sixth form age receiving education or training.

Approved by: Sean Murphy, Director of Law and Governance and Deputy Monitoring Officer.

7. HUMAN RESOURCES IMPACT

- 7.1 There are no HR resources impacts on this area, any change in policy will be accommodated by existing HR resources.

Approved by Jennifer Sankar, Head of HR, Place for and on behalf of Sue Moorman, Director of HR.

8. EQUALITIES IMPACT

- 8.1 An Equality Analysis has been undertaken to assess the actual or likely impact the recommendation mentioned in this report may have on groups that share protected characteristics and mitigating actions have been defined where appropriate.
- 8.2 The equality analysis for the policy recommendation in this report will enable the Council to ensure that it meets the statutory obligation in the exercise of its functions to address the Public Sector equality duty (PSED). This requires public bodies to ensure due regard to the need to advance equality of opportunity; foster good relations between people who share a “protected characteristic” and those who do not and take action to eliminate the potential of discrimination in the provision of services.
- 8.3 The survey response rate was low, particularly from the under 25 age group. This was mitigated by holding focus groups with this group of people (detailed in the Consultation Report, Appendix 1).
- 8.4 The proposed amendment to the Post 16 travel policy can have a positive impact on families, it is a more family centered approach giving more flexibility, freedom, independence and control for families.
- 8.5 The young people the change in policy will be applied to are more likely to find any changes difficult, there is potential for some negative impact. Therefore, if changes are made to current services, support will need to be provided to students and families affected.
- 8.6 A number of mitigating actions have been put in place to address this. A personal transport budget assists in the reduction of journey times. The council will also take into account individual circumstances and needs to ensure enablement of fair access to learning and training.

Approved by Yvonne Okiyo, Equalities Manager

9. ENVIRONMENTAL IMPACT

- 9.1 The change in policy has the potential to reduce the number of vehicles providing transport to students in the Borough, and if using the Personal Travel Budget to use Public Transport, could enable people to travel in a less-polluting form of transport.

10. CRIME AND DISORDER REDUCTION IMPACT

10.1 There are not considered to be any impacts in this area.

11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

11.1 The majority of respondents (64%) to the questionnaire supported the idea of Young People making their own way to education and training where possible.

11.2 47% of respondents agreed that a Personal Travel Budget (PTB) would make post-16 students more independent (when Travel Training was not possible), as opposed to 44% who did not agree.

11.3 40% of respondents agreed that they supported our preferred option to apply PTBs to post-16 students aged 16-18 with Special Educational Needs and/or Disabilities (SEND) in education or training, as opposed to 33% who did not agree.

11.4 For full analysis see Appendix 1

12. OPTIONS CONSIDERED AND REJECTED

12.1 Charging for 16-18 transport was considered (and is undertaken by other Local Authorities) but was rejected as it was felt that this would be inequitable compared to those non-SEND students who are able to travel for free through the Transport for London Concessionary Fare scheme.

12.2 A blanket approach to making PTBs the default position for all 16-18 transport was also considered, but was rejected on the basis that would be an unsuitable approach.

12.3 A means-based approach was also considered making PTB the default option for all families except those of low incomes, but rejected due to the fact that this did not take into account the needs of the individual students.

Please see Appendix 1 for the Post 16 Consultation report, and associated appendices for options sought and received.

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APPENDICES TO THIS REPORT:

1. Public Consultation Report – Post 16 Travel Assistance Policy
2. Proposed Post-16 Policy (draft)

BACKGROUND DOCUMENTS: None